ACTS

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA,

AT THE

SESSION OF 1828-29.

RALEIGH:
PRINTED BY LAWRENCE & LEMAY,
Printers to the State.

1829.
LAWS OF NORTH-CAROLINA,
Enacted by a General Assembly, begun and held at Raleigh on the seventeenth day of November, in the year of our Lord one thousand eight hundred and twenty-eight, and in the fifty-third year of the Independence of the said State.

JOHN OWEN, ESQUIRE, GOVERNOR.

CHAPTER I.

An act directing the manner in which acts of Congress and other public documents shall be distributed for the future, and for other purposes.

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 laws of Congress which now are, or hereafter may be in the possession of the State be distributed by the Secretary of State in the following manner, viz. Two copies to each of the counties in the State, one of which shall be deposited in the office of the Clerks of the Superior and County Courts in each county, for the use of said Courts respectively; one copy to each and every Judge of the Supreme Court and Superior Courts of Law and Equity; one copy to the Attorney General; one copy to the Solicitor General; and one copy to each and every Solicitor; one copy in the offices of Governor, Secretary of State, Treasurer and Comptroller; three copies in the Public Library of the University of this State; and three copies retained in the Public Library, for the use of Members of Assembly and other public functionaries.

11. Be it further enacted, That all the other public documents now on file in the Governor's Office, and in the Library and elsewhere, which have been from time to time transmitted to this State by the General Government, be divided under the direction of the Secretary of State into sixty-four parts, corresponding with the number of counties, who shall assign to each county their respective parcels, regarding in such division and assignment the subject matter of said documents, and send the same accordingly, directed to the Clerk of the County Courts of the several counties respectively by such conveyance as he may deem expedient.

III. And be it further enacted, That all documents hereafter received as aforesaid, shall be divided, assigned, directed and forwarded to the respective counties from year to year, conformably with the provisions of this act.

IV And be it further enacted, That said documents so deposited as aforesaid in the offices of the Clerks of the County and Superior Courts respectively, shall be so distributed by said Courts within their respective counties, in such manner as they may deem most expedient, to give them extensive circulation.

V Be it further enacted, That all the documents and papers transmitted to this General Assembly by the Honorable Nathaniel Macon be deposited in the State Library.
Bills of exchange drawn in this State, to bear interest from the time of payment.

An act to regulate the damages on protested Bills of Exchange.

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 bills of Exchange which shall be hereafter drawn or endorsed in this State, and which may be protested, shall carry interest not from the date thereof, but from the times of payment therein respectively mentioned.

II. And be it further enacted, That the damages on such protested bills shall be as follows, that is to say, where the bill shall be drawn or endorsed in this State upon any person or body corporate, in any other of the United States, or in any of the Territories thereof, excepting the State of Louisiana, six per centum upon the principal sum; where such bill shall be drawn or endorsed as aforesaid upon any person or body corporate in any other State or place in North America, or the Islands thereof, excepting the North West course of America, or in any of the West India or Bahama Islands, ten per cent, upon such principal sum; where such bill shall be drawn or endorsed as aforesaid upon any person or body corporate in the Island of Madeira, the Canaries, the Azores, the Cape de Verd Islands, or in any other State or place in Europe, or South America, fifteen per cent, on such principal sum; and where such bill shall be drawn or endorsed, as aforesaid, on any person or body corporate, in any other part of the World, twenty per cent. on such principal sum.

CHAPTER III.

An act to authorise the payment of the purchase money on entries of land made in the year one thousand eight hundred and twenty-six.

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 it shall be lawful for the Public Treasurer to receive the purchase money on all entries of vacant land made in the year one thousand eight hundred and twenty six, until the thirty-first of January, in the year one thousand eight hundred and twenty-nine; and the Secretary of State is hereby authorised and required to issue grants, and the same shall be as valid to all intents and purposes as if the said purchase had been paid before the fifteenth day of December, one thousand eight hundred and twenty-eight.

II. Be it further enacted, That this act shall be in force from and after the ratification thereof.

CHAPTER IV.

An act for the limitation of writs of error for matters of fact, and bills of review.

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 no writ of error for any matter of fact shall be allowed, brought, or prosecuted, upon any judgment rendered in any of the Courts of this State, but within five years next after rendering such judgment, and not after; and that no writ of error for any matter of fact, upon any judgment existing at this time
shall be allowed, brought, or prosecuted, but within five years after the passage of this act.

11 Be it further enacted, That no bill of review or a petition for a rehearing shall lie or be allowed upon a final decree, in any of the Courts of Equity within this State, but within five years next after such decree shall have been made, and nor after; and no bill of review or petition for a re-hearing upon any final decree existing at this time, shall lie or be allowed, but within five years after the passage of this act; saving nevertheless the rights of infants, feme covert, and persons non compos mentis, so that they avail themselves of the benefit of the writ of error or bill of review within three years after their disabilities shall have been removed.

CHAPTER V.

An act to regulate the payment of Salaries to the Officers of State,

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 Governor, the Judges of the Supreme Court, the Secretary of State, the Public Treasurer, the Comptroller, the Governor's Private Secretary, the Clerk of the Treasury Department, the State Librarian, and Keeper of the Public Buildings, shall be entitled to receive their Salaries quarterly; that is, on the first day of April, first day of July, the first day of October, and the first day of January, in each and every year; and the Public Treasurer is hereby authorised to pay the said Officers, on warrant from the Governor at the different times as before stated.

CHAPTER VI.

An act to extend the provisions of an act, passed in the year one thousand eight hundred and twenty-two, entitled "an act granting further time to perfect titles to land within this State ."

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 provisions of the above recited act be extended to the first day of January one thousand eight hundred and thirty one; any law, usage, or custom to the contrary notwithstanding.

CHAPTER VII.

An act to amend an act, passed in the year of our Lord one thousand eight hundred and twenty-one, entitled "an act to promote the administration of justice in this State by requiring the production of papers in certain cases."

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 several Courts of Pleas and Quarter Sessions in North Carolina shall have the same power to require parties to produce books or writings in their possession or power, which contain evidence pertinent to the issue in the trial of any and all actions before said Courts, and upon the same notice and under the same penalties which are given to the Superior Courts by the act entitled "an act to promote the administration of justice in this State by requiring the production of papers in certain cases," passed in the year A. D. one thousand eight hundred and twenty-one.
CHAPTER VIII.

An act to amend the law with respect to the collection of debts from the estates of deceased persons, and the law in relation to the levying of executions issued by Justices of the Peace.

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 if an executor or administrator be warranted for any demand against his testator or intestate, before the expiration of nine calendar months from and after his taking upon himself the office of executor or administrator, it shall be the duty of the magistrate before whom said warrant is returned, to endorse thereon a postponement of the trial thereof, until some day after the expiration of the time aforesaid, when the same may be tried accordingly.

II. And be it further enacted, That whenever an executor or administrator shall be warranted, and on the trial of the warrant, shall suggest that he has any defence to make, because of a deficiency of assets, the magistrate shall note such suggestion, and if he find the Plaintiff's demand to be just, may give a judgment therefor; and shall return the said warrant with such suggestion and judgment, to the first term of the Court of Pleas and Quarter Sessions at his county, where the defendant shall be at liberty to plead any plea relative to his assets which could be pleaded had the suit been instituted returnable to said term.

III. And be it further enacted, That in all cases thus returned to Court by a magistrate, no other or higher costs shall be allowed than may be prescribed by law in cases of appeals.

IV. And be it further enacted, That when a suit shall be brought in any Court against the executor or administrator, before the expiration of nine calendar months as aforesaid, the said executor or administrator shall not be compelled to plead thereto until after the expiration thereof.

V. And be it further enacted, That it shall not be lawful to levy an execution issued by a justice, on any warrant hereafter issued out against an executor or administrator upon the lands of the heirs or devisees of the testator or intestate.

VI. And be it further enacted, That when an officer shall hereafter levy an execution issued by a justice on the land of the defendant, such officer shall serve the defendant with such notice in writing, at least five days before the term, to which execution is returned of the levy aforesaid, and of the term to which it will be returned; and if it do not appear to the Court, when an order of sale is prayed for, that such notice has been given, the said Court shall order a notice to issue to the defendant, and shall not proceed to make any order of sale until such notice be served on the defendant at least five days previous to the term of said Court: Provided always, that upon affidavit made, that such defendant has absconded, or conceals himself, or has removed out of the county, or is an inhabitant of another State, so that the notice cannot be personally served, the Court may order such notice as it shall deem reasonable to be given by a publication in some newspaper, and may, upon proof of such publication,
make the order of sale as though the notice had been actually served.

VII. And be it further enacted, That when at any term of a Court, there shall be several judgments obtained against an administrator or an executor, with an admission or finding that said administrator or executor has not assets liable to the judgments, and the plaintiffs shall pray for writs of seire facias against the heirs or devisees of the testator or intestate, that the Clerk for issuing, and the officer for serving each seire facias, shall be entitled to charge but half the fees usually allowed by law for seire facias, and that no attorney’s fee shall be taxed, to be inserted on any such seire facias.

VIII. And be it further enacted, That whenever a judgment obtained on a seire facias as aforesaid, against an infant heir, or devisee, if such infant has a regular and general guardian, it shall be the duty of such guardian, if the interest of the estate of the infant shall require it, to obtain an order of sale, and to sell so much of the infant’s estate as shall be sufficient to discharge such judgment; and the court shall order proceedings against said infant or his guardian, upon such judgment, to be stayed for eighteen months, in order to enable the guardian to collect the proceeds of such sales; and if the infant has no such general guardian, the court shall order all proceedings upon said judgment as aforesaid to be stayed until such guardian shall be appointed, and for eighteen months thereafter, or until a year shall have elapsed after such infant attaining full age.

IX. And be it further enacted, That the commencement of a suit against, or the service of a writ on an administrator or executor shall not create any lien on the goods of the deceased; but that the executor or administrator shall be at liberty to sell the goods of his testator or intestate in the same manner as if such writ had not been served on him, or such suit commenced.

X And be it further enacted, That this act shall be in force from and after the first day of June next.

CHAPTER IX.

An act to amend an act, passed in the year one thousand eight hundred and twenty, chapter one thousand and forty-five, entitled “An act to extend the jurisdiction of justices of the peace.”

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 from and after the passage of this act, justices of the peace shall have jurisdiction of all sums, due on bonds, notes and liquidated accounts, where the principal shall not exceed one hundred dollars, although the principal and interest may together exceed that sum.

CHAPTER X.

An act to restrain the justices of the Courts of Pleas and Quarter Sessions of the several counties of this State in granting licenses to retail spirituous liquors.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,
Licensees to be granted to none but free white persons.

That from and after the passage of this act, it shall not be lawful for the justices of the Courts of Pleas and Quarter Sessions of the several counties of this State to grant a license to retail spirituous liquors by the small measure to any but free white persons, whose good moral character shall be satisfactorily shown to the Court by at least two witnesses of known respectability, to whom the character of the applicant has been known for at least one year.

CHAPTER XI.

An act empowering the County Courts to regulate the fees of jailors.

Whereas doubts are entertained whether, under the existing law, the County Courts have power to regulate the fees of jailors, except to increase the same; and whereas in many of the counties the present fees are higher than times will justify; therefore

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 Court of Pleas and Quarter Sessions of the several counties be, and they are hereby empowered, a majority of the acting justices being present, to regulate the fees of the jailors of their respective counties, by lessening or increasing the same, as they shall deem necessary: Provided, that the same do not exceed the sum or sums hereofcfore allowed by law as a daily allowance.

II. And be it further enacted, That whenever any County Court shall lessen or increase the Jailor's fees of said county, they shall cause the same to be recorded, which sum shall not be altered within one year thereafter; any law to the contrary notwithstanding.

CHAPTER XII.

An act in relation to Justices' Executions.

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 from and after the passing of this act, where any execution shall be issued by a justice of the peace, and levied on personal property, such property shall be, and the same is hereby bound and from the levy of such execution, and not from the testa thereof.

II. Be it further enacted, That all bonds hereafter to be taken by constables, for the forthcoming of personal property levied on by them, shall be subscribed by at least one credible witness; any law, usage or custom to the contrary notwithstanding; and that this act shall be in force from and after the first day of July next.

CHAPTER XIII.

An act to change the time of holding the Supreme Court of this State.

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 after the close of the present term of the Supreme Court, the said court shall be held on the second Monday in June, and the last Monday in December annually.
LAWS OF NORTH CAROLINA.

CHAPTER XIV.

An act amendatory of the law respecting Dower.

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 hereafter, when a man shall die seized of an equity of redemption, or other equitable or trust estate in fee, his wife shall be entitled to Dower therein, subject to valid encumbrances theron, in the same manner as she is now entitled to be endowed of a legal estate of inheritance.

CHAPTER XV.

An act to amend the ninth section of an act, passed in the year one thousand eight hundred and sixteen, chapter six hundred and ninety-three, entitled an act for the more convenient administration of justice within this State.

WHEREAS, by the ninth section of the above recited act, the County Courts are not obliged to summon jurors to attend the said courts oftener than twice in each and every year; and whereas, three justices may rescind the order of a majority who may be disposed to dispense with the summoning of jurors as allowed by the above recited act; therefore,

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 from and after the passage of this act, a majority of the Justices of said County Courts shall be requisite to make an order for dispensing with jurors as allowed by the above recited act, and that no order on the subject made by less than a majority of said justices in said county, shall be deemed to be of any force or effect.

XL. And be it further enacted, That whenever a majority of the justices in any county shall concur in ordering that jurors be not to be dispersed with in two of their said courts, then in that case it shall not be in the power of a less number of said justices of justice, to rescind such order properly made by a majority as aforesaid.

XL. And be it further enacted, That all laws and clauses repealing of or coming within the meaning and purview of this act, be, and the same are hereby repealed.

CHAPTER XVI

An act to provide for the representation of the stock of this State in meetings of the Stockholders of the Banks of this State.

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 three commissioners shall be appointed by the Governor, Secretary of State and Comptroller, who shall attend any meetings of the Stockholders of the several Banks of this State, which may hereafter be held, and represent and vote for the State on all questions that may come before said meetings.

XL. And be it further enacted, That neither of said commissioners shall be a Stockholder in any Bank of the State or a United States, nor to be stockholders.

XL. Be it further enacted, That it shall be the duty of said commissioners to claim and exercise, on behalf of the State, the stockholders pur-
chased by the State.

Of the collection of debts, &c.

Compensation.

IV. And be it further enacted, That the commissioners appointed by virtue of this act, shall, as a compensation for their services, receive three dollars per day whilst attending the meeting of stockholders, and three dollars for every thirty miles travelling to and from the same.

V. Be it further enacted, That said commissioners be directed to open a communication with the President and Directors of the several Banks in this State to ascertain whether said Banks would agree to a consolidation of their several corporations, in the establishment of a new Bank, and, if so, upon what terms; and that they make report to the next General Assembly.

CHAPTER XVII.

An act to alter and amend an act, passed in the year one thousand eight hundred and twenty-seven, entitled an act concerning the Public Treasury.

By 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 monthly settlements of the accounts of the Treasury suspended during session of Assembly.

Monthly settlements of the accounts of the Treasury suspended during session of Assembly.

Commissioners of wrecks required to renew their bonds annually.

Proviso.

CHAPTER XVIII.

An act to amend an act, passed in the year one thousand eight hundred, entitled an act concerning wrecks.

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 several commissioners of wrecks in this State shall, and they are hereby required to renew their several bonds for the faithful discharge of their duties in office, with good and sufficient securities, at the several and respective Courts wherein they have their appointments, which shall be after the first day of June next ensuing, and in each and every year thereafter, under the same rules, regulations and restrictions as are provided by the act of one thousand eight hundred, entitled an act concerning wrecks: Provided, that nothing herein contained shall be construed to extend to any of the said commissioners of wrecks, who shall have given bonds as aforesaid within twelve months preceding the first day of June next; but then and in that case, it shall be the duty of the said commissioners of wrecks to renew their respective bonds, at the expiration of one year from the time of their appointment, or the last renewal of their bonds, (as the case may be,) and once in each and every year thereafter.
II. And be it further enacted That from and after the passage of this act, it shall be the duty of each and every commissioner of wrecks in this State to reside within their several districts, unless separated by navigable waters and then not to exceed three miles distance.

III. Be it further enacted, That whenever hereafter any property shall be found on board any vessel at sea, which has been of property wrecked or abandoned by the crew, which property is afterward brought into this State, it shall be the duty of the person in whose possession the same may be, to deliver it to the wreck master of the district into which said property may be brought, to be disposed of as stranded property is now directed to be; and any person who shall hereafter embezzle or conceal any such property shall be liable to indictment, and upon conviction, shall be whipped at the discretion of the Court, not exceeding thirty-nine lashes.

CHAPTER XIX.

An act concerning the lands formerly occupied by the Tuscarora tribe of Indians, lying in Bertie county, on the north side of Roanoke river.

Whereas the Tuscarora Indians have for more than a century been the firm and undeviating friends of the white people of this Province, it is thought that the State of North Carolina is disposed not only to render to them full and complete justice, but also to exercise towards them that spirit of generosity which their conduct has merited: Therefore,

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 William R. Smith, of Halifax; Simmons J. Baker, of Martin; and William Britain, of Bertie, be, and they are hereby appointed commissioners for the purpose of advertising and selling, in manner hereinafter directed, the above named tract of land, lying in Bertie county, bounded and bounded as follows, to wit: Beginning at the mouth of Quoitsney Swamp; running up the swamp 430 poles to a scrubby oak, near the head of said swamp by a great spring; thence north 10° east 850 poles, to a persimmon tree, on Raquis Swamp; thence along the swamp and prairie, main course north 57° west 2040 poles, to a hickory on the east side of Falling Run or Deep Creek, and down the various courses of said run to Roanoke River; then down the river to the first station.

II. And be it further enacted That the title so to be sold by said commissioners shall be understood to extend only to the reversion of the State in said lands after the expiration of the leases from the Indians under which they are now held; and that immediately after the ratification of this act, and notice thereof to the commissioners, it shall be their duty to proceed forthwith to advertise in the newspaper most convenient to the premises, and also at five of the most public places in the counties of Bertie, Halifax and Martin, including the court houses in said counties, that a sale of said land, according to the provisions of this act, will take place on Tuesday of the ensuing March term of the
Superior Court of Bertie county, that is, on the 17th day of March next; and it shall be the duty of the said commissioners to attend at the aforesaid time and place, and offer, in the court house yard, at public sale, to the highest bidder, the said lands, according to advertisement, subject however to the leases, as aforesaid; and the commissioners shall have power to continue or post pone the sale from day to day until the end of that week; and should they, by unavoidable accident or otherwise, be prevented from selling all or any part of said lands during the said week it shall be their duty to advertise in like manner, for two months next preceding the following September term of Bertie Court, and to sell at said term, as is heretofore directed, at March term; and said commissioners shall be empowered to put up said lands in such parcels as they may deem most advantageous for selling; and that they shall give the purchasers a credit of twelve months on one half the purchase money, and a credit of twenty four months on the other half: Provided always, that the purchaser shall deliver to the commissioners bonds, with good and sufficient security for the same, payable to the Governor of the State.

Proviso.

That the said lands shall be sold in the manner before prescribed, and that the public Treasurer of the State shall receive the money therefrom and keep the same for the use of the State, to be disposed of by the commissioners, subject to the order of the Legislature; and that the same shall bear interest at the rate of six per cent. per annum from the date of their receipt; and that the said commissioners shall make or cause to be made the necessary entries in the public records of the State, and that the State shall have a lien on the same for the payment of all such debts and charges as may be unknown or unmaintained: Provided always, that the said commissioners shall hold said lands for the use of the State, and that the same shall be sold for the purpose of raising money for the State, and that the said commissioners shall have power to pay all necessary expenses in carrying on the sale, and that the same shall be sold in such manner as the said commissioners shall think proper.

Compensation to Com'rs.

Provided, That the commissioners shall be allowed each the sum of three dollars for every day they shall necessarily be employed in examining said lands, or in attending to the sale of the same, to be paid out of the funds arising from the same.
CHAPTER XX.

An act to amend an act, passed in the year one thousand eight hundred and twenty-five, entitled an act to amend the several acts of Assembly, passed to extend and improve the State road from Wilkesborough to the foot of Laurel Hill, by the way of Holman's Ford, in the county of Wilkes, and for other purposes; also to amend an act, passed in the year one thousand eight hundred and twenty-six, entitled an act to amend the several acts of the General Assembly now in force relative to the public roads in the county of Wilkes.

Whereas some of the commissioners appointed by the above Preamble, recited acts are dead, and others refuse to act: for remedy whereof,

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 Colonel William Horton and Big John Martin, be, and they are hereby appointed commissioners, in addition to those already appointed by the above recited acts, with all the powers and authorities of those heretofore appointed by the several acts heretofore passed for regulating the said roads:

II. Be it further enacted, That this act shall be in force from and after the passage thereof.

III. Be it further enacted, That nothing herein shall be construed to extend to affect in any manner any suit or suits which may have been already commenced under the before recited acts.

CHAPTER XXI.

An act concerning certain lands purchased at the sales of the commissioners in Haywood county.

Whereas suits have been brought, and are now pending in the Federal Court, against sundry persons, who were purchasers of lands in Haywood county at the sales of the commissioners appointed to conduct said sales: Therefore,

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 Governor be, and he is hereby authorised, and it shall be his duty to employ suitable counsel to appear in behalf of such purchaser or purchasers as now are or hereafter may be sued for any lands purchased at the sales of the commissioners aforesaid, and defend the title conveyed by the State.

CHAPTER XXII.

An act to alter and amend the act of one thousand eight hundred and nineteen, entitled an act prescribing the mode of surveying and selling the lands lately acquired by treaty from the Cherokee Indians.

Whereas by the said act it is directed, that upon proof of the payment of the purchase money made to the Secretary of State by the Treasurer's receipts, it is made the duty of the Secretary of State to issue a grant to the purchaser; and in many instances, from the lapse of time between the first and last payment, the receipts that are given by the Treasurer have been lost or mislaid: for remedy whereof,
Provides for purchasers who may have lost their receipts.

CHAPTER XXIII.

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 whenever any of the purchasers of the Cherokee lands shall have lost, or mislaid the receipt or receipts that shall have been given by the Treasurer, if it shall appear from the books of the Treasury Office that the whole amount due from any purchaser has been paid, the Treasurer shall make out a certificate of such payment, and upon the same being filed with the Secretary of State, together with the other certificates, as prescribed by the said act, the Secretary of State shall issue a grant to such purchaser, in the same manner as directed by said act.

CHAPTER XXIV.

An act to determine how surveys of land shall be made, to enable surveyors to obtain grants from the State, and to confirm grants heretofore made to surveyors and deputy surveyors in certain cases.

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 hereafter when a county surveyor shall wish to have lands surveyed in the county, where he acts as principal surveyor, for the purpose of obtaining a grant to the use of himself from the State for the same, the County Court of said county shall appoint some person to make the survey, and the entry taker of lands shall direct his warrant of survey to the person by name authorised by this act to survey; and all surveys, certificates and plats of the same, done in pursuance of this act, shall be made under the same regulations as prescribe the duty of the county surveyor in similar cases; and no other survey than is hereby authorised shall be necessary to enable county surveyors to obtain a grant of land from the State.

II. And be it further enacted, That grants of land heretofore made by the State to surveyors and deputy surveyors upon surveys, plats and certificates of the same made by them for themselves respectively, without other illegality, and without fraud and without partiality, the certificates in all cases being signed by the principal surveyor, are hereby confirmed and declared to be good and valid; any law to the contrary notwithstanding.

CHAPTER XXV.

Depositions of certain officers to be taken in certain cases.

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 from and after the passing of this act, where either party in a suit, in any court of record, except in criminal cases, shall require the testimony of the Governor, the Secretary of State, the Treasurer, the Comptroller, or any Judge of the Supreme or Superior Courts, or of the Attorney General, or any of the Solicitors of this State, in the trial of said suit, it shall and may be lawful for the court to authorise the taking of such testimony by depositions, to be read in evidence in said suit.

II. And be it further enacted, That where depositions are or may be taken in any suit at law, it shall be lawful for the court
to direct the clerk to pass upon such deposition, under the same rules, regulations and restrictions as are observed by clerks and masters in chancery, in passing upon depositions to be read in courts of chancery.

CHAPTER XXV.
An act to regulate costs in petitions for dower and partition.

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 from and after the passage of this act, in all petitions for dower and partition, hereafter brought, the Court before whom the same may be tried may at their discretion decree by whom, and in what manner the cost accrued thereon shall be paid.

II. And be it further enacted, That it shall not be lawful for the Clerk of any County Court to tax in the bill of costs on any petition for dower a larger attorney's fee than four dollars.

CHAPTER XXVI.
An act for the inspection of Steam Mill Timber.

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 hereafter all steam mill timber, showing heart one half of the length, shall be merchantable, and it shall be inspected by the wharf inspectors; and that no inspectors having a stated salary from the proprietors of the steam mills shall inspect any timber brought to said steam mills, unless by the consent of the seller, under a penalty of fifty dollars, one half to the use of the informer, and the other half to the use of the county.

CHAPTER XXVII.
An act to amend an act, passed in the year one thousand eight hundred and twenty three, chapter one thousand two hundred and thirty-five, entitled an act to amend an act passed in the year one thousand eight hundred and nineteen, to create a fund for Internal Improvement, and to establish a board for the government thereof.

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 so much of the second section of the above recited act, as authorises the Board of Internal Improvement to employ a civil engineer, be, and the same is hereby repealed.

CHAPTER XXVIII.
An act concerning the action of replevin.

Whereas slaves are frequently seduced from the possession of their owners, under a pretense of right by persons who are insolvent, and intend to convey the same beyond the jurisdiction of the Courts of this State, whereby great injury is produced to the bona fide holder of slaves; and whereas the writ of sequestration issuing from Courts of Equity in such cases, is a tedious, expensive, and frequently ineffectual remedy;

Be it therefore enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That from and after the passage of this act, writs of replevin for slav
slaves to be sustainable. slaves, shall be held and deemed to be sustainable, against persons in possession of such slaves in all cases, where actions of detinue or trover are now proper: Provided, that the plaintiff his or her agent or attorney, in such action of replevin, shall make oath before the clerk issuing such writ, that he or she has been in the lawful possession of such slave, within two years next preceding the issuing of said writ, and that he or she has been deprived of such possession, without his or her permission or consent.

II. Be it further enacted, That whenever any person shall hereafter apply to any Clerk of any Court in this State to obtain a writ of replevin for any slave, it shall be the duty of such Clerk before he issues the same, to take an affidavit from the plaintiff in such writ, or from his or her agent or attorney of the value of such slave; and also to take a bond with approved security, in double the alleged value of such slave, payable to the defendant, and conditioned to perform the final judgment on such writ.

III. Be it further enacted, That in issuing writs of replevin the clerk shall, as nearly as may be convenient, describe every slave therein demanded, and shall annex to such description a value, which shall be equal to double the sworn value of such slave.

IV. Be it further enacted, That the Sheriff, to whose hands any writ of replevin for any slave or slaves shall hereafter come shall forthwith take into his custody all such slaves, and deliver them to the plaintiff in such writ, or his or her agent or attorney: Provided always that if the defendant in such writ shall execute and deliver to the Sheriff a bond with approved security, in double the amount of the sworn value of the slave or slaves described in said writ, payable to the plaintiff therein, with a condition to perform the final judgment, which shall be rendered thereon, it shall not be lawful for said sheriff to take such slaves from his or her possession; but he shall return the bond so given, with the writ, to the Court from which it issued.

V. Be it further enacted, That if upon the trial of such action, the plaintiff or plaintiffs shall recover final judgment shall be rendered against the defendant and his security, in case he shall have given a bond as required by the fourth section of this act, for such value as shall be assessed by the jury upon such slave or slaves, with a condition to be discharged by the surrender of such slave or slaves demanded by the writ, and the payment of such damages, as may have been assessed by the jury, for the taking and detention of such slaves, which damages for the taking and detention of such slaves, shall be assessed by the jury, at double the real value.

VI. Be it further enacted, That in case the slave demanded in any writ of replevin, shall have been taken by the sheriff and delivered to the plaintiff in such writ, agreeably to the fourth section of this act, then if the plaintiff recovers in such action, he shall recover judgment for his costs, and double the real damage sustained by the taking and detention of such slave or slaves: but if the plaintiff in such action shall fail to recover, and a verdict be rendered, establishing the property to be in the defendant, it shall be recovered.
be the duty of the court rendering judgment thereon, forthwith to direct an issue to be tried, in which the damages the defendant has sustained from being deprived of his property shall be ascer-
tained, and judgment shall be rendered against the plaintiff and his securities for the amount of the bond given by them, agreea-
ably to the second section of this act, with a condition to be dis-
charged upon payment of the amount of damages thus assessed, and all costs, for which the defendant is entitled to judgment.

CHAPTER XXIX.

An act to authorise the Board for Internal Improvements to have a road made from Ebenezer Pettigrew's Canal to Cahoon's Lake, in Tyrrell county.

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 Board for Internal Improvements be, and they are hereby authorised and empowered to cause a survey to be made for a road in the most direct and convenient way from Ebenezer Pettigrew's Canal to Cahoon's Lake, in Tyrrell county.

II. Be it further enacted, That as soon as said survey shall have been made, and Ebenezer Pettigrew and Thomas Dunbar for contract shall have made a good road, at least fourteen feet wide, with a ditch six feet wide and four feet deep, through their own land, and shall have given the Governor for the time being due notice thereof, then and in that case the Board for Internal Improvements shall contract with one or more persons or persons to make a road and ditch, of the same dimensions, connecting the roads made by Pettigrew and Dunbar; Provided nevertheless, that the expense of making said road through the lands owned by the State shall not exceed the sum of one thousand five hundred dollars: Provided nevertheless, that if hereafter it shall appear that the land through which the road and canal is proposed to go, which is now supposed to belong to the State, should hereafter be claimed and recovered by any person or persons, such person or persons shall pay the cost of cutting the road and canal through so much of the land as may be claimed or recovered as aforesaid.

CHAPTER XXX.

An act to ratify and confirm the sale of the land and negroes conveyed to the Go-
vornor for the use of the State, as made by Joseph Pickett, James F. Taylor and William Robards, commissioners on behalf of the State.

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 sale of the several tracts of land, houses and lots in the city of Raleigh, and negroes, conveyed by the representatives and devisees of the late John Haywood, Esquire, as made by the commissioners, Joseph Pickett, James F. Taylor and William Robards, or by a majority of them, be, and the same are hereby ratified and confirmed, except the purchase made by James F. Taylor for a piece of land, which is not confirmed; and the title made by them, or a majority of them, to the negroes stated to have been sold, be, and they are hereby declared to be good and Of title valid to the purchasers; and that the Governor be authorised to
execute titles to the purchasers of such tracts of land, as have not already titles made to them, as shall appear from the said report, with the exception herein before made.

II. Be it further enacted, That the Comptroller of the State shall raise an account against such of the purchasers as stated in the report of the surviving commissioners; and whenever the purchasers, or either of them, are prepared to make a payment, he shall report the amount due, to the Public Treasurer; upon which he shall receive the same, by giving duplicate receipts as are now directed by law.

III. Be it further enacted, That the Public Treasurer is hereby authorised and empowered to sell the different tracts of land, houses and lots purchased for the use of the State at the sale of the property of the late Public Treasurer, John Haywood, either at public or private sale, on a credit of one, two and three years: Provided, that in no case is he authorised to sell for a less sum than the prices at which said lands were originally valued by the said commissioners; and that in case a sale of the land or houses and lots shall be made, the Governor is hereby authorised to make titles on behalf of the State, upon the sale being reported to him by the Public Treasurer: Provided nevertheless, that the Governor shall make no deed until the purchaser fully pays up for said lands or lots.

IV. Be it further enacted, That the Public Treasurer is directed to superintend the interest of the State in the several tracts of land and houses and lots; and it is made his duty to prosecute any person who may commit a trespass, by cutting timber and taking the same away from the public lands so acquired as aforesaid, by indictment; and any person convicted of the same, shall be fined not less than one hundred dollars; and this act shall be in force from and after the passing thereof.

CHAPTER XXXI.

An act to provide for the protection of the Arsenal and safe keeping of the public arms, and for other purposes.

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 Beverly Daniel, Adjutant General of this State, be, and he is hereby authorised and empowered to contract for the fixing and well securing the windows in the State Arsenal, with the lowest bidder, so as not to exceed the sum of two hundred dollars, with good and sufficient grates; and he is hereby authorised to draw upon the Public Treasurer for the necessary sum, not exceeding two hundred dollars, for the purposes above; and the aforesaid Public Treasurer is hereby required to advance the same, for which he shall be allowed in the settlement of his public accounts.

II. And be it further enacted, That so soon as the windows shall be secured with grates as above, the said Adjutant General of this State be and he is hereby authorised and required to proceed to the calling in and removing the public arms to this place, in such proportion, and with such reservations to the towns and companies, as his excellency the Governor of this State may de-
rect; and for the purposes of meeting all expenses which may be necessary in removing the arms to this place, his excellency the Governor of this State is hereby authorised to draw upon the Public Treasurer for such sums as he may deem sufficient for the above purposes, and the Treasurer be allowed as in the first section of this act.

III. And be it further enacted, That when the arms shall be removed to the Arsenal, according to the provisions of this act, the Adjutant General as aforesaid shall appoint some suitable person as a keeper of the arms, who shall be allowed a reasonable compensation for his services, not, however, exceeding the sum of sixty dollars per annum, to be drawn and allowed as in the second section of this act.

CHAPTER XXXII.

An act to amend an act, entitled "an act to prohibit trading with slaves, except in the manner therein prescribed," passed in the year one thousand eight hundred and twenty-six,

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 IF ANY WHITE PERSON OR PERSONS SHALL HEREAFTER SELL, BARTER ARTICLES WITH, OR DELIVER TO ANY SLAVE OR SLAVES, ANY FIRE-ARMS, POWDER OR HIBBITED SHOT, OR LEAD, EXCEPT IT BE FOR THE OWNER OR EMPLOYER OF SUCH SLAVE OR SLAVES, OR BY THE ORDER OF THE OWNER OR PERSON HAVING THE MANAGEMENT OF THE SAME, EVERY PERSON SO OFFENDING, SHALL, FOR EACH OFFENCE, FORFEIT AND PAY THE SUM OF ONE HUNDRED DOLLARS, TO BE RECOVERED BY Warrant, Before Any Justice of the Peace, by the party suing for the same; AND SHALL MOREOVER BE LIABLE TO INDICTMENT, FOR EACH OFFENCE, IN THE COUNTY OR SUPERIOR COURTS OF LAW, AND, ON CONVICTION, SHALL BE FINE OR IMPRISONED AT THE DISCRETION OF THE COURT, THE FINE NOT TO EXCEED FIFTY DOLLARS, AND THE IMPRISONMENT THREE MONTHS.

II. And be it further enacted, That if any free negro or mulatto shall hereafter sell, barter with or deliver to any slave or slaves, prohibited articles, such as fire-arms, powder or shot, or lead, except by the order of the owner or manager of such slave, he or she may be prosecuted by indictment in the County or Superior Court, and, on conviction, shall receive not exceeding thirty-nine lashes on his or her bare back.

III. And be it further enacted, That if either of the parties being dissatisfied with the judgment of the justice, or verdict of the jury, may pray an appeal therefrom as in other cases: Provided, Provided, that no suit or indictment shall be prosecuted for any violation of this act, unless such suit or indictment be commenced within twelve months after such violation.

IV. And be it further enacted, That this act shall not take effect until after the first day of May next.

CHAPTER XXXIII.

An act to provide for the removal of the obstruction to the passage of masted vessels from the Dismal Swamp Canal to Albemarle Sound.

