

who shall, upon being notified, at once proceed to locate the new or make such changes in the old streets as may have been determined by the board of commissioners of said town, and assess such damages as may be sustained by the owner of the property to be affected thereby, taking into consideration in estimating said damages the advantages, if any, that may accrue to the owner or owners of such property by reason of the opening or changing of such street or streets. They shall make, within five days after notice of their election as a jury, a full written report of their action and their findings to the board of commissioners of said town, who shall cause the same to be posted at the mayor's office and three other public places in said town for four successive weeks from date of report of said jury. Any person interested may, within ten days after such notice as aforesaid, file with the secretary of the board of said commissioners a written exception to said report, and the board shall fix a time certain within five days from date of the filing of such exceptions, for a hearing and for the purpose of determining the same, and if said report shall, upon such hearing, be confirmed by the said board, any person affected by said report and confirmation may, within ten days of such confirmation, appeal to the next term of the Superior Court for Rutherford County, by filing bond and giving such notice to the board of commissioners of said town as is required by law in cases of appeal from justices' courts; and such appeal shall not stay or impede the process and progress of such improvement: *Provided*, that no interference with property so condemned or the opening or changing of such streets shall be made until all damages assessed shall have been paid or tendered to the party aggrieved or his agent; in case of his failure or refusal to accept the same, the same shall be deposited with the Clerk of the Superior Court of Rutherford County, to abide the results of appeal then pending.

Assessment of damage.

Report.

Report posted.

Exceptions.

Hearing on exceptions.

Right of appeal.

Appeal not to delay work.
Proviso: payment or tender.

Money paid into court.

SEC. 17. That all laws and clauses of law in conflict with the provisions of this act are hereby repealed.

SEC. 18. That this act shall be in force from and after its ratification.

Ratified this the 5th day of March, A. D. 1913.

CHAPTER 264.

AN ACT TO INCORPORATE THE TOWN OF CALYPSO.

The General Assembly of North Carolina do enact:

Town incorporated. SECTION 1. That the inhabitants of the present village of Calypso, Duplin County, and those living within the limits hereinafter described, are hereby incorporated as a town under the name and Corporate name. Corporate powers. style of "Calypso," with all the rights, powers, privileges, and immunities and subject to all the provisions of chapter sixty-two of

the Revisal of North Carolina of one thousand nine hundred and five, entitled "Towns and Cities," and any amendments thereof.

SEC. 2. That the limits of said town shall be as follows: Begin- Corporate limits.
ning at a point in the middle of the Atlantic Coast Line track eight hundred and eight yards north thirty-nine east from the middle point of said track immediately opposite the southwest corner of the Atlantic Coast Line depot at Calypso; thence eight hundred and eighty yards east fifty-one south to a stake; thence seventeen hundred and sixty yards south thirty-nine west to a stake and parallel with the Atlantic Coast Line track; thence seventeen hundred and sixty yards west fifty-one north to a stake; thence seventeen hundred and sixty yards north thirty-nine east to a stake and parallel with the Atlantic Coast Line track; thence eight hundred and eighty yards east thirty-nine south to the beginning, containing one mile square.

SEC. 3. That there shall be elected five commissioners and a Commissioners and mayor.
mayor for said town, who shall have all the rights, powers, Rights and powers.
privileges, and authority, and shall perform the same duties as are now authorized by the law of North Carolina; and in addition Legislative powers.
thereto, they shall have power to pass by-laws, rules, regulations, and ordinances for the government of the town not inconsistent with the laws of the State or of the United States; to impose fines and penalties for the violation of town ordinances and collect the same; to lay out, open, and name any street or streets within the Streets.
corporate limits of the town by them deemed necessary; and they Taxing power.
shall have power to levy a tax not exceeding fifteen cents on every Limit of rate.
hundred dollars worth of property and forty-five cents on every poll.

