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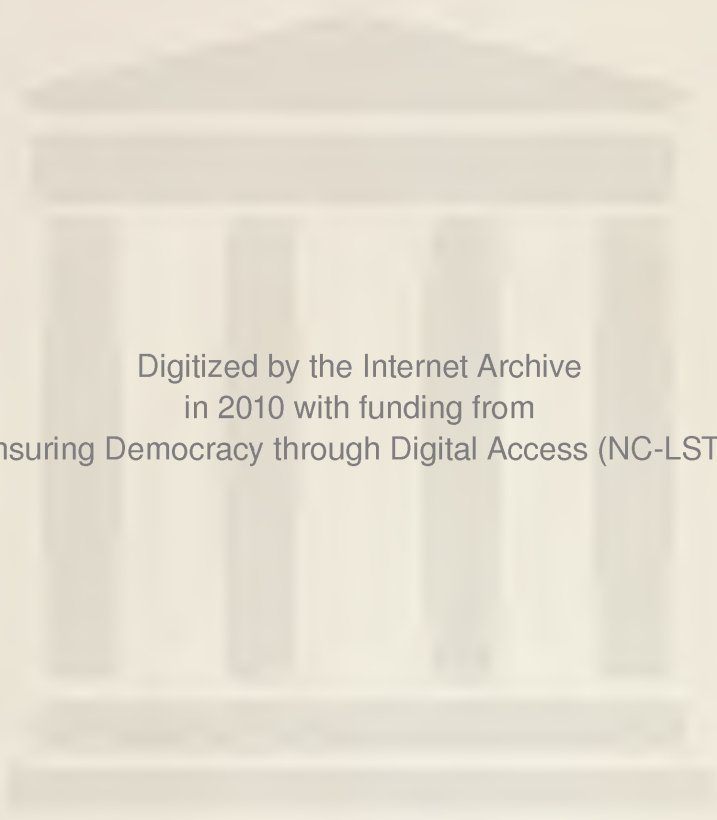
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PRIVATE LAWS

OF THE

STATE OF NORTH CAROLINA,

PASSED BY THE

GENERAL ASSEMBLY

AT ITS

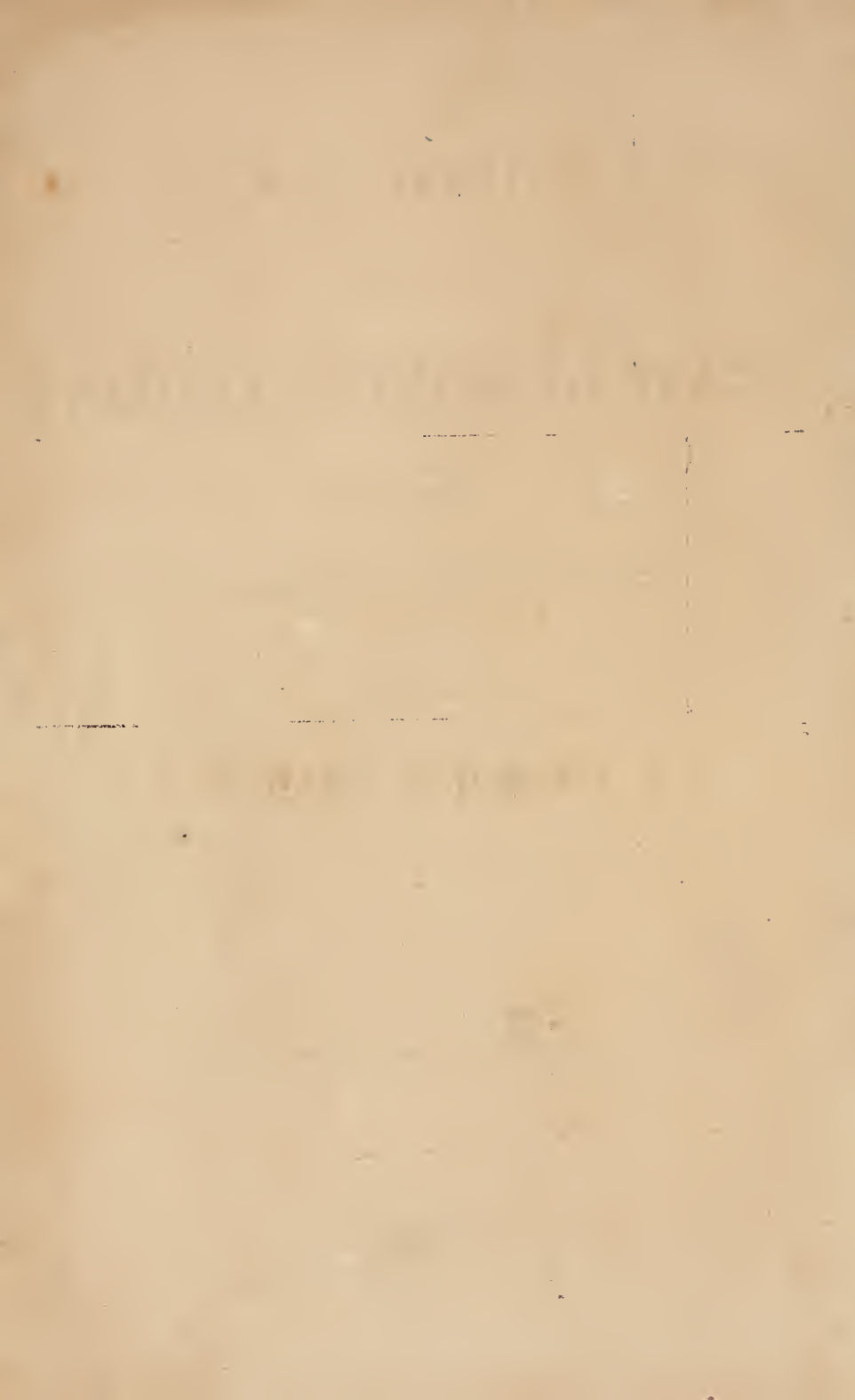
SESSION 1871-'72,

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1872.



CAPTIONS
TO THE
PRIVATE LAWS.



CAPTIONS

TO THE

PRIVATE LAWS.

SESSION 1871-72.

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PRIVATE LAWS

OF THE

STATE OF NORTH CAROLINA,

SESSION 1871-'72.

CHAPTER I.

AN ACT TO INCORPORATE THE EXCELSIOR BUCKET AND AXE
FIRE COPAMNY, NUMBER FOUR, CITY OF NEWBERN.

SECTION 1. *The General Assembly of North Carolina do enact,* That E. H. Meadows, George H. Roberts, E. H. Windley, Edward Gerock, William S. Wooten, T. C. Willis, Hugh Prentiss, W. E. Snelling, Mark Disoway, A. M. Baker and Joseph B. Holland and other persons who shall be associated with them for the object intended, and their successors duly elected and chosen according to the constitution and by-laws of the said company, shall constitute a body politic and corporate by the name and style of the Excelsior Bucket and Axe Fire Company, number four, of the city of Newbern, for the purpose of more united action in the extinguishment of fire in the city of Newbern, and by said name and style shall have power to acquire all necessary apparatus and equipments, and such real estate as may be requisite to subserve the legitimate purpose of the company.

Corporate body.

Corporate name.

Purposes of company.

SEC. 2. That said company shall by the name and style aforesaid, have succession, sue and be sued, plead and be

Power and privileges of company.

impleaded, have a common seal, and alter the same at pleasure, and make all by-laws and rules necessary for the proper government of the company and the management of the funds, and in all matters do and perform what is customary and proper for fulfilling the object of the association.

Exemption from jury,

SEC. 3. That members in the actual service of the company performing duties when required shall be exempted during the continuance of said service from jury and militia duty.

When act to be in force.

SEC. 4. This act shall be in force from its ratification.

Ratified the 4th day of December, A. D. 1871.

CHAPTER II.

AN ACT TO CHARTER THE BANK OF CASWELL.

Name of bank.

SECTION 1. *The General Assembly of North Carolina do enact*, That a bank be established in the town of Yanceyville, county of Caswell, state of North Carolina, to be styled the Caswell Bank, the capital stock of which shall not exceed five hundred thousand dollars, divided into shares of one hundred dollars each; and for receiving subscription to said stock, books shall be opened at Yanceyville on the seventh day of December, one thousand eight hundred and seventy one, and remain open for the space of ten days, under the supervision as commissioners, of John B. Blackwell, George Williamson, James Poteat, Thos. D. Johnson and Thomas Bigelow, or a majority of them; that one-half of such shares shall be paid to the commissioners above named at the time of subscribing, and that the remainder shall be paid on the first day of March, one thousand eight hundred and seventy-two, and if any subscriber shall fail to pay any instalment at the time stipulated, he shall pay interest thereon at the rate of eight per cent. per annum,

Capital stock.

Books of subscription.

Manner of payment.

and his or her stock shall be forfeited, and may be sold by the bank, and the proceeds applied to the payment of the aforesaid deficient instalment, and he shall be held responsible for the same at the option of the bank, and the balance, if any, of such sale, be paid over to said subscriber.

Forfeiture of stock.

SEC. 2. That as soon as two hundred shares shall be taken in the stock of said bank, and twenty thousand dollars paid to the commissioners who kept the books, the stockholders may meet at any time and place they may appoint. If those or their agents who have a majority of votes according to the votes hereafter described, be present (if not another meeting shall be called), they shall proceed to the election of five directors, who shall take charge of the books and money in the hands of the commissioners, and enter upon the discharge of their duties as directors; the said directors shall remain in office until the first Monday in December, one thousand eight hundred and seventy-two, or until their successors shall be elected and enter upon the discharge of their duties; and said directors shall elect one of their number to be president during their term of office.

When meeting to be called.

Election of directors.

President.

SEC. 3. That said president and directors shall and may adopt and use a common seal, and alter the same at pleasure, make and adopt necessary and proper by-laws for their government, may appoint all necessary officers and agents, fix their compensation and take bond and security for the faithful discharge of their duties, prescribe the manner of paying for stock and the transfer thereof; said bank shall have a lien on the stock for debts due it by the stockholders before and in preference to other creditors of the same dignity, except for taxes, and shall pay to the state an annual tax on each share of one hundred dollars, a sum equal to that charged by the state on other property of the same value.

Power of president and directors

Bank may have a lien on stock.

Exception for taxes.

SEC. 4. That said bank may discount notes and other evidences of debt, receive and pay out the lawful currency of the country, deal in exchange, gold and silver coin and bullion, and purchase and hold a lot of ground for a place of business, and may at pleasure sell and exchange the same, and may hold such real or personal estate and pro-

Banking privileges.

- Depositors. perty as may be conveyed to secure debts, and may sell or convey the same. It may receive on deposit any all sums of money on terms to be agreed upon by the officers and depositors. Minors, apprentices and *feme covert*s may deposit therein, and control the deposit so made for their own separate use, free from all other control or contract whatever, and may receive on deposit moneys held in trust by administrators, executors, guardians or others, and issue certificates therefor bearing such rate of interest as may be agreed upon by the officers of the bank and the depositors, not to exceed the legal interest, which certificates shall be assignable and transferable under such regulations as may be prescribed by the president and directors; and all certificates or evidences of deposit signed by the proper officers of the bank, shall be as binding as if under the seal of the bank.
- Certificates to be binding. SEC. 5. The president and directors shall annually appoint the time and place of holding the election of their successors and three of their number shall attend and conduct said election, each share being entitled to one vote; and that the said directors of the bank shall be allowed to open the subscription books from time to time, at their discretion, until the whole of the stock shall be taken.
- Annual election. SEC. 6. That this act shall be in force and effect from and after the date of its passage.
- Vote by shares. Ratified the 5th day of December, A. D. 1871.
- When act to take effect.

CHAPTER III.

AN ACT TO INCORPORATE THE MOUNT PLEASANT FEMALE SEMINARY, IN CABARRUS COUNTY.

- Corporate body. SECTION 1. *The General Assembly of North Carolina do enact, That* L. G. Heiligh, A. Foil, L. C. Groseclose, W. R. Hindley, E. D. Lentz, I. A. Bickle, D. Barrier, W. Miller,

W. H. Cone, Wm. Kimball, J. J. Misenheinner and John L. Henderson, be and they are hereby declared a body politic and corporate by the name and style of the trustees of the Mount Pleasant Female Seminary, and by that name shall have succession and a common seal, and shall have power to sue and be sued, to plead and be impleaded in any court in this state, and to acquire, purchase, have and to hold all such lands and tenements, chattels and moneys as may be necessary for the said institution, according to the will of the donor or donors thereof.

Corporate name.

Rights and privileges.

SEC. 2. That the said trustees or a majority of them shall have power to fill all vacancies which may occur in their number by death, or other cause, and to pass such laws and regulations as shall be necessary for the government and good morals of said institution.

Vacancies filled.

SEC. 3. That said trustees shall have power to confer degrees and marks of honor that are usually conferred by such institutions.

Degrees conferred.

SEC. 4. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 5th day of December, A. D. 1871.

CHAPTER IV.

AN ACT TO INCORPORATE THE WHITNEY MANUFACTURING COMPANY IN THE COUNTY OF CUMBERLAND.

SECTION 1. *The General Assembly of North Carolina do enact*, That A. P. Hurt, J. B. Starr, John A. Pemberton, E. L. Pemberton, A. H. Slocumb, David Jones, J. R. Lee, A. J. Deal, W. H. Tomlenson, John Shaw, M. A. Baker, D. G. McRae, M. Utley and R. W. Hardie their associates, successors and assigns, be and they are hereby created a corporation and body politic by the name and style of the Whitney Manufacturing Company, and by that name and

Corporate body.

Corporate name

- Rights and privileges.** style may sue and be sued, plead and be impleaded, in any court of record, contract and be contracted with, have perpetual succession and a common seal, and acquire, own and possess real, personal and mixed estate; and may make all necessary by-laws and regulations for their own government not inconsistent with the laws of the state or of the United States.
- Manufactories established.** SEC. 2. That said corporation shall have power to establish factories and mills for the manufacture of cotton, wool, flax, hemp, iron, lumber, meal, flour and all other material whatever, either by steam or water-power, at any place or places in the county of Cumberland.
- Capital stock.** SEC. 3. That the capital stock of said company shall not be less than twenty-five thousand dollars to be divided into shares of twenty-five dollars each: *Provided*, The said company may organize whenever ten thousand dollars shall be subscribed by solvent parties. The said shares shall be deemed personal property and shall be transferable on the books of the company; that twenty per centum of each and every share of stock shall be due and payable when the subscription is made or as soon thereafter as called for; that the like sum shall be due and payable at the expiration of ninety, one hundred and eighty, two hundred and seventy and three hundred and sixty days respectively, after such subscription is made.
- Proviso.**
- Shares deemed personal property**
- Time of payment.** SEC. 4. That in addition to the money subscription provided for as above, it shall be lawful for subscriptions to be made to the capital stock either in land, (for the necessary purposes of said company) material or labor, the value of such subscriptions of land, material or labor, to be determined in such manner as the company may direct.
- Subscription in land or labor.**
- Board of officers.** SEC. 5. That the officers of said company shall consist of a president, treasurer, secretary and board of directors of which the president, treasurer and secretary may be members. The number of the directors shall be fixed in the by-laws of the company. The treasurer shall be required to give bond in such sum as may be determined upon for the faithful performance of his duties and the safe keeping, dis
- Bond required of treasurer.**

bursing and accounting for all moneys of the company that may come into his hands. The offices of secretary and treasurer may be consolidated and the duties performed by the same person.

Consolidation of officers.

SEC. 6. That the officers of said company shall hold their respective offices for one year or until their successors are elected and qualified. The first meeting of said company may be called by any five of the persons herein named by giving fifteen days public notice of the time and place of such meeting. The annual meetings shall be called at such time and place and in such manner as the by-laws of the company may direct, but nothing in this clause shall be so construed as to prevent general meetings whenever the interests of the company may require them.

Term of office.

Public notice of meetings.

SEC. 7. That each stockholder shall vote either in person or by proxy, according to the following grade: For each share not exceeding five shares, one vote; for every additional five shares up to ten shares, two votes; for every additional five shares over ten, one vote.

Grade of vote.

SEC. 8. That said company may borrow money not to exceed at one time twenty-five thousand dollars, and may issue therefor such bonds or other evidences of debt, and at such rate of interest as said company may authorize, and to secure the payment thereof may mortgage all or any part of its property.

Manner of increasing capital stock.

SEC. 9. That it shall be the duty of said company to keep a full and fair record of its proceedings in a book or books provided for that purpose, and shall produce said record in any court when required so to do.

Books of record to be kept.

SEC. 10. That said company may purchase or receive as subscription to the capital stock herein mentioned, all the property, rights and franchises of any other manufacturing company in the county of Cumberland heretofore chartered upon such terms as may be agreed upon.

Subscription to stock.

SEC. 11. That said company may increase its capital stock whenever the interests of said company require it, to an amount not exceeding one hundred thousand dollars, in addition to the stock herein mentioned.

Limitation of stock

When act to be in force.

SEC. 12. That this act shall be in force from and after its ratification.

Ratified the 8th day of December, A. D. 1871.

CHAPTER V.

AN ACT TO INCORPORATE THE EDUCATIONAL AND LOAN ASSOCIATION OF NORTH CAROLINA.

Corporate body.

SECTION 1. *The General Assembly of North Carolina do enact*, That Lawrence F. Way, Wilfred Turner, P. C. Carlton, Moses L. Homes, Wm. F. Wanor, Marquis L. Wood, Milton Graham, Amos F. Gaither, Alfred Turner, John K. Bailey, Thomas M. Gill and Jesse D. Click, their associates, successors and assigns, and any and all those who have heretofore associated with them under articles of agreement for the purposes contemplated by this act, shall be, and they are hereby constituted and declared a body politic and corporate, by the name and style of the Educational and Loan Association of North Carolina, and by that name they and their associates and successors shall and may have continual succession and a common seal, which they may alter and change at their pleasure and shall be capable of suing and being sued, of pleading and being impeaded, of defending and being defended, in all and every manner of actions, suits, complaints, matters and causes whatever; and by the corporate name aforesaid, shall and may be capable of purchasing, holding and conveying each and every estate, real and personal, necessary to a safe, useful and profitable investment and reinvestment of the funds belonging to said association, the convenient and proper transaction of its business. Its object shall be mutual benefit, and to encourage the cause of education by aiding to establish colleges, semenaries and schools of high grade in the state.

Corporate name.

Rights and privileges.

Encouragement of education.

SEC. 2. That the property, business and affairs of said association shall be managed and controlled by a board of directors, and by such officers and agents as said board may deem necessary to appoint; the board of directors shall consist of not less than five members, and a president, treasurer and secretary, all of whom shall be stockholders, a majority of which board shall at all times constitute a quorum, unless the by-laws should prescribe for special purposes greater or smaller number; that said board of directors shall be annually elected by the stockholders at such time and place and in such manner and by such votes as may from time to time be prescribed in the by-laws: *Provided*, That the present board of directors and the officers by them and said association heretofore appointed, shall continue in office until their successors are regularly elected and appointed; should a vacancy occur in said board by death or otherwise, such vacancy may be filled by a quorum of the remaining directors, or in such other manner as the by-laws of the association may prescribe.

Board of Directors.

Majority to constitute a quorum.

Annual election.

Proviso.

Vacancies filled.

SEC. 3. That the board of directors shall have power to prescribe and make by-laws, rules and regulations for their own government and for the government of the officers, agents and members of the association as to them shall appear needful and proper for the management, investment and disposition of the funds, property, estate and effects of said association, for the regulation and management of all and every matter necessary to execute the powers or any of them granted by this act, and in a manner appertaining to the business thereof; to fix and prescribe the amount of assessments or the shares, modes and time of paying the same, and to fix the fines and forfeitures for the non-payment, and to make all necessary rules and regulations in any manner relating to the payment, redemption, assignments and forfeiture of said shares: *Provided*, Said by-laws, rules and regulations and any and all alterations and amendments thereof shall be submitted to the stockholders in regular or special meeting, and adopted by them, and shall not be

Power of board of directors.

Proviso.

repugnant to the constitution and laws of the United States and of the state of North Carolina.

Officers appointed by board of directors.

SEC. 4. That said board of directors shall have power to elect and appoint all such officers, agents and servants as the business of the association requires, to fix the compensation and prescribe the duties of such officers, agents and servants, and for good cause to remove them, and take such bond or bonds for any of such officers or other persons as they may at any time prescribe: *Provided*, That the members of said association do not at their regular meeting elect to appoint such officers, agents and servants, and to execute all the powers concerning those herein granted to said board.

Proviso

Members of association must own shares.

SEC. 5 That the members of said association shall consist of those who own one or more shares, and shall be entitled to vote in all elections and at all meetings of the stockholders in person or by written proxy, in such manner and under such rules and regulations as may be prescribed in the by-laws. The ultimate or par value of each share shall be one hundred dollars, and the number of shares composing or to compose any one class may be prescribed and limited as the association at a regular or special meeting of the stockholders may direct, and if in the opinion of the directors the wants of the community require it, said association shall be and they are hereby authorized and empowered to establish one or more additional class or classes of shares under such rules, regulations and restrictions for issuing, paying and redeeming the same, as to them shall appear expedient and proper, and from time to time to declare such dividend or dividends on the shares in each class as the business of the association justifies, and as they may deem to the interest of the shareholders.

Value of share.

Additional classes of shares established.

All contracts, lands, mortgages, &c, entered into by association to be legal and binding.

SEC. 6. That all contracts and agreements heretofore made and entered into by said association, or by the properly constituted officers thereof, now existing and in force, and all deeds, bonds and notes, mortgages and other securities taken by said association for securing the payment of money advanced or for other purposes, and all assignments and redemption of shares heretofore made, are declared to be

legal and of full force and virtue; and said association by its corporate name may collect such bonds, notes and other securities, and compel the execution of all such contracts and agreements by suit or otherwise, in the same manner and to the same extent as if said association had been incorporated when the same were made and entered into; and may collect all fines, dues and forfeitures now owing and unpaid in such manner as is provided for in the by-laws.

Collection of
bonds, &c.

SEC. 7. That this act shall be in force from and after its ratification.

When act to be in
force.

Ratified the 13th day of December, A. D. 1871.

CHAPTER VI.

AN ACT TO PREVENT THE SALE OF SPIRITUOUS LIQUORS WITHIN
TWO MILES OF SHILOH CHURCH, IN ANSON COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That it shall be unlawful for any person or persons to sell any kind of intoxicating liquors within two miles of Shiloh Church, in Anson county.

Prohibition of
liquor.

SEC. 2. That any person or persons violating the provisions of this act shall, on conviction thereof, be fined or imprisoned for each and every offence not exceeding fifty dollars, nor more than six months or both at the discretion of the court.

Penalty.

SEC. 3. That this act shall be in force from and after its ratification.

When act to be in
force.

Ratified the 14th day of December, A. D. 1871.

CHAPTER VII.

AN ACT TO INCORPORATE THE BEAUFORT PEABODY EDUCATIONAL ASSOCIATION.

- Corporate body. SECTION 1. *The General Assembly of North Carolina do enact*, That James Rumley, Thomas Duncan, Allen Davis, John D. Davis, Wm. J. Potter, Henry Waters and James C. Davis, of Beaufort, North Carolina, or any five of them, and their successors in office, organized and known as the "Beaufort Peabody Educational Association," having for its object the advancement of the cause of education in the town of Beaufort and vicinity, and the elevation of the rising generation, be and they are hereby created a body politic and corporate by the name and style of the Beaufort Peabody Educational Association, and by that name may sue and be sued, plead and be impeaded, may purchase, acquire, hold and transfer real and personal estate, may adopt a constitution and by laws, and alter or amend the same as they may deem necessary and proper from time to time for the government of the affairs of the corporation, and may do all other acts and clauses of acts and things which in law a body politic and corporate may of right do, not inconsistent with the constitution and laws of the United States or of this state.
- Corporate name.
- Rights and privileges. SEC. 2. That for the purpose of protecting this association and the people of Beaufort township generally, from the evils attending the sale of intoxicating liquors, it is hereby enacted that no ardent spirits or intoxicating liquors shall be bought or sold within Beaufort township, Carteret county: *Provided*, That the enactment in this section shall not become a law until the same shall have been determined affirmatively by a majority of the legal voters of the said township, voting at an election to be held for that purpose at such a time and under such rules and regulations as the clerk of the superior court, sheriff and register of deeds of said county, or any two of them may prescribe; said election
- Prohibition against intoxicating liquors.
- Proviso.

to be held as soon after the passage of this act as may be practicable. Election to be held.

SEC. 3. Any person violating the provisions of section two of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than one hundred dollars nor more than five hundred dollars, and imprisoned not less than thirty days nor more than six months for each offence, at the discretion of the court, which fine or fines shall be appropriated one-half to the said Beaufort Peabody Educational Association and the remainder to the state. Penalty

SEC. 4. This act shall be in force from any after its ratification. When act to take effect.

Ratified the 18th day of December, A. D. 1871.

CHAPTER VIII.

AN ACT TO AMEND THE CHARTER OF THE RELIANCE BUCKET AND AXE FIRE COMPANY OF NEWBERN.

SECTION 1. *The General Assembly of North Carolina do enact,* That the charter of the Reliance Bucket and Axe Fire Company, of Newbern, shall be so amended as to exempt the members of said company from serving as jurors on any coroner's inquest or in the special or superior courts of Craven county, during the existence of such membership. Amendment.

SEC. 2. That all laws conflicting with the provisions of this act are hereby repealed. Repealing clause.

SEC. 3. That this act shall be in force from and after its ratification. When act to be in force.

Ratified the 21st day of December, A. D. 1871.

CHAPTER IX.

AN ACT TO INCORPORATE THE COLLEGE OF PHYSICIANS AND SURGEONS OF THE CITY OF WILMINGTON.

- College of physicians. SECTION 1. *The General Assembly of North Carolina do enact, That Doctors J. Francis King, S. S. Satchwell, William J. Love, H. S. Norem, B. F. Cobb, W. W. Lane and Thomas B. Carr, their associates, successors and assigns, (Provided, They shall be graduates of a medical college in*
- Corporate body. *good standing,)* are hereby created and constituted a body politic and corporate by the name and style of the
- Corporate name. *“College of Physicians and Surgeons of the city of Wilmington,”* for the purpose of promoting and advancing the science of medicine and surgery in all the various branches, including dissections, dealing in drugs and medicines and surgical instruments and dispensing medicine in such form and in such manner as they may determine; and may also purchase, hold, sell, mortgage, lease or convey real or personal estate, with a capital not to exceed one hundred thousand dollars.
- Powers. SEC. 2. That said corporation may divide their capital stock into shares of not less than fifty dollars, issue certificates therefor, elect a president, directors, and all necessary officers, and make and adopt rules, regulations and by laws for the government of said corporation, and be entitled to all the privileges, rights, and immunities and subject to all the restrictions contained in chapter twenty-six of the revised code entitled corporations.
- Rights and privileges. SEC. 3. That this corporation shall exist ninety-nine years and this act shall be in force from and after its ratification.
- When act to be in force. Ratified the 22d day of December, A. D. 1871.

CHAPTER X.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF BEAUFORT,
NORTH CAROLINA.

SECTION 1. *The General Assembly of North Carolina do enact*, That the tax hereafter to be levied by the mayor and commissioners of said town, shall not exceed ten cents on the hundred dollars valuation of real estate, nor thirty cents on the poll, and the valuation of real estate shall not exceed that for state and county purposes.

Valuation of poll tax and real estate.

SEC. 2. The mayor and commissioners of said town shall have no power or authority to levy or collect any tax except during the year in which they hold office.

When tax not to be collected.

SEC. 3. All contracts for building, repairing or keeping the pumps of the town in order shall be let out publicly to the lowest responsible bidder under such rules and regulations as the mayor and commissioners or a majority of them may prescribe.

Repairing town pumps.

SEC. 4. All laws and clauses of laws coming in conflict with the provisions of this act are hereby repealed.

Repealing clause.

SEC. 5. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 22d day of December, A. D. 1871.

CHAPTER XI.

AN ACT SUPPLEMENTAL TO AN ACT TO CHARTER THE BANK OF
CASWELL, RATIFIED THE NINTH DECEMBER, ONE THOUSAND
EIGHT HUNDRED AND SEVENTY-ONE.

SECTION 1. *The General Assembly of North Carolina do enact*, That section first of said act, be amended by striking out in line thirteen of said section, the word "ten" and insert "sixty."

Amendment.

When act to take effect.

SEC. 2. That this act shall take effect from and after its ratification.

Ratified the 22d day of December, A. D. 1871.

CHAPTER XII.

AN ACT TO INCORPORATE THE BANK OF HILLSBORO'.

Corporate body.

SECTION 1. *The General Assembly of North Carolina do enact*, That Thomas Hill, George Laws, C. M. Latimer, Thomas Webb, D. C. Parks, J. Y. Whitted, P. C. Cameron, James Webb, Jr., John W. Norwood, P. B. Ruffin, John U. Kirkland and their associates and successors, be and they are hereby declared a body corporate for the purpose of establishing a bank to be known as the "Bank of Hillsboro'," with a capital stock not to exceed two hundred thousand dollars, with authority to commence business when twenty thousand dollars are subscribed and paid in, to be controlled by three or more directors, with all the powers, rights and privileges granted by the charter of the "Hillsboro' Savings Institution," or given to the bank of Mecklenburg by the legislature of one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, and the amendments granted to the charter of said bank of Mecklenburg by the present legislature at its last session.

Corporate name.

Capital stock,

Bank controlled by directors.

Rights and privileges.

When act to be in force.

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

Ratified the 3d day of January, A. D. 1872.

CHAPTER XIII.

AN ACT TO INCORPORATE THE RALEIGH FERTILIZING AND MANUFACTURING COMPANY.

SECTION 1. *The General Assembly of North Carolina do enact as follows:* The following named, viz: J. W. Watson, B. T. Williamson, A. G. Lee, A. T. Mial, R. F. Hoke, K. P. Battle, G. H. Wilder, W. H. Willard, John G. Williams, W. G. Upchurch, Wm. Bailey and such other persons as may be associated with them, their successors and assigns, are hereby made a body politic and corporate under the name and style of the Raleigh Fertilizing and Manufacturing Company, with power to purchase and hold real and personal estate and to have corporate power and privileges for the transaction of their business.

Corporate body.

Corporate name.

SEC. 2. The business of said corporation shall be to make, purchase, receive and sell fertilizers from bone, phosphate of lime, gnanc, sulphuric acid and other materials, and also have power to prosecute a general manufacturing business, which shall be carried on in Raleigh or elsewhere as the corporation may prefer.

Business of corporation.

SEC. 3. The capital of said company shall be divided into shares of one hundred dollars each, and shall be any amount not exceeding one million dollars nor less than fifty thousand dollars, which the corporation may from time to time designate.

Capital stock.

SEC. 4. For the government of the corporation the stock holders shall have power to appoint officers at discretion, prescribe times and places of meeting of stockholders, and in general, make such by-laws from time to time, as they may deem fit, not inconsistent with the laws of the state, and they may delegate to their directors or other officers such of their powers and authority as they may choose.

Power vested in stockholders.

SEC. 5. This act shall be in force from its ratification.

When act to be in force.

Ratified the 3d day of January, A. D. 1872.

CHAPTER XIV.

AN ACT TO INCORPORATE THE FAYETTEVILLE BUILDING AND
LOAN ASSOCIATION.

Corporators.

SECTION 1. *The General Assembly of North Carolina do enact*, That Wilbur G. Hall, Charles Haigh, James C. McRae, John M. Sherwood, A. Moore, A. H. Slocumb, M. J. McSween, B. Fuller, B. E. Sedberry and George H. Haigh, their associates, successors and assigns, shall be and they are hereby constituted and declared to be a body politic and corporate by the name and style of "The Fayetteville Building and Loan Association," and by that name shall and may have continual succession and a common seal, and shall be capable of suing and being sued, of pleading and being impleaded, of defending and being defended in all and every manner of actions, suits, complaints, matters and causes, and by the corporate name, aforesaid, shall and may be capable of purchasing, holding and conveying each and every estate, real and personal, necessary to a safe, useful and profitable investment and re-investment of the funds belonging to said association, and the convenient and proper transaction of its business.

Corporate name.

Rights and privileges of corporation.

Business affairs to be managed by directors.

Majority to form a quorum.

Annual election.

Vacancy filled.

SEC. 2. That the property, business and affairs of said association shall be managed and controlled by a board of directors and by such officers and agents as said board may deem necessary to appoint. The board of directors shall consist of not less than five, nor more than nine members, a majority of whom shall at all times be a quorum, unless the by-laws should prescribe for special purposes a greater or smaller number. That said board of directors shall be annually elected by the stockholders at such time and place and in such manner and by such votes as may from time to time be prescribed by the by-laws. Should a vacancy occur in said board by death, resignation or otherwise, such vacancy may be filled by a quorum of the remaining directors

or in such other manner as the by-laws of the association may prescribe.

SEC. 3. That the board of directors shall have power to prescribe and make by-laws, rules and regulations for their own government, and for the government of the officers, agents and members of the association as to them shall appear needful and proper for the management, investment and disposition of the funds, property, estate and effects of said association, and for the regulation and management of all and every matter necessary to execute the powers, or any of them, granted by this act, and in any manner appertaining to the business thereof; to fix and prescribe the amount of assessments on the shares, the modes and times of paying the same, and to fix the fines and forfeitures for the non-payment, and to make all necessary rules and regulations in any manner relating to the payment, redemption, assignment and forfeiture of said shares: *Provided*, Such by-laws, rules and regulations, and any and all alterations and amendments thereof shall be submitted to the stockholders in regular meeting, and adopted by them.

Power vested in directors.

SEC. 4. That said board of directors shall have power to elect and appoint all such officers, agents and servants as the business of the association may require; to fix the compensation and prescribe the duties of said officers, agents and servants, and for good cause to remove them, and to take such bond or bonds from any of such officers and other persons as they may at any time prescribe: *Provided*, That the members of said association do not at the regular meeting elect to appoint such officers, agents and servants and to execute any and all the other powers concerning them herein granted to said board: *Provided further*, That such by-laws, rules and regulations shall not be repugnant to the constitution and laws of this state or of the United States.

Appointment of officers by directors.

Proviso.

Further Proviso.

SEC. 5. That the members of said association shall consist of those who own one or more shares, and they shall be entitled to vote in all elections and at all meetings of the shareholders, in person or by written proxy, in such manner and under such rules, regulations and restrictions as may be

Association must consist of members owning shares.

prescribed in the by-laws. The ultimate or par value of each share shall be two hundred dollars, and the number of shares composing or to compose any one class may be prescribed and limited as the association, at a regular meeting of the shareholders, may prescribe; and if, in the opinion of the shareholders, the wants of the community require it, said association shall be and they are hereby authorized and empowered to establish one or more class or classes of shares under such rules, regulations and restrictions for issuing, paying and redeeming the same as to them shall appear expedient and proper; and from time to time to declare such dividend or dividends on the shares in each class as the business of the association justifies and as they may deem to the interest of the shareholders.

Classes of shares to be established.

When act to be in force.

SEC. 6. This act shall be in force from and after its ratification.

Ratified the 5th day of January, A. D. 1872.

CHAPTER XV.

AN ACT TO INCORPORATE THE FALLS OF NEUSE MANUFACTURING COMPANY.

Corporate body.

SECTION 1. *The General Assembly of North Carolina do enact*, That William F. Askew and his associates and their successors, associates and assigns, be and they are hereby created a corporation and body corporate in law and in fact,

Corporate name.

by the name and style of "The Falls of Neuse Manufacturing Company," and shall have the right to manufacture

Article of manufacture.

paper, cotton, wool, iron and all other articles whatsoever, and to carry on the business of merchandise at the Falls of Neuse river, in the county of Wake; and they shall have power to purchase, hold and own other property, both real and personal, as they may require for such purpose, and by that corporate name may sue and be sued, plead and be im-

pleaded in any court of record, contract and be contracted with, have perpetual succession and a common seal, which they may break and alter at pleasure; may make their corporate bonds, bearing interest at a rate not greater than eight per cent. per annum, and may in their discretion mortgage their property or any part thereof, as they may see proper.

Corporate rights..

SEC. 2. That the capital stock shall not be less than fifty thousand dollars, nor more than five hundred thousand dollars, in shares of one hundred dollars each.

Capital stock-

SEC. 3. That the business of said company shall be managed by a board of not less than three nor more than five directors, out of whom one shall annually be selected as president of the board, and the said company shall have the right and power to make from time to time, such by-laws for their government and the management of their business, and the election of their officers and agents as they may deem fit: *Provided*, The same shall in no way contravene the constitution and laws of the state and the United States.

President and directors.

Proviso.

SEC. 4. That it shall not be lawful for any person or persons to sell any spirituous liquors at any place within three miles of the Falls of Nense river where said corporation shall carry on and transact their business; and if any person or persons shall so offend, such person or persons shall be deemed guilty of a misdemeanor, and on conviction in the superior court, fined and imprisoned in the discretion of the court.

Prohibition of spirituous liquors.

Penalty.