WHEREAS complaint has been made to this General Assembly, that a bridge erected across Pasquotank river by the counties of
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Camden and Pasquotank, obstructs the passage of masted vessels from the Dismal Swamp Canal to the waters of Roanoke and the other rivers flowing into Albemarle Sound; and whereas, in the compact entered into with the State of Virginia, the State of North Carolina pledged its faith and honor that the waters of Roanoke river, Meherrin, Nottoway, Chowan, Albemarle Sound as low as the mouth of Pasquotank river, and of the Pasquotank from the mouth thereof to the said canal, should be forever considered a common highway, free for the use and navigation of all vessels belonging to the State of Virginia or any of its citizens; and whereas it is represented to this General Assembly that the said counties have been at considerable expense in erecting said bridge, and that a draw might be fixed therein so as to permit the passage of vessels having masts; and inasmuch as the making of such draw, or otherwise altering the construction of said bridge, so as to permit the passage of masted vessels, would be for the public benefit, it is just and proper that the State should contribute toward the expense thereof:

Be it therefore enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That Willie M'Pherson, George Ferree and Joseph Dozier, of Camden county, and William S. Hinton and Noah Sawyer, of Pasquotank, be, and they are hereby appointed commissioners, whose duty it shall be to examine said bridge; and if, in their opinion, a draw can be fixed therein, so as not to obstruct the passage of vessels with masts, they, or a majority of them, may cause the same to be done, in the best and most economical manner, by contract or otherwise; and when completed, the said commissioners, upon obtaining a certificate from the President of the Dismal Swamp Canal Company that the said bridge is so fixed as not to obstruct the passage of masted vessels, steam boats or other vessels, are hereby authorised to demand of and receive from the public Treasurer the sum necessary to pay for such draw, or other alteration in said bridge, provided the same shall not exceed the sum of two hundred and fifty dollars; and the Public Treasurer is hereby authorised and directed to pay the same, on presentation of the certificate from the president aforesaid.

II. And be it further enacted, That the said counties of Pasquotank and Camden shall ever hereafter, so long as they may keep the bridge across Pasquotank river as aforesaid, keep a good and sufficient draw in said bridge, so as not to obstruct the passage of any vessel, with or without mast, in passing to or from said canal, at the proper cost and charges of the counties aforesaid.

III. And be it further enacted, That if the said commissioners shall fail to have a draw fixed in said bridge, or to have it so altered as to permit vessels to pass with masts by the time the said canal shall be ready to admit of the passage of steam boats or vessels with masts, then and in that case it shall be the duty of the sheriff of each of the counties of Pasquotank and Camden, or either of them, and they, or either of them, are hereby required to summon a sufficient force, and without delay to remove so
much of said bridge as may obstruct the passage of any vessel as aforesaid, whenever the President of the Dismal Swamp Canal Company shall require; and if the said sheriff, or either of them, shall neglect or refuse to remove said bridge as aforesaid, when required as aforesaid, they, or either of them, so neglecting or refusing, may be prosecuted by said president, in his own name, for such neglect or refusal in any court having competent jurisdiction, and, on conviction, shall be fined in a sum not exceeding five hundred dollars, to the use of the State.

IV. And be it further enacted. That if at any time hereafter, Bridge, if the said draw shall not be kept in good and sufficient repair for keeping in repair, the purposes aforesaid, it shall be the duty of the sheriffs of said to be removed counties, on complaint of the President of the Dismal Swamp Canal Company, to remove said bridge, under the penalty contained in this act.

V. And be it further enacted. That the Governor of the State be requested to transmit a copy of this act to the President of the Dismal Swamp Canal Company, and a copy to each of the sheriffs of Pasquotank and Camden counties, as soon as can be conveniently done after the ratification hereof.

VI. And be it further enacted. That this act shall be in force When to take and after the passage thereof.

CHAPTER XXXIV.

An act more effectually to enforce the payment of taxes from free negroes and mulattoes in certain cases.

Whereas many free negroes and mulattoes living on other premises, persons do frequently neglect to pay their taxes, and from the small value of their chattels, and from other causes, it has been found impracticable to enforce the collection thereof; for remedy whereof,

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, hereafter, when any free negro or mulatto, liable to pay a public tax, shall reside on the land of another person, with his or her consent, the person on whose land such free negro or mulatto may reside, shall include each and every such free negro or of taxable, mulatto, as a free pall, in his or her list of taxable property, and be liable to pay all public, county and parish taxes on every such free negro or mulatto.

II. And be it further enacted. That if any person, on whose land any such free negro or mulatto may reside, shall neglect or refusing to refuse to give in every such free negro or mulatto in his or her list of taxable property as aforesaid, he or she so neglecting or refusing, shall be liable to all the penalties to which by law he or she would be liable for neglecting or refusing to give in a list of his or her taxable property; and it shall be the duty of the sheriff or other officer to collect from every such person so neglecting or refusing, the full amount of taxes due for every such free negro or mulatto, including the full amount of the penalties aforesaid; Provided, that nothing herein contained shall be so construed to prevent the person, on whose land such free negro or mulatto
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may reside, from recovering from such free negro or mulatto the amount of taxes so paid for such free negro or mulatto.

CHAPTER XXXV.

An act authorising the Court of Equity to grant administration in certain cases.

*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 when any person has died, or shall hereafter die intestate, having mortgaged personal estate, and no administration has been or shall be taken out from the period of the decease of such person intestate as aforesaid, and in that case the Court of Equity for the county in which the mortgagee resides, shall and may have authority to appoint some proper person a special administrator of such intestate, to the end that such mortgage may be foreclosed, or a decree obtained for the sale thereof.

CHAPTER XXXVI.

An act to appropriate eight thousand nine hundred and twenty dollars for improving the navigation of Cape Fear river below Wilmington.

*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 sum of eight thousand nine hundred and twenty dollars be, and the same is hereby appropriated, out of the fund for Internal improvements, for the purpose of improving the navigation of Cape Fear river below Wilmington.

CHAPTER XXXVII.

An act in aid of the Clubfoot and Harlow's Creek Canal Company.

*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 to enable the Clubfoot and Harlow's Creek Canal Company to make another lock on said canal, at the head of Clubfoot Creek, and to complete the same, and improving the canal, the Treasurer of the State be authorised and directed in behalf of the State, to loan to the Clubfoot and Harlow's Creek Canal Company, the sum of six thousand dollars, upon the same terms, and under the same regulations and restrictions as the loan heretofore made to said company, by virtue of the provisions of an act, passed in the year one thousand eight hundred and twenty six, entitled "an act to aid the Clubfoot and Harlow Creek Canal Company, in the completion of their canal."

CHAPTER XXXVIII.

An act for revising, digesting and amending the laws relating to executors and administrators.

*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 Governor of this State be, and he is hereby authorised and empowered to appoint two persons of competent skill and ability in the law, as commissioners, to revise, digest, alter and amend all the statute and common law in force in this State, relating to executors and administrators; and also to revise, di
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An act to code the United States an island of marsh, for the purpose of erecting thereon a light house.

Whereas the United States in Congress assembled, at their last session, passed an act authorising the erection of a light house on the south side of the Roanoke Marshes, and the collector for the port of Edenton having selected one of the islands of marsh belonging to the State, called Jackson’s Island, for that purpose;

Be it therefore enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That all that piece or parcel of marsh, called Jackson Island, lying and being in the county of Currituck, on the south side of the Roanoke Marshes, containing by estimation thirty acres, be ceded to the United States of America; and the said United States shall and may have and exercise exclusive jurisdiction over the said island of marsh, so long as they shall choose to hold and occupy it, for the purposes specified. Provided, that nothing herein contained shall be construed to prevent the proper officers of this State from executing any process, civil or criminal, within the limits of said island.

CHAPTER XL.

An act to provide for the repairing of the State House and railing round the Public Square.

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 Secretary, Treasurer and Comptroller be authorised and required to contract for, and superintend the necessary repairs of the Capitol and the railing which encloses the Public Square, the work.
so that the expenditures for said purposes do not exceed two hundred and thirty dollars; and that the Treasurer pay the cost of said repairs out of the monies in the Public Treasury, not exceeding the sum aforesaid, upon the certificate of the Secretary, Treasurer and Comptroller: Provided nevertheless, that no gate shall be erected, through which any house or carriage can pass into the enclosure around the Public Square.

CHAPTER XLI.

An act to amend an act, passed in the year one thousand eight hundred and twenty-three, entitled "an act to amend and extend the provisions of an act, entitled "an act to promote agriculture and family domestic manufactures in this State."

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted, in the authority of the same, That each clerk of the several courts in this State, who is bound by the provisions of the before recited act, to make a return to the Public Treasurer on oath of all monies remaining in his hands, and which were received by him officially three years or more previous thereto, shall post up in the court house of his county, at least six months before he is by the provisions of this act bound to make his return, a list of such monies, with the amount of each claim, and the name of the person to whom it is payable, that the honest claimant may have an opportunity of applying for the same before it is paid into the public Treasury.

II. And be it further enacted, That any clerk, who shall fail to comply with the provisions of this act, shall forfeit and pay the sum of twenty dollars, to be recovered before any justice of the peace for his county; one half to the use of the person suing for the same, and the other half to the use of said county.

CHAPTER XLII.

An act to amend an act, entitled an act to amend the acts respecting lands sold for taxes, passed in the year one thousand eight hundred and nineteen, chapter one thousand and six, of the revised laws.

Whereas the duties of the Sheriff and Clerk of the County Court, in the act of which this is amendatory, are not enjoined by any penalty:

Be it therefore enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That every Clerk or Sheriff who shall omit to perform the several duties enjoined by the act aforesaid, shall forfeit and pay the sum of one hundred dollars, to be recovered by any person suing for the same, in an action of debt; and shall be liable in an action on the case for such further damages as may be sustained by the owner of the lands in consequence of such irregular sale.

CHAPTER XLIII.

An act explanatory of an act, entitled an act relating to bonds given by Sheriff's and Clerks of the Superior Court and Court of Pleas and Quarter Sessions, passed in the year one thousand eight hundred and ten.

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 all suits on bonds of Clerks and Masters in Equity, if the right of action has already accrued, shall be commenced and prosecuted within three years after the passage of this act, and not afterwards; and all suits, when the right of action shall accrue hereafter, shall be commenced and prosecuted within six years after the right of action shall have accrued, and not afterwards; saving nevertheless, the right of infants, feme coverts, and persons non compos mentis, so that they sue within three years after their disabilities are removed.

CHAPTER XLIV.

An act in addition to the acts respecting Divorce and Alimony.

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 Superior Courts of Law shall have jurisdiction of all applications for alimony, as well as of those for divorce or for divorce and alimony.

II. And be it further enacted, That whenever a case shall be established, which may entitle a woman to claim a divorce from bed and board, or an allowance of alimony, it shall be lawful for the Court to decree alimony only, if no more be demanded, to continue so long as the justice of the case may require.

III. And be it further enacted, That whenever a man shall become an habitual drunkard or spendthrift, wasting his substance to the impoverishment of his family, in every such case it shall be lawful for his wife to claim, and for the court to decree alimony as aforesaid: Provided, that nothing herein contained shall exempt any property, which he may then possess, from the payment of all just claims against him up to the period when alimony shall be granted.

IV. And be it further enacted, That the effect of every such decree shall be to secure to the wife any property which she may subsequently acquire, either by her own labour, gift, devise or operation of law, unless the court, in its judgment, shall otherwise order and decree.

V. And be it further enacted, That the mode of proceeding under this act shall be the same as is directed to be observed in applications for divorce.

CHAPTER XLV.

An act to repeal in part the third section of an act, passed in the year one thousand eight hundred and six, entitled an act to revise the militia laws of this State relative to the Infantry; and to repeal the ninth and tenth of an act, passed in the year one thousand eight hundred and thirteen, entitled an act to amend the militia laws of this State.

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 so much of the third section of an act to revise the militia laws of this State relative to Infantry as inflicts the penalty of two shillings and six pence upon every person subject to militia duty for failing to have a pouch and powder horn on the days of musters, be, and the same is hereby repealed.
II. And be it further enacted, That the ninth and tenth sections of an act, passed in the year one thousand eight hundred and thirteen, entitled an act to amend the militia laws of this State, be, and the same are hereby repealed: Provided however, that the above recited act shall not be so applied or construed as to affect or prevent the colonels from drilling their officers on the day previous to general or regimental musters in their respective regiments.

CHAPTER XLVII.

An act to validate all grants issued by the Secretary of State on surveys made and signed only by deputy surveyors previous to the year one thousand eight hundred and twenty.

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 all grants issued by the Secretary of State previous to the year one thousand eight hundred and twenty, on surveys made fairly and without fraud, and signed by deputy surveyors only, be, and the same are hereby validated and declared good and effectual to pass all the right of the State in and to said lands in as full and ample a manner as if such returns had been made by the surveyors of the respective counties: Provided nevertheless, that nothing herein contained shall affect any entries made, or grants obtained on legal returns for such lands previous to the passage of this act; any law, usage or custom to the contrary notwithstanding.

CHAPTER XLVIII.

An act for the relief of sundry purchasers of Cherokee lands.

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 Public Treasurer be, and he is hereby authorised to suspend the collection of the bonds given for the purchases of the lands called the Cherokee lands, which were sold by the State, until the meeting of the next General Assembly, and immediately thereafter to commence suit upon all bonds when the obligors shall not have paid on or before that day one eighth part of the
principal and interest due upon said bonds respectively: Provided, that nothing herein contained shall be construed to extend to any of the obligors, whose securities may request that suits should be brought.

Read three times and ratified in General Assembly, this 10th day of January, 1829.

T. SETTLE, S. H. C.
J. SPEIGHT, S. S.

A true copy.

WM. HILL, Secretary.
PRIVATE ACTS.

CHAPTER XLIX.
An act to authorize the commissioners of navigation of the port of Wilmington to regulate quarantine in said port.

Whereas, from defects in the existing laws regulating quarantine, great inconvenience is frequently felt by the inhabitants of said port:

Be it therefore enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the commissioners of navigation of the port of Wilmington, from and after the passage of this act, shall have full power and authority to enact such bye laws (not inconsistent with the Constitution and laws of the United States and of this State) for the better regulation of the quarantine to be performed by vessels arriving from ports, which may be infected, or suspected, with any contagious disease; and for the purpose of preventing all intercourse between such vessels and persons on shore, as to them may seem meet and proper, and to enforce obedience to such bye laws, by imposing such penalties as they may think fit.

II. Be it further enacted, That all penalties, which may be incurred by virtue of any bye law which said commissioners of navigation may hereafter enact, shall be sued for and recovered, in the names of said commissioners, in any court having cognizance thereof; one half to the use of the informer, the other half to the use of said commissioners, and to be by them applied to the use and benefit of the navigation of said port of Wilmington.

CHAPTER L.
An act to erect that section of country commonly called the Cherokee Purchase into a separate county.

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 all that part of Haywood county bounded as follows, (viz.) beginning on the Tennessee line, on the extreme height of the Great Smoky Mountain; thence along the main summit of a ridge that divides the waters of the Oconaluftee River from those of Deep Creek, to the head waters of Newton's Mill Creek; thence down the said creek to the Tuckaseeega River; thence up the main channel of the river to the first main fork above the mouth of the Cany Fork of said river; thence along the ridge dividing the forks of said river to the top of the main Blue Ridge, which divides the eastern from the western waters; thence eastwardly along the various courses of the said Blue Ridge to the South Carolina line; thence with the said line to Ellicott's Rock on the east bank of Chat-touga River; thence with the line dividing this State from Georgia to the line of Tennessee; thence along with the Tennessee line to the extreme height of the Great Smoky Mountain, the point of beginning, be, and the same is hereby erected into a separate and distinct county, by the name of Macon, with all the rights, privileges and immunities of the other counties of this State.

II. And be it further enacted, That all lands within the county hereby created, which have been, or may be purchased from the State, but not granted, shall be deemed, liable to taxation in the same manner as lands entered, but not granted, are by the laws of the State.
CHAPTER LI.

An act supplemental to the act creating the county of Macon.

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 first County Court of Macon shall be held at some suitable place in the town of Franklin on the Monday before the last Monday in March, June, September and December; and, for the purpose of organizing the first court, it shall be lawful for any justice of the peace of the county of Haywood to administer the oaths prescribed by law to such persons as may be appointed at the present session of the General Assembly justices of the peace for the county of Macon.

II. Be it further enacted, That the County Court of Macon shall have exclusive original jurisdiction of all offences below the grade of felony which may hereafter be committed in said county.

III. Be it further enacted, That all suits between citizens of Macon in the Courts of Pleas and Quarter Sessions of Haywood county, and all indictments wherein citizens of Macon are defendants, shall be transmitted by the Clerk of Haywood to the Clerk of Macon, in the same manner as suits are now sent from one county to another.

IV. Be it further enacted, That all causes, civil and criminal, arising in the county of Macon, of which by the laws of this State the Superior Courts have original jurisdiction, and all appeals from the County Court of Macon, may and shall come within the jurisdiction of Haywood Superior Court.

V. Be it further enacted, That the justices of the peace of the county of Macon, at the first court directed to be held under this act, shall proceed to the appointment of a Clerk, Sheriff and other county officers, with the exception of entry taker, in the same manner and under the same rules as are prescribed by law for other counties in this State.

VI. Be it further enacted, That it shall be the duty of said Court, at its first session, to lay a tax not less than fifty cents on the poll, and twelve and a half cents on the hundred dollars value of lands, for the purpose of providing a fund to build a court house and jail in said county.

VII. And be it further enacted, That until a jail shall be built in said county, all persons subject to imprisonment therein may and shall be committed to the jail of Haywood county, at the expense nevertheless of the county of Macon.

VIII. And be it further enacted, The County Courts of Haywood, at the summer and winter sessions, shall be held on the last Mondays in June and December, and Buncombe County Court at the summer sessions on the first Monday of July, in each and every year.

IX. And be it further enacted, That all the militia officers within the bounds of said county of Macon shall continue to exercise the same authority as they have heretofore done in the county of Haywood, and shall be subject to the same penalties as like officers in other counties.

CHAPTER LII.

An act to regulate the finances of Craven county.

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 clerk of the Court of Pleas and Quarter Sessions of the county of Craven shall pro-
cure a blank book, at the expense of the county, in which he shall register all claims now existing against said county. He shall have a column on the right hand of each page, to place the number and time of registration of each claim, and on the left hand of each page two columns; in the first of which he shall place, in figures, the amount of the claim so registered; and the one nearest the margin shall be left blank, for the purpose, when each claim is paid, to insert the time of payment, and such other remarks as are required; and in the body of the page, he shall record such claims, now existing against the county, as may be brought to him for registration, numbered, each one, according to the priority of its production and approval.

II. Be it further enacted. That it shall be the duty of the clerk of the Court of Pleas and Quarter Sessions of Craven county, on the seventh day of February, in the year of our Lord one thousand eight hundred and twenty-nine, to advertise, at the door of the court house of the county, and at the several public places in said county, and in the newspapers published in the town of Newbern, a notice to all persons having claims against said county, to produce the certificate of said claim to him, on or after the ninth day of March next, at his office, for registration; and it shall be his duty to hand said certificates to the committee as hereinafter directed to be appointed, for their inspection, and upon their approval, to register each certificate so produced to him; and he shall certify on the back of such certificate that it has been registered, and the time and number of its registration, and the number of the page in which it is registered.

III. Be it further enacted, That the Court of Pleas and Quarter Sessions of Craven county shall, at their first term after the passage of this act, appoint a committee of three justices of the peace to examine all certificates which may be brought to the clerk for registration, to ascertain if they be genuine; and if they shall so determine, said committee shall endorse them as approved, over their proper signatures, and shall hand them over to the clerk for registration; and if said committee shall reject any certificate, the party holding the same may appeal to the Court of Pleas and Quarter Sessions of said county, which court shall decide upon the genuineness of said certificate at its next term, and if it is approved, pass an order for its registration, which order shall be endorsed on said certificate, and the clerk shall register it; and if the certificate be rejected, the clerk shall certify its rejection by order of the court on its face.

IV. Be it further enacted, That each certificate shall be paid by the county trustee, according to its priority of registration, out of the funds set apart for paying the claims now existing against the county.

V. Be it further enacted, That the Court of Pleas and Quarter Sessions of Craven county shall set apart a certain part of the taxes levied for county purposes, for the payment of claims now due by the county.

VI. Be it further enacted, That the clerk of the Court of Pleas and Quarter Sessions of Craven county shall register, in the same manner as prescribed in the first section of this act, in a book to be kept by him for that purpose, all certificates hereafter to be issued, and certify on the back of said certificates in manner directed by the second section of this act.

VII. Be it further enacted, That the Court of Pleas and Quarter Sessions of Craven county shall annually, at the term for the election of county trustee, appoint a committee of three justices of the peace, to examine the accounts of the then county trustee, who shall, after taking an oath in open
court to faithfully discharge their duty, examine his accounts and compare all certificates which he may have taken up, and produce as vouchers, with the register kept by the clerk of the Court of Pleas and Quarter Sessions, and make in the column kept for that purpose, over their proper signatures, the payment, the time when paid, and the time of examination and allowance by them, and shall deface said certificates by writing on the face thereof the word paid, and the date of allowance by them, and sign their names, and then punch said certificates; which certificates, with the report of their examination of the accounts of the county trustee, and his account as examined by them, shall be given to the court, and which, after being acted upon by the court, shall be filed in the office of the clerk of the Court of Pleas and Quarter Sessions.

VIII. be it further enacted, That the county trustee, in the account which he renders to the court or committee, shall mark in words, the number, amount, time when issued, person to whom issued, and time when registered, of every certificate he may have paid, and produce as a voucher; and it shall be the duty of the committee appointed to examine his accounts to reject all charges in said accounts not entered according to the manner herein prescribed.

IX. be it further enacted, That every person appointed on the committee to examine the accounts of the county trustee, refusing to act, unless by sickness or other disability he be prevented from acting, shall forfeit the sum of fifty dollars, to be recovered in the name of the chairman of the Court of Pleas and Quarter Sessions of Craven county, by any person suing for the same, one half to the use of the person so suing, and the other half to the use of the county.

X. And be it further enacted, That this act shall take effect immediately from and after its ratification.

CHAPTER LIII.
An act for the better regulation of the town of Windsor.

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 on the second Monday in January in each and every year, the citizens of Windsor, and the owners of real estate therein, be allowed to vote for and elect a magistrate of police and three commissioners, who shall govern the town in the manner hereinafter mentioned; and if any person so elected shall refuse to serve at that time, or during the year for which he is elected, unless he leaves the town, he shall be subject to a fine of twenty dollars, to be recovered at the suit of any one of the commissioners before any justice of the peace for the county of Bertie: Provided always, that no person shall be eligible as magistrate of police or as commissioner unless he resides in the town of Windsor; and that at least two of the commissioners shall be owners of real estate in said town.

II. be it further enacted, That it shall be the duty of the present commissioners, as also of each subsequent board, to appoint persons to hold the election at the time aforesaid; and the commissioners shall possess the ability to sue and the liability to be sued in their corporate capacity; and it shall be their duty to keep such streets as are in use in good order and free from all obstacles which may obstruct passengers; and they are also authorised by this act to open such streets as they may think expedient for the convenience
of the citizens; and when the commissioners conclude to open any street, or to remove obstructions from the same, it shall be their duty to give the person so obstructing the street thirty days notice in writing; and if the street is not opened in this time, the person so enclosing or obstructing the street shall subject himself to a penalty of twenty dollars, to be recovered by the commissioner before any justice of the peace of the county of Bertie.

III. Be it further enacted, That for the purpose of keeping the streets in good order, the commissioners shall appoint an overseer of the streets for one year, who shall be a citizen of the town, the appointment to be made at their first meeting in January in every year; and if any so appointed shall refuse to serve, he shall forfeit the sum of twenty dollars, to be recovered as before mentioned; if he fail to perform his duty in a satisfactory manner, he shall be subject to such penalties as the commissioners may be compelled to pay for his neglect. The commissioners shall also appoint a clerk at their first meeting in January in every year, who shall not be a member of the board, whose duty it shall be to keep a record of their proceedings, and do whatever else he may be directed to do appertaining to his office; and if any person so appointed shall refuse to act, he shall forfeit the sum of twenty dollars, to be recovered as before mentioned; the commissioners shall also, at the same time, appoint a Treasurer, who shall be a member of their own body, whose duty it shall be to receive all monies, and pay them out to the order of the Magistrate of Police.

IV. And be it further enacted, That the commissioners shall be empowered annually to levy taxes on the real estate and the polls in the town of Windsor; and they shall appoint three assessors annually, whose duty it shall be to value the real estate impartially, and make a list of the same, to be given to the Magistrate of Police. The assessors shall take an oath to do their duty with justice and impartiality, and any person appointed asseessor, who shall refuse or fail to serve as such, shall forfeit and pay the sum of twenty dollars, to be recovered as before mentioned. The commissioners shall give to the citizens thirty days notice upon requiring a list of the taxable polls to be given, and the same notice for collecting the taxes.

V. And be it further enacted, That if any person refuse to give in their polls, or fail to pay their taxes, each one so offending shall be liable to pay the commissioners double the original tax; and the same may be recovered before any justice of the peace for the county of Bertie; and the commissioners on the first Monday in every December, shall compel the Treasurer to make an account of all the receipts and expenditures of the board during the year, and publish it in three different places in the town. The commissioners shall also have power to remove all nuisances by fine, tax or actual removal; but nothing shall be so considered, unless a majority of the citizens so decide; upon any complaint of this kind, it shall be the duty of the magistrate of police to call a meeting of the citizens, and a majority of those present shall be considered a majority of the whole number.

VI. And be it further enacted, That the commissioners shall appoint a town constable, who shall be a citizen of the town, whose duty it shall be to serve all precepts handed to him by any of the commissioners, and whatever else a constable of the county may do in the county he shall be empowered to do in the town; any person so appointed, and refusing to serve, shall forfeit twenty dollars, to be recovered as before mentioned. The commissioners shall also have the power to compel suspected vessels to perform quarantine after
an inspection by a physician appointed by the commissioners; and the magis-
trate of police shall possess the same powers in town that a justice of
the peace does in the county.

VII. And be it further enacted, That every male person in the town be-
tween the ages of sixteen and forty-five, shall be compelled to work on the
streets whenever required to do it by the overseer; if any person refuse to
work himself, or to send his servants, he shall be subject to pay a fine of fifty
cents for each poll, to be recovered as before mentioned; and the commis-
ioners may make any improvements in the town, not inconsistent with individual
rights, which they may think expedient; and they may make proper allow-
ances to the clerk and overseer of the streets for their services; and all forti-
tures, fines and taxes shall be paid into the town Treasury for the benefit of
the town.

VIII. And be it further enacted, that the magistracy of police and commis-
ioners shall be sworn into office by any justice of the peace in the county;
and they shall swear to perform the duties imposed by this act to the best of
their skill and abilities. All persons, sixteen years old, who have been cit-
zens of the town six months previous to the day of the election, shall be en-
titled to vote for the magistracy of police and commissioners: Provided ne-
evertheless, that no person shall be eligible to office unless he is twenty one
years old.

IX. And be it further enacted. That all other acts heretofore passed, regu-
lating the town of Windsor, be, and the same are hereby repealed.

CHAPTER LIV.

An act supplementary to an act, passed the year eighteen hundred and seventy-six, chapter
one hundred and thirty-three, for the better regulation of the town of Greensboro; in Guil-
ford county.

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 commis-
ioners of the town of Greensboro', or a majority of them, be, and they are
hereby authorised and required annually to lay and collect, or cause to be
collected, by some person appointed by them for that purpose, a tax on all
the taxing property and polls within the limits of said town sufficient to pay pa-
trons and other officers by them appointed; and to enable them to make pre-
parations against fire, and for other purposes which may at any time by said
commissioners be found necessary for the protection and better government of
said town.

CHAPTER LV.

An act to explain and amend an act, passed A. D. 1784, for clearing out and opening the navig-
ation of Trent River, in Jones county.

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 County
Court of the county of Jones, a majority of the acting justices being present,
are hereby authorised and empowered if they deem it necessary, to appoint
three commissioners, who a duty it shall be to lay off Trent river, from the
town of Trenton up to the mouth of Tuckahoe creek into districts; and the
said commissioners shall return their proceedings to the ensuing County
Court; for which services said court shall in their discretion, allow them com-
pensation out of the county funds.

II. Be it further enacted, That the Court of Pleas and Quarter Ses-
sions for said county have all the power and authority to select as many hands from off the public roads as they may think proper, within the distance of five miles of said river, to work on said river, and to be placed under overseers; and the court, if they think proper, have all the power and authority to exempt the said hands so ordered to work on said river from working on the public roads, provided a majority of the acting justices be present.

III. Be it further enacted, That the Court shall have full power, at the term to which the proceedings of the commissioners shall be returned, to appoint overseers for said districts respectively, under the same rules and regulations as are now prescribed by law for overseers of roads; and it shall be the duty of said overseers to summon all the hands put under his charge by the court aforesaid to work on said river, at such times and places, within his particular district, as he may deem expedient.

IV. Be it further enacted, That if any person appointed overseer on the aforesaid river shall fail to perform the duty required of him, he shall forfeit and pay the sum of ten dollars, recoverable before any justice of the peace, in the name of the chairman of the court; and in case of such delinquency, said court shall immediately proceed to the appointment of some other in his stead.

V. Be it further enacted, That the overseers respectively shall give at least three days notice to the hands severally assigned to their districts; and in case of neglect or refusal of any person liable to work on said river, or who shall fail to send their hands after said notice, he or she so failing shall forfeit and pay the sum of one dollar for each and every hand, every day they may so fail, recoverable before any justice of the peace, by the overseer who may have summoned said hands.

VI. Be it further enacted, That it shall be the duty of said overseers to cause to be cleared away all the obstructions in, and keep said river open, from time to time, within their respective districts, so that boats, scows and rafts may navigate said river.

VII. Be it further enacted, That if any person shall fell any trees or make any hedges, or in any other manner obstruct said river, they shall forfeit and pay the sum of ten dollars for every such offence, recoverable before any justice of the peace; one half to the use of the informer, and the other half to the uses hereafter prescribed by the provisions of this act; and shall moreover remove said obstructions within thirty days after conviction, under the like penalty for failure; and if any negro slave shall be found guilty of any of the above mentioned offences, and convicted thereof, he shall by order of any justice receive thirty-nine lashes on his bare back, for each and every offence.

VIII. Be it further enacted, That all penalties and forfeitures accruing under the provisions of this act, shall be appropriated to the clearing out of said river, under the direction of the County Court.

CHAPTER LVI.
An act to appoint commissioners on the road from the Watanga, in Ashe county, to the head of John's River, in Burke county.
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 John Mast, Bedant Baud and David Mast, all of the county of Ashe, and Jesse Moore and William Dickson, of the county of Burke, be, and they are hereby appointed commissioners to view and lay off a road from the widow Shull's, on the Watanga
river, in Ashe county, by the most convenient route, to the head of John's river, in Burke county.

II. Be it further enacted, That the aforesaid commissioners, or a majority of them, shall have power and authority to appoint the overseers and hands in their respective counties, whose duty it shall be to open and complete the road laid off according to the direction of the said commissioners; and the overseers and hands shall be subject to the same laws and penalties, for neglecting to work upon and complete said road, as regulate and enforce the duty required from overseers and hands it working upon the public roads of the State.

III. Be it further enacted, That the commissioners hereby appointed, before they proceed to act as such, shall, before some justice of the peace, take an oath for the faithful and impartial discharge of the duties hereby entrusted to them.

CHAPTER LVII.

An act to amend the militia laws of this State, so far as regards the companies of cavalry.

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 hereafter it shall and may be lawful for the counties of Currituck, Camden, Pasquotank and Perquimans to raise one or more corps of volunteer cavalry; and that the said companies shall or may be composed of persons residing in any two or more of said counties, and not be confined as heretofore to one county; and they shall, when raised as aforesaid, be governed by the same rules, regulations and restrictions as are now prescribed by law.

II. And be it further enacted, That for want of field officers of cavalry, to whom said officers should make their returns, that the captains of said company or companies make their returns to the brigadier general in whose brigade they may be; any law, usage or custom to the contrary notwithstanding.

CHAPTER LVIII.

An act to amend an act, entitled "an act to extend and improve the two roads leading from Wilkesboro' to the Tennessee line," passed in the year 1822.

Whereas the commissioners appointed by the above recited act laid off part of said road leading from Wilkesboro' to the river, and it being cut out, the County Court have refused to direct the overseer to keep said road in repair; for remedy whereof,

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 County Court of Wilkes is hereby authorised and required to cause the sheriff to summon a jury, as in all other cases, to view and lay off said road from the town of Wilkesboro' to the Yadkin river, by the way of Wm. W. Wellborn; and when so laid off, shall be deemed the public highway, and the only one, from said town to the river as aforesaid.

II. And be it further enacted, That all laws and clauses of laws, coming within the meaning and purview of this act, be, and the same are hereby repealed.

CHAPTER LIX.

An act to amend an act, entitled an act to establish and regulate a turnpike road in the county of Haywood, to be called the Tennessee River Turnpike Road, passed A. D. 1826, chap. 36.

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 John Hall and Joshua Roberts, be, and they are hereby appointed commissioners of the Tennessee River Turnpike Road, and as such it shall be their duty to receive the road,
provided the same shall be constructed in the manner specified and required
by the before recited act within two years from the present period.

11. Be it further enacted, That the twenty years allowed by the said act
to the Tennessee River Turnpike Company for the reception of tolls,
shall commence at and be computed from the close of the session of this pre-
sent General Assembly.

CHAPTER LX.

An act designating the place where the first regiment of the militia of Davidson county shall
hereafter hold their musters.

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 from and after the
passage of this act, the militia of the first regiment of Davidson county shall
hold their regimental and general musters at the plantation of George Hed-

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dick, sen'r, or at such other place as a majority of the commissioned offi-
cers of said regiment may hereafter designate; any law, usage or custom to
the contrary notwithstanding.

CHAPTER LXI.

An act to repeal an act, passed in one thousand eight hundred and twenty-seven, chapter thirty-
six, entitled an act prescribing the manner in which staves, heading and shingles shall hereafter
be cutted, so far as respects the counties of Perquimans and Hertford.

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 above recited
act be and the same is hereby repealed, so far as respects the counties of
Perquimans and Hertford, and none of the provisions thereof shall hereafter
extend to the said counties of Perquimans and Hertford; any law, usage or
custom to the contrary notwithstanding.

CHAPTER LXII.

An act to amend an act, entitled an act appointing commissioners to erect a building in the
town of Lincoln ton for the accommodation of jurors, passed in the year one thousand eight
hundred and twenty-six.

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 commissioners
named in the above recited act, or a majority of them, shall have full power
and authority to sell and dispose of all or so much of the public lands adjoin-
ing the town of Lincoln ton, as shall be sufficient to enable them to erect said
buildings, or to so alter and a range the court house that suitable rooms may
be prepared for jurors, and the court room more conveniently constructed, if
they, or a majority of them, should deem the same necessary and practicable.

11. And be it further enacted, That the said commissioners are hereby au-
thorised to lay off said public lands into lots, and to sell and convey the same,
at such time and in such way as they, or a majority of them, shall deem most
advisable; and the money arising from said sales, together with the funds here-
fore appropriated by the said act, be, and the same is hereby appropriated for
the purpose aforesaid.

CHAPTER LXIII.

An act to incorporate "The Grand Royal Arch Chapter of North Carolina."

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 officers and mem-
bers which at present are, or hereafter may compose the Grand Royal Arch
Chapter of North Carolina, are hereby constituted and declared to be a body.
corporate and politic, by the name and style of the Grand Royal Arch Chapter of North Carolina; and by that name shall have perpetual succession and a common seal, and may sue and be sued, plead and be pleaded, acquire and hold, alien and transfer property, and pass all such rules, regulations and bye laws as shall not be inconsistent with the constitution and laws of this State.

CHAPTER LXIV.

An act for improving the navigation of creeks and rivers in the county of Sampson, and of Black River so far as it is the dividing line between the counties of Sampson and Cumberland.