SEC. 4. That there shall be an election for mayor and commis- Town elections.
sioners on the first Monday in May, nineteen hundred and thir-
teen, and every two years thereafter, according to law, and that Mayor and com-
until said election is held, J. R. Maxwell shall be mayor and missioners named.
W. T. Patten, John Parker, William Summerlin, F. M. Sellars, and P. S. Newton, commissioners.

SEC. 5. That the board of commissioners shall appoint a town Appointment and
marshal, who shall give bond for the faithful performance of his bond of town
duties in the sum of one hundred dollars. The town marshal may marshal.
arrest parties offending against the law within the town limits Powers of marshal.
according to law, and he shall by virtue of his office be tax col- Tax collector.
lector.

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

Ratified this the 5th day of March, A. D. 1913.

prescribed by law to be so modified as to apply to corporations instead of individuals.

SEC. 13. Said corporation is hereby fully authorized and empowered to act as trustee, assignee for any insolvent person, firm, or corporation, and to receive on deposit all funds in litigation in the various courts of this State, and pay therefor such interest as may be agreed upon, not exceeding the lawful rate. It shall have the power and authority to carry on the business of a safety deposit and trust company, with all powers and privileges incident to said business.

Action as trustee, assignee, or court depository.

Safe deposit and trust company.

SEC. 14. That the principal office of said corporation shall be in Pollocksville, North Carolina, but it is fully empowered and authorized to establish branches of its business at any other point or points in the State of North Carolina which may be decided upon by the board of directors, and such branch or branches, when so established, shall be and become as fully empowered for the transaction of the business herein authorized as is the original corporation.

Principal office.
Branches.

SEC. 15. Said corporation is authorized to act as agent for any life, fire, or other insurance company licensed to do business in said State, and is authorized to have an insurance department for the transaction of life, fire, and other insurance ordinarily conducted by any other company, person, or individual in this State, under such laws, rules and regulations as may be prescribed for the conduct of such insurance business.

Action as insurance agent.

SEC. 16. That this act shall be in force from and after its ratification.

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 298.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF CALYPSO.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and sixty-four of the Private Laws of North Carolina, session one thousand nine hundred and fifteen, be and the same is hereby amended by adding thereto the following sections:

SEC. 7. That the board of commissioners shall have power to lay out and open streets within the corporate limits of the town whenever by them deemed necessary, and have power and authority at any time to widen, enlarge, change, extend, or discontinue any street or streets, or any part thereof within the corporate limits of the town, and shall have full power and authority to condemn,

Powers as to streets.

Condemnation of land.

Compensation
agreed upon.

Arbitration for
settlement.

appropriate, or use any land or lands necessary for any of the purposes named in this section. The compensation therefor may be agreed upon between the board of commissioners of said town and the owner of the land or lands, and in case the owner of the land and the commissioners cannot agree as to the compensation therefor, then the amount of damages or compensation shall be referred to two persons. The commissioners of the town shall choose one and the landowner shall choose one; and in case the owner of the land shall refuse to choose such arbitrator, then the sheriff of the county shall in his stead select one for him; and in case the two chosen as aforesaid cannot agree, they shall select an umpire, all of whom shall be freeholders and citizens of the town, and whose duty it shall be to examine the land condemned by the commissioners and ascertain the damages sustained and the benefits accruing to the owner in consequence of taking the land, and the award of the arbitrators or any two of them shall vest in the commissioners the right to use the land for the purposes specified, and all damages agreed upon by the commissioners or awarded as aforesaid shall be paid as other town liabilities by taxation: *Provided*, that either party, the town or the landowner, may appeal to the Superior Court of Duplin County within ten days after the filing of said award with the mayor of the town.

Right of appeal.

Further enumeration
of powers.

SEC. 8. That the board of commissioners shall cause to be kept clean and in good repair the streets, sidewalks, and alleys; they may establish the width and ascertain the location of those already provided, and lay out and open others, and may reduce or increase the width of all of them; they may also establish and regulate the public grounds and protect the shade trees of the town.