SEC. 5. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 5th day of January, A. D. 1872.

CHAPTER XVI.

AN ACT TO INCORPORATE THE ALTAMAHAW COAL COMPANY.

- Corporate body. SECTION 1. *The General Assembly of North Carolina do enact*, That David F. Caldwell and John A. Gilmer, of the county of Guilford; Albert B. Stith and Nicholas L. Stith, of the county of Davidson, and John S. McClanahan, of the county of Chatham, and such other persons as shall be associated with them, and their successors, are hereby created into a body corporate and politic by the name, style and title of "The Altamahaw Coal Company," with a capital stock of one hundred and twenty-five thousand dollars, with power to increase the same to two hundred and fifty thousand dollars, and to be divided into shares of fifty dollars each, and with the power of perpetual succession.
- Corporate name. SEC. 2. That this corporation shall have, use, exercise and enjoy all the powers, privileges and rights proper and necessary for opening and working mines of the company, for coal, iron and other minerals, of manufacturing and making iron, steel and other products, and transporting to market and vending the same, and for such other objects as are necessary in the prosecution of their business.
- Capital stock. SEC. 3. That this corporation may hold lands, mining rights, leases on coal and mineral lands, with power to lease, mortgage, sell or otherwise dispose of the same or any part thereof, and they may construct and lay down a railroad or railroads with as many tracks as may be required, commencing at a point or points on their property or lease hold properties and pursuing such route or routes as may be deemed best for shipping coal, iron or other products to market, or to connect with other railroads: *Provided, however*, That said company shall at no time hold or possess more than five thousand acres of land.
- Corporate rights. SEC. 4. That the affairs of the company shall be managed by a board of five directors, with power in the stockholders, at any general meeting, to increase the number to seven,
- Power of company. May construct railroad for shipping coal. Proviso. Affairs of company to be managed by directors.

who shall choose one of their number to be president, the first election to be held after twenty days' public notice to the stockholders by the corporators named in the first section of this act. All elections shall be by ballot, each share of stock entitling the holder to one vote. The corporation may have and use a common seal, and the same change, alter or amend at pleasure, and by thier corporate style and name may sue and be sued before any court or justice of the peace in this state; may appoint officers and do and make all needful rules, regulations and by-laws for the well ordering of the business and affairs of the corporation, so that the same shall in nowise conflict with or be contrary to the laws and constitution of this state or of the United States, and may transfer the stock as prescribed by the by-laws; may declare and pay dividends as directed by the directors; and may establish and keep an office and all needful books for the transaction of their business as shall be directed by the same.

Election of president.

Vote by ballot.

Stock may be transferred.

SEC. 5. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 5th day of January, A. D. 1872.

CHAPTER XVII.

AN ACT TO AMEND CHAPTER ONE HUNDRED AND EIGHTEEN PRIVATE LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY AND ONE THOUSAND EIGHT HUNDRED AND SEVENTY-ONE.

SECTION 1. *The General Assembly of North Carolina do enact*, That section four of chapter one hundred and eighteen of the private laws of one thousand eight hundred and seventy and one thousand eight hundred and seventy-one, be amended by striking out the words "not exceeding the legal rate," when they occur in said section; and section

Amendment.

two of the same chapter be amended by inserting the name of Luke Blackmer in lieu of the name of J. D. Cavarly, as one of the commissioners to open books of subscription.

When act to be in force

SEC. 2. That this act shall take effect from the date of its ratification.

Ratified the 5th day of January, A. D. 1872.

CHAPTER XVIII.

AN ACT TO CHANGE AN ALLEY IN THE TOWN OF SHELBY.

Alley to be closed up.

SECTION 1. *The General Assembly of North Carolina do enact*, That L. N. Durham and John A. Ware, citizens of the town of Shelby, in the county of Cleaveland, be and they are hereby authorized to take into possession and close up the centre alley running due west in said town between lots number forty-nine and thirty-nine of the southwest square; and numbers forty-four and forty-five of the northwest square, and the title of that part of said alley lying between lots number thirty-nine of the southwest square and number forty-four of the northwest square, be and the same is hereby vested in the said L. N. Durham in fee simple; and the title to that part of said alley lying between lots number forty-one of the southwest square, and number forty-five of the northwest square, be and the same is hereby vested in the said John A. Ware in fee simple: *Provided*, That the said L. N. Durham shall open an alley from the said centre alley north along the east side of lot forty-four of the northwest square to Marion street, and shall execute and deliver to the board of the county commissioners of Cleaveland county, they agreeing and assenting thereto, a good and lawful deed in fee simple to the same parcel or tract of land.

Proviso.

SEC. 2. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 5th day of January, A. D. 1872.

CHAPTER XIX.

AN ACT TO AMEND AN ACT TO INCORPORATE THE RALEIGH FERTILIZING AND MANUFACTURING COMPANY, RATIFIED THE THIRD DAY OF JANUARY, ANNO DOMINI ONE THOUSAND EIGHT HUNDRED AND SEVENTY-TWO.

SECTION 1. *The General Assembly of North Carolina do enact*, That section three of "An act to incorporate the Raleigh Fertilizing and Manufacturing Company," ratified the third day of January, *anno domini* one thousand eight hundred and seventy-two, be amended so as to read as follows: The capital stock of said company shall be divided into shares of one hundred dollars each, and shall be any amount not exceeding one million dollars nor less than five thousand dollars, which the corporation may from time to time designate. Amendment.
Limitation of Stock.

SEC. 2. This act shall take effect from its ratification.

Ratified the 6th day of January, A. D. 1872.

When act to be in force.

CHAPTER XX.

AN ACT TO INCORPORATE THE WILSON BUILDING AND LOAN ASSOCIATION.

WHEREAS, Certain persons chiefly from the industrial classes in the town of Wilson, in the month of May, one thousand eight hundred and seventy, agreed and covenanted Preamble.

with each other to form themselves into an association known as the Wilson Building and Loan Association, and have submitted a copy of the constitution and by-laws adopted by them for the consideration of the general assembly; *and whereas*, the purposes for which said association was formed, and the principles upon which its general business is conducted are deemed highly praiseworthy, and tend manifestly to enhance the value of the real estate held by persons whose means ordinarily are inadequate to the permanent improvement of the same, whereby the taxable property of the state is largely increased; therefore,

Corporate body.

SECTION 1. *The General Assembly of North Carolina do enact*, That George W. Blount, R. W. King, S. W. Chamberlain, D. L. Hardy, A. B. Palmer, Oswald Lipscomb, S. E. Spier, T. C. Davis, Albert Farmer, E. S. Walton, John W. Dunham and their associates who are holders of one or more shares of the stock of said association, together with such other persons as may be hereafter associated with them as such stockholders, and their assigns, are hereby declared to be a body politic and corporate, by the name and style of the Wilson Building and Loan Association, and the present holders of the shares of stock in the association referred to in the preamble hereto, shall be deemed stockholders in the corporation hereby created, to the extent of the shares by them now severally held in said association, subject however to the payment by the present shareholders of all such further installments and dues, and liable respectively for any and all such fines, forfeitures as are or may be prescribed by the existing constitution and by-laws of said association. The corporation hereby created shall exist for the term of fifty years, unless sooner dissolved by the stockholders, or a majority in interest of such stockholders, and shall be vested with all the rights, powers, privileges and franchises incident or belonging to corporations, as set forth and declared in the first, second, third and fourth sections of the twenty-sixth chapter of the revised code of North Carolina, entitled "Corporations."

Corporate name.

Stockholders.

Limitation of time.

Corporate rights.

SEC. 2. The shares of stock in said corporation shall be of the par value of two hundred dollars each, or such sum as the stockholders shall determine upon opening books for additional shares of such stock, and the number of such shares shall not be less than three hundred nor more than one thousand. The corporation may at such time or times, and according to such rules and regulations as may be prescribed by its by-laws, redeem or purchase any number of the shares of stock of said corporation held by any stockholders at such price or sum of money, take and receive from such stockholders, a mortgage on real estate to secure the payment by such stockholders to said corporation of the unpaid installments remaining due on the share or shares of stock so sold or redeemed, together with interest at a rate not exceeding six per cent. per annum, on the par value of the same; and such installments and interest may be payable at such time or times and under and subject to such fines and penalties for the non-payment thereof as may be prescribed by the by-laws of said corporation; and any such mortgage or mortgages and the debts so entitled to be secured thereby, are hereby declared to be exempt from taxation, the property so mortgaged as aforesaid being taxed in the hands of the stockholder or mortgagor.

Value of stock.

Stock may be redeemed

Payment secured by mortgage.

Exemption from taxation.

SEC. 3. Said corporation may limit the number of shares of stock which each or any stockholder may be allowed to hold, and may regulate the installments to be paid on each share, (provided the same shall not exceed fifty cents per share per week,) and the time when the same shall be paid and be payable, and may enforce the payment of all installments and other dues to the corporation by such fines and forfeitures as may be prescribed by the by-laws.

Manner of payment.

SEC. 4. All deeds, mortgages, bonds, promissory notes or other securities taken for the benefit of this corporation shall be taken in its corporate name; and all mortgages, bonds or other instruments of writing made to the association referred to in the preamble hereto, or to any person or persons as trustees of such association, or to or for the use of such association, shall remain and continue of full force

All securities must be taken in corporate name.

and virtue in like manner as though such association had originally been a body politic and corporate; and any trustee or trustees to whom any such mortgage or bond or other instrument of writing may have been made for the use or benefit of said association may be required to assign and transfer the same unto the corporation; and in such case the same shall be and remain good and sufficient to all intents and purposes as if originally made to this corporation; and all and singular the liabilities and obligations of, by and between the members or stockholders of said association as prescribed by the constitution and by-laws of said association, or arising from or growing out of the same, shall be and remain of as binding force and virtue and effect, as if such association had been originally incorporated.

Mortgage, bonds, &c. may be transferred.

Real estate may be held.

SEC. 5. The corporation may hold such real estate as may be necessary or suitable for the convenient carrying on of its business, and all such real estate as may be conveyed to it in mortgage for securing any debt due said corporation, or any bond or other obligation payable to said corporation and vest all such real estate as may be purchased by said corporation in satisfaction of any debt due to said corporation.

Loans made but with limitation.

SEC. 6. This corporation may make loans to any of its members at such rates of interest and upon such terms generally as may be agreed on; but it shall not be lawful for this corporation to loan to any one of its members a sum exceeding the par or ultimate value of the shares of stock held by such member. No dividend of principal or profits shall be made by this corporation on the present shares of stock in the association referred to in the preamble, or in said shares when held in this corporation, until the fund accumulated, including the shares redeemed, and all the property, money and other effects of said corporation, shall amount to such a sum as will enable said corporation to divide on each unredeemed share a sum equal to the par or ultimate value of such share.

No dividends declared until accumulation of funds.

Books of subscription opened.

SEC. 7. Said corporation may at said time or times as the then existing stockholders may then determine, cause books of subscription to be opened for other and additional shares.

of stock, which shall be held separate and in all respects distinct and different from the shares of stock held at the time which said books of subscription for such additional stock may be so opened: *Provided, however,* That at no time shall the number of shares of said corporation exceed one thousand.

Proviso.

SEC. 8. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 6th day of January, A. D. 1872.

CHAPTER XXI.

AN ACT TO INCORPORATE THE WILMINGTON AND ATLANTIC STEAMSHIP COMPANY.

SECTION 1. *The General Assembly of North Carolina do enact,* That Alfred Martin, Francis W. Kirchner, Robert E. Calder and Eugene A. Maffit, their present and future associates and successors, are hereby created, constituted and declared to be a body politic and corporate in fact, by the name and style of "The Wilmington and Atlantic Steamship Company," and by said name they and their associates and successors may sue and be sued in any court, may make and use a common seal and alter the same at will; and shall be capable in law of purchasing, holding and conveying any real or personal estate, property or effects, and may buy or build and own steamboats, vessels, flats, boats and any other property of any kind whatsoever which may by said corporation be considered necessary or convenient for the successful prosecution of its general business as carriers of persons and things.

Corporate body.

Corporate name.

Corporate rights.

SEC. 2. That said company shall have and it is hereby invested with all the rights, powers and privileges required or which said company may consider in any way necessary or convenient for the carriage or transportation of persons,

Power vested in company.

goods, wares, merchandise or any articles of property whatsoever, from or to any port or place in this state, or from or to any port or place in any other state or country whatsoever.

Capital stock.

SEC. 3. That the capital stock of said company shall consist of one hundred shares, each of the sum or value of one hundred dollars, the number of which said shares may from time to time be increased as said company may elect, to any number not exceeding seventy thousand; and at all meetings of the stockholders of said company the owner of each and every share of said stock shall be entitled either in person or by his proxy to one vote for each and every share held by him.

Vote by shares.

SEC. 4. That said company shall have all the rights, powers and privileges incident or belonging to corporations in general, and all such as are referred to and set forth in the first, second and third sections of the twenty-sixth chapter of the revised code of North Carolina, entitled "Corporations."

Term of time.

SEC. 5. That the rights, powers and privileges by this act granted shall continue for the term of sixty years, and this act shall take effect and be in force from and after its ratification.

When act to be in force.

Ratified the 9th day of January, A. D. 1872.

CHAPTER XXII.

AN ACT TO INCORPORATE THE WILMINGTON LIBRARY ASSOCIATION.

SECTION 1. *The General Assembly of North Carolina do enact*, That William G. Thomas, Thos. B. Carr, James J. Motts, J. Calhoun James, John Cowan and their present and future associates, are hereby created and declared to be a body politic and corporate by the name and style of "The Wilmington Library Association," and by that name shall continue as such corporation for ninety-nine years, with all the rights, powers and privileges incident or belonging to

Corporate name.

corporations as set forth in the first, second and third sections of the twenty-sixth chapter of the revised code of North Carolina, entitled "Corporations."

Limitation of time.
Corporate rights.

SEC. 2. That said corporation shall have the power and capacity to purchase, hold, lease and convey all such real estate as may by it be considered necessary or convenient for its accommodation or in aid of the purposes of its organization.

Power to hold real estate.

SEC. 3. This act shall be in force from its ratification.

When act to be in force.

Ratified the 9th day of January, A. D. 1872.

CHAPTER XXIII.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF RUTHERFORDTON," AND FOR OTHER PURPOSES.

SECTION 1. *The General Assembly of North Carolina do enact*, That an act entitled "an act to extend the corporate limits of the town of Rutherfordton," ratified on the eleventh day of December, one thousand eight hundred and sixty-nine, and an act entitled an act to repeal an act entitled "an act to extend the corporate limits of the town of Rutherfordton," ratified the twenty-first day of March one thousand eight hundred and seventy-one, be and the same are hereby repealed.

Repeal.

SEC. 2. This act shall take effect from and after its ratification.

When act to take effect.

Ratified the 9th day of January, A. D. 1872.

CHAPTER XXIV.

AN ACT TO INCORPORATE ST. PETER'S LODGE, COUNCIL OF FRIENDS, NO. 1, OF NEWBERN, N. C.

- Corporators. SECTION 1. *The General Assembly of North Carolina do enact*, That Daniel T. Cardmay, A. L. Williams, James H. Richardson, A. M. Dudley, Thomas Windson, John E. Doughty, J. B. Mills, Moses Hargett, William H. Johnson, C. R. Robbins, John Davis, Moses Conner and others, their associates, successors and assigns, are hereby constituted a
- Corporate name. body politic and corporate, by the name and style of "St. Peter's Lodge, Council of Friends, No. 1, of the city of Newbern, North Carolina," and by that name they shall
- Corporate rights. have perpetual succession, and may sue and be sued, plead and be impleaded, exercise and enjoy all the rights that are usually enjoyed by corporate bodies of a like nature.
- When act to take effect. SEC. 2. This act shall be in force from and after its ratification.
- Ratified the 9th day of January, A. D. 1872.

CHAPTER XXV.

AN ACT TO PROHIBIT THE SALE OF SPIRITUOUS LIQUORS WITHIN TWO MILES OF SYLVAN ACADEMY AND CANE CREEK CHURCH.

- Spirituous liquors prohibited. SECTION 1. *The General Assembly of North Carolina do enact*, That any person selling spirituuous liquors within two miles of Sylvan Academy and Cane Creek Church, on the dividing line between Chatham and Alamance, shall be guilty of a misdemeanor and upon conviction thereof shall
- Penalty. be fined not more than fifty dollars or imprisoned not more than thirty days for each separate offence at the discretion of the court.

SEC. 2. That this act shall take effect thirty days after its ratification. When act to take effect.

Ratified the 9th day of January, A. D. 1872.

CHAPTER XXVI.

AN ACT TO INCORPORATE WARREN LODGE, NUMBER ONE HUNDRED AND ONE OF FREE AND ACCEPTED MASONS, IN THE TOWN OF KENANSVILLE.

SECTION 1. *The General Assembly of North Carolina do enact*, That the officers and members who now are, or those who may hereafter become attached to Warren Lodge, number one hundred and one, of Free and Accepted Masons, in the town of Kenansville, be and they are hereby constituted and declared to be a body corporate and politic by the name of "Warren Lodge," and by that name shall have a perpetual succession. Corporation of Lodge.

SEC. 2. That this act shall be in force from and after its ratification. When act to take effect.

Ratified the 9th day of January, A. D. 1872.

CHAPTER XXVII.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF EDENTON IN THE COUNTY OF CHOWAN.

SECTION 1. *The General Assembly of North Carolina do enact*, The office of constable for the town of Edenton be and the same is hereby abolished. Abolishment of office of constable

SEC. 2. That the streets, bridges, sewers, culverts, docks, markets and other public property and improvements of Commissioners to have control.

said town be under the supervision and control of the commissioners of said town, and any work, improvements or repairs are necessary the said commissioners are hereby authorized and empowered to employ temporarily some suitable person to employ and supervise such force as may be necessary to perform the same at a compensation not to exceed seventy-five cents per day for such hands employed, and to allow such person such compensation as may be deemed reasonable, not to exceed one dollar per day.

Compensation.

Amendment.

SEC. 3. That section eighth of the charter of said town be amended so as to authorize and require the mayor of said town to issue his process to any officer duly authorized to execute process, and if necessary to deputize some suitable person for that purpose, and the cost of all such process so executed shall be the same as is now authorized by law for similar service when performed by the regular officer of the state.

Mayor's compensation.

SEC. 4. That section twelve of said charter be so amended as to allow the mayor of said town twenty-five dollars per year for his services, and no more.

No emolument attached to office of commissioners

SEC. 5. That section thirty-seven of said charter be so amended as to make the office of commissioner for said town of Edenton, one of public honor, without fee, emolument or reward.

Compensation of Clerk.

SEC. 6. That the clerk of the board of commissioners of said town shall be allowed and paid for his services as clerk the sum of twenty-five dollars, out of the town treasury annually, and no more.

When act to be in force.

SEC. 7. This act shall be in force and effect from and after its ratification.

Ratified the 9th day of January, A. D. 1872.

CHAPTER XXVIII.

AN ACT TO INCORPORATE THE WATEREE STEAMBOAT AND TRANSPORTATION COMPANY.

SECTION 1. *The General Assembly of North Carolina do enact*, That Robert R. Bridges, Francis W. Kirchner, John C. Winder, George Alden, Adrian H. Van Bokkelen, Jos. A. Parker and John W. Thompson and their present and future associates and their successors, are hereby constituted and declared to be a body politic and corporate by the name and style of the Wateree Steamboat and Transportation Company; and by said name may sue and be sued in any court; and they and their associates and successors may make and use a common seal, and alter the same at will; and by their said corporate name shall be capable in law of purchasing, holding and conveying any real or personal estate, property and effects, and may buy or build and own steamboats, vessels, flats, boats and other property of any kind whatsoever which may by said corporation be deemed necessary or convenient for the successful prosecution of any of its business operations.

Corporate body.

Corporate name

Rights and privileges.

SEC. 2. The capital stock of said corporation shall consist of fifteen thousand dollars, which may be increased to a sum not exceeding two hundred thousand dollars; and said capital stock shall be divided into shares of one hundred dollars each; and at all meetings of the stockholders of said company the owner of each share of such stock shall be entitled, either in person or by proxy, to one vote for each share held by him.

Capital stock.

Division of stock.

Vote by shares.

SEC. 3. That said company shall have all the rights, powers and privileges required or which by said company may be considered necessary for the carriage and transportation of persons, goods, wares, merchandise or any articles or property whatsoever from and to any port or place in this state, and from or to any port or place in any other state whatsoever; and shall have all the rights, powers and

Right of transportation.

privileges incident or belonging to corporations which are set forth in the first, second and third sections of the twenty-sixth chapter of the revised code of North Carolina, entitled corporations.

Limitation of time.

SEC. 4. That the rights, powers and privileges by this act granted shall continue for the term of sixty years, and this act shall take effect and be in force from and after its ratification.

When act to be in force.

Ratified the 9th day of January, A. D. 1872.

CHAPTER XXIX.

AN ACT TO INCORPORATE THE FARMERS' AND MECHANICS' ASSOCIATION.

Formation of company.

SECTION 1. *The General Assembly of North Carolina do enact*, That for the purpose of developing the material interests of the state, and of encouraging and promoting art, science, agriculture, mechanics and manufactures, the holding of agricultural fairs and industrial and other exhibitions, a corporate company with a capital stock of ten thousand dollars, with the privilege to increase the same to one hundred thousand dollars, is hereby authorized to be called the Farmers' and Mechanics' Association, and when formed in compliance with the conditions hereinafter prescribed, to have a corporate existence as a body politic for ninety-nine years; and by that name may sue and be sued, plead and be impleaded in every court in the state of North Carolina, and may have and use a common seal, and shall be capable of purchasing, holding, leasing and conveying estate, real, personal and mixed, and of acquiring the same by gift or devise, and the said company may enjoy all the rights or immunities which other corporate bodies may lawfully exercise, and make all necessary by-laws and regulations for its government not inconsistent with the constitution and laws of the

Corporate name.

Capital stock,

Limitation of time.

Corporate rights and privileges.

state of North Carolina and with the constitution of the United States.

SEC. 2. That the capital stock of said company be created by subscription on the part of individuals, municipal and other corporations, in shares of the value of fifty dollars each, which may be made in lands, lumber, work or money as may be stipulated.

Manner of subscription.

SEC. 3. That books of subscription to the capital stock of said company may be opened by the following persons, viz: William Robinson, B. F. Arrington, John D. Spicer, II. L. Grant, Daniel Cogdell, R. T. Fulgham, J. A. Bonitz, W. T. Dorch, W. P. Faireloth, John R. Smith, John C. Rhodes, Albert Day and A. J. Galloway, whose duty it shall be to open or to direct the opening of said books of subscription, at such times and places, and under the direction of such persons as they or a majority of them may deem proper; and that five days' notice of the opening of said books shall be given in one or more newspapers in the town of Goldsboro'; and furthermore, that the said commissioners, or a majority of them, may at any time after the said books have been kept open ten days, and the sum of five thousand dollars has been subscribed to the capital stock of said company, and twenty per cent. paid thereon, have power to call together the subscribers to said stock for the purpose of completing the organization of said company; and subscribers shall be and are hereby declared incorporated into a company by the name and style of the Mechanics' and Farmers' Association of North Carolina.

Books of subscription to be opened.

Commissioners.

Public notification.

Meeting of subscribers for organizing company

SEC. 4. That said company may hold annual meetings of the stockholders and oftener if necessary; and at its organization, and at the annual meeting subsequent thereto, twelve directors shall be elected by the stockholders to hold office for one year and until their successors shall have been elected, and any of said meetings shall have power to make or alter the by-laws of the company: *Provided*, That in all such meetings of the stockholders a majority of all the stock subscribed shall be represented in person or by proxy, which proxy shall be verified in the manner prescribed by the

Meetings held annually.

Election of directors.

Proviso.

by-laws of the company; and each share thus represented shall be entitled to one vote on all questions; that it shall be the duty of the directors to elect one of their number as president of said company, and to fill all vacancies in the board.

President to be elected.

Contracts to be binding.

SEC. 5. That all contracts made and entered into by the president of the company, whether with or without seal, shall be binding upon the company, and the president shall, under the instructions of the board of directors, issue certificates of stock to the stockholders, which shall be transferable by the by-laws of the company.

Certificates of stock transferable

Amount of bonds to be issued.

SEC. 6. That it shall be lawful for said company to make and issue bonds to an amount not to exceed ten thousand dollars, to be authorized by the directors and signed by the president of said company under the common seal of the same, in sums of five hundred dollars each, payable or redeemable at such time and place, and bearing such interest per annum as may be authorized by the said directors.

Deeds of trust to be executed.

SEC. 7. That to secure the faithful payment of said bonds it shall be lawful for the said company to make, execute and deliver to such person or persons as may be selected or appointed to be authorized by the directors, and signed by the president of said company, under the common seal of the same, a deed of trust or mortgage, wherein shall be conveyed to the person thus selected or appointed trustee or mortgagee, the property and franchises of said company, acquired or to be acquired, conditioned for the payment of the interest and redemption of said bonds.

Exemption from taxation.

SEC. 8. That the property belonging to the said company shall be free from taxation.

When act to be in force.

SEC. 9. That this act shall be in force and take effect from and after its ratification.

Ratified the 10th day of January, A. D. 1872.

CHAPTER XXX.

AN ACT TO INCORPORATE THE PIONEER STEAMBOAT AND TRANSPORTATION COMPANY.

SECTION 1. *The General Assembly of North Carolina do enact*, That Francis W. Kirchner, Robert R. Bridgers, John M. Clark and Thomas Hall McCoy and their present and future associates and their successors are hereby constituted and declared to be a body politic and corporate by the name and style of "The Pioneer Steamboat and Transportation Company," and by said name may sue and be sued in any court, and they and their associates and successors may make and use a common seal and alter the same at will, and in and by their corporate name aforesaid shall be capable in law of purchasing, holding and conveying any real or personal estate, property or effects, and may buy or build and own steamboats, vessels, flats, boats and other property of any kind whatsoever which may by said corporation be considered necessary or convenient for successful prosecution of any of its business operations.

Corporators.

Corporate name.

Rights and privileges.

SEC. 2. The capital stock of said corporation shall consist of fifteen thousand dollars which may be increased to any sum not exceeding three hundred thousand dollars, to be divided into shares of one hundred dollars each; and at all meetings of the stockholders of said company each share of such stock shall entitle the holder either in person or by his proxy to one vote.

Limitation of capital stock.

Division of stock.

Vote by shares.

SEC. 3. That said company shall be entitled to and may exercise all the rights, powers and privileges required or which by said company may be considered necessary for the carriage or transportation of persons, goods, wares, merchandise or any articles of property whatsoever from or to any port or place in this state, or any port or place in any other state whatsoever, together with all the rights, powers and privileges incident or belonging to corporations, which are referred to or set forth in the first, second and third sec-

Right of transportation.

tions of the twenty-sixth chapter of the revised code of North Carolina entitled "Corporations."

Limitation of time.

When act to be in force.

SEC. 4. That the rights, powers and privileges by this act granted, shall continue for the term of sixty years, and this act shall take effect and be in force from and after its ratification.

Ratified the 12th day of January, A. D. 1872.

CHAPTER XXXI.

AN ACT TO INCORPORATE THE BANK OF NEW HANOVER.

Corporators

SECTION 1. *The General Assembly of North Carolina do enact*, That Isaac B. Grainger, David R. Murchison, John W. Atkinson, Alexander Sprunt, John E. Lippitt, Alex. D. Brown, William R. Empie, their present and future associates and successors are hereby constituted and declared to be a body politic and corporate by the name and style of "The Bank of New Hanover," and shall so continue for the term sixty years, with capacity to take, hold and convey real or personal estate, and with all the powers, rights and privileges granted to any bank or banking institution by this or any preceding legislature of this state, together with the rights, powers and privileges incident or belonging to corporations as set forth or referred to in the first, second and third sections of the twenty-sixth (26th) chapter of the revised code of North Carolina, entitled "Corporations."

Corporate name.

Limitation of time.

Banking privileges.

Capital stock.

Limitation of stock.

Books of subscription.

SEC. 2. The capital stock of said corporation shall not be less than fifty thousand dollars, in shares of twenty-five dollars each, and such capital stock may be increased from time to time as said corporation may elect, to a sum not exceeding one million of dollars.

SEC. 3. The corporators in the first section named, or a majority of them, are hereby empowered to open books of subscription to the capital stock of said bank, at such time

or times at such places and for such periods as they shall determine, and the stockholders at any general meeting called after the due organization of said bank may, at their discretion, from time to time, re-open books of subscription to said capital stock until the same be wholly taken.

SEC. 4. Whenever seventy-five thousand dollars shall be subscribed, and twenty-five thousand dollars shall be paid into the capital stock of said bank, the before named corporators, or a majority of them, shall call a meeting of the subscribers to said stock at such time and place and on such notice as they may deem sufficient; and such stockholders shall elect such directors as they may think proper, who shall hold office for one year and until their successors shall be appointed, and said directors shall choose a president and a vice-president to serve during their continuance in office.

Meeting of sub-
scribers.

President and di-
rectors elected.

SEC. 5. The president and directors of the bank may adopt and use a common seal and alter the same at pleasure, may make and appoint all necessary officers and agents, fix their compensation, and take security for the faithful discharge of their duties, prescribe the manner of paying for stock and the transfer thereof, may do a general banking business on such terms and rates of discount and interest as may be agreed on; and in general have the privileges conferred on corporations by the general laws of the state relating to corporations. The bank shall have a lien on the stock for debts due it by the stockholders before and in preference to other creditors of the same dignity, and shall pay to the state an annual tax in lieu of all other taxes on each share of stock therein, a sum equal to that charged by the state on other property of the same value; said tax to be paid to the public treasurer during the month of July in each year.

Government of
bank.

Bank to have a
lien on stock.

Annual tax.

SEC. 6. The said bank may receive and pay out the lawful currency of the country, deal in exchange gold and silver, coin, bullion, uncurrent paper, and public or other securities; may purchase and hold such real and personal estate and property as may be conveyed to secure debts to the bank, or may be sold under execution to satisfy any debt due to said bank, and may sell and convey the same; may purchase

Banking rights
and privileges.

and hold real estate for the transaction of business, and at pleasure sell or exchange the same; may discount notes and other evidences of debt, and lend money on such terms as may be agreed on. It may receive on deposit moneys on terms to be agreed on between the officers and depositors. The bank may receive on deposit moneys held in trust by administrators, executors, guardians or others, and issue certificates therefor bearing such rates of interest as may be agreed on between the parties, which certificate may be assignable and transferable under such regulations as may be prescribed by the president and directors; and all certificates and evidences of deposit signed by the proper officers of the bank, shall be as binding as under seal of the bank.

Certificates issued and made transferable.

Delinquent debtors.

SEC. 7. If any subscriber shall fail to pay his stock or any part thereof as the same is required of him, the entire residue of his stock shall be deemed to be due, and may be recovered in the name of the bank, either by motion to the court of the county where the delinquent may reside, upon giving him ten days' notice of the motion, or by civil action; or the entire stocks may be sold by order of the directors for cash at the banking house in Wilmington, after advertisement of sale for twenty days in a newspaper published in the city; and if at such sale the price should not be sufficient to discharge the amount unpaid with all costs attending the sale, the subscriber shall be liable for the deficiency in a civil action.

Public notification.

Stock assigned before payment.

SEC. 8. If any subscriber shall assign his stock before its full payment, he and his assignee and all subsequent assignees thereof shall be liable for its payment, and may be sued jointly or severally by motions as aforesaid, or by civil action, and in every case of delinquency in a subscriber or others, the subscription shall be deemed a promissory note payable to the bank as well in respect to the remedy for recovering the same as in the distribution of the assets of any deceased subscriber.

Promissory notes.

Agencies established.

SEC. 9. Agencies of the bank may be established at such times and places as the president and directors may designate, and such agencies may be removed at any time, shall

be subject to such rules and regulations as may be prescribed by the president and directors of the bank.

SEC. 10. The president and directors shall be capable of exercising all such powers and authority as may be necessary for the better governing of the affairs of the corporation : shall have power to prescribe the rules for the conduct of the bank, the same being consistent with the by laws, rules and regulations established by the stockholders, and may regulate the terms and rates on which discounts and loans may be made, and deposits received by the bank ; and they shall direct when dividends of profits shall be made. They may call a meeting of stockholders whenever they may think proper, and any number of stockholders holding together one-tenth of the stock, may call a special meeting on giving thirty days' notice in a newspaper published in Wilmington ; at all meetings stockholders may be represented by proxy, each share being entitled to one vote.

Power of president and directors-

SEC. 11. That to aid planters, miners, manufacturers and others, the said bank shall and may have power to advance or loan to any planter, farmer, miner, manufacturer or other person or persons, any sum or sums of money, and to secure the repayment of same, taking in writing a lien or liens on the crop or crops to be raised, even before planting the same, or upon the present or prospective products of any mining operations, or upon any article or articles then existing, or thereafter to be made, purchased, manufactured or otherwise acquired ; and any lien so taken shall be good and effectual in law : *Provided*, The same is duly recorded under the existing laws of registration anterior to all other liens and mortgages for securing such loans or advances. And the said bank shall have power to make loans upon mortgages of real and personal property, with power of sale inserted upon default of payment, and also to receive in storage or warehouse any cotton, wheat, corn, other produce or any manufactured articles whatsoever, as a pledge or pledges for the repayment of money or moneys loaned upon the faith of the same ; the said liens, pledges or mortgages being duly recorded and registered as in the case of mortgages and

Liens on crops for money advanced.

Proviso.

Loans made upon mortgages.

Storage.

deeds of trust; and any sales made thereunder according to the terms therein recited, shall be good and valid in law.

When act to be in force.

SEC. 12. This act shall be in force from its ratification.

Ratified the 12th day of January, A. D. 1872.

CHAPTER XXXII.

AN ACT TO INCORPORATE THE VILLAGE OF EXCELSIOR IN THE COUNTY OF BURKE.

Incorporation of village.

SECTION 1. *The General Assembly of North Carolina do enact*, That the village of Excelsior, in the county of Burke, is hereby incorporated into a body politic and corporate, by the name and style of "the village of Excelsior," and as such shall be subject to all laws now in force in regard to incorporated villages in this state.

Corporate limits.

SEC. 2. That the corporate limits of said village shall be the lines of the four hundred acre tract donated to the trustees of Rutherford College by John Rutherford.

Sale of spirituous liquors forbidden.

SEC. 3. That no license shall be granted to retail spirituous liquors, wines or cordials at Excelsior or within two miles thereof, and no person shall be allowed to erect, keep, maintain or have any tipling house, establishment or place for the sale of wines, cordials, spirituous or malt liquors at Excelsior, or within two miles thereof: *Provided*, The provisions of this section shall have no force or effect until ratified by a majority of the qualified voters in the district or limits to which the prohibition extends, the election to be held at such time as shall be agreed upon by the sheriff of Burke county, register of deeds and clerk of the superior court, under the rules and regulations of existing laws.

Proviso.

Corporate name.

SEC. 4. That there shall be a mayor and four commissioners of said village, under name and style of the commissioners of Excelsior, and that until their successors shall be elected, under the laws of the state, the following persons,

to wit: D. H. Peeler, J. T. Abernathy, Logan B. Abernathy and F. R. Kaylor shall be commissioners, and that R. L. Abernathy shall be mayor of said village, with all the power by law conferred upon such officers.

Commissioners.
Mayor.

SEC. 5. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 13th day of January, A. D. 1872.

CHAPTER XXXIII.

AN ACT TO INCORPORATE THE CAPE FEAR IRON AND STEEL COMPANY.

SECTION 1. *The General Assembly of North Carolina do enact as follows:* The following named, viz: George G. Lobdell, J. W. Heck, Peter M. Breman, Laban R. Exline, Alexander McLeod, their associates, successors and assigns are created a body politic and corporate, under the name of "The Cape Fear Iron and Steel Company," with a capital stock of two hundred thousand dollars, with liberty to increase the same from time to time to any sum not exceeding five million of dollars, divided into shares of one hundred dollars each; said corporation to have the privileges specially granted, and also those belonging to like corporations under the twenty-sixth chapter of the revised code, entitled "Corporations," for sixty years.

Corporators.

Corporate name.
Capital stock.

Limitation of stock.

Limitation of time.

SEC. 2. The stockholders shall have power to make all rules and regulations they may deem fit for the government of the corporation and transaction of their business. They may prescribe the number and powers of their directory and other officers, fix salaries and terms of service, regulate the time and place of general or special meetings of stockholders, and in general make such by-laws as they may deem fit, not inconsistent with the constitution and laws of this state or the United States.

Power of stockholders.

Rights and privileges of company.

SEC. 3. Said corporation shall have power to engage in the manufacture of iron and steel in any of their forms and of other metals, metallic or other fabrics, in the mining of minerals or of iron, manganese, copper or other ores, in the transportation of persons or things to and from their works and intermediate points by water or otherwise, may make and operate a rail, turnpike, tram or other road for the purpose of connecting their works or mines with other roads, and for that purpose may have power of condemnation of land and other property, and other powers conferred on railroad and other companies, sixty-first chapter of the revised code, entitled "Internal improvements;" may purchase, hold, sell and lease or otherwise convey real estate, not to hold at any one time exceeding fifty thousand acres, and as incidental to their business, may buy and sell merchandise.