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 it shall be the duty of the Court of Pleas and Quarter Sessions of the county of Sampson, when ever application shall be made to them by three or more respectable freeholders of said county, to have any creek or river in said county cleared out for the purpose of being rendered navigable, to appoint three or more commissioners, who are hereby required to lay off said river into convenient districts, not exceeding four miles in depth on each side of said creek, and not extending more than three miles below the point of navigation, nor more than three miles above the point to be cleared out on said creek or river; that said commissioners shall report their proceedings thereon to the term of said court next succeeding their appointment; and the said court shall thereupon appoint Overseers of said districts whose duty it shall be to call out all the working hands within the prescribed limits to work on said creek or river, for the purpose of rendering it navigable; and the duties of said overseers, in all other respects, shall be the same, and they shall be subject to the same penalties, regulations and restrictions, as are now imposed by law on the overseers of roads.

II. Be it further enacted, That the hands so called out, on failure to attend and work on said creeks and rivers, shall be subject to the same fines and forfeitures as are now imposed by law on hands for failing to work on the public roads.

III. And be it further enacted, That it shall be the duty of the justices of the Court of Pleas and Quarter Sessions in the counties of Sampson and Cumberland, at the first term of their respective courts which shall happen after the first day of January, one thousand eight hundred and twenty-nine, to appoint three or more commissioners for each county, to examine into the expediency and practicability of clearing out and rendering navigable that part of Black River which is the dividing line between said counties, and to report thereon at the term of said court in each county next after their appointment; and should said report be favorable to the object contemplated, then and in that case the said court in each county shall direct the said commissioners to proceed jointly, at such time as they may agree on, to lay off said river into convenient districts, in manner prescribed in the preceding section of this act, and to make return of their proceedings in relation thereto to the next term of said court; and that thereupon the said courts shall appoint Overseers of said districts, who shall continue to act for the space of twelve months, the County Court of Sampson making the first appointment of Overseers for said districts, and the County Court of Cumberland the next, and so on alternately; and it shall be the duty of the said overseers to call out all the hands, in both counties, within said districts, to work on said river for the purpose of making it navigable; and the duties of the said Overseers, in all other respects, shall be the same, and they shall be subject to the same penal-
ties, regulations and restrictions, as are now imposed by law on the overseers of public roads.

IV. And be it further enacted, That the hands so called out, on failing to work on said river, shall be subject to the same fines and forfeitures as are now imposed by law on the hands failing to work on public roads.

V. Be it further enacted, That whenever it shall appear to the satisfaction of the County Courts of Cumberland and Sampson that that part of Black River which is the dividing line between said counties has been cleared out, so as to answer the purposes of navigation, it shall be the duty of said courts respectively to designate the hands in each county who shall thereafter work on said river, and that the hands thus designated be exempt from working on public roads.

CHAPTER LXV.

An act to incorporate the Edgecombe Manufacturing Company.

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 Joel Battle and such other persons as may be associated with him, according to the provisions of the third section of this act, his and their assigns and successors, be, and they are hereby incorporated into a body corporate and politic, under the name and style of "the Edgecombe Manufacturing Company," for the purpose of manufacturing cotton, hemp, wool and flax, and by that name and style may sue and be sued; contract and be contracted with; have perpetual succession and a common seal; and hold real and personal estate, with the power to make all necessary rules, regulations and by-laws for the management of the concerns of the company, not inconsistent with the laws of this State.

II. And be it further enacted, That the capital stock of said company shall not be less than thirty thousand dollars, nor more than one hundred thousand dollars, to be raised by subscription in shares of one hundred dollars each, for which books of subscription shall be opened under the direction of Edmund D. McNair, David Clark, David Barnes, Joel Battle, Benjamin M. Jackson, Theophilus Parker, Peter Evans and William Plummer, at Tarboro', and at such other places in the State as may by them be deemed advisable; and the said commissioners, or any three of them, may proceed to organize the said company so soon as the first named sum of thirty thousand dollars shall have been subscribed for, with leave to the company to extend the capital stock thereof at any time thereafter; Provided, the same shall not exceed the sum of one hundred thousand dollars.

III. And be it further enacted, That there shall be annual meetings of the stockholders at such time and place as they may from time to time appoint, for managing the general concerns of said company; three persons being stockholders, shall be chosen directors, who may appoint a president, and in his absence a president pro tempore; and shall have power to call special meetings of the stockholders; to supply vacancies in their own body; and to do all other acts and things touching the affairs of the company not otherwise specially provided for.

IV. Be it further enacted, That in any election of directors, and all other meetings, each stockholder shall be entitled to one vote for every share held by him, and may vote in person or by proxy, in such manner as may be from time to time prescribed in general meeting.
V. Be it further enacted, That the stock of said company shall be
deed and taken as personal estate, and may be transferred in such man-
er as the directors of the company shall from time to time direct.

VI. Be it further enacted, That this act shall be in force from and
after the passage thereof.

VII. Be it further enacted, That this act shall expire at the end of
thirty years from the ratification hereof.

VIII. Be it further enacted, That the Company hereby established
shall not engage in business other than that which ordinarily belongs to
manufacturing: Provided, that the Legislature shall at any time hereafter
have the power to repeal, alter or modify the charter hereby granted; on con-
dition nevertheless, that no alteration or modification or repeal shall annul
or invalidate the contracts made by or with the corporation; and that the
organization may still continue a corporation so far as to collect and recover
and dispose of their estate, real and personal, and pay their debts and divide
the surplus.

CHAPTER LXVI.

An act to incorporate a light infantry company in the town of Washington.

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 company
of light infantry, commanded by William A. Blount, in the town of Wash-
ington, is, and are hereby incorporated under the title of the Washington
Guards.

II. And be it further enacted, That the captain of the company shall at
least six times in each and every year order the same to muster at such time
and places as he may think proper; and any commissioned officer, non-
commissioned officer, or private, who, having been duly summoned, shall
neglect to appear at such muster armed and equipped according to the regu-
lations of said company, shall forfeit and pay, if a commissioned officer, a
fine of six dollars, and if appearing, be not equipped and uniformed agreeable
to the regulations adopted by the company, he shall forfeit and pay a fine of
dollars; if a non-commissioned officer or private, he shall forfeit and pay
a fine of two dollars for non-attendance, and if attending, be not uniformed
and equipped agreeably to the regulations of the company, he or they shall
forfeit and pay such fine as may be adjudged against him or them by any
court martial having cognizance thereof, not exceeding two dollars nor less
than fifty cents; which fine shall be levied and recovered in the same manner
that other fines are.

III. And be it further enacted, That any commissioned officer, non-
commissioned officer or private, who shall faithfully serve in said company
five years from the date of their enrolment, and shall have obtained a certi-
icate of the same from the Captain, such commissioned officer, non-commis-
sioned officer or private shall thereafter be exempt from military forfeitures
and penalties so long as he continues to reside within the regiment to which
said company is attached: Provided, that such commissioned officers, non-
commissioned officers and privates shall still be held as belonging to the
company, and shall hold themselves completely armed and equipped in the
uniform thereof subject to the inspection of the captain, or such of his offi-
cers as he may order; and provided also, that in case of war, insurrection and
invasion, such commissioned officers, non-commissioned officers and privates
shall be subject to all the duties, forfeitures and penalties to which other commissioned officers, non-commissioned officers and privates are subject, until they have attained the age of forty five years: And provided also, that said exempts shall attend all general reviews and regimental parades of their regiment, under the same rules, forfeitures and penalties as the members of other companies are subject to.

IV. And be it further enacted, That all fines, penalties and forfeitures incurred in pursuance of this law, are hereby appropriated to the use and benefit of the Washington Guards, for military purposes.

CHAPTER LXVII.

An act requiring the Major General of the fourth division to review the regiments of Rowan county at the usual places of their regimental musters.

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 from and after the passage of this act, it shall be the duty of the major general of the fourth division of the militia of North Carolina, to which the county of Rowan is attached, hereafter to review the different regiments of said county separately at the usual places heretofore appointed, or which may hereafter be appointed by the officers of said regiments in said county for holding regimental musters; any law or usage to the contrary notwithstanding.

CHAPTER LXVIII.

An act to incorporate the Fayetteville Manufacturing Company.

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 Henry A. Donaldson, and such other persons as may be associated with him in the manner prescribed in the second section of this act, his and their assigns and successors be, and they are hereby incorporated into a body corporate and politic, under the name and style of “The Fayetteville Manufacturing Company,” for the purpose of manufacturing cotton, hemp, wool and flax, and by that name and style may sue and be sued, contract and be contracted with, have perpetual succession and a common seal, and hold real and personal estate, with power to make all necessary rules, regulations and bye laws, for the management of the concerns of the company, not inconsistent with the laws of this State.

II. Be it further enacted, That the capital stock of said company shall be not less than ten thousand dollars, nor more than fifty thousand dollars, to be raised by subscription in shares of one hundred dollars each; for which purpose books of subscription shall be opened, under the direction of Henry A. Donaldson, Louis D. Henry, John Kelly, Hugh McLaurin, Jesse Birdsall and John M. Dobbin, at Fayetteville, and at such other places in the State as may by them be deemed advisable; and the said commissioners, or any three of them, may proceed to organize the said company so soon as the first named sum of ten thousand dollars shall have been subscribed for, with leave to the company to extend the capital stock thereof at any time thereafter: Provided the same shall not exceed the sum of fifty thousand dollars.

III. Be it further enacted, That there shall be an annual meeting of the stockholders at such time and place as they may from time to time appoint, for managing the general affairs of said company; three persons, being stockholders, shall be annually chosen directors, who may appoint a president, and in his absence a president pro tempore, and shall have power to call special meetings of the stockholders, to supply vacancies in their own body, and
do all other acts and things touching the affairs of the company not otherwise specially provided for.

IV. Be it further enacted, That in any election of directors, and in all other meetings, each stockholder shall be entitled to one vote for every share held by him, and may vote in person or by proxy in such manner as may be from time to time prescribed in general meeting.

V. Be it further enacted, That the stock of said company shall be deemed and taken as personal estate, and may be transferred in such manner as the directors of the company shall from time to time direct.

VI. Be it further enacted, That this act shall be in force from and after the passage thereof.

VII. And be it further enacted, That this act shall expire at the end of thirty years from the date of the ratification hereof: Provided, that the Legislature shall at any time hereafter have the power to repeal, alter or modify the charter hereby granted; on condition nevertheless, that no alteration or modification or repeal shall annul or invalidate the contracts made by or with the corporation, and that the corporation may still continue a corporation so far as to collect and recover and dispose of their estate, real and personal, and pay their debts and divide the surplus.

CHAPTER LXIX.
An act to compel the clerk of the Superior Court of Nash county to keep his office at the court house in said county, or within the town of Nashvill.e.

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 from and after the first day of May next, it shall be the duty of the clerk of the Superior Court of Nash county to keep his office at the court house in said county, or within the town of Nashvill.e; and the said clerk, for neglect or refusal to keep his office at the court house in said county, or within the town of Nashvill.e, shall be subject to a penalty of five hundred dollars, to be sued for by the county trustee, and recoverable before any jurisdiction having cognizance thereof, and applied to the use of the county.

II. And be it further enacted, That the Clerk of the Superior Court of Nash county, or his lawful deputy, shall regularly attend the office of said clerk at least two days in each and every week, which days shall be fixed by the clerk, and the same made known by advertisement at the door of his office, or be, the said clerk; shall be subject to a penalty of twenty dollars, to be recovered by warrant before any justice of the peace, and applied one half to the use of the party suing for the same, and the other half to the use of the wardens for the poor of the county.

CHAPTER LXX.
An act to incorporate a company to improve the navigation of Tranter's Creek from Myers' Mill, in Beaufort county, to its head waters.

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 Joseph Hinton, John Myers and Richard Grist, of Beaufort county, William Clark, Robert Lanier and William Clements, of Pitt county, and Joseph J. Williams, Stapleton Powell and William Cloman, of Martin county, be, and they are hereby appointed commissioners for receiving subscriptions for a capital stock of fifteen thousand dollars, to be divided into shares of twenty dollars each, for the purpose of improving the navigation of Tranter's Creek from Myers' Mill.
Mill, in Beaufort county, to its head waters; and the commissioners in said counties, they, or any one of them, shall, at such public place in each of said counties respectively as they may fix on, the first Thursday of May next open books, and cause the same to be kept open for thirty days, to receive subscriptions of shares in said stock. Each subscriber shall pay down at the time of subscription two dollars on each share, and shall subscribe a written agreement to pay the balance of said shares to such person, at such time and in such proportions, as the president and directors of the Trantier's Creek Navigation Company hereinafter authorized to be appointed, shall require. On the first Thursday of June next a meeting shall take place at the house of John Barnhill, of the subscribers, either in person or by proxy, which general meeting shall continue from day to day, as long as may be deemed necessary, and to which the commissioners shall return the subscriptions received by virtue hereof; and if, upon the return of the subscriptions, it shall appear that ten thousand dollars shall have been subscribed, the subscribers, their successors and assigns, shall be, and they are hereby created and made a corporation and body politic, by the name and style of the Trantier's Creek Navigation Company, and shall so continue, subject to the conditions hereinafter prescribed, for the term of fifty years; and by that name and style are hereby declared able and capable to have, purchase and receive all such monies, articles, goods and chattels, which may be proper for the purposes of their creation; to sell and dispose of the same; to sue and be sued, to plead and be impleaded, defend and be defended in courts of record and other places whatever; to have a common seal, and to ordain, establish and put in operation such bye-laws, ordinances and regulations as may be expedient for the government of said corporation.

II. Be it further enacted, That if, upon the return of the subscriptions to the general meeting aforesaid, it shall appear that more than fifteen thousand dollars have been subscribed, then the same shall be scaled down to the amount of capital hereby authorized, according to some equitable rule to be determined on by the commissioners; and should the said sum of fifteen thousand dollars not be subscribed within the time by this act prescribed, then books may again be opened by said commissioners until the same shall be subscribed.

III. And be it further enacted, That it shall be lawful for the stockholders so incorporated, at their general meeting aforesaid, or for a majority of such of them as may attend, either in person or by proxy, to declare at what place and on what day the next general meeting shall be held; and for the well ordering the affairs of the corporation, the said stockholders shall elect (each stockholder being entitled to one vote for each share he shall have subscribed) five directors, to remain in office until the next general meeting; and thereafter, every year, on the day and at the place which may from time to time be appointed by the stockholders for that purpose, those attending in person or by proxy, shall elect five directors, to remain in office until the day of the annual meeting in the succeeding year. Provided, that if at any time it happen that an election of directors shall not be made at the regular day, the directors last appointed shall continue in office until an election be regularly had; and the said directors shall have power to fill any vacancy that may happen in their body; to elect one of their own body as president from time to time; to appoint such officers and servants as they think proper, and at their pleasure to remove; to require payment from time to time of the sums due on
the shares subscribed for, in such instalments as they may deem expedient; to cause the monies received on account of subscription to be faithfully expended in improving the navigation of Tranter's Creek from Myers' Mill, in Beaufort county, to its head waters, by the actual employment of laborers, or by making contracts with any person or persons to effect the same, by opening and removing obstructions to the same, or by cutting canals and constructing locks wherever they may be deemed necessary; to make dividends from time to time of the profits of their capital; and generally to do any matter or thing which it may be lawful for the corporation to do, and which a majority of the stockholders, who attend in general meeting in person or by proxy, may authorize them to do.

IV. And be it further enacted, That shares in said stock shall be transferable, as the stockholders or the president and directors shall direct, and may be forfeited and sold for non-compliance with the bye-laws of the company, by order of the president and directors. The president and directors shall be entitled to recover on the subscriptions, before the commissioners, the sums required from time to time to be paid on each share, in an action on the case, before a court or any magistrate having cognizance of the sum demanded, with interest from the time when payment ought to be made; and a publication in any newspaper of these requirements of the president and directors, shall be a sufficient notice to each subscriber. The commissioners shall, each and every of them, immediately upon the appointment of a president and directors, pay over to them, or their agent for such purpose authorized, all such sums of money as they, or any of them, may have or ought to have received; and any one failing in this respect shall be liable to pay the president and directors double the sum aforesaid, to be recovered in an action of debt before any jurisdiction having cognizance thereof.

V. And be it further enacted, That when the said commissioners shall have improved the navigation of said creek, so as that said creek shall admit of the safe and convenient passage of boats and rafts, they shall be authorized to collect and receive the following tolls, to wit: For every barrel of tar or turpentine, ten cents; for every thousand feet of plank and scantling, fifty cents, and for all other articles of timber in the same proportion; for every bushel of Indian corn, wheat, rye, oats, peas, beans or potatoes, two cents; for every bushel of salt, two and a half cents; for every hundred weight of sugar and coffee, ten cents, and for a less quantity in proportion; for every head of sheep, one dollar, and for a less quantity in proportion; for every hundred pounds of picked cotton, eighteen cents; for every hundred pounds of seed cotton, five cents; and for all other articles, such tolls as the said president and directors may deem reasonable, and in proportion to the tolls on the articles above enumerated.

VI. And be it further enacted, That the stockholders may allow such compensation to the president, clerks and servants of the company as they may deem reasonable; but no director shall receive any compensation for his services as director.

VII. And be it further enacted, That the Legislature shall at any time hereafter have the power to repeal, alter or modify the charter hereby granted; on condition nevertheless, that no alteration, modification or repeal shall annul or invalidate the contracts made by or with the corporation; and that the corporation may still continue a corporation so far as to collect and recover and dispose of their estate, real and personal, and pay their debts and divide the surplus.
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VIII. And be it further enacted, That this act shall be in force immediately from and after its ratification.

CHAPTER LXXI.
An act to repeal an act, passed in the year 1824, regulating the mode of electing wardens of the poor, and directing their duties, so far as the same relates to the county of Buncombe.

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 so much of an act of Assembly, passed A. D. 1824, regulating the order of electing wardens, and directing their duties, as relates to the county of Buncombe, be, and the same is hereby repealed.

CHAPTER LXXII.
An act supplemental to an act, passed this present General Assembly, entitled an act to authorize the County Court of Person to establish a poor house in said county.

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 for the purpose of carrying into effect the provisions of the above recited act, it shall and may be lawful for the Court of Pleas and Quarter Sessions of Person county, upon application made to them by the wardens of the poor of said county, a majority of the acting justices being present, to lay a tax, not exceeding twenty cents on the poll, and ten cents on every hundred dollars worth of land and town property, to be collected and accounted for as other taxes, for the purpose of purchasing a suitable site and erecting necessary buildings for the reception of the poor of said county; which tax shall be collected and accounted for with the wardens of the poor of said county, under the same rules, regulations and restrictions as are now prescribed by law for the collection of the poor taxes; which tax shall be continued from year to year, until a sufficient sum shall be raised to accomplish the objects of this act.

II. Be it further enacted, That the wardens of the poor shall have full power and authority to purchase a tract of land in the county aforesaid, not exceeding three hundred acres, and take a good and sufficient title in fee simple to the wardens of the poor of the county of Person, and their successors in office, for the use of the poor of said county; and it shall be the duty of the wardens of the poor of said county, as soon as a sufficient sum shall be raised for that purpose, to erect suitable buildings on the aforesaid tract of land for the reception of the poor of said county, under which denomination shall be comprehended all such poor persons of either sex as shall be adjudged by the wardens incapable, from infancy, old age or infirmity, to procure subsistence for themselves; and the said wardens shall appoint a keeper or overseer of said poor, whose business it shall be to preserve good order, see that they are humanely treated and provided with suitable diet, clothing and fuel, and to enforce such regulations as may be established from time to time, for the well ordering and governing the said poor, which regulations the said wardens are hereby empowered to make; and the overseer shall be allowed for his services, for each year, such sum as the wardens shall deem adequate for his services, to be paid out of the taxes laid for the support of the poor of said county.

III. Be it further enacted, That the said overseer shall keep at moderate labor, either in the cultivation of the lands purchased as aforesaid or in the performance of such mechanical operations, according to the ability of said pauper, all such of the poor under his direction as shall be capable of labor;
and shall keep a regular account of his receipts and disbursements, and the
profits arising from the labor of said poor; which he shall annually return on
oath to the wardens of the poor of said county.

IV. Be it further enacted, That said wardens of the poor shall annually,
at the first Court of Pleas and Quarter Sessions which shall be held after
the first day of May, in each and every year, return to said court an account
current of their receipts and disbursements, including therein an accurate
account of the nett proceeds arising from the labor of the poor under his care,
the amount of taxes laid for the support of the establishment, and the expenses
of building and repairing said poor house; and it shall be the duty of the
clerk to file said account in his office, and set up a copy thereof in some
conspicuous part of the court room; any law or usage to the contrary not-
withstanding.

CHAPTER LXXIII.

An act to establish a manufacturing company in Randolph county.

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 books shall be opened
in Ashborough, in the county of Randolph, on the first day of February, 1829,
under the superintendence of Hugh M'Cain, Jesse Walker, Benjamin Elliot
and Jonathan Worth, and at such other places in said county as they may
direct, for the purpose of receiving subscriptions, to constitute a stock for es-
ablishing a manufactory of cotton and woollen goods in said county; and the
subscriptions shall be made in shares of one hundred dollars each and the
whole stock shall not exceed five hundred shares; that as soon as five thou-
sand dollars shall be subscribed, the subscribers to the said stock, their suc-
cessors and assigns, shall be, and are hereby created a corporation or body po-
hitic, by the name and style of "The Manufacturing Company of the county
of Randolph," and by that name shall be, and are hereby made able and ca-
-pable in law to purchase and hold to them and their successors, lands, rents,
goods and effects of what nature or description soever and the same to sell
or dispose of, to sue and be sued, plead and be imploaded in courts of record
and elsewhere; to have and use a common seal, and the same to alter at plea-
sure; and also to establish and execute such bye laws and regulations, not
inconsistent with the laws and constitution of this State, or of the United
States, as shall seem necessary and convenient for the government of said
corporation, and for promoting the objects of its establishment.

II. And be it further enacted, That the subscriptions to said stock shall be
paid in ten equal instalments, as follows; one tenth to be paid down at the
time of subscribing, and the residue to be paid at such times as the president
and directors may appoint, or the interest of the company require.

III. And be it further enacted, That as soon as fifty shares in said stock
shall be subscribed, notice thereof shall be given by the persons, under whose
superintendence the same shall have been made, requiring the attendance of
the stockholders, either personally or by proxy, on such day as they may ap-
point, for the purpose of electing five directors, to manage and conduct the
affairs of said corporation for one year and the said directors, at their first
meeting after such election, shall choose one of their number as president, and
possess full power and authority to supply any vacancy that may take place
in consequence of the death, removal or resignation of any one of their body;
appoint a treasurer, clerk, and such superintendents as may be necessary to
carry the objects of this corporation into effect.
IV. And be it farther enacted, That the following rules, restrictions, limitations and provisions, shall form and be fundamental articles of the said corporation, viz. The election of directors shall be held, annually, at the court house in Ashborough, on such day as a majority of the stockholders may direct. 2. Such election shall have been advertised for at least twenty days previous to the day on which it shall be held. 3. Each stockholder shall be entitled to one vote for each share he may hold, and may vote either personally or by proxy, the proxy being a stockholder. 4. That any number of stockholders, not under five, who shall together be the proprietors of at least fifteen shares, shall possess full power and authority to call a general meeting, for purposes relative to the institution, or giving ten days notice by advertisement in said county, and specifying in said notice the object or objects of said meeting. 5. The stock of said corporation shall be assignable and transferable in such manner as the president and directors may direct, and yearly or half yearly dividends declared by them, whenever the profits of the institution will admit.

V. And be it further enacted, That no stockholder, who shall fail to pay the sum by him subscribed shall be entitled to any part of such dividends as may have been made prior to the time of making such payment.

VI. Be it further enacted, That the stockholders may allow a salary or compensation to the president, treasurer and clerks; but no director shall be entitled to any compensation for his services as a director.

VII. And be it further enacted, That this act shall be and continue in force from its passage for the term of twenty years, and no longer: Provided, that the Legislature shall at any time hereafter have the power to repeal, alter or modify the charter hereby granted; on condition nevertheless, that no alteration, modification or appeal shall annul or invalidate the contracts made by or with the corporation; and that the corporation may still continue a corporation, so far as to collect and recover and dispose of their estate, real and personal, and pay their debts and divide the surplus.

CHAPTER LXXIV.

An act to compel the Clerks of the County and Superior Courts, and Register of the county of Chatham to keep their respective offices at Pittsboro', in said county.

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 from and after the first day of May next the Clerks of the County and Superior Courts and Register of the county of Chatham shall, and they are hereby required and directed to keep their respective offices in the town of Pittsboro', in said county, under a penalty for failure thereof of five hundred dollars, recoverable before any jurisdiction having cognizance thereof.

CHAPTER LXXV.

An act to establish Sandy Creek Academy, in Randolph county, and to incorporate the trustees thereof.

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 John B. Troy, Abraham Brower, James C. Wren, Lewis M' Masters, John Miller, David Campbell and Hugh Walker, and their successors, be, and they are hereby declared to be a body politic and corporate, to be known and distinguished by the name of the trustees of Sandy Creek Academy; and by that name shall have perpetual succession, and shall be able and capable in law to have,
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receive and possess lands and tenements, goods, chattles and monies that may be given to them, and apply the same according to the will of the donor, or dispose of the same, if not forbidden by the terms of said gift; they may sue and be sued, plead and be imploed, in any court of law in this State; shall have power to fill vacancies in their body occasioned by death, removal or resignation of any of them; establish such laws and regulations for the government of said institution as may be necessary for the preservation of order and good morals, not inconsistent with the laws of this State; and do and perform all such acts and things as are incident to and usually exercised by bodies politic, for the accomplishment of the object contemplated.

CHAPTER LXXVI.

An act to establish Rocky Mount Academy, in the county of Nash, and to incorporate the trustees thereof.

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 Jesse H. Drake, Joel Battle, Bennett Bunn, Edwin Sumner, Redmond Bunn, William Dozier and Doctor Timothy Tyrrell, and their successors, be, and they are hereby declared to be a body politic and corporate, to be known and distinguished by the name of the Trustees of the Rocky Mount Academy, and by that name shall have perpetual succession, and shall be able and capable in law to have, receive and possess any lands, tenements or goods that may be given to them, and apply the same according to the will of the donor, and dispose of the same, if not forbidden by the terms of said gift. They may sue and be sued, plead and be imploed in any court of law in this State, shall have power to appoint to any vacancies which may arise in the board of trustees, and establish such laws and regulations for the government of said institution as may be necessary for the preservation of good morals, and do all such acts as are necessary for the establishment of said academy.

II. And be it further enacted. That three of the said trustees shall be a sufficient number to do and perform any business appertaining to said academy.

CHAPTER LXXVII.

An act appointing Solomon Graves commissioner to superintend the building of a court house in Surry county.

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 Solomon Graves he, and he is hereby appointed a commissioner, and as such shall be vested with full power and authority, with the commissioners heretofore appointed, to superintend the building of a court house in Surry county, agreeably to the provisions of an act of Assembly passed for that purpose.

CHAPTER LXXVIII.

An act to allow compensation to jurors of the original panel in the county of Buncombe.

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 County Court of Buncombe county shall at the next term of said court, when other taxes are laid, lay such tax upon polls, lands and town property, as will be necessary to pay each juror of the original panel in the Superior and County Courts seventy-five cents per day, for each day's attendance at said Courts, allowing one day's pay extra, to every juror residing more than ten miles from Asheville.
II. Be it further enacted, That the claims for compensation to jurors, under this act, shall be ascertained in like manner, with the like allowance to clerks for their services, as is now provided by law in ascertaining the sums due witnesses for their attendance.

III. And be it further enacted, That the surplus monies now in the hands of the Treasurer of Public Buildings, and which have been directed by an act passed at this present General Assembly to be transferred to the county Trustee, constitute a fund for the payment of jurors under this act.

IV. And be it further enacted, That this act shall go into effect from and after the ratification thereof, and shall expire in two years, unless the Legislature shall in the mean time otherwise enact.

CHAPTER LXXIX.

An act directing the time and place of selling land under execution in the counties of Halifax, Northampton, Hertford and Martin.

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 all sales of land hereafter made in the counties of Halifax, Northampton, Hertford and Martin, by any sheriff, coroner, constable, or by any clerk and master in equity, under any execution or decree, shall be made on the premises at any time before the return of the execution, or the term of the court at which the clerk and master is bound to return his sale; Provided, that the same notice shall be given, at least forty days previous thereto, of the sale of land; and the sale shall be conducted, and executions returned, under the same rules and restrictions as heretofore prescribed in such cases; and the sale shall be made between the hours of eleven and four o'clock.

II. And be it further enacted, That any sheriff, coroner or constable, or clerk and master in equity, who shall make any sale of land in the counties of Halifax, Northampton, Hertford and Martin contrary to this act, shall forfeit and pay two hundred dollars, to be recovered by any person suing for the same.

III. And be it further enacted, That this act shall be in force from and after the first day of March next.

CHAPTER LXXX.

An act for the more convenient administration of justice in the Courts of Pleas and Quarter Sessions of the county of Duplin, and for other purposes.

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 at the next term of the Court of Pleas and Quarter Sessions for the county of Duplin, which shall be held after the first day of May next, a majority of the justices being present, the justices of the said court are hereby authorised, should a majority deem it expedient, to arrange themselves into convenient classes of five persons each, for the purpose of holding the said Court respectively, in such manner as is hereinafter directed.

II. And be it further enacted, That it shall be the duty of the first class of justices arranged as aforesaid, or a majority of them, to hold the first term of the said court under this act, in the county aforesaid; and the second class shall hold the next term thereafter, and so on in succession through the several classes arranged as aforesaid; and it shall be the duty of the clerk of the County Court to give notice to each of the said justices of the time when, under this act, they may be required to hold said courts.
III. And be it further enacted, That the justices hereby authorised to be appointed to hold the said courts, shall be competent to do and perform and to exercise all the powers and authority which by the existing laws seven justices are authorised to do; and they shall in all cases be governed by the same rules, regulations and restrictions as govern other County Courts in this State.

IV. Be it further enacted, That if it should so happen that three of the five justices appointed under this act to hold the said court, shall not attend or, from any cause, shall fail to hold the same at the time and place required by law, it shall be lawful for those that do attend to appoint one or more justices, as the nature of the case may require, so as to make the number five, to hold said courts.

V. Be it further enacted, That said courts shall adopt such rules of practice therein, not inconsistent with the laws of the State, as may tend to facilitate the trial of causes and advance the administration of justice.

VI. Be it further enacted, That whenever hereafter it shall become the duty of said Court to take bond of the sheriff, or any other officer chosen or appointed by said court, on entering upon the duties of his appointment, it shall be competent for any justice of the said court to enter his protest against the sufficiency of said bond; which protest shall be entered on the minutes of said court by the clerk thereof, and shall exempt said justice from any liability on account of said bond.

VII. And be it further enacted, That it shall be the duty of the court, a majority of the said justices being present, at the same term when the election of sheriff shall take place, to appoint or elect all other officers, the appointment or election of whom is vested in the Court of Pleas and Quarter Sessions of said county; and that all vacancies, which shall or may occur hereafter, shall be filled up to the time of the regular appointment of said officers, and no longer.

VIII. And be it further enacted, That said justices are hereby authorised to fix on one or more terms of said court, to which a jury shall not be summoned, and which shall be set apart exclusively for the transaction of county business.

IX. Be it further enacted, That it shall not be lawful for said court to make any allowance to the clerk thereof for extra services; nor shall they make any allowance to the sheriff of said county exceeding fifty dollars; and the same shall not be made unless a majority of the justices of said county be present, and thereunto consenting.

X. Be it further enacted, That it shall be the duty of the clerk of said court to advertise at the court house and six other public places in said county, for all persons who may have claims against said county, to present them for registration within three months; and it shall be the duty of the clerk to register the same in a book kept for that purpose, with the amount and date thereof, which shall likewise be endorsed upon the certificate by the clerk, at the time when registered according to the provisions of this act; which book shall be kept in the office of the clerk of said court, subject at all times to the inspection of the court.

XI. And be it further enacted, That it shall be the duty of the county trustee of said county to keep a book, in which shall be entered by him all monies received, and orders that have or may be accepted, and all monies which he has paid over. Such book shall be exhibited to the court at the term when they shall lay the taxes for said county, and shall at all times be
laid before the court, an order to that effect having been made by the court upon the county trustee of said county.

XII. And be it further enacted, That it shall be the duty of the wardens of the poor of said county to appoint a clerk for the purpose of keeping an account of all monies received, and of all monies paid out; and in his account he shall state for what object such payment is made, the time when paid, and persons to whom paid; and his account shall be handed by him to the Court of Pleas and Quarter Sessions of the county of Baplin, at the term when the poor tax for said county is to be laid, for the inspection of the court.

XIII. Be it further enacted. That the Court of Pleas and Quarter Sessions for said county shall, at the same term in each and every year, when an allowance is made to the sheriff for his extra services, allow the clerk of said court, the county trustee and clerk of the wardens, for the services imposed on them by the provisions of this act, such compensation as they may deem reasonable and proper, to be paid out of the county funds.

XIV. Be it further enacted, That if the clerk, county trustee and clerk of the wardens as aforesaid shall fail or neglect to perform any of the duties prescribed by this act, shall be fined at the discretion of the court, a penalty which shall in no case exceed the sum of fifty dollars.

XV. And be it further enacted, That the said court are hereby authorized, at the term at which the election of sheriff shall take place, to appoint in each of the captain's companies or districts, some suitable persons, whose duty it shall be to collect all taxes which are now due or may be hereafter due to the county; and it shall be the duty of the court to take from such person bond, with sufficient security, in double the amount of the list of taxes so delivered to him; and it shall be the duty of the court to administer an oath to such person for the faithful discharge of his duty; and it shall be the duty of such person so appointed to pay over to the trustee of said county, all monies by him collected, on or before the first Monday in November in each and every year; any law, usage or custom to the contrary notwithstanding.

XVI. Be it further enacted, That the tax-gatherers by this act created, shall be entitled to receive such compensation for their services as is by law allowed to sheriffs for similar services.

CHAPTER LXXXI.

An act to repeal an act, passed at the last General Assembly, entitled "an act for the better regulation of the Court of Pleas and Quarter Sessions for the county of Robeson".

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 from and after the passage of this act, the above recited act is hereby repealed.

CHAPTER LXXXII.

An act to appoint commissioners in the county of Chowan for the purposes hereafter mentioned.

Whereas the clerk's office in the Superior Court in the county of Chowan has been in a deranged state for ten or fifteen years, so that it is with difficulty that any record, or papers filed of long standing, can be found, and the task of arrangement too great for the present clerk for the small amount of fees received from said office:

Be it therefore enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That it shall and may be lawful for the County Court of Chowan, a majority of the acting justices of said county being present, when deemed expedient by said court, to
appoint three commissioners well qualified to arrange and put in complete order all the records and papers belonging to the aforesaid office; and the said commissioners to be allowed for their services a sum not to exceed two dollars per day, to be paid out of the county funds.

II. Be it further enacted, That the County Court of Chowan shall have power and authority to appoint two or more commissioners for said county, whose duty it shall be to take depositions, in the same manner as depositions are now taken by justices of the peace; and they shall receive for their services a sum not to exceed twenty cents for each and every copy sheet, to be paid by the party or parties calling for their attendance; and every person so appointed under the authority of this act a commissioner to take depositions, shall, previous to his entering upon the duties of said appointment, take the following oath, to wit: I, A. B. do solemnly swear (or affirm, as the case may be) that I will faithfully discharge the duties as commissioner to take depositions, with justice to all the parties concerned, in all and every case where I may be called upon to act, to the best of my skill and ability: so help me God.

CHAPTER LXXXIII.

An act to exonerate the justices of Rutherford county from the payment of a certain judgment recovered against them in Wake Superior Court.