Public grounds and
shade trees.

Abatement of
nuisances.

SEC. 9. The commissioners may require and compel the abatement and removal of nuisances in the town at the expense of the person causing the same, or the owner or tenant of the grounds whereon the same may be; and may regulate and allow to be established any slaughter-house or place, or the exercise within the town of any offensive or unhealthy trade, business, or employment.

Slaughter-houses.
Offensive trades.

Speed regulations.

SEC. 10. That the commissioners may prohibit by penalties the riding or driving of horses or other animals in a careless or dangerous manner, or at a greater speed than six miles per hour within the town limits, and also the firing of guns, pistols, gunpowder, firecrackers, or other explosive or dangerous material in the streets, public grounds, or elsewhere within the corporate limits of the town.

Firearms and
explosives.

Public buildings.
Fire limits.

SEC. 11. That the commissioners may establish all public buildings necessary and proper for the town, and also may establish fire limits, and prevent the erection, construction, or establishment in any part of the town any building or structure built of wood or of any other material which would increase the hazard of fire.

SEC. 12. That in addition to the subjects of taxation for State License taxes. purposes, the commissioners shall have power to levy and collect a special or license tax, not to exceed twenty-five dollars, on the following subjects, to wit: All itinerant merchants, peddlers, or auctioneers who shall sell or offer to sell privately or at public ontery within the town limits, whether by ascending or descending bids; each express company, each telegraph office, and each railroad company having a depot within the city limits; each photograph artist and person taking likeness of the human face by whatsoever art; each broker, bank, or banker's office; each dealer in patent rights; each sewing machine agent; all commission merchants and commercial bankers; each distiller of fruit or grain; each livery stable; every resident or nonresident huckster or trader or agent of such who buys produce on the streets for sale in other markets; each gift enterprise and lottery; each dray, each hack, each omnibus; each hotel; each boarding-house; each barber shop; each advertising agent; each architect or person employed to superintend any building or buildings in construction; each bag factory, each baker and dealer in bread or other products of a bakery; each dealer in confectioneries and fruits; each baggage transfer company; each barrel and crate factory; each bicycle dealer or bicycle repair shop; each bill-poster; each bottler of non-alcoholic drinks; each brick yard; each broker in money, stocks, or bonds, other than bank or bankers; each broker in produce; each broom factory; each buyer and shipper of naval stores; each carriage, cart, wagon, or other vehicle repair shop other than bicycle; each manufactory of vehicles of any description; each furniture factory; each coal or coal and wood dealer; each contract builder; each cotton gin, cleaner, or press; each truck; each wagon; each cart; each gristmill; each dealer in hides and furs; each ice-house; each ice factory; each junk shop; each laundry; each marble and stone yard; each market; each mattress factory; each merry-go-round or flying ponies; blowing machines, lifting machines, or any other exhibition whatsoever of like character; each oil company, or wholesale dealer in lubricating and illuminating oils; each peddler and transient dealer; each piano and organ tuner and repairer; each rice mill; each sash, door, and molding factory; each sausage factory; each blacksmith shop; each tin shop; each shoe shop; each carpenter shop; each tailor shop; each gunsmith shop; each shuttle-block factory; each steam sawmill; each telephone company; each tobacco manufacturer; each tobacco warehouse; each undertaker; each cabinet shop; each upholsterer and paper-hanger; each warehouse company; each wood dealer; each lightning-rod agent; each auctioneer; on every agency for the sale of steam engines, boilers, and machinery not manufactured in the town of Calypso; every dealer in buggies, wagons, or other vehicles not manufactured in said town; each fire or life insur-

Enumeration of subjects.

ance agent; each and every dentist; each physician; each lawyer; optician, civil engineer, real estate agent or broker, aurist, oculist, and chiropodist; on every dealer in horses and mules sold, bartered, or exchanged; every cattle, horse, or mule drover or dealer; and every agency for the sale of snuff, tobacco, or other articles of merchandise not manufactured in this town; and all and each of them as the Legislature of North Carolina may authorize from time to time, and all other subjects taxed by the State.

