At a General Assembly, begun and held at Raleigh, on the Nineteenth Day of November, in the Year of our Lord One Thousand Eight Hundred and Four, and in the Twenty-ninth Year of the Independence of the said State.

JAMES TURNER, ESQ. GOVERNOR.

CHAP. I.

An Act to confirm a revision of certain Acts of Assembly.

WHEREAS the General Assembly of this State, at their last Session passed a resolution in the following words: "Resolved, that Francis Xavier Martin collect and revile the public acts passed since the publication of Judge Iredell's Revival, to the end of the present session, inclusive; which said Revival shall connect the acts passed since Judge Iredell's, by notes and remarks, advert'ing to such as appear to have been virtually repealed, and retaining such as are not expressly so, and cause his said Revival to be printed." And whereas in pursuance of said resolution, the said Francis Xavier Martin has collected and reviled the said acts, caused them to be printed; and his Revival has been submitted to, and examined by, a committee of this General Assembly, and found correct,

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 Revival be, and is hereby approved.

Read three times and ratified in General Assembly, Dec. 12th, A. D. 1804.

JO: RIDDICK, S. S.
S. CABARRUS, S. H. C.

CHAP. II.

An Act to raise a Revenue for the payment of the Civil List, and contingent Charges of Government, for the Year One Thousand Eight Hundred and Five.

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 eight hundred and five, a tax of eight pence on every hundred acres of land within 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 same manner as such taxes hath heretofore been levied, collected and accounted for.

II. And be it further enacted, That a tax on all stud-horses and jack-asses within this State, of the full sum which the owner or keeper of such stud-horse or jack-ass shall ask, demand or receive for the seafon of one mare, shall be levied and collected as above.

III. And be it further enacted, That all free males between the ages of twenty-one years and fifty, and all slaves between the ages of twelve and fifty years, shall be subject to a poll tax.

IV. And be it further enacted, That each and every person who shall hereafter peddle or hawk goods in any of the counties of this State, shall first obtain a licence from the clerk of some county in this State, under his seal of office; and the person so peddling and hawking, shall pay to the clerk before obtaining said licence, the sum of ten pounds, to the use of the State, to be accounted for by the clerk in the same manner as tax fees are accounted for; and any licence so obtained, shall authorize said pedlar to peddle and hawk goods in any and every
An Act to amend an act, entitled "An act directing the manner of appointing Electors to vote for a President and Vice-President of the United States," passed at the last session of the General Assembly.

WHERAS no provision is made in said act for receiving the votes given in any particular county of the election districts therein established, in case the Sheriff of such county, by reason of sickness or other unavoidable accident, should be unable to attend on the day and at the place appointed for comparing the polls of his election district, and whereas the penalty imposed on the Sheriffs of the several counties failing to attend at the several places appointed, is not sufficient to insure their faithful and punctual attendance: 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 it shall be the duty of the Sheriffs of the counties composing the several election districts, by said above recited act established, to meet at ten o'clock of the day at the places appointed for their meeting in their respective districts; and in case all of the Sheriffs shall not appear, it shall be the duty of those who do attend, at the hour appointed, to fend an express or express for the Sheriff or Sheriffs who shall fail to attend as aforesaid, for the purpose of procuring him or their attendance with a list of the poll or polls, in order that the name may be added to and compared with the other polls of the district. And the expence of such express or expresses shall be paid by the Sheriffs who shall fail to appear, unless he or they shall declare on oath, that he was prevented from attending by reason of sickness occurring on the road, or immediately at the time of leaving home; in which case, the expences and charges of such express or expresses shall be paid by the Public Treasurer. That if the Sheriffs failing to attend at the hour of ten o'clock as herein directed, shall not appear by sun-fet of the same day, the Sheriffs attending shall proceed to compare, by comparison and addition, the polls of their several counties, and each of them shall take a list of the number of votes given for the several candidates for whom votes shall appear to have been given in any of their respective counties; after which, they shall adjourn from day to day for the purpose of receiving the polls of the absent Sheriffs, until sun-set of the Thursday following the day appointed for their meeting; at which time, or at any time previous, if all the Sheriffs shall attend, they shall proceed to make out the certificate for the person...
appearing to have the greatest number of votes, as directed by the act herein before recited, adding the polls returned by any sheriff who shall not have been present at the first addition and comparison, and purifying in all other respects the directions of said act.

II. And be it further enacted, that in case any sheriff shall fail to attend at the hour of ten o'clock of the day at the place appointed for his attendance in his election district, he shall forfeit and pay the sum of five hundred pounds, to be fixed for and recovered by the Attorney or Solicitor-General, in the name of the Governor, in an action of debt in the superior court of the district in which such delinquent sheriff shall reside; and the same, when received, shall be applied to and for the use of the State.

CHAP. IV.

An Act to appoint and empower Commissioners to contract with any person or persons for the purpose of opening and establishing a Turnpike issued to pass through part of the territory belonging to the Cherokee Indians.

BE it enacted by the General Assembly of North-Carolina, and it is hereby enacted by the authority of the same, That from thence after the passing of this act, John Forges, John Welch, James M’Kee, John M’Farland, Hugh Davidson, John Stevenson and Thomas Love, be, and they are hereby appointed commissioners, or a majority of them, to mark and lay off a road from the line that divides this State from the State of Tennessee, by an estimation about fourteen miles, to where the same shall intersect with a road laid off by order of the county court of Buncombe, leading to Scott’s Creek.

II. And be it further enacted, That the said commissioners, or a majority of them, shall have full power and authority to contract with any person or persons for the purpose of opening and keeping the said road in repair, by the way of a turnpike, not exceeding fifteen years.

III. And be it further enacted, That whenever the undertaker or undertakers of said road shall have completed their contract, to the satisfaction of the aforesaid commissioners, or a majority of them, that the first court which shall thereafter happen in the county of Buncombe, that a majority of the acting justices of the county court aforesaid, or any seven of them, shall proceed to rate the different tolls of said turnpike, and such toll, then rated, shall be permanent during the said term of fifteen years, entered into by the said undertaker or undertakers with the commissioners aforesaid, or a majority thereof.

IV. And be it further enacted, That the aforesaid undertaker or undertakers shall be under the directions of the county court aforesaid, as in case of overseers of public roads.

V. And be it further enacted, That if in case any person or persons at any time should forcibly break through or round the said turnpike, to avoid payment of such toll or tolls, they shall forfeit the sum of forty shillings, recoverable before any justice of the peace in and for the county aforesaid, to the use of said owner or owners.

VI. And be it further enacted, That if any person or persons falling of timber, or putting in other obstructions in the said road, or cutting paths or ways round the turnpike aforesaid, leading the same into the said road, as might tend to the damage of said undertaker or undertakers, shall forfeit and pay the sum of five pounds, recoverable before any justice of the peace of the county aforesaid, and applied as the above mentioned fines.

CHAP. V.

An act to amend and repeal in part, an act passed in the year one thousand seven hundred and eighty nine, entitled "An act to establish an University in this State."

WHEREAS by the sixth section of the before recited act, the board of Trustees of the University are vested with the power of filling up any vacancy or vacancies which may happen in that body by the death, refusal to act, resignation or removal out of the State, of any of the Trustees for the time being, or to appoint new Trustees when a majority or any fifteen members of the board, may think proper. And whereas it would tend to render the institution more conformable to the wishes of the people, if the power of filling up such vacancy or vacancies and making such new appointment or appointments should be vested in the Legislature.

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 sixth section of the before recited act be, and the same is hereby repealed and made void.

II. And be it further enacted, That whenever any vacancy or vacancies as aforesaid shall happen, that the General Assembly shall proceed to elect a proper
and suitable person or persons to fill the same by joint ballot of both Houses, and it shall be the duty of the secretary of the board of Trustees, to make known to the General Assembly at each annual session such vacancies as may happen during their recess.

The General Assembly may also appoint additional Trustees.

When the law shall take effect.

III. Be it further enacted, That the General Assembly shall, whenever they deem it expedient for the interest of the said institution, appoint as aforesaid, any additional Trustees which they shall think proper: Provided always, that the number of Trustees shall at no time exceed eight in each superior court district, any law to the contrary notwithstanding.

IV. Be it further enacted, That this law shall take effect from and after the ratification thereof.

CHAP. VI.

An Act giving further time for registering grants, proving deeds and mesne conveyances.

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 for lands entered under the present Government, all deeds, mesne conveyances of lands, tenements and hereditaments, not already proved and registered, shall and may, within two years after the passing of this act, be made to register, under the same rules and restrictions as heretofore appointed by law; and said grants, deeds, mesne conveyances of lands, tenements or hereditaments, shall be as good and valid, as if they had been registered, within the time heretofore allowed by law; any law, usage or custom to the contrary notwithstanding.

CHAP. VII.

An Act to revive, amend and continue in force, certain acts for ceding to the United States the lands therein mentioned.

WHEREAS the times limited by the acts of one thousand seven hundred and ninety-four, and one thousand and seven hundred and ninety-eight, for erecting Fortifications on the lands thereby ceded, are expired; and the General Government is proceeding without delay, to finish a Fort on Cape Fear River, upon the public ground laid off agreeably to law, by the Commissioners of Smithville:

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 ground so laid off by the said Commissioners, shall continue to be, and the same is hereby ceded to the United States of America, with the exclusive jurisdiction, except as is hereinafter excepted, of what is occupied by the Fort and works, upon condition that the Fort now building shall be completed on or before the first day of January, one thousand eight hundred and six.

And whereas also, it is expedient that the Government of the United States should be encouraged to fortify the ports or harbours of this State, at the general expense.

II. Be it further enacted, That in case of purchase from a citizen or citizens thereof by the National Government, of any points, head-lands or islands, which may be deemed necessary for the defence of any River or Harbour in the State, that the said points, head lands or islands, with the exclusive jurisdiction thereof, except as is hereinafter excepted, be, and the same is or are hereby ceded to the United States of America, on condition that Fortifications be erected on such places, within three years from the time of the purchase, and be continued and kept up forever thereafter, for the public use and defence; and that the quantity of ground in each case shall not exceed five acres.

III. And be it further enacted, That no cession herein made shall be so confirmed as to prevent any officer of the State from serving process or levying executions agreeably to the laws hereof, within the limits ceded by, or in pursuance of this act, to the United States, in the same manner, and to the same effect, as if the same was never passed.

IV. And be it further enacted, That all acts and clauses of acts coming within the meaning and purview of this act, or contrary thereto, shall be and the same are hereby repealed and declared void.

CHAP. VIII.

An Act to amend an act, passed at Raleigh, one thousand eight hundred and three, to raise the Jurisdiction of a single Justice of the Peace out of court.

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of
this act, that if any person, under any pretence whatever, shall bring a suit in 1804,
any of the courts of this State, for any sum under thirty pounds, which is cogniz-
able before a single Justice, unless the principal and interest shall exceed the sum of
thirty pounds, that this act may be plead in abatement thereof; any law ulager
or custom to the contrary notwithstanding.

II. And it is further enacted, That the Constables who hereafter may be appoint-
ed, shall give bond and security in the sum of five hundred pounds under the
same rules, regulations and restrictions as are already provided by law.

CHAP. IX.

An Act to repeal part of the fourteenth clause or section of an act, entitled "An act to
remedy certain inconveniences arising under the present land laws," passed at the
session of the General Assembly begun and held on the twenty-fifth day of November,
one thousand seven hundred and ninety-six.

RE it enacted by the General Assembly of the State of North-Carolina; and it is
hereby enacted by the authority of the same. That that part of the said fourteenth
clause or section which relates to the perfecting titles on entries afterwards to be
made, to wit, "And in all cases of entries which may be hereafter made, it
shall be the duty of the claimant or owner, surveying the same as aforesaid, to
complete his title by taking out a grant for the same, or so much thereof as may
be found to be vacant land, within two years from the date of such entry, other-
wise such entry and claim shall then become utterly null and void, so far as
relates to the property in the said land, and the lands included therein shall be
held and deemed vacant land to all intents and purposes, as fully as if such entry
had never been made," be, and the same is hereby repealed and made void.

II. And it is further enacted, That this act shall take effect from the ratifi-
cation thereof.

CHAP. X.

An Act giving further time to pay the purchase money to the State on the entries of land
therein mentioned, and fixing the times within which the purchase money on all entries
which shall be made after the first day of January, one thousand eight hundred and five,
shall be paid into the public treasury.

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 bona fide Entries of lands
in this State, which have been paid for as by law directed, shall have until the
first day of October, one thousand eight hundred and eight, to make surveys and
return them into the Secretary's Office.

II. And it is further enacted, That this act shall be in force from the ratifica-
tion thereof.

CHAP. XI.

An Act giving further time to pay the purchase money to the State on the entries of land
therein mentioned, and fixing the times within which the purchase money on all entries
which shall be made after the first day of January, one thousand eight hundred and five,
shall be paid into the public treasury.

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 persons who have made en-
tries of claim for lands with any of the entry-takers in this State, in the years one
thousand eight hundred, one thousand eight hundred and one, one thousand
eight hundred and two, one thousand eight hundred and three, and one thousand
eight hundred and four, and have not paid the same, shall have until the meeting of the next General Assembly to pay the purchase money into the treasury of the State; and all entries of claim for lands made in the said years, which shall not be paid for on or before that day, shall lapse and revert to the State; and the lands so entered and not paid for, as aforesaid, shall henceforward be held vacant and unappropriated lands.

II. And it is further enacted, That all persons who have made, or shall make
entries of claim for lands with any of the entry-takers of this State, in the present
year, that is to say, in the year one thousand eight hundred and four, and shall not
sooner pay for the same, shall have until the second day of the meeting of the General Assembly in the year one thousand eight hundred and six, to pay the purchase money into the treasury of the State; and all entries of claim for lands so made in the said year, which shall not be paid for on or before that day, shall lapse; and the lands so entered, and not paid for, shall revert to the State, and
shall henceforward be held vacant and unappropriated.
III. And be it further enacted, That for all entries of claim for lands which may be made with any of the entry-takers in this State, from and including the first day of January, one thousand eight hundred and five, to and including the first day of December next following, the entries shall have until the first day of November, which shall happen in the year one thousand eight hundred and eleven, to pay the purchase money into the public treasury.

IV. And be it further enacted by the authority aforesaid, That the fixed and standing law in future shall be, that all entries of land made in the course of any one year, shall, in every event, be paid for on or before the first day of November, which shall happen in the second year thereafter; otherwise all entries of claim for lands so made, as aforesaid, and not paid for on or before the first day of November, which shall happen in the second year after making the same, shall lapse, and the lands so entered shall revert to the State, and shall be free, as shall all other entries which become lapsed by and under this act, for any person or persons to enter as vacant and unappropriated, any law to the contrary notwithstanding.

CHAP. XII.

An Act to amend an act, entitled "An act appointing Commissioners to extend the boundary-line of this State, and the State of South-Carolina," passed at Raleigh, in the year one thousand eight hundred and three.

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 Governor for the time being, and his successor, shall be and is hereby vested with full power and authority to enter into any compact or agreement, that he may deem most advisable for the interest of this State, with the Legislative or Executive powers of the States of South-Carolina and Georgia, relative to the establishing permanently, the boundary-line between this State and the said States of South-Carolina and Georgia, and for the extension of the same: Provided nevertheless, that nothing herein contained shall be so construed as to affect any part or clause of the above recited act.

CHAP. XIII

An Act to amend an act, entitled "An act empowering the County Court of Pleas and Quarter-Sessions to direct the Secretary of State to correct certain patents or grants therein described, when there have been errors by the Surveyor in the returns, or by the Secretary in issuing the same."

WHEREAS doubts have arisen whether from the wording of the said act, the benefits therein given can be extended to any other persons than the patentee or claimant in whose name grants are or have been issued,

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 benefits granted by the said act, to the patentees of land, shall be extended in all cases to every person claiming by, from on under their grant or grants, either by descent, devise or purchase.

II. And be it further enacted, That when any error is ordered to be rectified, and the same has been carried through from the grant into the public conveyances, the court making such order, shall direct that a copy thereof be recorded in the register's books of the county, for which service the register may demand and receive the sum of two shillings.

CHAP. XIV.

An Act to amend an act passed by the last General Assembly, entitled "An act for establishing a Mutual Insurance Society against fire on buildings goods and furniture in this State."

WHEREAS doubts have arisen in the minds of some persons whether it was the intention of the Legislature in the above recited act, to fix the board of direction of the said Mutual Insurance Society in the city of Raleigh, notwithstanding the aforesaid provision is made for holding the general meetings of said Society in said city, and all suits against said Society are required to be brought in the county court of Wake, and the Mutual Insurance Plan being intended for the equal convenience of the State at large, it is requisite that the concerns of the Society be managed at the seat of government, which is town central and convenient,

BE it therefore enacted by the General Assembly of the State of North-Carolina, and

An Act directing in what cases bail shall be given in actions of Ejectment.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That in all actions of ejectment, the person or persons, shall enter into bond, to answer the serving of writs, the return of which, is made returnable; and abide by the determination of the court, in which the same shall be made returnable; and be made returnable, and liable to the public use.

II. And be it further enacted, That nothing herein contained shall be construed to bar or hinder any of the officers of this State from serving any process or levying executions within the limits of which the jurisdiction is by this act ceded to the United States, in the same manner and to the same effect as if this act had never been made.

An Act directing in what cases bail shall be given in actions of Ejectment.

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 upon the return of any writ of ejectment to any court having cognizance thereof, the real plaintiff in said writ, his agent or attorney, at the return-court of said writ, shall enter into bond with the clerk of the court to which said writ shall be returned, and have the same and all costs and damages as shall be awarded for failure thereof.

II. And be it further enacted, That the said jurisdiction is ceded to the United States upon the express condition that a light-house shall be erected thereon within five years, and be continued and kept up forever thereafter, for the public use.

III. And be it further enacted, That nothing herein contained shall be construed to bar or hinder any of the officers of this State from serving any process or levying executions within the limits of which the jurisdiction is by this act ceded to the United States, in the same manner and to the same effect as if this act had never been made.

An Act to cede to the United States the jurisdiction of the land therein mentioned.

WHEREAS the Congress of the United States, at their last session, passed an act providing among other things, for the erection of a light-house on or near the pierch of Cape Look-out, in this State, and it is expedient that the United States should have exclusive jurisdiction of the land whereon the same is to stand;

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 jurisdiction of four acres of land lying near the pierch of Cape Look-out, in the county of Carteret, in this State, beginning at a cedar and running north eighty three degrees, east twenty five poles and four tenths of a pole to a pine, then south seven degrees, east twenty five poles and four tenths of a pole to a pole, then south eighty three degrees, west twenty five poles and four tenths of a pole to a pine, and thence to the beginning, shall be, and is hereby ceded to the United States, as soon as they shall obtain the title thereof from the proprietor or proprietors.

II. And be it further enacted, That the said jurisdiction is ceded to the United States upon the express condition that a light-house shall be erected thereon within five years, and be continued and kept up forever thereafter, for the public use.

III. And be it further enacted, That nothing herein contained shall be construed to bar or hinder any of the officers of this State from serving any process or levying executions within the limits of which the jurisdiction is by this act ceded to the United States, in the same manner and to the same effect as if this act had never been made.
An Act to relieve certain inhabitants of Mecklenburg county, and other citizens of this State.