Condemnation of land.

When act to be in force.

SEC. 4. This act shall be in force from its ratification. Ratified the 17th day of January, A. D. 1872.

CHAPTER XXXIV.

AN ACT TO INCORPORATE "THE BANK OF THE STATE."

Corporate body.

SECTION 1. *The General Assembly of North Carolina do enact*, That William H. Williard, A. A. Williard, James A. Williard, C. H. Robinson, B. G. Worth, C. P. George and A. J. Williard, their present and future associates and successors are hereby constituted and declared to be a body politic and corporate, by the name and style of "The Bank of the State," and shall so continue for the term of sixty years, with capacity to take, hold and convey real or personal estate, and with all the powers, rights and privileges granted to any bank or banking institution by this or any preceding general assembly of this state, together with the rights, powers and privileges incident or belonging to corpo-

Corporate name.

Limitation of time.

rations as set forth or referred to in the first, second and third section of the twenty-sixth chapter of the revised code of North Carolina, entitled "Corporations."

SEC. 2. The capital stock of said corporation shall not be less than thirty thousand dollars, in shares of one hundred dollars each, and such capital stock be increased from time to time as said corporation may elect, to a sum not exceeding one million dollars.

SEC. 3. The corporators in the first section named or a majority of them, are hereby empowered to open books of subscription to the capital stock of said bank at such time or times, at such places and for such periods as they shall determine; and the stockholders at any general meeting called after due organization of said bank, may, at their discretion from time to time, re-open books of subscription to said capital stock until the same be wholly taken.

SEC. 4. Whenever thirty thousand dollars shall be subscribed and paid into the capital stock of said bank, the beforenamed corporators, or a majority of them, shall call a meeting of the subscribers to said stock at such time and place, and on such notice as they may deem sufficient; and such stockholders shall elect such directors as they may think proper, who shall hold office for one year, and until their successors shall be appointed; and said directors shall elect a president to serve during their continuance in office.

SEC. 5. The president and directors of the bank may adopt and use a common seal, and alter the same at pleasure; may make and adopt all necessary by-laws for their government; may appoint all necessary officers and agents, fix their compensation and take security for the faithful discharge of their duties, provide the manner of paying for stock, and of the transfer thereof; may do a general banking business on such terms and rates of discount and interest as may be agreed on, and in general have the privileges conferred on corporations by the general laws of the state relating to corporations. The bank shall have a lien on the stock for debts due it by the stockholders before and in preference to other creditors of the same dignity.

Rights and privileges.

Capital stock:

Limitation of stock.

Books of subscription opened

Election of directors.

Term of office.

Election of president.

Banking privileges.

Bank to have a lien on stock for debt.

Circulation of money.

SEC. 6. The said bank may receive and pay out the lawful currency of the country, deal in exchange, gold and silver coin, bullion, uncurrent notes and paper, and public or other securities; may purchase and hold real estate for the transaction of business, and at pleasure sell or exchange the same; may purchase and hold such real and personal estate and property as may be conveyed to secure debts to the bank, or may be sold under execution to satisfy any debt due to said bank, and may sell and convey the same, and may discount notes and other evidences of debt, and lend money on such terms as may be agreed on. It may receive on deposit moneys on terms to be agreed on between the officers and depositors.

Bank debts how secured.

Delinquency of debtors.

SEC. 7. If any subscriber shall fail to pay his stock, or any part thereof, as the same is required of him, the entire residue of his stock shall be deemed to be due, and may be recovered in the name of the bank, either by motion to the superior court of the county where the delinquent may reside, on giving him ten days' notice, of the motion or by civil action, or the entire stock may be sold by order of the directors for cash, at the banking house, after advertisement of sale for twenty days in a newspaper published in the city of Wilmington; and if at such sale the price bid should not sufficient to discharge the amount unpaid with all costs attending the sale, the subscriber shall be liable for the deficiency in a civil action.

Public notification.

Liability of subscriber for as signing stock before payment.

SEC. 8. If any subscriber shall assign his stock before its full payment, he and his assignee, and all subsequent assignees thereof shall be liable for its payment, and may be sued jointly or severally by motions as aforesaid, or by civil actions; and in any case of delinquency in a subscriber or others, the subscription shall be deemed a promissory note payable to the bank as well in respect to the remedy for recovering the same, as in the distribution of the assets of any deceased subscriber.

Promissory notes.

Bank agencies.

SEC. 9. Agencies of the bank may be established at such times and places as the president and directors may designate, and such agencies may be removed at any time, shall

be subject to such rules and regulations as may be prescribed by the president and directors of the bank.

SEC. 10. The president and directors shall be capable of exercising all such powers and authority as may be necessary for the better government of the affairs of the corporation ; shall have power to prescribe the rules for the conduct of the bank, the same being consistent with the by-laws, rules and regulations established by the stockholders, and may regulate the terms and rates on which discounts and loans may be made, and deposits received by the bank, and they shall direct when dividends of profits shall be made. They may call a meeting of the stockholders whenever they may think proper, and any number of stockholders holding together one-tenth of the stock may call a special meeting on giving thirty days' notice in newspaper published in Wilmington. At all meetings stockholders may be represented by proxy, each one hundred dollar share being entitled to one vote.

Government of bank.

Special meetings.
Public notification.

SEC. 11. That to aid planters, farmers, miners, manufacturers and others, the said bank shall and may have power to advance or loan to any planter, farmer, miner, manufacturer or other person or persons, any sum or sums of money, and to secure the repayment of the same, take in writing a lien or liens on the crop or crops to be raised, even before the same may have been planted, or upon the prospective products of any mining operations, or upon any article or articles then existing or thereafter to be made, manufactured, purchased or otherwise acquired ; and any lien so taken in writing shall be good and effectual in law for securing such loans or advances : *Provided*, The same is duly recorded under the existing laws of registration anterior to all other liens and mortgages. And the said bank shall have power to make loans upon mortgages of real and personal property, with power of sale inserted upon default of payment, and also to receive in storage or warehouse any cotton, wheat, corn or other produce or any manufactured articles whatsoever, as a pledge or pledges for the repayment of money or moneys loaned upon the faith of the same—the

Bank accommodations.

Lien on crops, &c for security.

Loans made upon mortgages.

Liens, mortgages to be registered. said liens, pledges or mortgages, being duly recorded and registered as in the case of mortgages and deeds in trust; and any sales made thereunder according to the terms therein recited shall be good and valid in law.

Ratified the 18th day of January, A. D. 1872.

CHAPTER XXXV.

AN ACT TO INCORPORATE THE PEOPLE'S BANK OF NEWBERN.

Corporate body. SECTION 1. *The General Assembly of North Carolina do enact*, That Amos Wade, George Allen, William Hollister, Joseph Wemslein, John Patterson, George Graves, Robert H. Rountree, John E. Amyett and their associates and successors, be and they are hereby declared a body corporate for the purpose of establishing a bank in the city of Newbern, under the name and style of the People's Bank of Newbern, with a corporate stock not to exceed five hundred thousand dollars, with authority to commence business when thirty thousand dollars shall be subscribed and paid in, to be controlled by three or more directors, with all the powers, rights and privileges that were granted to the Bank of Mecklenburg by the legislature at its session of one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, and the amendments granted to the said bank of Mecklenburg by the present legislature at its last session.

Corporate name. under the name and style of the People's Bank of Newbern,
Capital stock. with a corporate stock not to exceed five hundred thousand
Limitation of stock. dollars, with authority to commence business when thirty
Powers and privileges. thousand dollars shall be subscribed and paid in, to be con-
trolled by three or more directors, with all the powers, rights
and privileges that were granted to the Bank of Mecklen-
burg by the legislature at its session of one thousand eight
hundred and sixty-eight and one thousand eight hundred
and sixty-nine, and the amendments granted to the said bank
of Mecklenburg by the present legislature at its last session.

When act to be in force. SEC. 2. This act to be in force from and after its ratifica-
tion.

Ratified the 18th day of January, A. D. 1872.

CHAPTER XXXVI.

AN ACT TO INCORPORATE THE CATAWBA AND LINCOLN MINING
AND MANUFACTURING COMPANY OF NORTH CAROLINA.

SECTION 1. *The General Assembly of North Carolina do enact*, That Dr. A. M. Powell, J. M. Smith, Burr Higgins, Thomas M. Owen and John B. Gretter and their associates, successors and assigns are hereby created a body politic and corporate by the name of "The Catawba and Lincoln Mining and Manufacturing Company," and shall have existence as such for the term of fifty years, and may have and use a common seal, and by that name may contract with corporations or individuals in or out of this state, or be contracted with, sue and be sued, plead and be impleaded, appear, prosecute and defend in any court of law or equity, and in all suits and actions, and may exercise such other powers, rights and privileges, as they at any time shall deem expedient for the best interests of the corporators not herein mentioned and to that end may make, alter and amend all needful by-laws, rules and regulations for the management of the property, business, stock, estate, persons employed, or appointed, tenants, tenements, mills, shops, bridges, roads, mines, chemical or manufacturing works or offices, which shall be enforced by the corporators at their pleasure; and further, may purchase by grant, gift or otherwise for stock or cash any real or personal estate, and hold and possess the same; and may sell, mortgage, lease or convey, exchange, by deed or otherwise, lands, money, goods, minerals, metals any kind of personal or mixed property of any description whatever to the amount of one million five hundred thousand dollars.

Corporators.

Corporate name.

Limitation of time.

Rights and privileges.

Limitation of stock.

SEC. 2. That the said corporation may divide their stock into such number of shares and provide for the sale and transfer thereof in such manner and form as said corporation shall from time to time deem expedient, and may levy and collect assessments, forfeit and sell delinquent shares,

Division of stock.

Scrips issued. declare and pay dividends in such manner as the by-laws may direct, and shall issue scrip for the shares of stock when fully paid up, and each share shall entitle the holder thereof to one vote in meetings of the shareholders.

Management vested in directors.

SEC. 3. That it shall be lawful for the corporation to be managed by five or seven directors, who shall have power to fill vacancies in their own number, shall continue in office until others are regularly elected and appointed, and also to exercise all such other powers as by this act are conferred and granted. But the shareholders shall have the right to elect said directors annually, three of whom shall be actual residents of this state.

Directors.

SEC. 4. That the aforesaid A. M. Powell, J. M. Smith, Burr Higgins, Thomas M. Owen and John B. Gretten shall manage the affairs of said corporation as directors until other directors shall be duly elected and appointed.

Mining rights

SEC. 5. That the said corporation shall enjoy all the rights of mining corporations generally, now or hereafter to be granted, and may explore, mine, assay, smelt and manufacture iron, steel, copper or any metals or minerals or chemicals known in the arts or trade, and may vend the same in or out of this state, and may employ persons, artists, water steam or other known power or agent for such purposes.

Railroad may be constructed.

SEC. 6. That it shall be lawful for the said corporation to construct a railroad from Catawba Station, on the Western North Carolina Railroad, by a route to be selected by the directors of the said corporation, along the outcrops of limestone, iron ores and other minerals, crossing Mountain creek in the vicinity of the old forge sites of Smith and Payne, thence along the east side of Little (or Iron) mountain and the crops of iron ores, to or near Stonewall Furnace, and crossing Leaper's creek at or near the old Graham Forge site, thence to or near Iron Station, on the Wilmington, Charlotte and Rutherford Railroad, crossing and connecting therewith, thence by the most feasible and practicable route to connect with the Atlanta and Richmond Air Line Railroad, in Gaston or Cleaveland counties; and may use the gauge of either of said railroads, and may build such branches

Boundary of road

from their line of road as may be necessary for the proper carrying on of their business operation, and shall have power to construct, maintain, repair, use, occupy and govern the same in such manner as has been granted other railroad corporations.

Branch Railroads-
admissable.

SEC. 7. That it shall be lawful for said corporation to acquire and hold a roadway by gift, grant or purchase, and if such roadway crosses any lands entailed by will, or any lands the title to which is vested in any party or parties incompetent to convey the same, the guardian or other legal representative of such party or parties, is hereby empowered to grant such right of way to the width of one chain across such lands, on being paid a sum agreed upon by the parties thereto, or by a jury of three disinterested persons appointed by any justice of the peace of the township in which the said land is situate, the verdict of said jury being returned in writing, and upon the payment of the amount so agreed upon or awarded by jury the right to occupy and use such roadway shall vest in the corporation.

Roadway held..

Manner of purchase.

Decision by jury.

SEC. 8. That the said A. M. Powell, J. M. Smith, Burr Higgins, Thomas M. Owen and John B. Gretter, directors by this act appointed, shall meet and proceed to organize for business by choosing from their own body a president and appoint a secretary and treasurer and other employees, make such by-laws as for the time being they shall deem expedient and may then proceed to business.

Directors.

Officers appointed

SEC. 9. This this act shall be in force from and after its passage.

When act to be in force.

Ratified the 18th day of January, A. D. 1872.

CHAPTER XXXVII.

AN ACT TO EXEMPT THE MEMBERS OF CERTAIN FIRE COMPANIES
OF CHARLOTTE FROM PUBLIC DUTIES.

Exemption from
servitude as
jurors.

SECTION 1. *The General Assembly of North Carolina do enact*, That all acting officers and members of the Hornet Steam Fire and Hose Company, No. 1, of the Independent Hook and Ladder Company, No. 2, and of the Colored Fire Company, No. 3, of the city of Charlotte, be and the same are hereby exempted from all liability to serve as jurors in any court of justice, or upon any jury of inquest or grand jury, from all liability to serve in the militia, and from liability to work upon public highways.

When act to be in
force.

SEC. 2. This act shall take effect from and after its ratification.

Ratified the 18th day of January, A. D. 1872.

CHAPTER XXXVIII.

AN ACT TO INCORPORATE "ROCKY MOUNT COLLEGE."

Corporators.

SECTION 1. *The General Assembly of North Carolina do enact*, That A. H. Burnett, B. H. Bunn, Capt. Jno. Sharpe-Dr. H. H. Thorpe, Robert Richs, James Battle, R. B. Bunn, W. W. Parker, M. Wilson, Dr. Tilley, W. H. Heart, J. H. Chapman, William Biggs, George Howard, A. J. Ellington, C. G. Davenport, S. L. Johnson, Rt. Rev. Thomas Atkinson, Rev. Dr. Alfred A. Watson, Rev. T. B. Haughton, W. S. Battle, T. H. Griffin, John Battle, Jesse Bullock and T. H. Braswell, and their successors, be and they are hereby declared a body politic and corporate, to be known and distinguished by the name and style of the trustees of the "Rocky Mount College," and by that name and style shall

Corporate name.

have perpetual succession and a common seal and be able and capable in law of holding lands, tenements and chattels, and receiving devisers for the uses and purposes of said "Rocky Mount College," and of suing and being sued, and of pleading and being impleaded.

SEC. 2. That the said board of trustees shall have the power to fix the times for holding all meetings of the board ; to appoint a president, secretary and treasurer of the board ; to employ professors, instructors and such other persons as may be necessary for the efficient management of said institute ; to appoint an executive committee consisting of five trustee, which committee shall control the internal regulations of said institution ; to fix all salaries and employments except as hereinafter provided ; and to do all other things and to perform all other acts necessary for an institution of learning not inconsistent with the laws of the state and of the United States.

Power of trustees

Committee of Internal regulations

SEC. 3. That the executive committee and the professors in said institution shall as soon as they are organized under this charter, proceed to organize departments of English and classical literature, of mathematics pure and applied, of natural science, of philosophy, of agriculture, theoretic and practical, and of normal instruction, which last shall be of the same grade as that recently adopted by the normal department of the University of North Carolina, and in this department the professors and executive committee shall power to grant certificates to run for two or eight years, which certificate shall exempt the bearers from examination by the county examiners of teachers of the public schools throughout the state, and when certificates are now or may hereafter be required before paying the public funds to the teachers of public schools a certificate from "Rocky Mount College" shall answer in lieu thereof: *Provided*, That applicants for a two years' certificate shall pass a thorough examination in all the branches prescribed in a second grade certificate, and also in the principles of imparting instruction ; *And provided further*, That applicants for an eight years' certificate shall pass an approved examination in all the

Organization of Institution.

Time of certificates.

Exemption from examination.

Proviso.

Further proviso.

branches prescribed in a first grade certificate and in agriculture, chemistry, surveying and geometry: *And provided further,* That upon complaint made in writing to the executive committee of said institute, by any county examiner against the holder of such certificate, the said committee shall enquire into the allegations against such teachers and if sufficient cause be found to exist they shall revoke said certificate.

Further proviso.

When certificate to be worked.
Power to confer honors.

SEC. 4. That the said institute and professors shall have power to confer upon students such other marks of honor and distinction as are usually conferred by institutions of learning.

Funds held by treasurer.

SEC. 5. That the treasurer of said board of trustees shall receive and hold all funds belonging or in any wise appertaining to said "Rocky Mount College" shall pay them out only upon the orders of the executive committee, which orders shall be his vouchers for the same.

Vacancies filled.

SEC. 6. That all vacancies occurring in the board of trustees shall be filled by a vote of the board.

Secretary of board to make annual report.

SEC. 7. That the secretary of the board of trustees shall annually on the thirtieth of September, make to the governor and the superintendent of public instruction a full report of the condition and operations of said "Rocky Mount College," together with all other information deemed important in agriculture and in the education of teachers; also giving the names and places of residence of all who have been authorized to teach and the length of time for which they are so authorized.

Regulation for teachers.

Exemption from military duty.

SEC. 8. That all instructors, employees and students in said "Rocky Mount College" shall be exempt from civil and military duty except in cases of insurrection or invasion.

Repealing clause.

SEC. 9. That all laws and clauses of laws in conflict with this act are hereby repealed.

When act to be in force.

SEC. 10. That this act shall be in force from and after its ratification.

Ratified the 19th day of January, A. D. 1872.

CHAPTER XXXIX.

AN ACT TO INCORPORATE THE DAWSON BANK.

SECTION 1. *The General Assembly of North Carolina do enact*, That James Dawson, James Sprunt, James Anderson, John Dawson and William A. Wright, their present and future associates and successors, are hereby constituted and declared to be a body politic and corporate by the name and style of "The Dawson Bank," and shall so continue for the term of sixty years, with capacity to take, hold and convey real or personal estate, and with all the powers, rights and privileges granted to any bank or banking institution by this or any preceding legislature of this state together with the rights, powers and privileges incident or belonging to corporations as set forth or referred to in the first, second and third sections of the twenty-sixth chapter of the revised code of North Carolina, entitled corporations."

Corporators.

Corporate name.

Term of time.

Banking privileges conferred.

SEC. 2. The capital stock of said corporation shall not be less than one hundred thousand dollars, in shares of one hundred dollars each, and such capital stock may be increased from time to time as said corporation may elect, to a sum not exceeding one million of dollars.

Limitation of capital stock.

SEC. 3. The corporators in the first section named or a majority of them are hereby empowered to open books of subscription to the capital stock of said bank at such time or times, at such places and for such period as they shall determine, and the stockholders at any general meeting called after the due organization of said bank may at their discretion, from time to time, re-open books of subscription to said capital stock until the same be wholly taken.

Books of subscription.

SEC. 4. Whenever one hundred thousand dollars shall be subscribed and paid into the capital stock of said bank, the before named corporators or a majority of them shall call a meeting of the subscribers to said stock at such time and place and on such notice as they may deem sufficient, and

Meeting of stockholders.

such stockholders shall elect such directors as they may think proper, who shall hold office for one year and until their successors shall be appointed, and said directors shall choose a president to serve during their continuance in office.

President and directors elected.

Power vested in bank officers.

SEC. 5. The president and directors of the bank may adopt and use a common seal and alter the same at pleasure; may make and adopt all necessary by-laws for their government; may appoint all necessary officers and agents; fix their compensation, and take security for the faithful discharge of their duties; prescribe the manner of paying for stock and the transfer thereof; may do a general banking business on such terms and rates of discount and interest as may be agreed on, and in general have the privileges conferred on corporations by the general laws of the state relating to corporations. The bank shall have a lien on the stock for debts due it by the stockholders before and in preference to other creditors of the same dignity.

Bank may have a lien on stock.

Lawful currency.

SEC. 6. The said bank may receive and pay out the lawful currency of the country; deal in exchange, gold and silver coin, bullion, uncurrent paper, and public or other securities; may purchase and hold real estate for the transaction of business, and at pleasure sell or exchange the same, may purchase and hold such real and personal estate and property as may be conveyed to secure debts to the bank, or may be sold under execution to satisfy any debts due to said bank, and may sell and convey the same, and may discount notes and other evidences of debt, and lend money on such terms as may be agreed on. It may receive on deposit moneys on terms to be agreed on between the officers and depositors.

Real and personal property held for debt.

Delinquency of stockholders.

SEC. 7. If any subscriber shall fail to pay his stock or any part thereof as the same is required of him, the entire residue of his stock shall be deemed to be due, and may be recovered in the name of the bank either by motion to the court of the county where the delinquent may reside, upon giving him ten days' notice of the motion or by civil action, or the entire stock may be sold by order of the directors for cash

at the banking house in Wilmington, after advertisement of sale for twenty days in a newspaper published in the city; and if at such sale the price should not be sufficient to discharge the amount unpaid with all costs attending the sale, the subscriber shall be liable for the deficiency in a civil action.

Public notification.

Liability of defaulter.

SEC. 8. If and subscriber shall assign his stock before its full payment he and his assignee and all subsequent assignees thereof shall be liable for its payment, and may be sued jointly or severally by motions as aforesaid, or by civil action; and in every case of delinquency in a subscriber or others, the subscription shall be deemed a promissory note payable to the bank, as well in respect to the remedy for recovering the same as in the distribution of the assets of any deceased subscriber.

Suit may be brought for assignment of stock before payment

Promissory note

SEC. 9. Agencies of the bank may be established at such times and places as the president and directors may designate, and such agencies may be removed at any time, shall be subject to such rules and regulations as may be prescribed by the president and directors of the bank.

Agencies established.

SEC. 10. The president and directors shall be capable of exercising all such powers and authority as may be necessary for the better governing of the affairs of the corporation; shall have power to prescribe the rules for the conduct of the bank, the same being consistent with the by-laws, rules and regulations established by the stockholders, and may regulate the terms and rates on which discounts and loans may be made and deposits received by the bank, and they shall direct when dividends of profits shall be made. They may call a meeting of stockholders whenever they may think proper, and any number of stockholders holding together one-tenth of the stock may call a special meeting on giving thirty days' notice in a newspaper published in Wilmington. At all meetings stockholders may be represented by proxy, each one hundred share being entitled to one vote.

Full power vested in president and directors.

Special meeting.

Public notice given.

SEC. 11. That to aid planters, farmers, miners, manufacturers and others, the said bank shall and may have power to advance or loan to any planter, farmer, miner, manufacturer

Money may be loaned for manufacturing purposes.

or other person or persons, any sum or sums of money, and to secure the repayment of the same taking in writing a lien or liens on the crop or crops to be raised even before planting the same or upon the present or prospective products of any mining operations or upon and article or articles then existing or thereafter to be made, manufactured, purchased or otherwise acquired, and any liens so taken in writing shall be good and effectual in law: *Provided*, The same is duly recorded under the existing laws of registration anterior to all other liens and mortgages for securing such loan and advances, and the said bank shall have power to make loans upon mortgages of real and personal property with powers of sale inserted upon default of payment; and also to receive in storage or warehouse any cotton, wheat, corn or other produce, or any manufactured articles whatsoever as a pledge or pledges for the repayment of money or moneys loaned upon the faith of the same, the said liens, pledges or mortgages being duly recorded and registered as in the case of mortgages and deeds of trust, and any sales made thereunder according to the terms therein recited shall be good and valid in law.

Leins on crops taken as security.

Proviso.

Loans made upon mortgages

Storage.

When act to take effect.

SEC. 12. This act shall be in force from its ratification. Ratified the 19th day of January, A. D. 1872.

CHAPTER XL.

AN ACT TO AMEND THE CHARTER OF THE CITY OF NEWBERN.

Amendment.

SECTION 1. *The General Assembly of North Carolina do enact*, That the charter of the city of Newbern is hereby amended so as to empower, authorize and enable the city council to pass such rules, regulations and ordinances that will prevent the erection of wood houses within certain districts of said city, and to require persons erecting buildings within

Erection of wood houses unlawful

the city limits to obtain a permit from the board of council for that purpose.

SEC. 2. This act shall be in force from its ratification.

Ratified the 20th day of January, A. D. 1872.

When act to be in force.

CHAPTER XLI.

AN ACT TO PREVENT THE SALE OF SPIRITUOUS LIQUORS WITHIN THE CORPORATE LIMITS OF THE TOWN OF MAGNOLIA IN DUPLIN COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That it shall not be lawful for any person to sell spirituous liquors within the corporate limits of the town of Magnolia in Duplin county, and any person violating the provisions of this act shall be guilty of misdemeanor, and on conviction shall be fined or imprisoned or both, at the discretion of the court: *Provided*, That this act shall not take effect until the question of prohibition or no prohibition shall have been submitted to the qualified voters of said town, and a majority shall have voted in favor of prohibition.

Prohibition of spirituous liquors

Penalty.

Proviso.

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

When act to be in force.

Ratified the 20th day of January, A. D. 1872.

CHAPTER XLII.

AN ACT TO INCORPORATE THE RALEIGH FEMALE SEMINARY.

SECTION 1. *The General Assembly of North Carolina do enact*, That R. S. Pullen, J. M. Heck, J. G. Williams, J.

Corporate body.

Corporate name.	H. Mills, T. H. Pritchard, W. W. Vass, A. M. Lewis, P. F. Pescud, F. P. Hobgood, L. H. Adams, T. H. Briggs and W. G. Upchurch, their associates and successors are hereby constituted and made a body politic and corporate under the name and style of the Raleigh Female Seminary and as such can sue and be sued, plead and be impleaded, acquire, hold, possess, have and rent property for educational purposes only.
Exemption from tax.	SEC. 2. That all property acquired either by purchase, lease, or otherwise, shall as long as it is used for educational purposes be exempt from all taxes either of the state, county or municipal authorities.
Government of seminary to be wholly in the hands of the Principal.	SEC. 3. That said incorporation as a board of trustees shall have no power or authority to control or manage the course of instruction or government of said Raleigh Female Seminary, said government or management being left entirely in the hands of the principal or principals of said seminary, but their power shall only be to acquire and hold property for educational purposes.
When act to be in force.	SEC. 4. That this act shall be in force from and after its ratification. Ratified the 20th day of January, A. D. 1871.

CHAPTER LXIII.

AN ACT TO INCORPORATE "THE BROTHERS' MANUFACTURING COMPANY" OF CUMBERLAND COUNTY.

Corporators.	SECTION 1. <i>The General Assembly of North Carolina do enact</i> , That Edwin T. McKethan, A. A. McKethan, Jr., and such other persons as they may hereafter associate with them, and their successors and assigns, be and they are hereby
Corporate name.	constituted a body corporate and politic, under the name and style of the "Brothers' Manufacturing Company," of the county of Cumberland, with power to make such rules, reg-

ulations and by-laws for the government of said corporation, and to provide for the appointment of such officers and agents as may be necessary for its government and for the transaction of its business, and with all the other privileges and incidents belonging to corporations under the general laws of this state. Corporate rights.

SEC. 2. The capital stock of this company shall not exceed fifty thousand dollars, divided into shares of one hundred dollars each. Limitation of capital stock.

SEC. 3. The business of this corporation shall be manufacturing generally of cotton, wool, flax, hemp, wood, iron or of any or of all the products of mines, fields or forest, and that the place or places of business of said corporation shall be in the county of Cumberland. Manufacturing and mining to be the business of company.

SEC. 4. This act shall be in force from and after ratification, and shall so continue for the period of thirty years. When act to be in force.

Ratified the 20th day of January, A. D. 1872.

CHAPTER XLIV.

AN ACT TO INCORPORATE THE TOWN WHITAKERS IN THE COUNTIES OF EDGEcombe AND NASH.

SECTION 1. *The General Assembly of North Carolina do enact*, That the town of Whitakers, in the counties of Edgecombe and Nash, be and the same is hereby incorporated by the name and style of the town of Whitakers, and shall be subject to all the provisions contained in the one hundred and eleventh chapter of the revised code, not inconsistent with the constitution and laws of this state or of the United States, also subject to the provision of the general laws passed by the general assembly at the session of one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, not inconsistent with this act. Incorporation of town.

Limits of town.

SEC. 2. That the corporate limits of said town shall be as follows: One-half mile east, west, north and south from the centre of the warehouse of the Wilmington and Weldon Railroad Company, and the boundary lines of said corporation shall run parallel to the walls of said warehouse.

Officers of corporation.

SEC. 3. The officers of said incorporation shall consist of a mayor, three commissioners and a constable, and the following named persons shall fill said offices until the first Monday in May, one thousand eight hundred and seventy-two, or until their successors in office are elected and qualified: For mayor, J. H. Overstreet; for commissioners, J. H. Cutchin, Charles R. King and Walter Brody; for constable, John K. Cherry.

Annual election of officers.

SEC. 4. There shall be an election held for the officers mentioned in section three of this act on the first Monday in May, one thousand eight hundred and seventy-two, and each succeeding year thereafter under the same restriction that said state and county elections are held and all citizens within said corporation who have resided twelve months in the state and ninety days in the corporate limits previous to the day of election shall be entitled to vote at said election.

When entitled to vote.

Form of oath administered.

SEC. 5. It shall be the duty of the commissioners to meet and organize within ten days after their election, and to take and subscribe the following oath: "I, A B, do solemnly swear and affirm that I will faithfully act as commissioner to the best of my knowledge and ability for the ensuing year; so help me God."

Power of commissioners.

SEC. 6. That the said commissioners shall have power to pass all by-laws, rules and regulations for the good government of the corporation not inconsistent with the laws of this state or the United States, and to levy and collect a tax on all subjects of state taxation, not to exceed one-half of the state tax and to abate all nuisances, and for that purpose may impose such fines as may be necessary to abate them. And it shall be the duty of said commissioners to expend the taxes and fines collected in repairing the streets and for the necessary expenses of said town.

SEC. 7. That the mayor before entering upon the duties of his office shall go before some person authorized to administer an oath and take and subscribe the oath of a magistrate of this state, and he shall after giving ten days' notice open polls for the election of a mayor, three commissioners and constable as provided for in section three of this act, and to declare who has received the majority of the votes cast at said election.

Oath required of mayor.

SEC. 8. That the constable provided for by this act before entering upon the duties of his office shall go before some person authorized to administer an oath, and take the oath usually taken by constables.

Oath required of constable.

SEC. 9. That no person or persons shall retail any spirituous liquors within the limits of said corporation without first having obtained a licence for that purpose, from the commissioners of said corporation and have paid the tax levied by said commissioners for the privileges of retailing spirituous liquors, which tax shall not exceed one half the state tax.

License granted for retailing spirituous liquors.

Tax levied.

SEC. 10. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 20th day of January, A. D. 1872.

CHAPTER XLV.

AN ACT TO AMEND CHAPTER SIXTY-THREE (63) OF THE PRIVATE LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY AND ONE THOUSAND EIGHT HUNDRED AND SEVENTY-ONE, ENTITLED AN ACT TO INCORPORATE THE TOWN OF KERNERSVILLE.

SECTION 1. *The General Assembly of North Carolina do enact*, That section three (3) of the above entitled act be amended by adding thereto the following: "The said municipal officers may make all needful rules, regulations, by-laws and ordinances for the government of said town, not

Amendment.

inconsistent with the constitution and laws of this state and of the United States and may prohibit by penalty to be established and published within the corporation by the municipal authorities thereof, the sale of spirituous liquors in quantities less than three gallons within the corporate limits, said penalty to be sued for and recovered by the corporation before any justice of the peace of the township in which the town of Kernersville is situate."

Power of municipal officers.

Sale of spirituous liquors forbidden within limits of town.

When act to take effect.

SEC. 2. This act shall take effect from and after the first day of February, one thousand eight hundred seventy-two.

Ratified the 23d day of January, A. D. 1872.

CHAPTER XLVI.

AN ACT TO CHARTER THE TOWN OF DALLAS.

Incorporation of the town of Dallas.

SECTION 1. *The General Assembly of North Carolina do enact*, That the inhabitants of the town of Dallas shall be and continue, as heretofore, a body politic and corporate, and henceforth the corporation shall bear the name and style of the town of Dallas, and under such style and name is hereby invested with all the property which now belongs to the corporation, and by this name may acquire and hold for the purpose of its government, welfare and improvement all such estate as may be devised, bequeathed or conveyed to it not exceeding in value five thousand dollars, and the same from time to time, sell, dispose of and invest, as shall be deemed advisable by the proper authorities of the corporation.

Limitation of value of estate.

Limits of town.

SEC. 2. That the corporate limits shall be the same as at present laid out, that is one mile square, running half a mile from the centre of the public square north, east, south and west.

Annual election of town officers.

SEC. 3. That there shall annually, on the first Monday of April in each year, be elected, a mayor and five commis-

sioners, who shall hold their respective offices until their successors are qualified, all to be elected by the qualified voters of the town.

SEC. 4. That any qualified elector in this state shall be eligible as mayor and commissioner: *Provided*, he shall have resided in the corporation thirty days next preceeding the day of election.

Elegibility to offices.
Proviso.

SEC. 5. That for the purpose of electing said officers, the commissioners shall at least ten days before the election appoint two inspectors to preside over the same who shall be qualified voters, and said inspectors shall give five days notice thereof by written advertisement at the court house door in said town, and at four other places within said corporation.

Inspectors appointed to preside at election.

Public notification.

SEC. 6. That on the day of election the inspectors shall give due attendance at the time and place, shall be judges of the polls, receive the votes and conduct the election in like manner as elections for members of the general assembly; and in the event, one or both of such persons appointed as inspectors be indisposed, absent or otherwise incapaciated from the discharge of their duties, then the commissioners may immediately fill said office by the appointment of other persons possessing similar qualifications. The voter shall designate on his ballot the person for whom he votes as mayor, and the persons whom he votes for as commissioners, otherwise the votes shall not be counted.

Duty of inspectors.

Voter must designate his vote on his ballot.

SEC. 7. That all persons entitled to vote in the state, who shall have been residents of the town for thirty days, next preceeding the day of election, shall be deemed an elector, and be allowed to vote for mayor and commissioners: *Provided*, He has paid the taxes assessed against him for town purposes for the preceeding year.

When a person may be deemed an elector.

Proviso.

SEC. 8. At the close of the election the vote shall be counted by the inspectors publicly, and such person voted for as mayor having the largest number of votes shall be duly declared elected mayor; and such persons voted for as commissioners having the largest number of votes shall be duly declared elected commissioners; and the mayor and

Manner of electing Mayor, &c.

commissioners thus elected shall be notified of the fact by the inspectors within two days after said election.

Oath of inspectors of election.

SEC. 9. That the inspectors before they proceed to act shall be sworn by the mayor or a justice of the peace to conduct the election fairly, impartially and according to law, and in case of the absence of the inspectors their places shall be forthwith supplied as prescribed in section six of this charter.

How election to be decided in cases of tie votes.

SEC. 10. That if the persons voted for as mayor there shall be an equal number of votes between any two or more having the largest number, the commissioners elect shall proceed within five days after their qualification to elect a mayor of such persons; and if any of the persons voted for as commissioners there shall be a like tie, the remaining commissioners within the time above prescribed after their qualification shall elect of such person or persons having the largest number of votes as aforesaid to be commissioners.

Poll and registration lists to be certified and subscribed by inspectors of election

Oath of office of Mayor.

SEC. 11. That the inspector shall certify and subscribe the poll and registration lists and return them to the clerk who shall keep them among the archives of the town.

SEC. 12. That the mayor immediately after the election and before entering upon the discharge of the duties of his office shall, before a justice of the peace, take and subscribe to the following oath: "I, A B, do solemnly swear or affirm that I will diligently endeavor to perform faithfully and truly, to the best of my skill and ability, all the duties of the office of mayor in the town of Dallas, while I continue therein, and I will cause to be executed, as far as in my power lies, all the laws, ordinances and regulations made for the government of said town, and in the discharge of my duties, I will do equal justice in all cases whatever." Which said oath shall be filed with the archives of the town and minute of it placed upon the record by the clerk.

Commissioners must subscribe to oath.

SEC. 13. That each commissioner before entering upon the discharge of his duties shall before the mayor, take and subscribe to an oath. "That he will truly and impartially

perform the duties of his office, according to the best of his knowledge, skill and ability."

SEC. 14. That the mayor and commissioners shall hold their respective offices until the next ensuing election and until their successors shall be qualified. Term of office.

SEC. 15. That if any person elected mayor shall refuse to be qualified, or if there is a vacancy in the office after election and qualification, or if the mayor be absent from the town, or be unable to discharge the duties of his office, the commissioners shall choose some qualified person mayor for the time, or the unexpired portion of the time, or during such absence or disability, as the case may be; and on a like occasion and in a similar manner, the commissioners shall choose other commissioners to supply the place of such as shall refuse to act, or are absent or disabled, and all such vacancies which may occur shall be filled only by persons heretofore declared eligible to office. Mayor elected
Pro tem.