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 justices of the peace in Rutherford county, against whom a judgment was obtained on behalf of the State in Wake Superior Court of Law, for the taxes due from said county to the State of North-Carolina for the year eighteen hundred and nineteen, be, and they are hereby exonerated and discharged; from the payment of said judgment for the taxes so due the State: Provided always, that nothing herein contained shall exempt said justices from the payment of all costs heretofore incurred or hereafter to be incurred in said suit: And provided always, that they refund to the State the amount actually expended by the State in the prosecution of the suit against the said justices: And provided further, that whatever may be the fate of the certiorari now pending in the Supreme Court, the said justices shall pay said costs: And provided further, that nothing herein contained shall be so construed as in any manner whatever to affect the liability of Frederick F. Alley, late sheriff of Rutherford county, or any of the securities of any bond or bonds which he may have given as sheriff aforesaid.

CHAPTER LXXXIV.

An act to amend the laws regulating the inspection of flour in the town of Fayetteville.

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 justices of the Court of Pleas and Quarter Sessions of the county of Cumberland, at the first term of said court to be helden after the first day of March next, shall appoint one other inspector of flour in the town of Fayetteville, who, after having taken the oath prescribed by law for his qualification, shall have power to inspect flour, and brand the casks containing the same, under the same rules, regulations and restrictions as are prescribed for the inspection of flour in this State.

II. And be it further enacted, That no inspector of flour shall condemn any flour cask for not being precisely of the dimensions required by law: Provided such cask shall come within one half inch in the length of the stave, and one
half inch in the diameter of the head of the measurement required, and shall contain one hundred and ninety-six pounds of flour; any law to the contrary notwithstanding.

III. And be it further enacted, That it shall be the duty of the inspector so appointed to inspect flour in Campbletown, when required, under the same penalty; and that for each and every barrel of flour inspected and branded by him he shall be entitled to receive five cents, and no more.

CHAPTER LXXXV.

An act to incorporate a company, entitled the Mattamuskeet Lake Canal Company, and for other purposes.

Whereas the draining of swamp lands is an object of primary importance to the prosperity of the State, not only by increasing the fund set apart for the dissemination of useful knowledge, but by contributing to the health and convenience of the people; and whereas it is ascertained that a large body of valuable land may be reclaimed by cutting a canal into Mattamuskeet Lake, in the county of Hyde, thereby connecting it with the Pampiico Sound:

Therefore,

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 Samuel Yoping, John Jordan, Robert Carl"wright, Jonathan Harris sen'r, Benjamin Saundersen, sen'r, David Carter, sen'r, Daniel Murry, William Watson and Nathaniel Creedle, be, and they are hereby appointed commissioners for the purpose of receiving subscriptions to the amount of eight thousand dollars, for the purpose of cutting a canal from Mattamuskeet Lake to Pampiico Sound, beginning at a point on Mattamuskeet Lake and terminating at a point on Pampiico Sound, wherever the commissioners aforesaid shall designate, (the owner or owners of the land through which said canal may pass agreeing thereto;) and the subscribers for the purposes aforesaid, their heirs and assigns, from the time of their first meeting, shall be, and they are hereby declared to be incorporated into a company, by and under the name of "The Mattamuskeet Lake Canal Company," and as such may sue and be sued, plead and be impleaded, defend and be defended, have perpetual succession and a common seal; and such of the subscribers, or their proxies, as may be present at their first meeting, or a majority of them, are hereby empowered and directed to elect a president and four directors, for the purpose of conducting and managing all the concerns of the said company for and during the term of one year, and thence until the next general meeting of the stockholders; and in counting the votes at each and every general meeting of said stockholders, each member shall be allowed one vote for every share as far as three shares, and one vote for every three shares as far as thirty shares, then one vote for every five shares above thirty shares by him or her held at the time of the general meeting; and every proprietor, by writing under his or her hand, "executed" before one subscribing witness, acknowledged or proved before a justice of the peace, may depute any member to act as a proxy for him or her at any general meeting; and the presence and acts of such proxy shall be as effectual to all intents and purposes as the presence and acts of his or her principal could be.

II. Be it further enacted, That the capital sum aforesaid be divided into shares of fifty dollars each; any person may subscribe for one or more shares, but not part of a share. The capital sum aforesaid may be enlarged from time to time at the discretion of the stockholders, or a majority of them, or their
proxies in general meeting assembled, should the said capital sum be insufficient to complete the canal aforesaid; the President and Directors may open books from time to time to receive subscriptions to increase the capital stock of said company.

III. Be it further enacted, That the shares shall be paid for at such times and places, and by such instalments, either in money or in land, or in labor on said canal, as the President and Directors of said company shall direct, they first advertising the same in at least two newspapers printed in this State thirty days before the time when payment is required; and if any person or persons holding any share or shares of the said capital stock shall fail to pay for the same in the manner and at the time prescribed by the President and Directors aforesaid, the said President and Directors may proceed to enforce said payments by legal process, or declare the same to be forfeited, as they may think proper.

IV. Be it further enacted, That the first general meeting of said company shall be at the Court House in Hyde county, and thereafter at the place the stockholders in general meeting shall ordain or direct.

V. Be it further enacted, That so soon as the said canal shall have been completed, and the same ready for the convenient passage of boats or rafts, the President and Directors shall have full power and authority to levy and collect tolls in the following manner, to wit: one cent on every busheil of Indian corn, wheat, rice, rye, oats and peas; ten cents on every bale of ginned cotton; one cent on every hundred pounds of seed cotton; and all other articles to pay in like proportion; and said company shall have power and authority to make such bye-laws for the government of said company, or for carrying into execution all the privileges granted to the company aforesaid, as they may think just and proper.

VI. And be it further enacted, That the lands belonging to the State which may be reclaimed, by lowering the waters in the lake by means of the canal aforesaid, shall be sold under the direction of the Board for Internal Improvements who, out of the proceeds thereof, shall reimburse the company aforesaid for the expense of cutting said canal, together with twelve per cent, per annum on the amount of said expenditure: Provided the said expenditure shall not exceed the sum of twenty thousand dollars; and the balance, if any, shall constitute a part of the Literary Fund: Provided however, that when the said company shall be reimbursed with costs and interest, the said canal shall revert to the State.

CHAPTER LXXXVI.

An act to repeal, so far as relates to the counties of Iredell and Anson, an act, entitled "an act directing the County Courts to pay fees to certain officers therein named, in certain cases," passed in the year 1820.

Whereas the act of the General Assembly, entitled "an act directing the County Courts to pay fees to certain officers therein named in certain cases," passed in the year 1820, is productive of a burthensome tax to the counties of Iredell and Anson:

Be it therefore enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of this act, the counties of Iredell and Anson shall be, and they are hereby exempt from the operation of said act, and the same is hereby repealed so far as relates to the counties aforesaid.
CHAPTER LXXXVII

An act repealing the several acts establishing and regulating the special Courts of Burke county.

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 an act, passed in the year one thousand eight hundred and twenty, entitled "an act for the better regulation of the County Courts of Rutherford, Burke and Lincoln," be, and the same is hereby repealed, so far as relates to the County Court of Burke county; and also that an act, passed in the year one thousand eight hundred and twenty-six, entitled "an act for the better regulation of the County Courts of Rutherford, Burke and Lincoln," be, and the same is hereby repealed, so far as the same refers to the County Courts of Burke county.

CHAPTER LXXXVIII.

An act to alter the name of George Pinkney Coppedge, an illegitimate son of John Lee, of Anson county, and to legitimate him.

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 from and after the passage of this act, George Pinkney Coppedge, an illegitimate son of John Lee, of Anson county, shall be known and called by the name of George Pinkney Lee; and by that name may sue and be sued, plead and be implicated, and receive and take property by descent or distribution.

II. And be it further enacted, That the said George Pinkney Coppedge, be, and he is hereby declared legitimate, and capable in law to take and inherit property as heir to the aforesaid John Lee, in as full and ample manner as if he had been born in lawful wedlock; any law to the contrary notwithstanding.

CHAPTER LXXXIX.

An act to legitimate Joseph Smith and Mary Bently, illegitimate children of John Smith and Susanna Berry, of Burke county.

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 Joseph Smith and Mary Bently, wife of Hugh Bently, illegitimate children of John Smith and Susanna Berry, be, and they are hereby declared legitimate; shall inherit property by descent and distribution; and shall in all respects be legal heirs to the said John Smith in as full and ample manner as if they had been born in lawful wedlock; any law to the contrary notwithstanding.

CHAPTER XC.

An act to appoint commissioners on a part of the road leading from Morgantown to Avery's turnpike road in Burke county.

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 Charles McDowell, William McGimpsey, James Marlor, William English and Samuel Brown, be, and they are hereby appointed commissioners, whose duty it shall be to lay off a road from the house of William McGimpsey to Avery's turnpike road, as nearly along the present route as possible, so that it pass over the best ground and follow the nearest direction that the intervening country will admit.

II. Be it further enacted, That the said commissioners, before entering upon the duties required by this act, shall take and subscribe an oath before some justice of the peace for said county of Burke, that they will execute the trust hereby reposed in them to the best of their skill and ability.
III. Be it further enacted, That said commissioners shall have power to assess damages for passing through improved land, if they deem it just, and return a statement thereof, to be allowed by Burke County Court; which court shall have power to designate the hands who shall improve said road.

CHAPTER XCI.
An act for the better regulation of the fisheries on Salmon Creek, in Bertie county, and amendments of an act passed in the year 1822, concerning the same.

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 at the first term of the County Court of Bertie, which shall be held after the first day of January in each and every year, the said court shall have power, and they are hereby required, upon suggestion, to appoint three persons, whose duty it shall be to proceed forthwith upon their appointment to ascertain by actual measurement and staking off, at each seine place or fishing ground on Salmon creek, such distance as in their judgment they may deem to be two thirds of the breadth of the main channel of said creek, as intended by the above recited act of Assembly.

II. And be it further enacted, That such bounds, so set up by staking as aforesaid, shall be deemed and held to be the limits to which seines are allowed to be extended, according to the above cited act of 1822.

CHAPTER XCIII.
An act to alter the time of holding the Court of Pleas and Quarter Sessions for the county of Chowan.

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 from and after the first day of May next, the Court of Pleas and Quarter Sessions for the county of Chowan shall be held on the third Mondays of March, June, September and December respectively; any law, usage or custom to the contrary notwithstanding; and that the sheriff of said county shall give three weeks notice of the same by advertisement in some public place in each captain's company in said county.

CHAPTER XCIII.
An act to restore Nathaniel Mechem, of Lincoln county, to credit.

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 Nathaniel Mechem, of Lincoln county, be, and he is hereby restored to credit, and to every privilege and immunity as a citizen of this State, as fully and amply as though the said Nathaniel Mechem had never been convicted of any crime whatever.

CHAPTER XCIV.
An act appointing commissioners to lay off and establish the dividing line between the first and second regiments of the militia of Cumberland county.

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 John M'Alister, John Smith, Sen. John M'Neil, Esquire, Duncan Munroe and Lauchlan Bethune, be appointed commissioners to lay off and establish the dividing line between the first and second regiments of the militia of Cumberland county, and that they report to the colonel commandant of each regiment; which said reports shall be transmitted by them to the general or regimental court martial of their respective regiments; and that it be the duty of the judge advocate in each regiment to record the same.
II. And be it further enacted, That the line so laid off and reported by the above-mentioned commissioners, shall be the dividing line between the first and second regiments of the militia of Cumberland county.

CHAPTER XCV.

An act to authorize the County Courts of the counties of Ashe and Wilkes to keep in repair the road by Jefferson, by the imposition of tolls on said road.

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 Court of Peace and Quarter Sessions for the counties of Wilkes and Ashe, be, and they are hereby authorized to impose and collect, for travelling on the State road through the said counties from the foot of the Blue Ridge, on the southeast side, in Wilkes county, by the way of Jefferson, to the Tennessee line, the following tolls, to wit: For each four wheel carriage, not exceeding fifty cents; for each two wheel carriage, not exceeding twenty cents; for each passenger on horse, not exceeding ten cents; for each foot passenger, not exceeding five cents; for males and horses per head, not exceeding five cents; for cattle, not exceeding two and a half cents per head; for hogs and sheep, not exceeding one cent per head.

II. Be it further enacted, That they shall erect the necessary gates upon the said road; and at the term of their court to be held in May next, and annually thereafter, a majority of the justices being present, shall appoint the necessary toll-collectors, whose duty it shall be to collect such tolls as shall by the court be imposed, and at the expiration of every three months, pay all monies so collected to the commissioners of the said road; but before any person shall act as toll collector under this act, he shall take and subscribe an oath before some justice of the peace, for the faithful discharge of his duties as such, and enter into bond, payable to the Governor and his successors in office, with two or more securities, in a sum not less than five hundred dollars, conditioned for the faithful collection of the tolls and the payment of money by him collected, as directed by this act; and each toll collector shall, at the County Court held in May in each year, render to the court, on oath, an account of the monies received by him as such, and the manner in which he shall have disposed of the same; and as compensation for his services, each toll collector shall receive such a per cent. of the monies by him collected as the court shall direct.

III. And be it further enacted, That the said County Court, at the term in May next, and annually thereafter, a majority of the magistrates being present, shall elect commissioners, not more than three, for the said roads, whose duty it shall be to pay attention to the condition of the said road, to demand and receive from the toll collectors the monies collected by them from the tolls, and appropriate the same to the repairs and improvements of the said road; every appropriation by the said commissioners for work to be done upon the said road, shall be made by letting the lot of work to the lowest bidder, securing every contract by bond and security from the undertaker, and by making no payment of money for any undertaking of work until the same shall be completed; and before any person shall act as commissioner by this act, he shall enter into bond, payable to the Governor and his successors in office, with two or more sufficient securities, in a sum not less than one thousand dollars, conditioned for the faithful disbursement of the public money, and discharge of his other duties as commissioner of the road; and the said
commissioners shall, at the term of the County Court in May in each year, render to the court, on oath, a report of the monies received by them during the preceding year, with the amount and mode of the appropriation from the same; and for their services they shall receive such compensation as the County Court shall direct.

IV. Be it further enacted, That the bonds of the toll-collectors and commissioners shall be taken and approved by the County Court and filed in the office of their clerk.

V. Be it further enacted, That if in any one year the amount of tolls received by the commissioners on account of said roads shall exceed five hundred dollars and the compensation allowed to themselves by the court, the clerk of the County Court shall, with his certificate of the taxable property of the county to the public treasurer, transmit also a certificate of such excess, and also certify the same to the sheriff of Ashe county; for such excess the sheriff shall be liable as for the public taxes, and shall collect the same from the commissioners by distress or otherwise.

VI. Be it further enacted, That nothing in this act shall exempt the citizens of Wilkes and Ashe counties from the duty of working on the said road as the law now requires; and in consideration thereof, the citizens of Ashe county and the citizens of Wilkes county, who do work on the said road on the west side of the Yadkin river, shall be exempted from the tolls imposed by virtue of this act.

VII. And be it further enacted, That no tolls shall be levied or collected upon the carriages of the United States' mail, whether it be carried in a carriage or on horseback.

CHAPTER XCVI.

An act to establish Mosely Hall Academy, in the county of Lenoir, and to incorporate the trustees thereof.

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 John Wootten, William Hearing Alexander Mosely, Nathan B. Whitfield, George Whitfield, Joshua Mosely, Sutton Hardy, Shadrach Wootten, Joshua Rouse, Benjamin Rouse, William Rouse, Noah Rouse, Thomas Waters, Council Wootten and Thomas Dawson and William D. Mosely, be known and distinguished by the name of "The Trustees of Mosely Hall Academy, in the county of Lenoir," and by that name shall have perpetual succession; and they or their successors shall be able and capable in law to take, have and receive, possess, enjoy and demand any property real or personal, and any monies or other things that shall be given for the use of the said school, and the same to apply according to the will of the donor; to take, have, possess and enjoy to them and their successors forever, any lands, tenements of what kind or nature soever, in special confidence, that the same, or the profits thereof, shall be applied to, and for the purpose of establishing and supporting said academy.

If. And be it further enacted, That the trustees aforesaid shall have full power and authority to make such bye laws and regulations, as they may think proper, for the good government of the said academy, not inconsistent with the laws of the State.

CHAPTER XCVII.

An act to establish the Beaufont Cotton Manufacturing Company, in the county of Beaufort.

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 William A. Blount, John Myres, Allen Grist, William Ellision and Matthew Shaw, be, and they are hereby appointed commissioners for receiving subscriptions for a capital stock, divided into shares of one hundred dollars each, for the purpose of establishing a cotton factory at the mills of John Myers, on Tranter's creek; and the said commissioners, and any of them, shall, in the town of Washington, on the first day of January next, open books, and cause the same to be kept open ten days, to receive subscriptions of shares in said stock. Each subscriber shall pay down, at the time of subscription, five dollars on each share and shall subscribe a written obligation to pay ninety-five dollars on each share subscribed, to such person, at such time, and in such proportion, as the president and directors of the Bellfont Cotton Manufacturing Company shall require. On the fifteenth day of January next, a meeting shall take place, at the town of Washington, of the subscribers, either in person or by their proxies constituted in writing; which general meeting shall continue from day to day, as long as may be deemed necessary; and in which general meeting the commissioners shall make return of the subscriptions received by virtue hereof; and if from said return it shall appear that more than one hundred and twenty shares shall have been subscribed, and if they should exceed two hundred shares, then the shares subscribed shall be reduced in such a manner as to produce as great an equality in subscription as may be to two hundred shares, then the subscribers, their successors and assigns, shall be, and they are hereby created and made a corporation and body politic, by the name and style of “The Bellfont Cotton Manufacturing Company,” and by that name and style they and their successors shall have perpetual succession, and shall be able and capable to have, purchase, receive and enjoy to themselves and their successors, perpetually, such monies, lands, houses, water rights, mills, machinery and other articles, goods and chattels whatever as may be necessary and proper for the purpose of establishing said cotton factory, and properly conducting the same; to sell and dispose of the same; to sue and be sued, to appeal and be impleaded in courts of record and other places whatever; to have a common seal, which they may change and alter at pleasure; and to ordain, establish and put in operation such by law ordinances and regulations as may be expedient for the government of said corporation, and the management of its concerns.

And be it further enacted, That it shall be lawful for the stockholders so incorporated, at their general meeting aforesaid, or for a majority of such of them as may either attend in person or by proxy, to declare on what day and in what place the general meeting of the stockholders shall next be held; and for the well ordering the affairs of said corporation, they shall elect five directors, to remain in office until the next general meeting, and thereafter every year, on the day and at the place which may be appointed from time to time by the stockholders for that purpose; those attending in person or by proxy shall elect five directors, to remain in office until the day of the annual meeting in each succeeding year: Provided, that if at any time it happen that an election of directors shall not be made at the regular day, the directors last appointed shall continue in office until an election shall regularly be made; and the said directors shall have power to fill up any vacancy that shall occur in their body; to elect one of their own body as president from time to time; to appoint such officers and servants as they may think proper, and at their pleasure to remove; to require payment from time to time of the sums
due on the shares subscribed for, in such instalments as they may deem expedient; to cause the monies received to be faithfully expended by their officers and servants; to open books to receive new subscriptions for stock, upon such terms as they may deem reasonable, so that the whole number of shares shall never exceed two hundred and fifty shares, of one hundred dollars each; to make dividends from time to time of the profits of their capital; and generally to do any or thing which it may be lawful for the corporation to do, and which a majority of the stockholders, who may attend in general meeting in person or by proxy shall or may authorize them to do.

III. Be it further enacted, That at all meetings each stockholder shall be allowed one vote for each share of stock he shall hold in said company. Every stockholder may vote by proxy, constituted as aforesaid. Shares shall be transferable, as the stockholders and the president and directors shall direct, and may be forfeited and sold for non-compliance with the bye-laws of the company, by order of the president and directors. The president and directors shall be entitled to recover on the subscriptions before the commissioners the sums required from time to time to be paid on each share, in an action before a court or any magistrate having cognizance of the sum demanded, with interest from the time when payment ought to be made, and a publication of those requirements of the president and directors in any newspaper, shall be a sufficient notice to any subscriber. The commissioners shall each and every of them, immediately upon the appointment of a president and directors, pay over to them, or their agents for such purpose authorized, all such sums of money as they or any of them may have, or ought to have received; and any one failing in this respect, shall be liable to pay the said president and directors double the sum aforesaid, to be recovered in an action of debt before any jurisdiction having cognizance thereof.

IV. Be it further enacted, That it shall be lawful for a majority of the stockholders, who may assemble in general meeting either in person or by proxy, to declare what compensation shall be paid to the president or any other officer or servant of the said corporation; to examine the books of the president and directors and other officers and servants of the corporation; to adjust, settle and state their accounts, and to exercise all the power which may be proper for correcting delinquency preventing misapplication and waste, and keeping within the line of their duty all who may be directly or indirectly entrusted with the management of their affairs or engaged in their service.

V. And be it further enacted, That the company hereby established shall not engage in the business of banking, or business other than what exclusively belongs to manufacturing; and that said company shall not exist for a longer time than forty years.

VI. And be it further enacted, That this act shall take effect and be in operation from and after the ratification thereof: Provided, that the Legislature shall at any time hereafter have the power to repeal, alter or modify the charter hereby granted; on condition nevertheless, that no alteration, modification or repeal shall annul or invalidate the contracts made by or with the corporation; and that the corporation may still continue a corporation, so far as to collect, recover and dispose of their estate, real and personal, and pay their debts and divide the surplus.

CHAPTER XCVIII.

An act to incorporate the Richmond Rockingham Manufacturing Company.

Be it enacted by the General Assembly of the State of North Carolina, and it
is hereby enacted by an authority of the same, That Thomas Crawford and Francis T. Leake, and such persons as now are or may hereafter become stockholders of said company, shall be, and they are hereby created a body corporate and politic in fact and in name, by the name of "The Richmond Rockingham Manufacturing Company," and by said name they and their successors shall and may have succession; and shall be in law capable of suing and being sued, pleading and being pleaded, defending and being defended, answering and being answered unto, in all courts and judicatories whatsoever and wheresoever; and also of contracting and being contracted with, relative to the funds of the said corporation, and the business and purposes for which said corporation is hereby created, as hereinafter declared; and they and their successors may have a common seal, and may change and alter the same at their pleasure; and they and their successors, by the same name and style, shall be in law capable of purchasing, holding and conveying any estate, real and personal, for the use of said corporation: Provided, that the real estate so to be held shall be such only as may be requisite for its accommodation in the transaction of its business, or which shall have been bona fide mortgaged to it by way of security for loans or contracts, or which shall have been conveyed to it in satisfaction of debts previously contracted in the course of its dealings, or which shall have been purchased by the company or its agents, at sales, upon judgments which shall have been obtained upon debts due to said company.

II. And be it further enacted, That the corporation hereby created, is for the purpose of manufacturing cotton and woollen goods in this State, and for no other purpose.

III. And be it further enacted, That the capital stock of the said corporation shall be thirty thousand dollars, and shall be divided into shares of one hundred dollars each; but it shall nevertheless be lawful for the said corporation, when and so soon as five thousand dollars shall have been subscribed for, to commence their said business; and with that capital to conduct and carry on the same until they find it expedient to extend their capital, which they are authorised to do from time to time, to the amount hereinbefore mentioned.

IV. And be it further enacted, That the subscription to the said stock shall be opened under the direction of Walter Leake, jun'r, William Crawford, Thomas Crawford and Francis T. Leake, or any two of them, who are hereby appointed commissioners for that purpose, and authorised to receive subscriptions to said capital stock on such day and at such place as they shall appoint, giving at least twenty days public notice of such time and place of receiving subscriptions; and that the sum of ten dollars shall be paid to the said commissioners on subscription, on each share; the balance to be paid at such times and in such instalments as the president and directors hereinafter authorised to be appointed, shall direct; and in case the amount of thirty thousand dollars of the stock shall not be taken on said day, then the said commissioners, or a majority of them, are authorised, on such other day or days, and at such place or places as they shall from time to time appoint, to receive further subscriptions, until the whole required capital stock shall have been subscribed for and taken.

V. And be it further enacted, That the stock, property and concerns of the said corporation, shall be managed and conducted by five directors, one of whom to be president, who may respectively hold their offices for one year, and until others shall be chosen, and no longer; and that the said board
shall be elected by such of the stockholders as shall attend for that purpose, either in person or by proxy, on such day and at such place as shall be designated by the said commissioners, or a majority of them, appointed in and by the preceding section of this act; and the said commissioners are hereby appointed inspectors of the said election; and the said board then chosen shall hold their offices until the next annual election, and until others shall have been elected in their stead; and the said directors, after the said term thereof shall have expired, shall be chosen annually on the first day of their annual meeting in each year, in the town of Rockingham, in the county of Richmond; of which election at least thirty days public notice shall be given; and such election shall be held under the inspection of the directors for the time being and shall be by ballot, by plurality of votes, allowing one vote for every share, and the stockholders not present may vote by proxy.

VI. And be it further enacted, That in case it shall at any time happen that an election of directors should not be made on any day, when, pursuant to this act, it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved; but it shall and may be lawful on any other day to hold and make an election of directors in such manner as shall have been regulated by the laws and ordinances of the said corporation.

VII. And be it further enacted, That if any stockholder shall neglect or refuse to pay an instalment on his subscription, when required to do so by the president and directors aforesaid, he shall forfeit his share or shares in said stock and all previous payments made thereon.

VIII. And be it further enacted. That the stock of said company shall be transferable according to such rules and regulations as the board of directors may make and establish, and shall be considered personal property.

IX. And be it further enacted, That the directors for the time being or a majority of them, shall form a quorum for the transaction of all the business of a corporation, and shall have power to make all such by laws, rules and ordinances as to them shall appear needful and proper for the management and disposition of the stock, property, estate and effects of the said corporation.

X. And be it further enacted, That the duration of the corporation created by this act, shall be twenty years, and no longer.

XI. And be it further enacted, That this act shall be in force immediately from and after the ratification thereof. Provided, that the Legislature shall at any time hereafter have power to repeal, alter or modify the charter hereby granted; on condition nevertheless, that no alteration, modification or repeal shall annul or invalidate the contracts made by or with the corporation; and that the corporation may still continue a corporation, so far as to collect and recover and dispose of their estate, real and personal, and pay their debts and divide the surplus.

CHAPTER XCIX.
An act to repeal an act, passed in the year 1826, chapter 145, entitled an act to amend the said law in Rutherford county.

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 so much of the above recited act as authorises a sale to be held at the house of Martin Shuford, be, and the same is hereby repealed.

CHAPTER C.
An act to alter the time of holding the County Courts of Ashe county.

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 Court of Pieas and Quarter Sessions of Ashe county shall hereafter be held, in each and every year, on the fourth Monday of February, the third Monday of May, the fourth Monday of August, and the third Monday of November.

CHAPTER CI.
An act requiring the county trustee of the county of Davidson to pay the jurors of said county, and for other purposes.

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 county trustee of the county of Davidson is hereby required to retain so much of the county funds (when he receive the same) as will be sufficient to pay the jurors of said county, in preference to all other claims; and that it shall be the duty of the said trustee to attend at the court house of his county on the two last days of the courts, for the purpose of paying off said jurors whenever discharged.

11. And be it further enacted, That if the said trustee shall fail to comply with the requisitions of this act, he shall forfeit and pay the sum of fifty dollars, recoverable before any jurisdiction having cognizance thereof; one half to the use of the informer, and the other half to the use of the county; any law, usage or custom to the contrary notwithstanding.

CHAPTER CII.
An act to require the sheriff of Hyde county to sell the old public buildings of said county.

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 sheriff of Hyde county be, and he is hereby required, on the last Monday of May next, to expose to public sale to the highest bidder, the old court house and jail, with the lots on which they stand, and the public square in the town of Germantown, in the aforesaid county, at a credit of twelve months; and that the proceeds of such sale shall be paid over to the county trustee, for the use of the county aforesaid.

11. And be it further enacted, That all laws or clauses of laws coming within the meaning and purview of this act, be, and the same are hereby repealed.

CHAPTER CIII.
An act to incorporate "Chorazin Chapter, No. 15, of Royal Arch Masons," in the town of Greensboro, in the county of Guilford.

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 High Priest, King, and Scribe, and other officers and companions of "Chorazin Chapter, No. 15, of Royal Arch Masons," in the town of Greensboro, in Guilford county, be, and they are hereby constituted a body politic and corporate, by the name and style of "Chorazin Chapter, No. 15, of Royal Arch Masons," and by that name shall have perpetual succession; may sue and be sued; plead and be impleaded; have a common seal; hold and dispose of such property as they may acquire; and in general exercise and enjoy all such rights and privileges as are usually incident to corporate bodies of the like nature.

CHAPTER CIV.
An act to amend the laws regulating the sale of lands and slaves, so far as respects the county of Montgomery.

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 sheriff and other returning officers of said county, be, and they are hereby authorised to make sale of lands and slaves on the first day of the Superior Courts of Law and Equity for said county, with the same power to postpone or continue the sale from day to day, as heretofore allowed by law; any law to the contrary notwithstanding.

CHAPTER CV.

An act to authorize James Bedford, of Burke county, to erect two gates across the road leading from Rutherfordton, up Cain Creek, to Morgan ton.

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 James Bedford, of Burke county, be, and he is hereby authorized to erect two gates on his own land across the road leading from Rutherfordton, up Cain Creek, to Morgan ton, under the same rules, regulations and restrictions as are now prescribed by law for the erection of such gates.

CHAPTER CVI.

An act to authorize the County Court of Person to establish a poor house in said county.

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 a majority of the magistrates of the county of Person be, and they are hereby authorized and empowered to establish a poor house in said county.

If. Be it further enacted, That said magistrates, or a majority of them, shall have full power and authority to establish laws and ordinances for the good government of said poor house, and the comfort and convenience of the poor in said poor house.

CHAPTER CVII.

An act to alter the names of Sidney S. Gay, Samuel C. Gay, Mary G. Gay, Fadius H. Gay, of Wake county, and to legitimate them.

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 Sidney S. Gay, Samuel C. Gay, Mary G. Gay and Fadius H. Gay, the illegitimate children of Burwell Perry, shall hereafter be known and distinguished by the name of Sidney S. Perry, Samuel C. Perry, Mary G. Perry and Fadius H. Perry; and by that name shall be made capable to sue and be sued, plead and be impleaded within any court within this State; and by that name shall be legitimate and made capable to take, possess and enjoy and inherit any estate, either real or personal, which may be devised or descend to them, in all intents and purposes, as if the said Sidney, Samuel, Mary and Fadius had been born in lawful wedlock; any law to the contrary notwithstanding.

CHAPTER CVIII.

An act to amend an act, entitled "an act to authorize the Courts of Pleas and Quarter Sessions of Craven and Cumberland counties to appoint special justices of the peace, and making compensation to such justices for certain services."

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 henceforth it shall not be lawful for any justice for the town of Newbern, in any case where a warrant has been executed on any person without the limits of said town to charge or receive any fee for issuing a subpoena, for rendering a judgment or granting an appeal or stay of execution; any law to the contrary notwithstanding.
CHAPTER CIX.

An act to authorise the Court of Pleas and Quarter Sessions of the county of Warren to dispose of a part of the public square in the town of Warrenton.

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 Court of Pleas and Quarter Sessions of the county of Warren, a majority of the justices being present, are hereby authorised to dispose of, or cause to be disposed of, either by donation or otherwise as they may think proper, a part of the public square, not exceeding forty by fifty feet on the east side of the street leading from the female academy to Col. Robert H. Jones: Provided the purchaser or donee, as the case may be, appropriate the same to the erection of a church thereon, and no other use: Provided also, that the said piece of ground revert to the town when it shall cease to be used for the purpose aforesaid.

CHAPTER CX.

An act concerning the chairman of the county of Bertie.

Whereas there is at this time no acting chairman of the aforesaid County Court:

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 from and after the passing of this act, Elijah Rayner, one of the justices of said county, be and he is hereby authorised and empowered to act as chairman of the County Court of Bertie, and to perform all duties belonging or in any wise appertaining thereto, until the next term of said court.

CHAPTER CXI.

An act to incorporate the Chatham Iron Manufacturing Company.

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 Peter P. Smith, Edward Rives and Ambrose K. Ramsey, of the county of Chatham; and Alexander Gray, Benjamin Elliott and Hugh Moffat, of the county of Randolph; and James Gaines, Daniel M’Neil and Guideon Seawell, of the county of Moore; and James Mebane, John Stockard and Thomas Clancy, of the county of Orange, be, and they are hereby appointed commissioners to open books and receive subscriptions to the amount of fifteen thousand dollars, in shares of one hundred dollars each, for the erection of an iron and casting manufactory in the county of Chatham; and that the said commissioners, either themselves or by agents, shall, on the first day of May next ensuing, open books for the purpose aforesaid in the counties of Chatham, Randolph, Moore and Orange, and in any other part of the State they may think necessary; and if on the first opening of the books, the sum of ten thousand dollars is not subscribed, then books may again be opened at such times and places as a majority of the commissioners may direct, until ten thousand dollars be subscribed; and if, at the first opening of the books, and at any subsequent time, more than fifteen thousand dollars is subscribed, then the same shall be scaled down to the amount of capital hereby authorised, according to some equitable rule to be fixed on by the commissioners, the stock to be paid in on such instalments, as the commissioners shall agree on before opening the books.

II. Be it further enacted, That the individuals who may subscribe and take shares as aforesaid, be, and they are hereby incorporated a body politic and corporate, by the name and style of “The Chatham Iron Manufacturing
Company, and by that name shall have regular succession and a common seat; may acquire and hold, sell and transfer estate, real and personal; may sue and be sued, plead and be impleaded; and generally possess, exercise and enjoy all the rights and powers usually possessed, exercised and enjoyed by other corporations in this State, making such rules and regulations for their own government as they may deem proper, the same being not inconsistent with the constitution and laws of the land.

And be it further enacted, That this charter shall expire at the end of twenty five years from and after the ratification hereof.

CHAPTER X

An act to regulate the granting of badges by the commissioners of Wilmington, and to restrain slaves to whom badges may have been or hereafter may be granted from working in improper places, and for other purposes.

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 from and after the passage of this act it shall not be lawful for the commissioners of the town of Wilmington to grant badges to any slaves except such as may in their opinion be necessary to carry on the ordinary business of the town and for the purposes of commerce nor in any case except upon the written request of the owner or manager of said slave.

II. Be it further enacted, That no mechanic, who is a slave and to whom a badge may be granted by said commissioners, shall be permitted to make any contract for the execution of any work within his trade beyond the value of one day's work; but all such contracts shall be entered into by the masters or managers or their agents; and no recovery shall hereafter be had in law for any services rendered or work done by any mechanic who is a slave, upon any contract or agreement made with any person by said slave, except as above specified.

III. Be it further enacted, That it shall not hereafter be lawful for said commissioners to grant badges or licenses to baxter to any female slave under the age of forty years; and in case any female slave, under the age of forty years, to whom a badge shall have been granted by said commissioners, shall be guilty of pursuing the occupation of baxter, said slave shall be taken up by the constable of the town, and upon indictment in the Court of Pleas and Quarter Sessions of New Hanover county, and convicted thereof, shall be hired out for the term of one year, except where such slave shall have been hired out by the owner to some other person for one year or more; in which case said slave shall be hired out for the balance of the time for which she may have been hired out by her owner; one half of said hire to be applied to the use of the informer, and the other half to the use of the town.

IV. Be it further enacted, That no slave, to whom a badge shall hereafter be granted by said commissioners, shall have any license or privilege by virtue of said badge to hire out his or her time, or work in any place except within the limits of the town of Wilmington or on board a vessel lying in the river, or on some wharf opposite to the town, or within one half mile of the bounds of the town.