WHEREAS by an act of the General Assembly passed at the city of Raleigh in the year 1794, entitled "An Act more liberally to endow the University of North Carolina, and secure the titles of certain inhabitants of Mecklenburg county, and other citizens of this State, to certain lands heretofore purchased from Henry Eustace M'Cuilloc," it is enacted, 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, and 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 said University. And with respect to lands which had been sold by the said Henry Eustace M'Cuilloc, and for which he had taken bonds or mortgages previous to the fourth day of July, in the year one thousand seven hundred and seventy six, in the second section of the above mentioned act, it is enacted, that so much 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 ways and means, both in law and equity, to convey and assure to the equitable owners and claimants of such lands, a good and sufficient title in law, to the lands so purchased or mortgaged as aforesaid, such as the said 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 due on such purchase or mortgage; Provided, that the interest to be received from such claimants, shall in no instance exceed the principal; nor shall interest in any case be calculated during the war. And in the fourth section, of said act, it is further enacted, "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 use and purposes expressed in this act, for the term of ten years, at the expiration of which time, the principal thereof, after deducting the charges of collection, shall besubject to the direction and disposition of the General Assembly. And whereas the said trustees of the University of North Carolina, by themselves, their agents or attorneys, in pursuance of the said act, have received from the inhabitants of Mecklenburg county, and other citizens of this State, considerable sums of money which were due for lands purchased from or mortgaged to the said Henry Eustace M'Cuilloc, and by said act granted to and vested in the said trustees and their successors, which said sums of money, the said inhabitants of Mecklenburg county and other citizens of this State, by reason of a recent adjudication in the Court of Conference of this State, are held and considered still liable for and bound to pay to the said Henry Eustace M'Cuilloc, his agent or attorney, notwithstanding they have heretofore paid the same, or become bound to pay the same, to the said trustees and their successors, whereby they may be compelled to pay a second time the debts contracted with the said Henry Eustace M'Cuilloc. And whereas, it has been represented to this General Assembly, that the sums of money received by the trustees of the University, their agents and attorneys, on account of the lands sold by and mortgaged to the said Henry Eustace M'Cuilloc, and also the greater part of the monies received by the said trustees from other sources, have from time to time been invested in flocks of the United States; by which means, they the said trustees, have not in possession a sum sufficient to meet and discharge the demands which may be made on them by the said inhabitants of Mecklenburg county and other citizens of the State, on account of the liability to the said Henry Eustace M'Cuilloc as aforesaid. And whereas, it is but just that they should be indemnified: 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 Treasurer of this State shall, and he is hereby authorized and directed to pay out of any monies in the public treasury which he, or they may have paid to the said trustees of the University, their agents or attorneys, on account of lands sold by, or by virtue of mortgages made to the said Henry Eustace M'Cuilloc, under the act herein before recited,
with lawful interest thereon from the time the several sums of money were respectively paid: Provided nevertheless, that the whole sum paid out shall not exceed the sum of four thousand five hundred pounds: Provided also, that no person shall be entitled to receive any sum of money by virtue of this act, without producing by him or herself, or by his or her attorney legally authorized for that purpose, to the Public Treasurers, a receipt or receipts from the said trustees, or some one of their agents or attorneys, for the sum or sums of money which he, she or they may have paid as aforesaid: or in case the money shall have been paid in pursuance of any judgment rendered in behalf of the said treasurers, on any suit or suits by them brought on account of debts due for lands of the said Henry Euflace M'Culloch, fold or mortgaged as aforesaid, without producing to the Public Treasurers, a transcript of the record of said judgment, or so much thereof as shall be satisfactory to the said Treasurers, with a certificate of the clerk of the court wherein the same was rendered, stating the amount paid on account thereof.

II. And be it further enacted, That the board of trustees of the University of North-Carolina shall, during the present session of the General Assembly, make a report, in which shall be stated the amount collected for lands sold by, and mortgages made to the said Henry Euflace M'Culloch, and the disbursements and expenses attending the collection; and that so much of the stock of the United States belonging to the said board of trustees, as shall be equal in amount to the nett sum collected by them, their agents or attorneys, shall be, and the same is hereby declared to be paid to the citizens of Mecklenburg, and others.

III. And be it further enacted, That the board of trustees shall cause to be transferred such amount of their stock as shall be equal to the sum contemplated, as above mentioned in the last enacting clause; and herein pledged; and until such transfer is made, the Treasurer shall not pay any sum or sums authorized and directed by this act to be paid to the citizens of Mecklenburg, and others.

CHAP. XVIII.

An Act to continue in force an act passed in the year one thousand eight hundred and one, entitled "An act to continue longer in force and to amend an act passed in the year one thousand seven hundred and ninety-nine, entitled An act directing the Judges of the Superior Courts to meet together to settle questions of law or equity arising on the circuit, and to provide for the trial of persons concerned in certain frauds."

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, an act of the General Assembly, passed in the year one thousand eight hundred and one, entitled "An act to continue longer in force and to amend an act passed in the year one thousand seven hundred and ninety-nine, entitled An act directing the Judges of the Superior Courts to meet together to settle questions of law or equity arising on the circuit, and to provide for the trial of persons concerned in certain frauds," be, and the same is hereby declared to be in full force and virtue: And that the Judges shall so arrange the ridings among themselves, that one of the Judges of the Superior Courts shall attend any of the Superior Courts of law and equity, that they shall interchange their ridings alternately, so that no one of them shall attend the same court, or any one of said courts, twice in succession. And one Judge of the said courts shall hereafter have full power and authority to hold said courts, and determine all causes both in law and equity, depending, or hereafter to depend in the same, and to do every thing therein which the same may require.

II. And be it further enacted, That the Judges of the said Court of Conference shall not only reduce their opinions to writing, and file the same in the Clerk's Office, as hereafter directed by law, but that the Judges of the said court shall likewise, when their opinions are made, deliver the same "viva voce" in open court. That the said court shall be deemed a Court of Record, and that the papers and records belonging to the clerk's office of said court, shall hereafter be constantly kept within the city of Raleigh; any thing to the contrary notwithstanding.

CHAP. XIX.

An Act specifying the duties and salary of Public Printers. WHEREAS doubts have arisen with respect to the duties to be performed by the Public Printer under the annual salary allowed him by law:

Be it enacted by the General Assembly of the State of North-Carolina, and it is
1634.  
Prisoner's day:  

hereby enabled by the authority of the same, That it shall be the duty of the Public Printer to print a sufficient number of the Journals of each session of the General Assembly to supply each member thereof with one copy, and the offices of the Governor, Treasurer, Secretary and Comptroller, with each a copy, and one other copy for each of the Clerks of the General Assembly, a sufficient number of the Acts passed at each session to serve each Member of the General Assembly with one copy, also one copy for each of the State public offices and clerks as aforesaid, one copy for every Judge and Clerk of the superior courts, one for the Attorney and Solicitor-General each, one for every Clerk and Master in Equity, and one copy for every Justice of the Peace, County-court Clerk, Sheriff and Coroner throughout the State, and one copy for the Executive of each State in the Union. It shall also be the duty of the Public Printer, without making any extra charge therefor, to print for the use of the two Houses of the General Assembly whilst in session, copies for every member thereof of the rules of their respective houses, and of such public bills, resolutions, reports or messages, as they may from time to time direct, as well as a copy of the titles of the laws passed at the close of each session, certificates for the attendance of the members, and alphabetical lists of the names of the members for the use of the clerks. And it shall be the further duty of the Public Printer, to publish in the State-Gazette, as soon as may be after the close of each session, all the acts of a public nature which have been passed, as well as any Proclamation which may at any time be issued by his Excellency the Governor of this State.

The laws and journals.  

II. And it be further enacted, That it shall be the further duty of the Public Printer, to have the Laws and Journals of each session printed, and ready for delivery, within ninety days from the close of every session; and when thus finishe and addressed to every Member of Assembly, Judges, Justice of the Peace, and others entitled to receive them, that he cause them to be packed up in parcels for each county, and delivered by trustworthy persons employed for the purpose, to the Clerks of every county court in this State; or in the absence of such clerk, to some proper person in his behalf, whose receipt for the same he shall deliver to the Comptroller, before he shall be considered as having fulfilled the duties of his office.

Salary.  

III. And be it further enacted, That the Public Printer shall be allowed the sum of six hundred pounds annually, in full compensation for the aforesaid enumerated services, together with an extra allowance of forty shillings for each and every county in the State, for distributing the Laws and Journals as herein before directed; which shall be paid him, one half thereof at the close of each session of the General Assembly, the other half whenever he shall produce to the Comptroller receipts certifying that he hath fully complied with the provisions of this act in the distribution of the laws and journals aforesaid.

Allowance for delivering the laws, etc.  

IV. And be it further enacted by the authority aforesaid, That all acts and clauses of acts that come within the meaning and purview of this act, are hereby repealed and made void.

CHAP. XX.

An Act for the relief of foreign Seamen brought into the port of Wilmington.

WHEREAS it frequently happens that some of the seamen composing the crews of foreign vessels arriving in the port of Wilmington, are discharged from their vessels by reason of sickness or incapacity for duty, and are left in the town of said port in a sick and helpless condition, without any means of support, whereby they suffer for want of relief, and in many cases become burthensome to the inhabitants of said town: For remedy whereof,

Masters' or vessel, whilst in port, be entitled to exhibit lists of their crew before allowed an entry.

And also before they clear out.

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the master or commander of every foreign vessel which shall enter the port of Wilmington, shall exhibit to the harbour-master of said port, on oath, which the said harbour-master is hereby authorized to administer, a list of his crew or ship's company, a copy of which list, with the certificate of the said harbour-master that the same has been sworn to, the said captain or commander shall exhibit to the collector of the said port of Wilmington, before he shall be entitled to an entry at the custom-house; and before he shall be entitled to clear out his vessel from said custom-house, the said captain shall exhibit on oath as aforesaid to the said harbour-master, a list of the crew or ship's company with which he intends to leave the said port; and if any of the seamen which made a part of the ship's crew or company on her arrival, shall not appear on said list, the said captain shall declare on oath the cause thereof,
and if it shall appear that any of them have been discharged or put on shore by reason of sickness or incapacity to perform duty on board said vessel, then and in that case, the said captain, his owner or consignee, shall enter into bond with sufficient security, to be judged of by the said harbour-master, payable to the wardens of the poor for the county of New-Hanover, in the sum of one hundred pounds for each and every seaman discharged or put ashore as aforesaid, conditioned that each and every seaman so discharged or put ashore, shall be supported and taken due care of until his health is so restored as to be in a condition, by his labour or by any trade which he may profess, to earn or procure a subsistence.

II. And be it further enacted, That the bonds taken in pursuance of this act shall, by the harbour-master of the said port of Wilmington, be delivered over to the wardens of the poor of the county of New-Hanover; and in case of the failure of the obligors to support the seamen for whose support they shall have become bound, the said wardens shall administer support and relief to the same as paupers of the county. And the said wardens of the poor shall, and are hereby authorized and empowered, in case of failure as aforesaid, in their name as wardens of the county of New-Hanover, to institute and prosecute suit or suits on said bonds in any court of record having jurisdiction thereof; and the sum recovered shall be considered and applied as a fund to and for the use of the poor of said county; and a demand made by the said wardens by themselves, their agents, or attorneys, on the said obligors, or any one of them, and a refusal to advance the sum which shall be required for one month's support of any of such seamen, shall be received and considered as sufficient evidence of the failure and breach of the conditions of any bond given as aforesaid, in any court in which a suit thereon shall be tried and prosecuted.

III. And be it further enacted, That this act shall not be in force until the same is ratified and confirmed by an act of the Congress of the United States.

**CHAP. XXI.**

An Act for establishing a Bank in the town of Wilmington.

WHEREAS the increase of population and commerce in the districts of Wilmington and Fayetettville, render it expedient that a Bank should be established for their accommodation in the town of Wilmington:

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That a Bank shall be established in the town of Wilmington, the capital stock whereof shall not exceed two hundred and fifty thousand dollars, divided into shares of one hundred dollars each; but in the mean time, subscriptions towards constituting one hundred thousand dollars of said stock shall be opened; and in case of the failure of the subscribers to conform to the terms of this act, the Bank shall be dissolved.

The subscribers shall be received and considered as sufficient evidence of the failure and breach of the conditions of any bond given as aforesaid, in any court in which a suit thereon shall be tried and prosecuted.

**Subscriptions to be opened.**

II. And be it further enacted, That the amount of the share or shares subscribed for, shall be paid by the several and respective subscribers in gold or silver, one fourth thereof at the time of subscribing, to the said commissioners, and one fourth within sixty days after the Bank shall go into operation, one fourth within one hundred and twenty days, and one fourth in six months, to the Bank directors for the time being: Provided always, That it shall be lawful for any subscriber to pay the whole of his subscription-money, or any greater part than is hereby required, before the time limited for the same; and each and every subscriber paying in advance, shall have a discount at the rate of five per cent per annum on such advance, computing from the commencement of the operation of the said Bank; and any person or persons failing to pay any installment at the time herein appointed, shall forfeit to the corporation the sum or sums by him or them before paid, failure to pay which shall thenceforth cease to be a member thereof; and it shall be competent for

**Forfeiture on payment.**

**Subscriptions to be paid in gold or silver.**

**When paid.**
the corporation to supply any deficiency occasioned by any such delinquency, by sale or otherwise, as they may deem proper.

III. And be it further enacted, That the subscribers to the said Bank, their successors and assigns, shall be, and are hereby created and made a corporation and body politic, in law and in fact, by the name and style of "The President, Directors and Company of the Bank of Cape Fear," and shall continue until the first day of January, one thousand eight hundred and twenty, and by the name and style aforesaid, they shall be, and are hereby made able and capable in law, to have, purchase, receive, possess, enjoy and retain, to themselves and their successors, lands, rents, tenements, hereditaments, goods, chattels and effects, to an amount not exceeding in the whole including the amount of the capital flock aforesaid, six hundred thousand dollars, and the same to sell, grant, demise, alien or dispose of, to use and be used, impiaed, and be answered, defend and be defended, in courts of record or any other place whatsoever; and also to make, have and use, a common seal, and the same to break, alter and renew at their pleasure; and also to ordain, establish and put in execution, such by-laws, ordinances and regulations, as shall seem necessary for the government of the said corporation, not being contrary to the constitution of this State, or of the United States, or of the said corporation; for which purpose, general meetings of the stockholders shall and may be called by the directors as hereinafter specified; and generally to do and execute all such acts, matters and things as to them shall and may appear necessary; subject nevertheless to the rules, regulations and restrictions hereinafter declared and prescribed.

IV. And be it further enacted, That for the well ordering of the affairs of the said corporation, there shall be eleven directors, being citizens of this State, of whom at least seven shall be residents of Wilmington, or within fifteen miles thereof, elected yearly by the stockholders, at a general meeting to be held annually at Wilmington, on the first Monday in January; provided the first election of directors shall not be included in the before-mentioned general regulation, but shall be held at the time and in the manner hereinafter directed; and provided that in case of the death, resignation or absence from the same, of any director, his place shall not be filled up by a new choice for the remainder of the year by a majority of the directors.

V. And be it further enacted, That on the first day of May next, and every thirty days thereafter, if the subscription shall not be sooner closed, the commissioners appointed at Fayetteville, shall transmit and deliver to the commissioners appointed at Wilmington, a list of the several subscribers at such place, and the shares or shares to each and every subscriber belonging, together with the full amount of the subscription money by the said commissioners received as aforesaid; for which amount the receipt in writing of the said commissioners appointed in and for the town of Wilmington, or a majority of them, shall be a sufficient acquittance and discharge to the persons respectively paying the same; and as soon as the sum of twenty-five thousand dollars in the manner aforesaid shall be actually received on account of the subscription to the said capital flock of the said bank, notice thereof shall be given by the commissioners appointed in and for the town of Wilmington, in the Wilmington and State Gazettes, and the persons so furnished with such notice shall at the same time notify a time and place within the said town at the distance of twenty days from the time of such notification, for proceeding to the choice of directors; and it shall be lawful for such election to be then and there made, and the eleven persons who shall then and there be chosen, shall be the first directors and shall be capable of serving until the first Monday in January thereafter, or until their successors shall be duly elected; and the said directors shall forthwith commence the operations of the said bank at the town of Wilmington.

VI. And be it further enacted, That it shall be lawful for the corporation to establish a branch of said bank, whenever they shall think fit, and in the town of Fayetteville, for the purpose of discount and deposit only, and upon the same terms and in the same manner as shall be practised at the bank in Wilmington, and to commit the management of the said office or branch, and the making of the said discounts, to such persons under such agreements, and subject to such re-
VII. And be it further enacted, That the directors for the time being shall have power to appoint such officers, clerks, and servants under them, as they shall deem proper, and regulate their respective duties and compensation, and shall be capable of exercising such other powers and authorities as shall be described, fixed, and determined by the laws, regulations and ordinances of the corporation.

VIII. And be it further enacted, That the following rules, restrictions, limitations and provisions, shall form and be the fundamental articles of the constitution of the said corporation: The number of votes to which each stockholder shall be entitled, shall be according to the number of shares he shall hold, one vote for each share; they shall have a right to vote by proxy, he being a stockholder: No director shall receive any emolument; the stockholders may allow a salary or other compensation to the President: No less than five directors shall constitute a board for the transfer of business of whom the President shall always be one, unless in case of sickfits or necessary absence, he shall appoint by a written instrument a director to fill his place: A number of stockholders, not less than twenty-five, being altogether owners of fifty shares, shall have power to demand a general meeting, and the President shall call one within thirty days after the communication of their request: Every cashier shall give bond and security before he enters on the duties of his office, in the sum of ten thousand dollars, and the other officers, clerks or servants of the corporation, shall give such security as the directors shall require: The stock of the said corporation shall be transferable and alienable, according to such rules and regulations as the corporation shall, from time to time, make for that purpose: Bills, bonds and notes subscribed by the President and countersigned by the cashier, shall be binding and obligatory upon the corporation: Half-yearly dividends shall be made of such part of the profits of the Bank as shall appear advisable: The total amount of notes emitted or thrown into circulation by the said corporation, together with their debts of every description, shall not at any time exceed the sum of two hundred and fifty thousand dollars, over and above the monies then actually deposited in the Bank for safekeeping; and in case of excess, the directors under whose administration it shall happen, shall be liable for the same in their private capacities, and in case of excess, the directors under whose administration it shall happen, shall be liable for the same in their private capacities, and shall not at any time exceed the sum of seven hundred and fifty thousand dollars; and the other officers, executors or administrators, in any court of record, by any creditor or creditors of the said corporation, and may be prosecuted to judgment and execution; any condition, covenant or agreement to the contrary notwithstanding: Provided, that any of the directors who may have been absent, or have differed from the resolution or act whereby such excess was contrived or created, may respectively exonerate themselves from being liable, by forthwith entering their protest with and before a notary public, and to the stockholders at a general meeting, which they shall have power and are hereby required and directed to call for that purpose: None but a stockholder, being a citizen of this state, shall be eligible as a director: The lands, tenements and hereditaments which it shall be lawful for the said corporation to hold, shall be only such as shall be requisite for its immediate accommodation in relation to the convenient transfer of its business, and such as shall have been bona fide mortgaged to it by way of security, or conveyed to it in satisfaction of debts previously contracted in the course of its dealings, or purchased at sales onjudgments, which shall have been obtained for such debts: Nor shall this corporation, directly or indirectly, deal in trade in any thing except bills of exchange, gold or silver bullion, or in the sale of goods really and truly pledged for money lent and not redeemed in due time, or in goods the produce of its lands; neither shall the said corporation take more than the rate of a half per centum for thirty days, for or on account of its loans or discounts.