Vacancies filled.

SEC. 16. That if any person elected mayor or commissioners who shall fail or refuse to be qualified and act as such, shall forfeit and pay for the use of the town the sum of twenty-five dollars. Penalty

SEC. 17. That if the commissioners shall fail or refuse to order all such elections as are required to be held by this charter, such of them as shall be in default shall forfeit and pay for the use of the town the sum of fifty dollars for each and every such default. Penalty.

SEC. 18. That a majority of the commissioners shall constitute a quorum for the transaction of business, unless otherwise provided, they shall within five days after their election convene preparatory to the discharge of their duties, and shall then fix their stated days of meeting for the year, which shall be at least once in every calendar month; special meetings of the board may also be held on the call of the mayor or a majority of the commissioners, and in all such meetings those not joining in the call shall be notified thereof in writing. Constitution of a
quorum.

Monthly meet-
ings of board.
Special meetings.

SEC. 18. That if any commissioner shall fail or refuse to attend a general or special meeting of the board, of which Forfeiture for
non-attendance.

he may have had notice as prescribed in this charter, unless prevented by such causes as shall be satisfactory to the board, he shall forfeit and pay for the use of the town, the sum of three dollars, and it shall be the duty of the mayor to see that this forfeiture is enforced in the manner hereinafter prescribed.

Corporate body.

SEC. 20. That said commissioners are hereby declared a body politic and corporate by the name of "The Commissioners of Dallas;" and by that name to have annual succession by the election of the qualified electors of the town as by this act directed, and a common seal, that they and their successors by the name aforesaid shall be capable in law to have, hold, purchase, receive, possess and to retain to them and their successors forever in trust for said town, any land, tenements and other property of whatsoever kind, nature or quality; and to hold all, any kind or description; to grant, demise, alien, or dispose of the same; to receive and take any gift or donation whatsoever to said town, and also by the same name, to sue and implead, to be sued and impleaded, to answer and be answered in all courts.

Corporate name.

Corporate rights.

Annual taxation.

SEC. 21. Among the powers hereby conferred upon said commissioners, they may, not oftener than annually, lay a tax on real estate, situate within the corporation, on the polls, retailers, traders, avocations and other subjects hereinafter named under such restrictions as hereafter contained, provide for repairing and clearing the streets, preserving the trees, keeping up the sidewalks, take all proper means to prevent and extinguish fires, make regulations to cause the due observance of Sunday, prohibit the firing of fire arms within the corporation, open out the streets, removal of obstructions, suppress and remove nuisance, preserve the health of the town from contagious and infectious diseases, which said powers may be enforced by appropriate penalties, not to exceed twenty-five dollars for a single offence and recoverable before the justice of the peace for Dallas township.

Rules and regulations for the government of town.

Penalty.

Ordinances passed for the security of town from drunkenness and rioting.

SEC. 22. That the said commissioners are further empowered to pass such ordinances as will effectually secure the

peace, good order and tranquility of the corporation against all person who may be engaged in quarrels, profane and obscene language, indecent exposure of their persons, affrays, riots and drunken broils, by the infliction of fines and imprisonments not to exceed twenty-five dollars in the first instance, nor ten days confinement in the county jail in the latter, cognizable before the mayor of said town. Penalty.

SEC. 23. That the mayor within the corporate limits of said town shall have power to preserve the peace, to enforce obedience to the ordinances and regulations as shall be ordained for the government thereof, to punish offenders against the same : he is hereby authorized to issue warrants in the ordinary form, directed to the town constable or other lawful officer, to compel the appearance of all offenders against said ordinances ; to hear and determine all such offences, to impose such punishment as may be specified in said ordinances : *Provided*, The same be not inconsistent with the laws of the state or the United States. Power of mayor.

SEC. 24. That the mayor shall keep a faithful minute of all precepts issued by him, and of all his judicial proceedings, which shall be recorded by the clerk of the corporation under the supervision and direction of the mayor. Warrants issued for the appearance of offenders.

SEC. 25. That the mayor shall keep his office in some convenient part of the town designated by the commissioners. He shall soon as practicable provide a seal for the corporation, and perform all such duties as shall from time to time be prescribed, and shall receive such compensation and fees as may be allowed by the ordinances of the corporation. Præviso.

SEC. 26. That the mayor when present shall preside at all meetings of the board of commissioners, and when there is an equal division upon any question or election of officers by the board he shall determine the matter by his vote. He shall vote in no other case, and if he be absent, the board may appoint one of their number *pro tempore* to exercise his duties. Minutes of proceedings to be kept by the mayor.

SEC. 27. That the commissioners at their first meeting after their election shall appoint a clerk, a treasurer, a collector of taxes, and one or more town constables, all of whom Mayor may keep a seal.

Compensation.

Mayor, the presiding officer.

A tie in votes must be decided by the vote of the mayor.

Officers, appointed.

Annual election. shall hold their offices for twelve months, and until their successors are appointed; subject however to be removed at any time for misbehavior or neglect in office, and others appointed in their stead; before acting, each of said officers shall be sworn to the faithful discharge of his respective duties, and shall execute a bond with sufficient surities, payable to the town of Dallas, in such sum as the commissioners may determine: *Provided*, That the duties of the collector may be performed by the constable if the board so direct.

Bonds executed with security.

Proviso.

Duty of Clerk. SEC. 28. That it shall be the duty of the clerk to keep regular and fair minutes of the proceedings, minutes of trials both before the mayor and justice, preserve books, papers and all articles committed to his charge during his continuance in office, and deliver them to his successor: and generally perform such other duties as may be prescribed by the commissioners.

Inspection of journals and papers. SEC. 29. That every person shall be allowed to inspect the journals and papers of the board and the records of trials before the mayor or justice, in the presence of the clerk on paying him twenty-five cents for each inspection, under a penalty of two dollars on the clerk for every refusal, said penalty to be recovered by any person who will sue for the same.

Fees.

Penalty.

Duty of Treasurer. SEC. 30. That it shall be the duty of the treasurer to call on all persons who may have in their hands any moneys or securities belonging to the town, which ought to be paid or delivered into the treasury, and he shall keep the same safely for the use of the town, to disburse funds according to such orders as may be duly drawn upon him in the manner hereinafter specified. He shall keep in a book provided for the purpose, a fair and correct account of all moneys received and disbursed by him, and shall submit said account to the commissioners whenever requested to do so. He shall make an annual report of his duties, and on the expiration of his term of office he shall deliver to his successor all the moneys, securities and other property entrusted to him for safe keeping, and during his continuance in

An account book to be kept.

Annual report rendered.

office shall receive such fees as may be allowed by the commissioners.

SEC. 31. That all orders drawn on the treasurer shall be signed by the mayor and countersigned by the clerk, and state the purpose for which the money is applied; and the treasurer shall specify said purposes in his account book and also the sources whence are derived the moneys so received by him.

Orders signed by
mayor and clerk.

SEC. 32. That the commissioners shall cause to be made out annually a fair transcript of their receipts and disbursements on account of the town for the inspection of the citizens of the town, which shall be exhibited by the treasurer whenever demanded.

Annual trans-
cript of receipts
and disburse-
ments to be made
out.

SEC. 33. That it shall be the duty of the constable to see that the ordinances and regulations of the commissioners are enforced, and to report all breaches thereof to the mayor, to preserve the peace of the town by suppressing disturbances and apprehending offenders, and taking them before the mayor; he shall execute all precepts lawfully directed to him by the mayor or the justice of Dallas township, and in the execution thereof shall have full power to call to his aid any such assistance from the corporation as may be necessary. He shall have the same fees for his services as are now allowed civil officers for similar services, and such other compensation as the commissioners may allow.

Duty of constable.

SEC. 34. That the commissioners shall provide, whenever deemed necessary, a "patrole or night watch" for the town, and prescribe the duties and powers of the several officers and members thereof as shall be consistent with the laws of the land.

Compensation.

Patrole for town.

SEC. 35. That if any person being a night watch shall fail to serve and faithfully discharge his duty, he shall forfeit and pay the sum of two dollars to the use of the town: *Provided*, An able-bodied substitute may be procured by such person to fill his place.

Penalty.

Proviso.

SEC. 36. That the sheriff or jailor of the county of Gaston is hereby required without a writ to receive into the jail as his prisoner, any person taken up by the watch or

Admittance to
jail.

constable, and him safely keep until morning, when the offender shall be brought before the mayor and be lawfully dealt with, and for such admittance the jailor shall be entitled to his fees as in similar cases: *Provided*, No arrest be made unless under circumstances warranted by ordinances passed for such purposes.

Fees.

Watch house may be established.

Limitation of confinement.

Exemption from tax.

Manner of raising funds for meeting the expenses of corporation.

SEC. 37. That the mayor and commissioners may establish a "watch house" in which all offenders are to be secured during the night, but no one shall be confined therein longer than twenty-four hours before having a hearing before the mayor and the cause of his arrest inquired into, agreeable to the provisions of such ordinances made for that purpose.

SEC. 38. That the commissioners shall have power to exempt from taxation property or franchises to the value of fifty dollars, and also capitation tax in special cases where the subjects are infirm or superannuated; and for the purpose of raising a fund to bear the expenses of the corporation may annually levy and collect the following taxes:

1. On all real and personal property, a tax not exceeding one quarter of one per cent.

2. On all taxable polls, a tax not exceeding fifty cents.

3. On every hundred dollars worth of goods, wares and merchandize purchased and sold by traders, a tax not exceeding five cents.

4. On all dogs running at large in the town, if males, one dollar; if females, a tax of five dollars.

5. On all horses, bulls, cows, hogs, sheep running at large in the town, a tax of ten cents.

6. On all itinerant merchants, or peddlars vending or offering to vend in the town, a tax of ten dollars, except such as shall sell books, maps or charts.

7. On every license of the board to retail spirituous liquors in the town, a tax not exceeding ten dollars, and the commissioners of Gaston county and the sheriff are hereby prohibited from issuing license to any one unless the applicant shall procure a license signed by the mayor and countersigned by the clerk, certifying that such person has ob-

tained a regular permit from the town to retail spirituous liquors therein.

8. On every company of circus-riders who shall exhibit in the town, a tax not exceeding fifteen dollars, and on each side show a tax not exceeding five dollars, to be paid before the performance is begun, otherwise the tax to be double the above amounts.

9. On every show, concert, menagerie, stage or theatrical performance whatsoever, a tax not exceeding five dollars to be paid before the exhibition commences, otherwise to be doubled.

10. On every exhibition of legerdemain, ventriloquism or juggling of every description, a tax not exceeding five dollars.

SEC. 39. That all monies arising from taxes, donations or other sources, shall be paid to the treasurer, and no appropriations thereof shall be made but by the board of commissioners, constituted by a majority of the members.

Moneys must be paid to Treasurer

SEC. 40. That the citizens of the town of Dallas and others liable to be taxed on account of subjects mentioned in this charter shall each, on the first Monday in May in each year, render to the mayor, on oath, a list of their property and subjects for which they may be liable for taxes; and if any person shall fail to render such lists, he shall pay double the tax assessed on his account for such failure or refusal.

List of taxable property rendered

SEC. 41. That the mayor, within one week, after receiving said lists, shall return the same to the commissioners, who shall forthwith ascertain the cash value thereof and assess the tax thereon; the commissioners shall place said assessments in the hands of the constable, who shall, on the first Monday in June in each year, have the same collected, and forthwith account for and pay to the treasurer said taxes, reserving two and a half per cent. thereof as a compensation for his services.

Assessment of taxes.

Collection placed in the hands of constable.

Compensation.

SEC. 42. That if any person liable for taxes, as prescribed in this charter, shall fail or refuse to pay them to the collector or constable, within the time herein mentioned, the collector or constable shall forthwith proceed to collect

Consequences of refusal to pay tax.

the same by distress, after advertisement for ten days, shall publicly sell said property upon which the tax is assessed, or other property of the defaulter, and after making the tax thereon shall return to the owner the surplus remaining in his hands, first deducting the costs therefrom.

Organization of
Fire Companies.

SEC. 43. That the commissioners may provide for the organization and equipment of fire companies in the corporation under such rules and regulations as they shall deem advisable.

Parents and guar-
dians answerable
for minors.

SEC. 44. That all penalties and forfeitures incurred by minors for a breach of any ordinances of the town, shall be recovered from the parents, guardians or masters, if such minors be apprentices, in the manner hereinbefore specified.

Constitution of
school district.

SEC. 45. That the corporate limits of the town of Dallas shall constitute a school district, and that all taxes levied upon the same by the state for school purposes, shall be expended in conformity with the state regulations in establishing graded schools within the town; and for the advancement of this purpose the commissioners may appropriate a sufficient sum belonging to the corporation to supply the deficiency, and the board of commissioners shall select a school committee for the purpose of supervising said schools, and to perform the duties now prescribed by law.

Borrowing money
and issuing bonds
not admissible.

SEC. 46. That nothing contained in this charter shall authorize or empower the commissioners to borrow money upon the faith of the corporation, or to issue bonds for the purpose of putting the same upon the market, whereby to raise money for any purpose whatever.

Compensation
for mayor.

SEC. 47. That the salary of the mayor shall be fixed by the board of commissioners, and that in addition thereto he shall be entitled to such fees as may be determined upon for precepts issued by him in a judicial capacity.

Officers continued
in discharge of
duty.

SEC. 48. That the officers of said corporation, now in authority, shall continue to discharge the duties incumbent upon them under chapter one hundred and eleven, revised code, and chapter one hundred and seven of the private laws of the general assembly, passed at the sessions of one thousand eight hundred and sixty-nine and one thousand eight

hundred and seventy, until the first election had under this charter.

SEC. 49. That this charter shall not go into effect until it has been ratified by the legal voters of the town of Dallas at an election to be held for that purpose : and the commissioners of the town shall designate a day within one month after notification of the passage of this act for an election to be held for its ratification or rejection, and ten days' notice of said election shall be given at the courthouse in Dallas and four other places within said town ; and all persons who are now under the laws of the state entitled to vote for municipal officers shall be entitled to vote at said election : and the mayor or the commissioners shall provide two sets of tickets, one set containing the word "accepted" written thereon, the other the word "rejected." And if a majority of the votes cast at said elect are for accepting this charter, then it shall be proclaimed by the mayor within five days thereafter that it is the law of the town ; and if a majority of the votes cast at said election are for rejecting this charter, then it shall not be in force.

When charter to take effect.

Election to be held.

Manner of voting.

SEC. 50. That all laws and clauses of laws coming in conflict with this act, be and are hereby repealed.

Repealing clause

SEC. 51. That this act shall go into effect from and after its ratification.

When act to be in force.

Ratified the 23d day of January, A. D. 1872.

CHAPTER XLVII.

AN ACT TO INCORPORATE THE MURPHY MILLS MANUFACTURING COMPANY IN THE COUNTY OF CUMBERLAND.

SECTION 1. *The General Assembly of North Carolina do enact*, That David Murphy, P. Murphy, Neill McQueen, E. H. Evans, John D. Williams and A. W. Steele, their associates, successors and assigns, be and they are hereby created

Corporate body.

Corporate name.	a corporation and body politic by the name and style of the "Murphy Mills Manufacturing Company," and by that name and style, may sue and be sued, plead and be impleaded, in any court of record, contract and be contracted with, have
Corporate rights and privileges.	perpetual succession and a common seal which they may alter at pleasure, and acquire, own and possess real, personal and mixed estate; and may make all necessary by-laws and regulations not inconsistent with the laws of the state or of the United States.
Article of manufacture.	SEC. 2. That said company shall have power to establish factories and mills for the manufacture of cotton, paper, flax, hemp, iron, lumber, leather, meal, flour and all other material whatsoever, either by steam or water power, at any place or places in the county of Cumberland.
Limitation and division of capital stock.	SEC. 3. That the capital stock of said company shall not be less than twenty thousand dollars to be divided into shares of one hundred dollars each, and shall be deemed personal property and be transferable on the books of the company: <i>Provided</i> , That the capital stock of said company may be increased from time to time to an amount
Proviso.	not exceeding one hundred thousand dollars: <i>and provided</i>
Further proviso.	<i>further</i> , That said company may commence operations when ten thousand dollars of the capital stock has been subscribed and twenty-five per cent. thereon has been actually paid in.
Board of officers.	SEC. 4. That the officers of said company shall consist of a president, treasurer, secretary and board of directors of which the president, treasurer and secretary may be members, but the number of the directors shall be fixed in the by-laws of the company. The offices of treasurer and secretary may be consolidated and the duties performed by the same person. The treasurer may be required to give bond for the faithful performance of his duty.
Consolidation of offices.	
Bond required of treasurer.	
Term of office.	SEC. 5. That the term of office of the officers of this company shall be for one year or until their successors are elected and qualified. The first meeting of said company may be called by any two of the persons herein named upon giving fifteen days notice of the time and the place of such meeting. The annual meetings thereafter may be called at
Meeting of company called.	

such time and place and in such manner as the by-laws of the company direct, but nothing in this section shall be so construed to prevent general meetings whenever the interest of the company may require them.

SEC. 6. That each stockholder shall be entitled to vote either in person or by proxy, one vote for every share of stock which he may own in said company.

Vote by shares

SEC. 7. That said company may borrow money not to exceed at any one time twenty-five thousand dollars, and may issue therefor such bonds or other evidences of debt, and at such rate of interest as said company may authorize, and to secure the payment thereof may mortgage all or any part of their property.

Bonds issued.

Property mortgaged for payment of bonds.

SEC. 8. That this act shall be in force from and after its ratification.

When act to take effect.

Ratified the 23d day of January, A. D. 1872.

CHAPTER XLVIII.

AN ACT TO INCORPORATE "THE VICTOR FIRE COMPANY," NUMBER ONE, OF THE CITY OF RALEIGH.

SECTION 1. *The General Assembly of North Carolina do enact*, That James H. Jones, H. C. Jones, H. P. Buncombe, John E. Williams, W. B. Mitchell, Chas. M. Hunter, Sam'l. Stewart and Sylvester Dunston, and such other persons as are now or may hereafter be associated with them for the object intended, and their successors duly elected according to the by-laws of the company, shall be a body politic and corporate by the name and style of "The Victor Fire Company, number one, of the city of Raleigh," for the purpose of united action in the extinguishment of fires in the city of Raleigh, and by this name and style shall have power to acquire all necessary apparatus and equipments and such real estate as may be needed for their proper care and custody, not to exceed in value fifteen thousand dollars.

Corporators.

Corporate name.

Business of company.

Valuation of real estate limited.
Rights and privileges granted.

SEC. 2. The said company shall have succession and other incidents belonging to corporations under the general law, and may make all by-laws and rules necessary for the proper government of the company and the custody and care of its property, not inconsistent with the laws of this state or the United States.

Exemption from military duty.

SEC. 3. Members in the actual service of the company performing duty when required, shall be exempted during the continuance of their service from jury and militia duty.

When act to be in force.

SEC. 4. This act shall be in force from and after its ratification.

Ratified the 23d day of January, A. D. 1872.

CHAPTER XLIX.

AN ACT TO INCORPORATE THE FAYETTEVILLE ROAD STEAMER COMPANY.

Corporate body.

SECTION 1. *The General Assembly of North Carolina do enact.* That John D. Williams, A. A. McKethan, W. D. Smith, Henry Lilly, E. J. Lilly, A. W. Steel and their associates now forming a joint stock company in the town of Fayetteville, called "The Fayetteville Road Steamer Company," be incorporated by that name as a body politic in perpetuity, for the purpose of transportation by means of steam engines on the common public roads to and from the town of Fayetteville; and shall be capable of purchasing, holding, selling, leasing and conveying such estates, real, personal and mixed, as shall be necessary for transacting the proper business of the company; and by their corporate name may sue and be sued, plead and be impleaded in any court of this state, and shall have and enjoy all the rights and immunities which other corporations do now or may

Corporate name.

Transportation by means of road steamer.

Rights and immunities of corporation.

hereafter be authorized to exercise, and may appoint such officers and servants; and make such by-laws and regulation as are necessary for the government of the corporation, or effecting the object of its creation not inconsistent with law.

SEC. 2. This company may increase its present capital of six thousand dollars to fifty thousand dollars, in shares of one hundred dollars each, and in case it shall become necessary to the accomplishment of the objects of the company, it may open roads of not greater width and of the same general character as the common public roads; and may improve the public roads by strengthening or building bridges, and by reducing grades or building tramways: *Provided*, That in no instance shall the public roads be rendered less fit for ordinary travel; and on all roads so opened by said company it shall have the exclusive right to use road steamers, and in case the company may not be able to purchase the land needed for their purposes, or other uses pertaining to its proper business, then it may acquire the same in the manner prescribed in the nineteenth section of the charter of the Western Railroad Company, ratified December the twenty-fourth, one thousand eight hundred and fifty-two.

Increase of capital stock.

Roads may be opened and improved.

Proviso.

Land condemned for business purposes.

SEC. 3. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 23d day of January, A. D. 1872.

CHAPTER I.

AN ACT TO INCORPORATE THE TOWN OF BOONE, IN THE COUNTY WATAUGA.

SECTION 1. *The General Assembly of North Carolina do enact*, That the town of Boone, in the county of Watauga, is hereby incorporated in a body politic and corporate by

Corporate name.

the name and style of the Commissioners of the town of Boone.

Boundary of town **SEC. 2.** That the corporate limits of said town shall be as follows: One mile east, west north and south from the court house, then a line shall be marked out commencing at the terminus of the mile running east of the courthouse: thence to the terminus of the mile west of the courthouse: thence to the mile south of the courthouse: thence to the terminus of the mile east of the courthouse the beginning.

Commissioners. **SEC. 3.** That J. W. Concell, Dr. J. G. Reviss, T. J. Coppey, J. W. Hall and J. B. Todd, be appointed commissioner of said town, and shall hold said office of commissioner until their successors shall be elected and qualified.

Mayor appointed. **SEC. 4.** That L. W. Bryan be appointed mayor of said town, and to hold office until his successor shall be elected and qualified.

Election for town officers. **SEC. 5.** That the election for mayor and commissioners shall be held on such day as the legislature shall prescribe, and in case of failure on the part of the legislature to prescribe such day, then on such day as the county commissioners may prescribe: *Provided*, Such election shall be held annually.

Power vested in officers. **SEC. 6.** That the officers herein named and their successors shall have all the power, immunities, and shall be subject to all the restrictions and liabilities as are enumerated in chapter one hundred and eleven of the "revised code," except that the county commissioners shall be substituted for a county court, named in that chapter of laws.

Repealing clause. **SEC. 7.** That all laws and clauses of laws coming in conflict with this act are hereby repealed.

When act to be in force. **SEC. 8.** This act shall be in force from and after its ratification.

Ratified the 23d day of January, A. D. 1872.

CHAPTER LI.

AN ACT TO INCORPORATE PROSPECT LODGE, NUMBER THREE HUNDRED AND ELEVEN, OF FREE AND ACCEPTED MASONS IN IN COUNTY OF ROWAN.

SECTION 1. *The General Assembly of North Carolina do enact*, That the master, wardens and members of Prospect Lodge, number three hundred and eleven, of Free and Accepted Masons, in the county of Rowan, and their successors, be and the same are hereby constituted and declared a body politic and corporate by the name and style of "Prospect Lodge, Number Three Hundred and Eleven," and by that name shall have perpetual succession and a common seal, may sue and be sued, plead and be impleaded, and in general exercise and enjoy all such rights and privileges as are usually incident to corporate bodies of a like nature: *Provided, nevertheless*, That said corporation shall not hold any more real estate than may be necessary for the convenient transaction of its business.

Corporate body.
Corporate name.
Corporate rights.
Proviso.

SEC. 2. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 23d day of January, A. D. 1872.

CHAPTER LII.

AN ACT TO INCORPORATE THE OLD NORTH STATE INSURANCE COMPANY.

SECTION 1. *The General Assembly of North Carolina do enact*, That Daniel R. Goodloe, J. Buxton Williams, H. B. Hunter, Wm. L. Davis, Wm. J. Norwood, H. H. Goodloe, T. C. Williams, B. F. Long and A. S. Webb, and such other persons as may associate with them for the purposes herein

Corporate body.

Corporate name. after mentioned, be and are declared a body politic and corporate under the name of the "Old North State Insurance Company," for the purpose of conducting a fire and marine insurance business; and that under said corporate name may sue and be sue, plead and be impleaded, have perpetual succession and a common seal.

Power vested in officers of corporation.

SEC. 2. That the corporate powers of the company shall be vested in and exercised by a board of directors, and by such officers and agents as the board may appoint and empower.

Annual election of board of directors.

SEC. 3. That the stockholders shall elect annually, a board of directors, which shall consist of not less than six nor more than twelve persons, who shall hold their office for one year, and until their successors are elected, and a majority of said directors shall be citizens of the state of North Carolina, and each of them shall hold in his own right not less than two shares of the capital stock of the company.

Constitution of quorum.

SEC. 4. That five directors shall constitute a quorum for the transaction of business, but a less number may meet and adjourn from time to time until a quorum is present.

Power of directors.

SEC. 5. That the board of directors shall have power to make and prescribe such by-laws, rules and regulations for the conduct of its affairs, not inconsistent with law or this charter, as may be deemed expedient. The board of directors shall also have power to fill vacancies occurring among its own members from the occurrence of such vacancy until the next annual meeting of the stockholders.

Further corporate rights and privileges.

SEC. 6. That the board of directors shall also have all the powers heretofore vested in board of directors of fire insurance companies, not inconsistent with the constitution and the laws of this state or with this charter, and may, at any time, accept and exercise any or all additional powers and privileges, which may be conferred upon this or any fire insurance company, or upon fire insurance companies in general.

Election of officers by ballot.

SEC. 7. That every election of directors shall be held at the office of the company in Warrenton, and shall be by ballot, and a plurality shall elect: *Provided*, The company

Proviso.

shall have authority to change the location of its home office from Warrenton to any other place in the state it may choose, when the election of directors shall be held at the place at which said home office shall be located.

SEC. 8. That at every election of directors, each stockholder shall be entitled to one vote for each and every share of the capital stock of the company owned and held by him in his own name, on the books of the company, and shall have the right to vote by proxy.

Vote by shares.

Vote by proxy.

SEC. 9. That the board of directors, immediately after the organization of the company, and afterwards at the first meeting of the board after each annual election of directors, shall elect a president, secretary and superintendent of agencies, who shall respectively hold office for the term of one year, and until their successors are elected. The board may also at any time appoint a president *pro tem.* for the transaction of business, when the president is absent or cannot act, and fill any vacancies which may occur in the above named officers, for the unexpired terms thereof. The President shall have power to appoint, from time to time, such other subordinate officers to assist in carrying on the business of the company, as he shall deem expedient and proper, and remove the same at pleasure, and appoint or substitute others in their stead.

Election of president and secretary, &c.

Term of office.

Power of president.

SEC. 10. That the capital stock of the company shall be one hundred thousand dollars, divided into shares of one hundred dollars each: *Provided*, That if the company shall deem it expedient, they may increase the capital stock to any amount not exceeding five hundred thousand dollars.

Limitation of capital stock

Proviso.

SEC. 11. That when fifty thousand dollars of the capital stock shall have been subscribed, the company shall have authority to organize and commence business.

Organization of company.

SEC. 12. That the funds of the company shall be under the control of the board of directors, who shall have authority to use and invest the same in any way which they may deem best for the interest of the company and the security of the policy holders: *Provided*, The funds aforesaid shall not be invested outside of the state.

Respecting funds of company.

Proviso.

Liability of stockholders

SEC. 13. That every stockholder shall be liable for the losses of the company to the amount due and unpaid on the stock subscribed by such stockholder.

Books of subscription to be opened.

SEC. 14. That the incorporators or any two of them shall have authority to appoint persons to open books of subscription to the capital stock of the company at as many places as they may deem proper, and to call a meeting for organization.

When act to be in force.

SEC. 15. This act shall be in force from and after its ratification.

Ratified the 24th day of January, A. D. 1872.

CHAPTER LIII.

AN ACT TO INCORPORATE DAVIDSON HIGH SCHOOL, NEAR TEAGUETOWN, IN DAVIDSON COUNTY.

Corporators.

SECTION 1. *The General Assembly of North Carolina do enact*, That J. J. Raper, F. S. Blair, P. W. Raper, M. D. Raper, A. O. P. Teague, J. D. Bordenhammer, J. M. Raper and B. Hedgecock and their successors are hereby created and constituted a body politic and corporate for educational purposes, under the name and style of the "Trustees of Davidson High School," and by that name may sue and be sued, plead and be impleaded, and shall have all the powers of corporate trustees of like institutions for the term of ninety-nine years.

Corporate name.

Term of time.

Trustees to control school property.

SEC. 2. Said trustees shall have control of the school property and buildings situated near Teaguetown, in Davidson county, heretofore used for school purposes, with full power to make all rules and regulations necessary to the good order, management and success of the "Davidson High School."

Power of trustees

SEC. 3. They shall have power to grant certificates, diplomas or other evidences of merit and proficiency, in any of the arts, sciences and languages.

SEC. 4. Said trustees at their first meeting shall elect a chairman, secretary and treasurer, who shall perform the duties required of officers in such positions, under the direction of the board of trustees, a majority of whom shall be competent to transact business. Election of officers by trustees.

SEC. 5. The officers required to be elected by the fourth section of this act, shall hold their office for the period of two years, and until their successors shall be elected. Biennial election.

SEC. 6. In case of vacancy in said board of trustees, it shall be supplied by a vote of a majority of said board at any regular meeting of the same. Vacancies filled.

SEC. 7. That any person selling spirituous liquors within two miles of said "Davidson High School," shall be deemed guilty of a misdemeanor, and on conviction thereof, by any court of competent jurisdiction, shall be fined not less than ten dollars for each separate offence, at the discretion of the court. Sale of spirituous liquors forbidden.
Penalty.

SEC. 8. That this act shall take effect thirty days after its ratification. When act to be in force.

Ratified the 24th day of January, A. D. 1872. •

CHAPTER LIV.

AN ACT TO INCORPORATE THE WARRENTON AND SHOCCO TURN-PIKE COMPANY.

SECTION 1. *The General Assembly of North Carolina do enact*, That Wm. S. Davis, Wm. J. Norwood, Wm. S. Battle, W. H. H. Kearney and B. F. Long and such other persons as may associate with them for the purposes hereinafter mentioned, be and they are hereby declared a body politic and corporate, under the name of the Warrenton and Shooco Turupike Company, for the purpose of constructing a turn- Corporators,
Corporate name.

pike road from the town of Warrenton to Shocco Springs, leading by the Warrenton Mills, and that under said corporate name may sue and be sued, plead and be impleaded, have perpetual succession and a common seal.

Capital stock.

SEC. 2. That the capital stock of said company shall consist of one hundred shares of fifty dollars each.

Books of subscription.

SEC. 3. That the persons named as incorporators, or any two of them, may open books in Warrenton and keep them open until the whole of the capital stock shall be subscribed, but as soon as ten shares of the capital stock shall have been subscribed, the stockholders subscribing shall have authority to organize and begin the construction of the road.

When to be organized.

President and directors to be elected.

SEC. 4. That the stockholders shall elect annually a board of not less than three directors, which directors shall choose a president, who, with the said directors, shall continue in office until the next annual meeting of the stockholders, and until their successors shall be elected, but no failure to elect shall work a forfeiture, and in the absence of the president a majority of the board of directors may appoint a president *pro tem*, for the dispatch of business, and the board may supply a vacancy in their body until the next annual meeting after such vacancy shall occur.

Failure to elect not a forfeiture.

President pro-tem

Corporate rights and privileges.

SEC. 5. That in all other things the said company shall be governed by the provisions of the act in relation to turnpike and plank road companies, as contained in the revised code, chapter sixty-one, and shall have all the necessary and usual privileges of making by-laws for its government, condemning land, collecting taxes, requiring bonds of its officers, and representatives of stock by proxies.

When act to be in force.

SEC. 6. This act shall take effect from and after its ratification.

Ratified the 24th day of January, A. D. 1872.

CHAPTER LV.

AN ACT TO INCORPORATE THE WILSON COLLEGIATE INSTITUTE.

- SECTION 1. *The General Assembly of North Carolina do enact*, That William Woodard and Warren Woodard are hereby constituted a body politic and corporate under the name of the Wilson Collegiate Institute, and shall have control of the building situated on the Wilmington and Weldon Railroad in the town of Wilson. Corporators
Corporate name.
- SEC. 2. That James S. Woodard, James R. Thigpen, Jno. T. Barnes, John W. Dunham, Moses Rountree, Frank W. Barnes, Warren Woodard, George W. Blomt and William Woodard, and their successors, are hereby constituted trustees of the Wilson Collegiate Institute for educational purposes, with full powers to make all rules and regulations necessary to the good order, management and success of the said institution. Board of trustees.
- SEC. 3. They shall have power to grant diplomas or other evidences of merit in any of the departments of the sciences, art and languages, either classical or English. Power of trustees.
- SEC. 4. Said trustees, at their first meeting, may elect a president of their board and such other officers as they may deem advisable, who shall perform the duties required from officers in such positions, under the direction of said trustees, a majority of whom shall be competent to transact business. Election of president.
- SEC. 5. The officers required to be elected by the next preceding section shall hold their offices for the period of two years, and until their successors are elected. Biennial election.
- SEC. 6. In case of vacancy in said board, or in case it may be desired to add to the number of said trustees, it shall be supplied by a vote of a majority of said board of trustees at any regular meeting of the same. Vacancies filled.
- SEC. 7. This act shall take effect from and after its ratification. When act to be in force.
- Ratified the 24th day of January, A. D. 1872.

CHAPTER LVI.

AN ACT TO INCORPORATE A LITERARY AND DRAMATIC ASSOCIATION IN THE TOWN OF FAYETTEVILLE.

Corporators.	SECTION 1. <i>The General Assembly of North Carolina do enact</i> , That Duncan G. McRae, Benjamin W. Robinson, Charles W. Broadfoot, James A. McRae, Henry B. Home, John W. Baker, William A. Guthrie, John Reilly, James H. Myrover, Jesse Fuller and such other persons as they may associate with them, are hereby constituted a body corporate and politic by the name of the "Fayetteville Literary and Dramatic Association," and by that name may have perpetual succession, may sue and be sued, have a common seal, may lease, purchase or build any house or houses for the use of their association, and make such by-laws for the government of their association as they may deem proper, not inconsistent with the laws of the state or of the United States.
Corporate name.	
Rights and privileges.	
When act to be in force,	SEC. 2. This act shall be in force from and after its ratification. Ratified the 24th day of January, A. D. 1872.

CHAPTER LVII.

AN ACT TO INCORPORATE THE NEWBERN EDUCATIONAL ASSOCIATION.

Corporators.	SECTION 1. <i>The General Assembly of North Carolina do enact</i> , That Thomas C. Battle, John R. Good, E. A. Richardson, Virgil A. Crawford, Moses T. Bryan, Geo. T. Fisher, Alex. Bass, W. W. Lawrence, Miles Shepard, John Dixon, Geo. Physic, J. B. Abbott, E. E. Tucker, John Randolph, jr., E. R. Dudley, John M. Banton, Richard Tucker, Geo.
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W. Stanly, Geo. B. Willis and others are hereby created a body politic and corporate by the name and style of the Newbern Educational Association, and by that name may sue and be sued, plead and be impleaded, may purchase, acquire, hold and transfer real and personal estate.

Corporate name.

SEC. 2. May use and enforce their constitution and by-laws, may alter or amend the same as they may deem necessary and proper from time to time for governing the affairs of the corporation, and may have and use a common seal, and may do all other acts and things which in law a body corporate may of right do, not inconsistent with the constitution and laws of the United States or of this state.

Rights and privileges of corporation.

SEC. 3. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 24th day of January, A. D. 1872.

CHAPTER LVIII.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF HAYWOOD COUNTY TO SELL A PORTION OF THE POORHOUSE LANDS OF SAID COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That the commissioners of Haywood county are hereby authorized and empowered to sell and convey by deed or otherwise, a portion of the poorhouse lands of said county, and to apply the proceeds thereof to the repair of the poorhouse buildings in said county.

Land belonging to poor-house to be sold.

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

When act to be in force.

Ratified the 24th day of January, A. D. 1872.

CHAPTER LIX.

AN ACT TO INCORPORATE "THE WILMINGTON MUTUAL INSURANCE COMPANY."

Corporators.

SECTION 1. *The General Assembly of North Carolina do enact*, That Robert H. Cowan, Barvilla G. Worth, William E. Furman, John McRae, Levi A. Hart, William Larkins, Francis W. Kerchner, Donald McRae, William A. French, Alfred Martin, George W. Williams and Edward Kidder, of the city of Wilmington, and such other persons as may hereafter become associated with them according to the subsequent provisions of this act, are hereby created, constituted and declared to be a body politic and corporate for the

Corporate name.

purpose of effecting insurance against loss or damage by fire, by the name and style of "The Wilmington Mutual Insurance Company," and said corporation shall have power and authority to insure dwelling houses, stores, shops and any other buildings or structures, household-furniture, merchandize, goods, wares, or any other property or effects

Corporate rights and privileges.

against loss or damage by fire, and shall have all the rights, powers and privileges incident or belonging to corporations as set forth in the first, second, third and fourth sections of the twenty-sixth chapter of the "revised code" of North Carolina, entitled, "Corporations."