SEC. 13. This act shall be in force from and after its ratification. Ratified this the 8th day of March, A. D. 1915.

CHAPTER 299.

AN ACT TO AMEND SECTION 1 OF CHAPTER 72 OF THE PUBLIC LAWS OF 1903.

The General Assembly of North Carolina do enact:

Boundary.

SECTION 1. That section one of chapter seventy-two of the Public Laws of one thousand nine hundred and three be amended in line twenty-nine by striking out all the words between the word "railroad" and the word "beginning," and insert in lieu thereof, "thence with the center of said railroad to the."

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

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

Ratified this the 8th day of March, A. D. 1915.

CHAPTER 300.

AN ACT TO AMEND CHAPTER 186 OF THE PRIVATE LAWS OF 1899, AND CHAPTER 235 OF THE PRIVATE LAWS OF 1913, RELATIVE TO THE ELECTION AND INSTALLATION OF THE OFFICERS OF THE CITY OF SALISBURY AND THE POWERS AND DUTIES OF SAID OFFICERS.

The General Assembly of North Carolina do enact:

Verbal change.

SECTION 1. That section two of chapter one hundred and eighty-six of the Private Laws of eighteen hundred and ninety-nine be and the same is hereby amended by striking out the word "first" in line four of said section and inserting in lieu thereof the word "third."

Installation of officers.

SEC. 2. That section thirteen of chapter one hundred and eighty-six of the Private Laws of eighteen hundred and ninety-nine be

H. B. 371 CHAPTER 304

AN ACT TO AMEND SECTION 3 OF CHAPTER 264 OF
THE PRIVATE LAWS OF 1913, RELATING TO THE
RATE OF TAXATION IN THE TOWN OF CALYPSO.*The General Assembly of North Carolina do enact:*

SECTION 1. Section 3 of Chapter 264 of the Private Laws of 1913 is hereby amended by striking out the words "fifteen cents" which appear in line 11 between the words "exceeding" and "on", and inserting in lieu thereof the words and figures "one dollar (\$1.00)", and by striking out the words "forty-five cents" which appear in line 12 between the words "and" and "on", and inserting in lieu thereof the words and figures "one dollar (\$1.00)".

Ch. 264, Private Laws, 1913, relating to rate of taxation, Town of Calypso, amended.

SEC. 2. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 11th day of March, 1949.

H. B. 441 CHAPTER 305

AN ACT TO AMEND THE CHARTER OF THE CITY OF
WINSTON-SALEM TO LIMIT THE SALARY OF THE
MAYOR TO A SUM NOT TO EXCEED \$1,000 PER AN-
NUM AND TO PROVIDE COMPENSATION FOR THE
MEMBERS OF THE BOARD OF ALDERMEN AT THE
RATE OF \$5 PER MEETING NOT TO EXCEED TWO
MEETINGS PER MONTH.*The General Assembly of North Carolina do enact:*

SECTION 1. The second paragraph of Section 2 of Chapter 108 of the Private Laws of North Carolina for the year 1931 is hereby amended by striking from the third line of said second paragraph the words "two thousand dollars" and inserting in lieu thereof the words "one thousand dollars."

Ch. 108, Private Laws, 1931, amended as to compensation of Mayor, City of Winston-Salem.

SEC. 2. That Section 13 of Article III of Chapter 232 of the Private Laws of North Carolina for the year 1927, said Article being entitled "Board of Aldermen", is hereby amended by adding at the end thereof a new sentence reading as follows: "Members of the board shall be paid compensation for their services at the rate of five dollars for each regular or special meeting of the board, not to exceed two such meetings in any one month."