V. Be it further enacted, That if any slave, to whom any badge shall have been given by said commissioners, shall, at any time within the year for which said badge shall have been granted, be found at work at any other place than those above specified, whether with or without the consent of the owner or manager, unless it be on his or her owner or manager's land or premises,
or for some person to whom he or she may have been hired by his or her owner or manager, or unless it shall be clearly proven that said slave had previously descended from the owner or manager, and was at the time a runaway, such slave shall be arrested and bound over for his or her personal appearance at the Court of Pleas and Quarter Sessions, and upon indictment and conviction of working at any place contrary to the true intent and meaning of this act, shall be hired or, for the term of one year; one half said hire to be applied to the benefit of the informer, and the other half to the use of the town of Wilmington: Provided nevertheless, that said slave shall belong to any infant or to the estate of any deceased person, and shall have been hired to any other person, he or she shall be hired out only for the residue of the time for which he or she may have been hired out.

VI. Be it further enacted, That whenever any slave shall be hired out by the sheriff of the county under the provisions of this act, it shall be the duty of the sheriff to take bond from the hiree, with approved security, in such sum as may be proper, conditioned for the payment of the sum for which said slave may hire, and for his return to said sheriff at the expiration of the time.

VII. Be it further enacted, That whenever any slave, who may belong to any infant or to the estate of any deceased person, who shall be hired to any person who shall procure for said slave a barge from said commissioners for said slave, or shall permit said slave to procure such barge, if such slave shall at any time during the time for which said slave may have been granted, be found at work at any place contrary to the true intent and meaning of this act, the hiree of said slave shall forfeit and pay the sum of fifty dollars to be recovered before any jurisdiction having cognizance thereof; one half to the use of the informer and the other half to the use of said town of Wilmington.

VIII. Be it further enacted, That all laws and clauses of laws coming within the meaning and purview of this act, are hereby repealed; and that this act shall be in force from and after the ratification thereof.

CHAPTER CVIII.
An act supplemental to an act, passed in the year 1827, compelling the County Courts of Gates to appoint a committee of finance.

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 if the commissioners hereafter appointed, under the above recited act, shall fail or neglect to faithfully perform the duties imposed on them by said act, they shall forfeit and pay the sum of one hundred pounds each, to be recovered in the name of the chairman of the Court of Pleas and Quarter Sessions of said county; to be applied to the use of the poor of said county.

II. Be it further enacted, That it shall be the duty of the county solicitor of said county to see for the penalty imposed by this act, in any court of competent jurisdiction.

CHAPTER CIX.
An act to authorize the trustees of the academy in the town of Edenton to dispose of certain lots in said town.

Whereas it appears by an act passed in the year one thousand seven hundred and seventy that there were two lots purchased by subscription for a public school in the town of Edenton and trustees appointed, all of whom have since died without carrying their original designs into effect:
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Be it therefore enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the Trustees of the Edenton Academy be, and they are hereby authorised and empowered to take possession of said sold said lots, on such terms as they may deem advisable, and to appropriate the proceeds of such sale to the use and benefit of said academy.

CHAPTER CXV.
An act making it the duty of the major general of the third division of the militia of North Carolina, to which the county of Orange is attached, to review the militia at their usual regimental muster grounds.

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 from and after the passage of this act, it shall be the duty of the major general of the said division of the militia of North Carolina, to which Orange is attached, hereafter to review the different regiments of said county separately at the usual places heretofore appointed, or which may hereafter be appointed by the officers of said regiment in said county for holding regimental musters; any law, usage or custom to the contrary notwithstanding.

CHAPTER CXVI.
An act to amend an act, passed in one thousand eight hundred and nineteen, to appoint commissioners for the town of Chapel Hill, in Orange county.

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 commissioners, who may be annually elected for the town of Chapel Hill, or a majority of them, shall and may lay an annual tax, agreeably to the provisions of the above recited act, at any time during the year in which it may seem expedient to the said commissioners, for the purpose of keeping the streets of said town in repair; and that said commissioners may and shall have authority to compel the citizens of said town to work on the streets thereof, whenever it may be deemed expedient by said commissioners.

CHAPTER CXVII.
An act directing the manner in which wardens of the poor in the county of Cumberland shall hereafter be elected, and for other purposes.

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 wardens of the poor in and for the county of Cumberland shall hereafter consist of nine persons, three of whom shall reside in the town of Fayetteville, three within the bounds of the first regiment of militia of said county and without the confines of said town, and three within the bounds of the second regiment of militia in said county; a majority of whom, when convened, shall be capable to transact business.

11. Be it further enacted, That said wardens shall be elected triennially by the freemen of said county at the same time and places that Members of the General Assembly are elected, and under the superintendence of two discreet persons, appointed by the County Court at its term next preceding said election for that purpose; and the returns of said election shall be made at the same time and in the same manner that the returns of elections for Members of Assembly are made.

111. Be it further enacted, That it shall be the duty of the sheriff of said county to notify said wardens of their election immediately after said returns are made, and before the first term of the County Court that may happen
hereafter, under the penalty of fifty dollars for each and every failure, to be recovered before any jurisdiction having cognizance thereof; the one half to be applied to the use of the poor, and the other half to go to the person suing for the same.

IV. Be it further enacted, That it shall be the duty of said warden, at their first meeting after their appointment under this act, to appoint a treasurer, who shall enter into bond, with two or more sufficient securities, in the sum of five thousand dollars, payable to the Governor for the time being and his successors in office, conditioned for the faithful discharge of his duties as treasurer, for his paying to the order of the warden of the poor for the county of Cumberland such sums or sums of money as they may from time to time direct, and for his accounting to them in a satisfactory manner when called upon for all sums of money by him received; which said bond shall be deposited in the office of the clerk of the County Court.

V. Be it further enacted. That the said treasurer shall receive for his services as such the sum of two per cent. on all sums of money by him received, and the further sum of two per cent. on all disbursements by him made, to be allowed in the settlement of his accounts.

VI. And be it further enacted. That all acts coming within the meaning and purview of this act, be, and the same are hereby repealed.

CHAPTER CXVIII.
An act to repeal an act, passed in the year one thousand eight hundred and twenty-three, entitled an act to regulate the Court of Pleas and Quarter Sessions of Richmond county.

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 above recited act be, and the same is hereby repealed.

CHAPTER CXIX.
An act to amend an act, passed in the year one thousand eight hundred and twenty-six, chapter 139, entitled "an act to repeal an act of the General Assembly, passed in the year one thousand eight hundred and twenty, entitled "an act directing the County Court to order the payment of fees to certain officers therein named," so far as affects the county of Lincoln.

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 in State cases, where there shall be a wltte prosequi entered, or the defendants shall be acquitted or convicted and unable to pay the costs, the county shall not be liable to pay the clerk's and sheriff's fees.

II. Be it further enacted. That whenever any monies shall be received by the clerks, which by law they are required to pay over to the county trustee, they shall pay over the same within three months after the same shall be received, and shall not be entitled to retain or receive a per cent. upon said monies as heretofore allowed.

CHAPTER CXX.
An act concerning the County Courts of Lenoir.

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 hereafter it shall be lawful for the County Court of Lenoir, a majority of the acting justices of said county being present, to dispense with a grand jury at their April and October terms, and also to dispense with the drawing and summoning of the same for the said terms; any law or usage to the contrary notwithstanding.
CHAPTER CXXI.

An act to restore Silas Bond, of Martin county, to credit.

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 Silas Bond, of Martin county, in the State of North Carolina, be, and he is hereby restored to credit in as full and ample a manner to all intents and purposes, as if the said Silas Bond had never been convicted of any crime whatever; and he is hereby declared to be a competent witness to depose and testify in all cases where the same may be necessary; any law, usage or custom to the contrary notwithstanding.

CHAPTER CXXII.

An act for the relief of Thomas Marshall, sheriff of Carteret county, Stephen Owens, sheriff of Beaufort county, and Wyatt Mayo, sheriff of Greene county.

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 penalty of two hundred pounds is incurred by Thomas Marshall, sheriff of Carteret county, Stephen Owens, sheriff of Beaufort county, and Wyatt Mayo, sheriff of Greene county, for failure to make due returns of the number of electoral votes for President and Vice President taken in their respective counties at the late election, be, and the same is hereby remitted and discharged; Provided, that the said Thomas Marshall, Stephen Owens and Wyatt Mayo pay all the costs they may have incurred on any process issued by the attorney general in consequence of their failure to make returns according to law.

CHAPTER CXXIII.

An act to amend an act, passed in the year 1796, entitled an act to lay off the town Serecta, on the north-east branch of the Cape Fear river, and appointing commissioners for the same.

Whereas all the commissioners appointed under the above recited act, are dead or have removed:

Be it therefore enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That Richard Miller, S. M. Houston, George E. Houston, William A. Houston and Jeremiah Pearsall, be, and they are hereby appointed commissioners of the town of Serecta, on the north east branch of the Cape Fear river; and the said commissioners shall exercise the same powers and authority as were vested in the former commissioners by the provisions of the above recited act.

CHAPTER CXXIV.

An act to legitimate Polly Matilda Stinson, of the county of Chatham.

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 Polly Matilda Stinson, illegitimate daughter of Thomas Ward of Chatham county, be, and she is hereby declared to be legitimate, and shall hereafter be known by the name of Polly Matilda Ward, and by such name shall sue and be sued, plead and be implored; is heir property by descent and distribution; and shall be entitled to inherit the property, real or personal, of said Thomas Ward, in as full and ample manner as if she had been his legitimate child by lawful wedlock.

CHAPTER CXXV.

An act concerning the hands liable to work on the Buncombe Turnpike Road.

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 all hands liable to work on roads in the county of Buncombe, residing within two miles of the
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Buncombe Turnpike Road, shall, in consideration of the six days labour they are required to perform on said road, be exempted from working on all other roads in said county of Buncombe.

CHAPTER CXXVI.

An act to repeal an act, passed in the year one thousand eight hundred and fifteen, entitled "an act to incorporate the Person Library Company."

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 above recited act be, and the same is hereby repealed.

H. And be it further enacted, That Nathaniel Norfleet, Thomas Mcgehee, Curie Burnett, John Holloway, Asahim Edwards, and Robert Vanhook, be, and they are hereby appointed commissioners, with full power and authority to sell and dispose of the books belonging to the said library, and pay the proceeds to the respective stockholders or their legal representatives.

CHAPTER CXXVII.

An act to compel the major general to review each regiment in the counties of Davidson and Burke's district.

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 from and after the passage of this act, it shall be the duty of the major general of the fourth and fifth division of the militia of North Carolina to review each regiment in the counties of Davidson and Burke separately, upon the ground where each regiment has formerly held their regimental musters, or at such place as a majority of the officers may think proper; any law to the contrary notwithstanding.

CHAPTER CXXVIII.

An act to restore to credit John A. Nuller, of the county of Anson.

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 John A. Nuller of Anson county, be, and he is hereby restored to credit, and all the privileges and immunities of a free citizen, in as full and ample manner as if he had never been convicted of the crime of deceit.

CHAPTER CXXIX.

An act concerning the treasurer of public buildings and the county trustee of Buncombe county.

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 surplus monies in the hands of the treasurer of public buildings for the county of Buncombe, which shall remain after the claims now existing on account of the court house, jail, stocks and the improvements of the public square, shall have been liquidated and paid, be, and the same are hereby transferred to the county trustee for county uses; and the said county trustee is hereby authorized to use all measures necessary to obtain the sums of money aforesaid.

CHAPTER CXX.

An act to incorporate the town of Clinton, in Sampson county, and to extend the limits thereof.

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 William W. Asman Johnson, Alfred Turner and Michael J. Copps, be, and they are hereby appointed commissioners for the town of Clinton, in Sampson county; and they and their successors, or a majority of them, shall have full power and authority to adopt such rules and regulations, and pass such bye-laws as they
may deem expedient for the good government of said town, not inconsistent with the laws of this State or of the United States.

II. Be it further enacted, That upon the death, resignation or inability to act, of any of the aforesaid commissioners, the remainder shall have full power and authority to appoint his successor, who shall be possessed of all powers granted by this act to his predecessor.

III. Be it further enacted, That the limits of said town shall, and they are hereby extended as to comprehend, on the west side of the court house, a quantity of the lands of William M'Kay not exceeding two hundred yards in depth; and that whenever hereafter any proprietor of lands adjacent to the town shall desire any portion of his land to be included within its limits, he shall notify the aforesaid commissioners of the same, who shall proceed to lay off the limits of the town so as to comprehend such portion of land; and the proceeds arising from the sale of the lots on such land, after a deduction of the expense of survey, shall be to the use and benefit of the owner of said land.

CHAPTER CXXXI.

An act authorising Thomas Handcock, late sheriff of Randolph county, to collect the arrearages of taxes due him for the year eighteen hundred and twenty-six.

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 Thomas Handcock, late sheriff of Randolph county, be and he is hereby authorised and empowered to collect the arrearages of taxes due him in said county for the year one thousand eight hundred and twenty-six; which collection shall take place under the same rules, regulations and restrictions as are already prescribed for the collection of public taxes: Provided always, that the authority hereby granted shall not extend to the collection of taxes from the executors or administrators of deceased persons, from those who have removed out of the county, or from those who shall voluntarily make oath that he, she or they have paid the same.

CHAPTER CXXXII.

An act to alter the name of Andrew J. Perry and others, and to legitimate them.

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 from and after the passage of this act, Andrew Jackson Perry, of Bertie county, an illegitimate son of George W. Outlaw, shall be called and known by the name of Andrew Jackson Outlaw, and by that name may sue and be sued, plead and be impleaded, and receive and take property by descent and distribution.

II. Be it further enacted, That the said Andrew J. Perry be, and he is hereby declared legitimate and capable in law to take and inherit property, as heir of the aforesaid George W. Outlaw, in as full and ample a manner as if he had been born in lawful wedlock; any law, usage or custom to the contrary notwithstanding.

III. And be it further enacted, That Benjamin Farmer, of the county of Edgecombe, the illegitimate son of Arthur Farmer and Parma his wife, and Lewis C. Pender, of said county, the illegitimate son of William Pender and Nelly his wife, and Curtis Holland, of the county of Wayne, the illegitimate son of Curtis Holland and Nancy his wife, be, and they are hereby declared capable in law to take and inherit property as heirs at law of the aforesaid Arthur Farmer, William Pender and Curtis Holland, in as free and ample a manner as if they had been born in lawful wedlock; any law to the contrary notwithstanding.
CHAPTER CXXXIII.
An act requiring the county trustee of Chatham to pay the jurors of said county, and for other purposes.

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 county trustee of Chatham county is hereby required to retain so much of the county funds, whenever he may receive the same, as will be sufficient to pay the jurors of said county as aforesaid, in preference to all other claims; and that it shall be the duty of said trustee to attend at the court house of said county on the two last days of each and every court, for the purpose of paying off said jurors whenever discharged.

II. And be it further enacted, That if said trustee shall fail to comply with the requirements of this act, he shall forfeit and pay the sum of fifty dollars, recoverable before any jurisdiction having cognizance thereof; one half to the use of the informer, and the other half to the use of the county; any law, usage or custom to the contrary notwithstanding.

CHAPTER CXXXIV.
An act to compel the County Court of Lenoir to appoint a committee of Finance.

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 justices of the peace of the county of Lenoir are hereby required, at the first court which shall be held for said county after the first day of April next, and annually thereafter, a majority of the justices being present, to appoint three persons of skill and probity to act as a committee of Finance, whose duty it shall be to examine all the records, papers and documents, which have relation to any county monies, in the offices of the clerks of the Superior and County, and of the clerk and master in Equity, and to audit and settle all accounts between the said county and the sheriff, county trustee, or any other officer or commissioner, who may have heretofore had money belonging to the county aforesaid; and the said committee are hereby authorised and empowered to call on each of the said clerks, at their offices, to lay before them for inspection such records, documents and papers as aforesaid; to call on said sheriffs, county trustees or other officers or commissioners to meet them at the court house of the county aforesaid, to audit and settle their respective accounts, at some designated time.

II. And be it further enacted, That it shall be the duty of said committee to make a full investigation of all financial concerns of said county of Lenoir, from the first of April, one thousand eight hundred and twenty-six, to the first of April, one thousand eight hundred and twenty-nine, and make a similar investigation annually thereafter; and make a return to the court held in said month, setting forth a full and fair statement of their investigation, designating therein all monies due from the county aforesaid to individuals, as well as those due from individuals to the county; and each member of said committee shall receive an allowance not exceeding one dollar and fifty cents per day for each day they may be necessarily engaged on said committee; which allowance the county courts of said county are hereby authorised and required to make, (a majority being present,) to be paid out of the county funds.

III Be it further enacted. That if said clerks, sheriff, county trustee, or other officer, who may hold any county money shall fail, neglect or refuse duty to account for the same, the committee of Finance shall give such person,
ten days previous notice in writing of the time at which they shall attend to make such settlement; and every officer receiving notice as aforesaid, and failing to attend and make such settlement as is required by this act, shall forfeit and pay the sum of five hundred dollars, to be recovered before any jurisdiction having cognizance thereof; which said sum shall be brought in the name of the chairman of the court, and shall be prosecuted at the expense of the county, unless the County Court shall release said officer from his forfeiture; which said court is hereby authorised to do.

IV. Be it further enacted, That any person appointed by the authority of this act a member of the committee of Finance aforesaid, shall, previous to his entering on the duties of his appointment, take the following oath, to wit: "I, A. B. do solemnly swear, or affirm (as the case may be) that I will faithfully discharge the duties imposed on me by law, as a member of the committee of Finance for my county, in all business that may come before me, without doing injustice to the county or to individuals, to the best of my skill and ability; so help me God."

V. Be it further enacted, That it shall hereafter be the duty of the several clerks, sheriffs, county trustees and all other officers and commissioners, who may have claims or demands of the county aforesaid, to deliver the same to the said committee of Finance for their examination and inspection, whose duty it shall be to make out two fair and correct statements of each settlement by them made by virtue of their appointment; one of which, after being submitted to and past upon by the court, shall be filed with the clerk of the County Court, and the other kept by the committee for their own use.

VI. Be it further enacted, That it shall be the duty of the clerks of said County Court to furnish said committee with a statement of all sums allowed by the County Court to individuals, setting forth the several amounts and to whom made.

CHAPTER CXXXV

An act to amend an act, passed in the year one thousand eight hundred and twenty-one, entitled "an act to incorporate the company, entitled the Roanoke Inlet Company, and for other purposes."

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 commissioners already appointed by the aforesaid act, together with William Martin, Jordan A. Wright and Isaac N. Lamb, of Elizabeth City; John Wood and Alfred Moore, of the town of Hertford; James Boyzam, John Poppelson, John Cox and James R. Creecy, of the town of Edenton; Henry Gilliam, John B. Baker and Mills Ruddick, of the county of Gates; Isaac Pipkin and John Wheeler, of the town of Murfreesborough; Josiah Holly, John E. Wood and Joseph B. G Roulac, of the county of Bertie; Thomas Cox and Horace Ely, of the town of Plymouth; and John Beasly and Daniel N. Bateman, of the county of Tyrrell; Spence Hall; Caleb Etheridge and Gideon C Marchant, of Currituck county; and Joseph Dozier, Enoch Nash and Malachi S. Lewis, of Camden county, be, and they are hereby appointed commissioners for the purposes mentioned in the before recited act; and that the said commissioners shall open books for the purpose of receiving subscriptions on or before the first day of May next, and shall continue them open until the first day of November next; and when the sum mentioned in the before recited act shall have been subscribed, the subscribers shall be incorporated into a company by and under the name of the Roanoke Inlet Company; and shall have all the powers, privileges and immunities, and shall be governed by the same rules, regulations and restrictions as are prescribed by the before recited act."
II. And be it further enacted, That if the said navigation shall not have been improved or completed, as contemplated by the provisions of the before recited act, within ten years from and after the passage of this act, all exclusive privileges granted to the said incorporated company shall cease and determine on the expiration of the said term of ten years.

III. Be it further enacted, That this act shall go into operation when, and not before, the Congress of the United States shall confirm or assent thereunto; and that the Governor of this State be, and he is hereby directed to forward to the Congress now in session a copy of this act, and likewise a copy of the act of one thousand eight hundred and twenty-one, with instructions to our Senators and Representatives therein assembled, to endeavour to procure the consent of the said Congress to all the clauses contained in this and in the before mentioned act; and that the said Governor further instruct our Senators and Representatives to solicit the aid of the general government to effect the objects of the before recited act.

IV. And be it further enacted, That this act shall be in force from and immediately after its ratification.

CHAPTER CXXXVI.

An act to authorize the wardens of the poor in the counties of Chowan and Hertford, with the consent of the County Courts, to purchase lands and erect buildings for the reception of the poor thereof, and for other purposes

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 it shall and may be lawful for the wardens of the poor for the counties of Chowan and Hertford, under the authority of the County Courts of said counties, to purchase lands in said counties in some convenient situation, and thereon erect suitable buildings for the reception and employment of the poor of said counties, and to take a proper conveyance, in the name of the chairman of the respective courts, for the use and benefit of said counties; and the aforesaid wardens are further authorized to use their discretion with respect to the dimensions of said buildings, and manner of erecting the same.

II. Be it further enacted, That the County Courts of Chowan and Hertford shall have power and authority, if deemed expedient, to lay a tax each and every year, for three years, to be collected and accounted for as other taxes are in said counties, for the purpose of making the purchase of the aforesaid lands and erecting the necessary buildings thereon; which tax, when collected, shall be paid into the hands of the wardens of the poor, and the said wardens shall have the care and management of the same.

III. Be it further enacted, That the wardens of the poor for said counties shall have power and authority, when the buildings for the poor shall be completed, to employ keepers or overseers, whose duty it shall be to keep those that are admitted properly and profitably employed at such labour as they may be able to perform, and to admit none but those sent by the wardens, or those sentenced there by the court; and to enforce such rules and regulations as shall be established from time to time for the well ordering and governing said poor; and for his services he shall receive such compensation as the wardens may deem adequate.

IV. Be it further enacted, That all such persons as the wardens may think proper objects of charity, shall be admitted; and the keeper shall see that they are suitably provided for, that they have good and wholesome provisions, comfortable lodgings and apparel, and make such arrangements for their use.
ful and convenient employment as may appear most reasonable, for the support of said poor; and at the end of each and every year, he shall account to the wardens of his county on oath for all sums which may have arisen from the labor of the poor, and the expenditures of the establishment.

V. Be it further enacted, That upon complaint of any citizen of either of said counties, to any justice of the peace, that any person is loitering about the county without any visible means of obtaining an honest livelihood, or that any person has been seen drinking and keeping company with slaves, or gambling and endeavoring to support themselves by unlawful means, or any person keeping a house of ill fame resorted to for the purpose of prostitution and lewdness, it shall and may be lawful for the said justice to issue his warrant against any person so complained of, directed to any lawful officer in said county, to bring him or her before any two justices of said county; and should the said justices find the complaint well founded, they are hereby authorized to bind said person over to the next County Court, there to be proceeded against as other persons charged with misdemeanors; and if it shall appear to the court and jury, that the charges are true, then the said court shall have full power and are hereby authorized to sentence such person to the poor house for a time not exceeding three months, there to be kept at labour, or at the discretion of the court to be ordered to jaiil, unless he or she find good and sufficient security for his or her good behaviour and support, and paying all lawful costs; then and in that case the culprit shall be discharged; any law to the contrary notwithstanding.

CHAPTER CXXXVII.

An act concerning the wardens of the poor of the county of Lincoln.

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 wardens of the poor for the county of Lincoln, who may be elected at the triennial election next ensuing the passage of this act, shall immediately after their election choose a treasurer, who shall then, and annually thereafter, enter into bond, with two good and sufficient securities, in the sum of two thousand dollars, payable to the Governor of the State for the time being, and his successors in office, conditioned for the faithful discharge of the duties of treasurer of the board of wardens of the poor of the county of Lincoln, as prescribed by the provisions of this act.

II. Be it further enacted, That it shall be the duty of said treasurer to receive all monies due or belonging to the wardens of the poor of said county, and pay the same to the order of the board of wardens as they may from time to time direct; and it shall moreover be his duty annually to render to said board a true and full statement of all his receipts and disbursements, accompanied with the receipts taken by him on his various disbursements; which statement, before being presented to the board, shall be confirmed and subscribed to on oath before some justice of the peace of said county; and said report so made and deposited as aforesaid, shall be filed and preserved by the board.

III. Be it further enacted, That said treasurer shall receive, as a compensation for his services, two per cent. on all his receipts as treasurer of said board.

IV. Be it further enacted, That said treasurer shall be elected annually, but shall not continue in office for a longer period than three years.

V. Be it further enacted, That the bond of said treasurer, taken as
agreeably to the provisions of this act, shall be deposited in the office of the clerk of the County Court of said county.

VI. Be it further enacted, That whenever any person shall proffer to keep any pauper at one half the sum the maintenance of such pauper at the poor house will require, and shall be able and willing to give bond, with sufficient security, in double the sum, for keeping of the said pauper agreeably to the directions of the wardens, the wardens shall assign such pauper to such applicant, upon his giving the bond and security aforesaid, and for refusal so to assign such pauper, shall be liable to a penalty of five dollars each, recoverable before any justice of the peace of said county; one half to the use of the infirmer, and the other half to the use of the poor of said county.

VII. Be it further enacted, That any person chosen treasurer agreeably to the provisions of this act, who shall refuse or neglect to discharge the duties of said appointment, shall forfeit and pay the sum of twenty dollars, recoverable before any justice of the peace, to the use of the poor of said county.

CHAPTER CXXXVIII.

An act appointing commissioners to alter the plan of the town of Ashborough, in the county of Randolph, and for the better regulation of the police of said town.

Whereas the citizens and owners of lots in the town of Ashborough, in the county of Randolph, have petitioned this General Assembly to appoint commissioners to lay off said town on a different plan from what it was heretofore laid off, and to incorporate said town:

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 Benjamin Elliot, William Brown, George Hooper, Joshua Craven and Hugh M'Cain, be, and they are hereby appointed commissioners to run and lay off the said town of Ashborough in squares, of six lots each, in such manner that each lot shall front on one or more streets; and that the whole of the streets shall be of the width of four poles.

II. And be it further enacted, That the commissioners aforesaid shall make out a fair plan of said town when so laid off, and file the same in the office of the clerk of the Court of Quarter Sessions of said county for the benefit and inspection of those interested.

III. And be it further enacted, That such alteration in the plan of said town shall not affect the title of any holder of a lot in said town of Ashborough; and that it shall be the duty of the commissioners herein appointed to make the number of each lot correspond with the number named in the owner's deed.

IV. And be it further enacted, That nothing in this act contained shall authorize the said commissioners to interfere with or alter the public square of said town.

V. Be it further enacted, That the citizens of the town of Ashborough who are constitutionally qualified to vote for members of the House of Commons to the General Assembly of this State, shall hold an election on the first Monday in February in each and every year at the court house in said town, and elect by ballot three commissioners, all of whom shall be residents and owners of a lot or lots in said town, who, before entering on the duties of their appointment, shall take an oath before some justice of the peace of the county of Randolph, that they will faithfully and impartially perform the duties of police officers for the town of Ashborough during their continuance in office.
VI. And be it further enacted, That the said commissioners shall possess full power and authority to lay a tax not exceeding twenty-five cents on the poll, and ten cents on every hundred dollars valuation of town property, and to pass such rules and regulations and bye laws as they may deem necessary for the good government of said town, not inconsistent with the laws of this State and record the same, together with their proceedings as town commissioners, in a book to be by them kept for that purpose; and also keep posted up at the door of the court house in said town a copy of such regulations and bye laws.

VII. And be it further enacted, That the sheriff and constable of Randolph county aforesaid shall be bound to aid and assist to carry the bye laws, to be made by said commissioners, into effect, and to execute all process to them or either of them, directed, for that purpose.

CHAPTER CXXXIX.

An act to authorize the wardens of the poor for the county of Lenoir to purchase a tract of land, and to erect thereon a house for the poor.

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 wardens of the poor for the county of Lenoir are hereby authorised and empowered to purchase a tract of land in said county, not to exceed one hundred and fifty acres, and to take a deed in the name of the chairman and his successors in office; which deed shall be filed in the clerk's office in said county for safe keeping.

II. Be it further enacted, That if said tract of land so to be purchased, have not the necessary buildings for the accommodation of the poor of said county, that it shall be the duty of the County Court, as soon as practicable, to appoint three commissioners to contract with a suitable person or persons to build such house or houses on said lands as the said wardens may think necessary; and the wardens are hereby instructed to pay all expenses incurred in erecting said buildings out of any money in their hands as wardens of the poor; which money shall be paid to the order of the commissioners for that purpose.

III. Be it further enacted, That when the said buildings are completed, the wardens shall, as soon as practicable thereafter, cause all the paupers in said county to be removed to the poor house, where they shall be comfortably provided for, and a superintendent employed at a reasonable salary, or otherwise, as the wardens in their discretion may think proper. The wardens shall furnish such implements of trade and husbandry as may be wanted for their use; and it shall be the duty of the superintendent and wardens to cause such of the poor as are able, to perform reasonable labour; the proceeds of which shall be appropriated towards their support.

IV. Be it further enacted, That the said wardens, or a majority of them, have power to make such regulations and bye laws as they may deem necessary for the good government of the said poor house.

V. Be it further enacted, That the said wardens shall take from the superintendent they may appoint, a bond of one thousand dollars, for the faithful performance of his duty as such, and for duly accounting for all monies and property belonging to the said wardens, which may be placed in his hands.

VI. Be it further enacted, That the County Court of said county have
power to impose such a tax as shall be sufficient to defray all expenses to be incurred under the direction of this act.

CHAPTER CXL.

An act to establish White Oak Academy, in the county of Robeson, and to incorporate the trustees thereof.

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 John M'Lean, Archibald Gachrist, John M'Donald, James M'Eachin and A. M'Eachin, of the county of Robeson, be, and they are hereby declared to be a body politic and corporate, known and distinguished by the name and style of the Trustees of White Oak Academy, and by that name and style shall have perpetual succession and a common seal; and they, or a majority of them, or their successors, shall be able and capable in law to take, demand and receive and possess money, goods and chattels, lands and tenements, for the use of said academy, and apply the same according to the will of the donor.

II. And be it further enacted, That the said trustees, or a majority of them, and their successors, shall be able and capable in law to sue and be sued, plead and be impleaded, in any court of this State, and to do all such acts and things as may be necessary and proper to be done by bodies politic and corporate, for the advancement and promotion of science in said institution, not inconsistent with the laws of this State.

III. And be it further enacted, That whenever any of the aforesaid trustees shall die, remove, resign, or by any other means become incapable of performing their duties as trustees of said institution, a majority of those remaining shall elect some fit and suitable person or persons in his or their stead, who shall have the same powers as their predecessors.

CHAPTER CXLII.

An act to incorporate the French Broad Bridge Company.

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 James M. Smith, James Lowry, James W. Patton, Nathaniel Harrison and John B. Weaver, of Buncombe county, their successors and assigns, be, and they are hereby created and made a corporation and body politic in law and fact, by the name and style of "The French Broad Bridge Company," and as such may sue and be sued, plead and be impleaded; have perpetual succession and a common seal, and all corporate rights necessary to the end for which this corporation is created.

II. Be it further enacted, That the said corporation shall have the privilege of erecting a bridge on the French Broad River, at or near the mouth of Jenkins' Branch; and when the said bridge is completed, to receive from all persons, animals and vehicles crossing the same, such tolls as the County Court of Buncombe (a majority of justices being present) may allow, and order to be recorded on the minutes of the Court.

III. Be it further enacted, That the individuals composing the said corporation shall at all time be liable for the corporate debts of the company.

IV. And be it further enacted, That this act shall be in force from and after its passage.

V. And be it further enacted, That the corporate rights and privileges hereby granted, shall be and remain vested in said corporation for the term of twenty years, and no longer.
CHAPTER CXLII.

An act to revive an act, passed in the year eighteen hundred and sixteen, entitled "an act to appoint commissioners for the town of Jamestown, in the county of Guilford, and to incorporate the same."

Whereas, by length of time, neglect, and the removal and death of some of said commissioners named in the before recited act, the said act has become obsolete, and ceased to have effect:

Be it therefore enacted by the General Assembly of the State of North Carolina, and is hereby enacted by the authority of the same, That from and after the passage of this act, the before recited act be, and the same shall hereby stand revived; and that Richard Mendenhall, Solomon Haworth, Richard Haworth, David Lindsay and Isaac J. M. Lindsey, be and they are hereby appointed commissioners for said town, who shall have and possess the same powers and authorities as contained in the before recited act.

II. And be it further enacted, That at any time hereafter, upon the death, removal or resignation of any one or more of said commissioners, that it shall be lawful for such vacancy to be filled by the surviving or remaining commissioners; and the commissioner or commissioners so appointed shall have and possess the same powers and authorities as are usually exercised by commissioners for other incorporated towns in this State.

CHAPTER CXLIII.

An act concerning the "Grave Lot" in Greenville, in the county of Pitt.

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 commissioners for the time being of the town of Greenville, in the county of Pitt, shall have power to sell or lease so much of the Grave Lot in said town as is not now enclosed and occupied by graves; and they are hereby authorized to make and execute a good and valid title for the same; and until such sale or lease, the premises shall remain a public common.

II. And be it further enacted, That the said commissioners shall also have power to purchase a piece of land in or near to said town, not exceeding one acre; which, when purchased, shall be vested in them and their successors in office for the use of the inhabitants of said town, as a burying ground: Provided, that no sale, lease or purchase, authorised by this act, shall be valid without the assent of a majority of the farmers of said town.

CHAPTER CXLIV.

An act concerning the poor of Moore county.

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 instead of the mode now prescribed by law for providing for the poor in the several counties of this State, it shall be the duty of the wardens of the poor in the county of Moore, at next May term of the Court of Pleas and Quarter Sessions for said county, and at every May term of said court in each and every year thereafter, to contract with some responsible and suitable person, on the lowest terms which can be obtained, to take charge of the poor of said county, whose duty it shall be to supply the said poor with comfortable food, lodging and clothing, and to treat them in all respects with attention and humanity.

II. Be it further enacted, That it shall be the duty of the wardens aforesaid to take bond, with good and sufficient security from the person who shall contract for the keeping of the poor of said county, payable to the wardens.
of the poor and their successors, for the faithful performance of his duty, in double the sum which the person contracting under the provisions of this act shall receive for the keeping of the said poor.

III. Be it further enacted, That if the person who shall contract for the keeping of the poor as aforesaid, shall transfer any of the said poor to any other person or persons, he shall forfeit and pay the sum of one hundred dollars for each of the poor thus transferred, to be recovered before any jurisdiction having cognizance thereof; one half to the informer, and the other half to the use of the poor of said county.

IV. And be it further enacted, That it shall be the duty of the wardens aforesaid to give at least three months previous notice at the court house of said county, of the time prescribed under the provisions of this act for receiving proposals for the keeping of the poor of said county.

CHAPTER CXLV.
An act explanatory of an act, passed in the year one thousand eight hundred and twenty-one, entitled an act to annex part of Bladen to Columbus county.

Whereas the commissioners appointed by the act of eighteen hundred and twenty-seven, to run, establish and mark the dividing line between said counties, as prescribed by the provisions of the above recited act, have been here-tofore prevented from performing that duty, owing to a difference of opinion as to the true construction of said act; for remedy whereof,

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 commissioners appointed by the act of one thousand eight hundred and twenty-seven, entitled an act appointing commissioners to run and establish the boundary line between the counties of Bladen and Columbus, instead of the line directed by the above recited act, shall run, ascertain and mark the said boundary line in manner following, (to wit:) beginning on the Brunswick line where the lake road leading to Wilmington crosses; thence on the north side of said road, so as to include the road in Columbus county, to the ford of Sasspan where the road leading from William Jones' house, in Bladen county, to Gabriel Holmes' house, in Columbus county crosses Sasspan Drain; thence a direct line running north sixty-seven, west about eleven and a half miles to Slade Swamp, opposite Samuel Swindall's plantation to a hickory, the former established station of the dividing line between said counties; thence to the mouth of Slade Swamp, so as to include Samuel Swindall in the county of Bladen.