IX. And be it further enacted, That it shall and may be lawful for the State of North-Carolina, at any time within three years from and after the passing of this act, to become interested in said Bank, to an amount not exceeding two hundred and fifty shares of one hundred dollars each; and on the payment into the said Bank by the State for any shares she may deem it advisable so to take, it shall be lawful thence forward for the said corporation to issue notes founded on...
An Act to incorporate the Newbern Marine Insurance Company, and to establish a Bank in said town.

WHEREAS James M'Kinlay and others, associated as a company, under the style of the Newbern Marine Insurance Company, have prayed to be incorporated,

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 such persons as now are, or hereafter shall be stockholders of said company, shall be, and are hereby constituted, ordained and declared to be, a body politic and corporate, by the name of "The Newbern Marine Insurance Company," and that by that name, they and their successors shall have perpetual succession, and shall be capable of suing and being sued, pleading and being impleaded, answer and being answered unto, defend and being defended, in all courts and pleas whatsoever; and that they and their successors may have a common seal, and change and alter the same at their pleasure; and be capable of purchasing, holding and conveying any estate, real and personal, for the use of said company.

II. And be it further enacted, That the stock and property, affairs and concerns of said corporation, shall be managed and conducted by eleven directors (one of whom shall be President, and another Secretary) who shall hold their offices for one year, and until others shall be chosen, and at the time of their election shall be stockholders and inhabitants of the town of Newbern, and shall be elected on the second Monday of January in every year, at such time of the day, and at such place in said town, as the directors for the time being shall appoint, and

such extension of capital, in the same ratio as is herein before provided on the original stock created by virtue of this act.

X. And be it further enacted, That the commissioners appointed by this act for receiving subscriptions in the town of Wilmington, shall, immediately after a sufficient number of shares are taken, provide a house for carrying on the business of the Bank, together with all necessary paper, stationery, vauls and utensils suitable to the same, so that as soon as the directors are chosen, the operations of the said Bank may be immediately prosecuted and carried into effect.

XI. And be it further enacted, That in case any person shall be indebted to the said Bank on any bill, bond or note, duly executed or endorsed, in the body of which bill, bond, note or endorsement, it shall be expressly stated that the same shall be negotiable at the said Bank; or shall be indebted to said Bank by reason of or under any acceptance, shall fail to make payment at the time specified, the President or Cashier, or any number of directors as may be appointed by the directors of said Bank, shall cause a demand of payment to be made in writing on such delinquent; and if the money due, shall not be paid within ten days thereafter, the President, Cashier, or any number of directors which may be appointed by the directors of said Bank, may, on motion, either in the Superior Court of Wilmington district, or within any County Court within the said district, of which notice shall be given at the time of making the demand as aforesaid, enter up judgment for such sum as shall appear due on any bill, bond, note or acceptance as aforesaid: Provided always, that if any such delinquent shall, at the Court at which he shall be notified judgment will be moved for against him, demands the whole or any of the same demand to be due, the said Court shall direct an issue to be made up and a jury empanelled, who shall proceed to the trial of the same, and their verdict and the judgment thereon shall be final and conclusive, and from which there shall be no appeal.

XII. And be it further enacted, That nothing herein contained shall be continued to give to the Bank by this act created, any precedence or preference to any Bank which the Legislature may at any time hereafter establish at the towns of Wilmington and Fayetteville, or elsewhere; and the said Bank by this act established, may become a branch (on such terms as may be agreed on) of any general Bank which may be established for this State in the city of Raleigh or elsewhere.

CHAP. XXII.

An Act to incorporate the Newbern Marine Insurance Company, and to establish a Bank in said town.
every stockholder shall, at such election, have a vote for every share he holds, reckoning no share except such as were acquired ninety days before the election; and the persons having the greatest number of votes (a majority of the votes of the stockholders being taken) shall be elected.

That the directors shall meet as soon as may be after every election, and shall chuse the officers and servants of the company, the latter of whom shall be removable at their pleasure, and shall during the year fill up any vacancy that may happen in their own body, or in said officers or servants; but such appointments shall expire on the day of the next annual election; but until the second of January, one thousand, eight hundred and six, Samuel Chapman, Josiah Collins, jun. John Devereux, John Harvey, Mofes Griffin, James M'Kinlay, Francois Xavier Martin, William Sheppard, John Stanly, Isaac Taylor and Alexander Ramsay, shall be Directors, and James M'Kinlay President, and William Sheppard Secretary.

IV. And be it further enacted, That if it should at any time happen, that an election of directors should not be made on any day when, pursuant to this act, ought to have been made, the said corporation shall not therefore be dissolved, but it shall and may be lawful to hold and make an election of directors in such a manner, and at such time, as the laws and ordinances of the corporation may direct.

The President and five Directors shall constitute a board competent for the transaction of business, and have power to make laws and ordinances for the management and disposition of the stock, property, estate and effects of the corporation, the transfer of shares, and the duties and compensations of the secretary and servants employed. They shall also appoint a committee of four directors, any two of whom, with the President, shall have power, on behalf of the corporation, to make insurances, fix premiums, lend money on bottomry or respondentia bonds, mortgages on the personal security of two responsible freeholders, direct the issuing of policies, notes, and all and every instrument of writing that may be necessary and proper in the transaction of the affairs of the company; and all such instruments, subscribed by the President and countersigned by the Secretary, shall bind the property, real or personal, of the corporation; and until the second Monday of February, one thousand, eight hundred and six, John Devereux, Isaac Taylor, John Harvey and Alexander Torrans, shall be the committee of directors.

V. And 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 Bank shall be established in the town of Newbern, the capital stock whereof shall not exceed two hundred thousand dollars, divided into shares of one hundred dollars each; but in the mean time, subscriptions shall be opened in the said town for five hundred shares; on the first day of April next, under the superintendence of James M'Kinlay, John Devereux, Francois Xavier Martin, Isaac Taylor and John Harvey, a majority of which said commissioners shall be competent to perform the duties of their appointment: And they shall keep the subscription books open for the term of ten days; and if the number of shares shall not be subscribed within the said term of ten days, then they shall keep the said books open until the said five hundred shares are subscribed, and no longer: And the corporation by this act created, may, at any future time, open books to receive subcriptions for the remaining fifteen hundred shares, at such time and at such place, and under the superintendence of such persons, as they may deem advisable and expedient. Subscriptions may be made in person, or by proxy in writing.

VI. And be it further enacted, That the amount of the share or shares subscribed for, shall be paid by the several and respective subscribers in gold or silver, one fourth thereof at the time of subscribing, to the commissioners, one fourth within sixty days after the Bank shall go into operation, one fourth within one hundred and twenty days, and one fourth in six months, to the Bank directors for the time being: Provided always, That it shall be lawful for any subscriber to pay the whole of his subscription-money, or any greater part than is hereby required, before the time limited for the payment of the same; and each and every subscriber so paying in advance, shall have a discount at the rate of six per cent per annum on such advance, computing the same from the commencement of the operation of the said Bank.

VII. And be it further enacted, That the subscribers to the said Bank, their successors and assigns, shall be, and are hereby created and made a corporation...
and body politic, in law and in fact, by the name and style of "The President and Directors of the Bank of Newbern," and shall continue until the first day of January, in the year eighteen hundred and twenty, and by the name and style aforesaid they shall be, and are hereby made able and capable in law to have, purchase, receive, possess, enjoy and retain, to themselves and successors, lands, rents, tenements, hereditaments, goods, chattels and effects, to an amount not exceeding in the whole five hundred thousand dollars, including the amount of the capital stock aforesaid, and the same to sell, grant, deme, alien or dispose of; to sue and be sued, plead and be pleaded, answer and be answered, defend and be defended, in courts of record or any other place whatever; and also to make, have and use, a common seal, and the same to break, alter and renew at their pleasure; and also to ordain, establish and put in execution, such by-laws, ordinances, regulations and restrictions, as shall seem necessary and convenient for the government of the said corporation, not being contrary to the laws of this State, or of the United States; and for the making whereof general meetings of the stockholders may be called by the directors in the manner hereinafter specified, and generally to do and execute all acts, matters and things, which a corporation or body politic in law may or can lawfully do and execute; subject to the rules, regulations, restrictions, limitations and provisions hereinafter prescribed and declared.

VIII. And be it further enacted, That for the well ordering of the affairs of the said corporation, there shall be eleven directors, being citizens of this State, elected yearly by the stockholders, at a general meeting to be held annually at Newbern, on the first Monday in January, seven of whom shall reside at Newbern, or within twenty miles thereof; provided that the first election of directors shall not be included in the above-mentioned general regulation, but shall be held at the time and in the manner hereinafter directed; and provided that in case it should at any time happen that an election of directors should not be made on any day when pursuant to this act it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved, but it shall be lawful at any other day within ten days thereafter, to hold and make an election for directors, in such manner as shall have been regulated by the laws and ordinances of the said corporation; and that in case of the death, resignation or absence from the State, of a director, his place shall be filled up by a new choice for the remainder of the year by a majority of directors.

IX. And be it further enacted, That as soon as twelve thousand five hundred dollars shall be actually received on account of the subscription to the said capital stock of the said Bank, notice shall be given thereof by the said commissioners, or a majority of them, in the Gazettes printed in the said town of Newbern; and the same persons shall, at the same time, notify a time and place within the said town, within the diocese of twenty days from the time of such notification, for proceeding to the choice of directors, and it shall be lawful for such choice to be then and there made; and the eleven persons who shall be then and there chosen, shall be the first directors, and shall be capable of serving until the first Monday in January thereafter, by virtue of such choice, or until their successors shall be duly elected. And the said directors shall forthwith thereafter commence the operation of the said Bank in the town of Newbern.

X. And be it further enacted, That the directors for the time being shall have power to appoint such officers, clerks and servants under them, as shall be necessary for executing the business of said corporation, and to allow them such compensation for their services respectively as shall be reasonable; and shall be capable of exercising all such powers and authorities for the well governing of the affairs of the corporation, as shall be prescribed by the laws, ordinances and regulations of the fame.

XI. And be it further enacted, That the following rules, regulations, restrictions, limitations and provisions, shall be and form the fundamental articles of the constitution of the said corporation. No stockholder shall be entitled more than one vote for each and every share he may hold: They shall be entitled to vote by proxy, being a stockholder; No director shall receive any emolument, nor shall any person be a director who is not a stockholder: The stockholders may allow the President a salary, or other compensation: Not less than five directors shall constitute a board for the transact of business, of whom the President shall always be one, except in case of sickness or necessary absence,
in which case his place may be supplied by any other director properly authorized by him by an instrument in writing: A number of stockholders, not less than twenty-five, being altogether owners of fifty shares, shall have power to demand a general meeting, and the President shall call one within thirty days after the communication of their request: Every cashier or treasurer shall give bond and security before he enter on the duties of his office, in the sum of ten thousand dollars, and the other officers, clerks and servants of the corporation, shall give such security as the directors shall require: The stock of the said corporation shall be transferable and alienable, agreeable to such rules and regulations as the corporation shall, from time to time, make for that purpose: Bills, bonds and notes signed by the President and countersigned by the Cashier, shall be binding and obligatory on the corporation; Half-yearly dividends shall be made of such part of the profits of the Bank as shall appear advisable: The lands, tenements and hereditaments which it shall be lawful for the said corporation to hold, shall be only such as shall be requisite for its immediate accommodation in relation to the convenient transacting of business, and such as shall have been bona fide mortgaged to it by way of security, or conveyed to it in satisfaction of debts previously contracted in the course of its dealings, or purchased at sales upon judgments, which shall have been obtained for such debts: Nor shall this corporation, directly or indirectly, deal in or trade in any thing except bills of exchange, gold or silver bullion, or in the sale of goods really pledged for money lent and not redeemed in due time, or in goods which shall be the produce of its lands; neither shall the said corporation take more than at the rate of one half per centum for thirty days, for or on account of its loans or discounts: The total amount of notes emitted or thrown into circulation by the said corporation, together with their debt of every description, shall not at any time exceed six hundred thousand dollars, over and above the monies then actually deposited in the Bank for safe-keeping, unless the contracting of any greater debt shall have been previously authorized by a law of the State; in case of excess, the directors under whose administration it shall happen, shall be liable for the same in their natural private capacities, and an action of debt may be brought against them, or any of them, or their heirs, executors or administrators, in any court of record, by any creditor or creditors of the said corporation, and may be prosecuted to judgment and execution; any condition, covenant or agreement to the contrary notwithstanding. But this shall not be construed to exempt the said corporation, or the lands, tenements, goods or chattels of the same from being also liable for, and chargeable with the said excess; such of the said directors who may have been absent when the said excess was contracted or created, or who may have deserted from the resolution or act whereby the same was created or contracted, may respectively exonerate themselves from being so liable, by forthwith giving notice of the fact, and of their absence or desertion, with and before some notary public, and to the stockholders at a general meeting, which they shall have power and are hereby directed to call for that purpose.

XII. And be it further enacted, That if any person shall become indebted to the said Bank on any bond, bill or note, by him, her or them duly executed or endorsed, with an express consent in writing that the same shall be negotiable at the Bank; or shall be indebted thereto by reason of any acceptance to said Bank, shall fail to make payment when the same shall become due, judgment shall and may be entered, on motion made either in the Superior Court of the district of Newbern, or in any County Court within the said district, for such sum as shall, by the Cashier and President of the said Bank, be stated to be due on any such bill, bond, note or acceptance. Provided always, that before any judgment shall be granted or rendered as herein directed, it shall be made to appear to the satisfaction of the court in which the motion shall be made, that ten days notice have been given to the party or parties against whom the motion is made, which notice shall state the court in which the motion is intended to be made. And provided also, that in case the sum demanded, and for which judgment shall be prayed, shall be contested, in whole or in part, by the debtor, the said court shall immediately direct an issue to be made up and a jury empanelled to try the same, and the verdict of the said jury ascertaining the amount due, and the judgment thereon, shall be final and conclusive.
And be it further enacted, That if the State of North-Carolina shall, at any time within three years, deem it advisable to become invested in said Bank, it shall and may be lawful for the said State to cause to be subscribed therein, an amount not exceeding two hundred and fifty shares of one hundred dollars each, in which case, notes and bills may be issued by said Bank, founded on the extension of capital produced by the subscription and payment in consequence thereof on the part of the State, to a greater amount than before authorized, in the same ratio as on the original capital stock created by this act; but nothing in this act shall be construed to give a preference or precedence to the Bank created by this act to any State Bank which hereafter may be established at the town of Newbern, or elsewhere; and the said Bank may become, on such terms as may be agreed on, a branch of any general State Bank which may be established at the city of Raleigh, or elsewhere.

And be it further enacted, That as soon as five hundred shares shall be subscribed, the commissioners in the town of Newbern may, and are hereby authorized to provide a house for transacting the business of said Bank, together with all necessary stationary, utensils, paper, and vaults for carrying on the business thereof, so that the said Bank may commence its operations as soon as directors shall be appointed.

An Act to continue in force for a longer time an act, entitled "An act for the relief of non-commissioned officers and soldiers of the continental line and militia of this State, who have been disabled in the service of the United States or of this State, during the late war, and who are not placed on the pension-list of the United States, and are barred by the act of limitation," passed in the year one thousand seven hundred and ninety-nine.

Whereas it is represented to this General Assembly, that some of the persons who came within the description and meaning of the above recited act, have, from want of due knowledge thereof, failed to make application for the purpose of being put on the pension-list as therein prescribed: 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 said above-mentioned act, and the same is hereby continued in force for the term of one year, from the riling of the present General Assembly: and that all such persons as shall, within the same term, obtain from any of the Judges of the Superior Courts, a certificate as is directed and required by the said act, shall be entitled to receive the same allowance as he would have been entitled to receive, had he so applied and obtained such certificate within the time limited by the said act.

An Act to amend an act, passed in the year one thousand, seven hundred and eighty-three, so far as respects the Piaes of County Court Judges.

Whereas it is 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 every person summoned to attend as a juror to any of the county courts of this State, who shall fail or neglect to attend said court as a juror, shall forfeit and pay a sum not exceeding five pounds, nor under forty shillings, which forfeiture shall be assessed by the county court to which such person shall be returned as juror, recovered and applied as the aforesaid law directs: Provided, that each delinquent jurymen shall have till the next succeeding term to make his excuse to said court for his non-attendance; and if he shall at the said term render, to the satisfaction of the court, sufficient excuse, such delinquent juror shall be discharged without costs; any law to the contrary notwithstanding.

An Act to amend an act, entitled "An act better to ascertain how witnesses attending in behalf of the State in certain cases shall be paid," passed in the year one thousand eight hundred, and to repeal that part of the same which provides for the payment of witnesses attending in behalf of the State in the courts of pleas and quarter sessions.

Whereas it is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That in all cases where indictments shall be preferred in any of the superior courts, against persons charged with capital offences, the State shall be bound to pay such witnesses as shall be summoned in her behalf, on condition the person charged shall break jail, and shall not afterwards be recaptured.
II. Be it further enacted, That in all cases where nolle prosequi's shall be entered by the Attorney or Solicitor-General for the State, the witnesses who are summoned in behalf of the State and did attend, shall be paid by the State; and the courts are hereby required to enter the names of such witnesses on record, and a certificate of which made by the clerk of the court shall accompany the certificate of allowance, and shall be made under the same rules, regulations and restrictions, as is required by the before recited act.

III. Be it further enacted by the authority aforesaid, That in future no cases shall be considered as coming within the purview of this act, that would not affect the life, limb or member of the person charged in case of conviction, or that would not authorize the court to inflict corporal punishment; and that such offences, and no other, shall be considered as capital offences, and that witnesses already in these cases only shall be paid by the State.

IV. Be it further enacted, That certificates for the attendance of witnesses in behalf of the State for which payment is demanded, shall be presented to the Comptroller for payment within two years after the same shall have been proved in court; and that it shall be the duty of the clerks of the superior courts to annex the witness certificates to the one by them given, fluctuating whether the person charged was tried, convicted or acquitted, as the case may be.

V. Be it further enacted by the authority aforesaid, That so much of the before recited act as authorizes the payment of witnesses in the courts of pleas and quarter sessions be, and the same is hereby repealed and made void, except as to petit larceny.

CHAP. XV.

An Act to repeal so much of the tenth section of an act passed in the year one thousand seven hundred and ninety-five, entitled "An act to amend the laws heretofore passed concerning court-houses and prisons, and to provide for the safe keeping and humane treatment of persons in confinement," as directs the manner of paying guards, and to direct how in future compensation shall be made them.

WHEREAS by the before recited act, the Public Treasurer is required to pay guards over criminals where any of the district gaols are deemed insufficient for the safe keeping of those committed to them, whereby large sums are annually drawn from the public chest, and those districts which have been at the expense of building good and sufficient gaols are again equally taxed with those that have not, which makes the said law unequal in its operation: 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 from and after the first day of April, in the year one thousand eight hundred and six, the above section, or so far thereof, as much of it as relates to the payment of guards out of the Public Treasury, shall be repealed, and have no farther operation.