Manner of membership.

SEC. 2. All persons who shall at any time hereafter be insured in or by said company, and also their respective heirs, executors, administrators and assigns or devisees or legatees of the building or effects insured so long as they continue to be insured in or by said company, or is hereinafter provided, shall thereby become members thereof during the period they shall remain insured by said corporations and no longer, and during their continuance as such members shall be entitled to one vote at all meetings of the members of said corporation for each and every one hundred dollars in value of property which they shall severally have insured in or by said company.

When entitled to vote.

SEC. 3. The affairs of said company shall be managed by a board of directors consisting of not less than twelve of the members, but the number may be increased to thirty or any number between twelve and thirty as may from time to time be determined at any general meeting of the members of said company: and all vacancies at any time existing in the board of directors may be filled by the remaining directors for the remainder of their term of office. There shall be annual meetings of the members of said company at which the directors shall be elected, and the directors shall elect from their own body the president of said company, and also a vice-president, and appoint a secretary and treasurer, and all such other officers and agents as they may consider necessary; and all the officers, agents and employes of said company, including the president and vice-president, shall hold their respective offices or employments at the pleasure of the board of directors. If for any cause there should be a failure to hold the regular annual meeting of said company, or a failure to elect a board of directors, the directors then in office shall continue to act as such until their successors are elected at the next ensuing regular annual meeting, or at such called or special meeting of the members as may be provided for by the by-laws of said company.

Management of company vested in board of directors.

Vacancies filled.

Election of president, &c.

Offices held at pleasure of board

SEC. 4. The board of directors, or such committee of the directors as may be specially appointed by the board for that purpose, may determine the rates of insurance and the amount to be insured on any application for insurance in or by said company, and shall also determine the amount in cash to be paid or deposited by the person applying for insurance under the limitation in the next section provided.

Directors must determine rates of insurance.

SEC. 5. Every person who may become a member of this company by effecting insurance therein and giving a note or bond payable to the company or to the treasurer of the company for its use for the premium of insurance on the property offered for insurance, shall before receiving his policy pay to the company, or its duly authorized agent, such sum in cash as may be agreed on, not exceeding ten

Bond given in payment.

Manner of insur- per cent. of the amount of such premium, note or bond, and
 ing. shall thereafter pay annually the legal interest on the
 amount of said note or bond reduced by any cash payment
 thereon, and shall also pay such assessments on the same as
 shall from time to time be required by the by-laws of the com-
 pany. In such note or bond shall be set forth a sufficient
 description of the land on which the building or buildings
 insured are situate, the amount insured thereon, the interest
 or estate of the party insured in the same and the time or
 term of such insurance and the execution of such note or
 bond being first duly acknowledged or proved before any
 one of the judges of this state or the clerk of any court of
 record in this state or his deputy, or before a justice of the
 peace, or a notary public of the county in which the property
 insured is situate; may be registered in such county and
 thereupon shall create and constitute a lien in the nature of
 a mortgage to the amount of such note or bond on the
 interest or estate set forth in the same, and if default in the
 payment of the annual interest on said note or bond or in
 the payment of any assessment thereon as is hereinbefore
 provided be made, directors of said company or their proper
 committee or officers may sell or cause to be sold by public
 auction at the door of the court house of the county in which
 the property insured is situate, for cash or on such other
 terms as to them may seem best, the interest and estate of
 the party insured in the land and premises described in such
 note or bond or so much or such part thereof as said com-
 pany by its directors or their proper committee or officer
 may determine to sell, having first duly advertised the time
 and place of any such sale in the mode and for the time
 required by law in cases of sales of real estate made under
 execution in the hands of a sheriff, giving notice also to the
 person so in default or his representative, agent or attorney,
 or if such person be absent from the state and have no duly
 authorized agent or attorney, then giving notice to such
 person by publication in some newspaper published in the
 county in which the principal or home office of said com-
 pany is, of the time and place of any such sale. Upon any

Bonds must be proved by judges of state.

Liens created.

Defalcation of payment.

Public advertis- ment.

sale being made as aforesaid, said company shall convey the interest and estate in the land referred to in the note or bond aforesaid which may have been so sold to the purchaser at such sale, freed and discharged of all right of redemption by the party or parties to said note or bond, their heirs or assigns, and after retaining from the proceeds of such sale the amount due said company by the party or parties in default as aforesaid, together with all costs and expenses incident to such sale and conveyance, this surplus, if any, shall be paid by said company to such party or parties, their heirs or assigns. In all cases in which a note or bond as aforesaid shall be given by any married woman, she shall be examined upon her acknowledgement thereof as to her voluntary execution of the same by some one of the judges or clerks of the courts as aforesaid, who shall duly certify the result of such examination, and upon the production of any note or bond given under the provisions of this section, duly proved or acknowledged before any of the persons in this section referred to, and such probate or acknowledgement duly certified thereon to the register of the county in which the real estate described in such note or bond is situate, it shall be the duty of such register to record the same with the certificate thereon endorsed, and for such service he shall be entitled to a fee of one dollar in such case, and in all legal proceedings a duly certified copy from the books of the register of any such note or bond shall be received in evidence for or against said company in like manner as the original would be.

Conveyance of interest and estate.

Manner of conveyance.

Fee required.

Certificates from books of register received as evidence.

SEC. 6. That in all cases in which a note or bond of the character of that referred to in the next preceding section is not given by the person effecting insurance in said company, the directors of said company, or their proper committee of officers shall take from such person one or more notes or bonds for the premium on such insurance secured to the satisfaction of the board of directors, who may from time to time require additional security to any such notes or bonds at their pleasure. Interest shall be annually paid on such notes or bonds, and also such assessments thereon as

Additional security how acquired

Interest to be paid annually.

shall be made by the board of directors, and the by-laws of the company may prescribe and provide any such penalties of forfeitures for any default in making any of such payments as to the members of said company may seem best calculated to secure the utmost promptness in making said payments. At the expiration of the term of insurance of any member of said company, all notes or bonds given by him, whether under this or the preceding section, upon effecting the insurance so expiring, or such part of any such note or bonds as shall remain unpaid after the settlement of all losses and expenses incurred by the company during said term, shall be relinquished and given up to the makers thereof.

Relinquishment
of bonds.

Company may
make contracts.

SEC. 7. The said company is hereby authorized and empowered to make, execute and deliver all such agreements, contracts and policies as may be deemed necessary or convenient for the transaction of its general business of insuring real or personal property against loss by fire, and the same may be of such form and authenticated in such way as the members of said company by their by-laws may prescribe or direct, and said company shall have power to make loans of any money it may have on hand, and any such loans as may be made to any member of said company may be made at such rate of interest or discount as may be agreed on between the parties to any such contract.

Power of com-
pany to make
loans.

Principal place of
business.

SEC. 8. The principal officer for the transaction of the general business of the company shall be in the city of Wilmington, and said company is hereby empowered to purchase, hold and convey any such real estate as may be necessary or convenient for the transaction of its general business, or any business incident thereto, or any such real estate in which the directors of said company may deem it beneficial to the interest of said company to invest any surplus money belonging to said company.

Money vested in
real estate.

Application
solicited.

SEC. 9. That the corporators in the first section of this act named, or a majority of them, may, by advertisement in one or more newspapers, or otherwise solicit applications for insurance by this company, but no policy of insurance shall

be issued by this company until at least twenty-five of such applications for insurance have been made, and such applicants, together with a majority of said named corporators, have duly organized said company.

When policy to be issued.

SEC. 10. The members of said company at any meeting, at which a majority may be present, may provide by their by-laws for any matter or thing or state of circumstances in connection with any policy of insurance to be thereafter issued by said company, prescribe what shall work a forfeiture of any such policy, and under what circumstances policies may be annulled and cancelled by the company, and may provide by their by-laws generally for any and all matters and circumstances likely to arise or which may occur thereafter between said company, its officers, agents or employees in any way whatever with the members of said company or concerning the property insured by said company.

Company may be governed by their by laws.

SEC. 11. That this act shall be in force from its ratification, and shall continue in force for the term of ninety-nine years.

When act to be in force.
Term of time.

Ratified the 24th day of January, A. D. 1872.

CHAPTER LX.

AN ACT TO AMEND AND EXTEND THE CHARTER OF THE ROCKFISH MANUFACTURING COMPANY OF FAYETTEVILLE.

WHEREAS, The Rockfish Manufacturing Company of Fayetteville, by its deed dated the twenty-eighth day of July, one thousand eight hundred and seventy-one, bargained and sold, conveyed, set over and assigned to Thomas Campbell Oakman, his heirs and assignees, the lands of the said corporation situated on Rockfish Creek, in the county of Cumberland, together with the franchise of said corporation.

Preamble.

- Confirmation of sale. SECTION 1. *The General Assembly of North Carolina do enact*, That the said sale and transfer be and are hereby ratified and confirmed.
- Corporate body. SEC. 3. That Ambrose Y. Beguer, Thomas C. Oakman and Sidney I. Salms, their associates, successors and assigns, be and they are hereby constituted a corporation and body politic in law and in fact, by the name and style of the
- Corporate name. "Rockfish Manufacturing Company of Fayetteville," and by that name and style may sue, be sued, plead and be impleaded in any court of record; contract and be contracted with; have perpetual succession and a common seal, and acquire, possess, enjoy and retain real and personal estate, and shall so continue until the first day of January, one thousand eight hundred and eighty.
- Corporate rights and privileges. SEC. 3. That the said corporation shall have power to establish factories and mills for the manufacture of cotton, wool, hemp, iron and other like material upon Rockfish Creek, in the county of Cumberland, and for no other purpose whatever.
- Corporate powers SEC. 4. That the said corporation shall have power to make all necessary by-laws and regulations for its good government, not inconsistent with the laws and constitution of this state, and shall have power to appoint their officers and agents to transact their business and conduct their operations.
- Capital stock. SEC. 5. That the capital stock of said company shall consist of one hundred and fifty shares of one thousand dollars each.
- Time and place of annual meeting. SEC. 6. That an annual meeting of the stockholders in person or by proxy shall be held in the town of Fayetteville, on the first Monday of May in each and every year, at which meeting proper officers shall be appointed to conduct the business of said corporation, who shall hold these offices for one year, or until their successors be chosen, but nothing in this clause shall be so construed as to prevent the general meetings whenever the interest of the company may require them.

SEC. 7. That the stockholders of said company in general meetings have power to adopt rules and regulations with regard to duplicates and evidences of stock and transfer and assignments of the same, and may have power to increase their capital stock whenever the business of said company may require it, to an amount not exceeding one hundred and fifty dollars in addition to the capital herein granted.

Adoption of rules for duplicates, transfers, &c.

Capital stock may be increased.

SEC. 8. That each stockholder shall have as many votes as he holds shares of stock.

Vote by shares.

SEC. 9. That it shall be the duty of the said corporation to keep a full and fair record of their proceedings in a book or books provided for that purpose, and shall produce said record in any court of justice when required to do so by the said court.

Book of records to be kept.

SEC. 10. That the proper officers of said company, when expedient, shall semi-annually declare dividends of the net profits thereof.

Dividends declared semi-annually.

SEC. 11. That it shall not be lawful for any person to sell or keep for sale any vinous, spirituous or malt liquors within two miles of the present location of the above mentioned factory or mills, and any person or persons violating this act shall be deemed guilty of a misdemeanor, and on conviction before the superior court of Cumberland county, shall be fined not exceeding fifty dollars or imprisoned not exceeding thirty days for each separate offence, at the discretion of the court: *Provided*, That this section shall have no force or effect until approved by a majority of the qualified voters within the limits which said prohibition shall effect, at an election to be held for that purpose according to existing laws; that said election shall be held at such times as shall be agreed upon by the sheriff, register of deeds and clerk of the superior court for Cumberland county.

Prohibition of spirituous liquors.

Penalty.

Proviso.

SEC. 12. That this charter is extended for thirty years from the first day of January, one thousand eight hundred and eighty.

Limitation of charter.

SEC. 13. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 24th day of January, A. D. 1872.

CHAPTER LXI.

AN ACT TO MAKE REEDY FORK A LAWFUL FENCE.

Boundary of
lands.

SECTION 1. *The General Assembly of North Carolina do enact*, That the water course known as Reedy Fork in the county of Guilford, shall be regarded as a lawful fence from L. W. Summers' Mills to the western boundary of the lands of Gideon Davalt and Peter Geringer.

When act to be in
force.

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

Ratified the 24th day of January, A. D. 1872.

CHAPTER LXII.

AN ACT TO AMEND AN ACT ENTITLED AN ACT TO AMEND THE
CHARTER OF THE CALDWELL AND WATAUGA TURNPIKE COM-
PANY, RATIFIED THE FIFTH DAY OF APRIL, ONE THOUSAND
EIGHT HUNDRED AND SEVENTY-ONE.

Amendment.

SECTION 1. *The General Assembly of North Carolina do enact*, That an act to amend the charter of the Caldwell and Watauga Turnpike Company be amended by striking out the word "two," wherever it occurs in said act, and inserting the word "one-half."

When act to be in
force.

SEC. 2. That this act shall be in force from its ratification.
Ratified the 24th day of January, A. D. 1872.

CHAPTER LXIII.

AN ACT TO INCORPORATE THE OAK CITY SAVINGS BANK OF
RALEIGH.

- SECTION 1. *The General Assembly of North Carolina do* Corporators.
enact, That Joseph B. Batchelor, John Nichols, John C. Blake, A. Webster Shaffer, Wm. H. Jones, John B. Neathery, Donald W. Bain, Mortimer W. Churchill, Isaac J. Young, W. J. Hicks, Henry Mahler, Anderson Betts, John C. Gorman, J. B. Gully, Wm. Simpson and William G. Upchurch and their associates, successors and assigns, be and they are hereby created a body politic and corporate under the name and style of The Oak City Savings Bank of Raleigh, Corporate name. and by such name may acquire, hold and convey real and personal property, sue and be sued, plead and be impleaded in any of the courts of this state, and have a perpetual succession and common seal for the purposes indicated in the title. Corporate rights.
- SEC. 2. That the capital stock of said corporation shall not be less than twenty thousand (\$20,000) dollars, which may be increased from time to time to a sum not exceeding six hundred thousand (\$600,000) dollars in shares of one hundred dollars each. Limitation of capital stock.
- SEC. 3. That the nine persons first named in section one of this act shall be and remain directors of this corporation for one year, or until their successors are chosen: *Provided*, That no person shall be a director in said corporation without first having subscribed and taken at least ten shares of stock therein. Directors. Proviso.
- SEC. 4. It shall be the duty of the board of directors of said corporation to prescribe rules, regulations and by-laws for the government thereof, to choose officers, fix salaries, fill vacancies and generally do and perform such duties as the rules, regulation and by-laws of said corporation shall prescribe, when the same shall have been duly ratified by a majority in number and value of the stockholders of said corporation voting therein in person or by proxy. Duty of directors.

Currency of
country.

Banking powers
and privileges.

Proviso.

Corporation to
pay annual tax.

When act to take
effect.

SEC. 5. That said corporation shall have power to receive and pay out the lawful currency of the country, deal in exchange, gold and silver coin, stocks, bonds, notes and other securities, to lend money to, or receive deposits of money or other evidences of debt from minors, apprentices, *femes covert* or other persons on such terms and rates as may be agreed upon between the parties free from all other control, contract or liability whatever, to invest in the stocks of this or any other state or of the United States or of any corporation under the laws thereof, and to take such real and personal security, conditioned in such form for the payment of the principal and interest of money borrowed as may be deemed most safe, expedient and beneficial: *Provided*, That nothing therein contained shall authorize said corporation to issue any bill or note in the nature of and intended to pass as a bank note.

SEC. 6. That said corporation shall pay to the state in lieu of all other taxes an annual tax on such shares of stock therein equal to that charged by the state on other property of the same value, said tax to be paid to the public treasurer during the month of December in each and every year.

SEC. 7. That this act shall be in force from and after its ratification.

Ratified the 24th day of January, A. D. 1872.

CHAPTER LXIV.

AN ACT TO PROVIDE FOR THE DRAINING OF MATTAMUSKEET
LAKE.

Drainage of lake.

SECTION 1. *The General Assembly of North Carolina do enact*, That any number of proprietors in fee of lands in the county of Hyde, which will be benefitted by the draining of Mattamuskeet Lake, or by reducing the volume of water

therein, may file their petition in the superior court of Hyde county against other proprietors whose lands will be benefitted thereby, or through whose lands it may be deemed expedient to cut a canal for the purpose aforesaid, and the proceedings therein shall be as prescribed in other cases of special proceedings, and in sections three and four of chapter one hundred and sixty-four of the public laws of one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine.

Petition may be filed.

Expediency of cutting canal.

SEC. 2. Upon a confirmation of the report and the adjudication that the proprietors of the several pieces of land to be benefitted by the improvement, be declared a corporation, in accordance with the provisions of section six of said act. all the provisions of sections six, seven, eight, nine, ten, eleven, twelve and thirteen of said act shall be applicable thereto, and the said corporation and the corporators shall have all the rights, powers and privileges, and be subject to all the charges and liabilities which are conferred or imposed by said act.

Corporation.

Corporate rights.

SEC. 3. This act shall be in force from and after its ratification.

When act to take effect.

Ratified the 24th day of January, A. D. 1872.

CHAPTER LXV.

AN ACT TO INCORPORATE THE NEUSE RIVER FERRY COMPANY OF NORTH CAROLINA.

SECTION 1. *The General Assembly of North Carolina do enact*, That Samuel W. Latham, Thomas J. Latham, William Roe, George E. Tinker and George W. Nason, and such other persons as are or hereafter may be associated with them, for the purposes hereinafter specified, and their successors, be and the same are hereby created and constituted a body politic and corporate, under the name and style of

Corporators.

- Corporate name.** " Neuse River Ferry Company," and as such, and by such name may sue and be sued, plead and be impleaded, shall have succession and a common seal, and may acquire, hold, possess and transfer real and personal property for the necessary purposes of said company, and make and adopt
- Corporate rights.** all rules, regulations and by-laws for the government of said company, not inconsistent with the laws of the state and United States, and may regulate and establish the rate of ferriage, freight and tolls.
- Rights, privileges and powers of company.** SEC. 2. That said company shall have all the rights, powers and privileges which they may deem necessary, to build, construct and purchase ferry boats for the transportation of persons, goods, wares and merchandize, or any articles of property whatever, to and from any place, situate in the city of Newbern on Neuse river, and the north side of said river.
- Location of landing.** SEC. 3. That one landing of said ferry shall be situated in said city of Newbern, on said Neuse river, and the other on the north side of said river, to be located by the president and directors of said company.
- Turnpike admissible.** SEC. 4. The said company, if they deem the same advisable, may construct turnpike roads from the landing of said ferry on the north side of Neuse river to the main road, leading from Newbern to Bay river, in Craven county.
- Limitation and division of capital stock.** SEC. 5. That the capital stock of said company shall not exceed five thousand dollars, and shall be divided into shares of fifty dollars each.
- Books of subscription.** SEC. 6. That books to receive subscription to the capital stock of said company shall be opened in the city of Newbern, after thirty days' notice, at the banking house of Rountree and Webb, and under the direction of Thomas J Latham, and that when five hundred dollars of said capital stock is subscribed for, and five per cent. thereon paid in, the books of subscription shall be closed, and the said Samuel W. Latham, Thomas J. Latham William Rowe, George E. Tinker and George W. Nason, shall forthwith call a meeting of the stockholders of said company, at which
- Meeting of stockholders.**

meeting said stockholders shall organize said company by electing a president and three directors of said company to manage the affairs of the same, until the next annual meeting of the stockholders, and until their successors be elected.

Organization of company.

Election of officers.

SEC. 7. That the president and directors may, from time to time, as they may deem necessary, open books for further subscription to the capital stock of said company.

Books opened for further subscription.

SEC. 8. That said company shall have the right, when necessary, to conduct the said turnpike roads across or along any public road or water course; *Provided*, The said company shall not obstruct any public road without constructing another, equally as good and convenient.

Construction of turnpike.

Proviso.

SEC. 9. That when any lands or right of way may be required by said company on the north side of Neuse river for the purpose of constructing said roads and a landing for said ferry, and for building warehouses, workshops or depositories or other material and necessary buildings for said company, and for want of agreement as to the value thereof, or from any other cause, the same cannot be purchased from the owner, the same may be taken at a valuation to be made by a jury of six good and lawful men, to be summoned by the sheriff of Craven county, (at the requisition of the president, or any one of the directors of said company,) and in making the said valuation, the jury shall take into consideration the loss or damage which may accrue to the owners thereof, as well as the benefit to be derived by the construction of said road or landing to the said land; and in case either party be dissatisfied with the verdict of the jury, an appeal may be taken to the superior court of Craven county, and the sheriff shall return the proceedings, together with a full description of the land and right of way to said court, there to remain a record, but the title of said lands shall vest in said company so long as it shall be used for the purposes of said ferry and said roads from the time of the assessment by the jury, notwithstanding such appeal: *Provided*, The company shall tender to said owner the sum assessed by said jury: *Provided, further*, That the right of

Condemnation and valuation of land by jury.

Appeal may be taken to Superior Court.

Title vested in company.

Proviso.

Further proviso.

condemnation herein granted, shall not authorize said company to invade the dwelling-house, yard, garden or burial ground of any individual without his consent.

Examination and survey of lands to be made.

SEC. 10. That for the purpose of ascertaining the best landing for said ferry, on the north side of Neuse river, and route for said roads, and to locate the same, it shall be lawful for said company, by its engineers, servants and agents, to enter upon, examine and survey any land or lands that they may wish to examine for such purpose, free from any liability whatever.

President and directors elected annually.

SEC. 11. That the stockholders of said company shall annually, on the first Tuesday in January, elect a president and three directors for said company, who shall continue in office until their successors are elected.

Vote by shares.

SEC. 12. That in all elections and upon all votes taken in any meeting of the stockholders upon any by-laws or any affairs of the company, each share of stock shall be entitled to one vote: any stockholder may vote by proxy, and proxies may be verified in such manner as the by-laws may prescribe.

When act to be in force.
Term of time.

SEC. 13. That this act shall be in force from and after its ratification, and remain in force thirty years.

Ratified the 25th day of January, A. D. 1872.

CHAPTER LXVI.

AN ACT TO INCORPORATE THE MURPHY AND TENNESSEE TURNPIKE COMPANY.

Corporators.

SECTION 1. *The General Assembly of North Carolina do enact*, That James C. Axley, Robert D. McCombs, Thomas J. Lenoir and A. A. Campbell, their associates, successors and assigns, are hereby constituted a body politic and corporate, under the name and title of the Murphy and Tennessee Turnpike Company, with all the powers to make by-laws for its government, provide for election of directors and all

Corporate name.

other officers, and with all other privileges and incidents, belonging to corporations under chapter ninety-six of the revised code, or any other general law of the state which may at any time be passed. Corporate rights.

SEC. 2. Said corporation shall have power to make and keep in repair a turnpike road running from the town of Murphy, in Cherokee county, to the Tennessee line near the Unacoee mountain, at the nearest and most practicable route; the dimensions and mode of construction of said road to be determined by the directors of the company; in no place shall said road be steeper than one foot in sixteen, and shall be sixteen feet wide on level lands, and the same in side digging, except in solid rock, where it shall be twelve feet wide; the county commissioners of Cherokee shall have the power to fix and charge such reasonable tolls, and erect toll gates as they may think best. Line of turnpike.
Grade of road.
Rates of toll.
Toll gates.

SEC. 3. That said Murphy and Tennessee Turnpike Company shall have all powers, emoluments and franchises that are conferred upon the Hiwassee and Cheoah Turnpike Company in chapter one hundred and twenty-seven, sections three and four, laws of one thousand eight hundred and seventy-one. Powers of company.

SEC. 4. This act shall be in force from and after its ratification. When act to take effect.

Ratified the 25th day of January, A. D. 1872.

CHAPTER LXVII.

AN ACT TO AMEND AN ACT ENTITLED AN ACT TO INCORPORATE
THE BEAVER CREEK MANUFACTURING COMPANY IN THE COUNTY
OF CUMBERLAND.

SECTION 1. *The General Assembly of North Carolina do enact*, That an act entitled an act to incorporate the Beaver Creek Manufacturing Company in the county of Cumberland,

Authorization of the construction of canals, &c. over and through the lands of any persons.

ratified the twelfth day of January, one thousand eight hundred and forty one, be so amended as to authorize and allow the said Beaver Creek Manufacturing Company to dig, build and construct such races, canals and ditches over and through the lands of any persons whatsoever, which said company may deem necessary for conducting to any of their said mills a supply of water, or for conducting and conveying off any waste or other water from any of their said mills by complying with the provisions of an act entitled "an act to provide draining wet lands," ratified the twenty-sixth day of March, *anno domini* one thousand eight hundred and seventy

When act to be in force.

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

Ratified the 25th day of January, A. D. 1872.

CHAPTER LXVIII.

AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE.

Power to levy taxes.

SECTION 1. *The General Assembly of North Carolina do enact*, That the board of Aldermen of the city of Charlotte shall have power to levy taxes for city purposes from year to year.

Manner of taxation.

SEC. 2. That said tax shall be levied on all real and personal property, trades, licenses and other subjects of taxation, as provided in section three, of article fifth, of the state constitution: *Provided*, That nothing herein contained shall prevent the levying of a poll tax, as provided by law.

Proviso.

SEC. 3. That all persons liable to taxation in said city shall make returns to the clerk and treasurer, as provided in sections sixteen and seventeen of the charter of said city, under the penalties prescribed in the last named section.

Returns made.

SEC. 4. That the tax list shall be placed in the hands of the city constable, who shall be clothed with all the powers now vested by law in sheriffs or tax collectors for the collection of the public taxes of the state.

City constable may collect taxes.

SEC. 5. That all laws coming in conflict with this act be and they are hereby repealed. Repealing clause.

SEC. 6. That this act shall be in force from and after its ratification. When act to take effect.

Ratified the 25th day of January, A. D. 1872.

CHAPTER LXIX.

AN ACT TO INCORPORATE "SILOAM LODGE, NUMBER ONE HUNDRED AND SEVENTY-EIGHT, F. A. MASONS," IN THE COUNTY OF NEW HANOVER.

SECTION 1. *The General Assembly of North Carolina do enact*, That James E. Ward, A. J. Johnson and A. S. Vann, and their successors in office of Siloam Lodge, number one hundred and seventy-eight, F. A. Masons, are hereby incorporated as such, and by that name shall have perpetual succession and a common seal, may sue and be sued, plead and be impleaded, and in general to exercise and enjoy all such rights and privileges as are usually incident to corporate bodies of like nature. Corporate body.
Corporate rights and privileges.

SEC. 3. That this act shall be in force from and after its ratification. When act to take effect.

Ratified the 25th day of January, A. D. 1872.

CHAPTER LXX.

AN ACT TO INCORPORATE THE TOWN OF CATAWBA VALE IN THE COUNTY OF M'DOWELL.

SECTION 1. *The General Assembly of North Carolina do enact*, That the town of Catawba Vale, in the county of McDowell, be and the same is hereby incorporated, by the Incorporation of town.

name and style of the town of Catawba Vale, and be subject to all the provisions contained in the one hundredth and eleventh chapter of the revised code, not inconsistent with the constitution and laws of this state, also subject to the general law in relation to corporations.

Corporate limits
of town.

SEC. 2. That the corporate limits of said town shall be as follows: Beginning at a stake one half mile north of the depot of the Western North Carolina Railroad Company, running east, one mile to a stake or natural object; thence south one and a half miles; thence west one and a half miles; thence north one and a half miles, thence east one-half mile to the beginning, which shall be the corporate limits of said town.

Board of officers.

SEC. 3. That the officers of said incorporation shall consist of a mayor, five commissioners and marshal; that S. Worthen, mayor, J. H. Bondman, J. C. Haight, O. A. Steadman, A. D. Haight, C. S. Mooney, commissioners, and W. V. Spencer, marshal, shall constitute the board of officers until the time for the regular election of officers of municipal corporations, at which time an election shall be held as prescribed by law in like cases.

Time specified
for taking oath.

SEC. 4. It shall be the duty of the board, consisting of the above named commissioners, to meet within twenty days after the ratification of this act, and take the same oath that is prescribed in the constitution for state officers.

Power of commis-
sioners.

SEC. 5. That said commissioners shall have power to pass all by-laws, rules and regulations for the good government of the corporation, not inconsistent with the laws of this state or of the United States.

Tax to be levied
on poll and
property.

SEC. 6. That the commissioners shall have power to levy a tax, not to exceed seventy-five cents on the poll, nor twenty-five cents on the one hundred dollars worth of property.

Officers required
to give bond.

SEC. 7. The commissioners shall have power to appoint their officers, require bonds when the same may be deemed necessary, in such amounts as may be deemed expedient to ensure the faithful performance of their respective duties, bonds of not less than two hundred dollars.

SEC. 8. That the mayor, before entering upon his duties, shall take the same oath as justice of the peace, and the same shall be registered upon the books of the corporation. Mayor shall take oath.

SEC. 9. There shall be a secretary appointed by the commissioners, who shall keep a true and correct record of all the proceedings of the board of commissioners and acts of the mayor. Secretary to keep record of proceedings.

SEC. 10. That the marshal, before entering into office, shall go before some person authorized to administer an oath, and take the oath usually taken by constables. Marshal required to take oath.

SEC. 11. That all laws coming in conflict with this act are hereby repealed. Repealing clause.

SEC. 12. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 25th day of January, A. D. 1872.

CHAPTER LXXI.

AN ACT TO INCORPORATE THE GUILFORD COUNTY CO-OPERATIVE ASSOCIATION.

SECTION 1. *The General Assembly of North Carolina do enact*, That James W. Albright, Lyndon Swain, Jonathan Cox, their associates, successors or assigns, are hereby constituted and declared to be a body politic and corporate, under the name and style of "The Guilford County Co-operative Association," and by this name may sue and be sued, plead and be impleaded, may have a common seal, and in general exercise and enjoy all the rights and privileges as are usually incident to corporate bodies of like nature, and continue for the period of thirty years. Corporate body.
Corporate name.
Corporate rights and privileges.

SEC. 2. That said corporation shall have power to buy and sell goods, wares, merchandize of every description, produce, mining, manufacturing and agricultural implements and machinery; to own the necessary real estate for the transac- Mercantile operations.

tion of their business, and deal in all things and commodities usually bought and sold in mercantile associations of like character.

Limitation and
division of capital
stock.

SEC. 3. That the capital stock of said corporation shall not exceed fifty thousand dollars, to be divided into shares of twenty-five dollars each, and said corporation may commence business whenever one hundred shares of stock shall be subscribed for and paid in.

Officers of cor-
poration.

SEC. 4. That the officers of said corporation shall be a president, vice-president, secretary and treasurer, who shall be elected by the stockholders, and shall continue in office until their successors are chosen; the stockholders may also elect of their number, a board of directors not to exceed five in number, to whom shall be confided the management of the business of said corporation, under such restrictions and laws as the stockholders may enact; said stockholders shall make such constitution and such by-laws for the government and regulation of the corporation as they may deem fit, not inconsistent with the laws of this state or of the United States.

Management of
business to be
vested in board of
trustees.

When act to take
effect.

SEC. 5. That this act shall take effect from and after its ratification.

Ratified the 26th day of January, A. D. 1872.

CHAPTER LXXII.

AN ACT TO INCORPORATE THE HOLLYWOOD CEMETERY.

Corporate body.

SECTION 1. *The General Assembly of North Carolina do enact*, That James M. Whedbee, Reuben F. Overman, J. P. Whedbee, George D. Pool, W. H. Clark, William Shannon, and Dr. Paleman John, and their associates, for the purposes hereinafter mentioned, be and the same are hereby constituted a body politic and corporate by the name and style of

Corporate name.

the Hollywood Cemetery Company, and by that name may

sue and be sued, plead and be impleaded in all the courts of this state, contract and be contracted with, and may have a common seal, and the same at their pleasure alter or renew, and shall have power to purchase, have, hold and enjoy, to them and their successors, so much real estate as they may select for the purpose of establishing, maintaining and improving a public cemetery in or near the town of Elizabeth City, North Carolina, which is hereby declared to be the only object for which said corporation is created: *Provided*, The quantity of land shall not exceed twenty acres, and said corporation may receive gifts and bequests for the purpose of improving said cemetery, and hold such personal property as may be necessary to carry out the object of this act.

Corporate rights.

Proviso.

SEC. 2. That the real estate of said corporation and the lots when conveyed to individual purchasers shall be exempt from assessment and taxation of all kinds, and not be subjected to attachment or execution, or be applied to the payments of debts by assignments under an insolvent law.

Exemption from taxation.

SEC. 3. That every lot conveyed in said cemetery shall be held by the proprietor for the purpose of sepulture.

Right of sepulture.

SEC. 4. That any person who shall wilfully destroy, mutilate, deface, injure or remove any tomb, monument, gravestone or other structure placed in the cemetery aforesaid, or any fence, railing or other work for the protection or ornament of any tomb, monument, gravestone or other structure aforesaid, or shall wilfully destroy, cut, break, or remove any tree, shoot or plant within the limits of said cemetery, or shall shoot or discharge any gun or other firearms within the limits thereof shall be deemed guilty of a misdemeanor, and upon conviction before any justice of the peace of the county of Pasquotank, shall be fined at the discretion of the court and be moreover liable to the company for the damage done by such act.

Desecration of ground, a misdemeanor.

Penalty.

SEC. 5. That a certificate under the seal of the corporation of the ownership of any lot aforesaid shall have the same effect as a conveyance from said corporation executed, acknowledged and registered as conveyances of real estate are required to be.

Effect of certificate.

When act to be in force.

SEC. 6. That this act shall be in force from and after its ratification.

Ratified the 26th day of January, A. D. 1872.

CHAPTER LXXIII.

AN ACT TO INCORPORATE IN THE CITY OF WILMINGTON "THE CAPE FEAR TOWING AND ATLANTIC COAST WRECKING COMPANY OF WILMINGTON, NORTH CAROLINA.

Corporators.

SECTION 1. *The General Assembly of North Carolina do enact*, That George Harriss, Marsden Bellamy, W. W. Harriss, W. L. Berry, A. J. Howell, F. W. Kerchner, R. G. Ross and B. W. Berry, of the city of Wilmington, and their associates, successors and assigns, are hereby authorized and empowered to establish in the city of Wilmington, a company which shall be a body corporate and politic to be called "The Cape Fear Towing and Atlantic Coast Wrecking Company, of Wilmington, North Carolina."

Corporate name.

General powers and privileges of company.

SEC. 2. In addition to the general powers and privileges and incidents of a corporation, as the same are declared by the twenty-sixth chapter of the revised code, or of any other general law of the state, the corporation hereby created shall have power, first, to build, purchase, hire and own a vessel or vessels, to be propelled by sails, steam or other motive power, to be employed in towing, aiding, protecting and saving vessels and their cargoes, wrecked or in distress, whenever such wrecks occur on the high seas or in the various arms of the seas and rivers running to the same, with power to make, purchase, hire and own pumps, bells, anchors, hawsers, warehouses, wharves and all apparatus necessary in carrying on the said business, or improving such property; also to tow vessels and to transport freight and passengers: *Provided*, That nothing herein shall be construed to conflict with the law regulating the same; also to purchase

Protection for wrecked vessels.

Vessels to be towed.
Proviso.

and hold real estate to an amount not exceeding fifty thousand dollars. Sec. 1. to fix upon rates of compensations by parole or by instruments in writing, either with or without seal, and to take all compensations, towages and salvages which are customary and usual, and which by law and usage enure to private persons in towing and in saving and taking care of wrecks, and wrecked and damaged property; and shall be entitled to, and shall have the usual liens on such property, with the right to hold and pursue the same in the like manner and effect as said rights and remedies are and may of right be held and enforced by private parties.

Amount of real estate.
Rates of compensation.

Liens on property

SEC. 3. All the corporate powers of the said company shall be exercised by a board of trustees, not less than eight persons in all, and such other officers as the trustees may, from time to time, see fit to appoint. It shall be the duty of the trustees on organizing the company, to choose a president from their own number, and to choose such other officers as they may deem necessary.

Board of trustees.

Election of president.

SEC. 4. The trustees shall hold their offices for the period of one year, and until others are chosen in their stead, other officers during the pleasure of the trustees. The eight (8) corporators named in section one of this act shall be the first trustees to serve for the period of one year from the organization of the company, and until others are chosen in their stead.

Term of office.

Corporators to be trustees.

SEC. 5. Vacancies happening in the number of trustees or other officers by death, resignation or other inability, may be filled for the remainder of the term by the board of trustees.

Vacancies filled.