CHAPTER CXLVI.
An act for the better regulation of the Courts of Pleas and Quarter Sessions for the county of Hertford

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 justices of the Court of Pleas and Quarter Sessions for the county of Hertford may, and they are hereby authorised, at the first term of said court after the first day of February next, and at the first term of said court after the first day of February in each and every year thereafter, to elect from amongst themselves five fit persons to hold the said court of said county, three of whom shall be a competent number to hold the said court and discharge the duties thereof.

II. And be it further enacted, That the five persons so elected, or a majority of them, shall be competent to and perform any business, matter of thing which by the present law seven justices are authorised to perform; and they
shall in all cases be governed by the same rules, regulations and restrictions as govern other County Courts in the State; and the said justices so elected shall be entitled to receive each a sum not exceeding two dollars per day, which sum shall be fixed by a majority of the justices of said county, for their services during the time which they are employed in the discharge of their duties in said court; which shall be paid by the county trustee, upon the certificate of the clerk of said court, showing how many days any such justices so to be elected as by this act required, shall have holden the said court.

III. And be it further enacted, That the justices of the Court of Pleas and Quarter Sessions aforesaid, shall annually lay a tax sufficient to defray the expenses accruing by reason of the provisions of this act; which tax shall be levied, collected and accounted for by the sheriff of said county in the same manner, and under the same penalties, as other county taxes are by the existing laws of this State; any law, usage or custom to the contrary notwithstanding.

IV. And be it further enacted, That in all elections by and under this act, it shall be necessary that a majority of the acting justices of said county shall be present at the time; and that this act shall be in full force and virtue from and after the first day of February next.

CHAPTER CXLVII.

An act to establish Bethel Academy, in the county of Duplin, and to incorporate the trustees thereof.

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 Reverend David O. Shattuck, Major George E. Houston, Howell Best, James Pearsall, General Stephen Miller, Richard Miller, Jeremiah Pearsall, John Chambers, George Miller, James Chambers, sen't, and Charles Chambers, be, and they are hereby declared to be a body politic and corporate, to be known and distinguished by the name of the Trustees of the Bethel Academy, and by that name shall have perpetual succession and a common seal; and they, or a majority of them, by the name aforesaid, shall be able and capable in law to receive subscriptions and donations, possess all monies, goods and chattels that shall be given for the use of said academy; and by gift, purchase and devise take, possess and enjoy to them or their successors any lands, tenements and hereditaments in trust and for the purposes of establishing and endowing said academy.

II. Be it further enacted, That the said trustees, or a majority of them, by the name aforesaid, shall be fully authorised and made capable in law to grant, bargain, sell and convey such land and tenements and hereditaments as aforesaid, when such conveyance is not inconsistent with the terms of donation; and the said trustees, or their successors in office, shall be able and capable in law to sue and be sued, plead and be impleaded in any court of law or equity within this State.

III. And be it further enacted, That the said trustees and their successors, or a majority of them, shall have power to make, ordain and establish such laws, rules and regulations for their own government, and for the regulation of said academy, as to them may appear necessary and proper. And upon the death, resignation, refusal to act or removal out of the State of any of the trustees aforesaid the remaining trustees, or a majority of them, shall have power to fill such vacancies as may thereby be occasioned; and the trustee so appointed shall have the same powers as those mentioned in the first section of this act.
CHAPTER CXLVIII.
An act concerning the Newbern Academy.

Whereas there is a difficulty in ascertaining the persons who are trustees of the Newbern Academy, because of a failure either to hold the election therefor or to make return of the persons elected as is by law directed;

Be it therefore enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the following persons be, and the same are declared to be the trustees of said academy, that is to say, Edward Graham, John R. Donnel, Isaac Taylor, Moses Jarvis, Elijah Clark, John James, Thomas Wadsworth, Asa Jones, Vine Allen, Mathias E. Manly, Marcus C. Stephens, John Stanly, James G. Stanly, John W. Guion, John F. Smith, William Hancock, William Gaston, Francis Hawks, Richard D. Spaight, John P. Burgwin, John H. Bryan, Wright C. Stanly, John T. Boyd, and John P. Daves.

II. And be it further enacted, That the said trustees be classed as follows, viz. That the first named eight shall continue in office until the day of the annual election in the year 1829; the next named eight shall continue in office until the annual election in the year 1830; and the last named eight shall continue in office until the annual election in the year 1831.

III. And be it further enacted, That if it shall at any time happen that an election is not made to fill the places of the trustees whose term of service has expired, the remaining trustees shall have full power to act in the same manner as the whole body could or ought to do.

IV. And be it further enacted, That this act shall be in force and immediately after its ratification.

CHAPTER CXLIX.
An act to appoint an additional place of public sale for the county of Rutherford.

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 sheriff and constables of Rutherford county be, and they are hereby authorised to sell property, excepting lands and slaves under execution, on the second Saturday of each and every month, under the same rules, regulations and restrictions as are required by law, at Alfred M'Kinney's, on the south side of Main Broad River; and at Daniel Warlick's on the first Saturday in each and every month; and at William Davis', on the main road from Lincolnton to Rutherford, on the third Saturday in each and every month.

CHAPTER CL.
An act appointing commissioners for the town of Snowhill, in Greene county.

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 William Williams, Rufin Grainger, Blany Brand, Richard H. F Harper and Jonathan Wood, be, and they are hereby appointed commissioners for the town of Snowhill, in Greene county, with full power and authority to make such bye-laws, rules and regulations as they may think expedient, not inconsistent with the laws and constitution of this State or of the United States, for the good government of said town.

II. And be it further enacted, That whenever any vacancy shall occur, by the death or resignation of any of the commissioners hereby appointed, the remaining commissioners shall have power to fill such vacancy.
An act to establish separate election grounds in the county of Person.

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 in future all elections that may be held in the county of Person for Members of the General Assembly, Members of Congress and Electors of President and Vice President of the United States, shall be held at the following places, at the respective times now prescribed by law, viz. at Person Court House, Nathaniel Norfleet's, Bampas Tavern, near Mount Tirza, James Holloway's and Cary Williams', under the same rules, regulations and restrictions as are now prescribed by law.

II. And be it further enacted, That the sheriff shall cause the returns of said separate elections to be made at the time and place, and under the same rules, regulations and restrictions as are now prescribed by law for disposition of the returns from different election grounds in the same county; any law, usage or custom to the contrary notwithstanding.

An act to amend an act, passed in the year one thousand eight hundred and fifteen, entitled "An act to provide for the removal of the public buildings in the county of Montgomery."

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 James A. Lilly, James Allen William Scarbrough, sen't, and Auley M'Auley, be, and they are hereby appointed commissioners to supply the places of such of the commissioners appointed by the before recited act, as have died, removed or refused to act, with full power and authority, with the surviving commissioners, to do and perform all and singular the acts and deeds provided for and directed to be performed by the commissioners appointed by the aforesaid act; any law to the contrary notwithstanding.

An act to incorporate Line Lodge, number eighty-seven, of Sampson county.

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 master, wardens and members, which at present are or hereafter may be of Line Lodge, number eighty seven, of Sampson county, are hereby constituted and declared to be a body politic and corporate, by the name of Line Lodge, and by that name shall have perpetual succession and a common seal; and may sue and be sued, plead and be impleaded, acquire, hold, alien and transfer property, and pass all such rules, regulations and bye laws as may not be inconsistent with the laws and constitution of this State.

An act to restore to credit George Jernigan, of Wayne county.

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 from and after the passing of this act, George Jernigan, of Wayne county, in the State of North Carolina, be, and he is hereby restored to credit in as full and ample a manner to all intents and purposes, as if the said George Jernigan had never been convicted of any crime whatever; and he is hereby declared to be a competent witness to depose and testify in all cases where the same may be necessary; any law, usage or custom to the contrary notwithstanding.
CHAPTER CLV.

An act to alter the time of holding the Superior Courts of Mecklenburg and Cabarrus counties, 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 Superior Courts of Law and Courts of Equity for the county of Mecklenburg shall hereafter be held on the sixth Monday of March and September in each and every year; and the Superior Courts of Law and Courts of Equity for the county of Cabarrus shall be held on the seventh Monday after the fourth Monday of March and September in each and every year: Provided, that this act shall not be in force until from and after the first day of June next.

CHAPTER CLVI.

An act to incorporate Zerubabel Chapter, number eleven, Edenton. 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 present officers and members of Zerubabel Chapter, number eleven, in the town of Edenton, and their successors, are hereby constituted and declared to be a body corporate, under the name and title of Zerubabel Chapter, number Eleven, and by such name shall have perpetual succession and a common seal; and may sue and be sued, plead and be implored; acquire and transfer property; and pass all such by law and regulations as shall not be inconsistent with the constitution and laws of the State or of the United States.

CHAPTER CLVII.

An act concerning the town of Tarborougli. 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 it shall and may be lawful for the commissioners of the town of Tarborougli, should they deem it expedient, to hire out to the lowest undertaker the improvement and repairs of the public streets in said town, or any particular part thereof, instead of requiring the hands to work thereon; and for that purpose may levy and collect a tax on town lots, with their improvements, not exceeding eighty cents on every hundred pounds value, and one dollar and twenty cents on every poll; any law to the contrary notwithstanding.

CHAPTER CLVIII.

An act more effectually to prescribe the duty of the county trustee for Onslow county. 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 it shall be the duty of the present trustee, and all other trustees hereafter appointed, to exhibit at each May term in said county, on the first Monday in May, a fair statement of all monies received and disbursements made by him as trustee aforesaid, under the penalty prescribed in the act of Assembly, passed in the year one thousand seven hundred and ninety-two, entitled "an act to compel certain officers therein mentioned to publish the application of the public monies and allowances for insolvents;" and on failure thereof shall be subject to the aforesaid penalty, and be afterwards ineligible to the said appointment until such statement of all monies received and disbursements, as shall be satisfactory to said court.

II. And be it further enacted, That it shall be the duty of the solicitor of the court to bring suit, in the name of the chairman of said court, against all such delinquent trustees within six months after such delinquency.
CHAPTER CLIX.

An act concerning the County Courts of Nash county.

Whereas great inconvenience is experienced in the county of Nash, from the difficulty of collecting a majority of the justices of the peace for the transaction of public business: for remedy whereof,

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 nine justices of the peace in and for the county of Nash, be, and they are hereby authorized and empowered, during the sitting of the Court of Pleas and Quarter Sessions for said county, to transact, do and perform all county business which by law requires a majority of the justices of said county to do, except the election of sheriffs, clerks, county trustees and coroners, and levying county taxes: Provided. that three of the justices which may be elected to hold said court agreeably to an act, entitled an act for the better regulation of the Courts of Pleas and Quarter Sessions in the counties of Nash and Northampton, passed in the year one thousand eight hundred and twenty-six, shall at all times be present.

CHAPTER CLXI.

An act to alter the time of holding certain terms therein mentioned of the Courts of Pleas and Quarter Sessions for the county of Iredell, and for the better regulation of the same.

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 terms of the Court of Pleas and Quarter Sessions of the county of Iredell heretofore directed by law to be held on the third Mondays of May and November, shall in future be held on the fifth Monday after the fourth Monday in March and September in each and every year.

II. Be it further enacted, That it shall not be lawful hereafter for the Court of Pleas and Quarter Sessions for the county of Iredell to appoint or direct a jury to be summoned to attend any other terms of said Court, in each and every year, except February and August terms; and that the spring and fall terms of said County Court in each and every year, shall be set apart exclusively as courts of probate, and for the transaction of all such business as will not require the intervention of a jury.

III. And be it further enacted, That all laws and clauses of laws coming within the meaning and purview of this act, be, and the same are hereby repealed.
LAWS OF NORTH CAROLINA.

CHAPTER CLXII.
An act prescribing the time jurors shall hereafter be paid for their services in the county of Richmond.

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 from and after the first Superior Court held for the county of Richmond after the first day of September, one thousand eight hundred and thirty, and at each Superior Court thereafter, that it shall be the duty of the county trustee to pay on demand each and every juror the amount of his ticket for his attendance as a juror of said Superior Court, on the last day of each and every Superior Court held for the county aforesaid; which ticket shall be a good voucher for said trustee in his annual settlement as trustee of said county.

II. And be it further enacted, That it shall be the duty of the Court of the aforesaid county to make arrangements for, and see that said act is carried into effect.

CHAPTER CLXIII.
An act to alter the names of Benjamin Michael Ezell and Robert Marshall Ezell, of Sampson county, and to legitimate them.

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 from and after the passage of this act, Benjamin Michael Ezell and Robert Marshall Ezell, illegitimate sons of Michael Sutton and Polly Ezell, of Sampson county, shall be known and called by the names of Benjamin Michael Sutton and Robert Marshall Sutton, and by those names may sue and be sued, plead and be impleaded; and receive and take property by descent and distribution.

II. And be it further enacted, That the said Benjamin Michael Ezell and Robert Marshall Ezell be, and they are hereby declared legitimate and capable in law to take and inherit property, as heirs to the aforesaid Michael Sutton, in as full and ample a manner as if they had been born in lawful wedlock; any law to the contrary notwithstanding.

CHAPTER CLXIV.
An act to prevent the falling of timber in, or obstructing the channels of Ularie River and Richland Creek, in Randolph county.

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 if any person or persons shall fall timber in, or otherwise obstruct, the channels of Ularie River, in Randolph county, between Hoover's mill and the Montgomery line, or Richland Creek between its head and where it empties into Deep River, he, she or they shall forfeit and pay for every offence the sum of ten dollars, to be recovered by warrant before any justice of the peace of said county; one half to the use of the informer, and the other half to the use of the poor of said county: Provided, that nothing herein contained shall be so construed as to prevent owners of land from erecting water fences or building mills thereon; nor shall any person incur the penalty herein prescribed, who shall fall timber in, or otherwise obstruct the channels of said water courses in clearing his, her or their lands, provided he, she or they shall remove the same within ten days.

CHAPTER CLXV.
An act concerning the appointment of coopers in the town of Wilmington, and for other purposes.

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 it shall be the duty of the County Court of New Hanover county, at the first term held after the first day of May next, to appoint three or more white cooperers in the town of Wilmington in said county, for the purpose of laying the extra cooperage on tar and turpentine, and to designate the good and bad barrels; and they shall render a bill of the same to the inspectors of naval stores; and they, when appointed, shall give bonds to said court, and take an oath in the same manner as the inspectors of naval stores.

II. And be it further enacted, That when such appointments are made, it shall not be lawful for any coloured person or negro slave to lay any extra cooperage on tar and turpentine, or designate good and bad barrels in said town, under the penalty of twenty dollars, or twenty five lashes on the bare back, if a negro slave; the owner thereof shall be subject to pay the fine, to be recovered before a magistrate by warrant; one half to the informer, the other half to the use of the county; any law, usage or custom to the contrary notwithstanding.

CHAPTER CLXVI.
An act authorising the Court of Pleas and Quarter Sessions of the county of Warren to appoint a patrol for the town of Warrenton in certain cases.

Whereas the inhabitants of the town of Warrenton have for many years neglected to elect a magistrate of police and commissioners, and to provide for the good government of said town, as they are authorised to do by an act of the Assembly; for remedy whereof,

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 whenever the said inhabitants shall hereafter omit, for any cause, to elect a magistrate of police and commissioners for said town of Warrenton, or electing them, the said magistrate and commissioners shall neglect or refuse to provide and keep up a good and efficient patrol from among the inhabitants of said town, that then and in either of the cases before mentioned, the Court of Pleas and Quarter Sessions of the county of Warren aforesaid (seven justices being present) shall have full power and authority to appoint and commission a patrol for said town, under the same rules and regulations and with the same power and authority as other patrols possess and exercise by law; any law or usage to the contrary notwithstanding.

CHAPTER CLXVII.
An act to alter the time and places of holding the election in the county of Greene.

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 all elections in future in the county of Greene shall be held at the place where the petit musters are held in each captain's district.

II. Be it further enacted, That it shall be the duty of the Court of Pleas and Quarter Sessions of the county aforesaid, at the court next preceding the day of election, to appoint one justice of the peace and two freeholders to act as inspectors of said election, whose duty it shall be to attend at the time and place prescribed by law, and conduct the said election, under the same rules and regulations as are now prescribed by law for conducting elections in said county.

III. And be it further enacted, That if the said County Court shall fail to appoint, or the said magistrate and two freeholders shall not attend or refuse
to act, then and in that case it shall be the duty of any magistrate and two freeholders present to fill the vacancy.

IV. And be it further enacted, That elections for Members of Congress and Members of Assembly shall be on the first Friday in August; and the inspectors conducting the same shall cause to be delivered under their hands to the sheriff of said county, on the succeeding day on or before one o'clock, at the court house, the exact number of votes each candidate has received, together with those who have voted; and the said sheriff shall proceed to compare the votes, and shall proclaim the person or persons duly elected.

V. And be it further enacted, That all laws and clauses of laws coming within the meaning and purview of this act, be, and the same is hereby repealed.

CHAPTER CLXVIII.

An act regulating the inspection of fish in the towns of Murfreesboro', in the county of Hertford, and in Halifax, in the county of Halifax.

Whereas in all markets where the article of fish is made a matter of commerce, there should be an inspection established, which should judge of the quality, quantity, &c. for the better regulation of said market: Therefore,

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 justices of the Courts of Pleas and Quarter Sessions for the counties of Hertford and Halifax respectively are hereby authorised to select some suitable person at each and every February term of said courts, who shall be appointed an inspector of the fish for the markets of Murfreesboro', and Halifax respectively, and who shall be entitled to all the immunities and privileges that inspectors of other commodities are now by law entitled to.

II. Be it further enacted, That the said inspectors shall enter into bond, with two good and sufficient securities, in such penalty as the courts respectively may adjudge, for the true and faithful discharge of his duty; and that he shall enter into the oaths now prescribed by law in such case made; and that he shall provide himself with branding irons, bearing the name of the inspector, the market and the quality to be designated by such brand.

III. Be it further enacted, That all shad, herring or other fish brought to these markets shall be put into good and sufficient barrels, containing not less than thirty gallons, made in a workmanlike manner, and shall be at least twenty-eight inches in length, and in the diameter of its head at least seventeen and a half inches, full of good sound fish and a sufficient quantity of salt.

IV. Be it further enacted, That such inspector shall be allowed, as compensation for his services rendered, six and a fourth cents for every barrel of shad, herring, &c. inspected, marked or branded; any law, usage or custom to the contrary notwithstanding.

CHAPTER CLXIX.

An act authorising the justices of the Court of Pleas and Quarter Sessions of the counties of Randolph, Moore and Montgomery, to appoint commissioners to run and establish the line between said counties.

Whereas the dividing line between the county of Randolph and the counties of Moore and Montgomery has become so obscure as to occasion frequent disputes between the inhabitants of said counties, and renders it desirable that the said dividing line should be more accurately ascertained and marked:

Be it therefore enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the justices of the Courts of Pleas and Quarter Sessions of the counties of Randolph, Moore and Montgomery, a majority being present, at each of their respective courts,
which may be held after the first day of May next, shall possess full power and authority to appoint two commissioners and one surveyor from each county, and authorize them to run, ascertain and mark the line between the county of Randolph and the said counties of Moore and Montgomery; that the commissioners appointed by the courts of Randolph and Moore shall run and mark that part of said line which is the boundary between the said counties of Randolph and Moore; and the commissioners appointed by the courts of Montgomery and Randolph shall run and mark that part of said line which is the boundary between the said counties of Montgomery and Randolph.

II. And be it further enacted, That the said commissioners shall appoint such chain-carriers, markers and attendants as may be necessary for running, marking and establishing said line; and shall make, or cause to be made, a return of their proceedings to the Courts of Peace and Quarter Sessions of each of the said counties, to be deposited and kept amongst the records thereof; and the said line, when so run and marked, shall forever thereafter be established and confirmed as the boundary between the county of Randolph and the said counties of Moore and Montgomery.

III. And be it further enacted, That the commissioners, surveyors, chain-carriers and attendants shall be entitled to such pay as their County Courts respectively shall allow them, to be paid out of the county taxes: Provided always, that the ascertaining the dividing line and boundary aforesaid shall not affect any title or titles to the land in either of the counties.

IV. And be it further enacted, That all laws and parts of laws coming within the meaning and purview of this act, are hereby repealed.

CHAPTER CLXX

An act to authorise the committee of Finance of Iredell county to settle with the commissioners of the town of Statesville,

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 it shall be the duty of the committee of Finance of Iredell county to examine into and adjust the accounts of all the commissioners of the town of Statesville, who have at any time heretofore sold lots in the said town, and report the state of such accounts to the next court in said county after the first day of May next; and for the purpose of carrying this act into complete effect, the said committee of Finance may call before them, at the court house, by giving them ten days notice in writing, any person whatsoever that now is, or that at any time heretofore has been commissioner of said town, and may send for persons and papers.

II. And be it further enacted by the authority aforesaid, That the report of the said committee of Finance shall be prima facia evidence in any suit which may be instituted in law or in equity for the recovery of any monies reported by them to be due.

III. And be it further enacted by the authority aforesaid, That it shall be the duty of the county trustee of Iredell county to pay, out of the funds of the county, all such sums as may by the said committee be reported as due to any person who now is, or who heretofore has been commissioner; and it shall also be his duty to collect from any person who now is, or heretofore has been commissioner aforesaid, all such sums as may by the said committee be reported to be due from any such commissioner; any law, usage or custom to the contrary notwithstanding.

IV. And be it further enacted, That any monies recovered by the county trustee by virtue of this act, shall be held and deemed to be county money, and shall be applied as other county monies to the use of the county.

Read three times and ratified in General Assembly, this 10th day of January, 1829.

T. SETTLE, S. H. C.
J. SPEIGHT, S. S.

A true copy.
WM. HILL, Secretary.
RESOLUTIONS,
Passed by the General Assembly of 1828—29.

Whereas there appears to be in the hands of Hutchins G. Burton, late Governor, as guardian ex officio of James Forsythe, the sum of fifty-five dollars and seventy-six and a half cents; and whereas there is now remaining in the hands of the Governor of this State, as guardian ex officio of James Forsythe, the sum of sixty-seven dollars and twenty-five cents, including the Dividend on Bank Stock held by him as guardian aforesaid:

Resolved therefore, That the Governor of this State, as guardian ex officio of James Forsythe, be directed to put out on interest, on good security, the amount remaining in his hands aforesaid, and also the dividend which may be declared from time to time on the several shares of Bank Stock held by him as guardian aforesaid; and whenever the sum so put out to interest shall, together with the Bank dividends, become sufficient to purchase stock in some of the Banks of this State, to be used and held in the manner and upon the terms directed by resolution of the General Assembly passed in the year 1825—6.

Resolved further, That the Governor, as guardian aforesaid, be directed to collect from the said Hutchins G. Burton the sum of fifty-five dollars and seventy-six cents, (with interest thereon,) due from him as former guardian aforesaid; and when so collected, to dispose of it in manner directed in the preceding resolution.

Resolved, That the Comptroller be directed not to issue his warrant in favour of Lucy Shaw under the authority of the certificate heretofore countersigned by the Speakers of the two Houses of this General Assembly.

Resolved, That the documents on the Penitentiary System, and on the subject of Lunatic Asylum, agreeable to the schedule appended to the Report submitted by the Joint Select Committee on those subjects, be deposited in the Library in order to be preserved for the benefit of the State.

Resolved, That the Governor of this State be, and he is hereby directed to ascertain from the guardian of Miss Udney M. Blakely the amount, if any, remaining in his hands of the several sums appropriated by the State to her use, and yet unexpended in her education and support; and that he report the said balance to the next General Assembly.

Resolved, That the Treasurer of the State be, and he is hereby authorised to remit to Edward Griffin, late Sheriff of Martin county, and to his securities, the amount of penalty included in a judgment taken against them for the amount of taxes due the State for the year one thousand eight hundred and twenty six, including a balance due for the year one thousand eight hundred and twenty five; provided the said Griffin or his securities, or either of them, shall, on or before the first day of June next, pay the balance into the Treasury, with interest and costs, and that in the mean time, the proper lien by execution on the parties' property be continued.

Whereas a judgment has been obtained against Alexander L. Harvey, Sheriff of Bladen, and his securities, at the instance of the Governor to the use of the State, for the amount of the public tax due from said sheriff for the year 1827, together with the penalty of four hundred dollars, and it appearing that the said Alexander L. Harvey has paid into the Public Treasury the sum of six hundred and forty dollars, which is more than the tax due from him for the year 1827, upon a settlement as by law he ought to have made:

Be it therefore resolved, That the said Alexander L. Harvey, as Sheriff, be released from the penalty of four hundred dollars, and that the Comptroller settle the account for the tax of 1827, allowing said Sheriff his commissions in the same manner as if the said sheriff had made his settlement on the first day of October, 1828; and if upon the settlement so made, it shall appear that the said Alexander has paid more than by law he is bound to pay, that the Public Treasurer pay the same, and the same shall be allowed him in the settlement of his public accounts.
Resolved, That the books presented to the State by the Rev. Josiah Crudup be deposited in the Public Library for the use of the Legislature; and that the Librarian be directed to take charge of the same.

Resolved, That the Secretary of State be authorised and requested to procure annually the necessary quantity of candles for the use of the General Assembly and its officers, upon the best terms that the same can be obtained; and that his draft for that purpose on the Treasury be paid in like manner as is provided in respect to procuring stationary.

Resolved by the General Assembly of North Carolina. That they will, and hereby do relinquish to the Roanoke Navigation Company all the right heretofore reserved to the State of North Carolina to take any more shares of stock in the capital stock of said company.

Resolved, That the west room on the lower floor of the State House, opposite the Comptroller's Office, be, and the same is hereby appropriated to the use of the Adjutant General as an office for the transacting business and safe keeping the documents of that office.

Resolved, That the resolution, passed by this General Assembly, appropriating the room opposite the Comptroller's Office in the State House to the use of the Adjutant General, be, and the same is hereby repealed.

Resolved, That William R. Hill be appointed Librarian to the State Library for the ensuing year, and that he be allowed the sum of one hundred dollars per annum, to be paid by the Public Treasurer, for his services aforesaid.

Resolved, That the said Hill add to the list deposited with the Secretary of State such books as may hereafter be purchased.

Resolved, That the Public Treasurer pay to Gabriel Holmes, sheriff of New Hanover county, the amount of his mileage in setting, as sheriff aforesaid, for the last fiscal year; and that the Public Treasurer be allowed for the same in the settlement of his accounts.

Whereas several old accounts stand open on the Comptroller's books that ought to be closed, one of which is against the United States, and it being desirable that those accounts should be settled, but the examination thereof requires more time than is convenient for a committee of the Legislature:
Be it therefore resolved, That the Public Treasurer, Secretary of State, and Comptroller, be, and they are hereby appointed a committee to examine into all the old standing accounts on the Comptroller's Books, and make report to the next Legislature.

Resolved by the General Assembly of the State of North Carolina, That the Treasurer of the State be, and he is hereby directed to make no further investments of the funds of the State in the stock of either of the Banks of the State; any law to the contrary notwithstanding.

Resolved. That the Secretary of State be, and he is hereby authorized to issue a grant to Pleasant Callicott for one hundred acres of land in Randolph county, on his entry, number one hundred and fifty, made the eighth day of February, one thousand eight hundred and one; it appearing from the Treasurer's receipt, number one thousand two hundred and sixty-three, that the purchase money was paid to the State for the same in due time.

Resolved, That the Secretary of State issue to Isaiah Spears, of the county of Cabarrus, a grant for seven acres of land, agreeably to the plat made out by the surveyor of said county, on his producing the Comptroller's certificate of the purchase money for said land having been paid.

Whereas the books containing the accounts of the sales of the Cherokee lands by the commissioners in behalf of the State, and now on file in the Treasury Office, are in a mutilated state and likely to become unintelligible.

Be it resolved, That the Public Treasurer be authorized to have them copied into two well bound books, one to contain an account of each and every tract of land already sold, with the names of the purchasers, and the other, those remaining unsold; and as soon as it shall be done, that they be examined by the Secretary of State, and the original filed in the office of the Secretary of State for safe keeping; and the copies thus made out shall be certified by the Secretary of State and filed in the Treasurer's office; and that the sum of twenty-five dollars be appropriated for having the same so copied, which is to be paid by the Public Treasurer; and he shall be allowed the same in the settlement of his public accounts.

Resolved, That the Board of Internal Improvements be directed to call upon the President and Directors of the Yadkin Navigation Company, to know how and in what manner the twenty-five thousand dollars subscribed for by the State, together with the sums subscribed for by individuals and the sums paid by individual stockholders, and how the monies have been disposed of, and what sums the company have now on hand, and what number of stockholders are insolvent, and what outstanding debts there are now due; and that the said board report to the next General Assembly.

Whereas John Leatherwood, at the sale of the Cherokee lands by James Mebane and Jesse Franklin, Esq'ts, commissioners on the part of the State, became the purchaser of one hundred sixty seven and half acres of land, described as section number three, in district number fourteen; but owing to the circumstance of the said commissioners not having signed a certificate after it had, together with a plat of said land, been duly made out, the said John Leatherwood cannot obtain a grant for the same. For remedy whereof,

Resolved, That on the said John Leatherwood producing receipts from the Public Treasurer, shewing that said land has been paid for, the Secretary of State shall issue a grant to the said John Leatherwood for the same, agreeably to the act of Assembly in such cases made and provided.

Resolved, That the Treasurer of the State be, and he is hereby authorized to release to William Harris and James Allen, as securities of Abraham Forrest, late sheriff of Pasquotank county, the penalty incurred by them on the failure of the said Forrest to make a final settlement of the taxes due to the State for the year one thousand
eight hundred and twenty-five, at the time when by law he was accountable for the same.

Provided, the said William Harris and James Allen shall pay into the Treasury the balance of taxes, with interest, due by the said Forrest for the year aforesaid, on the Comptroller's warrant, and all the costs which the State has incurred in prosecuting said penalty into a judgment and execution.

Resolved by the General Assembly, That the Public Treasurer be directed to pay the subscription made by the Board of Internal Improvement to the Roanoke Navigation Company, in installments of five thousand dollars, and in no other way, on the first of February next, first of May, first of August, first of November, and first of February, one thousand eight hundred and thirty, unless otherwise directed by the Legislature. He is further directed to pay the president and directors of the Clubfoot and Harlows Creek Canal Company one half of the appropriation of six thousand dollars, as made during this session, on the first of February next, and the balance on the first of July next. He is further directed to pay the appropriation made for cleaning out the Cape Fear river below Wilmington in quarterly installments, beginning the first of February next, and in no other manner.

Resolved, That the Comptroller be directed to cancel and balance the account, on the books of his office, of Hutchinson G. Burton, late Governor, for expenditures incurred for the reception of General Lafayette, in the year one thousand eight hundred and twenty-five.

Resolved, That the Public Printer is hereby required annually to deposit, in the Library ten copies of the Acts of Assembly, five copies of the Comptroller's Report, and twenty copies of all other reports printed by order of either House; and that it shall be the duty of the Librarian to cause the same to be bound in volumes of convenient size for the use of the General Assembly.

Resolved further, That the board of accounts, appointed by the act of the last General Assembly, chapter twenty nine, be, and they are hereby authorized and directed to make a fair and equitable allowance to said Printers for printing reports for the use of the two Houses, and for the purposes aforesaid.

Resolved, That the Board of Internal Improvement be, and they are hereby required to collect such evidence as it may be practicable to obtain concerning the obstructing of the navigation of Cape Fear river below the town of Wilmington during the Revolutionary war, by the sinking of vessels therein for the purpose of preventing the enemy from ascending said river; and also to obtain from the Civil Engineer of the State a statement of the probable effects on the said navigation of the sinking of said vessels. Secondly, that it shall be the duty of said board, when such evidence and statement shall have been obtained, to submit them to the Governor of the State, whose duty it shall be to cause copies of the same to be forwarded to our Senators in Congress.

Resolved, That the purchase made by the late James F. Taylor, one of the commissioners on the part of the State to conduct the sale of the estate of the late Treasurer Haywood, of a tract of land, belonging to said estate, be, and the same is hereby null and void; and that the Treasurer is hereby required to cancel and give up the bonds of the said Taylor to his lawful representatives, upon their giving up the certificate of purchase.

Resolved by the General Assembly of the State of North Carolina. That the Public Treasurer of the State pay to David Rogers, of Buncombe county, the sum of thirty dollars, for costs incurred by him in the suits of Doe and Wha-ya-hab against Fansey Levash, and Roe and Tegan Tossy against Hugh Rogers, both tenants of said David Rogers, determined against them in the April term of 1824 of Buncombe Superior Court, and in the suit of Doe on the Demise of Tegan Tossy against David Rogers, determined in October term, 1824, of said court.
RESOLUTIONS.

Resolved That the Public Treasurer be, and he is hereby authorised to receive from Doctor Fabius J. Haywood, in three equal annual instalments, the sum of seven hundred and eighty-five dollars and twenty-five cents, with interest thereon from the 20th day of August last till paid; which sum was transferred by the executors of John Haywood, deceased, to the State, as so much paid by them on account of their testator as security for the said Fabius Haywood, to be applied to the credit of the claim of the State against the late John Haywood, as Public Treasurer: Provided, that nothing herein contained shall authorise any delay in collecting the same until satisfactory security be given for the ultimate payment thereof.

Whereas it appears from the books of the Treasury, that James Bryson, Jun'r, has paid the full amount of a tract of land of the State of North Carolina, sold by the commissioners appointed to sell the Cherokee lands, and that according to the provisions of the act describing the manner in which the Secretary of State is to issue a grant to the said James Bryson, Jun'r, all of the receipts which have been given by the Public Treasurer for the first instalment has been lost or mislaid:

Resol'sed, That upon the said James Bryson, Jr. obtaining from the Public Treasurer a certificate that the first instalment has been paid, and filing the same in the office of Secretary of State, together with all the other receipts, that the Secretary of State issue a grant according to the acts of Assembly.

Resolved, That the sum of four hundred dollars be, and the same is hereby appropriated out of any money in the Treasury not otherwise appropriated, as a compensation for the services rendered by the commissioners for the sale of the late Treasurer Haywood's property, in managing and conducting said sale; and of that sum that William Roberts, Public Treasurer, as one of said commissioners, be, and he is hereby authorised to receive one hundred and fifty dollars; and the legal representatives of the late Col. Joseph Packet one hundred and twenty-five dollars; and the legal representatives of the late James F. Taylor, Esq one hundred and twenty-five dollars; and that the Public Treasurer be allowed the same in the settlement of his public accounts.

Resolved, That the Public Treasurer pay to Thomas Phillips the sum of two dollars and fifty cents, the amount of the purchase money for fifty acres of land by him paid into the Public Treasury on the twenty-fifth of November, one thousand eight hundred and nineteen, as appears from the Treasurer's receipt, upon which no grant was ever issued; and that the Public Treasurer be allowed the same in the settlement of his accounts.

Resolved, That the Public Treasurer be directed to pay to Anderson Mitchell, agent of David Sands, thirty dollars, on account of the purchase money of land for that amount paid Sands a second time.

Resolved, That the Public Treasurer pay to John Barnett, late sheriff of Person county, sixty dollars, for insolvency for the years one thousand eight hundred and twenty-five, one thousand eight hundred and twenty-six, and one thousand eight hundred and twenty-seven, and the same be allowed him in the settlement of his public accounts.

Resolved, That the Public Treasurer be directed to pay to William P. Martin the sum of twenty dollars, for his services in bearing an express to his excellency Governor Owen.

Resolved, That the Public Treasurer be directed to pay to John Gambill, sheriff of Ashe county, the sum of sixty-three dollars and sixty cents, and that he be allowed a credit for the same in the settlement of his public accounts.

Resolved, That the Public Treasurer be, and he is hereby instructed to pay to William Martin the sum of fifteen dollars, for carrying writs of election to supply the vacancies occasioned in the representation from the county of Caswell by the death of Bartlett Vance and Charles D. Donald, Esquires.

Resolved, That the Public Treasurer be directed to pay William Higgins, sheriff of Jones county, the sum of fourteen dollars and forty cents, being money paid by him into the Treasury for insolvent polls, for the years one thousand eight hundred and twenty-six and one thousand eight hundred and twenty-seven.

