L A W S
OF
NORTH-CAROLINA.

At a GENERAL ASSEMBLY, begun and held at the City of
RALEIGH, on the thirtieth Day of DECEMBER, in the Year of our
Lord One thousand seven hundred and ninety-four, and in the Nineteenth Year of the Independence of the said State: Being the First Session of the said Assembly.

CHAP. I.

An Act to raise a revenue for the payment of the civil lift and contingent charges of government for the year one thousand seven hundred and ninety-five.

I. 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 year one thousand seven hundred and ninety-five, a tax of eight pence on every hundred acres of land in this state, and a tax of two shillings on every hundred pounds value of town lots with their improvements, and a tax of two shillings on every poll, shall be levied, collected and accounted for, in the manner directed by the several acts of Assembly for those cases made and provided.

II. And be it further enacted, That a tax on all stud-horses within this state, of the one-fourth part of the sum which the owner of such stud-horse shall ask and receive for the service of one mare to such stud-horse, shall be levied, collected and accounted for in the same manner that such taxes have been herebefore levied, collected and accounted for.

III. And be it further enacted, That no sinking-fund tax be collected for the year one thousand seven hundred and ninety-five.

CHAP. II.

An Act to prevent the further importation and bringing of slaves and indented servants of colour into this state.

I. 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, no slave or indented servant of colour shall be imported or brought into this state by land or water; nor shall any slave or indented servant of colour, who may be imported or brought contrary to the intent and meaning of this act, be bought, sold or hired by any person whatever.

II. Be it further enacted by the authority aforesaid, That every person importing or bringing slaves or indentured servants of colour into this state after the said first day of May next, no slave or indentured servant of colour shall be imported or brought into this state by land or water; nor shall any slave or indentured servant of colour, who may be imported or brought contrary to the intent and meaning of this act, be bought, sold or hired by any person whatever.

III. Be it further enacted by the authority aforesaid, That in all courts of justice in this state, in any action brought against any person to recover any amount, it shall be the duty of the judge or judges of such court to render judgment for such person, and it shall be the duty of the court to render judgment for the plaintiff, and the plaintiff shall recover all costs and damages that shall be awarded by such court, and the court shall have power to award such costs and damages as shall be just and equitable.

IV. Be it further enacted by the authority aforesaid, That in all courts of justice in this state, in any action brought against any person to recover any amount, it shall be the duty of the judge or judges of such court to render judgment for such person, and it shall be the duty of the court to render judgment for the plaintiff, and the plaintiff shall recover all costs and damages that shall be awarded by such court, and the court shall have power to award such costs and damages as shall be just and equitable.

V. Be it further enacted by the authority aforesaid, That in all courts of justice in this state, in any action brought against any person to recover any amount, it shall be the duty of the judge or judges of such court to render judgment for such person, and it shall be the duty of the court to render judgment for the plaintiff, and the plaintiff shall recover all costs and damages that shall be awarded by such court, and the court shall have power to award such costs and damages as shall be just and equitable.

VI. Be it further enacted by the authority aforesaid, That in all courts of justice in this state, in any action brought against any person to recover any amount, it shall be the duty of the judge or judges of such court to render judgment for such person, and it shall be the duty of the court to render judgment for the plaintiff, and the plaintiff shall recover all costs and damages that shall be awarded by such court, and the court shall have power to award such costs and damages as shall be just and equitable.
import or bring a slave or indentured servant of colour into this state in the first instance; and shall be proceeded against in the like manner and to the like effect.

IV. Be it further enacted and provided, That nothing in this act shall be construed to prevent any person or persons, being citizens of the United States, or subjects of foreign countries, who intend to reside and settle within the limits of this state, from bringing with him, her or them such slaves or servants as they may think proper; or to prevent such persons from travelling with their slaves or servants through this state in order to settle in another state; or to prohibit any citizen of this state, who may obtain slaves or servants of colour by marriage, gift, legacy, devise or descent; or who hath hereunto been admitted into bond for such, from bringing the slaves or servants of colour so obtained, or contracted for, into this state, by land or water. Provided, That the person or persons so intending to become citizen or citizens thereof, shall previously thereunto take the following oath: "I, A. B. do swear that I have moved into this state for the purpose of becoming a citizen thereof; and that the slaves brought by me into this state, are for my own service, and not for the purpose of sale or traffic; or for the purpose of defeating the operation of the act of Assembly in such case made and provided."

V. And be it further enacted by the authority aforesaid, That whenever any citizen or other person hereafter shall bring, or remove from any other state or country, any servant or slave of colour, he, she or they shall take the following oath: "I, A. B. do solemnly swear or affirm, that I have not received or accepted of any servant or slave with an intention to make sale of the same for the use of myself or any other person, or with an intention to evade or defeat the intention of an Assembly in that case made and provided; and that I have not either directly or indirectly given value for the same."

CHAP. III.

An Act more liberally to endow the University of North-Carolina, and to secure the titles of certain inhabitants of Mecklenburg county, and other citizens of this state, to certain lands heretofore purchased from Henry Eustace McCulloh.

Whereas the Trustees of the University of North-Carolina, have with a laudable zeal for the promotion of literature, erected a building for the use of the institution entrusted to them, and are at this time prepared to commence the exercises of the University, but have not funds to proceed in the liberal manner, which the honour and interest of the public demand; and as the remains of confiscated property unfoold by the Commissioners appointed for that purpose, might contribute to furnish them with the means of making a permanent establishment for the cultivation of science:

I. 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 lands not heretofore sold, which under any of the laws, commonly called confiscation laws, have been forfeited or confiscated; to the use of the state, be and the same are hereby granted to and vested in the Trustees of the University of North-Carolina, and their successors forever, in trust for the use and benefit of the said University.

And whereas a number of the inhabitants of Mecklenburg county, and other citizens of this state, purchased lands from Henry Eustace McCulloh, taking the bonds of the said Henry Eustace McCulloh to make a title or titles to the said purchased premises, which lands have become confiscated to the state, and the said purchasers cannot procure titles to the same. And whereas also other persons who had purchased lands from the said Henry Eustace McCulloh, executed mortgages to him for the said purchased premises previous to the fourth day of July, in the year one thousand seven hundred and seventy-six; and it is proper that such persons should have some easy method of completing their titles, and removing the incumbrances aforesaid:

II. Be it enacted by the authority aforesaid, That to such and such part of the said confiscated lands, as may have been bona fide purchased or mortgaged as aforesaid, are granted to, and vested in the Trustees of the University of North-Carolina, and their successors, not only for the use and purpose above mentioned in this act, but on the express trust, that the said Trustees and their successors, shall take and use all proper means and ways, both in law and equity, to convey and assure to the equitable owners or claimants of such lands, a good and sufficient title in law to the lands so purchased or mortgaged aforesaid; such equitable owners or claimants paying, or securing to be paid to the said Trustees, or their successors, such sum or sums of money as may be justly and equitably due on such purchase or mortgage. Provided, That the interest to be required from such claimants, shall in no instance exceed the principal, nor shall interest in any case be calculated during the war.

And to the end that the real value and amount of the said endowment may be known:

III. Be it enacted by the authority aforesaid, That the said Trustees shall keep an account of all the sums and expenses, together with a statement of all other moniesentrusted to their management, either by the public or individuals, and lay the same annually before the General Assembly.

IV. And
IV. And be it further enacted and provided, That the proceeds of all sales which shall be made, and the amount of all payments received under this act, shall be considered as a fund, the interest whereof shall be applied to the interes and purposes expressed in this act, for the term of ten years, at the expiration of which time, the principal thereof, shall be subject to the direction and disposition of the General Assembly.

Provided nevertheless, That whenever the principal collected and intended by this act to be loaned as aforesaid, shall exceed ten thousand pounds, the surplus, if in cash, shall immediately be paid into the treasury of this state, and if in bonds, it shall be the duty of the said Trustees to transfer them without delay to the public Treasurer for the time being, for the use of the state.

CHAP. IV.

An Act to prevent the export of slaves from hiring to them their time, to make compensation to Patrollers, and to restrain the abuses committed by free negroes and mulattoes.

WHEREAS great mischief have arisen from slaves being permitted to hire their own time:

I. 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 not be lawful, under any pretence whatever, for any person or persons to allow his, her or their slave, or any slave under his, her or their command or direction, to hire his, her or their time, under the penalty of forfeiting the sum of twenty pounds for each and every offence; to be recovered before any Justice of the Peace, to the sole benefit of the party prosecuting:

And it shall be part of the duty and charge of the Grand Jury, both in the county and superior courts, to make preffentment of any slave who shall be permitted by his or her master or mistress to go at large, having hired his or her time, and on such preffentment being made, the court shall issue an order to the Sheriff of the county where such negro may be, to take up such negro, and him or her safely secure, so that he can have such negro before the next county court; and it shall be the duty of the Sheriff to give the owner notice thereof (if residing within the district) at least ten days before the setting of the court; and the said court shall empanel a jury to enquire and try the truth of such preffentment, on which trial or enquiry the owner may produce evidence as in other cases; and if the jury shall find that the said preffentment is true, such negro shall then be hired out by the Sheriff of the county, to the public vendue, for the space of one year, taking bond with security for the same, payable to the Wardens of the Poor, for the use of the poor of said county, subject to the payment of any charges respecting said negro. Provided always, That when the owner resides out of the district, the Sheriff shall give notice by advertisement in the nearest gazette, for at least two weeks, where a gazette shall be published in the district in which the Sheriff shall live; but in other cases the Sheriff shall advertise the same at the district court-honfe and the court-honfe of the county in which the said slave shall be presented or shall be taken up. Provided always, That when any person who shall hire the negroes of an orphan, shall hire to such slave his or her time, the slave shall only be hired under this act, for such time or the remainder of the time as said slave may have been hired to such person.

II. And be it further enacted, That no person shall be permitted in any meeting, or meeting of the negroes of others, or people of colour, at his, her or their houses, or on his, her or their plantation, for the purpose of drinking or dancing, under the penalty of forfeiting ten pounds on conviction of such offence in any court having jurisdiction thereof, unless such slave shall have a special permit in writing or otherwise from his or her owner for that purpose.

III. And be it further enacted, That the Justices of the courts of pleas and quarter-sessions, who deem it necessary, shall at the first or second court which shall be held after the first day of January, in the year one thousand and hundred and ninety-five, and the first court which shall be held after the first day of January in each year afterwards, appoint to each Captain's district or company, any number, not exceeding six, competent and proper persons, to act as Patrollers for the space of one year; and as a compensation for the services required of them as such, shall be exempted from serving on juries, working on roads, and from the payment of all county and parish taxes to the amount of forty shillings, and in addition to the fees hitherto allowed by law, the Patrollers so appointed shall be entitled to receive the one half of the penalties recovered under this act in the district in which such Patrollers may respectively act and reside, except such penalties as may be incurred by hiring to negroes their own time.

IV. And be it further enacted, That it shall be the duty of the Patrollers, or two of their數, to patrol their respective districts once at least in two weeks, for the purpose of carrying this act into effect; and on failure or neglect to perform such services, every person failing or neglecting shall forfeit and pay the for said sum of ten pounds, 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 where the same is recoverable.

N. And be it further enacted, That the Patrollers in each district, or a majority of the
An Act for altering and fixing the time of the annual meetings of the General Assembly of this state.

Appointing a Governor, State Officers and Judges.

An Act ratifying an amendment to the Constitution of the United States of America.

Further time allowed to register grants.

Registering Deeds and Conveyances.

An Act, giving further time for registering Grants, proving Deeds and Mofne Conveyances, which have not been proved and registered within the time heretofore appointed by law.
valid, and take effect as fully to the use and benefit of the grantees, their heirs and assigns, as if such deeds and mefne conveyances had been acknowledged, proved and registered agreeable to the directions of any law heretofore made.

C H A P. VIII.

An Act prescribing the residence of the Governor of this state.

WHEREAS it is proper that the principal officers of the state should reside at the seat of government:

I. 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 rife of the next annual meeting of the General Assembly, it shall be the duty of the Governor, or Commander in Chief for the time being, to reside at the city of Raleigh, six months, exclusive of the time the Legislature may be in session, in the year for which he may be appointed, or act as Governor; and such residence shall be at such times within the year as he in his discretion may deem most proper for the convenience of the citizens of the state, and the dispatch of public business; and he shall cause the same to be notified in all the gazettes of this state.

II. And be it further enacted, That whenever the Governor shall conceive it necessary to convene the Council of State, such meeting shall be in the city of Raleigh, unless an invasion, insurrection or contagious disease, shall render it advisable to call them elsewhere.

C H A P. IX.

An Act for ceding to the United States the jurisdiction of certain lands on Shell-Castle Island, in the harbour of Occacock.

WHEREAS the Congress of the United States have passed an act to erect a lighted beacon on Shell-Castle Island, in the harbour of Occacock, upon condition that this state will cede to the United States, a sufficient quantity of land for that purpose:

I. 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 exclusive legislation and jurisdiction of certain lands of so much land on Shell-Castle Island, as shall be purchased by the United States from the present proprietor or proprietors, for the purpose of erecting a lighted beacon thereon, is hereby ceded to the United States, and this Legislature doth hereby consent to such purchase.

II. And be it further enacted, That this act shall not be construed to debar or hinder the procres from any court or Judge of this state from running within the boundaries of the state process, the lands so to be purchased; nor to continue the authority of the United States over any part of the said lands, for any longer term than the said lighted beacon shall be kept up.

C H A P. X.

An Act to provide for the public safety, by granting encouragement to certain manufactures.

I. 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 bounty of twenty-five pounds shall be given for the years one thousand seven hundred and ninety-five, one thousand seven hundred and ninety-six, and one thousand seven hundred and ninety-seven, to the person or company in each brigade in this state, who shall manufacture and produce, within each year respectively, to the Brigadier General, the Brigade Inspector, and the commanding officer of the cavalry, the best and highest finished musket and bayonet, of the description prescribed by Congress; and a bounty of twenty-five pounds to the person or persons entitled paid, examined to the same, upon the certificate of the officers aforesaid, countersigned by the Governor for the time being; and it shall be the duty of the officers aforesaid, to cause advertisements to be put up at one or more public places in each county, announcing their respective brigades; which advertisements shall set forth the time when, and the place where they mean to attend for the purpose of examining the articles which may be so manufactured in each year, and of making their final decision. And each application for any of the bounties aforesaid, shall be accompanied by a written instrument, signed by the applicant or applicants, stating the terms upon which he or they will furnish the public with a given number, which shall not be less than one hundred fland of public, &c. muskets and bayonets, one hundred cars of pithols, or one hundred horseman's swords, as the case may be, and the time in which he or they can manufacture the same; which papers shall accompany the certificates to the Governor, and be by him laid before the General Assembly in each year. Provided always, That no such certificate shall be offered for furnishing the public, &c. muskets and bayonets, one hundred cars of pithols, or one hundred horseman's swords, as the case may be, and the time in which he or they can manufacture the same; which papers shall accompany the certificates to the Governor, and be by him laid before the General Assembly in each year. Provided always, That no such certificate shall
be given by the officers aforesaid, unless the applicant or applicants shall previously make oath that the article, and every part thereof, for which the bounty may be claimed, was made by or for him or themselves, at works within the brigade, which were his or their own property; which affidavit shall accompany the certificate of the Brigade-Inspector, the Brigade-Inspector, and the commanding officer of the cavalry, to the Governor, and compose a part of the warrant for drawing the money.

II. Be it further enacted by the authority aforesaid, That the bounty of fifty pounds shall be given in like manner for each of the years aforesaid, to the person or company in each inferior court district, who in his or their particular district, shall make the greatest quantity of merchantable musket or rifle powder within the year for which he or they may claim the bounty, at works which are his or their own property. Provided, That no bounty shall be given to any person or company who makes a less quantity than five hundred pounds weight of either or both. Provided also, That no person or company shall receive such bounty unless he or they shall, within three months after the expiration of the year for which the bounty is claimed, produce to the Governor a sample of the powder, together with a certificate from three respectable freeholders, of whom shall be a Justice of the Peace, importing that they had seen the powder made by the claimant or claimants at different times; that it was good and merchantable in quality, that the several parcels were weighed at different times, or at one time, as the case may be, in their presence; and that the whole was of the weight they shall specify; which certificate shall be accompanied by an affidavit made by the claimant or claimants, that the whole of the powder for which the bounty may be claimed, was made in that year, by or for him or themselves, at works within the district, which were his or their property. And the Governor shall, within three months after the end of each year, issue a warrant for the bounty aforesaid, in favour of the persons in each district, so entitled to the same.

Provided, That imporutions and frauds may be prevented:

III. Be it further enacted by the authority aforesaid, That it shall be the duty of the Governor, after granting his warrant as herein before directed, in each year, for the bounties aforesaid, to issue a proclamation, setting forth the quantity of each article manufactured, agreeable to the returns; the persons manufacturing the same; the persons who obtained the several bounties; the names of the persons attesting their several certificates, and their places of residence; which proclamation shall be polled up at the court-house of each and every county within this state, and published in the several gazettes of the state, at the public expense, at least six weeks in each year.

An Act to amend an Act, entitled "An Act to extend the right of trial by jury to slaves," passed at the last annual session held at Fayetteville.

WHEREAS it is not sufficiently ascertained by the said Act what shall be the particular province and duty of the jury and of the court, on the trial of any slave or slaves under said law:

I. 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 hereafter be the sole duty of the jury sworn on the trial of any slave or slaves, to give a verdict of guilty or not guilty, on the evidence submitted to them by the court; and on the verdict so given in the court, it shall be the duty of the county court, when sitting on the trial of any slave or slaves, or of three Justices when they shall be sitting on any such trial, to pass judgment and sentence on the slave or slaves so tried before them, agreeably to the verdict of the jury and the laws of the country.

An Act to prevent fraud in the sale of property therein mentioned.

WHEREAS great frauds have arisen to many of the good citizens in this state, for the want of sufficient notoriety in the sales of property taken by execution, and those made by the representatives of deceased persons; For remedy whereof,

I. 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 April, in the year one thousand seven hundred and ninety-five, no sale of any property taken by virtue of any execution directed to the Sheriff of the county or any other officer, and no sale of any property of any deceased person, and no auction or vendue, where the lands, houses, or slaves of any deceased person or minor, are to be rented or hired out, shall commence before eleven o'clock in the morning, or after four o'clock in the evening of the day on which such sale or auction is to be made; and any Sheriff or other officer, executor, administrator, guardian, or other person, who shall make any sale contrary to the true intent and meaning of this Act, shall be liable and pay the sum of one hundred pounds; to be recovered by any person prosecuting for the same, with costs of suit, in any court of record in this state.