Ch. 232, Private Laws, 1927, amended as to compensation of members of board of aldermen.

county, State and National primaries and elections. In accordance with the general election laws of the State of North Carolina, the said registrars shall make such transfers from one precinct to another precinct within the corporate limits of the City of Fayetteville as may be necessary to enable duly registered electors to vote. The registration books shall show the party affiliation of each person presenting himself for registration.

Sec. 3. The County Board of Elections for Cumberland County shall turn over to the City Council of the City of Fayetteville such county registration books on or before March 27, 1955, and on the first Tuesday after the first Monday in March, 1957, and biennially thereafter on the first Tuesday after the first Monday in March, and for such appropriate time for any special election in the municipality that does not conflict with an election in the county.

Sec. 4. On or before June 1st, 1955, and biennially thereafter on or before June 1st, the City Council of the City of Fayetteville shall return such registration books to the County Board of Elections for Cumberland County.

Sec. 5. Nothing in this Act shall abridge, interfere or conflict with rights under the present laws of the County Board of Elections of Cumberland County to call for a new registration; and the City Council of the City of Fayetteville may, when considered advisable by it, call for a new registration in the election precincts within the corporate limits of the City of Fayetteville.

Sec. 6. The City Council of the City of Fayetteville and the Board of County Commissioners of the County of Cumberland shall share in the expenses incurred in carrying out the provisions of this Act in a manner deemed just and proper by the two governing boards.

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

Sec. 8. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 4th day of April, 1955.

H. B. 504

CHAPTER 447

AN ACT AMENDING SECTION 3, CHAPTER 264, PRIVATE LAWS OF 1913, THE SAME BEING THE CHARTER OF THE TOWN OF CALYPSO SO AS TO REGULATE VOTING FOR MEMBERS OF THE BOARD OF COMMISSIONERS OF SAID TOWN.

The General Assembly of North Carolina do enact:

Section 1. That the Charter of the Town of Calypso in Duplin County as contained in Chapter 264, Private Laws of 1913, be and the same is hereby amended by adding at the end of Section 3 thereof the following:

"All qualified electors in any municipal election for mayor and members of the Board of Commissioners of the Town of Calypso shall vote for as many as five candidates for membership on said board. If any elector

shall vote for fewer than five candidates for membership on said board of commissioners, then said ballot shall be invalid, illegal and void and shall not be counted in determining the results of said municipal election for members of the board of commissioners of said town."

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

Sec. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 4th day of April, 1955.

H. B. 510

CHAPTER 448

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF WAYNE COUNTY TO PROMULGATE RULES AND REGULATIONS RELATING TO THE ISSUANCE OF PRIVILEGE LICENSES OF FORTUNETELLERS.

The General Assembly of North Carolina do enact:

Section 1. The Board of County Commissioners of Wayne County shall have the power and authority by proper resolution to require compliance with such conditions as it deems reasonable and necessary to promote the health, sanitation, and good morals of the community as a condition precedent to the issuance of any privilege license to any person, firm, or corporation to engage in the practice of phrenology, palmistry, clairvoyance, fortunetelling or other craft of a similar kind.

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

Sec. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 4th day of April, 1955.

H. B. 515

CHAPTER 449

AN ACT TO PROHIBIT ANY INSURANCE COMPANY OR OTHER INSURANCE ENTITY WHICH IS FINANCIALLY OWNED OR FINANCIALLY CONTROLLED BY ANY ALIEN OR FOREIGN GOVERNMENT OUTSIDE THE CONTINENTAL LIMITS OF THE UNITED STATES OR THE TERRITORIES OF THE UNITED STATES FROM DOING ANY KIND OF INSURANCE BUSINESS IN THE STATE OF NORTH CAROLINA, AND TO PROVIDE PENALTIES FOR THE VIOLATION OF THIS ACT.

The General Assembly of North Carolina do enact:

Section 1. Any insurance company or other insurance entity which is financially owned or financially controlled by any alien or foreign government outside the continental limits of the United States or the territories