II. And be it further enacted by the authority aforesaid, That from and after the said first day of April, one thousand eight hundred and six, that when district gaols are insufficient for the safe keeping of criminals who have committed crimes in said district, and a guard shall be required, that all expense arising therefrom shall be paid by a tax on the several counties composing said district; which shall be apportioned in the following manner: The county wherein the district jail is situated shall pay three shares or dividends, and every other county in said district one share each; which shares are to be regulated according to the amount of public taxes paid into the Treasury of this State in the preceding year.

III. And be it further enacted, That it shall be the duty of the clerk of the superior court where a collection of monies is necessary to defray the expense of the said guard, to furnish each county court of said district with the amount of their respective shares or dividends under this act; which said county courts are hereby directed and empowered to lay a tax on each poll, every three hundred acres of land, and every hundred pounds value of town property, the same sum on each, such expenses equivalent to the sum required. And the sheriffs of said counties are hereby authorized and directed to collect the same, in like manner as other public taxes, for which he shall be allowed a commission of six per cent., and the taxes so collected, the said sheriff shall pay over to the clerk of the superior court of said district, and the said clerk is hereby directed to receive the same, and to pay it to those persons respectively who may be entitled thereto.
IV. And be it further enacted, That the said clerk, in ascertaining the expense of any guard or guards, shall be governed by the aforesaid act of one thousand seven hundred and ninety-five.

V. And be it further enacted, That the clerks of the said superior courts, in case of failure of said sheriffs to account for the taxes by them collected, shall have power and authority, and are hereby directed to institute a suit or suits for the recovery thereof.

VI. And be it further enacted, That if the said clerks shall fail or refuse to pay the monies by them received under this act to the persons entitled to the same, such persons shall be entitled to recover the same by a motion to the said superior court, the complainant giving the said clerk ten days' previous notice thereof.

VII. And be it further enacted, That the clerks of the several superior courts in this State, who shall receive any monies under this act, shall, at the first court that shall happen after the first day of January in each and every year, make out two fair and correct statements of the sums by him received and paid out, one of which he shall return to the said court, and the other shall be put up at the court-house door of said district in term-time.

CHAP. XXVII.

An Act to amend an act, entitled "An act concerning proving of wills and granting letters of administration, and to prevent frauds in the management of intestates' estates," passed in the year one thousand seven hundred and eighty-nine.

WHEREAS the fifth section of the before-recited act requires every executor and administrator to advertise, at the court-house of the county where the deceased usually dwelt at the time of his death, and other public places in said county, and at the district court-house at the next district superior court of law and equity held for the district in which said county may be, for all persons to bring their accounts and demands of every kind and denomination to the said executor or administrator, but hath provided no way by which such executor or administrator shall prove such advertising:

Be it therefore enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That every executor and administrator shall take a copy or copies of the advertisements which he, she or they shall put up, or cause to be put up, in pursuance of the above-recited act, which copy or copies, with an affidavit made thereof before some Justice of the Peace of the county in which the advertisements are by said act directed to be made, shall be judged to be evidence of the fact in any court of law or equity, and the administrator thereof certifying that the said copy or copies was or were filed at the office of the clerk of said court, and the other shall be put up at the court-house door of said district in term-time.

CHAP. XXVIII.

An Act to repeal so much of an act passed in the year one thousand seven hundred and forty-one, as exempts Constables from paying provincial, county and parish taxes.

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 acts and clauses of acts that grant to constables exemption from the payment of taxes, be, and the same are hereby declared void and of none effect; any law, usage or custom to the contrary notwithstanding.

CHAP. XXIX.

An Act for the further limitation of Actions.

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 person or persons against whom there is cause of action, shall be beyond sea at the time of such cause of action given or accrued, fallen or come, that the person who shall have such cause of action, may bring their action against them within such time or times as are limited for bringing such actions by the act of one thousand seven hundred and fifteen, after their return.

CHAP. XXX.

An Act to exempt all regular-bred Physicians, or Practitioners of Physic and Surgery, from serving as Jurors, either in the county or superior courts.

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 regular-bred physicians or practitioners of physic and surgery shall, and they are hereby declared to be exempt from serving as jurors, either in the county or superior courts of this State; any law or custom to the contrary notwithstanding.

CHAP. XXXI.

An Act to repeal the second section of an act passed in the year one thousand seven hundred and ninety-eight, entitled "An act for the prevention of Vice and Immorality, by suppressing excessive gaming."

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That so much of the above-recited act as respects billiard-tables be, and the same is hereby repealed and made void.

II. And be it further enacted by the authority aforesaid, That from and after the passing of this act, it shall and may be lawful for any person or persons in the State aforesaid, to erect and keep a billiard-table, on he, she or they paying a tax of twenty-five pounds annually for each table so erected; to be collected and accounted for as other public taxes; any law, usage or custom to the contrary notwithstanding: Provided, that nothing in this act contained, shall be so construed as to repeal any part of an act, entitled "An act to prevent gaming-tables in the neighbourhood of the University."

CHAP. XXXII.

An Act to amend the several Processing Laws of this State.

WHEREAS inconveniences and difficulties arise under the present procressing law, as to the manner of procressing tracts of land that lie partly in one county and partly in another: For remedy whereof,

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That hereafter it shall be lawful for the procressors of the district in either county, on application of any person who may have lands so divided as aforesaid, lying partly in his said district, to procure the same, under the same rules, regulations and restrictions as heretofore established by law.

And whereas the act passed in one thousand seven hundred and ninety-two, required that procressors should be appointed at the first court held in each county after the tenth day of May, one thousand seven hundred and ninety-three, and only provides for supplying vacancies in cases of appointment agreeably to the tenor of the said act, and it is represented that such appointment did not take place in all the counties of the State:

II. Be it further enacted, That it shall and may be the duty of the county courts to appoint procressors whenever application is made for the same, and to fill vacancies agreeably to the said law.

CHAP. XXXIII.

An Act to revive and continue in force an act passed at Raleigh, in the year of our Lord 1795, entitled "An act giving further time for the registration of certain deeds issued from Lord Granville's Office."

WHEREAS many of the good people of this State have not availed themselves of the benefits of the said recited act, and it would be just and right that the persons holding lands under such deeds should have the privilege of perpetuating the same:

F
An Act to incorporate two companies for the purpose of cutting a Navigable Canal from Roanoak River to Meherrin River, and another Navigable Canal from Bennet's Creek, in this State, to Nansemond River, in the State of Virginia.

WHEREAS the opening of a Navigable Canal from Roanoak River to Meherrin River, and from Bennet's Creek, in this State, to Nansemond River, in the State of Virginia, so as to form by the most practicable plan, a water communication between the said rivers Roanoak and Nansemond, is an object of great importance to the interior commerce of a large portion of this State and of Virginia, and many persons in both States are willing to subscribe large sums of money for the purpose of effecting those beneficial works, and it is just and proper that they, their heirs and assigns, should be empowered to receive reasonable tolls, in satisfaction for the money advanced by them in carrying the said works into execution, and the risk they run: And whereas, by a resolution of the General Assembly of Virginia passed on the fourth day of January, one thousand eight hundred and four, five commissioners were appointed, any three of whom were empowered to wait on this General Assembly, and to enter into reasonable stipulations relative to the opening of the canals aforesaid, subject to the consideration of the respective Legislatures of Virginia and North-Carolina, and Thomas Swepson, Robert H. Fisher and William Munford, Esquires, three of the said commissioners, have accordingly attended the present General Assembly, and therein presented the said gentlemen with a joint-stipulation, the following stipulations have been mutually agreed upon, and approved by the said commissioners on the part of Virginia, and by the said committee of both houses, viz.

First, the State of Virginia agrees, that no restriction, duty or impost shall be laid on any commodity which is the growth, produce or manufacture of the State of North Carolina, brought through the said canals, or either of them, for sale or exportation, and that the same may be sold or exported without re-inspection. Secondly, the State of Virginia agrees, that the waters of Roanoak river, and all its branches, and all the other waters communicating with Albemarle Sound, as far as the same are in Virginia, shall be forever considered as a common highway free for the use and navigation of vessels belonging to the State of Virginia, or any of its citizens, and that they shall not be therein subject to the payment of any toll or charge whatever, imposed for the purpose of raising revenue. Thirdly, the State of North-Carolina agrees, that the waters of Roanoak river, and all its branches, and all the other waters communicating with Albemarle Sound, as far as the same are in North-Carolina, shall be forever considered as a common highway free for the use and navigation of vessels belonging to the State of Virginia, or any of its citizens, and that they shall not be therein subject to the payment of any toll or charge whatever, imposed for the purpose of raising revenue. Fourthly, the State of North-Carolina agrees, that no restriction, duty or impost shall be laid on any commodity which is the growth, produce or manufacture of the State of North-Carolina, passing through the aforesaid waters, or any of them, to the said canals or through the said canals, or either of them, for sale or exportation, and that the same may be sold or exported without re-inspection. In those articles where it is expressed that no duty or impost is to be laid for the purpose of raising revenue, it is not to be understood that the imposition of tolls for the purpose of improving the navigation of the said works is prevented. Lastly, the citizens of each of the said two States may have the use of the inspection of the other for the purpose of re-inspecting any damaged commodities which have passed through the said canals, or either of them, on paying the price of the labour of re-inspection, and no more.

And whereas this General Assembly are of opinion, that the said stipulations are made on just and mutual principles of the true interest of both States:

Be it therefore enacted, That the said stipulations are hereby approved, confirmed and ratified by the General Assembly of the State of North-Carolina, and that every part thereof shall be obligatory on this State and the citizens thereof, and shall be forever faithfully and inviolably preserved and kept by this Government and all its citizens, according to the true intent and meaning thereof.

II. And be it further 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 to open books in the counties of Stokes, Rockingham, Caswell, Person, Graville, Warren, Halifax and Northampton, under the management of William Barnett in Stokes, Robert Galloway in Rockingham, Solomon Graves in Caswell, James Cochran in Person, James Vaughan in Graville, Margadale Johnson in Warren, John Eaton in Halifax, and Lawrence Smith in Northampton; and under the management of such persons, and at such places in Virginia, as shall be appointed by that State for receiving and entering subscriptions to the amount of one hundred thousand dollars, for the purpose of accomplishing the canal first above-mentioned; which subscription shall be made personally or by power of attorney; that the
said books shall be opened for receiving subscriptions on the first Monday in May next, and
continue open until the first Monday in May in the year one thousand eight hundred and
six, and on the said last mentioned day there shall be a general meeting of the subscribers at
Williamsborough, in the State of North-Carolina; of which meeting notice shall be given
by the said managers, or any three of them, in the Gazettes of both the aforesaid States, at
least one month next before the said meeting, and such meeting shall and may be continued
from day to day until the business of the same is finished. And that the said managers, at the
time and place aforesaid, lay before such of the subscribers as shall meet according to the said
notice, the books by them respectively kept, containing the state of the said subscription, and
if one half of the capital sum aforesaid should on examination appear not to have been sub-
scribed, then the said managers are empowered to take and receive subscriptions to make
up such deficiency. And a just and true list of all the subscribers, with the sums subscribed
by each, shall be made out and returned by the said managers, or any four or more of them,
under their hands, into the superior court of the district of Hillsborough, and into such
court as the State of Virginia shall direct, to be there recorded. And in case more than the
said sum of one hundred thousand dollars shall be subscribed, then the same shall be reduced
to that sum by the said managers, or a majority of them, by beginning at, and striking off
from the largest subscription or subscriptions, and continuing to strike off a share from all
subscriptions under the largest, and above one share, until the sum is reduced to the capital
aforesaid of one hundred thousand dollars, or until a share is taken from all subscriptions
above one share, and lots shall be drawn between subscribers of equal sums to determine
the numbers in which such subscribers shall stand on a list to be made for striking off aforesaid;
and if the sum subscribed still exceeds the capital aforesaid, then they shall strike off
by the same rule until the said subscribed is reduced to the capital aforesaid; and until all the
subscribers are reduced to one share; and if there still be an excess, then lots shall be drawn
to determine the subscribers who are to be excluded to reduce the subscription to the capi-
tal aforesaid; which striking-off shall be certified in the list aforesaid. And the said capital
sum shall be reckoned and divided into one thousand shares at one hundred dollars each,
and which every person subscribing may take or subscribe for one or more whole shares, and
not otherwise: Provided, that unless one half of the capital shall be subscribed as aforesaid,
the said capital shall be subscribed as aforesaid, then the President and Directors
shall be allowed one vote for every share as far as ten shares, and one vote for every five
shares above ten by him or her held at the time in said company; and any proprietor, by
writing under his or her hand, executed before two witnesses, may deposit any other mem-
ber or proprietor to vote or act as proxy for him or her in any general meeting.

11. And be it enacted, That in case one half of the said capital, or a greater sum, shall be
subscribed as aforesaid, the said subscribers and their heirs and assigns, from the time of
their said first meeting, shall be, and are hereby declared to be incorporated into a company
by the name of the Roanoke Company, and may sue and be sued as such; and such of the
said subscribers as shall be present at the said meeting, or a majority of them, are hereby
empowered and required to elect a President and four Directors for conducting the said
undertaking, and managing all the said company's business and concerns, for and during
such time, not exceeding three years, as the said subscribers, or a majority of them shall
direct, and in counting the votes of all general meetings of the said company, each mem-
ber shall be allowed one vote for every share as far as ten shares, and one vote for every five
shares above ten by him or her held at the time in said company; and any proprietor, by
writing under his or her hand, executed before two witnesses, may deposit any other mem-
ber or proprietor to vote or act as proxy for him or her in any general meeting.

IV. And be it enacted, That the said President and Directors so elected, and their suc-
cessors, or a majority of them assembling, shall have power and authority to agree with any
person or persons on behalf of the said company, to cut the said canal, and to erect such
locks, and to perform such other works as they shall judge necessary for the navigation of the
said canal, and carrying on the same from place to place, and from time to time, and upon
such terms and in such manner as they shall think fit; and out of the money arising from
the subscriptions and tolls, to pay for the same, and to repair and keep in order the said ca-
anal, locks and other works necessary thereto, and to defray all reasonable charges; and also
to appoint a treasurer and clerk, and such other officers, toll-gatherers, managers and ser-
vant as they shall judge requisite, and to agree for and settle their respective wages or al-
lowances, and settle, pass and sign their accounts; and also to make and establish rules of
proceeding, and transact all the other business and concerns of the said company in and dur-
ing the intervals between the general meetings of the same, and they shall be allowed as a
satisfaction for their trouble therein, such sum of money or money's worth annually as the
subscribers be determined: Provided always, that the treasurer shall give bond in such
penalty, and with such security, as the said President and Directors shall desire, or a major-
ity of them shall direct, for the true and faithful discharge of the trust reposed in him; and that the all-
lowance to be made to him for his services shall not exceed three dollars in the hundred for the
disbursements by him made. And that no officer in the said company shall have a vote in
the settlement or passing his own account.
1804.

V. And it is enacted. That the said President and Directors, and their successors, or a majority of them, shall have full power and authority, from time to time as money shall be wanted, to make and sign orders for that purpose, and direct at what time and in what proportion the proprietors shall advance and pay off the sums subscribed, which orders shall be directed to the several proprietors, to be advanced at least one month in the Virginia and North-Carolina Gazettes. And they are hereby authorised and directed to demand and receive of the several proprietors, from time to time, the sums of money so ordered to be advanced, for the purpose of repairing, or repairing and keeping in order the said works, until the sums subscribed shall be fully paid; and to order the said sums to be deposited in the hands of the treasurer, to be by him disbursed and laid out as the said President and Directors, or a majority of them, shall order and direct. And if any of the said proprietors shall refuse or neglect to pay their said proportions within one month after the same shall have been paid, the said President and Directors, or a majority of them, may sell at auction, and convey to the purchaser, the share or shares of such proprietor so refusing or neglecting to pay, giving at least one month's notice of the sale in the Virginia and North-Carolina Gazettes; and after retaining the sum due and charges of sale, out of the money produced thereby, they shall refund and pay the overplus, if any, to the former owners; and if such should not produce the full sum ordered and directed to be advanced as aforesaid, with the incidental charges, the said President and Directors, or a majority of them, may order and direct. And if any person or persons to be President and Directors, in the room of him or them so dying, removing, resigning, or become incapable of acting; and may, at any of their general meetings, remove the President or any of the Directors, and appoint others for and during the remainder of the term for which such person or persons were at first to have acted.

VI. Be it enacted. That from time to time, on the expiration of the term for which the said President and Directors were appointed, the proprietors of the said company, at the next general meeting, shall either continue the said President and Directors, or any of them, or shall choose others in their stead; and in case of the death, removal, resignation, or incapacity of the President or any of the Directors, may and shall, in manner aforesaid, elect any other person or persons to be President and Directors, in the room of him or them so dying, removing, resigning, or become incapable of acting; and may, at any of their general meetings, remove the President or any of the Directors, and appoint others for and during the remainder of the term for which such person or persons were at first to have acted.

VII. And it be enacted. That every President and Director, before he acts as such, shall take an oath or affirmation for the due execution of his office.

VIII. And it be enacted. That the presence of proprietors having six hundred shares at least, shall be necessary to constitute a general meeting; and that there be a general meeting of the proprietors on the first Monday in May in every year, at such convenient places as shall, from time to time be appointed by the said general meeting; but if a sufficient number should not attend on that day, the proprietors who do attend may adjourn such meeting from day to day, till a general meeting of proprietors shall be held, which may be continued from day to day, until the business of the company is finished. To which meeting the President and Directors shall make report, and render distinct and just accounts of all their proceedings; and on finding them fairly and justly stated, the proprietors then present, or a majority of them, shall give a certificate thereof, a duplicate of which shall be entered on the said company's books. And at such yearly general meeting, after leaving in the hands of the treasurer such sum as the proprietor or proprietors to whom they shall judge necessary for repairs and contingent charges, an equal dividend of all the nett profit accruing from the tolls hereby granted, shall be ordered and made to the proprietors of the said company in proportion to their several shares. And on any emergency, in the interval between the said yearly meetings, the President, or a majority of the Directors, may appoint a general meeting of the proprietors of the company, at any convenient place, giving at least one month's previous notice in the Virginia and North-Carolina Gazettes, which meeting may be adjourned and continued as aforesaid.

IX. And it be further enacted, That it shall and may be lawful to open books at Murfreesborough, in Hertford county, at Windsor, in Bertie county, at Edenton, and also in the county of Gates, under the management of Hardy Murfree at Murfreesborough, of William Cherry at Windsor, of Nathaniel Allen at Edenton, and Wells Cooper in Gates county; and under the management of such persons and at such places in Virginia as shall be appointed by that State, for receiving and entering subscriptions to the amount of seventy thousand dollars, for the purpose of accomplishing a Navigable Canal from Bennet's creek, in this State, to Nansemond river, at Suffolk, in the State of Virginia: which subscriptions shall be made personally or by power of attorney; that the said books shall be opened for the receiving of subscriptions on the first Monday in May next, and continue open till the first Monday in November following, on which day there shall be a general meeting of all the subscribers at Suffolk, of which meeting notice shall be given by the said managers, or any three of them, in the Gazettes of Virginia and North-Carolina, at least one month next before the said meeting; and such meeting shall and may be continued from day to day until the business is finished. And the acting manager of the expected meeting shall in all respects comply with, and be guided by the regulations relative to the arrangement of the subscribers, and making a list of the subscribers, and other directions contained in the second section of
This concerns the Roanoke Company; except that the list of the subscribers, and of the sum subscribed by each, shall be returned to the superior court of the district of Edenton, and to such court as the State of Virginia shall direct, to be there recorded.