SEC. 6. The stock of said company shall be divided into shares of one hundred dollars each; and the corporators whose names are mentioned in section first of this act, or any three (3) of them, shall receive subscriptions to the said company's stock, and when subscriptions shall amount to the sum of thirty-thousand dollars (30,000.) the company may be organized.

Division of stock.

When company to be organized.

SEC. 7. The trustees shall have power to call in the said subscriptions whenever they may deem it to the interest of

Power to call in subscriptions.

the company to have the same called in until the whole sum subscribed shall have been paid in.

Annual election
of trustees.

SEC. 8. An election for trustees shall be held within one year from the organization of the company, and one in each year thereafter, the trustees first causing notices thereof to be given either by notice to each individual stockholder, or by advertisement in some newspaper of such election.

Increase of capi-
tal stock.

SEC. 9. The capital stock of the said company may, at any time, by a vote of a majority of the stock, be increased to a sum not exceeding one million dollars.

When act to be in
force.

SEC. 10. This act shall be in force from and after its ratification.

Ratified January 26th, A. D. 1872.

CHAPTER LXXIV.

AN ACT TO INCORPORATE THE JAMESTOWN COPPER COMPANY.

Body corporate.

SECTION 1. *The General Assembly of North Carolina do enact*, That Franklin Osgood, John Endy and Edwin R. Bennett and their associates are hereby created a body politic and corporate with the right to sue and be sued under the name, style and title of the Jamestown Copper Company, for the purpose of mining for or smelting copper or other minerals and ores and selling and disposing of the same, and for that purpose they may purchase, lease or otherwise hold such amount of real or personal property as they may deem necessary for the business aforesaid, and sell, lease or otherwise dispose of the same.

Corporate name.

Real estate may
be held.

Capital stock.

SEC. 2. The amount of the capital stock of said company shall not exceed two millions of dollars, and shall be divided into shares not less than five dollars each, and the directors of said company are hereby authorized to receive subscriptions to said stock in real or personal estate appropriate to the business of said company or to purchase the same and to

Limitation and
division of stock.

Manner of sub-
scription.

issue stock in payment therefor, and all stock so subscribed for or issued as above provided shall be declared to be full stock and not liable to any further call.

SEC. 3. The affairs of said corporation shall be managed by a board of not less than three directors, and the persons named in the first section of this act shall be the directors of the company for the first year, or until their successors shall be duly elected.

Business of company to be managed by directors.

SEC. 4. The said directors shall have power to adopt such by-laws as they may deem necessary for the regulation of the business of the company, fix the amount of its capital stock, and the number of shares of which it shall consist and their par value, fix the form of its certificates of stock and the mode in which it shall be transferred.

Power of directors.

SEC. 5. The company may have an office for the transfer of the stock, and the holding of meetings of the board of directors at such place as its by-laws may prescribe.

Office appropriated for holding meetings, &c.

SEC. 6. This act shall take effect from and after its ratification.

When act to be in force.

Ratified the 26th day of January, A. D. 1872.

CHAPTER LXXV.

AN ACT TO PREVENT THE FELLING OF TREES IN NEW RIVER AND HORSE CREEK, IN ASHE COUNTY, AND SOUTH YADKIN RIVER, IN ALEXANDER COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That it shall not be lawful for any person to fell any tree or trees in the north fork of New river and Horse creek, in Ashe county, and South Yadkin river, in Alexander county, or on the banks of the same below highwater mark, and suffer the same to remain for the space of ten days, if in the river, or two months if on the banks thereof,

Felling trees in rivers a violation of law.

at any point or place within the counties hereinbefore mentioned.

Obstruction to be removed in a limited time

SEC. 2. That it shall not be lawful for any person owning land on the rivers, (or any of them,) and in the counties hereinbefore mentioned or either of them, to permit any obstruction such as logs, brush, weeds or a raft of any description whatever to remain in the rivers hereinbefore mentioned, or any of them for a longer period than twelve months after the passage of this act.

Penalty.

SEC. 3. If any person or persons shall violate the first or second section of this act or procure any one to do so, he, she or they so offending or procuring others to offend, shall forfeit and pay the sum of ten dollars to be recovered before any justice of the peace within the county where the offense is committed, the action to be brought in the name of the state by any citizen thereof, and one-half shall inure to the benefit of the person prosecuting said suit, and the other half to the county in which the offense is committed.

Additional penalty.

SEC. 4. That in addition to the penalty prescribed in section third of this bill, any person or persons violating the provisions of the first section of this bill shall be deemed guilty of misdemeanor, and upon conviction thereof, shall be fined not less than ten dollars nor more than fifty, or imprisoned not more than ninety days, at the discretion of the justice of the peace before whom the action is prosecuted: *Provided*, That nothing in this bill shall be construed to make any one liable for permitting any obstructions to remain at any point in the stream or streams except where he is the owner of the land where the obstruction or some part thereof is located.

Proviso.

SEC. 5. This act shall take effect three months after its ratification.

When act to be in force.

Ratified the 26th day of January, A. D. 1872.

CHAPTER LXXVI.

AN ACT TO INCORPORATE THE OLD FORT AND TOE RIVER TURN-
PIKE COMPANY.

- SECTION 1. *The General Assembly of North Carolina do enact*, That G. G. McKoy, A. D. Hoight, J. W. Hemphill, C. A. Blackwelder, John Simmons and such other persons as may associate with them for the purposes hereinafter mentioned, be and they are hereby declared a body politic and corporate under the name and style of the Old Fort and Toe River Turnpike Company, for the purpose of constructing a turnpike road between Old Fort, in McDowell county, and the three forks of Toe river, in Yancey county, and under said corporate name may sue and be sued, plead and be impleaded, have perpetual succession and a common seal.
- SEC. 2. That said persons or any two of them may open books at Catawba Vale, in McDowell county, and at Jason Ballews, in Yancey county, and keep them open until the whole of the capital stock of said company, which shall consist of five hundred shares, ten dollars each, shall be subscribed.
- SEC. 3. That after one thousand dollars have been subscribed, it shall be lawful for the directors to commence the work in such way and manner as the board of directors or a majority of them may deem best.
- SEC. 4. That the stockholders shall elect annually a board of not less than three directors, which directors shall elect a president, who with the said directors, shall continue in office until the next annual meeting, and until their successors shall be elected, but no failure to elect shall work a forfeiture; and in the absence of the president, for the dispatch of business, the directors may appoint one of their number to act as prescribed, *pro tem.*, and the board shall supply a vacancy in their body until the next annual meeting after such vacancy shall occur.

Corporators.

Corporate name.

Line of turnpike

Books of subscription.

Capital stock.

When work to commence.

Election of president and directors

Corporate rights and privileges.

SEC. 5. That in all other things the said company shall be governed by the provisions of the act in relation to turnpike and plankroad companies, as contained in the revised code, chapter sixty-one, except as hereinafter provided; and shall have all the necessary and usual privileges of making by-laws for its government, condemning lands, collecting taxes, requiring bonds of its officers and representatives of stocks by proxies.

Regulation of tolls and charges.

SEC. 6. That the commissioners of McDowell county shall have power to regulate tolls and charges not to exceed the tolls and charges as prescribed in chapter sixty-one of the revised code.

When act to be in force.

SEC. 7. This act shall be in force from and after its ratification.

Ratified the 29th day of January, A. D. 1872.

CHAPTER LXXVII.

AN ACT TO INCORPORATE THE PEOPLE'S BUILDING AND LOAN ASSOCIATION OF OXFORD.

Corporators.

SECTION 1. *The General Assembly of North Carolina do enact*, That Calvin Betts, Wm. M. Sneed, Jr., Thomas B. Venable, Lunsford A. Paschall, T. W. Young, Alex. F. Spencer, Wm. A. Philpott, Z. M. Paschall, John G. Jones, R. H. Kingsbury, T. L. Hargrove, Isaac H. Davis, James H. Horner, James C. Cooper, John A. Williams and all others who are or may hereafter be associated with them, and their assigns, are hereby constituted a body politic and corporate in the name and style of the "People's Building and Loan Association of Oxford," for the purpose of accumulating, and with power to accumulate a fund to enable its respective members to purchase houses and lots, erect buildings, improve lands, and remove incumbrances from real estate, and for the further purpose of distributing among the

Corporate name.

Object of association.

members who do not receive aid by advances on their shares for objects aforesaid, their proper dividends of the funds so accumulated in moneys, as such shall have power to hold and convey real estate, sue and be sued, plead and be impleaded, make, have and use a common seal, and generally to have such powers as may be necessary to carry out the objects of the association.

Corporate rights and powers.

SEC. 2. The number of shares of stock in said corporation shall not be less than three hundred nor more than five thousand, and the ultimate or par value of each share shall be one hundred dollars; and the said corporation may commence business when one dollar shall have been paid in upon each share of stock subscribed.

Limitation of shares.

Valuation.

SEC. 3. The officers of said association shall consist of a president, vice-president, secretary, treasurer, and seven directors, of whom the president shall be one, and executive committee of three selected from said board, who shall be chosen at such time and in such manner, hold their respective offices for such terms and be governed by such regulations as the by-laws of said association may prescribe.

Officers of association.

Executive committee.

SEC. 4. It shall be lawful for the corporation to make and put into execution such by-laws not inconsistent with the constitution and laws of this state or of the United States as may be necessary and convenient for the regulation and management of their affairs.

Corporation may make by laws.

SEC. 5. The board of directors shall have power to call in and demand from the stockholders respectively the sums of money subscribed by them at such time and in such payments as the by-laws shall prescribe, and for failure to pay such sums the by-laws may provide penalty by fine not to exceed the value of the stock.

Power of directors.

Penalty.

SEC. 6. When any subscription to the stock of said corporation shall be made after it shall have commenced business, such subscriber may be required to pay a sufficient sum to make his payment upon his stock equal to the payment of the original members with accrued premiums.

Equalization of payment.

SEC. 7. Parents may hold shares in said corporation for the use of their minor children, and *femes covert* may hold,

Parents may hold shares for minor children.

for their separate use, shares in said corporation exempt from the debts or contracts of their husbands.

Continuation of
association.

SEC. 8. Said corporation, unless sooner dissolved by a vote of a majority of the stockholders in number and value, shall continue in being until the fund accumulated, including shares redeemed, and all property and other effects shall amount to such a sum as will enable the association to distribute on each share a sum equal to the par or ultimate value of the unredeemed shares, before which time no distribution of principal or profits shall be made: *Provided*, That upon such distribution, if the said association so elect, it shall have power to recommence business by new subscription of stock with the privileges and upon the conditions prescribed in this act.

Distribution of
profits when
made.

Proviso.

Loans of money.

SEC. 9. It shall be lawful for said corporation to loan money to its members to an amount not exceeding the par or ultimate value of the respective shares subscribed for by such members, and no member shall own at any time more than fifty shares of stock. In case different stockholders shall compete for a loan of money it shall be lawful for said corporation to receive bids from such stockholders and they shall award the loan upon the bid deemed most advantageous to the interests of the corporation, such bid to be secured by mortgage, with power of sale upon real estate, to be executed to said company to an amount equal to the par or ultimate value of the shares redeemed.

Limitation of
shares.

Bids for loans of
money to be se-
cured by mort-
gage.

When act to be in
force.

SEC. 10. This act shall be in force from and after its ratification.

Ratified the 29th day of January, A. D. 1872.

CHAPTER LXXVIII.

AN ACT TO INCORPORATE THE WILMINGTON AND CHARLOTTE
RAILWAY BUILDING COMPANY.

SECTION 1. *The General Assembly of North Carolina do enact*, That Silas N. Marten, Edward Kidder, Robert H. Cowan, F. W. Kerchner, M. Comley, Wm. H. Willard, A. Y. McAden, John L. Brown and W. P. Love, their associates and successors are hereby incorporated and created a body politic and corporate under the name of the "Wilmington and Charlotte Railway Building Company," and as such may sue and be sued, plead and be impleaded, acquire and possess real and personal property, bonds, stocks and other securities, and dispose of the same, make contracts with railroad companies for building railroads and equipping and operating the same, and to do all other acts and things which any corporation, created by the laws of this state may of right do, not inconsistent with the constitution and laws of the United States or of this state.

Corporate body.

Corporate name.

Corporate rights and privileges.

SEC. 2. That the company may elect a board of managers, a president and such other officers as a majority shall determine, and make all needful by-laws and resolutions for the management and control of its affairs. The capital stock shall not exceed one million dollars nor be less than one hundred thousand, to be determined by a majority of stockholders from time to time. The amount of each share of stock and all other matters pertaining to the payment of the board shall be determined and fixed by the by-laws, and each share shall have one vote in any meeting of stockholders.

Election of board of officers.

Limitation of capital stock.

SEC. 3. This act shall be in force from and after its ratification, and shall continue in force for ninety-nine years.

When act to be in force.

Term of time.

Ratified the 30th day of January, A. D. 1872.

CHAPTER LXXIX.

AN ACT TO AUTHORIZE THE TRUSTEES OF MOUNT GILEAD MEETING AND SCHOOL HOUSE, OF HAYWOOD COUNTY, TO SELL THEIR PROPERTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That the trustees of Mount Giload Meeting and School House, of Haywood county, are hereby authorized and empowered to sell and convey by deed, all the real property in said county belonging to the Mount Giload Meeting and School House, and to pay over the proceeds thereof to Samuel L. Love, Abel McElroy, T. J. Rogers, E. S. Smith and R. L. Owen, as trustees of the Midway School House, for the use and benefit of said Midway School House.

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

Ratified the 30th day of January, A. D. 1872.

CHAPTER LXXX.

AN ACT TO AMEND CHAPTER SIX, PRIVATE LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY AND ONE THOUSAND EIGHT HUNDRED AND SEVENTY-ONE.

SECTION 1. *The General Assembly of North Carolina do enact*, That chapter six, of the private laws, ratified December twenty-first, *anno domini* one thousand eight hundred and seventy, be amended as follows: Strike out section five of said act and insert instead the following: All timber and lumber coming to the port of Wilmington for sale or for

Sale of school-house property.

Proceeds of sales to be placed in the hands of trustees.

When act to take effect.

Amendment.

shipment, shall be inspected by inspectors duly qualified and licensed according to law, who shall be entitled to collect of the vender, purchaser or shipper thirty cents per thousand feet on all timber, and forty cents per thousand feet on all lumber by them inspected. Any person selling or shipping such timber or lumber without inspection shall be guilty of a misdemeanor, and shall upon conviction pay one hundred dollars for each and every offence, one-half to the use of the informer and the other half to the state. No inspector of timber or lumber, while acting as such, shall act as salesman of those commodities under a penalty of fifty dollars for every offence, to be collected and applied the same as for violation of the prohibition against selling or shipping without inspection.

Lumber inspection.

Rates of sale.

Penalty.

No inspector shall act as salesman.

Penalty.

SEC. 2. All laws or parts of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 3. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 31st day of January, A. D. 1872.

CHAPTER LXXXI.

AN ACT TO RE-ENACT AND AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE A NATIONAL LOAN AND TRUST COMPANY," RATIFIED THE FOURTH DAY OF MARCH, ONE THOUSAND EIGHT HUNDRED AND SIXTY-SEVEN.

SECTION 1. *The General Assembly of North Carolina do enact.* That the above entitled act be and the same is hereby re-enacted and amended as follows: By striking out in the section three the words "but no rate of interest to exceed seven per cent. per annum shall be charged or recovered by said company in any transaction," and by striking out in

Re-enactment and amendment.

section nine the words "and this charter shall not continue longer than twenty years," and inserting the words, "and this charter, shall not continue longer than sixty years."

When act to be in force.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified the 31st day of January, A. D. 1872.

CHAPTER LXXXII.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF HICKORY TAVERN.

Amendment.

SECTION 1. *The General Assembly of North Carolina do enact*, That the charter of the town of Hickory Tavern be amended by adding the following after section three, in the act ratified the twenty-second day of February, *anno domini* one thousand eight hundred and seventy-one, chapter twenty-three of the private acts of the general assembly of one thousand eight hundred and seventy and one thousand eight hundred and seventy-one, to wit: That the commissioners of the town of Hickory Tavern are hereby authorized to submit to the qualified voters of said town, after advertisement of ten days at the courthouse, and not less than three public places in the corporate limits of said town, the question whether spirituous liquors shall be sold by a measure less than five gallons in the corporate limits of said town, and that said election shall be held under the supervision of the mayor of said town. Those voting at said election shall vote on a printed or written ticket, "license or no license;" and if a majority of the voters thereof shall vote against the granting such license, then, and in that case, it shall be unlawful for the commissioners of Catawba county to grant license to retail spirituous liquors by a measure less than five gallons to any person within the corporate limits of said town.

Public notification-

Submission of question of voters on the subject of selling spirituous liquors.

Form of voting.

SEC. 2. That after said election shall have been held, it shall be the duty of the commissioners of the town of Hickory Tavern to notify, in writing, the commissioners of Catawba county the result of said election. The commissioners of Hickory Tavern, through their mayor, shall have the power to impose and collect any fines for a violation of the above provision in whatever way they may by vote prohibit the sale of spiritous liquors whether by a quart or five gallons, or any other amount, by a fine in the discretion of the mayor, not to exceed twenty-five dollars for each and every offence, and that each violation shall be considered a separate and distinct offence.

Result of election,

Fines imposed for violation of act.

SEC. 3. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 1st day of February, A. D. 1872.

CHAPTER LXXVIII.

AN ACT TO INCORPORATE ROUNTREE LODGE OF ANCIENT FREE AND ACCEPTED MASONS, LOCATED AT BETHEL CHURCH, LENOIR COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That the Master, Wardens and members of Rountree Lodge, number two hundred and forty-three (243), located at Bethel Church, Cotentna Neck township, Lenoir county, be and they are hereby constituted a body politic and corporate by the name and style of Rountree Lodge, number two hundred and forty-three (243) of Free and Accepted Masons, and by that style and name shall have perpetual succession, may sue and be sued, plead and be impleaded in any court of record or before any justice of the peace in this state, may contract and be contracted with, may acquire by purchase or otherwise real and personal estate, and shall hold and dispose of the same for the benefit of the Lodge, may have a

Corporation of Lodge.

Corporate name.

Corporate rights and privileges.

common seal, and in general exercise all such rights and privileges as are usually incident to corporations of a like nature.

Power vested in corporation.

SEC. 2. That the said corporation shall have power to pass all necessary by-laws and regulations for its government which may not be inconsistent with the constitution of this state or the United States.

When act to be in force

SEC. 3. This act shall be in force from and after its ratification.

Ratified the 1st day of February, A. D. 1872.

CHAPTER LXXXIV.

AN ACT TO INCORPORATE ATLANTIC LODGE, NUMBER TWO HUNDRED AND NINETY-FOUR.

Incorporation of lodge.

SECTION 1. *The General Assembly of North Carolina do enact*, That the Worshipful Master, Wardens and members of Atlantic Lodge, number two hundred and ninety-four, and their successors, are hereby incorporated as a body politic and corporate, under the name and style of "Atlantic Lodge, Number Two Hundred and Ninety-four," and by that name and style may have succession and a common seal, may sue and be sued, plead and be impleaded, in any court of record or before any justice of the peace: contract and be contracted with, acquire, hold, and dispose of personal property and such real estate as may be necessary for convenience and transaction of the business of said lodge.

Corporate name.

Rights and privileges.

Power of corporation.

SEC. 2. That said corporation shall have power to pass all necessary by-laws, and regulations for its own government, not inconsistent with the constitution of this state or the United States.

When act to be in force.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified the 1st day of February, A. D. 1872.

CHAPTER LXXXV.

AN ACT TO INCORPORATE THE TOWN OF CHERRYVILLE, IN THE
COUNTY OF GASTON.

SECTION 1. *The General Assembly of North Carolina do* Corporate name.
enact, That the town of Cherryville, in the county of Gas-
ton, is hereby incorporated into a body politic and corporate
by the name and style of the Commissioners of the town of
Cherryville.

SEC. 2. That the corporate limits of said town shall be as Limits of town.
follows, to-wit: Beginning at a stake one-half mile south
of the railroad depot, running thence west one-half mile,
thence north one mile, thence east one mile, thence south
one mile, thence to the beginning.

SEC. 3. That the corporate powers of said town shall be Power vested in
vested in five commissioners and one mayor, to be elected commissioners.
by the qualified voters of said town.

SEC. 4. That the officers herein named shall have all the Power of officers
powers and immunities and be subject to all the restrictions
and liabilities as are enumerated in chapter one hundred and
eleven of the revised code, except that county commissioners
shall be substituted for the county court named in that
chapter.

SEC. 5. That this act shall be in force from and after its When act to be in
ratification. force.

Ratified the 2d day of February, A. D. 1872.

CHAPTER LXXXVI.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE LAND AND LUMBER COMPANY OF NORTH CAROLINA," RATIFIED THE SEVENTEENTH DAY OF DECEMBER, IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT.

Preferred stock to be issued.

SECTION 1. *The General Assembly of North Carolina do enact*, That the board of directors of the Land and Lumber Company of North Carolina be and they are hereby empowered to issue preferred stock, bearing interest at such a rate as they may fix upon, not exceeding, however, the legal rates now authorized by this state, with such other beneficial clauses as they may deem advisable.

Capital stock may be increased.

SEC. 2. The board of directors of said corporation are further authorized and empowered to increase the capital stock of said company whenever they think it necessary or advisable and upon such terms as they may think proper:

Proviso.

Provided, The whole capital stock shall not exceed two million dollars.

Validity of acts.

SEC. 3. Any and all acts heretofore done by said company in issuing preferred stock, are hereby authorized and made valid.

When act to be in force.

SEC. 4. This act shall be in force from and after its ratification.

Ratified the 2d day of February, A. D. 1872.

CHAPTER LXXXVII.

AN ACT TO AMEND AN ACT ENTITLED AN ACT TO INCORPORATE THE TRUSTEES OF THE GENERAL ASSEMBLY OF THE PRESBYTERIAN CHURCH IN THE UNITED STATES.

SECTION 1. *The General Assembly of North Carolina do enact*, That the act passed by the General Assembly in the year one thousand eight hundred and sixty-six, entitled an act to incorporate the Trustees of the General Assembly of the Presbyterian Church in the United States, chapter thirty, section first, be so amended that the following words "for the relief of invalid ministers and the widows and children of deceased ministers and all other benevolent objects of the church," be inserted between the words "learning" and "and" of said section. Amendment.

SEC. 2. That this act be in force from and after its ratification. When act to be in force.

Ratified the 2d day of February, A. D. 1872.

CHAPTER LXXXVIII.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF SALEM, NORTH CAROLINA, RATIFIED ON THE TWENTY-SECOND DAY OF MARCH, IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SEVENTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That section first of the above recited act be amended and read as follows: That no person shall retail any spirituous liquors, wines or cordials by a smaller measure than three gallons within the corporate limits of the town of Salem, without first having paid the tax and obtained a license therefor as herein required: *Provided*, That if any Proviso.

person manufacturing pure and unadulterated wine or wines from the juice of the grape, currant, blackberry or any other fruit, within the corporate limits of the town of Salem, without the use or admixture of any spirituous or alcoholic liquors therewith, shall be allowed to sell the same within the corporate limits of Salem, by any measure or quantity not less than one quart or so-called quart bottle.

Amendment.

SEC. 2. That section three of the above recited act shall be amended to read as follows: That the commissioners of the town of Salem shall impose, levy and collect a corporate tax of not less than two hundred dollars per annum upon any person obtaining a license for any of the purposes specified in the act, except it be a person manufacturing wine or wines within the corporate limits of Salem, as specified in the proviso to section first of this act, and who wishes to sell the wine or wines of their own manufacture by him within the corporate limits of Salem, that then and in that case, the fees imposed shall not be less than ten dollars per annum, and said commissioners shall grant no license to any one for any of the purposes herein enumerated until he or she shall have paid all the taxes imposed by said license, prove a good moral character by the oath of not less than two citizens of said town. Said commissioners shall have the power to grant or refuse a license to any one for any of the aforesaid purposes at their discretion.

License may be granted or refused.

Malt liquors not prohibited.

SEC. 3. That nothing in this act shall prevent the sale of malt liquors or ale within the corporate limits of said town.

Repealing clause.

SEC. 4. That all laws or clauses of laws in conflict with this act are hereby repealed.

SEC. 5. That this act shall be in force from and after its ratification.

Ratified the 2d day of February, A. D. 1872.

CHAPTER LXXXIX.

AN ACT TO INCORPORATE ASHEVILLE COUNCIL, NUMBER FOUR, FRIENDS OF TEMPERANCE, IN THE TOWN OF ASHEVILLE, NORTH CAROLINA.

SECTION 1. *The General Assembly of North Carolina do enact*, That the officers and members who are present or in future may be such of Asheville Council, Number Four, Friends of Temperance, in the town of Asheville, county of Buncombe, be and they are hereby incorporated into a body politic and corporate under the name and style of "Asheville Council, Number Four, Friends of Temperance;" and by that name may have succession and a common seal, and the same changed at pleasure, sue and be sued, plead and be impleaded in any court of record, or before any justice of the peace in this state, contend and be contended with, hold and dispose of personal property for the benefit of said council, and also such real estate as may be required for the convenient transaction of its business: *Provided*, All the real estate owned by said council shall not exceed in value ten thousand dollars.

Incorporation of council.

Corporate name.

Privileges of council.

Proviso.

SEC. 2. That the Asheville Division, Number Fifteen, Sons of Temperance, be and they are hereby authorized and empowered to convey by deed, or otherwise, to Asheville Council, Number Four, Friends of Temperance, all the property, real and personal heretofore, or now belonging to or vested in said Asheville Division, Number Fifteen, Sons of Temperance, and that all said property be and the same is transferred to and vested in Asheville Council, Number Four, Friends of Temperance, and successors.

Conveyance of property.

SEC. 3. That said corporation shall have power to pass all necessary by-laws and regulations for its government which may not conflict with the constitution and laws of this state and of the United States.

Power of corporation.

SEC. 4. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 2d day of February, A. D. 1872.

CHAPTER XC.

AN ACT TO INCORPORATE THE THOMPSON INSTITUTE.

Corporators.	<p>SECTION 1. <i>The General Assembly of North Carolina do enact.</i> That Thomas Thompson, of Hotel, Bertie county, S. L. Fremont, of Wilmington, Kept P. Battle, of Raleigh, H. W. Guion, of Charlotte, Rev. A. A. Benton, of Edenton, Rev. A. A. Watson, of Wilmington, Rev. Richard S. Mason, of Raleigh, Rev. B. S. Bronson, of Charlotte, and the Right Reverend Thomas Atkinson, be and they are hereby made and declared to be a body politic and corporate, with the</p>
Corporate name.	<p>name and style of "The Thompson Institute." and shall have perpetual succession and a common seal, capacity to contract and be contracted with, to sue and be sued, plead and be impleaded, and to acquire, have and hold by purchase, donation, or otherwise, goods and chattles, lands and tenements, and again dispose of or invest the same in such way as will, in the discretion of the trustees, most promote the interest and purposes of the corporation.</p>
Rights and privileges.	
Object of Institution.	<p>SEC. 2. The powers of said corporation shall be devoted to the establishment, near the city of Charlotte, in the county of Mecklenburg, an institution for the promotion of education and useful learning, in which may be taught theology, law, medicine, the academic and polite arts and sciences, and of such other benevolent and charitable objects as the trustees may approve.</p>
Board may be increased. Proviso.	<p>SEC. 3. That the board of trustees of said institution may from time to time be increased or diminished: <i>Provided.</i> The number shall never be less than three, two ministers and one layman, and the bishop or bishops of the Protestant Episcopal Church of the Diocese of North Carolina, or in case said Diocese shall be divided, then the bishop of such Diocese within which the said city of Charlotte shall</p>
Division of diocese.	
Bishop to be president of <i>officio</i> .	<p>be, shall <i>ex officio</i>, be the president of said board of trustees, and the rector of Saint Peter's Episcopal Church, in said city of Charlotte, shall also be a member of said board by virtue</p>

of such rectorship, and all trustees to be hereafter chosen for said institution, shall be and continue to be members of the Protestant Episcopal Church.

Trustees to be members of Protestant Episcopal church.

SEC. 4. All vacancies that may occur in the board of trustees by death, resignation, a motion or other cause, shall be filled by the remaining trustees, in such manner as shall be provided by the by-laws of the corporation.

Vacancies filled.

SEC. 5. The board of trustees shall have power to receive donations for the endowment of such institution, to establish as many scholarships as they deem advisable, to appoint all officers necessary for the proper government of the corporation, to elect suitable professors, teachers and tutors, to confer academic and honorary degrees, and to make, alter and rescind a system of by-laws, rules and ordinances, to regulate, control and manage the affairs and interests of said corporation with its funds and franchises in the manner deemed, by said trustees, most conducive to its success.

Power of trustees

SEC. 6. That the by laws, rules and ordinances hereby authorized shall not be incompatible with the constitution and laws of the land, and of the Protestant Episcopal Church.

By-laws to be sustained.

SEC. 7. This act shall take effect from and after its ratification.

When act to be in force.

Ratified the 2d day of February, A. D. 1872.

CHAPTER XCI.

AN ACT TO INCORPORATE THE "HORNET FIRE COMPANY, NUMBER ONE, OF THE CITY OF CHARLOTTE."

SECTION 1. *The General Assembly of North Carolina do enact*, That M. L. Wriston, S. C. Robertson, D. M. Regler, W. P. Myers, J. G. Harris, W. E. Snyder, W. H. Trezevant and such other persons as they may associate with them, they and their successors, be and they are hereby constituted

Corporators,

a body corporate under the name and style of the "Hornet Fire Company, Number One, of the city of Charlotte."

Privileges.

SEC. 2. The said body corporate shall have power to sue and be sued, plead and be impleaded by their corporate name, to use a common seal, to purchase and hold real and personal property, and to adopt such by-laws and regulations as may be necessary for its good government.

When act to be in force.

SEC. 3. This act shall be in force from and after its ratification.

Ratified the 8th day of February, A. D. 1872.

CHAPTER XCII.

AN ACT TO CHARTER THE BANK OF REIDSVILLE.

Establishment of bank.

SECTION 1. *The General Assembly of North Carolina do enact,* That a bank be established in the town of Reidsville, county of Rockingham, state of North Carolina, to be styled

Corporate name.

"The Bank of Reidsville," the capital stock of which shall

Limitation and division of stock.

not exceed five hundred thousand dollars, divided into shares of one hundred dollars each, and for receiving subscriptions

Books of subscription to be opened.

to said stock, books shall be opened at Reidsville by J. M. Harriss, William Lindsay and John W. Stokes as commissioners, and when two hundred shares shall have been subscribed,

Election of directors.

and the money paid, the stockholders may meet at a time and place they may appoint, and elect five directors, who shall serve one year, and until their successors shall be elected and enter upon the discharge of their duties, and

President.

said directors shall elect one of their number to be president, during their term of office.

Banking privileges.

SEC. 2. Said president and directors shall and may adopt, and use a common seal and alter the same at pleasure, may make and adopt proper and necessary by-laws for their government, may appoint all necessary officers and agents, fix their compensation, take bond and security for the faithful

discharge of their duties, prescribe the manner of paying for stock and transfer thereof. Said bank shall have a lien on the stock for debts due it by the stockholders before and in preference to other creditors of the same dignity, except for taxes, and shall pay to the state an annual tax on each share of one hundred dollars, a sum equal to that charged by the state and county on other property of the same value, and no more tax except license tax.

Bank may have a lien on stock.

Annual tax.

License tax.

SEC. 3. That the said bank may discount notes and other evidences of debt, receive and pay out the lawful currency of the country, deal in exchange, gold and silver coin and bullion, and purchase and hold a lot of ground for a place of business, and may at pleasure sell or exchange the same, and may hold such real and personal estate and property as may be conveyed to secure debts and may sell and convey the same. It may receive on deposit any and all sums of money on terms to be agreed upon by its officers and depositors. Said bank may lend money upon such terms and rates of interest as may be agreed upon.

Bank may deal in the lawful currency of county.

Real and personal estate to be held for debt.

Terms of money may be received on deposit.

SEC. 4. The president and directors shall annually appoint the time and place of holding the election for their successors, and any three of their number shall attend and conduct said election, each share being entitled to one vote.

Annual election.

Vote by share.

SEC. 5. This act shall be in force and effect from and after its ratification.

When act to take effect.

Ratified the 8th day of February, A. D. 1872.

CHAPTER XCIII.

AN ACT TO INCORPORATE RALEIGH HOOK AND LADDER COMPANY,
NUMBER ONE, CITY OF RALEIGH.

SECTION 1. *The General Assembly of North Carolina do enact*, That F. Lampson, J. Q. DeCarteret, S. P. Gill, T. L. Love, S. V. House, W. R. Pepper and Chesley Driver

Corporate body.

and other persons who shall be associated with them for the object intended, and those successors duly elected and chosen according to the by-laws of the company, shall constitute a body politic and corporate by the name and style of the

Corporate name. Raleigh Hook and Ladder Company, number one, of the City of Raleigh, for the purpose of more united and efficient action in the extinguishment of fires in the city of Raleigh, and by said name and style shall have power to acquire a truck, hooks, ladders and all necessary ropes and axes as may

Corporate rights. be required, and such real estate as may be needful for their proper care and custody, the value of which shall at no time exceed the sum of four thousand dollars.

Further rights and privileges. SEC. 2. That said company shall, by the name and style aforesaid, have succession, sue and be sued, plead and be impleaded, have a common seal and alter the same at pleasure, and make all by-laws and rules necessary for the proper government of the company and the management of its funds and property, not inconsistent with the laws of the state, and in all matters to do and perform what is customary and proper for fulfilling the objects of the organization.

Exemption from militia and jury duty. SEC. 3. That members in the actual service of the company, performing duties when required, shall be exempt during the continuance of said service, from jury and militia duty.

When act to be in force. SEC. 4. That this act shall be in force from and after its ratification.

Ratified the 8th day of February, A. D. 1872.

CHAPTER XCIV.

AN ACT TO AMEND "AN ACT CONCERNING THE CITY OF WILMINGTON, RATIFIED THE TWENTIETH DAY OF DECEMBER, IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SEVENTY," BEING CHAPTER THREE, PRIVATE ACTS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY AND ONE THOUSAND EIGHT HUNDRED AND SEVENTY-ONE.

SECTION 1. *The General Assembly of North Carolina do enact.* That section three, of chapter three, private laws of one thousand eight hundred and seventy and one thousand eight hundred and seventy-one, being an act concerning the city of Wilmington, ratified the twentieth day of December, one thousand eight hundred and seventy, be amended by striking out all after the word "qualified" in the twelfth line from the end of the third section, and by inserting instead thereof the following words, to-wit: The mayor or acting mayor shall, on the Saturday next preceding the day of election for aldermen, on the application of any candidate for alderman, appoint such persons as said candidate may designate, if they be proper and discreet persons, to be challengers at the polls, one of whom may attend at the polls in each ward, and have access to the registration books. There shall be provided by the city, for the inspectors in holding such elections in each ward, suitable boxes, in which the votes shall be deposited. The votes shall be given by ballot. Any ballot may have written or printed upon it ten names, or one name repeated ten times, or one or more names repeated at the voter's option, so that in the aggregated counting, each repetition of a name as a distinct name or vote. There shall not be more than ten names or votes on any ballot, and if any ballot contains more than ten names or votes, counting each repetition of a name as a distinct name or vote, it shall be thrown out and shall not be counted. At the close of the polls in each ward, the

Amendment.

Challengers appointed to attend at polls.

Votes to be deposited in boxes.

Vote by ballot.

Votes counted by inspectors. inspectors, in the presence of such appointed challengers as may attend, shall proceed regularly to count the votes, carefully noting, on a properly prepared poll list, to be provided by the city, the votes on each ballot as it is drawn from the box, and each name and each repetition of a name shall be counted as a vote for the person so named, and any challenger may demand to see the ballot. When all the ballots have been drawn from the box and the result of the voting at that poll has been determined, it shall be announced by the inspectors, who shall forthwith certify the result on the poll list, and shall sign the same, and any other challenger present may sign the same. The ballots shall be carefully preserved, and together with the certified poll list shall be delivered by the inspectors, and such challengers as may attend, to the clerk to the board of aldermen at the city hall, who shall, in the presence of the inspector and challengers attending, carefully compare the poll list, and shall declare the ten candidates receiving the greatest number of votes, to be duly elected aldermen for the ensuing year, and the said clerk shall at once inform the persons so elected, of their election. No person in anywise connected with the administration of the city government shall be an inspector or register. No candidate for the office of alderman shall be an inspector or challenger, or shall be allowed to be present at the counting of the votes at the polls. Any inspector or officer wilfully refusing to perform the duties herein enjoined, shall be guilty of a misdemeanor, and on conviction, shall be imprisoned not less than three months nor more than one year.

Manner of voting by ballot.

Ballots and poll list to be delivered to clerk.

Candidates when declared elected.

Penalty.

Repealing clause

When act to be in force.

SEC. 2. So much of any law as is in conflict with this act is hereby repealed.

SEC. 3. This act shall be in force from its ratification. Ratified the 8th day of February, A. D. 1872.

CHAPTER XCV.