II. And be it further enacted by the authority aforesaid, That from and after the said first
first day of April, in the year one thousand seven hundred and ninety-five, all sales of property of deceased persons, and the renting and hiring out of all houses, lands, and
flaves of any deceased person or minor, shall be made and done by way of public vendue or auction; and all executors, administrators, and guardians, are hereby directed and required, that previous to all such sales and auctions, they shall give sufficient no-
tice thereof, by advertising the same in three or more public places in the counties
where the same are respectively to be made, at least ten days before the day of such
sale or auction. Provided always, That nothing in this act contained, shall be construed
to extend in any manner to executors in cases where discretionary powers are vested in
them by the will of their testator.

CHAP. XIII.

An Act directing the mode of recovering debts of twenty pounds and under.

Whereas the present mode of recovering debts of twenty pounds and under in
this state, is laid down and contained in fundry acts and clauses of acts, penned at
different sittings of the General Assembly, whereby such mode is rendered complex and
difficult to be understood; and it being proper and necessary that laws which affect
the property of a great majority of the citizens, should be as plain and easy of comprehen-
sion as the nature of the case will admit; therefore, in order to bring into view, and
comprehend in one act, all that may relate to the recovery of such debts:

I. 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 debts and demands of twenty pounds
and under, for a balance due on any specialty, contract, note or agreement, or for goods, a justice sol.
and under.
wages and merchandise sold and delivered, or for work or labour done, or for specific
articles, whether due by obligation, note or assumpsit, are hereby declared to be cogniz-
able and determinable by any one Justice of the Peace out of court, who may give
judgment thereupon, and award process of execution against the goods and chattel,
lands and tenements, or body of the party cast; which process shall be executed and re-
tained, in the same manner as other writs of
Capias ad Satisfaciendum, or Fieri scias, are to be executed and returned; but such judgment shall be subject nevertheless to the
appeal of either party, to the next court of pleas and quarter-seessions of the county
in which such judgment may be given; the party praying such appeal first giving suffi-
cient security for protecting the same with effect: Whereupon an issue shall be made up
and tried in the first court, by a jury of good and lawful men, in the same manner as other
jury causes are tried, a deed sufficient cause be flown on affidavit for a continuance. Pro-
vided always, That when a judgment shall be given by a Justice of the Peace as aforesaid,
execution thereon shall be stayed in the following manner. Subject to stay of execu-
tion, no process shall be issued from the same Courts, or from any Justice thereof, for
any balance due on any specialty, contract, note or agreement, or for goods, a justice sol.
and under.

II. And be it further enacted, That in all warrants issued by a Justice of the Peace,
against any person or persons whatsoever, executors and administrators excepted, the
Sheriff, Constable or other officer shall be commanded to take the body of the person
therein mentioned as defendant, if to be found in his county, to answer the complaint
of the plaintiff in such warrant, before some Justice of his county; and such officer,
when required by the plaintiff, shall take bond, with sufficient security, of the party ar-
rested, in double the sum for which such person shall be held in arrest (which sum and
how due shall be expressed in the warrant) conditioned for his or her appearance at a
certain time and place therein to be specified, before some Justice of the county where
the warrant is issued; which bond shall be affiigned by such officer to the plaintiff, and
reunited with and signed by the warrant, and shall be filed by the Justice that shall try the warrant with the other papers in the suit; and in case the Sheriff, Constable or other officer, shall fail to take such bond, with security as aforesaid, he shall be held and deemed special bail, and the plaintiff may proceed to judgment against the bail according to the rules hereinafter prescribed.

III. And be it further enacted, That when any Sheriff, Constable or other officer,
shall serve a warrant on any person or persons who shall refuse to give bond and security
for his or her appearance as aforesaid, such officer is hereby required to commit such
person or persons to the goal of his county, in order that he may have such person or
persons forthcoming at the day appointed for trial, and it shall be the duty of such
officer to produce his prisoner at such trial; and all warrants, whether by summons,
arrestes

1794.

Certain sales, rents, &c. to be by auction. Due notice to be given.
arrest or attachment, shall be heard and determined on the day appointed by the
officer serving the warrant as aforesaid; which day shall be or before the return day
set forth in the warrant, unless the justice shall for good reasons put off the trial to
some other day, at his discretion. And in case the plaintiff shall fail to attend or pro-
cure his bail, on the day appointed as aforesaid, the defendant appearing shall be dis-
charged. Provided, and it is hereby declared to be the duty of the officer serving a
warrant, to notify the plaintiff of the time and place appointed to try and determine
the cause. Provided also, That when the Sheriff, Constable or other officer shall have
committed any defendant to goal as aforesaid, it shall be the duty of such officer to give
immediate notice thereof to some Justice in the county, and such Justice shall appoint a
day for the trial; and notice of the time of such trial shall be given and served on the
plaintiff by the officer who served the warrant.

Ball how to be
taken and pro-
ceeded against.

Ball may fur-
render the
principal.

Warrants
when return-
able.

Where at-
tachment may
be issued.

Bond to be ta-
ken before at-
tachment is
granted.

Proceedings
thereon, &c.

Proceedings
against garni-
shes, &c.

1794:

Time and no-
tice of trial,
&c.

V. And be it further enacted, That all bail taken according to the directions of this
act, shall be liable to the recovery of the plaintiff; but the plaintiff, after final judgment,
shall not take out execution against the bail, until an execution against the body of the
defendant be first returned by the Sheriff, Constable or other officer, that the defendant
is not found in his county, and not until a notice in writing is served against the bail by the
Justice who has possession of the papers in the original suit, hath been made known to the
bail; and after the return of such execution against the principal and notice against
the bail, execution may issue against the principal and bail, or any of them, or any of their
stares, unless the bail shall make it appear that the principal is dead, or that the judg-
ment has been satisfied, or unless the bail shall surrender the principal at or before the
return of such notice to the officer who served the notice; in which latter case the Jus-
tice shall commit the principal to the goal of his county, until he shall satisfy the judg-
ment and costs; and for serving such notice the officer shall be allowed four shillings.

VI. Be it therefore enacted, That in future all warrants shall be made returnable on
or before thirty days from the date thereof (Sundays excepted) and not after; and it
shall be the duty of the Sheriff, Constable or other officer to whom any warrant may be
directed, to execute and return such warrant for trial on or before such day, if the per-
on or persons therein named shall be found in his county.

VII. And be it further enacted, That in causes where by this act a Justice of the Peace
has jurisdiction, on complaint being made on oath by any person or persons, his or their
agent, attorney or factor, that any person hath indebted or is removing him or herself
out of the county privately, or so abandons or conceals him or herself, that the ordinary
proceeds of law cannot be served on such debtor; and if such plaintiff, his, her or their
agent, attorney or factor, further maketh oath to the amount of his, her or their debt
or demand, to the extent of his, her or their knowledge and belief, it shall and may be
lawful for any Justice of the Peace, and he is hereby authorized and required, to grant
an attachment against the estate of such debtor, wherever the same may be found in
his county, or in the hands of any person or persons indebted to, or having any of the
effects of the defendant, or so much thereof as shall be of value sufficient to satisfy the
debt or demand, and costs of such complaint; which attachment shall be returnable
before some Justice of the Peace on or before thirty days after the date thereof, to be
proceeded on as hereafter directed. Provided always, That every such Justice, before
granting such attachment, shall take bond with sufficient security of the party for whom
the same shall be issued, his, her or their agent, attorney or factor, payable to the defend-
ant, in double the sum for which the complaint shall be made, conditioned to satisfy all
costs which shall be awarded to such defendant in case the plaintiff shall be cast, and al-
do all damage which may be recovered against the plaintiff in any suit or suits which
may be brought against him or her for wrongfully issuing such attachment; which
bond, together with the affidavit of the party complaining, subscribed with his or her
proper name, shall be filed by the Justice who shall try the cause, with the attachment
and other papers relative thereto; and the proceedings thereon shall be had in a sum-
mary way, in the same manner as on warrants; and the defendant may reply the prop-
erty so attached, by giving bond and security to the officer serving such attachment,
conditioned to appear before some Justice of the Peace, to abide by and perform the
order or judgment that shall be made thereon.

VIII. And be it further enacted, That where the Sheriff, Constable or other offi-
cer shall serve an attachment in the hands of any person or persons supposed to be in-
debted to, or supposed to have any of the effects of the party or parties abounding
or refunding out of the state, he shall at the same time summon such person as garni-
laces,
And where any attachment shall be served in the hands of any garnishee in manner in writing, he or she hath in his or her hands, and had at the time of serving such attachment, and what effects or debts of the defendant there are in the hands of any other person, and what person, to his or her knowledge or belief: And where any attachment shall be served in the hands of any garnishee or garnishees, belonging to any defendant, shall be liable to satisfy the plaintiff's judgment, and shall be delivered to the Sheriff or other officer serving the attachment: And when any garnishee summoned as aforesaid, shall not appear and discover on oath as by this act directed, it shall be lawful for the Justice to issue a notice in writing for the said garnishee to appear at such place and on such day as he may appoint, to shew cause why judgment shall not be entered and execution awarded against him; which notice shall be served by the Sheriff, Constable or other officer, and upon such notice being duly executed and returned, if the garnishee shall fail to appear and discover upon oath in manner aforesaid, the Justice shall give judgment against such garnishee for the plaintiff's full demand, with costs, and award execution accordingly.

X. And be it further enacted, That where any property attached as aforesaid, shall be claimed by any other person or persons, and to determine the right the intervention of any person or persons under whose right attached is a jury may be necessary, the party claiming such property may appeal to the next county court, where such right upon an issue joined, shall be tried by a jury of good and lawful men; the party claiming first giving bond with sufficient security, to pay all costs and charges, in case he, she or they shall fail to prosecute the said suit with effect; and the verdict of the jury in such case shall be conclusive as to the parties then in court, and the same shall give judgment accordingly.

X. And be it further enacted, That when any garnishee shall on his or her garnishment deny that he or she has in his or her possession any property of the defendant, and that judgments to the party plaintiff in such attachment, shall be made on affidavit given to the Justice, that such garnishee owes to, or has property in his or her hands belonging to the defendant, or when any garnishee shall on his or her garnishment, and to appear before the Justice whom such attachment shall be made, cannot proceed to give judgment thereon, then and in either of these cases, the Justice shall return the attachment and other papers to the next county court to be held for his county, and the court shall order an issue or issues to be made up and tried by a jury, and the court shall give judgment on the verdict of the jury as in other cases.}

XI. Be it further enacted by the authority aforesaid, That when any goods or other estate shall be attached by virtue of any attachment aforesaid agreeably to the directions of this act, it shall and may be lawful for the defendant or defendants, by their attorney, agent or factor, to replevy the same, by giving bond with sufficient security to the Sheriff, Constable or other officer, serving such attachment; which bond the Sheriff, Constable or other officer is hereby empowered and required to take, to appear before the Justice whom such attachment is returnable, and to abide by, perform and satisfy the order and judgment of such Justice: And when the estate attached, shall by three freeholders of the county, be sworn by the Sheriff, Constable or other officer for that purpose, be certified on oath to be marketable, and the person or persons to whom it belongs, his, her or their attorney, agent or factor, shall not within thirty days after the serving such attachment, replevy the same, then such estate shall be sold at public vendue by the Sheriff, Constable or other officer; he having first advertised such sale at the court-house, and other public places in his county, at least ten days before the sale: And the money arising from such sale, shall be liable to the judgment obtained upon such attachment, and shall be retained and kept by the officer to wait the event of such judgment.

And whereas it often happens, that garnishees declare that they have in their hands property of the defendant or defendants of a specific nature, which renders it necessary that provision should be made for ascertaining the value of such specific property, so as to enable the party plaintiff where he shall have his recovery, to sue out execution for the same: For remedy whereof,

XII. Be it enacted, That from and after the passing of this act, whenever any garnishee shall on oath confess, that he or she has in his or her hands any property of the defendant of a specific nature, or is indebted to such defendant by any security or assurance for the payment or delivery of tobacco or other specific article, then in either of these cases, the Justice before whom such garnishment shall be made, shall immediately order three freeholders to be sworn to enquire of the value of such specific property, and their verdict shall subject such garnishee to the payment of such valuation.
Stay on attachment.

Ball on replying liable only for the property they hold, &c.

Procefs not to be set aside for want of form.

Security on appeals how taken, &c.

Costs on appeals.

Justice to return appeals to court, and file subpoenas for witnesses.

Execution how to be issued, returned, &c.

or so much thereof as shall be sufficient to satisfy the debt and costs of the party at
whole in such garnishee shall have been summoned. Provided always, That such garnishee who may on oath confeis, that he or she has in his or her hands any specific property of the defendant, as left or deposited in his or her possession by such defendant, may always execute him or herself by delivering such property to the Sheriff, Confiable or other officer who levied such attachment or may levy the execution issued thereon. Provided always, That when judgment shall be entered up against any garnishee, declaring as aforesaid, he shall on giving security if required, have the same stay of execution as such garnishee would have been entitled to, had he been original defendant in the suit.

XIII. And be it further enacted, That in all suits commenced by attachment as in this act directed, which shall be returnable before a Justice of the Peace, the Justice to whom such attachment shall be returned, shall stay all proceedings thereon for the space of thirty days, unless the defendant to such suit by attachment, his agent or attorney, shall repay the goods, chattels or property so attached.

And whereas by the present mode of proceeding on attachment, the person or persons who enter themselves as special bail on replying the property, become special bail to answer the whole demand of the plaintiff:

XIV. Be it therefore enacted, That the person or persons entering themselves as special bail on replying property attached, shall be held liable to answer the value of the property which he, she or they as aforesaid do respectively hold or have returned in the garnishment, and no more; but the security replying, shall not avail themselves of paying the value of the property so repayed, unless such security shall on the return of such attachment to the justice, require that such value should be ascertained by an enquiry; which enquiry the Justice shall have executed on request as aforesaid, by three freeholders by him summoned to assess and value such property on oath, notice being given to the plaintiff in attachment, his agent or attorney, at least five days before such enquiry shall be executed.

XV. And be it further enacted, That when any attachment issued agreeable to this act, shall be returned to any Justice of this state as levied on the goods and chattels, lands and tenements of any person or persons residing without the county in which such attachment issued, it shall be the duty of the Justice to direct advertisements of the same for the space of thirty days.

XVI. And be it further enacted, That no attachment warrant, or other process issued by a Justice of the Peace, shall be set aside for the want of form, if the essential matter required are set forth in such process.

XVII. And be it further enacted, That in all cases where appeals shall be granted from the judgment of a Justice, the acknowledgment of the security, and subscribed with his or her proper hand-writing, attested by the Justice, shall be sufficient to bind the security to abide by and perform the judgment of the court; and where judgment shall be against the appellant, the same shall be entered on motion against the security, and execution shall issue against the principal, or against both principal and security, at the opinion of the plaintiffs. And whereas, in many instances, plaintiffs appeal for the purpose of harassing and injuring the defendant by accumulating costs and charges: For remedy whereof, in all cases of appeals by the plaintiff, such appeal shall be at the costs of the plaintiff, unless the court, on the trial, shall be of opinion that there was sufficient cause for such appeal, and in such case the plaintiff shall recover his costs on motion.

XVIII. And be it further enacted, That when any Justice of the Peace shall grant an appeal to the county court, it shall be the duty of such Justice to return such appeal on or before the second day of the court to which it may be returnable; and he it here- by authorized and required, on application of either of the parties, to issue subpoenas, directed to the Sheriff, or other lawful officer, in any county in this state, for witnesses to appear and give testimony at the court to which such appeal is returnable; and the officer to whom such subpoena shall be directed, and the witnesses summoned in consequence thereof, shall be under the same rules and regulations, and subject to the same penalties, and entitled to the same pay, privileges and emoluments as if such subpoena had issued from the Clerk of the court to which such appeal shall be returnable.

And whereas lands are often sold in consequence of judgments given by a Justice of the Peace, therefore it becomes necessary that a record of such judgment should be made in some proper office, so that it may appear of record in future by what authority such lands and tenements were sold and conveyed: Therefore,

XIX. Be it enacted, That executions issued by a Justice of the Peace against the estate of any person or persons, shall be directed to the Sheriff, Confiable or other lawful officer, commanding him, that of the goods and chattels of the party cast, he make such sum or sums of money therein mentioned, or for want of such goods and chattels to that effect, then he levy on the lands and tenements of such person or persons, and make return thereof to the Justice who issued the same, setting forth on the execution the money he has made of the goods and chattels, and what lands and tenements he has...
has levied on, where situate, on what water-course, and whose lands it is adjoining; and the Justice to whom the return is made, shall return such execution, with all other papers on which the judgment was given, to the next court to be held for his county; which shall be ordered by order of said court, to be sold by the Sheriff of the said county, or so much thereof as may be sufficient to satisfy such judgment, in the same manner as real property is sold by writs of Fieri Facias or Vendorsion Exponas issuing from such court; and the Clerk of the court where such papers are returned, shall in a well bound book kept for that purpose, record the whole of the papers and proceedings had before the Justice; for which he shall be allowed the same fee as for entering a judgment in any other court.

XX. And be it further enacted by the authority aforesaid, That when any execution shall issue to a Sheriff, Constable or other officer, in virtue of a judgment obtained before any Justice of the Peace, and the person or persons against whom such judgment may have been obtained shall remove him or themselves to any other county within this state, and the Sheriff or other officer cannot find any property wherein to levy said execution, then and in such case, the said Sheriff or other officer shall return such execution to the next court to be held for said county, and the plaintiff on application shall be entitled to an execution for the whole or any part of said execution which remains unpaid by the return of such officer; and the Clerk by order of said court shall make a record of the same, and issue execution to the county where the defendant or defendants reside, in the same manner and under the same rules as in cases of judgments obtained in said courts.

XXI. And be it further enacted, That any Justice of the Peace is hereby authorized to require, on application of either plaintiff or defendant named in any original process issued by a single Justice, to direct the Sheriff, Constable or other lawful officer, by an order in writing, on the process, to summon witnesses to appear and give evidence in such case at the time and place appointed for trial; and such witnesses failing to appear and give evidence, shall forfeit and pay the sum of two pounds current money to the party at whose instance he was summoned, and further be liable to the action of the party aggrieved, for damage sustained for his non-attendance; which fine shall be recovered before any Justice of the Peace, unless such witness, on affidavit or otherwise, shall show sufficient cause to the contrary, subject nevertheless to an appeal to the county court as in other cases.

