This Is The

By ROBERT E. LEE For the N. C. Bar

SPITE FENCES

May a property owner off the view, air and light erect a so-called "spite of the other. fence" or other structure on It a large number of his land solely for the purstates a man may build a pose of annoying a neigh-

cerning which the courts of view, light and air of his the several states are di- neighbor and does so to vided.

Court of North Carolina as builder cannot be consider"one which a crected and ed as having any bearing
maintained solely for the on his legal right.

purpose of annoying a On the other hand, some



British Pastor At Rocky Hock

Rev. Don Summers of hold otherwise makes the Bristol, England, will law an engine of oppression preach at Rocky Hock Bap- with which to destroy the tist Church during a series peace and comfort of a of evangelistic services be- neighbor, as well as to ginning at 7:45 P. M. Tues- damage his property for no day. The services will be useful purpose, but solely held nightly through Sun- to gratify a wicked and de-

Rev. Meredith G. Garrett, In a decision on the same er for the revival services its earlier decision of 1909, and issues an invitation for which had been reached by everyone in the area to a vote of 3 to 2. join in these services.

Jack Evans will direct the called "spite fence."

music.

His recent activities have included the unique "All-Dorset Crusade," which Chappell Hill brought to a spiritually desolate area a three-year Revival Slated program of evangelism and

city and county crusades to at 8 P. M. each day. tiny meetings in village Rev. John Wesley Shipp, churches.

associate evangelist with list. Dr. Billy Graham, notably George Cooke, director of for 10 months with the music at Temple Baptist Earls Court Crusade in Church in Norfolk, Va., widely in the United States special music each evening. and Canada and has taken The public is cordially missionary crusades in invited to attend these ser-Spain and Portugal.

neighbor." usually erested neighbors are and for no oth than the malicious motive of cutting

fence upon his own land as high as he pleases, even This is a question con- though he obstructs the solely annoy the adjoining A spite fence has been neighbor. In the states so defined by the Supreme holding, the motives of the

> states, including North Carolina, have held that a fence erected maliciously and for no other purpose than to shut out the view, air and light of a neighbor is a private nuisance.

Being a private nuisance, the injured neighbor may in North Carolina sue for damages or obtain an injunction prohibiting the erection or maintenance of a spite fence.

property for the sole purpose of injuring others is ible rights of ownership.

The law of spite fences for North Carolina was pounded and hammered out in a 1909 North Carolina Supreme Court decision, which said: "No one ought to have the legal right to make a malicious use of his property for no benefit to himself, but merely to injure his fellowman. To basing passion."

pastor, said the community subject in November, 1963, is fortunate to have such the Supreme Court of an outstanding guest speak- North Carolina reaffirmed

It is, of course, the func-Special music and con- tion of the jury to decide gregational singing will be whether a particular fence a feature of each service. is in truth and fact a so-

If a fence is erected for Mr. Summers has prob- some useful or ornamental ably spoken to more peo- purpose of its owner, it ple face to face than any cannot be enjoined even other preacher in Britain though the adjoining neightoday, Mr. Garrett said. bor is annoyed thereby.

With a number of asso- hold an annual series of ciates, he has taken over revival services August 26-200 campaigns from united 31 with services beginning

pastor of Smryma Baptist Also, Mr. Summers has Church, Rock Castle, Va., spent several periods as an will be the guest evange-

He has traveled will direct the music with

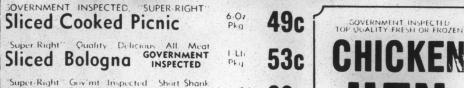
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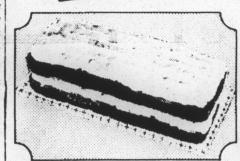
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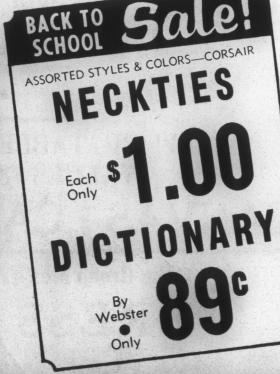
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