AN ACT TO INCORPORATE THE BOARD OF TRADE OF THE CITY
OF RALEIGH.

SECTION 1. *The General Assembly of North Carolina do enact,* That William E. Anderson, John Nichols, Wm. C. Upchurch, Len. H. Adams, Wm. G. Upchurch, A. G. Lee, Lynn Adams, James H. Alford, Jos. P. Gulley, Thos. D. Martin, A. C. Sanders, M. A. Parker, W. C. Stronach, Geo. T. Stronach, B. F. Cheatham, M. T. Leach, C. W. Gassette, A. M. McPheters, S. C. Pool, J. M. Monic, S. D. Harrison, L. D. Womble, Julius Lewis, E. Besson, H. I. Hesselbach, their associates and successors, are hereby declared a body corporate under the name of "the board of trade of the city of Raleigh," with power and capacity to contract, to sue and be sued, to have perpetual succession, to hold such property, real and personal as may be deemed necessary for the purpose of the corporation, to have a common seal, to have a directory to manage its concerns, to elect its own officers, to establish a board of arbitration for its own members, to make such by-laws as may be proper and reasonable, and to enforce the same by fines and penalties, and to have and enjoy all such other powers and privileges as belong of right to other corporations, not inconsistent with the laws of this state and of the United States.

SEC. 2. That the directory of the board of trade of the city of Raleigh, shall have power and authority to appoint a person to weigh cotton and an inspector and weigher of flour and salt fish and a gnager, and inspector of spirits and other fluids for the city of Raleigh: the duties, rights, and privileges of the person so appointed to discharge said privileges to be the same as are prescribed by an act entitled an act appointing a weigher of cotton and a weigher and inspector of flour and salt fish for the city of Raleigh, ratified the fifth day of April, in the year of our Lord, one thousand eight hundred and seventy-one, and so much of said act as pre-

Corporators.

Corporate name.

Rights and privileges.

Board of arbitration.

Power of board of trade.

Repealing clause. scribes any other mode of appointing the officers designated in this section is hereby repealed.

When act to be in force. SEC. 3. This act shall be in force from and after its ratification.

Ratified the 8th day of February, A. D. 1872.

CHAPTER XCVI.

AN ACT TO INCORPORATE "THE CAPE FEAR CLUB."

Preamble. WHEREAS, With the view of promoting literary and social intercourse among its members, and providing and furnishing suitable rooms for the courteous entertainment of visitors to the city of Wilmington, there has for some years past existed in said city an organized association known as the "Cape Fear Club," and to enable said association more fully to carry into execution its commendable purposes and secure in permanent perpetuity so praiseworthy an institution, its members desire a corporate existence.

Corporators. SECTION. 1. *The General Assembly of North Carolina do enact*, That William A. Wright, Armand J. DeRosset, Robert H. Cowan, Joseph A. Englehard, Edward D. Hall, Alfred M. Waddell, Donald McRae, Francis W. Kerchner, Edwin A. Keith, Joshua C. Walker, Thomas C. Melhenney, Guilford L. Dudley, David S. Cowan, Richard F. Langdon, James G. Barr, Charles D. Myers, John W. Atkinson, Thomas H. McKoy, David R. Murchison, Edwin E. Burruss, Charles M. Steadman and Charles W. Bradley and others, who are associated with them in the organization referred to in the preamble hereto, and of which Oscar G. Parsley, Jr., is at this time president, and Columbus L. Chestnut, the secretary, together with their future associates and successors, are hereby created and declared to be a body politic and corporate by the name of "The Cape Fear Club," and by said name shall have perpetual succession.

with the rights, privileges and powers incident or belonging to corporations as set forth in the first, second and third sections of twenty-sixth chapter of the revised code of North Carolina, entitled "Corporations."

SEC. 2. That said corporation may, by purchase, devise, gift or bequest, take and hold such real estate and all such personal property of any nature, kind or description as may be deemed by its members necessary or in any way conducive to the interest and purposes of said corporation, and may sell and convey the same at pleasure, and all such chattel property, including books, billiard tables, paintings or pictures of any kind, statuary, furniture and other articles belonging to the association aforesaid or which may be hereafter acquired by said corporation, shall be exempt from any state, county or city charge or tax whatsoever.

Privileges of club.

Exemption from tax.

SEC. 3. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 5th day of February, A. D. 1872.

CHAPTER XC VII.

AN ACT TO INCORPORATE THE TRINITY BUILDING AND LOAN ASSOCIATION, OF TRINITY, NORTH CAROLINA.

SECTION 1. *The General Assembly of North Carolina do enact*, That B. Craven, W. T. Ganaway, F. W. Carr, W. C. Doub, L. Johnson, J. A. Leach, W. S. Bradshaw, D. R. Parker, T. L. Winslow, B. Parker, J. H. Leach, M. Shaw, H. L. Graves, W. R. Frazer, their associates, successors and assigns, and any and all those who may be associated with them under articles of agreement, for the purposes contemplated by this act, shall be and they are hereby constituted and declared to be a body politic and corporate by the name and style of "Trinity Building and Loan Association of Trinity, North Carolina:" and by that name they and their

Corporators.

Corporate name.

associates and successors shall and may have continual succession and a common seal, which they may alter and change at their pleasure, and shall be capable of suing and being sued, of pleading and being impleaded, of defending and being defended in all and every manner of actions, suits and causes whatever; and by the corporate name aforesaid shall and may be capable of purchasing, holding and conveying each and every estate, real and personal, necessary to a safe, useful and profitable investment and re-investment of the funds belonging to said association, and the convenient and proper transaction of its business.

SEC. 2. That the property, business and affairs of said association shall be managed and controlled by a board of directors, and by such officers and agents as said board may appoint. The board of directors shall consist of not less than five, nor more than nine members, such number of whom shall be a quorum, as the by-laws may determine. The said board of directors shall be annually elected by the stockholders at such time and in such manner and in such places and by such votes as may be prescribed by the by-laws, and every vacancy that may occur in the board of directors shall be filled by a quorum of the remaining directors, or in any other mode the by-laws may determine.

SEC. 3. That the board of directors shall have power to prescribe and make by-laws, rules and regulations for their own government and for the government of the officers, agents and members of the association, as to them shall appear needful and proper for the management, investment and disposition of the funds, property and estates and effects of said association, and for the regulation of all and every manner pertaining to the powers granted by this act: *Provided*, Such by-laws, rules and regulations and any and all alterations and amendments thereof, shall be submitted to the stockholders in regular meeting and adopted by them: *and provided*, the stockholders at any regular meeting may prescribe and establish or change any by-law, rule or regulation.

Rights and privileges.

Management of association to be in the hand of directors.

Annual election.

Vacancy filled.

Power of directors.

Proviso.

Further proviso.

SEC. 4. That said board of directors shall have power to elect and appoint all such officers, agents and servants as the business of the association requires; to fix the compensation and prescribe the duties of such officers, agents and servants, and for good cause to remove them, and to take such bond or bonds from any such officers or other persons as they may at any time prescribe: *Provided*, That the members of said association do not, at any regular meeting, elect to appoint such officers, agents and servants, and to execute any and all other powers concerning them herein granted to said board.

Agents appointed by directors.

Bonds to be taken

Proviso.

SEC. 5. That the members of said association shall consist of those who own one or more shares and shall be entitled to vote in all elections, and at all meetings of the shareholders, under such rules, regulations and restrictions as may be prescribed by the by-laws. The ultimate or par value of each share shall be one hundred dollars, and the number of shares composing or to compose any one class may be prescribed and limited as the association at any regular meeting of shareholders may direct, and if in the opinion of the shareholders, it is deemed expedient or necessary, the said association shall be, and they are hereby authorized and empowered to establish one or more additional classes of shares, under such rules and regulations in all matters pertaining to the same, as they may deem of interest to the shareholders, and the business of the association will justify; and for the management and interest of said association the shareholders or board of directors are hereby empowered to do all acts rightfully pertaining to the same and not contrary to the constitution and laws of the United States and of this state.

Rules of membership.

Valuation of shares.

Establishment of classes.

SEC. 6. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 8th day of February, A. D. 1872.

CHAPTER XCVIII.

AN ACT TO INCORPORATE THE CHARLOTTE HOTEL COMPANY.

- Commissioiuers. SECTION 1. *The General Assembly of North Carolin do enact*, That Wm. Johnston, Jas. H. Carson, Rufus Y. McAdden, S. B. Alexander, H. W. Guion, C. Dowd, L. S. Holt and Allen McCauley shall be and are hereby appointed
- Books of sub- scription. commissioners to open books in the city of Charlotte for the receiving of subscriptions for the capital stock of a corpora-
- Corporate name. tion to be known as the "Charlotte Hotel Company," and that said commissioners shall meet, or a majority of them, and open said books and keep the same open for the space of twelve months, unless the capital stock herein prescribed shall be sooner subscribed; that the capital stock of said
- Limitation and division of stock. company shall consist of one hundred thousand dollars to be divided into shares of one hundred dollars each, and such shares shall be deemed personal estate.
- Organization of company. SEC. 2. That whenever the sum of fifty thousand dollars or more shall be subscribed by good and responsible parties, the said commissioners shall notify said subscribers thereof and appoint a time and place for them to meet and organ-
- Election of president and managers. ize said company by the election of a president and board of managers, who shall have charge, control and direction of the affairs of the company, subject to the by-laws of said company, and upon such organization the said subscribers shall be and are hereby created and declared
- Rights and privileges a body politic and corporate, by the name of the "Charlotte Hotel Company," and by that name shall have perpetual suc-
- Right to hold real estate. cession and a common seal, and shall be capable of suing and being sued, of pleading and being impleaded in all courts of this state, and may contract for, have and hold real and personal estate.
- SEC. 3. That said corporation shall have the right to purchase real estate in the city of Charlotte, and thereon erect one or more buildings for hotel purposes, to be conducted on such plan and for the accommodation of such person or

class of persons as they may deem advisable, but shall not be required to entertain all classes indifferently or promiscuously.

SEC. 4. That said company shall have power and authority upon the same ground, or elsewhere, to erect, build and establish a large hall for exhibition or assemblages and to make all necessary by-laws, rules and regulations for the good management and success of the corporation, to provide for the meetings of the company, the election of its president and other officers and board of managers; may borrow money and mortgage its property; may open books for receiving additional subscriptions to its capital stock, and may increase the same from time to time: *Provided*, The whole capital shall not exceed five hundred thousand dollars; may prescribe the mode of transfer and representation of its stock, the penalties and forfeitures to be imposed upon delinquent subscribers, and the time and manner in which any forfeited stock may be sold or otherwise disposed of; may declare dividends of profit, and do and perform all other matters and things necessary for the proper management and conduct of said corporation, not inconsistent with the laws of the land.

Erection of public hall.

Money may be borrowed.

Increase of capital stock.
Proviso.

SEC. 5. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 8th day of February, A. D. 1872.

CHAPTER XCIX.

AN ACT TO INCORPORATE THE TOWN OF BATTLEBORO'.

SECTION 1. *The General Assembly of North Carolina do enact*, That the town of Battleboro', in the counties of Nash and Edgecombe, be and the same is hereby incorporated and made a body corporate by the name and style of the "Town of Battleboro'," and shall be subject to and governed

Incorporation of town.

by all the provisions contained in section one hundred and eleven (111) of the revised code, or so much of said chapter as does not conflict with the constitution of this state or of the United States.

Limits of town.

SEC. 2. That the corporate limits of said town shall be bounded as follows, to-wit: Beginning at a point on the Wilmington and Weldon Railroad, half a mile north of the intersection of said road with the public road, in said town, and running west half a mile, thence south one mile, thence east one mile, thence north one mile, thence west half a mile to the beginning.

Time of election for officers.

SEC. 3. That the first election for officers of said town shall be held on the first Monday of May and annually thereafter on that day of the month.

When entitled to vote.

SEC. 4. That all male persons, twenty-one years old and upwards, who have resided in the county of Nash and Edgecombe for twelve months immediately preceding any municipal election, and who own taxable real estate in said town, who have paid all the taxes for which such persons are in any way liable to the town of Battleboro' for the preceding year, shall be allowed to vote at any municipal election in said town.

When act to be in force.

SEC. 5. That this act shall be in force from and after its ratification.

Ratified the 8th day of February, A. D. 1872.

CHAPTER C.

AN ACT TO INCORPORATE THE TRUSTEES OF CATAWBA VALLEY ACADEMY, IN CATAWBA COUNTY.

Corporators.

SECTION 1. *The General Assembly of North Carolina do enact*, That A. M. Powell, Sidney Bridgers, Caney Lawrence, J. M. Lewis, A. D. Shufford, J. K. Howell and R. B. B. Houston, their associates and successors, are hereby created

a body politic and corporate under the style of the "Trustees of the Catawba Valley Academy," and in that name may sue and be sued, plead and be impleaded, contract and be contracted with, acquire and hold in their corporate capacity, property, real and personal, such as may be necessary and suitable for maintaining a school of high grade at the place where said academy is now situated, near Catawba Station, within a distance less than a quarter of mile from the Catawba river, near the home and premises now occupied by Monroe Laurance, with power to make all needful rules, by-laws and regulations for their own government and that of said academy, and under the said name and style shall have continued succession for the period of ninety-nine years.

Corporate name.

Rights and privileges.

Term of time.

SEC. 2. That in case of vacancy occasioned in said board of trustees either by death, resignation or otherwise, such vacancy shall be filled by appointment by the remaining members thereof.

Vacancy filled.

SEC. 3. That it shall not be lawful for any person to sell by retail any spirituous liquors within one mile of said Catawba Valley Academy, and any person so retailing within said limits shall be deemed guilty of a misdemeanor, and may be prosecuted for the same, and upon conviction, by any court of competent jurisdiction, shall be punished by fine, not to exceed ten dollars.

Prohibition of liquors.

Penalty.

SEC. 4. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 5th day of February, A. D. 1872.

CHAPTER CI.

AN ACT TO INCORPORATE THE TOWN OF CATAWBA, IN CATAWBA COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That the town of Catawba is hereby created an in-

Incorporation of town.

corporated town, and A. M. Powell, A. D. Shufford, Frank Powell, George Powell, J. H. Trollinger, William Laurence, J. K. Howell and J. W. Long and their successors, are hereby created a body politic under the style of the Commissioners of the Town of Catawba, to have perpetual succession, with the usual powers of such corporations, to sue and be sued, plead and be impleaded, contract and be contracted with, and to make all needful rules and regulations, by-laws and ordinances for the government of said town, not inconsistent with the constitution and laws of this state and of the United States.

Corporators.

Rights and privileges.

Time of holding office.

SEC. 2. That the above named commissioners shall only hold their offices till their successors are duly elected at the next regular municipal election for the town of this state.

Election of municipal officers.

SEC. 3. That said commissioners may appoint a town constable and may also choose one of their number to be mayor of said town, until the next regular municipal election for the towns of this state, at which date an election shall be held for mayor and three commissioners and a town constable, town treasurer, and town clerk, and so on annually according to general laws on this subject.

Town subject to the laws of the state.

SEC. 4. That said town and commissioners shall be subject to all the provisions contained in the one hundred and eleventh chapter of the revised code, not inconsistent with the constitution and laws of this state, or of the United States; also subject to the provisions of the general laws of this state in relation to corporations, passed by the general Assembly at the session one thousand eight hundred and sixty eight and one thousand eight hundred sixty nine, not inconsistent with this act.

Tax levied on property and poll.

SEC. 5. That the commissioners shall have power to levy a tax not to exceed fifty (50) cents on the poll, and not to exceed twenty-five cents on the hundred dollars valuation of property.

Power of commissioners.

SEC. 6. That said commissioners and their successors shall have power to abate all nuisances within their corporate limits, and for this purpose may impose and collect such

lines as may be necessary to abate them, in the judgment of the commissioners.

SEC. 7. It shall be the duty of the commissioners to expend the tax so levied and collected in repairing the streets and sidewalks, and keep them in good and passable order.

Town to be kept in repair by collection of taxes.

SEC. 8. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 8th day of February, A. D. 1872.

CHAPTER CII.

AN ACT IN FAVOR OF SARAH WILLIAMS.

SECTION 1. *The General Assembly of North Carolina do enact*, That Sarah Williams is hereby declared to be an heir of West Harris and Martha Harris, and as such she shall have all the right of inheritance and other legal rights conferred by law upon natural born heirs.

Right of inheritance.

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

When act to be in force.

Ratified the 8th day of February, A. D. 1872.

CHAPTER CIII.

AN ACT TO INCORPORATE HANKS LODGE, NUMBER ONE HUNDRED AND TWENTY-EIGHT, IN THE TOWN OF FRANKLINVILLE, RANDOLPH COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That the Master and Wardens and their successors in office are hereby constituted a body corporate and politic by the name and style of "Hanks Lodge, Number One

Corporators.

Corporate name.

Rights and privileges. Hundred and Twenty-eight," in the town of Franklinville, Randolph county, and by that name shall have perpetual succession and a common seal, may sue and be sued, plead and be impleaded, and in general exercise and enjoy all such rights and privileges as are usually incident to corporate bodies of the like nature.

When act to be in force. SEC. 2. That this act shall be in force from and after its ratification.

Ratified the 8th day of February, A. D. 1872.

CHAPTER CIV.

AN ACT TO AMEND AND EXTEND THE CHARTER OF CAPE FEAR LODGE, NUMBER TWO, OF THE INDEPENDENT ORDER OF ODD FELLOWS, OF WILMINGTON.

Amendment. SECTION 1. *The General Assembly of North Carolina do enact*, That the act entitled "An act to incorporate Cape Fear Lodge, Number Two, of the Independent Order of Odd Fellows, in the town of Wilmington," ratified the twenty-sixth of January, one thousand eight hundred and forty-three, be and the same is hereby amended as follows, to-wit:

Capital stock. SEC. 2. It shall be lawful for the said corporation to acquire and hold capital stock in other corporations and joint stock companies.

Succession to be perpetual. SEC. 3. The said corporation shall have perpetual succession.

When act to be in force. SEC. 4. This act shall be in force from and after its ratification.

Ratified the 8th day of February, A. D. 1872.

CHAPTER CV.

AN ACT TO AMEND CHAPTER THIRTY-SEVEN, SECTION SIX, OF PRIVATE LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY AND ONE THOUSAND EIGHT HUNDRED AND SEVENTY-ONE.

SECTION 1. *The General Assembly of North Carolina do* Amendment.
enact, That chapter thirty-seven, section six, of private laws of one thousand eight hundred and seventy and one thousand eight hundred and seventy one, be amended as follows, to-wit: in line four, immediately after the word "real" insert the words "and personal."

SEC. 2. That this act shall be in force from and after its ratification. When act to be in force.

Ratified the 8th day of February, A. D. 1872.

CHAPTER CVI.

AN ACT TO INCORPORATE THE FARMERS' SAVINGS BANK OF CHARLOTTE, NORTH CAROLINA.

SECTION 1. *The General Assembly of North Carolina do* Corporators.
enact, That John Walker, John W. Morrison, E. C. Grier, James T. Daunes, M. M. Orr, Jas. F. Johnston, S. W. Reid, John M. Potts, J. J. Sloan, R. D. Whitley, E. C. Davidson, H. H. Helper, R. M. White, J. W. Wadsworth, J. P. Houston, R. R. King and Henry Houston, their associates and successors in office, are hereby created a body corporate, to be known as the "Farmer's Savings Bank of Mecklenburg County," to be located at Charlotte, with a capital stock not exceeding one million in shares of one hundred dollars, and as such shall have all the rights and privileges of a corporation, and shall continue for thirty years, with capacity to
 Corporate name.
 Capital stock.
 Limitation of time.

possess and hold real and personal property, with all banking privileges granted to any banking institution by this or any preceding legislature. Said bank shall be organized whenever fifty thousand of the capital stock shall be subscribed and five per cent. thereof paid in.

When to be organized.

Books of subscription.

SEC. 2. That the commissioners, or any five of them, may meet and appoint a chairman, who shall appoint three suitable persons in each township of the county of Mecklenburg, and in such other places as the commissioners may direct, to open books for subscription to the capital stock of said bank, and so soon as the sum of fifty thousand shall be subscribed, the said chairman shall call a meeting of the stockholders by giving public notice for twenty days in some newspaper in the city of Charlotte, at which meeting the stockholders shall elect nine directors, who shall be farmers and stockholders, to hold office for one year or until successors shall be elected: *Provided*, No stockholder shall vote at said meeting, who has not paid five per cent. upon his stock.

Meeting of stockholders.

Public notification.

Election of directors.

Proviso.

Election of officers.

SEC. 3. That said directors shall elect a president, who shall be ex-officio a director, cashier, and such other officers as they may think necessary, fix the salary and duties of said officers and remove them at pleasure, may adopt a common seal and make such by-laws for their government as they may think right, subject to be modified or changed by the stockholders.

Subscription to be in shares.

Defalcation of stockholders.

SEC. 4. That the subscription to said bank shall be in shares of one hundred dollars, and shall be paid in installments as may be directed by the president and directors, and should any stockholders fail to pay this installment in twenty days after notice, then the bank may, after ten days notice, before a justice of the peace, if the sum claimed be less than two hundred dollars, and after twenty days notice before the clerk of the superior court for Mecklenburg county if the sum exceed that amount, take judgment for the amount of stock then due, and collect the same by execution, and the said bank shall have a lien upon the amount of stock paid in, for all dues or obligations of the stock-

Bank to have a lien on stock.

holders which may have occurred before the transfer of said stock upon the company's books prior to all other liens, and no transfer of said stock shall be effectual to pass the same, until it be approved by the directors.

SEC. 5. That any farmer, instead of subscribing in money to said bank, may subscribe the proceeds arising from the sale of produce raised upon one or more acres of land, annually, to be deposited in said bank to the credit of the producer or such persons as he shall direct, at such interest as shall be agreed upon, until such sum or sums shall amount to one hundred dollars, when the said depositor may at his option permit the said amount to remain on interest or may have a certificate of stock for the same issued to himself or to such person as he shall direct, who shall immediately become a stockholder in said bank with all the rights and privileges thereof, and any depositor in said bank may whenever his deposits amount to one hundred dollars, in like manner have certificate of stock, if assented to by the directors.

Farmers may subscribe proceeds from the sale of produce.

SEC. 6. That said bank may receive and pay out the lawful currency of the country, deal in bullion, gold and silver coin, exchange, uncurrent paper, and public and other securities; may purchase and hold real and personal estate for the transaction of business or for securing debts to said bank, and may sell and convey or exchange the same; may discount notes or other evidences of debt upon such terms as may be agreed upon; may receive and pay out deposits upon the same.

Banking privileges.

SEC. 7. That to aid farmers, planters, manufacturers and others, the said bank shall have the right to advance money in any sums, to any such person or persons or corporations, upon such terms as shall be agreed upon, and may secure the repayment thereof with all interest and commissions arising upon it, by taking a lien upon any crop grown, growing or yet to be planted, upon any mining or manufacturing interest, present or prospective, any articles made or to be made or manufactured, or upon any personal or real estate whatever, and such lien shall be good in law:

Bank may advance money.

Liens on crops, &c.

Proviso *Provided*, it be registered, if on real estate, as a mortgage, and if on chattels, then as a chattel mortgage. The said bank may receive in storage or in any warehouse, cotton, wheat, corn, or other produce, or any personal property whatever, and thereby shall acquire a lien for the amount of any obligation or debt then due or to become due, and it may insert in any such mortgage or stipulate in such agreement for a power of sale in default of repayment.

Vote by shares. SEC. 8. That such stockholders, holding one share, shall have the right to one vote in a stockholder's meeting, and those holding a larger number of shares shall be entitled to such number of votes as may be fixed by the by-laws.

Annual election of directors. SEC. 9. That there shall be an annual meeting of the stockholders at such time and place as they shall direct, at which the directors shall be elected. The president and directors, or any number of stockholders holding one tenth of the capital stock, may at any time call a meeting of the stockholders by giving twenty days public notice in the newspapers of the city of Charlotte, and at any stockholder's meeting business may be transacted whenever a majority of the stock is represented in person or by proxy.

Public notification.

Dividend declared. SEC. 10. The president and directors shall, whenever the condition of the bank in their opinion will warrant it, declare a semi-annual dividend upon the stock thereof, and shall have power and authority to govern the affairs of the bank and make rules therefor, the terms on which loans and discounts may be made, and exercise all authority herein given, subject to the control of the stockholders, and any three of said directors shall constitute a quorum to transact business.

Government of bank.

Examination of condition of bank to be made semi-annually. SEC. 11. That the president shall appoint two of said directors each year, who shall examine the condition of the bank, and make a report semi-annually, which report shall be published, signed by said committee and the cashier of the bank, and the books of said bank shall be opened at all times for the inspection of the stockholders, and the treasurer

Bank books opened for inspection.

of the state; said bank may establish branches or agencies at such points as the directors may indicate.

Branch bank allowable.

SEC. 12. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 8th day of February, A. D. 1872.

CHAPTER CVII.

AN ACT TO INCORPORATE THE CLARENDON MILITARY ACADEMY, IN THE COUNTY OF CUMBERLAND.

SECTION 1. *The General Assembly of North Carolina do enact.* That Hamilton McMillian and those who may be associated with him, be and they are hereby created a body politic and corporate under the name and style of the Clarendon Military Academy, and by that name and style shall have all the powers and privileges that are usually conferred on corporations of like character.

Corporators.

Corporate name.

SEC. 2. That the said company shall be empowered to hold property in real estate not exceeding in value the sum of twenty-five thousand dollars, and that so much of such real estate as shall be actually used for educational purposes shall be exempt from taxation.

Valuation of real estate.

Exemption from taxation.

SEC. 3. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 8th day of February, A. D. 1872.

CHAPTER CVIII.

AN ACT TO LEGALIZE CERTAIN SALES OF LAND IN THE TOWN OF ASHEVILLE.

Preamble.

WHEREAS, On the second day of April, one thousand eight hundred and seventy, on the seventh day of February, one thousand eight hundred and seventy-one, and at other times, the board of commissioners of Buncombe county, sold to Hon. James L. Henry, M. E. Carter, E. Sluder, E. H. Cunningham, Joseph Reed, J. M. Young, Jesse Summer, Nath'l. Atkinson, Emory H. Merrimon and others, the following pieces or lots of land in the town of Asheville, to-wit: A number of lots on the public square, northeast of the law office of James H. Merrimon, near the courthouse and county jail; also certain other lots on the north side of the public square, bounded by Main street, Whiteside and Edney lots, being the land on a part of which A. E. Hall's and M. E. Carter's storehouse now stands, the said board of commissioners executing at different times, written contracts under seal to convey said lots in fee simple to said parties, their heirs and assigns, on the payment of the purchase money; and whereas, there may be doubt as to the legality of said sales and contracts to convey said lands; wherefore,

Validity of sales and contracts.

SECTION 1. *The General Assembly of North Carolina do enact*, That said sales, contracts to convey and all conveyances actually made of said lot or either of them by said board of commissioners, be and the same are hereby made valid to all intents and purposes as well against individuals, corporations, the public and the state, as against the county of Buncombe.

When act to be in force.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified the 8th day of February, A. D. 1872.

CHAPTER CIX.

AN ACT TO INCORPORATE THE CUMBERLAND COUNTY AGRICULTURAL SOCIETY.

- SECTION 1. *The General Assembly of North Carolina do enact*, That A. A. McKeithan, John D. Williams, W. D. Smith, John W. Peace, Joseph Utley, J. A. McArthur, Duncan Shaw, J. R. McDuffee, W. B. Surles, J. P. McLean, A. Wicker, C. B. Mallett, T. I. Devane, J. M. Williams, K. M. C. Williamson, Johnathan Evans, C. H. Blocker, Elijah Fisher, Neil McQueen, William Alderman, E. H. Evans, their associates and successors, now organized and known as the Cumberland County Agricultural Society, having for its objects the promotion of agriculture and the mechanic arts, be and are hereby created a body politic and corporate by the name and style of the "Cumberland County Agricultural Society," and by that name may sue and be sued, plead and be impleaded, may purchase, acquire, hold and transfer real and personal property, may use and enforce their present constitution and by-laws, may alter the same from time to time, and may do all other acts which a body politic and corporate may of right do not inconsistent with the constitution and laws of this state or of the United States.
- SECTION 2. That all agricultural products, mechanical works, manufacturers or property of any and every kind designed for exhibition at any fair of the said corporation while in transit to or from or remaining at any such fair shall be exempt from levy or sale under execution or other final process for the collection of any debt: *Provided*, Due diligence shall be used in transporting such articles or property: *And provided further*, That such articles shall not be sold during the time of transit or while remaining at such fair with the intent to defraud creditors.
- SECTION 3. This act shall be in force from and after its ratification.

Corporators.

Corporate name.

Rights and privileges.

Property on exhibition to be exempted from levy or sale.

Proviso.

When act to be in force.

Ratified the 5th day of February, A. D. 1872.

CHAPTER CX.

AN ACT TO INCORPORATE THE TRUSTEES OF PISGAH ACADEMY, IN
GASTON COUNTY.

Corporators.

SECTION 1. *The General Assembly of North Carolina do enact*, That J. M. Whitesides, S. E. Foy, William Wilson, Robert F. Gamble and J. B. Carrow, their associates and successors, are hereby created a body politic and corporate

Corporate name.

under the style of the "Trustees of Pisgah Academy," and in that name may sue and be sued, plead and be impleaded, contract and be contracted with, acquire and hold in their corporate capacity, property real and personal, such as may be necessary and suitable for maintainig a school of high grade at the place where said academy is now situated in "Crowder's Mountain" Township, in the county of Gaston, with power to make all needful rules and regulations for their own government and that of said academy, and shall have continual succession for the period of ninety-nine years.

Rights and privileges.

Term of time.

Vacancy filled.

SEC. 2. That in case of vacancy occurring in said board of trustees, such vacancy shall be filled by appointment by the remaining members thereof.

Prohibition of spirituous liquors

SEC. 3. That it shall not be lawful for any person to retail spirituous liquors within two miles of said academy, and any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof by any court of competent jurisdiction, shall be fined not exceeding fifty dollars or imprisoned not exceeding one month, at the discretion of the court.

Penalty.

When act to be in force.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified the 8th day of February, A. D. 1872.

CHAPTER CXL.

AN ACT TO INCORPORATE THE TOWN OF LILLINGTON, IN THE COUNTY OF HARNETT.

SECTION 1. *The General Assembly of North Carolina do enact*, That the town of Lillington, in the county of Harnett, be and the same is hereby incorporated by the name and style of the town of Lillington, and shall be subject to all the provisions contained in the one hundredth and eleventh chapter of the revised code, not inconsistent with the constitution and laws of this state or of the United States, also subject to the provisions of the general law in relation to incorporations.

Incorporation of town.

Corporate name.

SEC. 2. That the corporate limits of said town shall be as follows: Shall include the one hundred acres of land purchased for the county of Harnett, according to the act of the general assembly of one thousand eight hundred and fifty-eight and one thousand eight hundred and fifty-nine, chapter five, section three, laws of North Carolina, passed at said session, fronting on the west bank of the Cape Fear river, seven hundred feet, beginning at a stake on the river bank, thence with B. F. Shaw's line south, eighteen west, nineteen chains, eighty links to a stake, thence south seventy-two, east eight chains, fifty links, thence south eighteen, west twenty-eight chains; thence north seven-two, west twenty-eight chains; thence north eighteen, east twenty-eight chains, with said Shaw's line: thence south seventy two, east eight chains, fifty links; thence north eighteen, east twenty chains, twenty links to the river; thence down the river to the beginning.

Limits of town.

SEC. 3. The officers of said incorporation shall consist of a mayor, three commissioners and constable. It shall be the duty of the sheriff of the county of Harnett or any justice of the peace, within said bounds, within thirty days after the ratification of this, after giving ten days notice by advertising at the court house door and two other places in said corporat'ion, to open the polls for the election of mayor,

Officers of town.

Sheriffs to open polls for election of officers.

three commissioners and constable, under the same restrictions that other county and state elections are held.

License to be obtained for retailing liquors.

SEC. 4. It shall not be lawful for the board of county commissioners of Harnett county to grant license to any person to retail spirituous liquors within the corporate limits of Lillington, without his having a recommendation in writing from the mayor and commissioners of said town to that effect, and any license granted without such recommendation shall be void.

When constituted a voter.

SEC. 5. That all resident citizens within said corporation that have resided thirty days previous to the election, shall be entitled to vote at said election.

Commissioners required to take oath.

SEC. 6. It shall be the duty of the commissioners elect to meet together and organize, take and subscribe to the following oath: I, A. B., do swear that I will faithfully act as commissioner to the best of my knowledge and ability for the ensuing year. So help me God.

Form of oath.

Power of commissioners.

SEC. 7. That said commissioners shall have power to pass all by-laws, rules and regulations for the good government of the corporation, not inconsistent with the laws of this state and the United States.

Poll and property tax to be levied.

SEC. 8. That the commissioners shall have power to levy a tax not to exceed fifty cents on the poll, and not to exceed twenty-five cents on one hundred dollars valuation of property.

Tax on all subjects of State taxation.

SEC. 9. The commissioners shall have power to tax all subjects of state taxation within the corporate limits to an amount not exceeding one half of the state tax, and shall also have power to tax dogs and abate all nuisances, and may impose such fines as may be necessary to abate them.

Taxes so collected to be used for town repairs.

SEC. 10. It shall be the duty of said commissioners to spend the tax so levied and collected in repairing the streets and sidewalks and keep them in good passable order, and exempt persons inside of the corporation from working on the public roads.

Appointment of secretary and treasurer.

SEC. 11. The commissioners when organized, shall have power to appoint a secretary whose duty it shall be to record the proceedings of the commissioners, and also to appoint

a treasurer, who shall enter into bond, approved by the commissioners, and it shall also be their duty to require of the constable elect to enter into bond, payable to the state of North Carolina in the sum of five hundred dollars, approved by the commissioners.

Bond required of constable.

SEC. 12. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 8th day of February, A. D. 1872.

CHAPTER CXII.

AN ACT TO INCORPORATE STONEWALL LODGE, NUMBER ONE, KNIGHTS OF PYTHIAS, OF NORTH CAROLINA.

SECTION 1. *The General Assembly of North Carolina do enact*, That the officers and members who are at present or in the future may be of Stonewall Lodge, Number One, Knights of Pythias, in the city of Wilmington, county of New Hanover, be and they are hereby incorporated into a body politic and corporate under the name and style of "Stonewall Lodge, Number One, Knights of Pythias, of North Carolina," and by that name shall have power to receive and hold devises and bequests of any person or persons or bodies corporate capable of making the same, and shall and may at all times hereafter be capable in law to acquire, have, receive and hold property, both real and personal, and the same to dispose of and transfer at their pleasure, in such manner as they may think proper.

Incorporation of lodge.

Corporate name.

Corporation may hold real and personal property.

SEC. 2. That the said corporation, by the name and style and title aforesaid, shall be forever hereafter capable in law to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended in all or any courts of justice and before all and any judge, officer or person whomsoever, in all and singular actions, matters or demands whatsoever.

Rights and privileges.

SEC. 3. That it shall and may be lawful for the said cor-

poration to have a common seal for its use, and the same at their will and pleasure to change, alter and make anew from time to time, and shall in general have and exercise all such rights, privileges and immunities as by law are incident or necessary to corporations, and what may be necessary to the corporation herein constituted, to pass all necessary by-laws and regulations for its own government, not inconsistent with the constitution and laws of this state or of the United States.

When act to take effect.

SEC. 4. That this act shall be in force and take effect from and after its ratification.

Ratified the 8th day of February, A. D. 1872.

CHAPTER CXIII.

AN ACT TO INCORPORATE THE HELTON CAMP GROUND, IN ASHE COUNTY.

Incorporation of camp ground.

SECTION 1. *The General Assembly of North Carolina do enact.* That the Helton Camp Ground, in the county of Ashe, is hereby incorporated into a body politic and corporate by the name and style of the Commissioners of Helton Camp Ground.

Corporate name.

Limits of ground

SEC. 2. That the corporate limits of said camp ground shall be as follows: Beginning on a stake one-half mile north of said camp ground and running thence to a stake one-half mile east, thence to a stake one-half mile south, thence to a stake one-half mile west, thence to the beginning.

Commissioners appointed.

SEC. 3. That William Hall, Thomas Duvall, William Young, Samuel Plumer, H. David Dixon, be appointed commissioners of said camp ground, and shall hold office of commissioners until their successors shall be elected and qualified.

Mayor.

SEC. 4. That Stephen Penington be appointed mayor of

said camp ground, and to hold said office until his successor shall be elected and qualified.

SEC. 5. That James P. Ashely be appointed officer of police, and to hold said office until his successor shall be elected and qualified. Officer of police.

SEC. 6. That the election for mayor and other officers shall be held on such days as the county commissioners shall prescribe by public advertisement: *Provided*, Such election shall be held annually. Annual election of officers.

SEC. 7. That the officers herein named and their successors shall have all the powers and immunities, and be subject to all the restrictions and liabilities as are enumerated in chapter one hundred and eleven of the revised code, except that the county commissioners shall be substituted for a county court named in that chapter. Power of officers. Exception.