XXII. And be it further enacted by the authority aforesaid, That the Sheriff, Constable or other officer serving any warrant, shall be entitled to the following and no other or greater fees for his services, to wit, For serving every warrant, for each person named therein, four shillings; summoning every witness, two shillings; for every execution, four shillings; for every attachment levied, five shillings; for every bail bond, one shilling.

XXIII. And be it further enacted, That all and every act, parts and clauses of acts which are contrary to the meaning, and come within the purview of this act, be and are repealed. Provided always, That this act shall not begin to operate, or be in force, until from and after the first day of August next.

CHAP. XIV.

An Act to explain and supply the deficiencies of certain acts of Assembly respecting sales made by executors and administrators.

WHEREAS doubts have been suggested respecting the operation of certain acts of Assembly, authorizing and directing the sale of personal or perishable estate by executors or administrators: For remedy whereof.

I. 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 meaning and operation of the said acts, &c.

acts are, that when the estate of any person deceased, shall be so far indebted as that the debts cannot be discharged by the monies on hand at the death of the testator, or when sale shall be deemed necessary for a just and proper distribution or division of such personal estate, that then it is and shall be the duty of every executor or executrix, administrator or administratrix, to sell and dispose of the goods and chattels of his or her testator or testatrix, or intestate, first obtaining an order of the court of the county for that purpose, for the most that may be gotten for the same, by public sale, having first advertised the same at the court-house and four other public places within the county, at least twenty days before the sale; and shall for enhancing the price thereof, give not less than six months credit, upon bond and security given; and that such executor or executrix, administrator or administratrix, shall after the time of such payment is paid, take and pursue all lawful ways and means to recover and receive the money due to such person deceased, or otherwise shall be chargeable and answerable for the same; and that such monies when received, shall be liable to the satisfaction of judgments previously obtained and entered up as a judgment when as the same should come to the hands of the executor or administrator.

II. And be it further enacted, That nothing in this act shall be construed to affect the
powers, trusts or authorities of an executor or executrix derived from the will of his or her testator or testatrix.

III. And be it further enacted by the authority aforesaid, That the naming or appointing any person executor, shall not be considered as a discharge of any debt or demand due from the person so named as executor to the testator.

C H A P. XV.

An Act the more effectually to secure the payment of the tax on lands, and to prescribe the duty of the County Courts in certain cases.

WHEREAS by the present mode of giving in the list of taxable, the payment of said tax has frequently been evaded: For remedy whereof,

I. 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, all owners of lands lying within this state, shall by themselves, their agents or attorneys, give in lifts of the same in the several counties respectively in which the said lands are situated, and the taxes upon the same shall be collected by the Tax-gatherers, and accounted for in the same manner as directed in other cases.

II. And be it further enacted, That the owners of all town-lots within this state, shall by themselves, their agents or attorneys, give in a list of the same, designating their names in the town or counties respectively in which the same are situated, and the taxes on the same shall be collected in the same manner with other town property.

III. And be it further enacted, That if any owner of land lying within this state, or any owner of town property within this state, shall fail, by himself, agent or attorney, to give in a list of the same in the counties in which the said lands or town lots are situated, the Sheriff of the said counties in which the same are respectively situated, shall advertise the said lands or town property, at three of the most public places within the county, and at the court-house of the district wherein the lands are situated, and also in the gazette of the state, the printer of which is hereby required to publish the same; and if no person pays the tax on the same, shall, sixty days after such advertisement, sell the said lands or town-lots, or so much thereof as may be necessary to pay the said tax with contingent charges.

IV. And be it further enacted, That it shall be the special duty of the court of each county in this state, at the court which shall be held in their respective counties after the first day of April next, to call on all former Entry-takers who have held that office since the year one thousand seven hundred and eighty-six, and have vacated their offices by resignation or otherwise, and who still retain in their possession the entry-books and papers by them kept; as also all heirs and representatives of any Entry-taker who may have died; who may have in their hands the books of any such Entry-taker, to surrender to said court all such books and papers; and said court shall proceed to examine all such papers when so delivered to them, and shall make thereon such remarks as shall to them be deemed needful, and the said books and papers when so examined, shall be deposited in the hands of the present Entry-takers, whose duty it shall be to safely keep the same, subject nevertheless to the perusal of any person who may with to examine the same on paying the fees allowed by law.

V. And be it further enacted, That if any person having in his or their hands, any such books and papers, and shall refuse to surrender up the same when called upon as by this act directed, shall forfeit and pay the sum of one thousand pounds, to be recovered by any person prosecuted for the same in any court having jurisdiction thereof, and shall be applied to the use of the state.

C H A P. XVI.

An Act making provision for the redemption of the certificate debt 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 from and after the passing of this act, all lands entered in this state, shall be paid for at the rate of fifty shillings per hundred acres. And it shall and may be lawful for any person making entry of vacant lands in this state hereafter, to pay to the officer appointed by law, the purchase money thereof, either in cash or in certificates, at his option, calculating both the principal and interest of the certificates up to the date of the entry. Provided, That the certificates issued at Warrenton, in one thousand seven hundred and eighty-six, to those issued by Patrick Travers, Commissioner of Cumberland county, and those commonly called Western or Chickamauga certificates, shall not be received in payment for any entries made in pursuance of this act.

And to the end the amount of the outstalid certificate debt may be ascertained, and the state thereby enabled to make provision commensurate to its redemption.

II. Be it further enacted by the authority aforesaid, That all persons holding certificates of the state of North-Carolina, shall, on or before the first day of December next, present them at the Comptroller's office, and cause them to be registered: which the Comptroller is hereby directed to do in a book to be purchased and kept for that purpose.
An Act to prevent the issuing of grants for lands entered with any of the Entry-takers in this state, in certain cases.

WHEREAS it is represented to this General Assembly that great quantities of land have been entered with the different Entry-takers within this state, and the purchase money thereof not previously paid, which conduct is not warranted by law:

I. 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 Secretary of State is hereby directed not to issue any grants for land entered with any of the Entry-takers in this state, subsequent to the first day of January, in the year one thousand seven hundred and ninety-four, until the period claiming such land as aforesaid shall produce to the Secretary a certificate from the Comptroller, certifying that a return from the Entry-taker of the county where the lands lie, hath been made in his office; also the number of the entry and the amount thereof, and shall further produce to the Secretary a receipt from the Treasurer, certifying that the purchase money for such land hath been fully accounted for and paid by the Entry-taker aforesaid, anything to the contrary notwithstanding. Provided always, That nothing herein contained shall be construed to prevent any person who hath bona fide paid to the Entry-taker the purchase-money for his land, from obtaining a title thereto. And the evidence of the same shall be the receipt of the Entry-taker, and the affidavit of the enterer or grantee, or his assigns, that he hath paid or caused to be paid to the Entry-taker in whole office the entry was made, the whole amount of the money due for such land so entered; which receipt and affidavit shall be filed in the Secretary's office.

And whereas it frequently happens that the purchase money for lands, after being paid to the Entry-taker, is not accounted for by him to the Public Treasurer:

II. Be it further enacted, That it shall not hereafter be lawful for any Entry-taker to receive from the person entering land in his office, more than his own fees, but it shall in all instances be the duty of the person entering, to pay the purchase money to the only, and money to be paid to the Treasurer and take his receipt for the same, previous to the warrant's issuing upon such entry; and the Secretary of State is hereby directed not to issue any grant for lands upon such entries hereafter to be made, until the party applying for the same shall produce to him a certificate from the Comptroller that such payment hath been made.

III. And be it further enacted, That in no entry made of land within the present Warrants not specially located and described in the first instance upon the Entry-taker's books, except in the county in which the entries were originally made.

IV. And be it further enacted, That all acts, sections and clauses of acts, coming within the purview and meaning of this act, be and the same are hereby repealed and made void.

V. And be it further enacted, That the Comptroller be and he is hereby authorized and required to issue warrants on the entries made in the late entry-office of John Armstrong in all cases where warrants have not heretofore been issued, and in which the purchase money or certificates have been paid.

An Act to prevent any Justice of the Peace from voting in his own election to the office of Clerk of the County Court, Register, Entry-taker, Surveyor, County Trustee or Ranger.

I. 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 it shall not be lawful for any Justice of the Peace, being a candidate for the office of a County Court Clerk, Register, Entry-taker, Surveyor, County Trustee or Ranger, of his own county, to vote or sit on the bench at the election; and if any Justice of the Peace shall hereafter presume to sit on the bench or vote in such election, his vote shall not be counted, and he shall forfeit and pay for every such offence the sum of fifty pounds, to be recovered by action of debt, one half to the person suiting for the same, and the other half to the use of the county; any law, usage or custom to the contrary notwithstanding.

An Act to amend the act approbating the new Great Seal of the state, passed at Fayetteville the last annual session.

WHEREAS a proper seal has not yet been procured to make impressions with the new Great Seal:

I. 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, commissions, proclamations and other
other public acts which have been attested and authenticated with the old Seal, since
the time prescribed in the said act for the use of the new Great Seal, or which may be
so attested and authenticated, shall be good and valid in law to all intents and purposes.
And the Governor is hereby authorized to continue the use of the old Seal until he
shall be able to procure a screw to make impressions with the new one.
And whereas the said act directs that the new Great Seal of the state shall be deposited
in the Secretary's office, which is contrary to the provisions in the constitution
II. BE IT ENACTED, That so much of the said act as directs the said Seal to be deposited
in the Secretary's office, be and the same is hereby repealed and made void.

CHAP. XX.
An Act to amend an act, entitled "An act to carry into effect the Ordinance of the Con-
vention held at Hillsborough, in July, one thousand seven hundred and eighty-eight, en-
titled "An Ordinance for establishing a place for holding the future meetings of the Ge-
neral Assembly, and the place of residence of the chief officers of the state.

WHEREAS the said act requires a majority of the Commissioners appointed under
the same, to fell and dispose of the lots in said town and execute deeds for the
fame, which number cannot conveniently attend:

I. BE IT ENACTED, by the General Assembly of the State of North-Carolina, and it is here-
by enacted, that any three of the said Commissioners shall be competent, and have full power to fell and dispose of the lots which remain unfold,
and also to execute deeds for the same to the purchaser or purchasers; and to do and
perform all acts and things respecting the sale and conveyance of said lots, which a ma-
jority of said Commissioners could or might do.

CHAP. XXI.
An act to empower the several County Courts in this State to establish Fairs therein.

WHEREAS frequent applications from particular counties are made to the Legisla-
ture to establish fairs therein, thereby producing a delay of public business, when
they might as well be established by the county courts:

I. BE IT therefore enacted by the General Assembly of the State of North-Carolina, and
Counties, it is hereby enacted by the authority of the same, That from and after the passing of this
act, it shall and may be lawful for the several county courts in this State, to appoint a
fair or fairs, for their respective counties, at such place or places as they may judge most
suitable for the convenience of the inhabitants, so as to afford a convenient place where
the same may be executed, and give encouragement to industry, by collecting the inhabitants for the purpose of exchanging,
bartering and selling, and disposing of all such articles as they may wish or be necessitated to dispose of.

II. AND BE IT further enacted, That when any of the said courts may think proper
to establish a fair, they shall nominate and appoint Commissioners to regulate and conduct
the same, by drawing up and forming a system of bye-laws for the government thereof,
to be approved of by said court and entered of record; which rules so formed as afore-
said, shall be considered as valid and as effectual as if they had been expressed by an act
of Assembly for that special purpose. Provided nevertheless, That said rules shall not
be contrary or inconsistent with the law of the land.

III. AND BE IT further enacted, That the inhabitants of every county wherein any fairs
may be established, shall be free and to abide the same, shall have liberty and power to attend the same, dispose, exchange or barter any article or articles whatsoever, therein, without any restraint or
prohibition whatever, subject nevertheless to such rules as the Commissioners aforesaid
of a majority of them, shall or may form for the regulation thereof.

IV. AND BE IT further enacted, That a majority of the acting Justices shall in all cafes
be present when any order or decree of the court is passed for establishing such fair or
fairs; and that no less number than a majority shall have such power and authority as
aforesaid; and a majority of the Commissioners who may be appointed to regulate the
same, shall in all cases be a quorum sufficient to transact any business relative thereto.

CHAP. XXII.
An Act to explain and amend an act, entitled "An act to empower the County Surveyors
to make surveys and returns in the manner therein mentioned."

BE IT ENACTED, by the General Assembly of the State of North-Carolina, and it is here-
by enacted, that all the lands in this State lying
thereof, shall be deemed and considered as
Coming within the meaning and purview of the said act.

CHAP. XXIII.
An Act to alter and amend part of an act, passed at Newbern in the year one thousand
seven hundred and seventy-seven, entitled "An act for establishing Courts of Law,
and regulating the proceedings therein."

WHEREAS it is provided by the sixty-sixth clause of the said act, that the vacancy
of the County Clerk shall be filled by the court of pleas and quarter-sessions,
where.
where such vacancy happens, a method subject to abuse, inasmuch as the power may be
exercised by a very small number of the Justices: For remedy whereof,

I. 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,
when any vacancy shall happen in the office of Clerk of the county, a majority of the
Justices of the court of pleas and quarter-juries of the county where such vacancy
shall be, shall appoint a person of skill and probity to fill such vacancy; and all Clerks
of the said courts shall hold their offices during good behaviour.

II. And be it further enacted, That so much of the before recited clause as comes within
the meaning and purview of this act, be and the same is hereby repealed and made void.

C H A P. XXIV.
An Act to amend an act, entitled "An act to amend such parts of the laws, entitiled An
act for establishing courts of law, and for regulating the proceedings therein, as may
relate to proceedings on attachments; and for amending an act for making process in
equity against persons who abscond, and who reside without the limits of the state,
and for better regulating the proceedings in the court of equity."

WHEREAS by the above recited act many garnishees as well on original as judici-
al attachments, are made liable to pay money, when in fact their contract or af-
sumption was only for the payment or delivery of specific articles:

I. 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 when any person summoned as a garnishee, shall upon his or her garnishment, state that he or she is indebted to the defendant by specialty or assumption for the payment or delivery of any specific article, that he hath tendered the same agreeable to contract, and that it was refused by the defendant; or that he then was and had always been ready to deliver the same, or that he had such specific article at the time and place specified in such covenant or agreement ready to be delivered, and that he was still ready to deliver the same; and when such garnishment shall be admitted by the plaintiff, or found by a jury, then in any of the said cases such garnishee shall and may be exonerated by the delivery of such specific article or articles to the Sheriff, who levied the attachment, who shall proceed as if the attachment had been originally levied on such article or articles.

II. And be it further enacted by the authority aforesaid, That when any garnishee shall declare on his garnishment, that the money or specific article due by him or her will become payable or deliverable at a future day, and the same shall be admitted by the plaintiff or found by the Jury, then and in such case conditional judgment shall be entered against such garnishee, and the plaintiff may proceed to ascertain his demand by judgment against the defendant, but shall not take final judgment against such garni-
see without notice by scire facias, on which the plaintiff may proceed as in other ca-
es; and that so much of the before mentioned act and all other acts and parts of acts
that come within the purview and meaning of this act, are hereby repealed and made void.

C H A P. XXV.
An Act to repeal the third section of an act, passed at Fayetteville, in the year one thousand
seven hundred and ninety, entitled "An act to repeal all acts, clauses and parts of
the General Assembly of this state as relate to clamping of tobacco."

WHEREAS the third section of the above recited act is found by experience to be
injurious and oppressive to many of the good planters of this state, and not
so answer the good intentions of the said law: For remedy whereof,

I. 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 July law repealed
next, the above recited third section be and the same is hereby repealed and made void.

Provided nevertheless, That the proprietors of such condemned tobacco shall have the
privilege of letting said tobacco remain in the ware-house six months after the inspection
thereof, and shall be entitled to have such tobacco reinspected if he thinks proper.

II. And be it further enacted, That all tobacco that is found not fit for exportation,
shall be consumed by fire.

C H A P. XXVI.
An Act to ascertain the Pilotage which shall be allowed the Pilots at Occacock-Inlet,
and the several sums and charges to which vessels go which come in over said inlet.

WHEREAS the fees hitherto allowed to pilots at Occacock-Inlet, is found inad-
quise to their trouble and risk:

I. 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 Rates of all
of this act, all pilots legally authorized to take charge of vessels to bring in over Occ-
cock-Bar, or up to either of the ports of Newbern, Washington, Edenton or Cam-
den, shall be entitled to demand and receive from the commander of such vessel as they
may
may have had charge of, the following pilotage, to suit: For every vessel or vessels
drawing any draft of water under eight feet, from the out side of the Bar into Bea-
cons Island Road or Wallace's Channel, at the option of the commander, five silver
dollars; and for every ship or vessel that draws eight feet water or more, and under
twelve feet, five-eights of a dollar per foot; and for every ship or vessel drawing twelve
feet water or more, one dollar per foot; and the same fees out over the bar as in; and
for every ship or vessel over either of the Swahees, two dollars; and for every ship or
vessel from the mouth of the Swathan to either of the ports of Newbern and Wallington,
drawing any draft of water, one dollar per foot; and for every ship or vessel from the
mouth of the Swathan to the port of Edenton, twelve dollars, and to the port of Cam-
den, ten dollars; and the same allowance down as up.

II. And be it further enacted, That if a branch-pilot shall go off to any vessel bound
in, and offer to pilot her in over the bar, the master or commander of such vessel,
if he refuses to take such pilot, shall pay and satisfy to such pilot, if not previ-
ously furnished with one, the same sum as is allowed by law, for conducting such vessel in, pro-
vided his vessel shall be above forty tons burthen.

Former act repealed.

An Act to annex part of the county of Mecklenburg to the county of Cabarrus.

WHEREAS it is represented by petition to this General Assembly, that it will be
more convenient, and greatly contribute to the satisfaction of a number of the
present inhabitants of the county of Mecklenburg to be added to the county of
Cabarrus:

I. 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 part of the county of
Mecklenburg, which shall or may be included by a line beginning at Pickens's Ford on
Clark's creek, running such a course and direction as to include the following per-
sons, and the land whereon they live, to wit, John Wilton, Robert Hope, Zacharias Willi-
ams, John Sloan, Nathaniel Giles, and Doctor Charles Harriss, from thence to the north-
east corner of Adam Meck's dwelling-house on the Cabarrus line, so as to include the
said Adam Meck in Mecklenburg county, shall be added to the county of Cabarrus in
as full and ample a manner as if the same had been included at the time of the division.
Provided nevertheless, That nothing contained in this act shall be so construed as to pre-
vent the Sheriff of the said county of Mecklenburg from collecting any public tax or
other arrearages due at the time of this addition.

