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OF THE

STATE OF NORTH CAROLINA,

PASSED BY THE GENERAL ASSEMBLY,

AT THE

Session of 1852.

Published agreeably to the fifty-ninth chapter of the
Revised Statutes.

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every five years thereafter, and they shall annually assess all improvements made since the preceding assessment and not assessed therein.

[Read three times and ratified in General Assembly this 25th day of December, A. D., 1852.]

CHAPTER CCVII.

AN ACT TO ENLARGE THE POWERS OF THE MAGISTRATE OF POLICE AND COMMISSIONERS OF FAYETTEVILLE.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the magistrate of police and commissioners of Fayetteville are hereby authorized to subscribe for not exceeding one thousand shares of the stock of the Western Railroad Company, to be held by them for the use and benefit of Fayetteville.

SEC. 2. *Be it further enacted,* That to enable them to meet the payment of such subscription, they are hereby authorized and empowered from time to time, and at such times as they may deem fit, to make, execute and deliver their bonds for the payment of such sums of money as they may think proper, in the aggregate not exceeding one hundred thousand dollars, payable to the lender thereof and to his order, or to

bearer, bearing interest, payable either semi-annually, or annually, and at such places as may be agreed upon, which said bonds shall be signed by the magistrate of police and shall be sealed with their corporate seal.

SEC. 3. *Be it further enacted*, That the said bonds shall be payable not less than ten nor more than twenty-five years from the time of their respective dates, and shall bear interest not exceeding *six per centum per annum*; but the holders of any bond issued by virtue of this act shall not be required to include the interest accruing on the same in their lists of taxable property: and such bonds, and the interest accruing or received thereon, shall not be subject to any tax whatsoever.

SEC. 4. *Be it further enacted*, That to provide for the payment of the bonds issued by virtue of this act and of the interest accruing on the same, it shall be lawful for the magistrate of police and commissioners of Fayetteville and they are hereby authorized and required, from year to year and every year, to assess, levy and collect such taxes on real and personal estate, and other subjects, within the limits of their town as shall be necessary to pay and discharge the same, and to raise a sinking fund for the ultimate payment of the debt, and to invest from time to time in profitable stock, the surplus of their taxes to meet the maturity of the bonds; and are authorized to collect the taxes so levied, annually or semi-annually, by an officer appointed for that purpose, and require bond of him in such amount as they may think proper.

SEC. 5. *Be it further enacted*, That the magistrate of police and commissioners aforesaid may make all necessary rules and regulations as shall be necessary to carry into effect the provisions of this act.

SEC. 6. *Be it further enacted,* That before the said subscription shall be made, the sense of the people of the town shall be taken thereon, and for that purpose it shall be the duty of the magistrate of police to cause polls to be opened at the town hall, first giving ten days' notice thereof in every ward of the town, and those persons qualified to vote for town officers shall vote there and then by ballot, and, all who are in favor of such subscription, shall deposit their votes written thereon "Subscription," and those opposed shall vote "No subscription," and unless a majority of them voting shall be in favor of the subscription, the same shall not be made; and the election shall be held by two inspectors, freehold inhabitants of the said town, and by the town constable, as other elections are held, the said inspectors to be appointed by the magistrate of police.

SEC. 7. *Be it further enacted,* That the magistrate of police and commissioners of Fayetteville be and they are hereby authorized to purchase the interest of the president and directors of the Fayetteville Water Works in and to their water works, within said town and its vicinity, and to take a deed of conveyance of the same and of the land thereto, or else to take necessary steps to procure a supply of pure and wholesome water for the use of the people of said town, and to purchase, have and hold such lands and tenements, whether within or without the limits of the corporation as may be necessary to carry the intentions of this act into effect.

SEC. 8. *Be it further enacted,* That to enable the said magistrate of police and commissioners to effect this object they are hereby authorized, in addition to the amount of debt which they are now by

law permitted to owe, to borrow such necessary sums from time to time as they may think proper, and to lay such taxes, in addition to what they are now by law authorized to raise, as may be necessary to repay the sum borrowed, with the accruing interest.

SEC. 9. *Be it further enacted,* That the said magistrate of police and commissioners may and shall have authority to lay such taxes for the use of the water in any or all the wards of the town, and to provide by penalties for the payment of the taxes so laid, and for any violation or willful injury of their water works as they may deem proper.

SEC. 10. *Be it further enacted,* That the utmost amount of debt which the magistrate of police and commissioners of Fayetteville shall owe at any one time shall not exceed the sum of twelve thousand dollars, exclusive of interest, always, excepting, however, the amount proposed to be subscribed to the Western Railroad Company provided for in the other sections of this act.

SEC. 11. *Be it further enacted,* That hereafter no person shall be entitled to vote in any election of magistrate of police and commissioners of Fayetteville, unless he shall have paid all the town taxes which may have been due from him for three years immediately preceding such election.

SEC. 12. *Be it further enacted,* That this act shall be in force from and after its ratification.

[Read three times and ratified in General Assembly, the 25th day of December, A. D., 1852.]