Resolved, That the Treasurer of the State pay to Louis D. Wilson, Isaac Wright and Frederick J. Hill, the commissioners appointed on behalf of the State to attend the meeting of the stockholders of the Bank of Cape Fear, the sum of ten cents per mile for travelling to and from
their respective homes in Wilmington, and three dollars per day for the time they were actually engaged in performing their duty.

Resolved, That the Public Treasurer pay to Isaac Baxter, sheriff of Corrigan county, twelve dollars and eighty cents, for money paid to the Comptroller in October, one thousand eight hundred and twenty-eight, over and above what he was bound to pay as sheriff, and which was paid through mistake; and likewise that the Treasurer pay to said sheriff twenty-two dollars and a half, for mileage in the settlements of his public accounts, which was omitted to be paid.

Whereas the law allows compensation to members of the General Assembly, who may be sick during the session, or may be delayed by sickness on their journey; but does not provide for such compensation to members who may be detained by sickness after the adjournment:

Resolved, That the Public Treasurer be directed to pay to Benjamin Brittain and Isaiah Matthews three dollars per day, for fifteen days they were detained by illness at Raleigh after the adjournment of the last session of the General Assembly.

Resolved, That the Public Treasurer pay to each of the door-keepers of both Houses twenty-five dollars, their usual extra allowance; and that they be compelled to pay out of the same, the hands necessarily employed by them for bringing wood and water to the State House during the present session; and that the rule requiring resolutions to be read three times, be dispensed with so far as regards this resolution.

 Whereas it appears from the books of the Comptroller, that John Sloan, sheriff of Mecklenburg, was a defaulter in the collection of the tax of one thousand eight hundred and seven, and thereby incurred the penalty of four hundred and twenty dollars and his commissions; and pay for settling his public tax accounts; and it appearing also, from the books of the Treasury office, that the said John paid, on the twenty-seventh October, one thousand eight hundred and twenty-eight, in the Public Treasury, the sum of seventeen hundred and forty dollars and twenty cents, which sum is more than he would have been liable to pay but for his failing to settle on the first October, one thousand eight hundred and twenty-eight:

Be it therefore resolved, That the said John, be relieved from the penalty so incurred, and that he be permitted to settle his account with the Comptroller in the same manner as the account had been settled on the first of October last.

Resolved, That Calvin R. Blackman, sheriff of Wayne county, be permitted to settle and close his account with the proper officer for the last fiscal year; and that on such settlement, he be allowed the usual commissions, mileage and attendance, and that he be discharged from any penalty or forfeiture he may have incurred in failing to account within the proper time; provided he shall make such settlement within thirty days after the adoption of this resolution.

Resolved, That the Treasurer be, and he is hereby directed to pay to the Secretary of the Governor the sum of five hundred dollars to be laid out in the purchase of furniture for the Government House, under the direction of his Excellency; and that he be allowed the same in the settlement of his public accounts.

Resolved, That the Public Treasurer refund to Archibald Lamon, late sheriff of Nash county, the sum of twenty dollars, being the money paid by him into the Treasury for insolvency taxes in said county for the year eighteen hundred and twenty-six; and that the Public Treasurer be allowed for the same in the settlement of his public accounts.

Resolved, That the Public Treasurer refund to John Black, sheriff of Cumberland, the sum of one hundred and forty-one dollars and thirty-one cents, being a part of a judgment obtained against the said John Black in the instance of the State, for not finally settling up the public taxes due from him as sheriff thereof, in the year one thousand eight hundred and twenty-seven; and that the Public Treasurer be allowed for the same in the settlement of his accounts.

Resolved, That the Public Treasurer pay to William H. Haywood, Jr. one hundred and fifty dollars, as a compensation for his professional services in two suits in which the State of North Carolina was Plaintiff, in Wake Superior Court; one against Robert Compler and others, and the other against the justices of the peace of Rutherford county, viz. fifty dollars for the first, and one hundred dollars for the second suit; and that the same be allowed him in the settlement of his public accounts.

Read three times and ratified in General Assembly, the 10th day of January, 1829.

T. SETTLE, S. H. C.
J. SPEIGHT, S. E.
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TREASURER'S REPORT.

TREASURY DEPARTMENT OF NORTH CAROLINA.

In obedience to the directions of the act of Assembly, entitled "An act concerning the Public Treasury," the Public Treasurer submits the following report:

According to the directions of the act of 1827, books have been provided, in which a system of accounts have been adopted, that will present a distinct view of all money received at the Treasury, "for public taxes, and impositions and otherwise, and paid in pursuance of public dues, acts and votes of the General Assembly," so that the "nett produce of the whole revenue, as well as every branch thereof, and the amount of disbursements," will distinctly appear, from the eighteenth of December, 1827, to the first of November, 1828, the end of the last fiscal year; which will be at all times "ready for the inspection and examination of the General Assembly." In arranging the system of accounts, it was considered, the act of last session only directed, that the Public Treasurer should open books to present a view of the operations of the Treasury from the date of his qualification. The receipts and disbursements from the end of the fiscal year of 1827, to that time, were taken into account by the committee of Investigation, and, fully stated in their report of last session. The books, therefore, commence with the amount of cash and available funds handed over by the committee of Finance. According to their report on file in the Comptroller's Office, it will appear that the funds of the Treasury consisted at that time of the following sums:

DEPOSITES.

State Bank of North Carolina, Raleigh, $25,100.85
Bank of Newbern, do. 30,445.03
Do Cape Fear, Fayetteville, 20,155.15

Treasury Notes, 75,791.03

Making an aggregate of 9,740.02

$85,551.05

For which the Public Treasurer is debited in this and the Comptroller's Department.

The statements and accounts, as reported by the committee of Investigation of last session, have been examined in obedience to your resolution—Upon a careful examination, it has been found to be as correct as it was possible to have been stated, from the information and explanations then before them. But a sum of money found in the Treasury Office, and an error in the statement of the Treasury notes, as stated to have been delivered over to the Public Treasurer, and those found to be on hand, vary the balance as reported to be due from the late Public Treasurer. On examining the bond account in the books of the Board of Internal Improvement, it was found that the amount of bonds which were delivered by the executors of John Haywood, Esq. or found in the Treasury Office, for the sales of Cherokee lands, did not balance the account by the sum of $450.50. The balance as reported by the committee, by this, will be increased, as will fully appear by the statement appended, marked A. An account against the late Public Treasurer has been raised in the books, which will shew, that, after taking into account...
the amount of counterfeit notes, Bank stock received in part payment, proceeds of the sale of the land and negroes conveyed by the executors and trustees, cash found in the office, difference in the Treasury notes found in the office, and those handed over by the committee of Finance, according to their report, and balance of his half year's salary, which, according to the resolution of last session, have been, by the accounting officers, placed to his credit, the balance due is $22,388 04; for which sum judgment has been obtained in Wake County Court against the executors, including interest to the time of judgment. It was found by the jury that the executors had assets to the amount of $7,176 60 in bonds, which have been deposited in this office, and, according to an agreement between the Attorney General and the executors, filed among the records of said suit: if collected, or so much thereof as may be collected, is to be credited to the judgment. The amount of the bonds, and how due, will appear by the statement B. Since the sales of the land and negroes, and the delivery of bonds by the executors, several sums of money have been received and are brought into account.

The receipts in the Treasury, since the 18th December, 1827, to the first of November, 1828, the end of the fiscal year, and disbursements, will be found to be as follows:

Cash subject to warrants and other demands on the Treasury, as handed over by the committee of Finance and stated above, $85,531 05
Arrears of taxes, on old balances due the State, 2,053 83
Cash received on additional returns of taxes. Statement C. 396 44
Do. John Haywood, Exq late Public Treasurer. Statement D. 1,846 77
Do. on balances due for sales of public land near Raleigh. Statement E. 1,989 38
Tax on Bank of Newbern, 1 per centum, on 6,182 shares, for 1828, 6,182
Do. Bank of Cape Fear, 5,928 shares, 1828, 5,928
Dividend on 2,752 shares of stock in State Bank, at 5 per cent. for 6 months, ending 31st Dec. 1827, 8,286
Do. on 153 shares of stock, Bank of Newbern, at 2 per centum, for 6 mo. ending 30th June, 1828, 310
Cash on 10 shares of stock, Bank of Cape Fear, at 2 per centum, ending 30th June, 1828, 20

Do. received on account of rent of public land, 29,726
Do. received on account of interest, 7
Do. of Sheriffs, the amount of the Revenue of 1827, payable in the Treasury, and not otherwise appropriated, to the 1st November, 1828, 61,883 16

An aggregate of 174,334 01

Deduct disbursements from the 18th December, 1827, to the 1st November, 1828, for which vouchers have been delivered to the Comptroller, 80,880 414

Balance in the Treasury to the 1st November, 1828, 93,453 59

The disbursements during that period, and thus deducted, consists of the following items:

General Assembly, 36,658 23
Executive Department, 1,561 98
Department of State, 958
Treasury Department, 1,373 87
Comptroller's Department, 343 06
Executive Council, 128
Adjutant General's Office, 219 84
Public Printers, 900
Judiciary, 20,799 47
Arsenal, 2,300
Sheriffs for settling taxes, 866 90
Congressional election of 1827, 19
Repairs of State House, 3
Governor’s House, 676
Public Library, 977
Buncombe Turnpike Company, 1,230
State Bank of North Carolina, 3,936
Pensioners, 30
Miss Udney M. Blakely, 600
Surveying and selling Cherokee Lands, 3,937
Expenses for surveying land & selling negroes of the late Public Treasurer, 268
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Remittus M. Saunders, Commissioner, 250
Contingencies, 1,963

$30,890 41

For the enumeration and brief statement of the “allowances or drafts made by the General Assembly, and warrants issued by the Governor,” as required by the 11th section of the act of last session, concerning the Public Treasury, I beg leave to refer to the printed statement of the Comptroller, prepared for the use of the members of the present General Assembly. The disbursements therein stated agree with the entries in the books of this office.

In addition to the receipts and disbursements as Public Treasurer, there have been received during the above period, at the Treasury, the funds of Internal Improvement, Literary and Agricultural, and disbursements have been made as directed by law. The following statements will exhibit the receipts and disbursements as Treasurer of each Fund, from the 18th of December, 1827, to 1st November, 1828:

INTERNAL IMPROVEMENT.

Cash received on notes, given by sundry persons for purchases of Cherokee lands, appropriated to this fund, 7,604
Dividend on 1,304 shares of stock of the Bank of Newbern, at 3 per centum, ending 31st December, 1827, $3,912
Do. on 1,338 shares of stock of the Bank of Cape Fear, at 2 per centum, ending the 31st December, 1827, 2,716
Do. Bank of Newbern, on the above shares, ending 30th June, 1828, 2,608
Do. Bank of Cape Fear, on the above shares, ending 30th June, 1828, 2,716
An aggregate of $19,556
Deduct disbursements during that period, as will more fully appear by statement F., 12,997
Balance of cash to the 1st of Nov. 1828, 6,559

The balance, as reported by the committee of Investigation of last Session, due from the late Public Treasurer to the Board of Internal Improvement, is 22,195
The amount paid James Patton, according to the resolution of last Session, 275
The amount of difference between the bond account


of Cherokee bonds, and the bonds found in the office, 430  50

Amounting to 22,800  65

These sums are debited to the late Public Treasurer in his general account, on which judgment has been obtained.
The amount of Cherokee bonds now due, with interest, is 42,552  54

Shews the amount of appropriated, and forms the Fund of Internal Improvement.

LIBRARY FUND.

Cash received for entries of vacant land, 3,607  14
Do. auction tax, 594  81
Do. of sheriffs, for tavern tax, 2,827  52
Do. received of United States, 22,600
Do premiums on the exchange of the £2,000 dollars United States' notes for State notes, 1,100  25,100

Dividend on 5 shares of State Bank stock, at ½ per centum, 50th June, 1827, 17  50
Do. on 78 shares of do. at ¾ per cent. 31st Dec. 1827, 234
Do. on 704 shares of stock Bank of Cape Fear, owned by the State, and appropriated to this fund, at 2 per cent, 1,408
Do. on 559 shares of stock Bank of Newbern, appropriated as above, 1,077
Do. on 704 shares as above, 30th June, 1827, 1,408
Do. on 559 do. as above, do. 718  4,862  50

Cape Fear Navigation Company, for dividend, Dec. 1827, 725  42

An aggregate of 33,715  30

Disbursements from 18th December, 1827, to the 1st of November, 1828. Statement G. 33,640

Balance of cash to the 1st November, 1828, 2,075  89

The Literary Fund consists of the balance of cash on hand, 2,075  89
78 shares of State Bank stock, purchased by order of the Board by the late Public Treasurer, estimated 7,800
The balance as reported to be due from the late Public Treasurer by the committee of Investigation of last session, with which he is debited in the general account, on which judgment has been obtained, 28,184  32
204 shares of State Bank stock purchased by order of the Board, 1828, at 90 dollars per share, estimated at 100 dollars, 20,400
141 shares of stock Bank of Newbern, purchased as above, at 80 dollars per share, estimated at 100 dollars per share, 14,100
50 shares of stock Bank of Cape Fear, purchased as above, at 80 dollars per share, estimated at 100 dollars per share, 5,000
The balance of the Agricultural Fund now on hand as per statement below, 251  62

Amounting to 77,811  62
Together with the dividends that may hereafter be declared on 704 shares of stock owned by the State in the Bank of Newbern, and 339 shares in the Bank of Cape Fear, and the dividends that may be declared by the Navigation Companies as appropriated to this fund.

**AGRICULTURAL FUND.**

The amount received from the different Clerks and Clerks and Masters from the 18th Dec. 1827, to the 1st Nov. 1828,

Deduct disbursements during that time, per statement H.

| Balance | 251 62½ |

This balance is considered as forming a part of the Literary Fund according to the provisions of the act of 1825—if not, the amount of the Literary Fund will be 77,560 00.

The funds of the State, according to the foregoing statements are as follows:

- Cash remaining in the Treasury not appropriated to the 1st November, 1828, 93,343 59½
- Ditto remaining in my hands as Treasurer of the Board of Internal Improvement, to the 1st November, 1828, 6,359 00
- Ditto remaining in my hands as Treasurer of the Literary Fund, including the balance of the Agricultural Fund to the 1st November, 1828, 2,327 01½

102,229 61½

The amount due from the late Public Treasurer, of which $21,735 96 is principal and is on interest, 22,166 04

The amount due for arrears of taxes and old balances, per statement I. 9,543 41

The amount due on bonds for the sale of land and negroes of the late Public Treasurer, 31,309 83

2927 shares of Bank stock, estimated at 100 dollars per share, the dividends of which are not appropriated, 292,700 00

The amount due from the Clubfoot and Harlow's Creek Canal Company, 12,000

The amount due from John M'Rae, 5,000

The amount paid for stock in the different navigation companies, part of the dividends of which are appropriated to the Literary Fund—greater part of the stock is considered unavailable—statement K. 107,025

1504 shares of stock in the Bank of Newbern, 1558 Cape Fear, 1358 ditto Cape Fear, 266,200

2062 estimated at 100 dollars per share, Dividends of which are appropriated to the Board of Internal Improvement. 266,200

The amount of the bonds due for the purchase of Cherokee lands appropriated to Internal Improvement, 42,552 54

The amount due for sales of public land near Raleigh, per statement E. 2,645 50

359 shares of stock, in the Bank of Newbern, 704 ditto Cape Fear, 1063 estimated at 100 dollars per share, the dividends of which 14:
are appropriated to the Literary Fund, $106,306
382 shares of stock in the State Bank, $47,300
141 ditto Bank of Newbern, 
50 ditto Cape Fear, 
475 estimated at 100 dollars per share, purchased with the Literary Fund, 1827 and 1828.
The amount due from Clerks and Clerks and Masters, on account of the Agricultural Fund, statement L. $513 31

An aggregate of $1,047,485 33

The demands against the State may be estimated as follows:
The amount due the State Bank of North Carolina, the deferred payment for stock, which is at 4 per cent interest, $83,906 11
The amount of Treasury notes now in circulation and redeemable at the Treasury, per statement M. $155,530 20
The probable demands for the charges of Government for the next year may be estimated, not exceeding the sum disbursed at the Treasury during the last fiscal year, unless the mutilated state of the Treasury notes should increase the demand for their redemption.

From the foregoing statements the disbursements may be stated at $80,890 41

By the act of 1823, chap. 17, an additional subscription for 250 shares of stock in the Roanoke Navigation Company, is directed to be made, when the President and Directors of that Company shall determine to lock down from the Basin at Welder's Orchard into the river. If this sum is demanded, it will increase the expenditures of the next year $25,000

Aggregate, $325,326 72

In this statement the expenditures of the Literary and Internal Improvement funds are not included.
The foregoing statements show the amount of cash on hand, to the 1st of November, 1828, to be as follows:
Public Treasurer, $93,343 59
Treasurer of the Board of Internal Improvement, 6,559
" Literary Fund, 2,327 01

Aggregate, $102,229 61

Of this sum, the following deposits have been made, and are to the credit of the Public Treasurer, to the 1st of November, 1828:
State Bank of North Carolina, Raleigh, 42,086 43
Bank of Newbern at Raleigh, 25,508 09
Bank of Cape Fear at Fayetteville, 10,988 41

78,583 33

The remainder consists of worn and redeemed Treasury notes, deposited in the Treasury, 23,646 08

$102,229 61
The different acts of Assembly relative to the amount due on the bonds given for the purchase of Cherokee lands, as revived and continued in force by the act of 1837, have extended the time of payment to the meeting of the present General Assembly. Under this construction of the acts, no measures have been taken to enforce payment, except in one case, where the sureties required it. It is considered proper to submit to your consideration, the effect of the act of 1821, chap. 32, entitled "an act to amend an act passed at the last session of the General Assembly, entitled ‘an act prohibiting white men from cultivating the lands reserved to the Cherokee Indians.” By the authority of this act, some, whose bonds have been given for purchases of the Cherokee lands of the State, and are on file in this office, have purchased and extinguished the Indian title to the lands reserved to them, and which in eras with the land purchased of the State; and allege, that they are not bound for the payment of their bonds to the State: the title from the Indians being better than that of the State.

The balances reported to this office by the Comptroller, as due the State, have been particularly attended to. In many cases the debtors are dead, insolvent or removed from the State. In others, on examination, there is good reason to believe that the balances as reported, are not due. It was considered best to present the whole list to your view, that authority might be given to the accounting officers to have the accounts better arranged.

The demand at the Treasury for the redemption of the Treasury notes, during this year, has been great. The ragged and mutilated state of the small bills, render the greater part received unfit for circulation; which, of necessity, remain in the vault of the Treasury, and increase the risk and responsibility of the Treasury Department. It may be reasonably calculated, from the mutilated state of the Treasury notes, that, in the course of the ensuing year, the demand for their redemption will be increased. It is, therefore, considered that this responsibility might be lessened, by directing that at each monthly settlement, the Treasury notes unfit for circulation should be submitted to the Governor, Secretary of State, and Comptroller, and that such of them, as they should deem unfit for circulation be by them burnt; giving to the Public Treasurer a certificate of the amount burnt. This duty would not be burthensome, and its operation be as accurate as the mode now pursued by the committees of Finance.

The expenses or statements of the situation of the Banks of this State are herewith transmitted.

Statements of the different branches of the revenue of the State and allowances to the Sheriffs for insolvents by the Comptroller are also submitted.

All which is respectfully submitted

WM. ROBARDS, Pub. Treasurer.
Statement of the balance due from the late Public Treasurer, John Haywood, Esq. to the State of North Carolina.

1827.

December. Balance as reported by the committee of Investigation, session 1827, 1828. 68,631 50 3-8

January. Cash paid James Patton by resolution of Assembly, 1827, and ordered to be charged to him, 275 00

Credits ordered by the Legislature, 1827.

Counterfeit money found in the office, 529 45
Salary, balance for half year, 579 45
Cash found in the Treasury, January, 1828, 107 55
Dividend on Bank stock in Bank of Newbern, 465
Dividend on Bank stock in Bank of Cape Fear, 20
Difference in Treasury Notes, 58 67½
Bank stock transferred, 125 shares Bank of Newbern, 12,500
Bank stock transferred, 10 shares Bank of Cape Fear, 1,000

15,260 12½
32,341 25

Amount of sales, 47,601 37½

To balance, 21,305 42
To difference in Cherokee bonds, 430 54

Interest on $21,735 96, from 20th February, 1828, to 20th August, 1828, 632 08

$22,388 04

Statement of the amount due from John Haywood, Esq. on the judgment in Wake County Court—August term, 1828.

Amount of principal, 21,735 96
Interest from 20th of February, 1828, to 20th August, 1828, 632 08

22,388 04

Deduct the amount received of executors, 20th August, 1828, two shares of Bank stock, transferred by the administrator of Jas. F. Taylor, 200
Amount received on check of George E. Badger, 22 80

222 80

Balance due, $22,166 04
Of which $21,735 96 is principal—with interest from 20th August, 1828.

WM. ROBARDS, Pub. Treas,

November 17th, 1828.
List of bonds due the Executors of John Haywood, deceased, handed over to the Attorney General for the use of the State of North Carolina, as assets in the Executors' hands, according to the agreement signed by them the 21st August, 1828, and filed amongst the papers in the suit, the State of North Carolina against George W. Haywood, Executor, &c. in Wake County Court.

<table>
<thead>
<tr>
<th>No.</th>
<th>Name and Date</th>
<th>D. C.</th>
<th>D. C.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Merritt Dilliard and Josiah Dilliard, Note due 1st Jan'y, 1821.</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Ditto ditto do 1st do 1822.</td>
<td>220</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Ditto ditto do 1st do 1823.</td>
<td>220</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>William M'Pheres, do 27th Nov. 1826</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Theophilus Hunter, do 22d Nov. 1825</td>
<td>1000</td>
<td></td>
</tr>
</tbody>
</table>

Interest from 22d Nov. 1825, to 23d Dec. 1826, 65 17

By payment, 400

Interest to 24th March, 1827, 665 17

By payment, 10 9

Interest to 1st Nov. 1827, 675 26

By payment, 234

Interest to 1st Nov. 1827, 441 26

By payment, 16 3

Interest to 1st Nov. 1827, 437 29

By payment, 100

Balance, 357 29

Pleasant Henderson, 20th June, 1827

John D. Barr, 2d Dec. 1826

W. L. Blount, 25th July, 1823

Wm. H. Haywood, due 14th Nov. 1813

£883 12s. equal to 1767 20

Interest from 14th Nov. 1813, to 20th July, 1815 180 19

| Payments endorsed on note £43 2 9 20th Jan. 1815 | 1887 59 |
| Ditto 50 12 2 | 1799 89 |

£93 14 11 equal to 187 50

Interest on bond No. 1. to 20th Aug. 1828, £91 67

Ditto 2 " 87 63

Ditto 3 " 74 43

Ditto 4 " 10 40

Ditto 5 " 17 26

Ditto 6 " 2 10

Ditto 7 " 1 03

Ditto 8 " 50 43

Ditto 9 " 1,466 19

£1,781 14 4818 32
<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>4th Jan, 1829</td>
<td>$14.00</td>
<td>Sam'l K. Smith &amp; Henry Warren, note due</td>
</tr>
<tr>
<td>11</td>
<td>13th</td>
<td>$50.00</td>
<td>Thos. P. Devereux &amp; H. M. Miller</td>
</tr>
<tr>
<td>12</td>
<td>22nd Feb, 1829</td>
<td>$120.00</td>
<td>Wyatt Harrison and Ch. Manly</td>
</tr>
<tr>
<td>13</td>
<td>11th July, 1829</td>
<td>$44.00</td>
<td>Williams &amp; Haywood</td>
</tr>
<tr>
<td>14</td>
<td></td>
<td></td>
<td>George E. Bauger, check</td>
</tr>
<tr>
<td>15</td>
<td>26th May, 1828</td>
<td>$22.80</td>
<td>Eliza E. A. Haywood and W. H. Haywood, note</td>
</tr>
<tr>
<td>16</td>
<td>29th April, 1829</td>
<td>$78.85</td>
<td>Ditto &amp; S. Haywood</td>
</tr>
<tr>
<td>17</td>
<td></td>
<td></td>
<td>Joseph Pickett and Martin Pickett, 1st</td>
</tr>
<tr>
<td>18</td>
<td></td>
<td></td>
<td>Joseph T. Hunter and Wm. H. Hunter, 6th</td>
</tr>
<tr>
<td>19</td>
<td>11th</td>
<td>$48.00</td>
<td>Anna White and John Dunn</td>
</tr>
<tr>
<td>20</td>
<td></td>
<td></td>
<td>S. Haywood and Ichabod Wetmore</td>
</tr>
<tr>
<td>21</td>
<td></td>
<td></td>
<td>John J. Christopher and John Dunn, 11th</td>
</tr>
<tr>
<td>22</td>
<td></td>
<td></td>
<td>Randolph Webb and Jno. Dunn</td>
</tr>
<tr>
<td>23</td>
<td></td>
<td></td>
<td>Edward S. Brooks, D. Davis and S. H.</td>
</tr>
<tr>
<td>24</td>
<td></td>
<td></td>
<td>John Bell and John Dunn</td>
</tr>
<tr>
<td>25</td>
<td>4th</td>
<td>$15.65</td>
<td>James D. Newsum to Samuel Avera, and</td>
</tr>
<tr>
<td>26</td>
<td>4th</td>
<td>$9.65</td>
<td>Charles Manly, bond due 14th Jan, 1829</td>
</tr>
<tr>
<td>27</td>
<td></td>
<td></td>
<td>John Nutt &amp; Will. H. Withehead, 4th</td>
</tr>
<tr>
<td>28</td>
<td></td>
<td></td>
<td>E. Ellis, Alex. Campbell and G. Riddick, $40.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Credit 5 65</td>
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<tr>
<td>29</td>
<td>34th Jan, 1829</td>
<td>$34.35</td>
<td>Due 4th Jan.</td>
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<tr>
<td>30</td>
<td></td>
<td></td>
<td>Joseph Pickett, 6th</td>
</tr>
<tr>
<td>31</td>
<td></td>
<td></td>
<td>Wm. W. Battle and Hugh Lee, 11th</td>
</tr>
<tr>
<td>32</td>
<td></td>
<td></td>
<td>William B. Dunn and John Bell, due 1st April, 1829</td>
</tr>
<tr>
<td>33</td>
<td></td>
<td></td>
<td>Henry M. Miller, 11th</td>
</tr>
<tr>
<td>34</td>
<td></td>
<td></td>
<td>A. W. Mordecai and Geo. W. Mordecai, $119.25</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Credit on note, 55 90</td>
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<td></td>
<td></td>
<td></td>
<td>11th Jan, 1829 65 35</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>$1872.55</td>
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<td></td>
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<td>6190.82</td>
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<td>$785.75</td>
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<td></td>
<td></td>
<td></td>
<td>200</td>
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<td></td>
<td></td>
<td></td>
<td>7176.60</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fabeus Haywood, account for amount paid as security,</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Two shares of State Bank Stock,</td>
<td></td>
</tr>
</tbody>
</table>

November 17th, 1828.

WM. ROBARDS, Pub. Treasurer.
Statement of Cash received in the Treasury from the 18th of December, 1827, to the 1st of November, 1828, on account of arrears of taxes and additional returns.

<table>
<thead>
<tr>
<th>Sheriffs and Counties</th>
<th>How due.</th>
<th>Year in which Tax was due.</th>
<th>Amount paid.</th>
<th>Total paid.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alexander L. Harvey, Bladen</td>
<td>Arrears of Tax</td>
<td>1825</td>
<td>30</td>
<td></td>
</tr>
<tr>
<td>Parkman Kirk, Montgomery</td>
<td>do</td>
<td>1826</td>
<td>618 85</td>
<td></td>
</tr>
<tr>
<td>John Black, Cumberland</td>
<td>do</td>
<td>1826</td>
<td>537 57</td>
<td></td>
</tr>
<tr>
<td>Jordan Donson, Franklin</td>
<td>do</td>
<td>1821</td>
<td>179 66</td>
<td></td>
</tr>
<tr>
<td>Archibald Lanam, Nash</td>
<td>do</td>
<td>1826</td>
<td>647 95</td>
<td>2053 $3</td>
</tr>
<tr>
<td>James A. Mears, Cabarree</td>
<td>Add'l return</td>
<td>1825</td>
<td>31 67</td>
<td></td>
</tr>
<tr>
<td>Allen S. Ballenger, Johnston</td>
<td>do</td>
<td>1826</td>
<td>29 29</td>
<td></td>
</tr>
<tr>
<td>Asahina Myers, Anson</td>
<td>do</td>
<td>1824, 5 and 6</td>
<td>30 97</td>
<td></td>
</tr>
<tr>
<td>Pinkney Caldwell, Iredell</td>
<td>do</td>
<td>1825</td>
<td>2 89</td>
<td></td>
</tr>
<tr>
<td>Thomas R. Moresey, Sampson</td>
<td>do</td>
<td>1825</td>
<td>5 64</td>
<td></td>
</tr>
<tr>
<td>C. L. Banner, Stokes</td>
<td>do</td>
<td>1826</td>
<td>16 70</td>
<td></td>
</tr>
<tr>
<td>Salathiel Stone, do.</td>
<td>do</td>
<td>1826</td>
<td>11 96</td>
<td></td>
</tr>
<tr>
<td>George Williamson, Caswell</td>
<td>do</td>
<td>do</td>
<td>do</td>
<td>do</td>
</tr>
<tr>
<td>William D. Rosson, Chovan</td>
<td>do</td>
<td>do</td>
<td>do</td>
<td>do</td>
</tr>
<tr>
<td>Wratt Mere, Greene</td>
<td>do</td>
<td>do</td>
<td>do</td>
<td>do</td>
</tr>
<tr>
<td>Henry Gibbs, Hyde</td>
<td>do</td>
<td>do</td>
<td>do</td>
<td>do</td>
</tr>
<tr>
<td>James H. Woods, Northampton</td>
<td>do</td>
<td>1824, 5 and 6</td>
<td>38 59</td>
<td></td>
</tr>
<tr>
<td>Richard G. Cowper, Herford</td>
<td>do</td>
<td>1826</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>William Carson, Rutherford</td>
<td>do</td>
<td>do</td>
<td>do</td>
<td>do</td>
</tr>
<tr>
<td>Henry Canston, Lincoln</td>
<td>do</td>
<td>1825 and 6</td>
<td>14 96</td>
<td></td>
</tr>
<tr>
<td>Thomas D. Watts, Orange</td>
<td>do</td>
<td>1826</td>
<td>12 6</td>
<td></td>
</tr>
<tr>
<td>Presley C. Person, Franklin</td>
<td>do</td>
<td>do</td>
<td>do</td>
<td>do</td>
</tr>
<tr>
<td>John Black, Cumberland</td>
<td>do</td>
<td>do</td>
<td>do</td>
<td>do</td>
</tr>
<tr>
<td>Thomas B. Wright, Surry</td>
<td>do</td>
<td>do</td>
<td>do</td>
<td>do</td>
</tr>
<tr>
<td>Horace D. Bridges, Chatham</td>
<td>do</td>
<td>do</td>
<td>do</td>
<td>do</td>
</tr>
<tr>
<td>John Dunn, Wake</td>
<td>do</td>
<td>do</td>
<td>do</td>
<td>do</td>
</tr>
<tr>
<td>Elipha Clark, Craven</td>
<td>do</td>
<td>do</td>
<td>do</td>
<td>do</td>
</tr>
</tbody>
</table>

$2490 27

WM. ROBARDS, Pub. Treasurer.

Statement of Cash received of the late Public Treasurer, John Haywood, Esq. and his executors, in the Treasury, from the 18th December, 1827, to the 1st of November, 1828.

<table>
<thead>
<tr>
<th>From whom received.</th>
<th>On what account paid.</th>
<th>Amount.</th>
<th>Total.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash</td>
<td>Found in the Treasury</td>
<td>107 55</td>
<td></td>
</tr>
<tr>
<td>Ditto</td>
<td>Dividend on 155 shares of stock, received of Executors</td>
<td>465</td>
<td></td>
</tr>
<tr>
<td>William H. Haywood</td>
<td>do on 10 shares of stock, received of Executors</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>Rebecca Goodwin</td>
<td>For purchase of negroes at the sale</td>
<td>314</td>
<td></td>
</tr>
<tr>
<td>George Bobbitt</td>
<td>do</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>Emmett Dillard</td>
<td>do</td>
<td>11</td>
<td></td>
</tr>
<tr>
<td>G. W. &amp; Jno. S. Haywood</td>
<td>Part of 1st instalment for purchase of negroes</td>
<td>330</td>
<td></td>
</tr>
<tr>
<td>Do.</td>
<td>do</td>
<td>153</td>
<td></td>
</tr>
<tr>
<td>G. W. Haywood, Ex.</td>
<td>Part of judgment.</td>
<td>1031 42</td>
<td></td>
</tr>
</tbody>
</table>

$1646 77

WM. ROBARDS, Pub. Treasurer.

November 17th, 1828.
Statement of debts due the State of North Carolina, for sales of public land near Raleigh, the amount paid in the Treasury from the 18th of December, 1827, to the 1st November, 1828, and balance now due.

<table>
<thead>
<tr>
<th>Obligors</th>
<th>Amount of principal &amp; interest paid</th>
<th>Amount of principal due</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Holloway</td>
<td>581</td>
<td>236 82</td>
<td>Judgment in Wake County Court.</td>
</tr>
<tr>
<td>Thomas Devereux, 3 sureties.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thomas Henderson,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>David L. Barringer,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Willie B. White, 3 sureties.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thomas G. Scott, 3 sureties.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>David Royser,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jonathan Bushbee, 3 sureties.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>John Holloway,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Susan Schaub,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>John Holloway, 3 sureties.</td>
<td>953 30</td>
<td></td>
<td>Judgment in Wake County Court.</td>
</tr>
<tr>
<td>Sarah Goodwin,</td>
<td></td>
<td></td>
<td>Do</td>
</tr>
<tr>
<td>William Ruffin's adm'nr.</td>
<td></td>
<td></td>
<td>Judgment before justice of the peace.</td>
</tr>
<tr>
<td>Josiah Billiard,</td>
<td></td>
<td>100</td>
<td>Judgment in Wake C. Court.</td>
</tr>
<tr>
<td>Merritt Billiard, surety,</td>
<td></td>
<td>65</td>
<td></td>
</tr>
<tr>
<td>Benjamin S. King,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thomas Devereux, surety.</td>
<td></td>
<td>169 10</td>
<td></td>
</tr>
<tr>
<td>George Luther,</td>
<td></td>
<td>65</td>
<td></td>
</tr>
<tr>
<td>Wm. Lightfoot, 3 sureties.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thomas Hill, 3 sureties.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>James M. Henderson,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Beverly Daniel, surety.</td>
<td></td>
<td>200</td>
<td>Judgment, Wake C. Court.</td>
</tr>
</tbody>
</table>

$1089 38

$2615 59

November 17, 1828.

WM ROBARDS, Pub. Treasurer.

Statement of receipts and disbursements at the Public Treasury of North Carolina, on account of the Fund for Internal Improvements, from 18th December, 1827, to 1st November, 1828.