An Act to annex part of the county of Rutherford to Buncombe.

I. 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, all that part of the county of Rutherford, west of a line beginning at the
Sugar-Low Mountain from thence a direct line to the Hungry Mountain, and along
said Mountain to Green-River, crossing the same; and from thence a direct line to the
South-Carolina boundary, and all that part lying to the west of the line aforesaid, shall
be annexed to, and considered a part of the county of Buncombe: Provided, That no-	hing in this act shall be understood to prevent the Sheriff of the county of Rutherford
from collecting all public taxes now due in that part of the said county; which comes
within the description of this act, any thing to the contrary notwithstanding.

An Act to amend an act, entitled "an act for regulating Ordinaries, Houses of Enter-
tainment and Ferries and other purposes," passed at Halifax, in the year one thousand
seven hundred and seventy-nine.

WHEREAS the sums which by the before recited act, ordinary-keepers are limit-
ed to in selling drink by small measure on credit, are by the depreciation of the
money at the time of passing said act, so small as to render the law in that respect in
many cases injurious and oppressive in its operation: For remedy whereof,
I. 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, the
tenth fraction of the before recited act be and the same is hereby repealed and made
void.

II. And be it further enacted by the authority aforesaid, That no ordinary-keeper shall
sell drink by small measure upon credit to any person whatsoever to a greater amount
than five pounds, unless the person so credited shall sign a book in the presence of one
or more sufficient witnesses or witnessees in acknowledgment of the said debt, under the
penalty of losing the money so credited; and in any action brought for recovery of
such debt, the general issue may be pleaded, and this act given in evidence.
CHAP. XXX.

An Act to repeal part of an act, entitled "An act to prescribe the mode of paying the militia officers and soldiers for their services on an expedition carried on against the Chickamauga Indians by Brigadier-General Joseph Martin, in the year one thousand seven hundred and eighty-eight," passed at Fayetteville in the year one thousand seven hundred and eighty-nine; and all acts, parts or clauses thereof that has or does empower and authorize the Comptroller to issue certificates for services on any expedition against said tribe of Indians.

CHAP. XXXI.

An Act to erect the militia of Morgan district into a separate division.

CHAP. XXXII.

An Act to establish two places in Halifax county for the purpose of holding general musters.

CHAP. XXXIII.

An Act to prevent Gaming-Tables in the neighbourhood of the university of North-Carolina.

CHAP. XXXIV.

An Act to explain an act to amend an act, entitled "An act to keep open Roanoke river for the passage of fish up the same, and other purposes therein mentioned," and to repeal part of said act.

CHAP. XXXV.

An Act to empower the county court of Surry to lay a further tax, if they deem it necessary, to reimburse the Commissioners with the money by them expended in erecting the public buildings in said county; and to appoint other Commissioners in addition to those heretofore appointed, to dispose of the lots in the town of Rockford in the county of Surry.

WHEREAS doubts have arisen how the said act extended, and some persons have proceeded to take up the salt water below the falls to the great injury of many of the neighbouring inhabitants:

I. 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 said act was not extended, and shall not be construed to prevent any person from fishing with nets or hooks in the deep water either above or below the falls.

II. Be it further enacted, That the third section of the said act is hereby repealed and made void.
Chap. xxxvi. An act to authorize Robert West, administrator of George Lockhart, deceased, late sheriff of the county of Bertie, to collect the public county and parish taxes for the year one thousand seven hundred and eighty-nine, from such of the inhabitants of the said county as have not already paid the same.

Whereas it is represented to this general assembly, that many of the inhabitants of Bertie county, have not yet paid the above mentioned taxes, and that the said George Lockhart and his representatives have already accounted for the same; and it is now doubtful whether those taxes can at this time be collected without the aid of the legislature:

1. Be it enacted, by the general assembly of the state of North Carolina, and it is hereby enacted by the authority of the same, That the said Robert West is hereby authorized and empowcred to collect the public county and parish taxes for the year one thousand seven hundred and eighty-nine, from such of the inhabitants of Bertie county as were liable to pay the same, and have not paid nor accounted for the same to the powers and authorities with those appointed by the before recited act, in as full and ample a manner as if they had been named therein; who are further required by this act to carry the purposes therein specified into full effect.

Chap. xxxvii. An act to alter the time of holding the county court of Glasgow.

Whereas the time of holding the county court of Glasgow is found to be inconvenient to persons who may have business in the superior court of Newbern district, and the county court of Craven:

1. Be it enacted, by the general assembly of the state of North Carolina, and it is hereby enacted by the authority of the same, That the said Robert West shall be held annually at the court-house in Snowshill in the said county, on the third Mondays in January, April, July and October, and that all matters and things depending in the said court shall be adjourned thereunto.

2. And be it further enacted. That all acts and parts of acts that come within the meaning and purview of this act, are hereby repealed and made void.

Chap. xxxviii. An act to empower the county court of Cabarrus to lay a further county tax.

Whereas the county tax hitherto laid has been found to be inadequate to the purposes intended therefor:

1. 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 county court of Cabarrus shall have power, and are hereby required to lay a tax not exceeding one shilling on every poll, and four pence on every hundred acres of land, in addition to the same, and is now laid to be collected and accounted for by the sheriff of the same county, in the same manner, and under the same rules, regulations and restrictions as all other taxes of the like nature in this state are collected, and under the same rules, regulations and restrictions as all other taxes of the like nature in this state are collected, and under the same rules, regulations and restrictions as all other taxes of the like nature in this state are collected.

2. And be it further enacted, That when said West shall demand such taxes, it shall be lawful for the persons of whom the same is demanded to prove by his or their own oath or other testimony, that the same has been paid to some person legally authorized to receive the same.

Chap. xxxix. An act to repeal the third and fourth sections of an act, entitled "An act for opening and clearing the Yadkin and PeeDee Rivers.

Whereas the before recited act has been disagreeable, and may prove injurious to many citizens of this state:

1. 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 third and fourth sections of the before recited act be and the same are hereby repealed and made void.

Chap. xl. An act to enable William May, sen., late sheriff of Anson county; and Lewis Dicken, executor of the last will and testament of Benjamin Dicken, late sheriff of Edgcomb county, deceased, to sell the arrears of taxes due to said sheriffs.

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 William May, sen., late sheriff of Anson county, shall be and is hereby vested with full power and authority to collect the arrears of taxes due to him as sheriff for the years one thousand seven hundred and forty-nine, one thousand seven hundred and fifty, and one thousand seven hundred and forty-nine, in his full and ample manner as he possessed the same when sheriff of said county.

Provided, That this act shall cease to be in force from and after the first day of January next.

And be it further enacted, That Lewis Dicken, executor of the last will and testament of Benjamin Dicken, late sheriff of Edgcomb county, deceased, be and is hereby authorized and empowered, in as full and ample a manner as his testator was empowered while sheriff, to collect the arrears of taxes due to said county of Edgcomb for the year on thousand seven hundred and ninety-two, and one thousand seven hundred and ninety-three.

Provided, That this act shall cease to be in force from and after the first day of January next.
An Act to amend the act for establishing the town of Winton in Hertford county.

WHEREAS many persons who subscribed for and drew lots in the town of Winton, have failed to pay or obtain conveyances for the same, which tends to retard the improvement of the said town, and to the injury of the original proprietor: For remedy whereof:

I. Be it enacted by the General Assembly of North-Carolina, and it is hereby enacted by the authority of the same, That all lots subscribed for in the said town, and drawn by any person who hath heretofore failed to pay and obtain conveyances for the same agreeable to the directions of the said act, shall be held in abeyance by the commissioners by the commissioner, within twelve months after the same shall have been advertised in the Halifax paper for six weeks successively, unless on or before the day stated in the said advertisement for the said sale, the original subscriber for any of the said lots, or any person claiming under him or her shall pay to the said commissioners, or one of them, the sum which he or she was bound to pay by the said act, or shall make it appear by oath or otherwise, that the same hath been paid for, and apply to the said commissioners for a proper deed of conveyance; and that the money arising from such sales after the legal demand of the said original proprietor are satisfied by the said act is directed, shall be applied by the said commissioners for the benefit and towards the improvement of the said town, as a majority of them shall judge most advisable.

II. 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, the before recited act shall be and the same is hereby repealed and made void.

An Act to repeal an act, passed at the last session of the General Assembly held at Fayetteville, entitled "An act to divide the militia of Orange county into two separate regiments, and to empower the officers of the militia of said county to divide the militia thereof into two separate regiments; and to divide the militia of Lincoln county into two regiments."

WHEREAS the establishment of a town on the land of Matthew Brooks in the county of Stokes would be of utility to the community at large, in the encouragement of manufactories in that neighborhood:

I. 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, that one hundred acres of land, the present property of the said Matthew Brooks, or so much more as he may think proper to appropriate, be established and laid off into a town by the name of Vienna.

II. Be it further enacted, That William Winburn, Martin Holder and George Houfer be and they are hereby appointed commissioners and trustees for carrying on and regulating the said town; And that when the said Matthew Brooks shall execute a deed in fee simple to the said commissioners, they or a majority of them hereby appointed, shall have full power and authority to sell and dispose of the lots in the said town; make and execute deeds in fee simple to the respective purchasers or purchasers of the same: And also the said commissioners or a majority of them, shall have full power and authority, and they are hereby required to meet as often as they think proper to make such rules and regulations as they may judge necessary for the good government thereof.

III. Be it further enacted, That in case of death, refusal to act, or removal of any of the said commissioners, the majority of the remaining persons are hereby authorized and empowered to appoint another, or others in his or their stead, so failing to comply with their respective duties; which commissioner or commissioners when so appointed, shall have all the powers and authorities as if they had been named in this act: And all such rules and regulations as may be properly enacted by the said commissioners for the government of the said town, and regulation thereof, shall be binding to all intents and purposes upon the inhabitants thereof, as if the same had been passed by the Legislature of this state, any thing to the contrary notwithstanding.

An Act to explain and amend an act, entitled "An act to appoint Commissioners for disposing of part of the ground appropriated for the use of the public buildings in the county of Perquimans." and for appointing three jurors to the superior court of Hillsborough.

WHEREAS John Gwin, one of the commissioners heretofore appointed (through some mistake) was called John Givin, and under which name he did not think himself authorized to act; and the appointing two more commissioners to be added to those already appointed, will give more satisfaction to the said county:

I. 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, the said John Gwin, together with James Fuller and Samuel M' Murry, be and they are hereby authorized to constitute three commissioners already appointed, together with a majority of the whole included, shall from henceforth have the same powers and authorities in all things concerning the matters contained in the before recited act, as if they had therein been expressly nominated and appointed.

And whereas the county of Caswell before the division thereof, appointed but seven jurors to attend the superior court, and through some mistake at the division, the two counties have appointed eight; and as it is necessary that the county of Caswell contains the largest number of inhabitants:
II. Be it therefore enacted by the authority aforesaid, That after the passing of this act, it shall be lawful for the county of Perquimans to appoint three jurors to attend the superior court of Hillsborough, and no more, any law hereunto to the contrary notwithstanding.

CHAP. XLVI.
An ACT to amend an act, entitled "An act altering the line between the counties of Lincoln and Burke, and appointing Commissioners to fix on a convenient place in the said county of Lincoln to erect the public buildings of the said county," passed at Hillsborough, in April, one thousand seven hundred and eighty-four.

I. 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 Wallace Alexander, Joseph Morrif and David Zimmerman, be and they are hereby appointed Commissioners of said town, in addition to those heretofore appointed, who shall have the same powers and authorities with those nominated in the before recited act. And the said Commissioners, or a majority of them, shall have power and authority to lay out the ground adjoining said town into lots, each to contain such number of acres as they may deem necessary; and the lot or lots laid out shall be numbered and particularly described by them in an advertisement to be set up at the court-house in said town, at least thirty days, when they shall proceed to sell the said lots at public sale to the highest bidder, who shall have a credit of twelve months for the payment, upon giving bond with approved security to the Commissioners aforesaid; to whom the same shall be paid, and by them applied to the use of repairing the court-house, prison and flocks in said town.

And whereas the before recited act required the several deeds of conveyance made to the purchaser or purchasers of lots in said town, to be executed by a majority of said Commissioners, but the patent for said land being in the name of one of the Commissioners alone, the several deeds for said lots were totally executed by him: For remedy whereof,

II. Be it further enacted, That the several deeds of conveyance for the lots contained in said town as already signed and sealed by one of the Commissioners, shall be deemed and held valid in law to convey to the purchaser or purchasers to whom the same were granted, an absolute estate in fee simple, in as full and ample a manner as they could or would have done, had they been executed and signed by a majority of said Commissioners; any law, usage or custom to the contrary notwithstanding.

CHAP. XLVI.
An ACT to repeal part of an act passed at Tarboro, in the year one thousand seven hundred and eighty-seven, entitled "An act granting to the inhabitants living on the south side of Mecklenburg county, a privilege of holding a separate election for Members of the General Assembly."

I. 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 as much of the before recited act as grants to the inhabitants on the south side of Mecklenburg county, a privilege of holding a separate election for Members of the Assembly in said county, shall be and the same is hereby repealed and made void: And that all the free men in said county shall after the passing of this act, give the suffrages at the court-house only, any thing in the before recited act notwithstanding.

CHAP. XLVII.
An Act for the better regulation of the town of Lumberton, and to authorize the Commissioners already by law appointed to sell such lots as may not be claimed within a limited time.

I. 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 the inhabitants of the said town of Lumberton, are required to meet at the court-house in said town, on the first Tuesday in March in every year, and there choose five Dis Fid Perpers to be chosen for that purpose by the freeholders of the said town; and all the inhabitants, and lot holders therein though not inhabitants, who are entitled to vote for members of the General Assembly, shall be entitled to vote for the election for Directors aforesaid.

II. And be it further enacted by the authority aforesaid, That the said Directors, when chosen, or their successors, or a majority of them, shall have full power and authority to make rules and regulations for the opening, clearing and extending the streets; and shall have power to remove all obstructions, encroachments or nuisances; And such Directors and their successors, or a majority of them, shall have full power and authority to fix for and recover all penalties which shall be recoverable for the use of the said town; and no suit for such penalty shall be barred by reason of the death or removal of the said Directors, or either of them, but may be prosecuted to final judgment and execution by their successors: And the said Directors shall appoint a Treasurer for the town, on the day succeeding their own election; who shall give bond with sufficient security for the faithful discharge of his office, and for settling and paying any balance that may remain in his hands to the Treasurer that may be appointed for the next succeeding year.

III. And be it further enacted, That the said Directors, or a majority of them, and their successors, shall have power to lay a tax annually, of one shilling on every hundred pounds value of lots in said town, for the purpose of building a market-house, clearing the streets, and removing of nuisances, to be collected by such Directors as they shall appoint Collector of taxes for said town, who is hereby empowered to disfains for the same in case of non-payment.

IV. And be it further enacted, That the Directors aforesaid shall have full power and authority to adopt such rules and regulations as they may think proper and necessary for restraining vice and immorality, and to inflict such fines and penalties as they may judge expedient for the suppression of tippling houses erected by disorderly persons contrary to law; which fines and forfeitures shall be recovered in the name of the Directors, in a summary way, before any Justice of the Peace, for the sake of the town; and shall be applied by the Directors, or a majority of them, for public purposes in the improvement of said town in such manner as they may think most advisable.

And whereas there are a number of lots in the said town of Lumberton that have not been claimed since the said lottery was drawn, for which no public taxes have been paid, whereby the state is defrauded in its revenue, and the improvement of the town aforesaid is thereby injured:

V. Be it enacted by the authority aforesaid, That the Commissioners of said town of Lumberton that have been or hereafter may be appointed to make conveyances to claimants of lots in said town, shall advertise in the most public gazette in this state, all such lots as have not been claimed since the lottery was drawn for said town; which advertisement shall be continued three months, requiring all holders of lottery tickets or claimants of lots, to make application for conveyance.
VI. And be it further enacted, That all lots in the aforesaid town of Lumberton for which no taxes shall be paid, or offered to the Commissioners given, nor no claim made within two years from the passing of this act, shall be publicly sold by the Sheriff of the county of Robeson, under direction of the Commissioners aforesaid, the names of whom shall be meagrely authorized to make conveyances to such persons or persons as may become purchasers of any of said lots unclaimed and inappropriate lots as aforesaid.

WHEREAS the before recited sale or sales shall be made, and the monies arising therefrom, shall be conveyed to the Improvement thereof at the end of every ensuing year from the said first day of March next, shall be paid to the Trustees of the Lumberton Academy, to be held and disposed of for the use and purpose of building a house for the reception of students, and advancement of the said (inary of learning.

C H A P. XLVIII.

An Act to repeal an act, entitled "An Act for the more, speedy and effectual disposing of all such charitable and other lands as may be conveyed to the Trustees of the Lumberton Academy for the use and purpose of building a house for the reception of students, and advancement of the said seminary of learning."

WHEREAS the before recited act has upon experience been found to have an injurious effect in many instances, and the necessity which gave existence thereto no longer remaining, it now becomes proper to repeal the same:

1. 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 before recited act, passed at Newbern, in the year one thousand seven hundred and fifty-six, be and the same is hereby repealed and made void.

C H A P. XLIX.

An Act for levying a tax on the inhabitants of the county of Martin, for the purpose of building a house in said county for the reception and employment of the poor thereof.

WHEREAS it is represented to this General Assembly that the inhabitants of said county are extremely desirous of having proper buildings therein for the reception and useful employment of the poor thereof:

1. Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the court of Martin, be and is hereby authorized and empowered, to levy a tax on the inhabitants thereof, for the year one thousand seven hundred and ninety-five, and ninety-six, and ninety-seven, not exceeding one shilling on each poll, four pence on every hundred acres of land, and four pence on every hundred pounds value of town lots, with their improvements, within said county; which tax shall be collected by the Sheriff of said county, and accounted for in manner as by this act directed: And the said Sheriff is hereby invested with the same power to compel a payment of the tax laid by virtue of this act, as by law he has for other purposes of the public tax of said county, and shall be allowed the said commissions for the collection thereof, that he is allowed on other public taxes.