X. And be it enacted, That in case one half of the said capital of seventy thousand dollars, or a greater sum, shall be subscribed as aforesaid, the said subscribers and their heirs and assigns, from the time of the said first meeting shall be, and are hereby declared to be incorporated into a company, by the name of The Nansemond Canal Company, and may sue and be sued as such. The said company shall elect a President and four Directors, in the same manner as the President and Directors of the Roanoke Company are to be elected, in pursuance of this act; and all the regulations and provisions contained in the third, fourth, fifth, sixth, seventh and eighth sections of this act, relative to the Roanoke Company, shall also be applicable to the said Nansemond Canal Company, and they shall be governed by and comply with the same in the management of the affairs of the said corporation: Provided, that the presence of the subscribers holding four hundred shares only, shall be necessary to constitute a general meeting of the said Nansemond Canal Company.

XI. And be it enacted, That for and in consideration of the expenses the said proprietors will be at, not only in cutting the said canals, erecting locks, and performing other works necessary for this navigation, but in maintaining and keeping the same in repair, the said canals, locks and other works, with all their profits, shall be, and the same are hereby vested in the said proprietors, their heirs and assigns, for one hundred and twenty years, to be computed from the completion of the said work, as tenants in common, in proportion to their respective shares, and for the said term of one hundred and twenty years shall be exempt from the payment of any tax, imposition or assessment whatever. And it shall and may be lawful for the said Presidents and Directors, respectively, and at all times for the term aforesaid, to demand and receive, at some convenient place near one of the extremities of each canal, for all commodities transported through it, tolls according to the following table and rates, to wit:

<table>
<thead>
<tr>
<th>Commodities transported.</th>
<th>Rates of Toll for the Roanoke Canal cents.</th>
<th>Rates of Toll for the Nansemond Canal cents.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Every pipe or hoghead of wine, containing more than sixty-five gallons,</td>
<td>seventy-five</td>
<td>fifty</td>
</tr>
<tr>
<td>Every hoghead of rum, or other spirits,</td>
<td>forty</td>
<td>thirty</td>
</tr>
<tr>
<td>Every hoghead of tobacco,</td>
<td>thirty</td>
<td>twenty</td>
</tr>
<tr>
<td>Every hoghead of molasses,</td>
<td>twenty-five</td>
<td>twenty</td>
</tr>
<tr>
<td>Every barrel of flour,</td>
<td>two</td>
<td>one half</td>
</tr>
<tr>
<td>Every barrel of beef,</td>
<td>two</td>
<td>one and half</td>
</tr>
<tr>
<td>Every barrel of fish,</td>
<td>one and half</td>
<td>one</td>
</tr>
<tr>
<td>Every barrel of flour,</td>
<td>eight and a half</td>
<td>six</td>
</tr>
<tr>
<td>Every barrel of tar, pitch, turpentine or resin,</td>
<td>five</td>
<td>three</td>
</tr>
<tr>
<td>Every cask of linseed oil, or spirits of turpentine, the same as molasses,</td>
<td>seventy-five</td>
<td>fifty</td>
</tr>
<tr>
<td>Every ton of hemp, flax, pot ash or bar-iron,</td>
<td>twenty-five</td>
<td>seventeen</td>
</tr>
<tr>
<td>Every ton of pig-iron or castings,</td>
<td>fifty</td>
<td>forty</td>
</tr>
<tr>
<td>Every ton of copper, lead or other ore, other than iron,</td>
<td>twenty-five</td>
<td>seventeen</td>
</tr>
<tr>
<td>Every ton of stone or iron ore other than the ballast of the vessel,</td>
<td>twenty-five</td>
<td>seventeen</td>
</tr>
</tbody>
</table>

The canals, as vested in the proprietors for 120 years, were

<table>
<thead>
<tr>
<th>Rates of Toll for the Roanoke Canal cents.</th>
<th>Rates of Toll for the Nansemond Canal cents.</th>
</tr>
</thead>
<tbody>
<tr>
<td>thirty-three</td>
<td>twenty-five</td>
</tr>
<tr>
<td>eight</td>
<td>forty</td>
</tr>
<tr>
<td>twelve and a half</td>
<td>eight and a half</td>
</tr>
<tr>
<td>eight</td>
<td>six</td>
</tr>
<tr>
<td>four</td>
<td>six</td>
</tr>
<tr>
<td>eight</td>
<td>six</td>
</tr>
<tr>
<td>seventeen</td>
<td>twelve and a half</td>
</tr>
<tr>
<td>eight</td>
<td>six</td>
</tr>
<tr>
<td>seventeen</td>
<td>twelve and a half</td>
</tr>
<tr>
<td>eight</td>
<td>fifty</td>
</tr>
<tr>
<td>sixty-three</td>
<td>fifty-five</td>
</tr>
<tr>
<td>eight and a half</td>
<td>five and half</td>
</tr>
<tr>
<td>eighty</td>
<td>fifty-five and half</td>
</tr>
<tr>
<td>thirty-three</td>
<td>twenty-five</td>
</tr>
<tr>
<td>twenty-five</td>
<td>seventeen</td>
</tr>
</tbody>
</table>
And in case of refusal to pay the tolls at the time of offering to pass the places aforesaid, and previous to passing the same, the collectors respectively may lawfully refuse passage to whatever refuses payment; and if any vessel shall pass without paying the toll, then the said collectors respectively may seize such vessel and sell the same at auction for ready money, advertising the said sale previously one month; the money arising from which, so far as is necessary, shall be applied towards paying the said tolls and expenses of making the canals capable of carrying such quantity in certain respects, to enter into reasonable agreements with the proprietors of such situations concerning navigation and water works aforesaid, in which case, the said disease to any person through favour or affection, nor any person gripe through malice, hatred or ill-will. And the inquisition thereon taken shall be signed by the sheriff, or some twelve or more of the jury, and returned by the sheriff to the clerk of his county, to be by him recorded; and on every such valuation, the jury is hereby directed to describe and ascertain the bounds of the land by them valued, and the valuation shall be conclusive on all persons, and shall be paid by the said President and Directors respectively, to the owner of the land or his legal representatives; and on payment thereof, the said companies shall be seized of such lands, as if conveyed by the owner to them and their successors by legal conveyance, until the completion of the said works, and hence forward for the term of one hundred and twenty years; and after this term, the said land, together with all the messuages, tenements and appurtenances, shall revert to the States of North-Carolina and Virginia, respectively, in which the same may lie: President and Directors may purchase land, or any part thereof, for the purpose of erecting necessary buildings; and in case of disagreement or any of the disabilities aforesaid, or the proprietor being out of the State, then such land may be valued, condemned and paid for as aforesaid, and the said company shall, on payment of the valuation of the said land, be seized thereof as aforesaid.

XIII. And be it enacted, That the said canals, and works to be erected thereon in virtue of this act, when completed, shall forever thereafter be esteemed as public highways, free for the transportation of all goods, wares, commodities or produce whatsoever, for the purpose of improving and perfecting navigation, and from henceforward, the said navigation, shall forever thereafter be esteemed and taken as public highways, free for the transportation of all goods, wares, commodities or produce whatsoever, for the purpose of improving and perfecting navigation, and from henceforward, the said navigation,
An Act to revise and amend an act, entitled "An act to amend and revise an act passed at Raleigh in the year one thousand seven hundred and ninety-six," entered at the General Assembly of the State of North-Carolina, and the government and Virginia, for finishing the same. Every act or part of an act of the General Assembly which comes within the purview and meaning of this act, shall be, and the same is hereby repealed. This act shall commence and be in force from and after the passing of a like act by the General Assembly of Virginia; and the faith and honour of this State are hereby solemnly pledged and engaged to the General Assembly of the State of Virginia, and the government and Virginia, and to make other and more effectual provision for the same."  

WHEREAS by the first section of the above recited act, and in the provisions contained in the same, it provided that unless the one-third of the capital aforesaid shall be subscribed before, or at the meeting of the subscribers at Plymouth aforesaid, on the second Monday of July next, all subscriptions made in consequence of this act shall be void. And whereas in consequence of one-third of said subscriptions not having been subscribed on the said day, the aforesaid desirable work is likely not to be performed and effected; 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 aforesaid act be revived, and that a further time of five years be allowed to complete the subscriptions contemplated by the said act, from and after the ratification of this act.
CHAP. XXXVI.

An Act for adding to the Board of Commissioners for the navigation of Ooacock Inlet, and regulating the piloting of the same, and for ascertaining the cause of the delay in the navigation of the same, and for establishing the fees thereon.

Whereas it is hereby enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That John Wallace, John May and George Dickson, be added to the board of commissioners of Navigation for Ooacock Inlet, and that they, in conjunction with the other commissioners, shall have all the powers, privileges and rights of any other board of commissioners in this State, by any law heretofore made.

CHAP. XXXVII.

An Act to facilitate the Navigation of lower Little River.

Whereas for the want of sufficient slips on lower Little River, the owners of lumber frequently sustain much injury in transporting rafts down the same: For remedy whereof

It is hereby enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That all persons who now have, or who shall hereafter have saw-mills erected on lower Little River, in the county of Cumberland, shall make, or cause to be made, at their respective mills, good and sufficient slips, which will permit the free and safe passage of all rafts which may be passing down the said river; and the said slips when erected or made, shall, by the owners of the several mills on said river, be at all times kept and upheld in good and sufficient repair for the purposes aforesaid.

II. And it is further enacted, That if any person shall fail to make such slips hereinafter directed, or when the same shall be made shall fail to keep and uphold the same in good and sufficient repair, for the free and safe passage of rafts as aforesaid, the person or persons so failing, shall be subject to the payment of all damages which shall be sustained by the owner of any raft which, for the want of such slip being kept in good repair as aforesaid, shall be obstructed or injured in its passage down the said river, to be recovered by an action on the case in any court of record having jurisdiction thereof, in the name, and to and for the use of the person who shall be injured as aforesaid.

CHAP. XXXVIII.

An Act to facilitate the Navigation of the Yadkin River.

Whereas the improvement of the navigation of the Yadkin River would tend much to the improvement of commerce and the encouragement of agriculture, and

It is hereby enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Patton, James Gwinn, Chapman Gordon, and John Bryant be, and they are hereby appointed commissioners for the county of Wilkes; that Obadiah Martin, Joshua Freeman and Nathan Chaffin be, and they are hereby appointed commissioners for the county of Surry; and that Hardy Jones, Alexander Long and Richmond Pearson, be appointed commissioners for the county of Rowan, for the purpose of opening books to receive subscriptions from persons desirous to subscribe for the same, at such times and places as the said commissioners, or any of them, may think proper to appoint, and all monies so subscribed, shall be paid into the hands of the commissioners with whom the same is subscribed. And if any person or persons shall neglect or refuse to pay the sum or sums by them subscribed, after request to do the same, made by the commissioners with whom the same is subscribed, such commissioners shall and may institute a suit or suits for the same, and in his own proper name, and apply the same as hereafter directed by this act.

II. Be it further enacted, That each commissioner, before he proceeds to the duties to him appointed by this act, shall enter into bond with security in the court of the county in which such commissioner resides, payable to the chairman of said court, with a condition that he will faithfully and truly apply the monies which he shall collect, and that he will faithfully and truly collect the same, and pay over to the person or persons who may be employed in opening the Yadkin river, and to make a free and easy passage for boats up and down the same.

III. Be it further enacted, That the said commissioners shall, and they are hereby empowered and directed, to hire persons from time to time to work on such parts of the Yadkin river, which they or either of them may deem necessary to facilitate the navigation thereof; and such person or persons so hired to pay, for the same, and an account thereof render to the court of the county in which such commissioners may reside, at every court, for the inspection of all persons who may be concerned therein.

IV. Be it further enacted, That the commissioners in each county appointed by this act, shall divide and collect to each one, such part or portion of the river in said county as may be agreed on between them residing in such county, which part or portion when so allotted, shall be exclusively under the superintendence and direction of the commissioner to whom the same is assigned. And such commissioner shall take such measures as he may think proper to effect the more easy passage for boats, and the same to alter whenever he thinks proper.

Read three times and ratified in General Assembly, the 19th day of December, 1804.

Copy,

WILLIAM WHITE, Sec.

J. RIDDICK, S. S.
S. CABARRUS, S. H. C.
An Act to authorize Benjamin Jones, Thomas Harvey, Enoch Sawyer and Frederick B. Sawyer, to cut a Navigable Canal, and make it thereon, through the Great Dismal Swamp, from the Dismal Swamp Canal near the head of the woods in Camden county, to the White Oak Spring Marsh in Gates county, and to demand and receive toll thereon.

WHERAS it is represented to this General Assembly, that a road and canal from the Dismal Swamp, near the head of the woods in Camden county, to the White Oak Spring Marsh, in Gates county, is of great public improvement, as well as of general benefit to the county; and whereas Benjamin Jones, Thomas Harvey, Enoch Sawyer and Frederick B. Sawyer, have proposed to carry the same into effect, and whereas it is consistent with the policy and dignity of the State to support and encourage all works and undertakings which may be beneficial to the public, and to relieve the said individuals, and to grant to the undertakers of such works such compensation as may be deemed reasonable and just, as regards the expense, labour and risk in the said undertaking, and to favour them as far as may comport with the public good,

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 Benjamin Jones, Thomas Harvey, Enoch Sawyer and Frederick B. Sawyer, their heirs and assigns, are hereby authorized and empowered to cut a canal and make a road on the side thereof, from the Dismal Swamp Canal, near to the upper lock thereon, where a cross canal is already begun, thence due west along the said cross canal, and through the Dismal Swamp to Gates county line, thence a direct course to the high lands westward of the said marshall, such course as may strike the same so as to be the most beneficial to the public, and the least injurious to individuals.

And be it further enacted. That the said Benjamin Jones, Thomas Harvey, Enoch Sawyer and Frederick B. Sawyer, their heirs and assigns, shall be incorporated into a company by the name and style of The White Oak Spring Canal Company, and may sue and be sued, implied and be impleaded, 1: the same, and carry on the said White Oak Spring Canal Company, in any court within this State, and may make such rules and regulations for the government of the said business as they may think proper, not inconsistent with the constitution and laws of this State.

And be it further enacted, That in order to enable the said company, their heirs and assigns, to carry the said undertaking into effect, they are hereby authorized to purchase of the owners of the lands through which the said road and canal are to pass, a tract of land not exceeding thirty feet in breadth, from the said Dismal Swamp Canal to the high lands westward of the said White Oak Spring Marsh; and in case the owners of any of the said lands will not sell and convey the same for a reasonable compensation, or are under age, non compos, feme covert, or are out of the State, a jury of good and lawful men shall be summoned by the sheriff of the county, where any disagreement or disability may exist, to view the said lands or swamp and damages, and their valuation shall be the price which the said company shall pay for the same; and in case the proprietor or proprietors of any of the said lands, refuse to receive the compensation aforesaid, or are under any of the aforesaid disabilities, the same shall be paid into the clerk's office of the county where the land may lie, and by him shall be recorded, together with the location and bounds of the lands, and shall be deemed a convenience for the term of ninety-nine years, as fully and amply as if made by the proprietor or proprietors to the said company, their heirs and assigns.

And be it further enacted, That the said company are hereby authorized to purchase of the proprietors thereof, a tract of land not exceeding one acre, at the edge of the high land west of the said White Oak Spring Marsh, at the end of the said canal, for the purpose of procuring earth to cover the said causeway through the said swamp, and in case of disagreement, or any of the disabilities aforesaid, then such land shall be valued, condemned and paid for in manner aforesaid, and the said company, on payment of the valuation of the said land in manner aforesaid, shall be seized thereof in fee, as fully and amply as if conveyed by the proprietor.

And be it further enacted, That in case the said company shall not begin the said work within one year from the passing of this act; or if the said company shall not complete the navigation and road, in manner aforesaid, within ten years next after, then shall all the interest of said company in said canal and road cease and be forfeited, to all intents and purposes.

And be it further enacted, That in order to prevent the evils which may otherwise arise to the work, as soon as the same may be begun, and any part of the said road or canal shall be completed, the said company shall be entitled to receive a reasonable compensation from all persons who may think proper to use the same, until the whole of the said canal and road shall be completed, in manner as directed by this act.

And be it further enacted, That the said canal shall be cut at least ten feet wide and three feet deep, and the road shall be opened at least fifteen feet wide, and the causeway well wooded or panchomed at least ten feet wide, with the necessary passing places; and as soon as the same may be completed and ready for the safe and convenient passage of boats, carriages and cattle, the said company, their heirs and assigns shall, for and in consideration of the labour and expence which may arise in consequence thereof, and in keeping the same in repair, the said canal, road, causeway and other works, with all their profits, shall be, and the same are hereby vested in the said White Oak Spring Canal Company, their heirs and assigns, for the term of ninety-nine years, as tenants in common, in proportion to their respective shares therein, and the same shall be deemed real estate, and be exempt from the payment of any tax, impost or assessment whatever, for the term aforesaid. And it shall be lawful for the said company to set up gates on any part of the said canal and road, and at all times after the same shall be completed and ready for the safe and easy passage of boats, flats, rafts, horses, cattle and carriages, to demand and receive at the said gates, the following tolls or rates, that is to say, for every boat, flat or raft of timber going along the said canal, the sum of half a cent for every square foot on the gunwale of every boat or flat, or the surface of every raft of timber (but for the convenience of passengers, no boat, flat or raft of timber shall be admitted to pass the said canal, of more than four feet six inches in width on the gunwale or surface) for every man and horse going through the road and causeway twenty-five cents, for every head of horned cattle twelve and
And a half cent, for every head of sheep or hogs three cents, for each wheel of any carriage of pleasure twelve and a half cents, for every wheel of any other carriage six and a quarter cents, for every thousand pipe staves fifty cents, for every thousand hoghead staves and heading thirty-seven and a half cents, for every thousand long shingles twenty-five cents, for every barrel of tar, pitch or turpentine six and a quarter cents, for every barrel of pork or fish six and a quarter cents, and for all other articles and commodities in like proportion.

III. And be it further enacted, That in case of the refusal of any person or persons to pay the said tolls at the time of offering to pass the said gates to be erected as herein mentioned, and previous to passing the same, the collector or toll-keeper, or proprietors, may lawfully refuse passage to any person or persons so refusing, on the condition of the above-stated amounts, or any part thereof, and that the collector, toll-keeper or proprietors, may recover the full amount of all such tolls, together with the lawful and usual costs, before any justice of the peace in the county where the offender may be taken.

IX. And be it further enacted, That in consideration of the tolls hereby granted, the said company, their heirs and assigns, shall, during the term aforesaid, after the said toll-gates may be set up, keep the said canal, road and gates in good and passable order for the passage of boats, flats and rafts; and for the passage of horses, cattle and carriages and passengers; and in case of neglect, any person or persons shall be entitled to recover any damages which they may sustain by the said road and canal being out of repair, before any jurisdiction having cognizance thereof.