SEC. 8. That it shall not be lawful for any person to sell spirits liquors within three miles or less of said corporation during the time of holding meeting, and any person violating the provisions of this act shall be guilty of a misdemeanor, and on conviction shall be fined or imprisoned, at the discretion of the court. Prohibition of spirituous liquors. Penalty.

SEC. 9. That this act shall be in force from and after its ratification. When act to be in force.

Ratified the 5th day of February, A. D. 1872.

CHAPTER CXIV.

AN ACT TO INCORPORATE THE LITTLE COHARY DRAINING COMPANY.

SECTION 1. *The General Assembly of North Carolina do enact*, That O. P. White, Thomas Owen, Uriah Sissons, W. G. Fowler, M. White, J. W. Mathews, T. N. Culbrett, William Bullard, Owen Spell, J. R. Harris, Michael Owen, Raford Owen, T. B. Parker, W. R. McKing, W. A. Baggett, Corporators.

- Luther Mathews, James Spell, J. C. Howard, James White, Jr., Anderson Cooper, Nickson Cooper, E. B. Owen, II. A. Owen, Joseph P. Parker and R. H. Holaday and other land owners who voluntarily take stock in the association are constituted a body corporate with full corporate powers to hold property, to sue and be sued, implead and be impleaded, and to do any and all acts in a meeting of the incorporators, and to bind the members who join the same voluntarily to abide by and do and perform all the requirements which they may in meeting and by vote of a majority of the members of said corporation by resolution passed and recorded in the minutes of their company required.
- Powers of association.**
- Membership to be binding.**
- Drainage of Swamps.** SEC. 2. That the purpose of this act is to drain swamps, lands of Little Cohary in the county of Sampson and lying on both sides of Little Cohary from the point known as McDaniel's Bridge, up Little Cohary to the mouth of Leger Swamp, or so much of said swamp as they may from time to time be able to drain.
- Corporate name.** SEC. 3. That said company shall be styled "The Little Cohary Draining Company," and under this name shall sue and be sued.
- Manner of raising funds for the work.** SEC. 4. That for the purpose aforesaid, they shall have power by vote of the company or a majority of the stockholders to levy and collect from the stockholders the sum of twenty-five cents per acre on all the lands of those who become stockholders in this company, in each and every year, for the purpose of carrying on the work of draining said land, and should at any time any difficulty arise as to how many acres will be benefitted by the draining proposed, the same shall be settled by a board of three arbitrators selected from among the stockholders, to assess the same and report to the secretary of said company, and said sum thus assessed shall be recovered in an action before a justice of the peace in the county where the land lies, and said justice shall give judgment for said assessment according to the report of said arbitrators and issue execution therefor, and the same shall be a lien upon the land drained.
- Difficulties how obviated.**
- Board of officers.** SEC. 5. That the officers of this company shall consist of a

president, secretary, a board of arbitrators consisting of three stockholders who shall be annually elected by said company at their first meeting, which shall be held on the first Saturday in May, of each and every year, or at such time in the month of May as the stockholders may agree and fix upon, and said officers shall hold their offices for one year, or until their successors are elected.

Annual election.

time of meeting.

SEC. 6. That they shall be paid such sums as the company shall fix and order, and the treasurer shall give bond in the sum of five hundred dollars payable to the company for the faithful keeping of the moneys of said company, and paying over the same as may be ordered by the stockholders of said company.

Compensation

Treasurer to give bond.

SEC. 7. That said company shall be authorized to proceed under the laws of the state to secure indemnity for the labor expended in draining the lands of those who do not become stockholders in this company, and to have an assessment and recovery as directed by law, for the benefit and improvement done the land of those not members and stockholders in the corporation.

Indemnity for labor.

SEC. 8. That the company shall have power to purchase and own real estate sufficient for the purpose herein set forth, and personal property, both not to exceed five thousand dollars in valuation, except it be in swamp lands by them drained under this act.

Limit and valuation of real estate.

SEC. 9. That their powers and franchises extend over the territory alone set forth, and up all the branches of Little Cohary between the points above recited.

Extension of powers and franchises

SEC. 10. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 9th day of February, A. D. 1872.

CHAPTER CXV.

AN ACT TO REINCORPORATE THE TOWN OF FRANKLIN.

Re-enactment.

SECTION 1. *The General Assembly of North Carolina do enact*, That chapter two hundred and fifty-seven, laws of one thousand eight hundred and fifty-four and one thousand eight hundred and fifty-five, ratified the tenth day of February, one thousand eight hundred and fifty-five, is hereby re enacted, except as provided by this act.

Election held by sheriffs.

SEC. 2. That the sheriff of Macon shall hold an election for five commissioners of said town, as is prescribed in section first of said act, on the second Tuesday of April, one thousand eight hundred and seventy-two, or as soon thereafter as convenient, first giving ten days' notice thereof by advertisement at the courthouse door.

Public advertisement.

Powers and privileges.

SEC. 3. That the said commissioners to be elected shall have all the powers and privileges and immunities conferred by said chapter two hundred and fifty-seven, laws of one thousand eight hundred and fifty-four and one thousand eight hundred and fifty-five.

When act to be in force.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified the 9th day of February, A. D. 1872.

CHAPTER CXVI.

AN ACT SUPPLEMENTAL TO AND AMENDATORY OF AN ACT RATIFIED ON THE ——— DAY OF JANUARY, ANNO DOMINI ONE THOUSAND EIGHT HUNDRED AND SEVENTY-TWO, AND ENTITLED "AN ACT TO INCORPORATE THE BANK OF THE STATE."

Amendment.

SECTION 1. *The General Assembly of North Carolina do enact*, That "an act entitled an act to incorporate the Bank

of the State," ratified the —— day of January, *anno domini* one thousand eight hundred and seventy-two, be amended by inserting the words "branches" or before the word "agencies," in the first line of section nine of the said act.

SEC. 2. This act shall take effect from its ratification.

When act to take effect.

Ratified the 9th day of February, A. D. 1872.

CHAPTER CXVII.

AN ACT TO INCORPORATE THE OAK GROVE CAMP GROUND IN THE COUNTY OF TRANSYLVANIA.

SECTION 1. *The General Assembly of North Carolina do enact*, That A. A. England, Joseph W. Hill, P. C. Orr, J. M. Aiken, A. D. B. Allison, B. C. Lankford, Perry Wilson and J. L. Hadden, their associates and successors are hereby constituted a body politic and corporate under the name and style of the Oak Grove Camp Ground, with corporate powers and privileges.

Corporators.

Corporate name.

SEC. 2. That said corporation is hereby authorized and empowered to make such by-laws, rules and regulations as they may deem necessary for their government, and all such other rules for the government of the said Oak Grove Camp Ground, as they may think fit, not inconsistent with the laws of North Carolina.

Laws for government of ground.

SEC. 3. That said corporation shall have power to purchase, hold and convey real and personal property, and to do all such other things as they may think best to carry out the purposes of their organization.

Organization of camp ground.

SEC. 4. This act shall be in force from its ratification.

When act to be in force.

Ratified the 9th day of February, A. D. 1872.

CHAPTER CXVIII.

AN ACT TO INCORPORATE THE "NEPTUNE FIRE COMPANY," IN
THE TOWN OF WASHINGTON.

Members of fire
company.

SECTION 1. *The General Assembly of North Carolina do enact*, That J. D. Myers, Thomas Carrawan, T. J. Carmalt, W. B. Morton, Samuel Smaw and fifty-five others, citizens of the town of Washington, are hereby authorized to enroll themselves into a fire engine company, to be styled the "Neptune Fire Company," *Provided*. The number of members shall not exceed seventy-five.

Name and style
of company.
Proviso.

Fire engines
placed in hands
of company.

Proviso.

SEC. 2. That the commissioners of the town of Washington are hereby authorized to place under the direction of the said company, one or more of the fire engines belonging to said town, and the appurtenances thereunto belonging: *Provided, however*, That nothing in this clause shall prevent the said company from purchasing such engines and fixtures, as they may require or deem necessary for their use and benefit, in which case such engines and fixtures shall be exclusively under the direction of said company.

Duty of captain.

SEC. 3. That in case the engine and appurtenances thereunto belonging, shall be furnished by the commissioners of the said town, that it shall be the duty of the captain of the said company to cause to be taken care of and preserved in the house prepared for that purpose, the engine and appurtenances thereunto belonging, and when any repairs thereof be deemed necessary by a majority of the officers of the said company, the captain shall cause the same to be done, the expenses for which repairs shall be paid by the town treasurer, or for want thereof, by the commissioners of the said town, on the draft of the captain of said company, which draft, when paid, shall be considered good as sufficient vouchers in the settlement of the town taxes.

Expenses or re-
pair how paid.

Exemptions of
members.

SEC. 4. That the members of the aforesaid fire company, while they continue to act as firemen, shall be exempt from

the performance of military duty, except in cases of insurrection or invasion, from the performance of other engine duty, from service of juries, from working on the streets of said town, and from any tax levied for working on said streets.

SEC. 5. That a majority of the members of the said company shall have power and authority to make such by-laws, rules and regulations for their government as to them seem best, not inconsistent with the constitution of the United States and of this state; that all fines and penalties incurred by virtue of this act, or by any of the said by-laws, shall be recoverable before the police magistrate of the said town, or any justice of the peace for the county of Beaufort: *Provided*, The right of appeal shall be secured to either party as it now exists in cases of judgments before a single justice.

Rights and privileges.

Fines recoverable

Proviso.

SEC. 6. That all laws and clauses of laws coming within the meaning and provisions of this act, be and the same are hereby repealed and made void.

Repealing clause.

Ratified the 9th day of February, A. D. 1872.

CHAPTER CXIX.

AN ACT GRANTING POWER TO TOWNSHIP BOARD OF TRUSTEES OF FRANKLIN TOWNSHIP, SAMPSON COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That the township board of trustees and other officers of the township of Franklin, transferred from New Hanover to Sampson county, to use and exercise all the authority and powers in the county of Sampson that they have heretofore exercised in the county of New Hanover.

Transfer of powers.

SEC. 2. This act shall be in force from its ratification.

When act to be in force.

Ratified the 10th day of February, A. D. 1872.

CHAPTER CXX.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF THE TOWN OF WASHINGTON TO LEVY A SPECIAL TAX FOR CERTAIN PURPOSES.

Preamble.

WHEREAS, Doubts exist as to the power of the town of Washington to levy a tax for the payment of debts outstanding against said town prior to the year one thousand eight hundred and seventy-one; and whereas, debts of this character are held against said town by honest laborers and others which should be paid, therefore,

Special tax levied.

SECTION 1. *The General Assembly of North Carolina do enact*, That the commissioners of the town of Washington shall have full power and authority to levy and collect a sufficient amount of taxes upon all subjects of taxation within the limits of said town to pay off and discharge all *bona fide* debts outstanding against said town in the hands of honest and *bona fide* creditors.

Ratified the 10th day of February, A. D. 1872.

CHAPTER CXXI.

AN ACT SUPPLEMENTARY TO AN ACT TO INCORPORATE THE BANK OF HILLSBORO'.

Amendment.

SECTION 1. *The General Assembly of North Carolina do enact*, That "an act to incorporate the Bank of Hillsboro'," passed at the present session of this Legislature, be amended by striking out "twenty thousand" and inserting "ten thousand," in the first section of said act, so that the persons therein named may commence the business of banking as soon as ten thousand dollars are subscribed.

When act to be in force.

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

Ratified the 10th day of February, A. D. 1872.

CHAPTER CXXII.

AN ACT TO PREVENT THE RETAILING OF SPIRITUOUS LIQUORS IN
THE TOWN OF MOUNT AIRY, SURRY COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That it shall not be lawful for any person or persons to sell ardent spirits or alcoholic liquors in less quantities than one gallon within one mile of the male academy in the town of Mount Airy. Prohibition of
spirituous liquors

SEC. 2. That any person or persons violating this act shall be deemed guilty of a misdemeanor, and upon conviction may be fined or imprisoned, at the discretion of the court: Penalty.
Provided, That any person now having a license to retail spirituous liquors within the aforesaid prescribed limits shall not be held amendable to the provisions of this act until the same shall expire. Proviso.

Ratified the 10th day of February. A. D. 1872.

CHAPTER CXXIII.

AN ACT FOR THE RELIEF OF A. E. WELLS, OF BUNCOMBE COUNTY.

WHEREAS, A. E. Wells was duly elected constable in the Sandy Mush Township of Buncombe county in August last, and proceeded in the discharge of his duties without filing bond as required by law; therefore, the Preamble.

SECTION 1. *The General Assembly of North Carolina do enact*. That all the acts and deeds of said A. E. Wells, as said constable, done and committed by him in the discharge of his duties as said constable, be and the same are hereby rendered valid and binding as fully as if said A. E. Wells had duly filed his said bond, and that said A. E. Wells is hereby relieved from all fines, pains and penalties of what- Deeds of constable to be valid and binding.

ever nature incurred by him by reason of any acts done by him under his supposed authority as said constable.

When act to be in force.

SEC. 2. This act shall be in force from its ratification.

Ratified the 10th day of February, A. D. 1872.

CHAPTER CXXIV.

AN ACT IN REGARD TO THE MUNICIPAL ELECTION IN THE TOWN OF CARTHAGE, MOORE COUNTY.

Preamble.

WHEREAS, The town of Carthage, in Moore county, failed to elect municipal officers as provided for in the act of twenty-fourth of July, one thousand eight hundred and sixty-eight, and also the act of third February, one thousand eight hundred and sixty-nine; therefore, the

Town authorized to hold municipal election.

SECTION 1. *The General Assembly of North Carolina do enact*, That the provisions of chapter thirty-three, laws of one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, be extended so as to authorize said town of Carthage to hold an election for municipal officers on the fourth Monday in April next.

Officers appointed, to hold election.

SEC. 2. That the county commissioners for the county of Moore, shall on or before the second Monday in April next, appoint a register of voters and two electors, who shall hold the election and make return as provided in section second of said act.

Time of holding office.

SEC. 3. That the municipal officers elected under the authority of this act shall hold their offices until the next regular election on the first Monday in May, one thousand eight hundred and seventy-three.

When act to be in force.

SEC. 4. This act shall be in force from and after its ratification.

Ratified the 10th day of February, A. D. 1872.

CHAPTER CXXV.

AN ACT TO INCORPORATE THE TOWN OF FAISON, IN THE COUNTY OF DUPLIN.

SECTION 1. *The General Assembly of North Carolina do enact*, That the town of Faison, in the county of Duplin, be and the same is hereby incorporated by the name and style of the town of Faison, and shall be subject to all the provisions contained in the one hundred and eleventh chapter of the revised code, not inconsistent with the constitution and laws of this state or of the United States.

Incorporation of town.

SEC. 2. That the corporate limits of said town shall be as follows: Six hundred yards each way from where the railroad crosses the county road in said town.

Limits of town.

SEC. 3. That the officers of said town shall consist of a mayor, five commissioners, a treasurer, and a constable, and that the following persons shall be commissioners until their successors are elected under the laws of the state viz: Robert McDougald, John A. Oats, Henry C. Moore, J. A. Woodburn and Isham R. Faison, and they shall appoint some suitable person to act as mayor, and shall also appoint a constable and a treasurer.

Officers of town

SEC. 4. It shall be the duty of the commissioners to provide for a registration of the voters of said town and an election on the first Monday in May, one thousand eight hundred and seventy-two, and annually thereafter according to the laws of this state, for five commissioners, who shall serve until their successors are elected.

Registration of voters to be provided.

Annual election

SEC. 5. It shall be the duty of the commissioners elected to meet within five days after their election and take the same oath that is prescribed in the constitution for state officers.

Oath administered.

SEC. 6. It shall be the duty of said commissioners to elect some suitable person to act as mayor, and shall also appoint a constable and a treasurer, and the mayor, before entering upon the discharge of his duties, shall take the oath usually prescribed for said officer.

Constable to give bond.

SEC. 7. The constable before entering into office shall go before some justice of the peace, and take the oath usually taken by constables, and enter into bond in the sum of two hundred and fifty dollars to be approved by the commissioners; and they are also authorized to demand of the treasurer such bond as they may deem proper.

Vacancy filled.

SEC. 8. In the event of a vacancy occurring in the board of commissioners, the remaining members shall fill the vacancy.

Tax levied on poll and property.

SEC. 9. That the commissioners shall have power, if they deem it necessary, to levy a tax not exceeding thirty cents on each poll and ten cents on each hundred dollars worth of real estate in said town; also to impose such tax on pedlars and retailers of all kinds, and upon capital in trade within the same as they may deem just: to affix penalties and forfeitures for violation of their laws and ordinances, and to enforce collection of the same, which taxes, forfeitures and penalties, when collected, shall go to the exclusive use of the streets, sidewalks and public squares or in such other mode as the said commissioners may deem best to promote the health, comfort, prosperity and advancement of the same.

Taxes collected to be used for repairs of town.

Laborers working on public roads required to repair the streets.

SEC. 10. That the commissioners may, if they deem it necessary, require all persons living within the said town, who are liable to work on public roads, to perform such number of days work (not exceeding five in any one year) on the streets of said town as they may think proper, and a failure to perform such, subject the delinquent to the same fines and penalties as are imposed for a failure to work on the public roads in the different counties of the state.

Penalties.

When set to be in force.

SEC. 11. This act shall be in force from and after its ratification.

Ratified the 10th day of February, A. D. 1872.

CHAPTER CXXVI.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF STATESVILLE.

The General Assembly of North Carolina do enact, Amendment.
That the act entitled an act to amend the charter of the town of Statesville, ratified on the twelfth of April, one thousand eight hundred and sixty-nine, be amended by making the sections seven, eight and nine of said act read as follows, to wit:

SEC. 7. That said mayor and commissioners, or a majority of them, shall have full power and authority, by and with the consent of a majority of the voters within the corporate limits of said town of Statesville, to subscribe a number of shares to the capital stock of any work or works of internal improvements in which they may have an interest not exceeding thirty thousand dollars, purchase and hold and own real and personal property for educational, scientific or charitable purposes not exceeding in value, when purchased, the sum of twenty thousand dollars. Subscription of shares to capital stock. Limitation of Stock.

SEC. 8. That before such subscription or purchase authorized in the foregoing section shall be made it shall be the duty of the mayor and commissioners of the town of Statesville to ascertain by the popular vote of the citizens thereof entitled to vote under this act, their wishes in relation thereto, and it shall be the duty of the mayor and commissioners of said town to advertise in one or more newspapers for the space of twenty days, and also at the courthouse in said town, appointing a certain day and place to hold an election to be managed in the same manner and by the same officers and under the same rules, liabilities and penalties as the election of mayor and commissioners. Those voting in the affirmative of the proposition shall write on a ballot or ticket the word "yes," and those voting in the negative the word "no." Wishes of voters to be ascertained. Public notification. Election to be held. Manner of voting.

That the said mayor and commissioners shall have no power and authority, only by and with the consent of two- Voters must consent to sale of real estate.

thirds of the legal voters in said town, to sell the real estate, except parts thereof so purchased, publicly or privately, and for the purpose of ascertaining such consent polls shall be opened and an election held by ballot, in the same manner and under the same rules and regulations as heretofore prescribed in this section.

Election by ballot.

Election of trustees for educational purposes.

Duty of trustees.

Proviso.

That at the same time and place of the regular elections of mayor and commissioners of the said town, an election shall be held in a separate box, by ballot, for five trustees, whose duty it shall be to manage and control such institutions of learning, science or charity as they may be desirous to establish on said property, and shall have power to lease the same for such time as they may see proper to such person or persons as will take charge of such institution as lessee, proprietor or manager: *Provided*, That the expenses of operating and running said institution shall be at the charge of such lessee, proprietor or manager, and shall in no event be at the charge of the said corporation of the town of Statesville.

President to be elected.

Ex-officio clerk and treasurer.

Vacancy filled.

Proviso.

That said trustees shall elect a president of their board out of their number who shall preside at all their meetings, and that the clerk and treasurer of the town of Statesville shall be *ex officio* the clerk and treasurer of said board of trustees, and in case of a vacancy by death or otherwise in the board of trustees, such vacancy shall be filled by the remaining trustees, together with the mayor and commissioners of the said town: *Provided*, That the mayor and commissioners shall each be eligible to be elected or appointed trustees and hold both offices.

Returns of election to be made to manager.

SEC. 9. That it shall be the duty of the sheriff or officer holding the elections, according to the foregoing section, to make due returns thereof to the mayor and commissioners of the town of Statesville of the result of such elections. If a majority of the voters within the limits of the said corporation shall have voted in the affirmative on such proposed subscription or purchase, then it shall be the duty of said mayor and commissioners of the town of Statesville to issue coupon bonds, signed by the mayor and commissioners

Coupon bonds issued.

and by the town clerk and treasurer, in sums not exceeding five hundred dollars, bearing not exceeding eight per cent. interest, payable semi-annually, and redeemable within not exceeding twenty years from the dates thereof. *Provided, always,* That before the issuing of said bonds, as aforesaid, it shall be the duty and it is hereby expressly required that the mayor and commissioners of the town of Statesville shall levy a tax upon the citizens thereof who are subject to the same, and on all the subjects of taxation that are now or may hereafter be included in section six of this act, sufficient in amount to discharge interest on said bonds and likewise a sum sufficient to liquidate the principle of said bonds as they shall from time to time fall due.

Limitation of bonds.

Proviso.

Tax levied.

That section ten (10) of said act be amended by inserting after the words "internal improvements" in the third line, the words educational, scientific or charitable.

Amendment.

That this act shall take effect from and after its ratification.

When act to take effect.

Ratified the 10th day of February, A. D. 1872.

CHAPTER CXXVII.

AN ACT TO PROHIBIT THE SALE OF SPIRITUOUS LIQUORS WITHIN THE TOWN OF SMITHVILLE.

SECTION 1. *The General Assembly of North Carolina do enact,* That at a time to be designated by the commissioners of Brunswick county, which shall be within sixty days from the ratification of this act, polls shall be opened in the townships in Brunswick county in which the town of Smithville is situated, the polling place to be in the said town and all the qualified voters of said town and township residing within three miles of the corporate limits thereof, may vote upon the question of prohibiting the sale of intoxicating liquors in the town of Smithville and within the limits

Vote to be taken on prohibition of selling spirituous liquors.

above named ; those wishing prohibition shall vote a written or printed ticket with the word "prohibition," and those opposed to the measure shall vote a ticket with the words "no prohibition" written or printed on the same ; the election to be under the superintendance and control of the county commissioners.

SEC. 2. If upon comparing the votes cast a majority thereof shall appear for prohibition, the sale or trade or traffic in intoxicating liquors shall cease, and any person or persons trading or trafficking or selling intoxicating liquors within the limits recited in section one of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, in the proper court, shall be fined not less than two hundred nor more than five hundred dollars and imprisoned, in the discretion of the court: *Provided*, That the terms of this section shall not apply to no one who has licenses to retail at the ratification of this act, and shall apply only to those person or persons selling or dealing in intoxicating spirits in less quantities than a quart.

SEC. 3. The fine or penalties collected under the provision of this act shall be turned over by the proper authority to the officer duly constituted by law, who shall have charge of the school funds for the county of Brunswick, and the same shall be used for the purpose of education in said county.

SEC. 4. This act shall be in force from its ratification.
Ratified the 10th day of February, A. D. 1872.

CHAPTER CXXVIII.

AN ACT TO AMEND CHAPTER NINETY-THREE PRIVATE LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY AND ONE THOUSAND EIGHT HUNDRED AND SEVENTY-ONE.

SECTION 1. *The General Assembly of North Carolina do enact*, That chapter ninety-three, private laws of one thou-

Manner of voting.

Penalty.

Proviso.

Fines collected to be used for school purposes.

When act to be in force.

Amendment.

and eight hundred and seventy and one thousand eight hundred and seventy-one, be amended so as to read: "Thirteen hundred and eighty-three," instead of "thirteen hundred and eighty-four," as it now reads.

Sec. 2. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 10th day of February, A. D. 1872.

CHAPTER CXXIX.

AN ACT TO INCORPORATE THE CYRENIAN COMPANY OF THE CITY OF WILMINGTON.

SECTION 1. *The General Assembly of North Carolina do enact,* That James K. Cutlar, Henry W. Penny, A. H. Morris, Duke Davis, Anthony Monetsby, S. T. Potts, Alfred Howe, Henry Johnson, Wm. H. Banks, James W. Telfair, Edward Cantwell, James M. Wise and Col. E. R. Brink and such other person or persons as may hereafter associate with them, they, their successors, associates or assigns, be and they are hereby created a body corporate and politic under the name and style of the "Cyrenian Company of the City of Wilmington," for the purpose of engaging in the grocery, dry goods, mercantile and general commission business in the city of Wilmington, in the state of North Carolina, and by that name may sue and be sued, plead and be impleaded, contract and be contracted with, purchase, hold and dispose of such real and personal property as may be needful for carrying on said business, and shall have all the other rights and powers usually pertaining to corporations created for similar purposes. Corporators.

Corporate name.

Rights and privileges.

Sec. 2. That said corporation shall be allowed to have a capital stock of one hundred thousand dollars to be divided into twenty thousand shares of five dollars each, and the individuals named in the preceding section are empowered Limitation and division of capital stock.

Books of sub- scription.	to open books for receiving subscriptions of stock at such times and places and under such regulations as they may deem expedient, and when as much as five thousand dollars shall have been subscribed and paid in, said corporation may
Organization of company.	proceed to organize by the election of such officers as the company may deem expedient, the election and term of office to be regulated by such rules as may be adopted by said company.
Dispositions of profits.	SEC. 3. That said corporation may dispose of any profits arising from its business either by declaring dividends on its stock or by employing the same in improving or enlarging their stock.
When act to be in force.	SEC. 4. That this act shall be in force from and after its ratification. Ratified the 12th day of February, A. D. 1872.

CHAPTER CXXX.

AN ACT TO INCORPORATE THE TOWN OF FARMVILLE, IN THE
COUNTY OF PITT.

Incorporation of town.	SECTION 1. <i>The General Assembly of North Carolina do enact,</i> That the town of Farmville, Pitt county, be and the
Corporate name.	same is hereby incorporated by the name and style of the town of Farmville, and shall be subject to all the provisions contained in the one hundred and eleventh chapter of the revised code, not inconsistent with this act.
Limits of town.	SEC. 2. The corporate limits of said town shall be as follows: Beginning at a stake two hundred and fifty yards west of the Antioch Church, and running thence north two hundred and fifty yards, thence east five hundred yards, thence south five hundred yards, thence west five hundred yards, thence north two hundred and fifty yards, to the beginning.
Commissioners.	SEC. 3. Until commissioners shall be elected as herein- after provided, the government of said town shall be vested

in the following named commissioners, to-wit: James W. May, Shield Belcher, Dorsey Jones, William Joiner, Wm. Long, James Joiner.

SEC. 4. An election shall be held the first Monday of May, one thousand eight hundred and seventy-three, and each successive year, for five commissioners of said town, and persons living within the corporate limits of said town and qualified to vote for members of the general assembly shall vote in the election for commissioners of said town. Annual election

SEC. 5. All persons within the corporate limits of said town that are liable to work on public roads are liable to work on the streets in the aforesaid town, and are hereby exempted from working on all other roads. Laborers to work on streets of town

SEC. 6. For the good government of said town, the said commissioners and their successors in office shall have all the powers, rights and privileges, and be governed by the rules, regulations and restrictions conferred upon, and to which commissioners of incorporated towns are subject, by chapter three, revised code. Rights and privileges.

SEC. 7. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 12th day of February, A. D. 1872.

CHAPTER CXX XI.

AN ACT TO AUTHORIZE THE COLLECTION OF UNPAID TAXES FOR THE YEARS ONE THOUSAND EIGHT HUNDRED AND SEVENTY AND ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE, IN THE TOWN OF WILLIAMSTON.

SECTION. 1. *The General Assembly of North Carolina do enact*, That the constable of the town of Williamston is hereby authorized and empowered to collect the unpaid taxes of the years one thousand eight hundred and seventy and one thousand eight hundred and sixty-nine, due and Collection of unpaid taxes.

payable during either of said years by any person living in or upon any property situated in said town.

When taxes not to be collected.

SEC. 2. That said taxes shall not be collected if the person owing them is dead or has a proper receipt of payment, or will make oath that the same has been paid.

Constable accountable for payment.

SEC. 3. That the constable of said town is hereby required to account for and pay over any amount that may be thus collected as he is other taxes now collectable. Payment of said taxes may be enforced by the remedies given sheriffs for collection of taxes, and the time in which payment may be enforced for said years as well as one thousand eight hundred and seventy-one shall not expire until the annual election in May, one thousand eight hundred and seventy-two.

When act to take effect.

SEC. 4. This act shall take effect after its ratification.

Ratified the 12th day of February, A. D. 1872.

CHAPTER CXXXII.

AN ACT TO AMEND AN ACT PASSED AT THIS SESSION OF THE GENERAL ASSEMBLY RE-ENACTING AND AMENDING AN ACT INCORPORATING THE NATIONAL LOAN AND TRUST COMPANY.

Amendment.

SECTION 1. *The General Assembly of North Carolina do enact*, That the charter of said National Loan and Trust Company, ratified the 4th day of March, one thousand eight hundred and sixty-seven, and amended and re-enacted by act of assembly, ratified the thirty-first day of January, one thousand eight hundred and seventy-two, be amended by adding an additional section as follows: The said company shall have power to establish agencies and general offices in other states, and shall only be taxed in North Carolina upon such business as shall be done by the company in this state.

Agencies established in other states.

When act to be in force.

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

Ratified the 12th day of February, A. D. 1872.

CHAPTER CXXXIII.

AN ACT TO REPEAL A PART OF THE ACT RATIFIED JANUARY FIFTH, ONE THOUSAND EIGHT HUNDRED AND SEVENTY-TWO, ENTITLED AN ACT TO INCORPORATE THE FALLS OF NENSE MANUFACTURING COMPANY.

SECTION 1. *The General Assembly of North Carolina do enact*, That so much of the act ratified January fifth, one thousand eight hundred and seventy-two, entitled an act to incorporate the Falls of Nense Manufacturing Company, as prohibits the sale of spirituous liquors within certain limits, be and the same is hereby repealed.

Repealing clause.

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

When act to be in force.

Ratified the 12th day of February, A. D. 1872.

CHAPTER CXXXIV.

AN ACT SUPPLEMENTAL TO AN ACT TO INCORPORATE THE TOWN OF CATAWBA, IN CATAWBA COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That the corporate limits of said town of Catawba, in Catawba county, shall be as follows, to wit: One half mile in each direction from the railroad depot of the Western North Carolina Railroad.

Limits of town.

SEC. 2. That the commissioners of said town shall have power to exempt the land, houses and lots and poll of any person or persons from town tax, that they may deem proper.

Exemption from town tax.

SEC. 3. That the commissioners shall also have power to expend the town taxes for digging and repairing public town wells, and for any other town purpose they may deem proper.

Taxes collected to be spent for town repairs.

SEC. 4. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 12th day of February, A. D. 1872.

CHAPTER CXXXV.

AN ACT FOR THE RELIEF OF NEWETT D. OWEN AND SETH H. TYSON, CITIZENS OF WILSON COUNTY.

Money to be paid
for erection of
school buildings.

SECTION 1. *The General Assembly of North Carolina do enact*, That the treasurer of Wilson county be and he is hereby authorized, with the consent of the county board of education of said county, to pay to Newett D. Owens and Seth H. Tyson, any sum of money that may be due them for the erection of buildings for school purposes in Saratoga Township; such money to be paid from the school fund of said county, and to be charged against the said township in the apportionment of the said fund for the year one thousand eight hundred and seventy-two.

When act to be in
force.

SEC. 2. This act shall be in force from its ratification.
Ratified the 12th February, A. D. 1872.

CHAPTER CXXXVI.

AN ACT TO INCORPORATE THE HENDERSON SAVINGS AND LOAN ASSOCIATION, OF HENDERSON, NORTH CAROLINA.

Corporators.

SECTION 1. *The General Assembly of North Carolina do enact*, That P. W. Wyche, L. H. Kittle, Geo. H. Rowland, W. C. Harris, W. W. Young, J. H. Lassiter, D. E. Young, John Booth, Harvel Harris, R. Lassiter, John R. Barnard, John H. Young and John F. Harris, their associates, successors and assigns and any and all those who have or may associate with them under articles of agreement for the purpose contemplated by this act; shall be and they are hereby constituted and declared to be a body politic and corporate, by the name and style of the "Henderson Savings and Loan Association, of Henderson, North Carolina." and by that

Corporate name.

name they and their associates and successors shall and may have continual succession and a common seal which they may alter and change at their pleasure, and shall be capable of suing and being sued, of pleading and being impleaded, of defending and being defended in all and every manner of actions, suits, complaints, matter and causes whatever, and by the corporate name aforesaid shall and may be capable of purchasing, holding and conveying each and every estate, real and personal, necessary to a safe, useful and profitable investment and reinvestment of the funds belonging to said association and the convenient and proper transaction of its business.

Rights and privileges.

SEC. 2. That the property, business and affairs of said association shall be managed and controlled by a board of directors, and by such officers and agents as the said board may deem necessary to appoint. The board of directors shall consist of not less than five, nor more than nine members, a majority of whom shall at all times be a quorum, unless the by-laws should prescribe for special purposes a greater or smaller number. That said board of directors shall be annually elected by the stockholders, at such time and place and in such manner and by such votes as may from time to time be prescribed by the by-laws: *Provided*, That the officers of this association shall in every case hold their offices until their successors are regularly elected and installed. Should a vacancy occur in said board by death, resignation, or otherwise, such vacancy may be filled by a quorum of the remaining directors or in such other manner as the by-laws of the association may prescribe.

Association to be managed by board of directors.

Number of Directors.

Annual election.

Proviso.

Vacancy filled.

SEC. 3. That the "board of directors" shall have power to prescribe and make "by-laws," rules and regulations for their own government and for the government of the officers, agents and members of the association as to them shall appear needful and proper for the management, investment and disposition of the funds, property, estate and effects of said association, and for the regulation and management of all and every matter necessary to execute the powers or any of them, granted by this act, and in any manner appertain-

Power of board of directors.

ing to the business thereof; to fix and prescribe the amount of assessments on the shares, the modes and times of paying the same, and to fix the fines and forfeitures for the non-payment, and to make all necessary rules and regulations in any manner relating to the payment, redemption, assignment and forfeiture of said shares: *Provided*, Such "by-laws," rules and regulations and any and all alterations and amendments thereof shall be submitted to the stockholders in regular meeting, and adopted by them.

Proviso.

Officers appointed
by board.

SEC. 4. That said board of directors shall have power to elect and appoint all such officers, agents and servants as the business of the association requires; to fix the compensation and prescribe the duties of such officers, agents and servants, and for good cause to remove them, and to take such bond or bonds from any of such officers and other persons as they may at any time prescribe: *Provided*, That the members of said association do not at the regular meeting elect to appoint such officers, agents and servants and to execute any or all the other powers concerning them herein granted to said board: *Provided further*, That such by-laws, rules and regulations shall not be repugnant to the constitution and laws of the United States and of this state.

Proviso.

Farther proviso.

What constitutes
membership.

SEC. 5. That the members of said association shall consist of those who own one or more shares, and shall be entitled to vote in all elections and at all meetings of the shareholders in person, or by written proxy, in such manner and under such rules, regulations and restrictions as may be prescribed in the "by-laws." The ultimate par value of each share shall be one hundred dollars, and the number of shares composing, or to compose any one class may be prescribed and limited as the association at a regular meeting of the shareholders may direct, and if in the opinion of the shareholders the wants of the community require it, said association shall be and they are hereby authorized and empowered to establish one or more additional classes of shares, under such rules, regulations and restrictions for issuing, paying and redeeming the same, as to them shall appear expedient and proper, and from time to time to

Valuation of
shares.

Classification of
shares.

declare dividend or dividends on the shares in each class, as the business of the association justifies, and as they may deem to the interest of the shareholders.

Dividends to be declared.

SEC. 6. That all contracts and agreements that may be made or entered into by this association, or by the properly constituted officers thereof, and all deeds, bonds and notes, mortgages and other securities that may be taken by said association for securing the payment of money advanced or for other purposes, and all assignments and redemption of shares made in accordance with the by-laws of this association, are declared to be legal and of full force and virtue, and said association by its corporate name may collect such bonds, notes and other securities, and compel the execution of all such contracts and agreements by suit or otherwise, and may collect all fines, dues and forfeitures that may be owing and unpaid, in such manner as may be provided for in the by-laws.

Contracts, deeds, mortgages &c., to be valid and of full force.

SEC. 7. That this act shall be in force from and after its ratification.

When it to be in force.

Ratified the 12th day of February, A. D. 1872.

STATE OF NORTH CAROLINA,
OFFICE SECRETARY OF STATE,
Raleigh, February 29th, 1872.

I, HENRY J. MENNINGER, Secretary of State, hereby
certify that the foregoing are true copies of the original
private acts on file in this office.

HENRY J. MENNINGER,
Secretary of State.

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