2. And be it further enacted, That Thomas Hunter, William McRill and Henry Slade, be and are hereby appointed Commissioners to direct and superintend the building of such house in said county of Martin; and the said Commissioners are hereby empowered to receive and appropriate to the building of such houses, the monies raised by this act; and it is hereby declared to be their duty to publish from time to time, and at every county court, at the door of the court-house of said county, an account and statement of the sums by them received and disbursed; and finally to settle with, and have their accounts audited by auditors to be appointed by the said county court, and shall pay over the balance remaining in their hands (if there be any such balance) to the wardens of the poor of said county, to be by them applied for the benefit of the poor; and the said Commissioners shall be entitled to such reasonable allowances for their services in this behalf, as the said county court shall think proper to make.

3. And be it further enacted, That the Commissioners by this act appointed, shall have power, and are hereby required to fix upon a proper place for the erection of such buildings, and either to buy, or receive by donation such lands as may be convenient for the same; and to take a deed therefor from the former proprietor or owner to the wardens of the poor of the said county, to and for the use of the poor thereof, of which deed shall be recorded with the register of said county, and lodged with the Clerk of the court thereof. And the said Commissioners are hereby further authorized to make such improvements at the end of every even year from the said first year, as well as all monies received and remaining in the hands of the Directors of the said town, and not appropriated to the improvement thereof at the end of every ensuing year from the said first day of March next, shall be paid to the Trustees of the Lumberton Academy, to be by them appropriated to the use and purpose of building a house for the reception of students, and advancement of the said seminary of learning.

And whereas it is represented to this General Assembly, that a number of persons in the county of Martin, have subscribed considerable sums for the benevolent purpose of erecting such building:

V. Be it also enacted by the authority aforesaid, That the Commissioners are empowered to receive such subscriptions; and also are empowered by the name of the Commissioners for the poor house of the county of Martin, to sue for and recover the sum or sums that are or may be subscribed by any person or persons whatever; And the Commissioners shall appropriate such sum, or sums of money in the same manner as herein before directed for the tax hereby laid, and shall account for and pay over the balance that may remain in their hands in the same manner.

C H A P. L.

An Act to amend the several acts passed for the collection and appropriation of monies for the support of sick poormen as regards the town of Wilmington.

WHEREAS the laws heretofore made for the relief of sick poormen in the several ports of this state, have been found on experience inadequate to that purpose in the town and port of Wilmington:

1. Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the Wardens of the Poor for the parish of St. James, in the county of New-Hanover, shall be and are hereby authorized and empowered to call upon the Collector or Naval Officer of the said port, or any person to whom account shall be rendered and pay to them all such sums or money which he may or ought to have received in pursuance of the laws now in force for the purpose aforesaid, and which have not yet been appropriated accordingly to said laws: And if the Naval Officer or Collector shall refuse to account with said Wardens as aforesaid, they may be hereby authorized and empowered to state in account with him the said Naval Officer or Collector for the belt evidence they can collect, of what sums have or ought to have been received in pursuance of the said laws and remain unappropriated; which said state shall be taken as admissible.
That ever perfect or perfect who hath been accused by the General Assembly of the State of North Carolina, and it is hereby enacted that the keeping open the aforesaid rivers will be advantageous to the inhabitants of said counties; for the purpose of rebuilding the mill in said county, and erecting a pillory and stocks in the county of Stites, and to levy a tax to defray the expense thereof.

An Act for keeping open Little-River and Wharee in Montgomery and Randolph counties for the purpose of rebuilding the mill in said county, and to levy a tax to defray the expense thereof.

Whereas it is represented to this General Assembly, that the keeping open the aforesaid rivers will be highly advantageous to the inhabitants of said counties:

1. Be it enacted by the General Assembly of the state of North Carolina, and it is hereby enacted that every person or persons who hath built or erected any mill-dam, or who may hereafter
ter build or cause to be built any dam or dams, on or across the said rivers, from the mouth of Little-River as far as Randolph line, and from the mouth of Ubarce as far up the same as the Old Trading Road leading from Salisbury to Fayetteville, or any other which is not in any manner obstructed by said dam or dams, shall from the fourth day of February until the tenth day of April in each and every year, open or cause to be opened, a passage of twelve feet wide to the middle of every dam, in the middle thereof; and cause the same to be kept open, for the time aforesaid, under the penalty of forfeiting the sum of one hundred pounds, to be recovered by him or them that shall sue for the same, the one half to the use of the city, and the other to him or them who may sue for the same.

G H A P. LVII.

An Act for the better regulation of the town of Germanton in Stokes county, and to enlarge the same.

I. Be it enacted by the General Assembly of the state of North-Carolina, and it is hereby enacted by the authority of the state, That the inhabitants of the town of Germanton in Stokes county, being empowered to assemble themselves on Easter Monday next, in order to elect three Town Commissioners, persons who shall benefit the said town, and when elected they are hereby empowered to make all such rules and regulations for the good government of the inhabitants thereof as they shall deem necessary. Which rules and regulations when made, shall be binding, to all intents and purposes, on the inhabitants thereof, as if they were specified in this act. Provided always, That no such rules and regulations shall be repugnant either to the constitution or laws of this state.

And whereas the population of the said town, renders the extension thereof necessary;

II. Be it further enacted, That the said town of Germanton shall be extended in the following manner: First, to include all those lots either laid off or improved, from the ford on Buffalo creek to the forks of the road leading to Bethany and Bethabara on the main street; also those from the bridge on Buffalo and ford on the town fork, to those lots heretofore established, be henceforth added to the town of Germanton, and shall be in all respects whatever considered as part thereof.

And whereas the preservation of streets from filthy incumbrances, is necessary in all towns;

III. Be it further enacted, That the Commisioners so elected as before described, shall have full power and authority to lay out any poll or by the said town, either by boat or by land, so that the same will be thought sufficient to keep clean the streets thereof, and defray the charges of such other regulations as they may deem necessary; Which tax when laid shall be binding on all those who live, or have property therein, and shall and may by the said Commisioners, be collected in a manner as is by the same is aforesaid, a passage of twelve feet to the mad side of every dam, in the middle thereof; and cause the same to be kept open, for the time aforesaid, under the penalty of forfeiting the sum of one hundred pounds, to be recovered by him or them that will sue for the same, the one half to the use of the county, and the other to him or them who may sue for the same.

G H A P. LVIII.

An Act to amend an act, entitled "An act for establishing a town at the narroors of Pasquotank river, in the county of Pasquotank," passed at Fayetteville, in the year of our Lord one thousand seven hundred and ninety-three.

WHEREAS it is signified to this General Assembly, that it is the wish of the former proprietor, and the inhabitants of the town of Pasquotank, that the name thereof, should be altered from Reading to Elizabeth:

I. Be it enacted by the General Assembly of the state of North Carolina, and it is hereby enacted by the authority of the state, That the said town, as before mentioned, be known and distinguished by the name of Elizabeth town, subject nevertheless to all the regulations and restrictions, and entitled to all the privileges expressed in the said act above recited; any thing in the same to the contrary notwithstanding.

G H A P. LIX.

An Act for the regulation of the City of Raleigh.

I. Be it enacted by the General Assembly of the state of North-Carolina, and it is hereby enacted by the authority of the state, That John Haywood, Dugal. McRae, John Pain, James Maren and John Craven, be and they are hereby appointed Commissioners of the city of Raleigh, and they and their successors in office chosen and qualified agreeable to the directions of this act, shall be and they are hereby incorporated into a body corporate and politic by the name of the Commissioners for the City of Raleigh, and have, possess and enjoy all such franchises, privileges, immunities and capacities as are enjoyed by the election of the freemen as by this act is directed, and a common seal, and they and their successors by the name aforesaid, shall be able and capable in law to have, purchase, receive, possess and retain to them and their successors forever in trust for the said city, any lands, rents and tenements of what kind, nature or quality soever; And also grants, charters, and patents of the same, and to receive and take any gift or donation whatever to the said city: And also by the same name to sue and be sued, plead and be impleaded, answer and be answered in all courts of record whatever; and from time to time, at all times hereafter, to make such rules, orders and regulations and ordinances, as to them shall seem meet for regulating the streets, appointing a Commissary or Commissaries, city Watches or Patrols, and making proper allowances by fee or otherwise for such services; and for all such other necessary ordinances, rules and orders which may tend to the advantage, improvement and good government of the said city, as by the said rules and regulations from time to time may be added, change or altered, and to be maintained and continued as to the said Commissioners or a majority of them shall appear necessary; and shall also have full and ample power to enforce a compliance and observance to such regulations by laying fines and penalties on those who shall refuse or neglect to conform to such rules and regulations; and in case of fines, the punishment of thirty-nine ladies, the said penalty to be recovered, and the punishment to be inflicted in manner hereafter mentioned: That in case of the death, removal or refusal to qualify of any of the Commissioners appointed by this act, a Commissioner shall be taken by the freemen of the city, in the manner aforesaid, to qualify, to whom it shall be the duty of the Intendant of Police, and in his absence of the remaining Commissioners, to notify the Sheriff of the county of Wake of such death or removal, who upon receiving such notice shall, on his own motion, after giving ten days previous notice by public advertisement, attend by himselves or deputy at the court-house or some convenient place in the city of Raleigh, and at ten o'clock of the day so appointed by advertisement, open the poll and receive the tickets in the presence of two inspectors; and when the election shall be held, the said officers and inspectors shall examine and number the ballots, and the person having the greatest number of said ballots, shall be declared to be the said Commissioner; and the said Sheriff of the county of Wake shall perform the duties aforesaid, under the penalty of fifty pounds for every neglect or refusal, to be recovered by action of debt before any jurisdiction having cognizance thereof, by any person who shall sue for the same, in one year after such neglect or refusal, one half to the treasurers, the other to be paid to the Treasurer of the city for the use of the city. And the Commissioners so chosen, and those appointed by
And whereas the proper office of the said Commissioners, is that of making bye-laws and regulations for the government of the city of Raleigh, and it has been found inconvenient, and often impracticable, to call together the Commissioners for the immediate purpose of punishing offenders, whereby the said regulations are never properly carried into effect: For remedy whereof,

II. Be it enacted, That the Commissioners of the city of Raleigh, shall on or before the first Monday in May next, other days as shall be convenient, meet at such time and place as they shall appoint, for the purpose of making such bye-laws, rules and ordinances as they shall think necessary for the good government of said city; and that all the freemen who are liable to pay taxes, and have been inhabitants of one dwelling house on the same, in his own right in fee, and in all cases whatever required, and in all things belonging to my office, during my continuance therein, I will faithfully, truly and impartially execute, and according to the laws, rules and ordinances made and provided for the regulation of the said city, to appear before him; and on such occasion, which shall be in the manner of trials before Justices of the Peace, the said Magistrate is hereby required and authorized to give judgment and award execution, agreeable to the laws, rules and ordinances provided for the government of the said city; Which warrant or execution the said Sheriff, Deputy-Sheriff or their conviction, which shall be in the manner of trials before Justices of the Peace, the said Magistrate is hereby required and authorized to give judgment and award execution, agreeable to the laws, rules and ordinances provided for the government of the said city:

And whereas it is hereby declared that every person inhabiting or occupying any house, or other building, or lot, within the said city; and a proportionable poll-tax on all persons who do not possess in the said city the value of one thousand seven hundred and ninety-eight, $510, until the end of the session of the General Assembly then next ensuing, and no longer.

G. CHAP.
LAWS OF NORTH-CAROLINA.

CHAP. LX.

An Act to alter the time of holding courts in the county of Randolph, and for laying a tax in the said county to repair the prison in said county.

1. Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of this act, the county courts of Randolph shall be continued held on the third Mondays of May, August, November and February, in each year hereafter, and all matters and things depending in said courts shall stand adjourned thereunto.

2. Be it further enacted, That a tax of one penny on every poll, and a tax of one penny on every hundred acres of land in the said county, shall be collected and applied to the purpose of repairing the prison of said county, under the same rules and regulations as other taxes in said county are made and provided; all acts and parts of acts coming within the meaning and purview of this act are hereby repealed and made void.

CHAP. LXI.

An Act to empower Daniel Griffon, late Sheriff of Duplin county, to collect the arrears of taxes due to him in said county for the years one thousand seven hundred and eighty-nine, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-two, one thousand seven hundred and ninety-three, one thousand seven hundred and ninety-four, one thousand seven hundred and ninety-five, and one thousand seven hundred and ninety-six.

1. Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That Daniel Griffon, late Sheriff of the county of Duplin, shall be and is hereby authorized and empowered to collect all the arrears of taxes due him in said county for the years one thousand seven hundred and eighty-nine, one thousand seven hundred and ninety, one thousand seven hundred and ninety-one, one thousand seven hundred and ninety-two, one thousand seven hundred and ninety-three, and one thousand seven hundred and ninety-four; and the said Daniel Griffon is hereby vested with all and singular the powers and authorities of the said Daniel Griffon and his successors in office, with which Sheriff's of the several counties are now vested by the several acts of Assembly in such cases made and provided.

CHAP. LXII.

An Act to confirm the rights and privileges of a certain ministered man called Franks; formerly the heft of Thomas Lytle, late of Randolph county, and to confer on him the name of Franks Lytle.

Whereas the court of the county of Randolph, at their session held in the month of November last, on the petition of Catharine Lytle, William Hoard, John Hinton, and Samuel Milliken, the executors, and assignees of the will and testament of the said Thomas Lytle, deceased, did order that the said Frank should be at liberty, agreeable to an act of the General Assembly in such cases made and provided, for meritorious services done by him for the said Thomas Lytle in his lifetime; And whereas the said Catharine Lytle, William Hoard, and Samuel Milliken, have petitioned this Assembly to pass an act to entitle the said Frank to be by the Senate and House of Representatives, agreeable to the name of Frank Lytle; I. 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 said order of the court of the county of Randolph, aforesaid, liberating the said Frank, by the authority of the same, shall be and hereby ratified and confirmed; and by virtue thereof the said Frank, by and under the name of Frank Lytle, shall be and is hereby declared to be free, and shall henceforth enjoy the protection of the laws, and the benefit of the constitution of this state, in the same manner as others of his color who were born free, to every intent and purpose. Provided, That nothing herein contained shall be construed so as to affect the title or claim of any person or persons other than the persons herein named.

CHAP. LXIII.

An Act to empower the county court of New-Hanover to lay a tax for the purpose of destroying the vermin herein mentioned, and for altering one of the places for holding the annual elections in the county of New-Hanover; and to amend an act to encourage the destroying wolves, wild-cats, panthers and bears in the county of Carteret, passed in one thousand seven hundred and ninety-six.

1. Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the court of the county of New-Hanover, shall lay a tax not exceeding five pence on every poll in said county; and two pence on every hundred acres of land in the said county; the amount of which, when collected, shall be appropriated for the purposes hereinafter mentioned.

2. And be it further enacted, That any person who within the limits of said county, shall kill any wolf or wolves, shall be entitled to receive the sum of four pounds for every grown wolf, and the sum of twenty shillings for every wolf under six months old, for every wolf person killed as aforesaid. Provided always, That before any person shall be entitled to receive any of the allowances herein made, he shall produce to some Justice of the Peace for the county a scalp or scalp of such wolf or wolves, by which person killed, and shall make oath before the same Justice, that the scalp or scalps so produced are the scalp or scalps of a wolf or wolves by him the said person killed within the limits of the county aforesaid, since the first day of February, one thousand seven hundred and ninety-five. And every Justice of the Peace aforesaid, before whom such proof is produced, is hereby required to destroy every such scalp or scalps so produced.

3. And be it further enacted by the authority aforesaid, That every Justice of the Peace before which such scalps are produced, and such proof made, shall give to the person producing the same, a certificate certifying, that he is the number of the scalps produced and proved as aforesaid before him by such person, and what sum the person receiving said certificate is entitled to receive; such Justice granting the said certificate having regard to the age of the wolf so killed as aforesaid, so far as he can ascertain the same. Which sum so certified, shall be paid by the County Treasurer of said county, who shall be allowed the amount of said mentioned certificates in the settlement of his accounts with the county court of the said county.

4. And be it further enacted, That any person producing any scalp or scalps of bears, panthers, wolves or wild-cats to the Commissioners of Carteret county, shall before the same person aforesaid be paid for killing such vermin, make it appear by affidavit, that the vermin for which they claim a reward for killing, was killed within the limits of the said county of Carteret; and if passing the act for destroying such vermin in said county, at Newbern, in the year one thousand seven hundred and ninety-five, before whom such proof is produced, is hereby required to destroy every such scalp or scalps so produced.

5. And be it further enacted by the authority aforesaid, That from and after the passing of this act, the annual elections to be held in the county of New-Hanover, shall on the first day of every such annual election be held at some convenient house most adjacent to Long Creek bridge in said New-Hanover county, instead of the house of John Larkin, Esquire, lately deceased.

CHAP.
An Act to amend an act, entitled "An act for the regulation of the town of Newbern, and for other purposes therein mentioned," passed at Halifax, in January, one thousand seven hundred and seventy-nine.

WHEREAS it hath been represented to this General Assembly by sundry of the inhabitants of the town of Newbern, that by the above recited act for establishing the town of Newbern, that part of Front-street on the south side of said town, between Dirty lane and East street, runs too much into the marsh on Lawford creek, and the growing thickets of bushes, do so as to render the same street insufficiently open for the passage of carts and cattle; and whereas it has been also represented unto us, that a street could be opened on the northern part of the front lots on said street, greatly advantageous to the inhabitants, and with little expense and labour: 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 of the town of Newbern are hereby authorized and required as soon as may be, to lay off a street forty feet wide at the northern extremity of the said front lots from number thirty-three on Dirty lane, to number fifty-four on End-street, both inclusive; and running parallel to Front street as it is now laid down in the plan established by the aforesaid act.

II. And be it further enacted by the authority aforesaid, That after the passing of this act, that such parts of what is now called Front-street, which lies immediately between the said front lots and their respective fronts, shall be deemed and held to be part of the said lots; and is hereby vested in the respective proprietors of the aforesaid lots, their heirs and assigns forever, as a compensation for that part of their lots taken away for the new street.

An Act to repeal parts of an act passed at Fayetteville in one thousand seven hundred and ninety-three, entitled "An act for laying out a town in the lands of Thomas Matthews in the county of Moore," and acts to alter the time of holding the courts of Pleas and Quarter-Sessions in the county of New-Hanover.