X. And be it further enacted, That the said canal, road and causeways, and works to be erected thereon, when completed, shall forever after be deemed and taken as a public highway, on the payment of the tolls imposed by this act.

CHAP. XL.

An Act to open and make navigable Fishing Creek, from the mouth thereof to Wyatt's Bridge on said Creek.

WHEREAS it hath been made appear to this General Assembly, that the navigation of Fishing Creek would be of public utility; and that Henry Bradford, Daniel Barksdale, Thomas Wiggans, James Branch, John Branch, jun., Wilson W. Carter, Matthew C. Whitaker, Cary Whitaker, jun., James Kent, jun., Jesse Simmons, James Hunter, Samuel Simmons, Timothy M. Nicholson, Samuel Crowell, Elias Fort, jun., James Fort, jun., Wheeler W. Carter, James Wooten, Thomas Mason, Jesse Wiggans, Alexander Montgomery, have subscribed the sum of five thousand dollars, for the purpose of opening and making the said creek navigable from Sessum's bridge to Wyatt's bridge, on said creek:

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the above-named Henry Bradford, Daniel Barksdale, Thomas Wiggans, James Branch, John Branch, jun., Wilson W. Carter, Matthew C. Whitaker, Cary Whitaker, jun., James Kent, jun., Jesse Simmons, James Hunter, Samuel Simmons, Timothy M. Nicholson, Samuel Crowell, Elias Fort, jun., James Fort, jun., Wheeler W. Carter, James Wooten, Thomas Mason, Jesse Wiggans and Alexander Montgomery, and such others as they shall admit into their company, for the purpose of making Fishing Creek navigable, are hereby declared to be a body corporate by the name of The Fishing Creek Navigation Company, and by that name shall be capable to sue and be sued, plead and be impleaded, before any jurisdiction in this State having cognizance thereof; and they may elect and appoint all necessary officers, and from time to time make such rules, regulations and by-laws for the management and conducting of said navigation as they shall think proper: Provided, they shall not be repugnant to, or inconsistent with the laws and constitution of this State, or of the United States.

II. And be it further enacted, That for the expense and trouble the company may be at in clearing out and making navigable said creek, and doing various things which may be necessary for the navigation of said creek, and the navigation thereof, locks, canals, roads, and every thing appertaining to the same, with all the profits arising from the same or any part thereof, shall be, and they are hereby vested in said company, their heirs and assigns, for ninety-nine years, as tenants in common, in proportion to their respective shares, and the same shall be deemed real estate, and shall be exempt from the payment of taxes, imposition or assessments; and the toll that the said company may demand for every article carried down the whole distance of their navigation, and so in proportion for any part thereof, shall not exceed the following rates, viz.: for every pipe of wine 75 cents, for every hogshead of tobacco 75 cents, for every hogshead of rum 75 cents, for every cask or barrel containing from 30 to 50 gallons 80 cents, for every cask or keg 6 cents and a quarter, for every bushel of corn, wheat or other grain of any kind 3 cents, for every bushel of salt 6 cents, for every barrel of pork or beef 25 cents, for every barrel of flour 15 cents, for every ton of hemp, flax, potash, bar or manufactured castings, or pig iron, copper or lead, or for any ton weight of any other article whatever 150 cents, for every hundred bushels of lime or shells 150 cents, for every hundred pipe or hoghead staves 6 cents, for every thousand hoops 25 cents, for every hundred barrel staves or heading 5 cents, for every cubic foot of lumber of any kind 20 cents, for every gross hundred weight of all other commodities or packages, 8 cents. And the said company may receive toll on all goods and commodities which may be transported through said navigation or any part thereof; and they may demand the toll at such place or places as they shall think proper; and if any person refuse to pay the lawful toll, the collector may deny passage, and any person refusing to pay shall pass through the navigation, it shall be lawful for the collector to seize vessel, cargo, or any thing else wherever found, and sell the same, or so much thereof as may be necessary, giving twenty days notice, at public auction for ready money, to pay the toll, and the overplus, if any, shall be rendered to the owner, after paying the toll and expense for seizure and sale.

III. And be it further enacted, That the navigation and works of said company done in pursuance of this act, when completed, shall forever thereafter be considered as public highway, free for the transportation and passage of all goods, wares, commodities or produce whatever, paying toll as before directed.

IV. And be it further enacted, That it shall be lawful for any of the proprietors to transfer his share or shares, by deed executed before two witnesses and registered, after proof of execution, in the county books, and not otherwise, except by devise, which devise shall be exhibited to the company before the
devisees shall be entitled to draw any part of the profits from said toll: Provided, that no transfer shall be made for part of a share, and that no share shall be transferred or held in trust for the use or benefit, or in the name of another, whereby the company may be made to answer any such trust; but every such person appearing as aforesaid to be a proprietor, shall, as to the rest of the company, be considered to every intent as a proprietor; but between any trustees and the person for whose benefit the trust was created, the common remedy may be pursued.

V. And be it further enacted, That if the said company shall not complete the navigation aforesaid within ten years after the passing of this act, all preference in favour of said company with respect to said navigation shall be forfeited.

VI. And be it further enacted, That the said company and their successors shall be capable of purchasing, holding and selling, real and personal estate; and if any person shall be sued for any thing done in pursuance of this act, he may plead the general issue, and give this act and the special matter in evidence; and on a verdict against the plaintiff, or nonsuit or discontinuance, recover costs of suit.

VII. And be it further enacted, That the General Assembly of North-Carolina shall not impose any restrictions, duty or impost, on commodities, manufactures, produce or merchandize, transported by said navigation.

VIII. And be it further enacted, That when the said company shall have completed the navigation of said creek, they shall render a true and particular statement of the money, expended therefor to the Secretary of State, and it shall be his duty to file the same in his office; and it shall be lawful for the State, at any time after the company shall have been receiving the toll on the said navigation of the creek ninety-nine years, to take the same, with all the profits, premises and appurtenances thereunto belonging or in any wise appertaining, for the purpose of navigation only, on paying the company the monies expended by them in making the said bridge and the mouth of said creek, informing said inhabitants that if the said company shall proceed to do the same, and take toll from all those who shall thereafter pass; and if the said creek should not be sufficiently cleared within thirty days thereafter, then the said company may open the same, and have from all boats pay, agreeable to this law or such rules and regulations as may be established: Provided, that before payment shall be recovered from any person or persons having navigated such part of said creek below Sesumna's bridge, proof shall be made that the creek was not sufficiently clear for the passage of boats, and that the same had been advertised in a fair manner as above required, and that the said creek was not sufficiently cleared within thirty days after such notice.

CHAP. XLI.

WHERCAS a number of the citizens of this and the adjacent counties, are desirous of establishing an academy for the promotion of learning in the lower end of the county aforesaid; and having liberally subscribed for the purpose of carrying the same into effect, and trustees being appointed, they therefore are desirous of receiving the sanction of the Legislature by an act to incorporate them: Therefore

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That John Ogilby, John M'Ade, Thomas J. Moore, Samuel Smith, James Rainey, Swepson Sims and Hernon Haralson, Esquires, shall be, and are hereby declared to be a body politic and corporate, to be known and distinguished by the name of "The Trustees of the Hico Academy," and the name aforesaid, or a majority of them, shall be able and capable in law to take, demand, receive and possess all monies, goods and chattels that shall be given for the use of the said Academy, and the said name shall have perpetual succession; and that they the trustees and their successors by the act of the Legislature, and by gift, purchase or devise, shall have and enjoy and retain to them and their successors for ever, any lands, rents, tenements and hereditaments of what kind or nature soever, in special trust and confidence, that the same or the profits thereof be applied to the use and purposes of establishing and endowing the said Academy, and all purchases by them to and for the use and purposes of said Academy, and all contracts entered into by them as aforesaid, are hereby declared to be as good and valid to all intents and purposes, as if they had been heretofore a body politic and corporate.

II. And be it further enacted by the authority aforesaid, That the said trustees and their successors, or a majority of them by the name aforesaid, shall be able and capable in law to bargain, sell, grant, demise, alien or dispose of and convey any such lands, rents, tenements or hereditaments as aforesaid, when the will of the granter doth not forbid the same: And further, that the said trustees and their successors for ever, or a majority of them, shall be able and capable in law by the name aforesaid, to sue and be sued, plead and be impleaded, answer and be answered in all courts of record in this State.

III. And be it further enacted by the authority aforesaid, That the said trustees and their successors, or a majority of them, shall have, and hereby declared to have full power to make and ordain such laws and regulations for their own government and for the regulation and government of said Academy, and the preservation of order and good morals therein, and to pass such laws and regulations as to them may appear necessary; and shall be able and capable to act and do all things whatever for the promotion of said academy in full, ample and ample manner as any body politic or corporate can or may do by law.

IV. And be it further enacted by the authority aforesaid, that upon the death, resignation, inability, refusal to act, removal out of the district of any of the said trustees, or to increase their number, it shall and may be lawful for the remaining trustees, or a majority of them, to elect others in the room of such; and the same shall and may be lawful for such remaining trustees to call a meeting of such as shall be out of their number, in order to the passing of any act to be done.
An Act to establish an Academy in Moore county.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That Hector M'Neill, Neill Smith, Duncan Patterson, Archibald M'Bride, William Martin, Jacob Gastor, Alexander Graham, Rev. Malcolm M'Nair and Daniel Brown, shall be, and they are hereby declared to be a body politic and corporate, to be known and distinguished by the name of The Trustees of the Seminary Grove Academy, near Abbeville, and by that name shall have perpetual succession; and that they the trustees and their successors, by the name aforesaid, or a majority of them, shall be able and capable in law to take, demand, receive and possess, all monies and estates that shall be given for the use of the said academy; and the same apply as they, or a majority of them, may deem most advantageous to the said academy; and by gift, purchase or devise, to take, have, receive, possess, enjoy and retain, to them and their successors, any lands, rents, tenements and hereditaments, of what kind or nature soever, in special trust and confidence, that the same, or profits thereof, be applied to and for the use of the said academy.

II. And be it further enacted, That the said trustees, or a majority of them, shall have power to make such laws and regulations for the government of said academy, and the preservation of order and good morals therein, as are usually made in such seminaries, and as to them may appear necessary.

III. And be it further enacted, That when they, or a majority of them, may deem it necessary, they shall have full power and authority to nominate other trustees, whose power and authority shall be equal to those herein appointed.

CHAP. XLIII.

An Act to establish an Academy in the county of Greene.

WHEREAS the inhabitants in the county of Greene have made liberal subscriptions towards the establishment of an Academy in said county, and the happiness and safety of a Republican Government, and the knowledge and morals of the people depend much thereon. Therefore worthy of legislative attention:

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 Hyrum Hooker, Thomas Holliday, Jacob Lassiter, Lawrence Carr, John Harper, Silas Lassiter, Samuel Hooker, Francis Kilpatrick, Roderic Powell, Isaac Ward and Hugh Horner, shall be, and they are hereby declared a body politic and corporate, to be known and distinguished by the name of The Trustees of the Greene Academy, to be erected and established in the county of Greene, in an old field near Hooker's bridge, on Great Cintentney, and by the name of the Trustees of the Greene Academy, shall have perpetual succession and a common seal; and the said trustees and their successors, by the name aforesaid, or a majority of them, shall be able and capable in law, to take, demand, receive and possess, all monies, goods and chattels that shall be given them for the use of said academy; and the same apply according to the will of the donors; and by gift, purchase and devise, have, receive, possess, enjoy and retain, to them and their successors forever, any lands, rents, tenements and hereditaments, of what kind, nature or quality soever the same may be, in special trust and confidence, that the same, or the profits thereof, shall be applied for the use and purpose of establishing and endowing said academy.

II. And be it further enacted, That the said trustees, and their successors forever, or a majority of them, shall be able and capable in law, by the name aforesaid, to sue and be sued, plead and be impleaded, to answer and be answered, in any court of record whatsoever; and further, the said trustees and their successors, or a majority of them, shall have power to make all such laws and regulations for the government of said academy, and the preservation of religion, order and good morals therein, as to them may appear necessary, and are hereby vested with all the powers and authorities which the trustees of any other seminary of learning in this State have or may possess or enjoy: Provided, the same are not contrary to the constitution or laws of this State.

III. And be it further enacted, That upon the death, resignation, inability, refusal to act, or removal of any of the said trustees, it may be lawful for the remaining trustees, or a majority of them, to elect others in the room of such trustee or trustees dead, resigned, unable to attend, refusing to act, or removal; and that the trustee or trustees so elected, shall have equal power and authority with the trustees hereby appointed.

CHAP. XLIV.

An Act for the better regulation of the town of Smithville, and to amend an act, entitled "An Act to establish an Academy at Smithville, in the county of Brunswick."

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 town- clerk, or any three of the persons hereinafter named, shall, on or before the first day of January next, give notice in writing at the rendezvous, the school and market house in the said town, that an election for five Commissioners to manage the concerns of the town, shall be held at such place as John Brown, Benjamin Blaney, John L. Griffin, Robert Potter and Samuel Potter shall appoint, on the fifteenth day of said month; which commissioners shall continue in office until the second Monday of January, one thousand eight hundred and seven, and in future, all elections for a full board of commissioners of the said town, shall be held on the second Monday of January in each and every second year, the clerk of the town being hereby required to give fifteen days notice thereof at least, by litter being posted up in three or more of the most public buildings of said town, under the penalty of twenty-five pounds, to be recovered before any justice of the peace in the said county, one half to the use of the town, and the other half to the use of the person suing for the same; and in case of neglect by the clerk,
the commissioners, or any one of them, may put up such advertisements, ten days previous to the said second Monday in January biennially; and the election for commissioners in the first instance shall be 1806
by a majority of the persons entitled to vote, and in case of dispute, the said election shall be determined by the town- clerk or his deputy, and any two lot-holders appointed by the five persons above named, or a majority of the said five persons, and in case of dispute thereafter by the town- clerk (for a deputy by him appointed in writing, for whose conduct he shall be answerable) and two impartial persons or commissioners for the time being, each of whom shall take an oath to conduct the election fairly, and without fear or favor, partiality, prejudice or hatred to any one; and the said elections shall be opened at ten o'clock in the fore-
noon, and close at two o'clock in the afternoon of the same day, when the five persons having the highest number of votes, shall be proclaimed by the said town- clerk or deputy duly elected. And the said elec-
tions shall be conducted as the usual by Members of Assembly, except in such parts as are otherwise particu-
larly directed herein; and the commissioners elected in pursuance of this act, shall take the following previous to acting as such, viz. ' I A. B. do swear that I will execute the office of a commissioner of the town of Smithfield, faithfully, impartially and truly, without favour or prejudice, and that I will, to the utmost of my power, in all things as a commissioner, act for the good of said town and well governing thereof, to the best of my skill and ability and judgment: So help me God.' And till such qualification, the power of the former or preceding commissioners shall not cease; but in case of refusal to act, or any va-
cency in the board of commissioners, an election shall be ordered on the principles before laid down for biennial elections; and when the board of commissioners is filled up, they are hereby authorised and em-
powered, if they deem it for the advantage of said town, to erect any person they think proper (having an equal qualification to be elected with what is herein required for either or any of the commissioners) to act as Intendant or Magistrate of Police of the said town, who, shall, before entering on the duties of his office, take the following oath, viz. 'I A. B. do solemnly swear, that as Intendant, or Magistrate of Police of the town of Smithville, I will do equal right in all cases whatever, to the best of my judgment, and according to the laws, rules and ordinances made for the good government of the said town, and in all things belonging to my office, during my continuance therein, I will faithfully, truly and justly, according to the best of my skill and ability, do equal and impartial justice to the public and individuals: So help me God.' And he, and the said commissioners thereof shall have, possess and enjoy, all the privileges, powers and authorities which have been, and shall hereafter be vested in or granted to magistrates or commissioners of any other town in this State.

II. And be it further enacted, That every person who has resided in said town generally, for at least three succeeding months of the twelve previous to any election, and entitled to vote for Members of the House of Assembly, or owning a lot or part of a lot with a dwelling house thereon, six months previous to any election, and who has paid town tax for the same, shall be entitled to vote for commissioners; and the commissioners shall be elected from any of the inhabitants or dwelling house holders thereof, who have or shall be a part of a lot thereunto appertaining: Provided, they have been such inhabitant of house and lot, or part of a lot-holder in fee simple or for life, twelve months previous to the day of election, and at least be three of them constant residents of said town.

III. And be it further enacted, That if the commissioners shall deem it can reasonably be done, without laying a heavy burthen on the owners of houses and lots in said town, they shall value on oath every house within the bounds of said town, and lay a tax not exceeding one quarter per cent, on such value, upon every owner or owners of such house or houses, which shall be collected for the purpose of purchasing one or more engine or engines, leather buckets, ladders and other convenient instruments for extinguishing fires; and until such articles can be provided in the said way, the owner or owners of every lot whereon there is now built, or hereafter shall be built, any habitable house, shall sooner, if ordered by the commissioners: but at all events, on or before the first day of July in each and every year, and within thirty days thereafter, if any house hereafter to be built, shall be finished so as to be inhabited, have a good ladder of a propor-
tional length to the highest shingled roof on the lot, which shall be constantly kept in repair and leaning against said roof, that in case of fire relief may be immediately afforded, under the penalty of a sufficient sum for purchasing and fixing up such ladder, with all costs and charges, to be levied in like manner as other fines.

IV. And be it further enacted, That the commissioners of said town shall annually lay and levy a tax on every hundred pounds value of town property within the same, and a proportionable poll-tax on all persons who do not possess in said town the value of one hundred pounds taxable property; and all persons hav-
ing resided six months within the limits of the town, and liable to pay public taxes, shall be considered as subject to town tax.

V. And be it further enacted, That the commissioners of said town shall order and direct, that every person and persons, possessors or owners of any lot or lots in said town, shall, on or before the first day of July next, clear all and every such lot and lots by them possessed or held, of all trees (except fruit trees and such as are planted or trimmed up and intended to be kept for shade or ornament) underwood, brush and high weeds, growing, standing or being on said lots, and see that the same be cleared from such

...
en except such as are modified or altered by this act. And in case the commissioners prefer levying a tax for the purpose of clearing the streets, it shall be in the power of any person to discharge himself from the same by contributing his share in work, the proportion and well doing whereof shall be determined by the commissioners, or person or persons to whom they commit the management of the same. And all inhabitants of the town subject to work on the streets, who will furnish two able bodied hands, shall be excused from personal labour.

VI. And be it further enacted, That the supplemental lots adjoining said town, with the skirts in front thereof, and of the said town, with all the ground included in the plan thereof, except that occupied by the fortifications erecting, and which shall be erected, and the works and buildings thereunto appurtening, agreeably to an act passed in the present session of this State, shall be considered as part of the town of Smithville, and the inhabitants dwelling therein, and on every part thereof, or on the skirts round the town, which were leased by the commissioners for the benefit thereof, shall be liable to all the duties, and entitled to all the privileges, rights and exemptions of the citizens of said town; or any of them; and further, that the laying off and leasing the said supplemental lots, with their skirts and the skirt lots in and around the town, agreeably to the plan filed in the office of the Secretary of State, in the year of our Lord one thousand eight hundred, be and the same, with the said plan, are hereby fully and absolutely confirmed.