1828

<table>
<thead>
<tr>
<th>Month</th>
<th>RECEIPTS</th>
<th>D. C.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan. 3</td>
<td>From sundry purchasers of Cherokee lands on account of their bonds due,</td>
<td>6896 50</td>
</tr>
<tr>
<td>Feb. 23</td>
<td>&quot; Bank of Newbern, dividend on 1304 shares stock, at 3 per cent.</td>
<td>3912</td>
</tr>
<tr>
<td>March 1</td>
<td>&quot; Robert Love, in part of his bonds for the purchase of Cherokee lands,</td>
<td>30</td>
</tr>
<tr>
<td>March 30</td>
<td>&quot; James Potas, do do do</td>
<td>60</td>
</tr>
<tr>
<td>April 16</td>
<td>&quot; Bank of Cape Fear, dividend on 1558 shares stock, 2 per cent.</td>
<td>2716</td>
</tr>
<tr>
<td>April 27</td>
<td>&quot; H. Winkle, in part of his bonds for the purchase of Cherokee lands,</td>
<td>85</td>
</tr>
<tr>
<td>May 26</td>
<td>&quot; Sundry purchasers of Cherokee lands on account of their bonds,</td>
<td>483 24</td>
</tr>
<tr>
<td>July 7</td>
<td>&quot; Bank of Cape Fear, dividend on 1558 shares stock, 2 per cent.</td>
<td>2716</td>
</tr>
<tr>
<td>July 29</td>
<td>&quot; Bank of Newber, dividend on 1304 shares stock, 2 per cent,</td>
<td>2608</td>
</tr>
<tr>
<td>Oct. 2</td>
<td>&quot; John Connelly, in part of his bonds for the purchase of Cherokee lands,</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td></td>
<td>19556 54</td>
</tr>
</tbody>
</table>
DISBURSEMENTS.

1827

Dec. 25 | Cash paid warrant of the Board in favor of A. Nash, Civil Engineer | 1175 62

Jan' y 2 | Do do do for Hinton James, superintendent works below Wilmington | 27 27

Do. paid Patrick Liverman & Sikes for opening a road from Columbia to Green Neck and Frying Pan, according to an act of General Assembly of 1825. | 800

4 | Do. paid James Patton, per resolution General Assembly, | 275

Do. paid warrant of the Board in favor George Bowers and colleagues, commissioners of State road from Jefferson to Tennessee line, | 51 87

Do. paid Mark Coleman and Joseph Welch, per resolution of the General Assembly, | 100

5 | Do. paid Andrew Joyner, member of the Board, | 31

Do. paid Cadw' r Jones | 19 40

6 | Do. warrant of the Board, in favor of Gentry, Roberts & Edwards. commissioners of the road from Huntsville to the Virginia line, according to act of 1826, | 500

8 | Cash paid warrant of the Board favor A. Nash, State Engineer, on the unexpended part of the subscription of the State to stock in Cape Fear Navigation Co. | 62 50

13 | Do. paid ditto, fav R. H. Brazier, Assistant Engineer, | 133 98

Do. do ditto, do surveying swamp lands, | 43 07

Do. do do A. Nash, State Engineer, for & on account of survey and inspection of swamp lands, | 70

Do. do do Jos. Gales & Son, for stationary, advertising and postage, | 59 73

Do. do do John Beard, for services surveying and platting Big Swamp in Robeson and Bladen counties, | 74

Do. do do Hinton James, superintendent, on account of expenses working dredging machine, | 400

Do. do Cadw' r Jones, member of Board, | 46 40

Do. do James M'Kay, do | 44 00

Do. do do do | 56 00

Do. do Governor Burton, do | 30 00

Do. do Governor Leedell, do | 12 00

Do. do Jos. Gales, Secretary do | 30 00

Do. do do do | 12 00

Mar. 20 | Do do warrant of the Board favor James Mebane, agent for superintending work on Cape Fear above Wilmington. | 200 40

April 30 | Do do do favor P. K. Dickinson, on account of expenses incurred in working dredging machine, hiring lands, &c. below Wilmington, | 831 14
1826
April 3  Cash paid warrant in favor Alanson Nash, Civil Engineer, 1000 00
Do do do 632 00

Both these warrants being on account of expenses incurred on works on Cape Fear below Wilmington.

May 9 Cash paid warrant of the Board, favor J. H. Wood, services surveying Urahon swamp, in Northampton county.

June 7 Do do do favor Hinton James, superintendent, on account of expenses in working the dredging machine below Wilmington.

Do do do do do do do

10 Do paid Cadwyr Jones, member of the Board, 61 00
Do do Governor Iredell, do 53 20
Do do Andrew Jayner, do 72 40
Do do James M'Kay, do 43 40
Do do Joseph Gates, Sec'y do 6 00

11 Do do warrant of the Board, favor James Mebane, agent expenses on C. Fear above Wilmington.

17 Do do do favor H. James, expenses on works on Cape Fear below Wilmington.

July 1 Do do do favor Jas. Mebane, superintendent of works on Cape Fear below Fayetteville on account of expenses, part of the additional subscription of the State to stock in Cape Fear Navigation Company.

Do do do do favor Hinton James for defraying expenses on the works below Wilmington.

4 Do do do favor Alanson Nash, Civil Engineer, in full for his salary and expenses to the 15th this month.

Do do do do expenses incurred by him on Cape Fear above Wilmington, out of the subscription of the State to additional stock in Cape Fear Navigation Company.

Do do do do a balance due him on settlement for expenses incurred on the works below Wilmington.

23 Do do do do for expenses incurred making an examination of Cape Fear river above Wilmington, (out of the subscription of the State to additional stock in Cape Fear Navigation Company.)

Sept' r 4 Do do do favor Hinton James, superintendent, defraying expenses below Wilmington.

Do do do do do do do do do do do do do

16 Do do do favor James Mebane, superintendent of works above and below Fayetteville, (out of the additional subscription of the State)
1828

Oct. 26 Cash paid warrant in fav. Hinton James, Superintendent, for expenses on works on Cape Fear below Wilmington.

Do do do fav. A. Nash, Civil Engineer, expenses in making an examination of Cape Fear river between Haywood & Wilmington.

17 Do do do fav. R. H. B. Brazier, for services drawing maps of Unara, Great Dismal and Mattamuskeet Swamps.

Balance, 1,499.66

19536 - ½

November 17th, 1828.

W. M. ROBARDS, Pub. Treas.

Statement of Receipts and Disbursements at the Public Treasury on account of the Literary Fund, from 18th December, 1827, to the 1st Nov'r, 1828.

<table>
<thead>
<tr>
<th>1827 &amp; 1828</th>
<th>D. C.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dec. &amp; Jan.</td>
<td>From sundry persons for entries of vacant land during these months,</td>
</tr>
<tr>
<td>Feb'y</td>
<td>do do do Auctioneers on account of auction tax, do do</td>
</tr>
<tr>
<td>March</td>
<td>do State Bank of North Carolina, dividend on 17 shares stock, owned by President and Directors of Literary Fund, due June 1827, 8 17 50</td>
</tr>
<tr>
<td>April</td>
<td>do do do on 78 shares, do do due 31st Dec. 1827,</td>
</tr>
<tr>
<td>May</td>
<td>do do do do</td>
</tr>
<tr>
<td>June</td>
<td>do do do do</td>
</tr>
<tr>
<td>July</td>
<td>do Bank of Cape Fear, dividend on 704 shares stock owned by North Carolina, appropriated to this fund</td>
</tr>
<tr>
<td>June</td>
<td>do Sundry persons for entries of vacant land this month</td>
</tr>
<tr>
<td>July</td>
<td>do Cape Fear Navigation Company, dividend</td>
</tr>
<tr>
<td>July</td>
<td>do do do do do</td>
</tr>
<tr>
<td>July</td>
<td>do Bank of Cape Fear, dividend on 704 shares stock owned by North Carolina, appropriated to this fund at 2 per cent</td>
</tr>
<tr>
<td>July</td>
<td>do Bank of Newbern, dividend on 359 shares stock owned by North Carolina, appropriated to this fund at 2</td>
</tr>
</tbody>
</table>
1828

<table>
<thead>
<tr>
<th>Date</th>
<th>From United States, being the refunded debt appropriated to this fund by the Legislature,</th>
<th>D. C.</th>
</tr>
</thead>
<tbody>
<tr>
<td>July</td>
<td>$2,000 Premium on same, 1,100</td>
<td>718</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Month</th>
<th>Events</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>August</td>
<td>sundry sheriffs on account of tavern tax this month,</td>
<td>75 20</td>
</tr>
<tr>
<td></td>
<td>sundry auctioneers on account of auction tax this month,</td>
<td>147 75</td>
</tr>
<tr>
<td></td>
<td>sundry persons on account of entries of vacant land this month,</td>
<td>1 22</td>
</tr>
<tr>
<td>Sept.</td>
<td>sundry sheriffs on account of tavern tax this month,</td>
<td>2090 56</td>
</tr>
<tr>
<td></td>
<td>sundry auctioneers on account of auction tax this month,</td>
<td>23 87</td>
</tr>
<tr>
<td></td>
<td>sundry persons for entries of vacant land this month,</td>
<td>103 50</td>
</tr>
<tr>
<td>Oct.</td>
<td>sundry sheriffs on account of tavern tax this month,</td>
<td>423 42</td>
</tr>
<tr>
<td></td>
<td>sundry auctioneers, auction tax this month,</td>
<td>661 76</td>
</tr>
<tr>
<td></td>
<td>sundry persons for entries of vacant land this month,</td>
<td>402 43</td>
</tr>
<tr>
<td></td>
<td>sundry persons for entries of vacant land this month</td>
<td>129 79</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>DISBURSEMENTS.</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>July</td>
<td>Stock of the State Bank of North Carolina, 5 shares at 90 dollars,</td>
<td>450</td>
</tr>
<tr>
<td>August</td>
<td>Bank of Newbern, 5 shares at 80 dollars,</td>
<td>400</td>
</tr>
<tr>
<td>Sept.</td>
<td>Bank of Cape Fear, 50 shares at 80 dollars,</td>
<td>4000</td>
</tr>
<tr>
<td>Oct.</td>
<td>State Bank of North Carolina, 14 shares at 90 dollars,</td>
<td>1260</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Balance,</td>
<td>35640</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2073 59</td>
</tr>
</tbody>
</table>

WM. ROBARDS, Pub. Treas.

November 17th, 1828.

Statement of Receipts and Disbursements on account of the Agricultural Fund, from the 18th December, 1827, to the 1st November, 1828.

RECEIPTS.

<table>
<thead>
<tr>
<th>Date</th>
<th>Whom received</th>
<th>Official Character</th>
<th>County</th>
<th>D. C.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1827</td>
<td>John Hanner</td>
<td>clerk co'ty Court</td>
<td>Guilford</td>
<td>17 70</td>
</tr>
<tr>
<td></td>
<td>J. G. Stanly</td>
<td>do</td>
<td>Craven</td>
<td>4 75</td>
</tr>
<tr>
<td>Date</td>
<td>Clerk Name</td>
<td>Court Location</td>
<td></td>
<td></td>
</tr>
<tr>
<td>------</td>
<td>------------</td>
<td>----------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dec. 21</td>
<td>J. W. Gailon</td>
<td>Craven</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Joseph Wood</td>
<td>do</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Israel Sheldon</td>
<td>do</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Robert Martin</td>
<td>co'ty</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Jas. Morris</td>
<td>su'p'r</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Thos Scarry</td>
<td>do</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>E. B. Smith</td>
<td>do</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Isaac Craten</td>
<td>co'ty</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Jesse Harper</td>
<td>do</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>N. Washington</td>
<td>su'p'r</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Philip Hooks</td>
<td>co'ty</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lawr'n Henderson</td>
<td>su'p'r</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>J. B. Martin</td>
<td>co'ty</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ferg Martin</td>
<td>su'p'r</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Henry Blount</td>
<td>co'ty</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wm Robards</td>
<td>su'p'me</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>V. M'Bee</td>
<td>co'ty</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>W. R. Lenoir</td>
<td>su'p'r</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jan. 7</td>
<td>Wm. Williams</td>
<td>co'ty</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>G. Rumley</td>
<td>do</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Feb. 28</td>
<td>B. S. King</td>
<td>do</td>
<td></td>
<td></td>
</tr>
<tr>
<td>March 5</td>
<td>John H. Drake</td>
<td>su'p'r</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>A. W. Daywell</td>
<td>co'ty</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>S. Patterson</td>
<td>do</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>C. Dowd</td>
<td>do</td>
<td></td>
<td></td>
</tr>
<tr>
<td>May 2</td>
<td>Rob't Henry</td>
<td>do</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>T. F. Davis</td>
<td>do</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>A. M'Bride</td>
<td>su'p'r</td>
<td></td>
<td></td>
</tr>
<tr>
<td>July 29</td>
<td>Matthew R. Moore</td>
<td>co'ty</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aug. 25</td>
<td>James Webb</td>
<td>clerk and master</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>James Stanly</td>
<td>clerk</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>A. R. Bruce</td>
<td>clerk and master</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Jesse Dickins</td>
<td>co'ty</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Stephen K. Sneed</td>
<td>do</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Arch'd Parker</td>
<td>su'p'r</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>W. Robards</td>
<td>su'p'r</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>A. B. Bruce</td>
<td>clerk su'p'r</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Robert Galloway</td>
<td>co'ty</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Jas. Pearsall</td>
<td>do</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oct. 1</td>
<td>S. Patterson</td>
<td>do</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>R. Sanders</td>
<td>do</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Samuel Johnson</td>
<td>clerk and master</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Arch'd M'Queen</td>
<td>clerk co'ty</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>B. Nichols</td>
<td>su'p'r</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>I. H. Green, former</td>
<td>do</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>C. Dowd</td>
<td>co'ty</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>J. H. Drake</td>
<td>su'p'r</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

D. C. |
---|
13 11 |
10 87 |
2 20 |
80 |
2 20 |
1 |
7 01 |
1 80 |
48 87 |
15 45 |
14 27 |
15 61 |
2 90 |
9 75 |
1 70 |
49 50 |
1 12 |
1 90 |
16 85 |
30 |
13 16 |
10 14 |
1 |
11 19 |
2 60 |
1 30 |
15 20 |
3 08 |
10 32 |
1 05 |
1 05 |
1 50 |
142 31 |
4 15 |
17 92 |
19 21 |
83 44 |
8 96 |
13 26 |
2 95 |
21 90 |
31 02 |
11 50 |
2 82 |
49 55 |
1 |
12 78 |

845 03
### DISBURSEMENTS

#### CA-IH PAID CLAIMANTS

<table>
<thead>
<tr>
<th>Date</th>
<th>Claimant</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dec 22</td>
<td>Alexander Gray, return of J. Harper, clerk Randolph county court</td>
<td>4 27</td>
<td></td>
</tr>
<tr>
<td>Jan 2</td>
<td>Robert Fenner, do Wm. Robards, cl'k sup'me court</td>
<td>23 25</td>
<td></td>
</tr>
<tr>
<td>Feb 22</td>
<td>sam'l Hill, do Jesse Harper, clerk Randolph county court</td>
<td>3 38</td>
<td></td>
</tr>
<tr>
<td>Mar 27</td>
<td>Chas. W Lee, do B. S. King, cl'k Wake co. court</td>
<td>2 12</td>
<td></td>
</tr>
<tr>
<td>May 9</td>
<td>Ers M'Craw, do Step. K Sneed, cl'k Granville do</td>
<td>3 08</td>
<td></td>
</tr>
<tr>
<td>June 7</td>
<td>Isaac Lane, from returns of clerks of Moore, Guilford and Wake</td>
<td>5 90</td>
<td></td>
</tr>
<tr>
<td>July 1</td>
<td>Joseph J. Hawkins, from returns of clerks of Wake, Nash and Warren county courts</td>
<td>2 65</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Fred'k Nash, return clerk Wake county court</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td></td>
<td>C. Simmons, do do Pitt superior do</td>
<td>6 80</td>
<td></td>
</tr>
<tr>
<td>Aug 12</td>
<td>H. Moring's ex'r, do do Wake do do</td>
<td>30</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Nath'l Robards, returns of clerks of Wake county and superior, and Lenoir sup. courts</td>
<td>15 90</td>
<td></td>
</tr>
<tr>
<td>Sept 1</td>
<td>Sam'l Whitaker, returns of Wake and Wilkes superior, Granville county, and the supreme courts</td>
<td>9 55</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wm. C. Clanton, returns of Wake &amp; Nash county courts</td>
<td>1 30</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wm Robards, return of clerk of Person</td>
<td>23 01</td>
<td></td>
</tr>
<tr>
<td></td>
<td>John May, do clerk of Rockingham co. court</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Matthew M'Donald. do do do do</td>
<td>7 30</td>
<td></td>
</tr>
<tr>
<td>Oct 24</td>
<td>Willie P. Mangum, do do supreme court</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Jan. 18</td>
<td>Cash, this sum paid Joseph Gales &amp; Son, on warrant of the President of the Board of Agriculture, for printing 1500 copies of Prof. Mitchell's Geological Report, &amp;c. &amp;c.</td>
<td>225 00</td>
<td></td>
</tr>
<tr>
<td>April 50</td>
<td>This sum paid Prof. Mitchell, his services and expenses making a Geological survey of the State, agreeably to the directions of the General Assembly, on warrant from the President of the Board of Agriculture,</td>
<td>250 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Balance</strong></td>
<td><strong>593 41</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>251 62 1/2</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>845 03 1/2</strong></td>
<td></td>
</tr>
</tbody>
</table>

WM. ROBARDS, Public Treasurer.

November 17, 1828.
### Statement of balances due the State of North Carolina, as reported by the Comptroller to the 1st November, 1827, and balances due from that time to the 1st November, 1828.  

<table>
<thead>
<tr>
<th>Debtors</th>
<th>Office</th>
<th>Counties</th>
<th>Time due</th>
<th>Sum.</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frederick T. Alley</td>
<td>Sheriff</td>
<td>Rutherford</td>
<td>1820</td>
<td>933</td>
<td>Judgment in Wake sup'r court against the justices of Rutherford.</td>
</tr>
<tr>
<td>Thomas B. H. Davis</td>
<td>do</td>
<td>Craven</td>
<td>1822</td>
<td>76</td>
<td></td>
</tr>
<tr>
<td>William Snow</td>
<td>do</td>
<td>Beaufort</td>
<td>1819</td>
<td>80</td>
<td></td>
</tr>
<tr>
<td>Nathaniel Martin</td>
<td>do</td>
<td>Hyde</td>
<td>1817</td>
<td>204</td>
<td>6</td>
</tr>
<tr>
<td>Smith Burroughs</td>
<td>do</td>
<td>Martin</td>
<td>1818</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>Alexander Prohock</td>
<td>do</td>
<td>Rowan</td>
<td>1820</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>William Hall</td>
<td>Clerk</td>
<td>Nash C. G.</td>
<td>1824</td>
<td>56</td>
<td></td>
</tr>
<tr>
<td>John Neal</td>
<td>Sheriff</td>
<td>Brunswick</td>
<td>1818</td>
<td>102</td>
<td>51</td>
</tr>
<tr>
<td>Thomas Snow</td>
<td>Clerk</td>
<td>Beaufort</td>
<td>1825</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Adam Toole</td>
<td>do</td>
<td>Greene</td>
<td>1820</td>
<td>28</td>
<td></td>
</tr>
<tr>
<td>Edmond Hoskins</td>
<td>Auctioneer</td>
<td>Chowan</td>
<td>1819</td>
<td>14</td>
<td>58</td>
</tr>
<tr>
<td>Jouny N. Garner</td>
<td>money loaned</td>
<td>Washington</td>
<td>do</td>
<td>101</td>
<td>57</td>
</tr>
<tr>
<td>John M. Ovise</td>
<td>do</td>
<td>Washington</td>
<td>1823</td>
<td>274</td>
<td>65</td>
</tr>
<tr>
<td>James Eastwood</td>
<td>Sheriff</td>
<td>Greene</td>
<td>1823</td>
<td>37</td>
<td>99</td>
</tr>
<tr>
<td>William Harman</td>
<td>do</td>
<td>Anson</td>
<td>1818</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>John M'Donald</td>
<td>Auctioneer</td>
<td>Washington</td>
<td>1822</td>
<td>71</td>
<td>73</td>
</tr>
<tr>
<td>Joseph Ross</td>
<td>do</td>
<td>Wake</td>
<td>1822</td>
<td>56</td>
<td>90</td>
</tr>
<tr>
<td>William Smith</td>
<td>do</td>
<td>New Hanover</td>
<td>1824</td>
<td>57</td>
<td>6</td>
</tr>
<tr>
<td>Nathaniel Furrill</td>
<td>do</td>
<td>Johnston</td>
<td>1822 1824-5</td>
<td>12</td>
<td>25</td>
</tr>
<tr>
<td>Green H. Scott</td>
<td>do</td>
<td>do</td>
<td>do</td>
<td>2</td>
<td>65</td>
</tr>
<tr>
<td>John C. Guy</td>
<td>do</td>
<td>do</td>
<td>do</td>
<td>1</td>
<td>92</td>
</tr>
<tr>
<td>John M'Vever</td>
<td>do</td>
<td>Cumberland</td>
<td>1824-5</td>
<td>140</td>
<td>54</td>
</tr>
<tr>
<td>Alexander M'Allister</td>
<td>Sheriff</td>
<td>Sampson</td>
<td>1823</td>
<td>972</td>
<td>65</td>
</tr>
<tr>
<td>Abraham Forrest</td>
<td>do</td>
<td>Montgomery</td>
<td>1826</td>
<td>217</td>
<td>89</td>
</tr>
<tr>
<td>Thos. G. Britt</td>
<td>Auctioneer</td>
<td>Washington</td>
<td>1828</td>
<td>16</td>
<td>66</td>
</tr>
<tr>
<td>Dillon Jordan</td>
<td>do</td>
<td>Cumberland</td>
<td>1824-5</td>
<td>192</td>
<td>79</td>
</tr>
<tr>
<td>James McKee</td>
<td>Sheriff</td>
<td>Haywood</td>
<td>1826</td>
<td>2</td>
<td>92</td>
</tr>
<tr>
<td>Nathaniel J. Oliver</td>
<td>Auctioneer</td>
<td>Beaufort</td>
<td>do</td>
<td>15</td>
<td>54</td>
</tr>
<tr>
<td>Joseph B. Hanton</td>
<td>Clerk</td>
<td>Beaufort C. C.</td>
<td>1825</td>
<td>80</td>
<td></td>
</tr>
<tr>
<td>James Marsby</td>
<td>Com'r consis</td>
<td>ed property</td>
<td>Fayetteville</td>
<td>1816</td>
<td>67</td>
</tr>
<tr>
<td>John L. McKay</td>
<td>Agent</td>
<td>Edenton</td>
<td>1819</td>
<td>131</td>
<td>56</td>
</tr>
<tr>
<td>John M'Coaster</td>
<td>do</td>
<td>Carteret</td>
<td>1813</td>
<td>362</td>
<td>74</td>
</tr>
<tr>
<td>John Roberts</td>
<td>do</td>
<td>do</td>
<td>do</td>
<td>76</td>
<td>21</td>
</tr>
<tr>
<td>Thomas Williams</td>
<td>do</td>
<td>Currituck</td>
<td>1819</td>
<td>314</td>
<td></td>
</tr>
<tr>
<td>Spencer Hall</td>
<td>do</td>
<td>Beaufort</td>
<td>1819</td>
<td>307</td>
<td>93</td>
</tr>
<tr>
<td>Richard C. Cotton</td>
<td>do</td>
<td>Chatham</td>
<td>do</td>
<td>56</td>
<td>40</td>
</tr>
<tr>
<td>Edward Griffin</td>
<td>Sheriff</td>
<td>Martin</td>
<td>1826-7</td>
<td>909</td>
<td>66</td>
</tr>
<tr>
<td>Alexander L. Harvey</td>
<td>do</td>
<td>Bladen</td>
<td>do</td>
<td>116</td>
<td>65</td>
</tr>
<tr>
<td>Joseph Allison</td>
<td>Auctioneer</td>
<td>Orange</td>
<td>1826</td>
<td>1</td>
<td>63</td>
</tr>
<tr>
<td>Parham Kirk</td>
<td>do</td>
<td>Montgomery</td>
<td>1827</td>
<td>146</td>
<td>41</td>
</tr>
<tr>
<td>Allen Gist</td>
<td>Sheriff</td>
<td>Beaufort</td>
<td>1821</td>
<td>51</td>
<td></td>
</tr>
<tr>
<td>Moses Riddick</td>
<td>do</td>
<td>Gates</td>
<td>1820</td>
<td>96</td>
<td></td>
</tr>
<tr>
<td>Thomas Bell</td>
<td>do</td>
<td>Pasquotank</td>
<td>1825</td>
<td>51</td>
<td></td>
</tr>
<tr>
<td>William Moore</td>
<td>Auctioneer</td>
<td>Mecklenburg</td>
<td>1827</td>
<td>229</td>
<td>92</td>
</tr>
<tr>
<td>John Sloan</td>
<td>do</td>
<td>Bladen</td>
<td>1825</td>
<td>135</td>
<td>57</td>
</tr>
<tr>
<td>Calvin K. Hackman</td>
<td>do</td>
<td>Bladen</td>
<td>1825</td>
<td>103</td>
<td>11</td>
</tr>
<tr>
<td>Alexander L. Harvey</td>
<td>do</td>
<td>Bladen</td>
<td>do</td>
<td>9543</td>
<td>41</td>
</tr>
</tbody>
</table>

November 17th, 1828.

W. M. ROBARDS, Public Treasurer.
Statement of the Shares of Stock subscribed by the State of North Carolina in the different Navigation, Canal and Turnpike Companies, and amount paid to each company.

<table>
<thead>
<tr>
<th>Companies</th>
<th>No. Shares</th>
<th>Price of Stock</th>
<th>Amount of Stock</th>
<th>Amount paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roanoke Navigation</td>
<td>250</td>
<td>$100</td>
<td>$25000</td>
<td>$25000</td>
</tr>
<tr>
<td>Cape Fear</td>
<td>130</td>
<td>$100, reduced by act of 1825 to $50</td>
<td>$15000</td>
<td>$15000</td>
</tr>
<tr>
<td>New subscription</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Neuse River Navigation</td>
<td>60</td>
<td>100</td>
<td>6000</td>
<td>6000</td>
</tr>
<tr>
<td>Catawba</td>
<td>60</td>
<td>100</td>
<td>6000</td>
<td>6000</td>
</tr>
<tr>
<td>Yadkin</td>
<td>250</td>
<td>100</td>
<td>25000</td>
<td>25000</td>
</tr>
<tr>
<td>Clubfoot &amp; Harlows Creek Canal</td>
<td>50</td>
<td>100</td>
<td>5000</td>
<td>5000</td>
</tr>
<tr>
<td>Additional subscription</td>
<td>75</td>
<td></td>
<td>7500</td>
<td>7500</td>
</tr>
<tr>
<td>Ditto</td>
<td>50</td>
<td></td>
<td>5000</td>
<td>5000</td>
</tr>
<tr>
<td>Tar River Navigation</td>
<td>80</td>
<td>100</td>
<td>8000</td>
<td>8000</td>
</tr>
<tr>
<td>Buncombe Turnpike</td>
<td>100</td>
<td>50</td>
<td>5000</td>
<td>5000</td>
</tr>
<tr>
<td>Pungo Turnpike Road</td>
<td>200</td>
<td>25</td>
<td>5000</td>
<td>1100</td>
</tr>
</tbody>
</table>

$132,100 $107,025

November 17th, 1828.

WM. ROBARDS, Pub. Treasurer.

Statement of balances due from Clerks and Masters, on account of the Agricultural Fund to 1st November, 1828.

<table>
<thead>
<tr>
<th>From whom due.</th>
<th>Office.</th>
<th>County.</th>
<th>Year</th>
<th>Amount.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bennister Lester</td>
<td>Clerk C. C.</td>
<td>Onslow</td>
<td>1824</td>
<td>125 73</td>
</tr>
<tr>
<td>Robert Simonton</td>
<td>do</td>
<td>Iredell</td>
<td>do</td>
<td>7 83</td>
</tr>
<tr>
<td>Joseph Gillespie</td>
<td>C. and M. E.</td>
<td>Duplin</td>
<td>do</td>
<td>6</td>
</tr>
<tr>
<td>J Goellet</td>
<td>do</td>
<td>Washington</td>
<td>do</td>
<td>63 65</td>
</tr>
<tr>
<td>Joseph B. Hinton</td>
<td>Clerk Sup'r C.</td>
<td>Beaufort</td>
<td>do</td>
<td>50</td>
</tr>
<tr>
<td>Robert Work</td>
<td>do</td>
<td>Iredell</td>
<td>do</td>
<td>104 60</td>
</tr>
<tr>
<td>Samuel Ferreebe</td>
<td>do</td>
<td>Currituck</td>
<td>do</td>
<td>8</td>
</tr>
<tr>
<td>John H. Drake</td>
<td>do</td>
<td>Nash</td>
<td>1822</td>
<td>155 12</td>
</tr>
<tr>
<td>John Hanner</td>
<td>Clerk C. C.</td>
<td>Guilford</td>
<td>1823</td>
<td>60</td>
</tr>
<tr>
<td>Thomas F. Davis</td>
<td>do</td>
<td>New Hanover</td>
<td>do</td>
<td>5 43</td>
</tr>
<tr>
<td>Duncan Rose</td>
<td>Clerk Sup'r C.</td>
<td>Person</td>
<td>do</td>
<td>16 53</td>
</tr>
</tbody>
</table>

$513 51

November 17th, 1828.

WM. ROBARDS, Pub. Treasurer.
Statement of Treasury Notes issued and put in circulation according to the provisions of the acts of Assembly of 1814, 1816, and 1823.

| Treasury Notes issued under the act of | 1814 | 82,000 00 |
| ditto | 1816 | 80,000 00 |
| ditto | 1823 | 100,000 00 |

An aggregate of 382,000 00

Deduct the different amounts burnt by the Committees of Finance—per Controller's Report,

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1819</td>
<td>943 34</td>
</tr>
<tr>
<td>1821</td>
<td>7,710</td>
</tr>
<tr>
<td>1822</td>
<td>9,784 52</td>
</tr>
<tr>
<td>1823</td>
<td>6,810 51 ½</td>
</tr>
<tr>
<td>1824</td>
<td>5,696 25</td>
</tr>
<tr>
<td>1825</td>
<td>12,170 89 ½</td>
</tr>
<tr>
<td>1826</td>
<td>15,392 48</td>
</tr>
<tr>
<td>1827</td>
<td>15,523 98</td>
</tr>
<tr>
<td>1828</td>
<td>9,303 76</td>
</tr>
</tbody>
</table>

Burnt by the committee of Finance, The amount as stated in the foregoing Report remaining in the Treasury to the 1st of November, 1828,

23,634 08 ½

The amount of 155,530 20 ½

now in circulation and redeemable at the Treasury on the first of November, 1828.

WM. ROBARDS, Pub. Treas.

November 17th, 1828.
Statement of insolvents allowed by the Comptroller to the Sheriffs in their settlements of the taxes of 1827.

<table>
<thead>
<tr>
<th>Sheriffs</th>
<th>Counties</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Absalom Myers</td>
<td>Anson</td>
<td>17 60</td>
</tr>
<tr>
<td>Samuel Hunter</td>
<td>Buncombe</td>
<td>7 84</td>
</tr>
<tr>
<td>Lewis Bond</td>
<td>Bertie</td>
<td>5 40</td>
</tr>
<tr>
<td>Elijah Clark</td>
<td>Craven</td>
<td>24 16</td>
</tr>
<tr>
<td>Horace D. Bridges</td>
<td>Chatham</td>
<td>43 84</td>
</tr>
<tr>
<td>John Black</td>
<td>Cumberland</td>
<td>19 38</td>
</tr>
<tr>
<td>Luke G. Lamb</td>
<td>Camden</td>
<td>5 80</td>
</tr>
<tr>
<td>Wm D. Rascoe</td>
<td>Chowan</td>
<td>3 20</td>
</tr>
<tr>
<td>Thomas Marshall</td>
<td>Carteret</td>
<td>11 80</td>
</tr>
<tr>
<td>William Kennedy</td>
<td>Davidson</td>
<td>19 56</td>
</tr>
<tr>
<td>Spencer L. Hurt</td>
<td>Edgecombe</td>
<td>22 20</td>
</tr>
<tr>
<td>Presley G. Person</td>
<td>Franklin</td>
<td>24 20</td>
</tr>
<tr>
<td>Wyant Mayo</td>
<td>Greene</td>
<td>12 20</td>
</tr>
<tr>
<td>James W. Doak</td>
<td>Guilford</td>
<td>20 22</td>
</tr>
<tr>
<td>John V. Sumner</td>
<td>Gates</td>
<td>7 60</td>
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<td>Isaac D. Jones</td>
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<td>Joel Vannoy</td>
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<td>William C. Clanton</td>
<td>Warren</td>
<td>17 41</td>
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</table>

$8667 08

November 17, 1828.

WM. ROBARDS, Public Treasurer.
Statement of the nett amount of the different branches of Revenue, the amount of Cash received thereon, and from other sources, not appropriated to other funds, and payable in the Public Treasury, from the 18th December, 1827, to the 1st November, 1828.

<table>
<thead>
<tr>
<th>Branches of Revenue, 1827, and from whom Cash has been received</th>
<th>Amount due.</th>
<th>Aggregate amount.</th>
<th>Amount paid.</th>
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<tr>
<td>Tax on land</td>
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<td>do town property</td>
<td>1402 86</td>
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<td>do polls</td>
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<td>do stud horses</td>
<td>1484 82</td>
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<td>do gates</td>
<td>202 40</td>
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<td>do pedlars</td>
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<td>do natural</td>
<td>259 70</td>
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<td>do fines for failing to settle</td>
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<tr>
<td>do Bank of Newbern</td>
<td>6182</td>
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<tr>
<td>do Cape Fear</td>
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<td>Dividend of State Bank</td>
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<td>do Newbern</td>
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<td>do Cape Fear</td>
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<td>Arrears of taxes</td>
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<td>Additional returns of taxes</td>
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<td>John Haywood, late Pub. Treasurer,</td>
<td>1646 77</td>
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<tr>
<td>Sales of public land near Raleigh</td>
<td>1989 38</td>
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<td>Interest and rent of public land</td>
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<td>88702 90</td>
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November 17, 1828.

WM. ROBARDS, Public Treasurer.
<table>
<thead>
<tr>
<th>Item</th>
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<th>3315.933 94</th>
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<tbody>
<tr>
<td>Treasury Bills</td>
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<td>1970.78 90</td>
<td>1970.78 90</td>
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<td>Total</td>
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<td>35418 25</td>
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<tr>
<td>Reserve Fund</td>
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<tr>
<td>Total</td>
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<tr>
<td>Stock</td>
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<tr>
<td>Total</td>
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<tr>
<td>Stock Discounts</td>
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<td>Total</td>
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<tr>
<td>Foreign Bank Credits</td>
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<td>111240 99</td>
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<tr>
<td>Total</td>
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<td>111240 99</td>
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<td>Currency Issues</td>
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<td>Total</td>
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<tr>
<td>Special</td>
<td>8666980 90</td>
<td>8666980 90</td>
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<tr>
<td>Total</td>
<td>8666980 90</td>
<td>8666980 90</td>
</tr>
</tbody>
</table>

In Exhibition, showing the situation of the State Bank of North Carolina, 1st December, 1833.
## A Statement of the Revenue of North-Carolina.

This document presents a detailed statement of the revenue of North Carolina for a specified year, listing various localities and sources of revenue. Each entry details the revenue amount, with categories such as land tax, personal property tax, and others. The table is extensive, covering numerous counties and various types of revenue sources.

### Table Contents
- **Counties**
- **Local Tax**
- **Personal Property Tax**
- **Land Tax**
- **State Tax**
- **Other Taxes**
- **Total Revenue**
- **Rivers**

### Example Entry
- **County**: Anson
- **Local Tax**: 700.67
- **Personal Property Tax**: 8.07
- **Land Tax**: 503.26
- **State Tax**: 1,344.77
- **Other Taxes**: 1,203.74
- **Total Revenue**: 4,690.79

### Analysis
- The statement includes a comprehensive list of tax contributions from various counties, indicating the economic activities and tax liabilities of the time.
- Counties such as Anson, Ashe, Buncombe, and others each contribute significantly to the overall revenue, reflecting the economic diversity of the state.

### Conclusion
- This detailed statement serves as an essential document for understanding the financial landscape of North Carolina in the specified year, providing insights into the economic activities and tax liabilities of the time.

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*JAMES GRANT, Comptroller*