WHEREAS John Cameron, Duncan Patterson and Samuel Dunn have given in their resignation as Commissioners for laying out the aforesaid town:

1. Be it enacted by the General Assembly of the state of North-Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of this act, those parts of said Cameron park, which are now vested in said John Cameron, Duncan Patterson and Samuel Dunn Commissioners, be and the same are hereby repealed and made void:

II. And be it further enacted, That the Commissioners of New-Hanover shall be held in future on the third, Mondays in June, September, December and March; and all matters and things in said court shall be heard and adjourned to the third Monday in June next, after the first court which shall be held after the passing of this act.

An Act to establish a Fair at the Hurricane in Richmond county.

WHEREAS it is represented to this General Assembly, that a number of the inhabitants of said county are desirous of having a fair established at the place aforesaid:

1. 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, a fair shall be established at or near the place called the Hurricane in Richmond county, to be held on the first Thursdays and Fridays in May and November in each and every year, to be held and conducted under such rules, regulations and restrictions as the Commissioners hereafter mentioned may direct.

II. And be it further enacted, That William Wall, Richard Adams, Hugh M'Call, Benjamin Long, John Cole, jun. Paul M'Call and Alexander McRea, be and are hereby appointed Commissioners to superintend the aforesaid fair; and the said Commissioners are hereby empowered and required to make such rules and regulations as they or a majority of them may deem most conducive to the interest and advantage of said fair.

An Act to empower the county courts of Orange, Burke and New-Hanover to employ some proper person to transcribe the books in the Entry-taker's office in said counties.

WHEREAS it is represented to this General Assembly, that the books containing the entries of land in the counties of Orange, Burke and New-Hanover are greatly torn and defaced, so as to render many entries nearly illegible; and as it is of great importance to the freeholders of the said counties that the entries made in the Entry-taker's books should be fair and capable of being readily referred to:

1. 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 Justices of the county courts of Orange, Burke and New-Hanover, and they are hereby empowered and required (if they shall think the same necessary) to appoint some fit person, truly to transcribe into a well bound book or books all the entries hereunto referred made by the different Entry-takers in the said counties, or so many, or so much thereof as the said Justices in their discretion shall think necessary: And the said Justices are also hereby empowered and required as soon as the said entries are so transcribed, to appoint two or more of their own body to examine the said books to transcribe; which examiner shall be sworn in open court, well and faithfully to examine the said books so transcribed with the originals: And should there be any mistake or error in transcribing, to alter and correct the same, and thereby the said examiners shall at the next court after the transcribed, examined and corrected to the said county courts of Orange, Burke and New-Hanover shall then and there make oath that the books as aforesaid transcribed are faithful and exact copies of the originals, orthographical errors excepted: Which books shall be signed by the said Justices and then shall be delivered to the said county courts of Orange, Burke and New-Hanover, and shall be by them immediately delivered to the Entry-takers for the time being: And the said original book of entries shall be deposited in the office of the Clerk of the county courts aforesaid.

II. And be it further enacted, That the Justices of the said county courts of Orange, Burke and New-Hanover shall and may make such allowances and compensation to the person or persons who shall copy and examine the said entry books, as they in their discretion shall think fit, to be paid as other county charges are paid.

III. And be it further enacted, That the said book or books in which the entries of land for the counties of Orange, Burke and New-Hanover are so transcribed, when examined and corrected, and received by the county
laws of north-carolina.

ch. lxx.

an act appointing commissioners to fix upon a place in the county of montgomery for the court-
house therein, and to erect public buildings therein.

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 cotton, arthur harris, george davidson, alexander bard and
john harris, be and they are hereby appointed commissioners to superintend the public build-
ings; a majority of whom shall in all cases constitute a quorum: with power to obtain, by purchase
or otherwise, twenty-five acres of land for the use of the said county; containing the spot reported
and agreed on by the commissioners aforesaid, for the public buildings: and the sheriff of the said
county is hereby required to pay into the hands of said commissioners all such sums or monies as he
shall have or may collect by law for erecting the public buildings; and the said commissioners
are hereby required to fix and settle on for some convenient place within the limits of the
county; and they or a majority of them are hereby empowered to lay off fifty acres of the said
land for the court-house, prison and stocks thereon; which place when fixed on by the said
commissioners or a majority of them, shall be the place on which the public buildings shall be
erected, and a report thereof shall be made by the commissioners aforesaid, to the county
commissioners of the county, and to the inhabitants thereof.

and whereas it is supposed that the commissioners and surveyors being on oath, will give most
general satisfaction to the inhabitants thereof:

i. be it further enacted, that the commissioners and surveyors before mentioned for the purpose of
fixing the buildings therein, take an oath that they will truly and faithfully execute their respective
duties described in this act, to the best of their knowledge and ability.

ii. be it further enacted, that so much of an act entitled * an act for dividing the county of
mecklenburg,* as comes within the purview and meaning of this act, be and the same is hereby repealed and made
void.

ch. lxxi.

an act directing the sheriff of beaufort to hold an election for the purpose of electing commissi-
oners for the town of bath.

whereas the commissioners for the town of bath are all dead or 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 the sheriff of the county of beaufort shall on the last saturday in aug-
ust next, hold an election at the church in the town of bath, for the purpose of electing three commissioners for
the town of bath; and all persons who shall be voters in the town of bath at the last election of the said
commissioners, shall be eligible to the said office:

be it further enacted by the authority aforesaid, th"at at said election all freeholders and freemen of
said town shall have a right to vote for said commissioners:

be it further enacted, that the commissioners so elected shall have the same power, and their suc-
cession kept up in the same manner as the commissioners in the town of washington.
thereafter, adjoining to the said place, where they shall afterwards be constantly held, and to where all causes, libels and returns shall be made; as to such and ample a manner as that place is mentioned in this act; and that all acts or parts thereof which come within the meaning and purview of this act, be and the same are hereby repealed and made void.

CHAP. LXXI.

An Act to authorize the Commissioners herein mentioned, to purchase a piece of land in Wakeborough, for the public buildings; and to remove the gaol from the land wherever it now stands, and place it on the same.

WHEREAS the gaol in the town of Wakeborough does not stand on public ground, and thereby has become useless to the county: Be it enacted, That Edmund Blount, Nathan Hooker and Benjamin Spruill, senior, be and they are hereby appointed Commissioners to employ workmen for the building of the said gaol, upon such a plan as they may deem fit, and superintend the work so to be done to an advantage: Which Commissioners shall before they enter into the execution of their duty, give bond with security to the Chairman of the said county court, for the purpose of carrying this act into effect by the completion of the said aforesaid.

CHAP. LXXII.

An Act to amend the laws now in force for the regulation of the town of Salisbury, and to amend an act, entitled "An act for the better regulation of the town of Halifax," 29 and to give security to the Treasurer of the said town, for the payment of taxes.

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted, That the Commissioners of the town of Salisbury, of the said county, shall by some act of the General Assembly, be authorized to lay a tax on the said town for the purpose of building a gaol therein.

An Act to empower the county court of Tyrrel to lay a tax on the inhabitants of said county, for the purpose of building a gaol therein.

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 Tyrrel, confiding of a majority of the Justices in said county, shall at their first court which shall happen after the passing of this act, or at any court thereafter where the county court shall be convened, provide, That such tax shall not exceed one shilling and six pence on every hundred acres of land, and one shilling and six pence on every hundred pounds' value of town property in said county: Which tax when laid, shall be paid by the Sheriff of said county to be collected in his first collection of public taxes that may happen thereafter, and by him paid into the hands of the said Commissioners appointed to effect the intention of this act, under the same rules, regulations and penalties as are inflicted upon all delinquents of a like nature.

An Act to authorize the Commissioners herein mentioned, to purchase a piece of land in Wakeborough, for the public buildings; and to remove the gaol from the land wherever it now stands, and place it on the same.

CHAP. LXXXIII.

An Act to amend the laws now in force for the regulation of the town of Salisbury, and to amend an act, entitled "An act for the better regulation of the town of Halifax," 29 and to give security to the Treasurer of the said town, for the payment of taxes.

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted, That the Commissioners of the town of Salisbury, of the said county, shall by some act of the General Assembly, be authorized to lay a tax on the said town for the purpose of building a gaol therein.

An Act to empower the county court of Tyrrel to lay a tax on the inhabitants of said county, for the purpose of building a gaol therein.

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 Tyrrel, confiding of a majority of the Justices in said county, shall at their first court which shall happen after the passing of this act, or at any court thereafter where the county court shall be convened, provide, That such tax shall not exceed one shilling and six pence on every hundred acres of land, and one shilling and six pence on every hundred pounds' value of town property in said county: Which tax when laid, shall be paid by the Sheriff of said county to be collected in his first collection of public taxes that may happen thereafter, and by him paid into the hands of the said Commissioners appointed to effect the intention of this act, under the same rules, regulations and penalties as are inflicted upon all delinquents of a like nature.

An Act to authorize the Commissioners herein mentioned, to purchase a piece of land in Wakeborough, for the public buildings; and to remove the gaol from the land wherever it now stands, and place it on the same.

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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 Tyrrel, confiding of a majority of the Justices in said county, shall at their first court which shall happen after the passing of this act, or at any court thereafter where the county court shall be convened, provide, That such tax shall not exceed one shilling and six pence on every hundred acres of land, and one shilling and six pence on every hundred pounds' value of town property in said county: Which tax when laid, shall be paid by the Sheriff of said county to be collected in his first collection of public taxes that may happen thereafter, and by him paid into the hands of the said Commissioners appointed to effect the intention of this act, under the same rules, regulations and penalties as are inflicted upon all delinquents of a like nature.

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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 Tyrrel, confiding of a majority of the Justices in said county, shall at their first court which shall happen after the passing of this act, or at any court thereafter where the county court shall be convened, provide, That such tax shall not exceed one shilling and six pence on every hundred acres of land, and one shilling and six pence on every hundred pounds' value of town property in said county: Which tax when laid, shall be paid by the Sheriff of said county to be collected in his first collection of public taxes that may happen thereafter, and by him paid into the hands of the said Commissioners appointed to effect the intention of this act, under the same rules, regulations and penalties as are inflicted upon all delinquents of a like nature.
I. An Act for the better regulation of the town of Wilmington.

WHEREAS the navigation of the said river is greatly obstructed by logs and other litter, which lies concealed under the water at that season of the year when navigation begins, through the neglect and frequent inferences of the people thereof, and which, by damaging the vessels navigating the same, is a source of great inconvenience and expense.

II. And be it further enacted, That whenever three householders in the said town, or the representatives of any of them, shall request the weighing and measuring of the said litter, the said Magistrate shall appoint such officers as he shall think fit, and order them to make such measurements and weigh such litter as shall be necessary to remove the same, and to fill up the same, and the officers so authorized shall have power to make all the necessary regulations for the future, and to fix the fees necessary to be paid for the same, and the same shall be paid into the county treasury.

III. And it is hereby enacted, That whenever any person shall be appointed to remove any litter from the said river, he shall have power to employ as many men as he shall think proper, and to fix the fees necessary for the same, and the same shall be paid into the county treasury for the use of the county.
L A W S O F N O R T H - C A R O L I N A.

VII. And it be further enacted, That all persons who shall after the first day of May next, cut or fell trees into the river aforefaid, and within the bounds before mentioned, to as to obstruct the navigation thereof, shall forfeit and pay the sum of ten pounds, to be recovered in a summary manner before any judge of the Peace having cognizance thereof, one half to the informer, the other half to the County Treasurer, for the use of the county where such fine or fines may accrue.

C H A P. LXXVI.

An Act to emancipate Jack, alias Jack Small, a person of colour.

WHEREAS Jemima Barrs, a free woman of mixed blood, hath represented to this General Assembly, that she hath purchased a certain Jack Small, for a valuable consideration, and that she hath bore him in her lawful wedlock, and that she hath bore him in her lawful wedlock, and that she hath bore him in her lawful wedlock, and that she hath bore him in her lawful wedlock.

And whereas the said Jemima Barrs hath petitioned this General Assembly to emancipate and set free her said husband, Jack Small aforefaid: 

I. 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 aforesaid person of colour Jack Small, shall henceforth be emancipated and absolutely set free, by the name of Jack Small; and be entitled to all the privileges and immunities which free persons of colour enjoy and hold in this the state, any law to the contrary notwithstanding. Provided nevertheless, That nothing in this act contained shall affect the claim or claims of any other person or persons, either in law or equity, except the claim of the said Jemima Barrs.

C H A P. LXXVII.

An Act to establish and regulate a toll-road through the Great-Dismal Swamp, between the Heads of Perquimans and Little-Rivers; and to grant to Jesse Perry an estate therein for the term of twenty-five years.

WHEREAS sundry persons have by subscription done much labour on said road, and it requires much more labour to keep the same in repair, and many persons who were subscribers towards making said road, having signified to this General Assembly by petition, their desire that the said road should be vested in Jesse Perry, for the purpose of keeping the same in repair:

I. 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 there shall be an estate in the said road, and in the improvement of the same, to be vested in Jesse Perry, his heirs and assigns, for the term of twenty-five years; and shall and may be lawful for the said Jesse Perry, his heirs, executors, administrators or assigns, to set up a gate on any part of the said road, and at all times when the said gate shall be set up, to receive the tolls hereby granted for the use and benefit of the said road, and to recover the same in like manner before any Justice of the Peace having cognizance thereof, one half to the informer, the other half to the County Treasurer, for the use of the county where such fine or fines may accrue.

II. And it be further enacted, That in consideration of the tolls hereby granted, the said Jesse Perry, his heirs and assigns, shall forever after the said gate be set up, keep the said road in good and passable order for carriages and horses, and in case of neglect any person or persons shall be entitled to recover any damage which they may sustain by the said road being out of repair, before any Justice of the Peace having cognizance thereof.

IV. And it be further enacted, That the said toll-road shall be effectually and taken as a public highway, on payment of the tolls imposed by this act.

C H A P. LXXVIII.

An Act to establish the Fairs at the town of Rockford in the county of Surry, at South Washington in the county of Surry, and at Huntingville in the county of Surry.

I. And it be further enacted, That John Freeman, Jeffrey Johnston, Reuben Grant, Daniel Bills and William Johnston, be and they are hereby constituted and appointed Managers of said fair; and in case of death, refusal of removal of any of the said Managers, a majority of those remaining may appoint one or more Managers in the room or place of him or them who shall refuse to act as aforesaid, who shall have the power and authorities as aforesaid.

II. And it be further enacted, That in the times of holding the Fairs at Huntingville, in the said county of Surry, be it further enacted, That John Freeman, Jeffrey Johnston, Reuben Grant, Daniel Bills and William Johnston, be and they are hereby constituted and appointed Managers of said fair; and in case of death, refusal of removal of any of the said Managers, a majority of those remaining may appoint one or more Managers in the room or place of him or them who shall refuse to act as aforesaid, who shall have the power and authorities as aforesaid.

III. And it be further enacted, That the aforesaid Fairs at the town of Rockford shall be held the third Friday and Saturday in May, and the second Friday and Saturday in September, in each and every year.

IV. And it be further enacted, That the aforesaid Fairs at the town of Huntingville shall be held the first Tuesday and the second Tuesday in each and every month.

V. And it be further enacted, That the aforesaid Fairs at the town of South Washington shall be held the first Tuesday in each month.

VI. And it be further enacted, That the Fairs be hereafter held at the town of Huntingville in the said county of Surry, shall be held the first Friday and Saturday in May and October in each and every year, and to the contrary notwithstanding.
CHAP. LXXIX.

An Act for the better regulation of 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 Magistrate of Police of the said town, shall in the month of December, in the year one thousand seven hundred and thirty-five, and in every month of December thereafter, call together the Commissioners of said town; whose duty hereby declared to be, to divide the said town into seven wards, each of which wards to contain as nearly as may be an equal number of freemen and freeholders resident within the limits of the said town.

II. And be it further enacted, That each of the wards laid off as aforesaid, shall be entitled to a representation of one Commissioner for said town, to be annually elected at the time prescribed by law, at an election, to be held by the Magistrate of Police for the time being, who is hereby directed to hold the said elections within the respective wards, at such times and places as shall be most convenient and convenient, and to advertise the said election at least seven days before the time of holding the same; and the qualifications of the electors are hereby declared to be the same as hereofore provided by law; and the Magistrate of Police shall exercise the same power and authority with regard to the manner of conducting such elections as were incident to the Sheriff of the county.

III. And be it further enacted, That the taxes of the said town shall be laid in such manner and collected within such period as a majority of the Commissioners shall prescribe; and all persons who have resided six months within the said town shall be liable to the payment of taxes.

CHAP. LXXX.

An Act to enable Peter Mull, late Sheriff of Burke county, to collect the arrearages of taxes due to him as Sheriff.

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 Mull, late Sheriff of Burke county, shall be and is hereby entitled to the full power and authority to collect the arrearages of taxes due to him as Sheriff, for the years one thousand seven hundred and ninety and one thousand seven hundred and ninety-one, in as full and ample manner as he performed the same when Sheriff of the said county. Provided, That this act shall cease to be in force from and after the first day of January next.

CHAP. LXXXI.

An Act to carry into effect the petition of John Naylor, by granting him a divorce from his wife Martha.

WHEREAS John Naylor hath petitioned this General Assembly, praying to be divorced from his wife Martha, and the said John hath flown good and sufficient cause for the same:

1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of this act, the said John and Martha shall be divorced from the bonds of matrimony, in the same manner as if their marriage had never been solemnized; and the said John and Martha are hereby divorced as aforesaid.

2. And be it further enacted, That Thomas Armstrong, John Sibsey and John Ingram shall be and are hereby appointed Commissioners, who shall on or before the fifteenth day of February next, call upon the said John Naylor to deliver unto them, or any two of them, an estimate on oath, of the amount of his property at the time of his separation from his wife Martha, exclusive of the debts he owed; and half the sum of the value thereof shall be delivered to and paid to the said Martha, who in case of failure may sue for the same.

CHAP. LXXXII.

An Act to appoint Commissioners to settle with the late Sheriffs of the counties of Lenoir and Glasgow, for the monies by them collected for the purpose of building a court-house, prison and stocks, and for other purposes therein mentioned.