VII. And be it further enacted, That all fines and penalties to be inflicted by the commissioners of Smithville, shall be for the use of the said town, unless otherwise particularly directed, and shall be recovered by warrant under the hand and seal of the intendant or magistrate of public, for the town, and all proceedings heretofore had, and which may be had before the board, the said chairman notwithstanding.

VIII. Be it therefore enacted, That John Lord, John Brown, Benjamin Blaney, John L. Griffin, Thomas Leonard, Maurice Moore, Samuel Hall, James Flowers and John Tanne, jun. be, and they are hereby appointed trustees of the said academy, and invested with all the privileges and authorities of the trustees herebefore appointed.

IX. And be it further enacted, That till the said academy is built, and a school or schools established therein, the meetings of the trustees, except the annual meetings, may be held at any convenien place instead of the town of Smithville, or be called in said town; in which latter case, the President, and those members who do attend of the trustees, shall be considered a sufficient number to transact business, or a majority of the members without the President; and in such case, as to the determination of the president, or any law, usage or custom to the contrary notwithstanding.

X. And be it further enacted by the authority aforesaid, That all acts and clauses of acts coming within the meaning and purview of this act, and contrary thereto, is and are hereby repealed and made void.

CHAP. XLV.

An Act to incorporate the town of Hamilton.

WHEREAS considerable inconvenience has recently taken place in consequence of two towns having the same name in this State, as regards the post-office department, because letters being conveyed to one place, when designed for the other, to the great injury of many of the good citizens of this State; 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 town in Martin county, known by the name of Milton, shall hereafter be called Hamilton; and that William Williams, James Wiggins, Jesse Jones, John Calland and Andrew Joyner, be, and are hereby appointed commissioners for said town, and shall have full power and authority to act and do all things which may tend to the regulation and good government of said town, and shall keep the streets in good order and repair, and shall have power to appoint an overseer of the streets, who shall summon the inhabitants of said town to work on the streets three days previous to the time appointed for working, and in case of failure or refusal of any inhabitants so summoned to work on the streets, or to procure a sufficient substitute to perform such work, such inhabitant so failing, shall forfeit and pay half a dollar for each and every day's failure or refusal, to be recovered in a summary manner by complaint made by the overseer to any one of the commissioners, such fine to be paid into the hands of the treasurer of said board of commissioners, to be applied to the use of said town, in such manner as a majority of the board shall direct: Provided always, that no person within the limits of said town, shall be compelled to work more than two days in any one year, or be compelled to work on any road out of the limits of said town; any law, custom or usage to the contrary notwithstanding.

II. Be it further enacted, That the said board of commissioners shall meet on the third Monday of March annually, and after on their own adjournments as often as circumstances shall render it necessary; and at their first meeting shall elect a chairman, who shall preside and vote at their meetings; they shall elect a treasurer who shall give bond to the chairman and his successors in office, in the sum of one hundred dollars, for the faithful discharge of his duty; they shall also elect a clerk, who shall likewise be the register of the same, and shall keep all plans, plans, deeds, grants, records or other public papers relative to said town, and all proceedings hereunto had, and which may be had before the board. The said chairman, treasurer and clerk to be chosen out of the commissioners aforesaid; and in case of the death, neglect, removal or refusal to act, of any of the said commissioners, the clerk shall notify the proprietors of said town, by advertisement at three of the most public places therein, at least ten days previous to their meeting, to assemble thereon, and be directed by a majority of the acting commissioners, or in cases of emergency by
the establishment of said warehouse, shall appoint two inspectors thereof, who shall be subject to the same

rules and regulations, and entitled to the same privileges and emoluments as other inspectors of tobacco

safe-keeping of such tobacco as may be therein deposited, as the proprietors of other warehouses in the

said lower town are enabled to receive by law, subject to the same rules and regulations.

The inspectors to be appointed by this act, shall have the same prices for inspection and coopering as are from time to time taken and received in the town of Fayetteville, and no more, likewise the same prices for storage.

II. Be it further enacted, That the court of the county of Surry shall, when and as often as they deem it necessary, appoint some one person, an inhabitant of the town of Huntsville, superintendent of the police thereof, and the same person to remove at their pleasure; which person so appointed as intendant of police, shall have, enjoy and possess all and singular the powers and authorities, privileges and pre-eminences, which are, or may hereafter be given by law, to any intendant of police in any town or city within this State; and that the said intendant may appoint any person to execute his commands and precepts as he may think proper; which person so appointed, shall be invested with the same powers, authorities and privileges which constables in this State have a right to enjoy, possess and exercise; any thing in any law to the contrary notwithstanding.

CHAP. XLVIII.

An Act to alter the mode and provide more effectually for the election of Commissioners of the town of Fayetteville.

WHEREAS the town of Fayetteville has been divided into seven wards, and some inconveniences have arisen from the manner in which commissioners are chosen for said wards:

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 it shall and may be lawful for Dolphin Davis, his heirs or assigns, for and in the name of his executors or administrators, to receive storage of tobacco, inspected and deposited in such warehouse or houses as he shall build in lower Fayetteville.

II. And be it further enacted, That the justices of the county court of Cumberland, at the first court after the establishment of said warehouse, shall appoint two inspectors thereof, who shall be subject to the same rules and regulations, and entitled to the same privileges and emoluments as other inspectors of tobacco under the laws of this State.

III. And be it further enacted, That if it shall hereafter happen, by the neglect of the sheriff or other...
cause, that the election of commissioners cannot be held on the day appointed by law, it shall be the duty of the magistrate of police, or any three of the commissioners of the preceding year, to notify the people of the town by advertisement of the failure of the election and the cause thereof, at the same time requiring them to attend at the court-house on a day then in to be appointed, for the purpose of giving their suffrages for seven suitable persons to act as commissioners, and one suitable person to act as magistrate of police, for the year in which the failure shall so have happened; which election shall be opened and held in the same manner, and the persons elected shall possess the same qualifications, powers and authorities, and be subject to the like restrictions and penalties, and perform the same duties, as if they had been elected on the day prescribed by law for that purpose.

IV. And be it further enacted, That if any of the commissioners of the town of Fayetteville should hereafter refuse to act, remove out of town, or die, before the next annual election, the remaining commissioners are hereby authorized and required to choose others in the room and stead of those dying, removing or refusing to act, as aforesaid, which commissioners so chosen and qualifying according to law, shall have and possess the same powers as the commissioners had a right to exercise in whose room and stead they were appointed, and in all cases be subject to the like restrictions and penalties.

V. And be it further enacted, That all former acts and parts of acts, coming within the meaning of this act, are hereby repealed and made void.

---

**CHAP. XLIX.**

An Act to amend an act passed in the year one thousand seven hundred and ninety-eight, entitled "An act for the better regulation of the town of Newbern.

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 seventh section of the said act, which empowers the said commissioners of the town of Newbern to open a street from Pollott-street to Neuse road, and to sell certain part of Queen-street, be, and the same is hereby declared void.

---

**CHAP. L.**

An Act to provide for the better collection of the town taxes in the town of Wilmington.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the sheriff of said county, who shall be next elected, and also to every succeeding sheriff, a list of the taxes which shall be then due, which shall contain a list of the property for which said taxes are due, and the names of the persons by whom they are payable; agreeably to which list, the said sheriff of New-Hanover county, and every sheriff which shall be thereafter elected for said county, shall proceed to the collection of said taxes, and he is hereby authorized and empowered to collect and distrain for the same, and for all arrears which by said list shall appear due, in the same manner, and under the same rules and regulations as the sheriff of the several counties of this State are authorized and directed to collect and distrain for all town-taxes, and the said sheriff or sheriffs shall account for and pay the same to the commissioners of said town or to the town-clerk or town-treasurer, as the said commissioners may direct, on or before the first Monday in September in each and every year, for which the said sheriffs shall be allowed on their settlement six per centum on the amount by them collected.

III. And be it further enacted, in case any sheriff of said county shall fail to account for and pay over to the commissioners of said town as aforesaid, at the time herein prescribed, the town taxes which shall be directed to be collected by the list furnished as aforesaid, judgment on motion shall be entered up at the next court which shall be held for the county of New-Hanover, against the said sheriff and his securities on the bond herein directed to be taken: Provided nevertheless, that the said sheriff and his securities shall have, at least, ten days notice of the motion intended to be made; and provided also, that in case the sheriff shall contest the amount stated to be due, the court in which judgment shall be prayed, shall direct a jury to be impanelled, which jury shall determine the sum due by said sheriff to the commissioners aforesaid, and their determination shall be final and conclusive.

And whereas the tax on goods, wares and merchandize imposed for the support of a night-watch in the town of Wilmington, is frequently evaded by persons vending goods out of vessels arriving therein,

IV. Be it enacted, That the sheriff of New-Hanover county shall collect, in the same manner as is directed to collect the public tax from all persons who shall vend any article of goods, wares and merchandise, out of any vessel arriving in the port of Wilmington, the sum of fifty shillings, which he shall account for on oath, and pay the commissioners on the first Monday in January and July, in each and every year, for which he shall be allowed on the sum so collected and accounted for six per cent.

---

**CHAP. LI.**

An Act to authorize the commissioners of the town of Hillsborough to have inclined the public spring and school house lots, and also the church-yard within said town, and to cause the said lots to be otherwise improved, in such manner and on such terms as the said commissioners may agree and direct.

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 and may be lawful for the commissioners of the town of Hillsborough, or any three of the majority of them, to contract with some person or persons to close and otherwise improve the aforesaid lots, in such manner and on such terms as the said commissioners, or a majority of them, may agree and direct; any law heretofore existing to the contrary notwithstanding.
An Act to amend the several acts of Assembly now in force for establishing permanently the dividing-line between the counties of Montgomery and Moore.

WHEREAS the several laws heretofore passed relative to the establishment of a dividing-line between the counties of Montgomery and Moore, have failed to answer the purpose for which they were enacted; therefore,

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Chappel and David Cochran, of Montgomery county, Francis Bullock and Murdoch Martin of Moore county, and Benjamin H. Covington of Richmond county, be, and they are hereby appointed commissioners to ascertain and permanently establish the dividing-line between the counties of Montgomery and Moore; and when the said line shall be run, ascertained and concluded on, by the aforesaid commissioners, or a majority of them, it shall be held and deemed the permanent dividing-line between said counties; and the said commissioners shall be governed in ascertaining the said dividing-line, by the limits, stations and natural boundaries heretofore prescribed by law.

II. And be it further enacted, That Benjamin H. Covington, one of the commissioners appointed by this act, shall, in case, be, and hereby appointed surveyor to run the aforesaid line, which shall be run in that manner which may be prescribed by a majority of the commissioners aforesaid; and they shall appoint a chopper to assist in the demarcation of the line aforesaid.

III. And be it further enacted, That Benjamin H. Covington shall receive for his services as commissioner and surveyor, the sum of three dollars for each and every day he is concerned in the business aforesaid; and the amount of two days wages for going to and returning from the same; and the other commissioners shall receive the sum of twenty shillings for each and every day they are concerned in ascertaining the said line, and the chopper the sum of ten shillings; which sums shall be allowed by the county courts of Montgomery and Moore, and paid by each county in equal proportion; And the commissioners and surveyor aforesaid shall make out two fair plans or representations of their proceedings, one of which shall be recorded in the county of Montgomery, and the other in the county of Moore; any law to the contrary notwithstanding.

An Act establishing a boundary-line between the counties of Pasquotank and Perquimons, and also between Camden and Gates county.

WHEREAS there is a great dismal swamp lying between the counties of Pasquotank and Perquimons, and also between Camden and Gates, through which dismal swamp no dividing-line has ever yet been made between said counties; and the laws prescribing the bounds of said counties being unascertained:

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 tract of land now owned and inhabited by Evan Shelby Wiley, a small part of which lies within the county of Mecklenburg, shall be considered as lying exclusively in the county of Cabarrus.

An Act to alter the divisional-line between the counties of Mecklenburg and Cabarrus.

II. And be it enacted, That the line when made as aforesaid, shall be the line dividing said counties of Pasquotank and Perquimons, and also the counties of Camden and Gates; any law to the contrary notwithstanding.

An Act to alter the divisional-line between the counties of Sampson and Johnston,

III. And be it enacted, That when the aforesaid-line is completed, that it shall be the duty of the commissioners and surveyors or surveyors, to make out a just and accurate certificate, certifying the courses and distances of the lines by them made, so far as respects the county to which they belong, which certificate shall be recorded in each county that it may concern, and shall forever thereafter be considered the bounds of said county.

IV. And be it enacted, That each of the commissioners and surveyors shall be allowed the sum of twenty shillings for each and every day that he or they shall necessarily be employed in the duties of their appointment; to be paid by their respective counties.

V. And be it enacted, That the aforesaid line when run, shall not affect the title of any land that may have been entered or surveyed in one county, and it shall be found to be in the adjacent county.

An Act to revise and amend an Act, entitled "An act for running and ascertaining the boundary-line between the counties of Sampson and Johnston," passed in the year 1803.

WHEREAS it does appear that the dividing-line between the said counties has never been run or ascertained, and that the citizens thereof may sustain considerable injury thereby: 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 George Draughon, Thomas Strickland, Josiah Blackman, of Sampson county, William Bryan, Isaac Wilkims and Henry Stephens, of Johnston county, are hereby appointed commissioners, with full power and authority to meet, run, ascertain and mark the said line by the first day of November next; and in case of non-attendance of all of the said commissioners at the time by them agreed
An Act to annex part of the county of Craven to that of Lenoir, and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF NORTH-CAROLINA, AND IT IS HEREBY ENACTED BY THE AUTHORITY OF THE SAME, That Dunlap A. A. be appointed a commissioner for the county of Craven, Samuel L. Barnes for the county of Brunswick, Thomas Barnes for the county of Robeson, Thomas Tyson for the county of Moore, James Pickett for the county of Richmond, Isaac Jackson for the county of Anson, and Josiah Blackmarsh for the county of Sampson, and that it shall be the duty of the said commissioners to meet at Fayetteville on the fifth day of April next, to examine the jail of the said district, and if the said jail shall admit of repairing, to contract with some fit and proper person for the completing and finishing the same, agreeable to law.

III. And be it further enacted, That the said commissioners shall report to the respective courts of their said counties, the sum for which the said work is undertaken to be performed.

And be it further enacted, That the courts of the said counties respectively, on receiving the said report, shall proceed to lay a tax within their respective counties as follows, to-wit: County of Cumberland, on each poll not exceeding one shilling, and so in proportion on town-lots with their improvements, and also on each and every three hundred acres of land: And all other counties composing said district, a tax not exceeding sixpence on each poll, and sixpence on each hundred pounds value of town lots with improvements therein, and sixpence on each three hundred acres of land, which said tax shall be proportioned by the said commissioners, or a majority of them, when convened at Fayetteville as aforesaid.

IV. And be it further enacted, That the sheriffs of the said counties respectively shall collect and account for the said tax, under the same rules, restrictions and regulations as other public taxes, and shall pay the same into the hands of the person or persons so contracting with the said commissioners.

V. And be it further enacted, That the said commissioners, or a majority of them, shall appoint a treasurer, who shall enter into bond with good and sufficient security for the faithful discharge of the duties of his office, and the payment of all sums as shall by virtue thereof come to his hands, to the person or persons so contracting with the said commissioners.

VI. And be it further enacted, That the said treasurer shall have for all his services, five per cent. commission for all sums so by him paid, and that the said commissioners shall be allowed twenty shillings for each thirty miles travelling to and from, and all ferriages to be paid by the treasurer.

VII. And be it further enacted, That it shall be the duty of the said commissioners to attend agreeable to their contract with the undertaker aforesaid, and receive the said jail when finished agreeable to said contract.

VIII. And be it further enacted, That should a majority of the aforesaid commissioners be of opinion that the rebuilding said jail be necessary, that they shall make a report of the same to the next General Assembly.

IX. And be it further enacted by the authority aforesaid, That the commissioners when assembled under this act, shall and may take under their consideration the jail of Cumberland county, and if they shall deem it expedient, make addition to, repair, or otherwise act with respect to the same as they may think proper or necessary; and the said county jail shall in future be and remain as a part of the jail for the district, and applied to their use accordingly, as if the same had been built by the district.
a person or persons for supplying materials and building a gaol, of such dimensions and in such manner as
they think proper, and clearing and inclosing the lot; and when the expenses thereof arecertified, they
shall certify to the courts of the respective counties composing the district of Wilmington, the next amount
necessary to be raised by each of them, to the said commissioners taking a guide to the county court of New-
Hampshire, in determining the sums to be raised on the different counties, shall take into view and give credit to New-Hanover county for the proceeds of the sale of the lot and gaol now belonging to the district, in proportion to what the counties paid for the said court-house,
and the proceeds of the sale of the lot and gaol now belonging to the district, in proportion to what the counties paid for the said court-house,
and the commissioners appointed for building any gaol in this State, and that the majority shall, in every instance, be sufficient to
they think proper, and clearing and inclosing the lot; and when the expenses thereof arecertified, they
shall certify to the courts of the respective counties composing the district of Wilmington, the next amount
necessary to be raised by each of them, to the said commissioners taking a guide to the county court of New-
Hampshire, in determining the sums to be raised on the different counties, shall take into view and give credit to New-Hanover county for the proceeds of the sale of the lot and gaol now belonging to the district, in proportion to what the counties paid for the said court-house,
and the proceeds of the sale of the lot and gaol now belonging to the district, in proportion to what the counties paid for the said court-house,
and the commissioners appointed for building any gaol in this State, and that the majority shall, in every instance, be sufficient to
they think proper, and clearing and inclosing the lot; and when the expenses thereof arecertified, they
shall certify to the courts of the respective counties composing the district of Wilmington, the next amount
necessary to be raised by each of them, to the said commissioners taking a guide to the county court of New-
Hampshire, in determining the sums to be raised on the different counties, shall take into view and give credit to New-Hanover county for the proceeds of the sale of the lot and gaol now belonging to the district, in proportion to what the counties paid for the said court-house,
and the proceedings of the sale of the lot and gaol now belonging to the district, in proportion to what the counties paid for the said court-house,
and the commissioners appointed for building any gaol in this State, and that the majority shall, in every instance, be sufficient to
they think proper, and clearing and inclosing the lot; and when the expenses thereof arecertified, they
shall certify to the courts of the respective counties composing the district of Wilmington, the next amount
necessary to be raised by each of them, to the said commissioners taking a guide to the county court of New-
Hampshire, in determining the sums to be raised on the different counties, shall take into view and give credit to New-Hanover county for the proceeds of the sale of the lot and gaol now belonging to the district, in proportion to what the counties paid for the said court-house,
and the proceedings of the sale of the lot and gaol now belonging to the district, in proportion to what the counties paid for the said court-house,
and the commissioners appointed for building any gaol in this State, and that the majority shall, in every instance, be sufficient to
they think proper, and clearing and inclosing the lot; and when the expenses thereof arecertified, they
shall certify to the courts of the respective counties composing the district of Wilmington, the next amount
necessary to be raised by each of them, to the said commissioners taking a guide to the county court of New-
Hampshire, in determining the sums to be raised on the different counties, shall take into view and give credit to New-Hanover county for the proceeds of the sale of the lot and gaol now belonging to the district, in proportion to what the counties paid for the said court-house,
and the proceedings of the sale of the lot and gaol now belonging to the district, in proportion to what the counties paid for the said court-house,
and the commissioners appointed for building any gaol in this State, and that the majority shall, in every instance, be sufficient to
they think proper, and clearing and inclosing the lot; and when the expenses thereof arecertified, they
shall certify to the courts of the respective counties composing the district of Wilmington, the next amount
necessary to be raised by each of them, to the said commissioners taking a guide to the county court of New-
Hampshire, in determining the sums to be raised on the different counties, shall take into view and give credit to New-Hanover county for the proceeds of the sale of the lot and gaol now belonging to the district, in proportion to what the counties paid for the said court-house,
and the proceedings of the sale of the lot and gaol now belonging to the district, in proportion to what the counties paid for the said court-house,
and the commissioners appointed for building any gaol in this State, and that the majority shall, in every instance, be sufficient to
they think proper, and clearing and inclosing the lot; and when the expenses thereof arecertified, they
shall certify to the courts of the respective counties composing the district of Wilmington, the next amount
necessary to be raised by each of them, to the said commissioners taking a guide to the county court of New-
Hampshire, in determining the sums to be raised on the different counties, shall take into view and give credit to New-Hanover county for the proceeds of the sale of the lot and gaol now belonging to the district, in proportion to what the counties paid for the said court-house,
and the proceedings of the sale of the lot and gaol now belonging to the district, in proportion to what the counties paid for the said court-house,
and the commissioners appointed for building any gaol in this State, and that the majority shall, in every instance, be sufficient to
they think proper, and clearing and inclosing the lot; and when the expenses thereof arecertified, they
shall certify to the courts of the respective counties composing the district of Wilmington, the next amount
necessary to be raised by each of them, to the said commissioners taking a guide to the county court of New-
Hampshire, in determining the sums to be raised on the different counties, shall take into view and give credit to New-Hanover county for the proceeds of the sale of the lot and gaol now belonging to the district, in proportion to what the counties paid for the said court-house,
and the proceedings of the sale of the lot and gaol now belonging to the district, in proportion to what the counties paid for the said court-house,
and the commissioners appointed for building any gaol in this State, and that the majority shall, in every instance, be sufficient to
they think proper, and clearing and inclosing the lot; and when the expenses thereof arecertified, they
shall certify to the courts of the respective counties composing the district of Wilmington, the next amount
necessary to be raised by each of them, to the said commissioners taking a guide to the county court of New-
Hampshire, in determining the sums to be raised on the different counties, shall take into view and give credit to New-Hanover county for the proceeds of the sale of the lot and gaol now belonging to the district, in proportion to what the counties paid for the said court-house,
and the proceedings of the sale of the lot and gaol now belonging to the district, in proportion to what the counties paid for the said court-house,
An Act to provide for the repairing, or rebuilding if necessary, the district gaol of Edenton.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority thereof, That Stephen Cabarrus be appointed commissioner for the county of Chowan, William Cherry for Bertie county, James Jones for Hertford county, Joseph Ridlick for Gates county, Timothy Cotter for Pasquotank county, Joseph Morgan for Camden county, Samuel Ferebee for Currituck county, James Hiskins for Tyrrell county, John Armistead for Washington county, and John Wood for Perquimans county; and it shall be the duty of the commissioners aforesaid to meet at Edenton on the eleventh day of April next, to examine the gaol, and if the said gaol will admit of repairing, to contract with some fit and proper person for the completing and finishing the same.