WHEREAS it hath been represented to this General Assembly, that the late Sheriffs of the counties of Lenoir and Glasgow hath not fully settled and accounted for the monies by them collected for the purpose of building a court-house, prison and stocks in the county of Lenoir, and prisoners and stocks in the county of Glasgow, to the true intent and meaning of an act, entitled "An act for dividing the counties of Dobbs and Orange," passed in the year one thousand seven hundred and ninety-one:

1. 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 Jehu Aldridge and William Ornand be and they are hereby appointed Commissioners for the county of Glasgow; and that Bryant Whitefield, Frederick Jones and James Bright, shall, be and they are hereby appointed Commissioners for the county of Lenoir; and the said Commissioners shall attend, or a majority of them, provided that the said James Bright and one of the said Commissioners from each county at least be present, at the dwelling-house of James Bright, esq. in the county of Lenoir, on some day or days to be fixed on between the sixth and tenth day of March next, or as soon as may be after that time; at which time they shall notify the Sheriffs of the said county of Lenoir and Glasgow who shall have received any of the said monies, to attend on said day to appointed, to account for and to swear on oath what monies have been by them collected for the purpose of building a court-house, prison and stocks for the county of Lenoir, and prisoners and stocks for the county of Glasgow, by virtue of an act passed at Newbern in the year one thousand seven hundred and ninety-one, entitled "An act for dividing the county of Dobbs;" and that it shall be the duty of the Commissioners herein before appointed to call on the late Sheriffs of the said counties of Lenoir and Glasgow, who were appointed to contract for and have the buildings hereof in before mentioned finished and completed, to swear what balance may be sufficient to complete the same and shall also be the duty to make a fair statement to the Commissioners by this law appointed, of the monies already collected, as also the sums appropriated, and to receive such statement, shall make report of the same to the Jusifices of the counties of Lenoir and Glasgow, at the term of said cities to be held for each county, and shall do what further is in their power, or may deem sufficient to complete said building.

2. And be it further enacted by the authority aforesaid, That when the Jusifices of the said countys of Lenoir, and the Jusifices of the said county of Glasgow, shall receive such report, they shall deem sufficient to lay the taxes, and taxable property in each of said counties, as may be deemed sufficient to defray the charges herein before mentioned, to extend the sum of two shillings on every poll, and eight pence on every hundred acres of land, and two shillings on every hundred pounds of town property, in the said county of Lenoir and Glasgow, for the year one thousand seven hundred and ninety-one, which sums shall be appropriated to the use of finishing and completing the public buildings for the said counties of Lenoir and Glasgow, which said tax shall be levied by the Sheriff of each county, is the said tax for the same purposes, shall be levied and assessed in the same manner and mode as was the tax hereinbefore laid for defraying the expenses of the said buildings, and whereas it appears that the County Trusselles for the late county of Dobbs, for the year one thousand seven hundred and ninety-one
C H A P. LXXXIII.

An Act to establish a warehouse for the inspection of hemp in the town of Fayetteville.

WHEREAS the culture of hemp is likely to be promoted by the establishment of a warehouse for the inspection of the same:

I. 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 of the said town are hereby empowered and directed to contract in such manner as they may think proper for a convenient lot or lots of land, and also to contrive for the erecting a suitable block or a warehouse for the reception of hemp, regard being had to its remote and safe situation from other buildings.

II. And it be further enacted, That the county court of Cumberland shall at their sessions which shall be in April next, appoint two discreet persons, acquainted with the qualities of hemp, to be inspectors of the same, who shall hold their office during good behaviour, and shall give bond with good security in the sum of two thousand pounds, payable to the Governor for the time being, and conditioned for the faithful discharge of their duty; which bond may be put in suit by any person injured, without aid from the Governor.

III. And it be further enacted, That the said inspectors shall receive from the owner at the rate of one shilling for every hundred pounds of hemp inspected, and all hemp inspected as foreclosed shall be held and deemed merchantable.

C H A P. LXXXIV.

An Act for the better regulation of the town of South-Washington.

WHEREAS the Commissioners for the aforesaid town live at so remote a distance that a majority cannot be collected with convenience to order the inhabitants to work on the streets: For remedy whereof,

I. 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 of the said town shall hereafter be liable to work on the public roads in the district, under the direction of the over-seer, who is hereby authorized and commanded to compel the inhabitants of said district to keep in order the streets of the said town, particularly the back street, from the main road in a straight direction to the upper part of the street, and from the lower end of the most direct way to the public road, which shall be kept in passable order for carriages; also the marked street to the river, under the same fines and forfeitures inflicted by law, for neglect in working on the public roads, any law, usage or custom to the contrary notwithstanding; and that all acts and parts of acts that come within the meaning and purview of this act, be and they are hereby repealed and made void.

C H A P. LXXXV.

An Act to remove disabilities from certain persons therein mentioned.

WHEREAS Joseph Wood, of Robeson county, hath issue by his present wife Sarah, four children, to wit, William, Ann, Joseph and Sarah, since which doubts have arisen of the legality of the marriage of the said Joseph, and that the issue thereof may be made illegitimate so as to be deprived of taking or holding property by descent from their father aforesaid: For remedy whereof,

I. 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 said Joseph, who shall have or claim, take, hold, possess and enjoy, as defendant, wife or otherwise, all estates both real and personal, as they being the legal representatives of him the said Joseph, in law or equity, may be entitled to; and as such may be or be freed, pleased and be pleased, and possessed every right, privilege of advantage as fully and amply to all intents and purposes as if no doubts had been agitated or disabilities had existed, any law, usage or custom to the contrary notwithstanding.

C H A P. LXXXVI.

An Act to regulate the taking of fish with seines in Blount Creek in Beaufort county.

WHEREAS it is represented to this General Assembly, that certain persons by extending their seines across Blount Creek in Beaufort county so as to obstruct the passage of fish, to the prejudice of a number of the inhabitants adjacent to said creek:

I. 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 the passing of this act it shall not be lawful for any person or persons to have in use on land or water in the said county, or to stretch a seine across the said creek so as to hedge the same, under the penalty of forfeiting fifty pounds, to be recovered to the use of the person having the same.

C H A P. LXXXVII.

An Act to appoint Commissioners to contract for and purchase two half acre lots in the town of Smithfield and county of Johnston; and also to contract for the rebuilding of the court-house, prison and stocks thereon.

WHEREAS it has been represented to the General Assembly that the land wherein the present court-house is situated, and the site of the town of Johnston, has not yet been purchased for the use of said county:

I. 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 John Bryan, Reuben Sanders, Everitt Pearce, Hardy Bryan, William Avera, Thomas Gray and Joseph Boone, or a majority of them, be appointed Commissioners to the purpose of contracting for and purchasing, and taking in fee simple, for the use of the county of Johnston, two half acre lots
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In the said town of Smithfield; and also to carry for the rebuilding of the court-house, prions and flocks thereon, for use of the said county of Johnston.

And be it further enacted, That it shall and may be lawful for the county court of Johnston to lay a tax, not exceeding four fillings on the poll, and a tax not exceeding one filling and four pence on each hundred acres of land, to be the tax when collected, shall be paid to the Commissioners by this act appointed for the purposes aforesaid.

And the said Commissioners shall give bond in the sum of four thousand pounds, to account with the court of said county for all monies which they may receive in virtue of this act, and any surplus shall remain in their hands after defraying the expenses of the said land and buildings, it shall remain liable to the order of the said county court.

That when a majority of the Justices of said county shall judge that the court-house to be erected pursuant to this act, is fit for their reception, they are hereby empowered to adjourn the court of said county, to the court house, where the hold.

And be it further enacted. That an act to empower the county court of Johnston, to lay a tax annually in the said county, for the purpose of repairing the court-house, prions and flocks, and defraying the contingent charges of said county, passed at Fayetteville, in the year one thousand seven hundred and ninety-three, be and the same is hereby repealed.

CHAP. LXXXVIII.

Act to amend an act, entitled "An act for building a court-house in the town of Wilmington, for the district of Wilmington, and to empower the Justices of New-Hanover county to increase the county tax."

WHEREAS doubts have often perplexed the continuance of the said act, whereby the district tax has been unevenly collected,

And be it enacted by the General Assembly of the state of North-Carolina, That the Commissioners appointed for carrying the aforesaid act into effect shall have, and are hereby invested with full power and authority, and are strictly required, to recover from any of the Sheriffs, or other persons, in the manner prescribed, for public taxes, all such sums of money as may or ought to have been collected by any of the said Sheriffs who received part of the said tax, in any one year, so that the said Sheriff, or late Sheriff, or in case of death his securities, shall be obliged to complete the collection of any year such Sheriff did begin under the same law; but where the Sheriff of any county, on any occasion, attempting to collect at its remittances, shall have then the Sheriff of the counties which have not paid up their quotas of the taxes, and who shall be in office between the time of passing this act and the third Monday in April next, shall, and they and each of them are required to, collect the aforesaid tax, so to complete it as to each county, and to pay the same to the Commissioners in the said month of April.

And be it further enacted, That the Sheriffs who shall collect the public tax for the year one thousand seven hundred and ninety-four, shall at the same time collect one year's district tax for carrying on the building of the court-house, agreeable to the directions and penalties in said act; and the said Commissioners are hereby required to recover in the manner specified in the aforesaid act, from the said Commissioners all such sums of money as remain or ought to remain in their hands unappropriated to the building of the court-house, in the district aforesaid.

AND be it further enacted, That the Commissioners of the said court-house shall on or before the sixteenth day of May, one thousand seven hundred and ninety-five, produce an account of their receipts and expenditures, and their settlement with the said Commissioners, to Benjamin Smith, Daniel Gilford, Joshua Grainer Wright, Joseph Scott Gray and Robert Scott, who are hereby appointed a board to examine the same, and report thereon, for the use of the said county for all monies which they may receive in virtue of this act; and the said Commissioners are hereby directed to obey the same, requiring them to account with and pay to the Commissioners in this act named, on or before the first day of January, one thousand seven hundred and ninety-five, any balance which may or ought to remain in their hands after a proper settlement with the Sheriffs and said Commissioners, under the penalty of the same being recovered in like manner as recovery is to be had from the Sheriffs by said act.

And be it further enacted, That the Commissioners appointed for carrying the aforesaid act into effect, shall have full power and authority, and are strictly required, to recover in the manner specified in the aforesaid act, from the Sheriffs of the respective counties in said district, who are hereby severally directed to obey the same, requiring them to collect the court-house tax for the year one thousand seven hundred and ninety-five, under the rules, regulations and penalties prescribed by the said act, and the said Commissioners are hereby required to account with and pay to the Commissioners in this act named, on or before the first day of January, one thousand seven hundred and ninety-five, any balance which may or ought to remain in their hands after a proper settlement with the Sheriffs and the said Commissioners, under the penalty of the same being recovered in like manner as recovery is to be had from the Sheriffs by said act.

And be it further enacted, That the Commissioners appointed for carrying the aforesaid act into effect, shall have, and are hereby invested with full power and authority, and are strictly required, to recover in the manner specified in the aforesaid act, from each of the said Commissioners, all such sums of money as remain or ought to remain in their hands, as are agreeable to the proportions paid in by each county, and to the Treasurer of their several counties, towards lessening the county tax of the same respectively.

CHAP. LXXXIX.

Act to alter the names of certain persons therein mentioned.

WHEREAS doubts have arisen respecting the continuance of the said act, whereby the district tax has been unevenly collected, and the said Commissioners are hereby directed, and required to, call accounts the said monies, and to receive from them such balances of the monies remaining, or which ought to remain in their hands, as are agreeable to the proportions paid in by each county; and which balances they are required forthwith to pay to the Treasurer of their several counties, towards lessening the county tax of the same respectively.

1. Be
I. 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, that Marcus Barrow, Joel Barrow, Archibald Young, John Young, and Henry Young, shall be called and known by the name of Marcus Stokes, Joel Stokes, Archibald Stokes and Lydla Stokes; and William Hightower, by that of William Hightower Hightower; and Jonathan Garner and Tobie Garner, by the names of Jofiah and Tobias Hollemman; and Sterling Wood and Nathanail Wood, by the names of Sterling Holmes and Nathaniel Holmes; and Robert Clarke, Abel Clarke, Kezia Clarke, Lydia Clarke, Lucretia Clarke and Tabitha Clarke, by the names of Robert Taylor, Kezia Taylor, Lydia Taylor, Lucretia Taylor and Tabitha Taylor; and Henry Perry, by the name of Dessie Wood; and Thomas Hoffer, by that of Thomas Elliott; and John Debrits, by that of John Debrits Montgomery and John Montgomery; and John Oldfield and Nicholas Oldfield; and that James Sto; and that of James Smith and Nicholas Smith, by the names of James Crandall and Nicholas Crandall; and Redding Johnston, by the name of Redding Salls; and Zachariah Foreman, by the name of Zachariah Foreman; and shall have a right to inherit and claim any estate either real or personal which may be devised to them, or either of them: Also by the said names they shall and may sue and be sued, plead and be impleaded in any court of law or equity; and they may by their respective names aforesaid, sell and dispose of the property of each party already or hereafter to be acquired, either by will, devise, donation, grant, purchase or otherwise; And finally in all things they shall and may do and have power and authority in law or equity, of negotiating and transacting all manner of business by their respective names hereinafter before mentioned and published in a town, and shall be called by the name of Colerain.

II. And be it further enacted, That from and after the passing of this act, the respective county courts within this state, shall have full power and authority to alter the name or names of any person or persons on application; which shall be considered as good and valid in law, to all intents and purposes, as if the name were done by act of Assembly.

C H A P. XCI.
An Act for erecting a town on the lands of John Campbell in Bertie county, on Chowan river.

WHEREAS it is represented to this General Assembly that the land of John Campbell, known by the name of Lazy-Hill, in Bertie county, is a pleasant healthy situation and conveniently fituated for trade and commerce; and the said John Campbell having signified his consent and will to have a town erected thereon:

I. 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 one hundred and ten acres of land, near already or hereafter to be acquired, either by will, devise, donation, grant, purchase or otherwise; And finally in all things they shall and may do and have power and authority in law or equity, of negotiating and transacting all manner of business by their respective names hereinafter before mentioned and published in a town, and shall be called by the name of Colerain.

II. And be it further enacted, That James Campbell, Nathan Harrell, William Sawyer and James Wilton, be and they are hereby constituted Commissioners for the said town, and they are hereby vested with an inchoate estate in some manner; in the lands to be laid off and arranged, to and for the use of the town, intents and purposes herein declared.

III. And be it further enacted, That as soon as the whole of the said lots shall be subscribed for, the said Commissioners, or any three of them, shall appoint a time, and give public notice thereof, for the subscribers to meet at the dwelling-house of Thomas Waddleton, to be conducted by the Sheriff, or his Deputy, in the same manner as the one authorized by this act to be held by the second battalion.

IV. And be it further enacted, That the respective subscribers for lots in the said town, shall be entitled to the lot or lots which shall be drawn for or by him; and the said Commissioners, or any three of them, shall make and execute deeds for conveying the lots in the said town to the respective subscribers for the same.

V. And for continuing the succession of the said Commissioners: Be it further enacted, That in case of the death of any of the said Commissioners, the remaining Commissioners are hereby empowered, by an instrument in writing under their hands and seals, to appoint another or others in the place of him or them so dying, refusing to act or removing out of the state; and any person so appointed, shall have all the powers of a Commissioner appointed in this act.

C H A P. XCVI.
An Act to establish a third battalion, and two separate elections, in the county of Rutherford.

I. 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, the companies of Captain Grant, Captain Young, Captain Carruth, Captain Mills, and Captain Dortan, shall be formed into a separate and distinct battalion, by the name of the third battalion of the Rutherford militia; and shall hold their general meetings and courts martial at the dwelling-house of Thomas Waddleton, subject to the laws and regulations of the other militia of this state.

II. And be it further enacted, That the second battalion of said county shall hold an election for members of the General Assembly, on the Monday before the annual election at the court-house, at the plantation of John Magnets, formerly Lacedo's, near the Grassy Branch; and which election shall be opened and held by the Sheriff of the said county, or his Deputy, and conducted in all respects in the same manner, and under the same rules, regulations and restrictions as other annual elections are subject to.

III. And be it further enacted, That the third battalion shall hold an election for members of the General Assembly, at the house of Thomas Waddleton, on the Wednesday before the annual election at the court-house, to be conducted by the Sheriff, or his Deputy, in the same manner as the one authorized by this act to be held by the second battalion.

IV. And be it further enacted, That the Sheriff, or his Deputy, (as the case may be) shall at once on each of the days of said elections hereby authorized to be held, cause the votes and ballots to be duly and fairly kept and preserved for the time of an election at the court-house, and shall be kept by the Inspectors as a check on the returning officer, and the other shall be returned by the Sheriff on the last day of the election to be held at the court-house, to be added to the votes which each of the candidates may have: And that the candidates having the greatest number of votes after such addition is made, shall by the Sheriff be declared to be duly elected.

V. And
V. And if it further enacted, That in case any person or persons shall not have it in their power to attend at the election in the second and third battalion, such person or persons shall be entitled to give their vote in the court-house provided such person shall by his own personal oath, which the Sheriff is authorized to administer, declare that he has not voted at either of the said elections to be held in the second and third battalions: And in case any person shall take such oath, and be permitted to vote at the last election, after having previously voted at either of the other battalions, such person or persons shall have a sufficient proof thereof and pay the sum of twenty pounds, to be recovered by action of debt before any jurisdiction having cognizance thereof, and be appropriated to the use of the county.

WHEREAS the operation of the third clause of the said act is found to be oppressive and unequal:

I. 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 said third clause is hereby repealed and made void.

II. 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 said third clause is hereby repealed and made void.

An Act to extend the navigation of Peeke River from the South-Carolina line, up to the mouth of Ucharre River.

WHEREAS extending the navigation of Peeke River, will be of great benefit to this state:

I. 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 Charles Hinton, Joseph Ingram, Elijah Hogan, John Speed, John Wall, James Pickett, Jun. John Randal, John Lightfoot, and James Tindle, Esquires, be and they are hereby nominated, constituted and appointed Trustees for clearing said river, from the South-Carolina line up the same to the mouth of Ucharre River: And they are hereby respectively authorized and empowered to take and receive subscriptions for that purpose: and if any person or persons shall not have, fail or refuse to pay the several sums of money respectively subscribed for that purpose by this act: it shall and may be lawful for the said Trustees respectively, or Undertaker, to sue for and receive the same, in the name of the Trustees, or Undertaker, for clearing said river whereof they are respectively appointed Trustees, by warrant where the subscription shall not exceed twenty pounds, and by action of debt if it be larger sums.

II. And be it further enacted by the authority aforesaid. That the said Trustees respectively, or a majority of them, shall have full power and authority to contract and agree with any person or persons, for clearing so much of the said river as shall be within this state below the mouth of said river Ucharre, in such manner as they shall think proper: and to remove all obstructions, rocks or shoals, which the said Trustees shall think may in any wise obstruct the said navigation.

III. And be it further enacted, That the said Trustees, or majority of them, from time to time, or as often as they shall think necessary, shall and may nominate and appoint a receiver, or under the same, to receive the same, to be receiver or receivers of all the monies that shall be subscribed for the purpose of this act; who shall give bond with sufficient security in a reasonable penalty to the said Trustees, or a majority of them, that they will and shall truly and faithfully execute the said fund, and will and shall truly and faithfully account with the said Trustees or Undertaker, for all monies which shall come to the said Trustees, or Undertaker, for clearing the said river whereof they are respectively appointed Trustees, by warrant where the subscription shall not exceed twenty pounds, and by action of debt if it be larger sums.

An Act for establishing an academy in Murfreesborough, in Hertford county; and to incorporate the Fayetteville Library Society.

WHEREAS it is the spirit and policy of every well regulated government to promote and establish the best means of instruction and education of youth, and highly worthy the attention of every legislature: and whereas it is represented to this General Assembly, that Murfreesborough in Hertford county, is a very eligible situation for establishing an academy:

I. 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 Hardy Murfree, James Henry Keels, Thomas Rogers, and Thomas Rogers, are hereby commissioned and appointed Trustees for establishing an academy in Murfreesborough, in Hertford county, on the lot of land and building purchased by said trustees: And whereas it is represented to this General Assembly, that Murfreesborough in Hertford county, is a very eligible situation for establishing an academy:

II. And be it further enacted by the authority aforesaid. That the said Trustees shall have a right to give their votes in the election of their successors, to be elected in manner and form hereafter directed, be he or they hereby nominated and appointed a body politic and corporate, to be known and distinguished by the name of the Trustees of the Murfreesborough academy, to be applied towards the support of the said academy, and to become to the use and benefit of the said academy, and to be entitled to all gifts, grants, devises and bequests of whatever kind, also all monies and other property real or personal; and the same to hold in special confidence and trust for the use and benefit of the said academy, and to be disposed of in such a manner as the Trustees shall think proper.
WHEREAS it is represented to this General Assembly by petition, that the peculiar situation in said town, and the fact that when recovered, to lay out and apply to the benefit and advancement of said academy, in such manner as shall best appear to the said Trustees, be a matter of the utmost importance; and for the better securing the application of any subscription or subscriptions, gift, grant, gratuity or donation, of whatever property or personal whatever, to the use, benefit and behoof of the said academy, agreeably to the intent and meaning of the donor or donors:

II. Be it further enacted, That the Trustees herein before mentioned, shall previous to their entering upon the execution of the trust reposed in them by this act, enter into bond of one thousand pounds, payable to the Commissaries, or their assigns, conditioned for the faithful discharge of their trust as aforesaid; and shall be filed with the records of said court: Which bond shall be and may be put in their hands by the aforesaid Trustees, and their successors, by the name of the Trustees of the Morristhorough academy, upon breach or neglect of their trust, as aforesaid, by any subscriber or subscribers, donor or donors, or their heirs, executors, administrators or assigns, in the name of the person or persons whom made payment, without any alignment thereon.

III. And be it further enacted, That the said Trustees, or a majority of them, shall meet annually on the third Monday of October in each and every year, as often as the President, who is hereby authorized and empowered to convene them, shall deem it necessary; and when met shall have full power and authority to appoint a master or masters; and also to make and ordain such rules and regulations (not inconsistent with law) for the well regulating the students in their moral and academical course as to them shall seem meet: And at all public examinations held at the direction of the Trustees, the said Trustees, or a majority of them, shall have full power to grant such certificate or certificates, signed by the Secretary and countersigned by the President, to such students as in their respective classes the Trustees shall thought deserving the same.

IV. And be it further enacted, That on the death, refusal to act, resignation, or removal of any of the Trustees, or in case of the failure or neglect in any manner to perform or appoint one or more Trustees, in the place of any of the Trustees for the time being, it shall be lawful for the remaining Trustees, or a majority of them, and they are hereby authorized and required to elect or appoint one or more Trustees, in the place of such Trustee or Trustees dying, refusing to act, resigning or removing as aforesaid.

V. And be it further enacted, That the said Trustees, or a majority of them, shall have full power and authority to remove the Master or Masters, the Treasurer, or any of them, if they shall think it necessary; and on the death, resignation, or refusal to act of any of them, to provide others in his or their places.

VI. And be it further enacted, That the Trustees appointed by this act, shall have full power and authority annually to appoint a President, Treasurer and Secretary; which Treasurer, before entering upon his office, shall give bond, in the sum of one thousand pounds, to the good and faithful discharge of his office and the trust reposed in him; and at the expiration of his office, shall account with and deliver into the hands of his successor in office, all monies that may be in his hands belonging to the said Trustees; and on failure or neglect to do, the said Trustee and all his executors and administrators, shall have full power and authority to recover the same, in the name of the Trustees, or their successors, by the name of the Trustees of the Fayetteville Library Society, and by that name sue for and recover the same, in the name of the Trustees, or their successors in office, aforesaid, and shall have full power and authority to remove the Master or Masters, the Treasurer, or any of them, from their respective offices, and to appoint another or others in his or their stead, if they shall think it necessary; and on the death, resignation, or refusal to act of any of the Trustees, the same remedy shall be had against him, as against Sheriff, or other officers holding public monies.

VII. And be it further enacted, That the present members of the Academy, or a majority of them, shall be admitted into the same, as are hereby constituted, and they are hereby authorized and empowered to convene them, to such students as in their respective classes, the Trustees shall thought deserving the same; and they are hereby authorized and empowered to remove the Master or Masters, the Treasurer, or any of them, if they shall think it necessary; and on the death, resignation, or refusal to act of any of them, to provide others in his or their places.
An Act for the relief of the executor or executors of William Roberts, late of Chowan county.

WHEREAS it is represented to the General Assembly, that William Roberts, the late Sheriff of Chowan county, hath indemnified many of his fellow citizens in giving them longer time for the payment of their taxes; and that considerable sums remain due and unpaid to him for taxes for the years one thousand seven hundred and ninety-one, ninety-two, and ninety-three, that would have been paid and remaining due to him for taxes for the years one thousand seven hundred and ninety-two and ninety-three, which sums he has fully settled, and paid into the treasury of the state. The state of the fiscal year, and that part of the county called Pamlico, shall be entitled to vote at the election held at the Court-house, unless he or they make oath that he has not voted before at either of the elections held at the aforesaid places.

C. H. A. P. XCIX.

An Act to authorize George Keifer of the county of Cabarrus, to extend a mill-dam across Rock-y-River.

WHEREAS it is represented to this General Assembly by petition, that permitting George Keifer to extend a mill-dam across Rocky river, would be attended with great advantage to the inhabitants of that county.

1. 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 said George Keifer, his heirs or assigns, shall have full power and authority to extend the dam already erected across the said river to the opposite bank. Provided, The said George Keifer do erect a slope of such construction and form as shall afford a free and easy passage to fish; and such slope to be kept open from the twenty-fifth day of February, to the tenth day of May in each and every year successively.

2. And be it further enacted, That if any pretence or complaint shall be made to the county court, that such slope does not afford a free passage to fish as aforesaid, then said court hereby directs and requires the said George Keifer to appoint three freeholders, being disinterested men, and residing in the county, to inspect and examine said slope; and if the said George Keifer, his heirs or assigns, shall have full power and authority to extend the dam already erected across the said river to the opposite bank. Provided, The said George Keifer do erect a slope of such construction and form as shall afford a free and easy passage to fish; and such slope to be kept open from the twenty-fifth day of February, to the tenth day of May in each and every year successively.

3. And be it further enacted, That if any pretence or complaint shall be made to the county court, that such slope does not afford a free passage to fish as aforesaid, then said court hereby directs and requires the said George Keifer to appoint three freeholders, being disinterested men, and residing in the county, to inspect and examine said slope; and if the said George Keifer, his heirs or assigns, shall have full power and authority to extend the dam already erected across the said river to the opposite bank. Provided, The said George Keifer do erect a slope of such construction and form as shall afford a free and easy passage to fish; and such slope to be kept open from the twenty-fifth day of February, to the tenth day of May in each and every year successively.

An Act to empower the county courts therein mentioned, to lay a tax for the purpose of destroying wolves and bears in said counties.

1. Be it enacted by the General Assembly of the state of North-Carolina, and it is hereby enacted by the authority of the same, That the county courts of Richmond, Robeson, Bladen and Cumberland, are hereby authorized and required to lay a tax annually, to be collected in a sum not exceeding five shillings on every poll, and two shillings on every hundred acres of land, to be appropriated to the purpose of destroying wolves and bears in said counties.

An Act to secure to Abigail Rice, wife of John Rice, such estate as the same hereafter acquire.

WHEREAS it is represented to this General Assembly, that John Rice hath for several years past, abstained from himself and his wife Abigail, and attached himself to another woman; and having it in his power to deprive his said wife Abigail, of such estate as the same may hereafter acquire:

1. Be it enacted by the General Assembly of the state of North-Carolina, and it is hereby enacted by the authority of the same. That whereas, after the putting of this act, the said Abigail Rice shall be entitled to enjoy and possess her title right, all estate either real or personal, which she may hereafter acquire by purchase or default.
defendent, in as full and ample a manner as if the said Abigail had never been married to the said John; 1794
clear from the claim or claims of the said John her husband, or any creditor or creditors of the said John; and and the said Abigail shall and may recover at law the said power and right to the said lands and estates, and to recover any court having ap
certainties thereof, from the said John or any other person or persons, any property or estate which she may be entitled to, in the same manner as if the said Abigail had never been married to the said John; any Law, usage or custom to the contrary notwithstanding.

Read three times and ratified in General Assembly the 7th day of February, 1795.

WILLIAM LENOIR, S. S.

TIMOTHY BLOODWORTH, S. H. C.

Copy. J. GLASGOW, Secretary.

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To amend an act, entitled "An act to amend such parts of the act, entitled An act for establishing courts of law, and for regulating the proceedings therein, as may relate to proceedings on attachments; and for amending an act for making procedure in equity effectual against persons who abscond, and who refuse without the consent of the flave, and for better regulating the proceedings in the court of equity.

To repeal the third section of an act, passed at Fayetteville in the year 1790, entitled "An act to repeal all acts, clauses and parts of acts of the General Assembly, of this state as relate to the grazing of tobacco.

To ascertain the pilotage which shall be allowed the pilots at Occoquan-Inlet, and the several founds and riparian rights to which vessels go which come in over said inlet.

To annex part of the county of Mecklenburg to the county of Cabarrus.

To annex part of the county of Rutherford to Butt COome.

To amend an act, entitled "An act for regulating ordinary, houses of entertainment and ferries, and other public accommodations.

To repeal part of an act, entitled "An act to provide for the public safety, by granting encouragement to certain manufactures.

To amend an act, entitled "An act to extend the time of trial by jury to flaves, passed at the last annual session held at Fayetteville.

To prevent fraud in the sale of property therein mentioned.

To provide the mode of recovering debts of twenty pounds and under.

To explain and supply the deficiencies of certain acts of Assembly respecting slaves made by executors and administrators.

The more effectually to secure the payment of the tax on lands, and to prescribe the duty of the county courts in certain cases.

Making provision for the redemption of the certificate of debt of the state.

To prevent the selling of grants for lands entered with any of the entry-takers of this state in certain cases.

To prevent any justice of the peace from voting in his own election, in the office of Clerk of the county court, Register, Entry-taker, Surveyor, County Trustee or Ranger.

To amend the act approximating the great seal of the state, passed at Fayetteville the last annual session.

To amend an act, entitled "An act to carry into effect the Ordinance of the Convention held at Hillsborough, in July, 1785, entitled "An Ordinance for establishing a place for holding the future meetings of the General Assembly, and the place of residence of the chief editor of the state."

To empower the several county courts in this state to establish fair markets therein.

To explain and amend an act, entitled "An act to empower the county surveyors to make surveys and returns in the manner therein mentioned.

To alter and amend part of an act passed at Newbern in the year 1777, entitled "An act for establishing courts of law and regulating the proceedings therein."
To repeal an act, passed at the last session of the General Assembly, entitled "An act to divide the militia of Orange county into two separate regiments, and to empower the officers of the militia of said county to divide the same into two separate regiments; and to divide the militia of Lincoln county into two regiments."

To explain and amend an act, entitled "An act to appoint Commissioners for disposing of part of the ground appropriated for the public buildings in the county of Perquimans; and for appointing three jurors to the superior court of Hillsborough."

To amend an act, entitled "An act altering the line between the counties of Lincoln and Burke, and appointing Commissioners to fix on a convenient place in the said county of Lincoln to erect the public buildings of said county, passed at Hillsborough, in April, 1783.

To repeal part of an act passed at Taborborough, in the year 1797, entitled "An act granting to the inhabitants living on the south side of Mecklenburg county, a privilege of holding a separate election for members of the General Assembly."

For the better regulation of the town of Lumberton, and to authorize the Commissioners already by law appointed to fell such lots as may not be claimed within a limited time.

To repeal an act, entitled "An act for more seasonably determining of disputes that have arisen or may hereafter arise, and for establishing the courts of Rowan, Mecklenburg, Rutherford, Guilford, Lincoln and Rockingham, respecting erecting mill dams, and to prevent persons from building mills at such places as herein described."

To lay a tax on the inhabitants of Martin, for the purpose of building a house in said county for the reception and employment of the poor thereof.

To amend the several acts passed for the collection and appropriation of monies for the support of sick seamen as regards the town of Wilmington.

To empower the number of jurors to be sent from the counties of Mecklenburg and Caswell, to Salisbury Superior Court; and include the county of Cabarrus in the districts composed of the counties of Rowan, Mecklenburg and Montgomery, for the purpose of holding an election for a President and Vice-President of the United States.

To repeal an act passed at Newbern, in the year 1799, entitled "An act to improve the navigation of the North and Branch of Cape Fear River."

To empower the Wardens of the Poor in the county of Cabarrus, to receive a proportionate part of the poor in the county of Mecklenburg.

For rebuilding the gaol, and erecting a pillory and stocks in the county of Stokes, and to levy a tax to discharge the quit rent thereof.

To keep open Little-River and Uwharrie in Montgomery and Randolph counties for the passage of fifth.

For the better regulation of the town of Germanton in Stokes county, and to enlarge the same.

To amend an act, entitled "An act for establishing a town at the narrows of Pasquotank River, in the county of Pasquotank," passed at Fayetteville, 1793.

For the regulation of the city of Raleigh.

To alter the time of holding courts in the county of Wake, and for laying a tax in the said county to repair the prison in said county.

To empower Daniel Clifton, late Sheriff of Duplin county, to collect the arrearage of taxes due in said county for the years 1786, 1790, 1791 and 1792.

To confirm the privileges of a certain mulatto man named Franck, formerly the property of Thomas Lytle, late of Randolph county, and to confirm on him the name of Franck Lytle.

To empower the county court of New-Hanover to lay a tax for the purpose of destroying the vermin here mentioned, and for altering one of the places for holding the usual annual elections in the county of New-Hanover; and to amend an act to authorize the destroying wolves, wild-cats, panthers and bears in the county of New-Hanover, passed in 1794.

To amend and to repeal an act, entitled "An act for the regulation of the town of Newbern, and for other purposes therein mentioned," passed at Halifax, in January, 1770.

To amend an act for laying out a town on the lands of Thomas Matthews in the county of Moore, and for altering the time of holding the courts of pleas and quarter-sessions in the county of New-Hanover.

To establish a fair at the Hurricane in Richmond county.

To empower the county court of Orange, Burke and interface the books in entry-taker's office in said county, for collecting Commissioners for the town of Bath.

To appoint Commissioners to erect a court-house, etc., in the county of Cabarrus, and to repeal part of an act entitled "An act to divide the county of Mecklenburg, etc.

Appointing Commissioners to fix on a place in the county of Montgomery for the court-houses, etc.

To empower the county court of Tyrrell to lay a tax for the purpose of building a gaol.

To empower the Superior Court of Tyrrell, etc.

To facilitate the navigation of the town of Wilmington.

To emancipate a certain mulatto girl named Isaac, out of the county of Caswell, and to repeal part of an act entitled "An act to divide the county of Mecklenburg, etc.

To appoint Commissioners to purchase a piece of land in the town of Fayetteville.

To establish a road through the Great Dismal Swamp, and to grant J. Perry an estate therein, etc.

To establish a mill at Rockford, South-Washington, etc., and the plantation of J. Campbell, and for altering the time of holding fairs at Huntville.

For the better regulation of the town of Fayetteville.

To enable P. Mull to collect the arrears of taxes, etc.

To carry into effect the petition of J. Naylor, by granting him a divorce from his wife Martha.

To establish a town at the mouth of Roanoke-River from Blountville to Cedar-Landing.

To establish a town at the mouth of the North Branch of Cape Fear River.

To empower the county courts therein mentioned to repeal part of an act to establish the town of Fayetteville.

For the better regulation of the town of Fayetteville.

To facilitate the navigation of South Washington.

To remove difficulties from certain persons.

To regulate the taking of fish within fish weirs.

To appoint Commissioners to purchase two half-narrows lots in the town of Smithfield and county of Johnston; etc.

To amend the act for building a court-house, etc., in the town of Wilmington, and to empower the justices of New-Hanover county to encroach the county tax.

To alter the names of certain persons.

For erecting a town on the lands of John Campbell.

To establish a third battalion, and two separate elections in the county of Rutherford.

To repeal part of the act to amend an act to facilitate the navigation of Hay and Deep-Rivers.

To emancipate a mulatto girl named Mary, the property of Michael Beam, deceased, etc.

For extending the navigation of Pee Dee River, etc.

For establishing an academy at Marlborough, and to incorporate the Fayetteville Library Society.

To establish a town at the confluence of Yadkin and Uwharrie rivers in the county of Montgomery.

To grant the inhabitants of that part of Hyde west of the Pump River, a separate election.

To the relief of the executors of William Roberts.

To authorize George Keiser to extend a mill-dam across Rocky River.

To empower the county courts therein mentioned, to lay a tax for the purpose of destroying wolves and bears.

To secure Abigail Rice, wife of John Rice, etc.

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