II. And be it further enacted, That the said commissioners shall report to the respective courts of their counties, the sum for which the undertaking is to be completed and finished.

III. And be it further enacted, That the courts of the respective counties composing the district of Edenton, on receiving the report of the commissioners of the amount of expense for repairing said gaol, to proceed to lay a tax in their respective counties, as follows, viz. Chowan county, a tax on each poll not exceeding one shilling, and so in proportion upon town lots with their improvements, and upon each and every three hundred acres of land; and all other counties composing said district, a tax not exceeding four-pence on each poll, and four-pence on each hundred pounds value of town lots with their improvements, and four-pence on each and every three hundred acres of land in the respective counties, which said tax shall be proportioned by the commissioners, or a majority of them, when convened at Edenton as aforesaid, which apportionment shall be made agreeably to the list of taxable property of the preceding year, on polls, town property and land.

IV. And be it further enacted, That the sheriffs of the respective counties shall collect and account for the aforesaid tax, under the same rules, regulations and restrictions as other public taxes, and pay the same into the hands of the treasurer hereafter to be appointed.

V. And be it further enacted, That the said commissioners, or a majority thereof, shall appoint a treasurer, who shall enter into bond with sufficient security for the faithful discharge of his duty, in accounting for and paying all such monies as may come to his hands, to the person or persons who may undertake to repair said gaol.

VI. And be it further enacted, That the treasurer for his services shall be allowed five per cent, commission for all monies by him paid out, and the aforesaid commissioners shall be allowed twenty shillings for each day they shall necessarily attend, and twenty shillings for every thirty miles travelling to and from, and all ferragges to be paid by the treasurer, for which he shall be allowed in his settlement with said commissioners.

VII. And be it further enacted, That the said commissioners, or a majority of them, shall appoint a treasurer, who shall enter into bond with sufficient security for the faithful discharge of his duty, in accounting for and paying all such monies as may come to his hands, to the person or persons who may undertake to repair said gaol.

VIII. And be it further enacted, That the treasurer for his services shall be allowed five per cent, commission for all monies by him paid out, and the aforesaid commissioners shall be allowed twenty shillings for each day they shall necessarily attend, and twenty shillings for every thirty miles travelling to and from, and all ferragges to be paid by the treasurer, for which he shall be allowed in his settlement with said commissioners.

IX. And be it further enacted, That the said commissioners, or a majority of them, shall appoint a treasurer, who shall enter into bond with sufficient security for the faithful discharge of his duty, in accounting for and paying all such monies as may come to his hands, to the person or persons who may undertake to repair said gaol.
An Act to alter and amend an act, entitled "An Act to alter the time of electing the Members of General Assembly," passed at Fayetteville, one thousand seven hundred and eighty nine, so far as respects the county of Gates.

WHEREAS by the before-mentioned act, the annual elections for the purpose of electing members of the General Assembly, shall be held in each and every county on the second Thursday and Friday in August, and it being found by experience that the elections for the county of Gates, can be conducted and completed in one day: 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 annual elections for members of the General Assembly, and representatives to Congress of the United States, shall be held for the county of Gates, on the first Friday after the second Thursday in August in each and every year, which election shall be opened by eleven o'clock and held open until sun-set, unless by consent of all the candidates that the poll shall be closed sooner; any law to the contrary notwithstanding.

An Act to authorize the Companies of Cavalry in Buncombe county to hold their musters and be reviewed at Asheville, in said county.

WHEREAS it is extremely inconvenient and troublesome for the companies of cavalry in the county of Buncombe to attend general musters and reviews at Morganton; reason of the great distance, and the many mountains and water courses they have to cross:

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, it shall be lawful for the companies of cavalry in Buncombe county, to hold their musters for the purpose of being reviewed at Asheville, in the ninth brigade; and the commanding officer aforesaid shall, by himself or one of the field officers of his regiment by his appointment, attend the said musters and reviews for the purpose of reviewing and mustering the said companies agreeably to law. And the officers of the same are hereby authorized to hold courts martial for the purpose of enforcing the payment of fines, and for the regulation of other duties relating to the said companies; but the officers of said companies shall be required to attend all general or regimental courts martial of the said regiment, as heretofore required by law.

II. And be it further enacted, That from and after the passing of this act, it shall not be lawful for the commanding officer of the regiment of cavalry of the ninth brigade, to call the companies of cavalry of the county of Buncombe to general musters and reviews at Morganton; nor shall any thing in this act be construed to prevent the said companies of cavalry in Buncombe county from holding their company musters as heretofore; any law, usage or custom to the contrary notwithstanding.

An Act to empower the several Captains in the different districts or companies in the county of Richmond, Robeson and Montgomery, to appoint Patrols.

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 captains in each district or company in the aforesaid counties shall, if they deem it necessary, at the next muster after the first day of January in each year, appoint three persons to act as patrols for the space of one year, and as a compensation for the services required of them as such, be exempt from serving on the jury, working on the roads and attending military duties.

II. And be it further enacted, That the patrols appointed in pursuance of this act, shall be invested with the same powers and authorities, and be subject to the same duties, under the same rules, regulations and restrictions as heretofore prescribed by law.

III. And be it further enacted, That all acts or parts of acts that come within the meaning and purview of this act, shall be, and are hereby repealed and made void, so far as respects the counties aforesaid.

An Act to amend an Act, entitled "An act to authorize Thomas Barnes, of Robeson county, to convey certain town lots in the town ofLumberton."

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 Alfred Rowland, the present sheriff of Robeson county, be, and he hereby empowered and directed, before the first day of May next, to execute deeds of conveyance to Noah Pitman and John Dow, for certain lots which they have purchased in the town of Lumberton: Provided, that the said John Dow and Noah Pitman, or some person for them, do make oath before some justice of the peace, or produce some satisfactory evidence that they have actually paid the purchase-money for such lots: Provided also, that nothing herein contained shall be construed so as to affect the legal claim of any other person whatever.

II. And be it further enacted, That all such deeds as are herein directed to be executed, shall be as good and valid in law as if the conveyance had been made by the Sheriff who sold the same.

An Act to prevent the felling of timber in Uhara and Deep Rivers, within the county of Randolph.

WHEREAS it is represented to this General Assembly, that considerable damage is frequently sustained by owners of mills on the waters of the Uhara and Deep Rivers, in said county of Randolph, by reason of immense quantities of timber being frequently felled in said rivers: 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 from and after the passing of this act, it shall not be lawful for any person or persons within the said county of Randolph, to cut down or fell timber into either of the aforesaid water courses, unless they remove such parts thereof, within forty-eight hours after the same has been felled, as might injure any mill-dams or said waters.
AN ACT TO INCORPORATE THE ROYAL ARCH CHAPTER OF CONCORD, OF WILMINGTON, NORTH-CAROLINA.

BE IT ENACTED, That the officers and members who, at present are, or shall hereafter be, the said officers and members, shall have perpetual succession and a common seal, and may sue and be sued, in their corporate and political capacity, by the name and title of the Royal Arch Chapter of Concord, of Wilmington, North-Carolina, and by such name shall have perpetual succession and a common seal, and may sue and be sued, in their corporate and political capacity, by the name and title of the Royal Arch Chapter of Concord, of Wilmington, North-Carolina, and by such name shall have perpetual succession and a common seal, and may sue and be sued.

CHAP. LXVI.

An Act to revive and continue in force an act passed in the year one thousand eight hundred and three, entitled "An act giving longer time to the inhabitants of Richmond county to register certain claims in said county."

BE IT ENACTED, That the commissioners appointed in virtue of the above-acted act, or any majority of them, shall have full power and authority to give to the said Philip Hoodenpyle and Job Bernard a further time, not exceeding eighteen months, for the purpose of completing the contract by them entered into with the commissioners in the above recited act. And whereas the said Philip Hoodenpyle and Job Bernard have sustained considerable injury by high waters in the rivers Big Ivy and French Broad, in the destruction of their wharves and bridges; and whereas it is just and reasonable that the proprietors of the said road and works should be completely compensated for the trouble and expense they necessarily must sustain in repairing the damages aforesaid; and in consideration of the said Philip Hoodenpyle and Job Bernard, their heirs and assigns, perfecting their works within the period herein before mentioned, and keeping and upholding the same in good and sufficient repair and order for the safe passage of carriages, travellers and stock, as contemplated in the said recited act, they the said Philip Hoodenpyle and Job Bernard, their heirs or assigns, shall be authorised for and during the term of eight years, in addition to the term fixed by the said act, to demand and receive, and they are hereby authorised and empowered to demand and receive from all persons, carriages and stock, passing through and over their works aforesaid, the same toll as fixed by the act aforesaid; any law to the contrary notwithstanding.

CHAP. LXIX.

An Act to amend an act, entitled "An act to appoint and empower commissioners to contract with Philip Hoodenpyle and Job Bernard, for certain improvements on the Warm Spring Road," passed in the year one thousand eight hundred and one.

BE IT ENACTED, That the commissioners appointed in virtue of the above-acted act, or any majority of them, shall have full power and authority to give to the said Philip Hoodenpyle and Job Bernard a further time, not exceeding eighteen months, for the purpose of completing the contract by them entered into with the commissioners in the above recited act. And whereas the said Philip Hoodenpyle and Job Bernard have sustained considerable injury by high waters in the rivers Big Ivy and French Broad, in the destruction of their wharves and bridges; and whereas it is just and reasonable that the proprietors of the said road and works should be completely compensated for the trouble and expense they necessarily must sustain in repairing the damages aforesaid; and in consideration of the said Philip Hoodenpyle and Job Bernard, their heirs and assigns, perfecting their works within the period herein before mentioned, and keeping and upholding the same in good and sufficient repair and order for the safe passage of carriages, travellers and stock, as contemplated in the said recited act, they the said Philip Hoodenpyle and Job Bernard, their heirs or assigns, shall be authorised for and during the term of eight years, in addition to the term fixed by the said act, to demand and receive, and they are hereby authorised and empowered to demand and receive from all persons, carriages and stock, passing through and over their works aforesaid, the same toll as fixed by the act aforesaid; any law to the contrary notwithstanding.

CHAP. LXX.

An Act for the relief of Mourning Sikes, of Nash county.

BE IT ENACTED, That Mourning Sikes, of Nash county, shall hold, possess and enjoy, all the property, real or personal, which John Sikes died possessed of, free and clear from any claim on the part of any person, arising from the operation of the escheat laws; any law to the contrary notwithstanding.

CHAP. LXXI.

An Act to authorize William Taylor, of Mecklenburg county, to bring into this State any number of Negroes not exceeding ten.

WHEREAS it has been represented to this General Assembly that William Taylor, of Mecklenburg county, in the State of Virginia, is possessed of valuable lands in the county of Granville, in this State, and sundry negro slaves in the county of Mecklenburg, which lands and slaves were willed to him by his father, said that he can derive but little advantage from the said lands unless he is permitted by law to settle and reside in the county in which he intends to bring the said negroes, that they are intended for his own use, and not for the purpose of speculation; any law to the contrary notwithstanding.

CHAP. LXXII.

An Act to amend an act passed in the year one thousand seven hundred and ninety-three, entitled "An act to encourage the building of public mills and directing the duty of millers."

BE IT ENACTED, That the officers and members of the said mills, being public officers, shall not receive more toll for grinding than one-eighth of Indian corn, and one-eighth of wheat; any law to the contrary notwithstanding.

CHAP. LXXIII.

An Act to incorporate the Royal Arch Chapter of Concord, of Wilmington, North-Carolina.

BE IT ENACTED, That the officers and members who at present are, or in future may be of the said Royal Arch Chapter of Concord, of Wilmington, North-Carolina, are hereby constituted and declared to be, a body corporate, under the name and title of The Royal Arch Chapter of Concord, of Wilmington, North-Carolina, and by such name shall have perpetual succession and a common seal, and may sue and be sued, in their corporate and political capacity.
An Act to amend an act passed at Raleigh, in the year one thousand eight hundred and two, granting further compensation to witnesses and jurors to the district courts of this State, so far as it respects the district of Newbern.

WHEREAS by the before recited act, ten shillings per day only is allowed to each juror compelled to attend the district courts of this State—a sum far inadequate to their necessary expense, particularly in the district of Newbern: 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 from and after the first day of May next, the jurors compelled to attend Newbern's superior court by legal authority, shall receive each twelve shillings and sixpence per day for every day they necessarily attend as aforesaid, and twelve shillings and sixpence for every thirty miles they may necessarily travel in going to, and returning from said court, with their ferriages, which shall be taxed, collected and paid for as heretofore; any law to the contrary notwithstanding.

CHAP. LXXV.
An Act making further compensation to the jurors who may attend the county court of Halifax.

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 jurors who may attend the county court of Halifax, shall receive for their services the sum of eight shillings for every day they may attend, and the same sum for every thirty miles travelling to and from said court; any law to the contrary notwithstanding.

CHAP. LXXVI.
An Act to make further compensation to the jurors who may attend the county court of Halifax and Edenton districts.

WHEREAS by the present existing laws, the jurors of the superior courts of Halifax and Edenton districts are not entitled to an adequate compensation for their services: 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 from and after the passing of this act, each juror summoned to attend the superior courts of Halifax and Edenton, except the counties of Halifax and Chowan, shall, for his services, be entitled to fifteen shillings for each day he shall attend as a juror, and fifteen shillings for every thirty miles travelling to and from said court, with ferriages.

CHAP. LXXVII.
An Act to apportion the number of jurors to be sent to the superior court from the different counties in Fayetteville district.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of this act, the several counties within the district of Fayetteville, shall send, from each to the superior court of said district, the following number of jurors, and no more, viz. the county of Cumberland thirteen, Richmond six, Anson six, Sampson six, Robeson six, and Moore six; and that so much of the former acts of the General Assembly of this State as appoint the number of jurors to be sent from any county to the superior court of said district, be, and the same are hereby repealed and made void.

CHAP. LXXVIII.
An Act making further compensation to the jurors attending the county court of Cumberland.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of this act, the jurors who may attend the county court of Cumberland, shall receive for their services the sum of eight shillings per day, and eight shillings for every thirty miles travelling to and from the said court; any law, usage or custom to the contrary notwithstanding.

CHAP. LXXIX.
An Act to repeal an act passed at Raleigh, in the year of our Lord one thousand eight hundred, entitled "An act making compensation to the county court jurors in the counties of Rowan and Carteret," so far as respects the county of Rowan.

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, much of the before recited act as relates to the county of Rowan, shall be, and is hereby repealed and made void; any law or custom to the contrary notwithstanding.

CHAP. LXXX.
An Act making compensation to the county court jurors of Richmond, and for other purposes therein mentioned.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That in future each and every juror who shall be appointed and summoned, and shall regularly attend the county court of Richmond, shall be allowed the sum of six shillings for each and every day's attendance, and the like sum for every thirty miles travelling to and from said court.

II. And be it further enacted, That each and every juror shall obtain from the clerk of said court a certificate, in the same manner, and under the same rules as certificates are obtained from the clerks of the superior courts for like services.

III. And be it further enacted, That any person or persons who shall, within the limits of said county, catch or shoot a bear or wolf, so as to kill the same, shall, upon producing the scalp or scalps, and swearing to the same in open court, receive for the scalp of a grown bear or wolf the sum of forty shillings, and for the scalp of every young bear or wolf, not a year old, the sum of ten shillings, and receive from the clerk a certificate for the same.

IV. And be it further enacted, That the county court of Richmond is hereby empowered and required to lay a tax on each and every white and black poll, not exceeding two shillings, and upon every hundred
An Act to amend an act for making compensation to the jurors of Brunswick county.

WHEREAS the said act has been found oppressive in the present indebted situation of the county.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That instead of the tax of eight shillings for each and every day's attendance of a juror, and the same sum for every thirty miles travelling to and from court, being absolutely laid, the laying of tax for compensation of jurors to the county court, shall depend on the discretion of the court, who shall have power, and they are hereby invested with authority to raise such sum at such rate as they may judge to be proper, and the ability of the county, not exceeding the amount mentioned in the eight shillings for each and every day's attendance, and a similar sum for every thirty miles travelling to and from said court, for which each juror shall obtain a certificate from the clerk of the county, and the said certificate shall be paid off by the county treasurer or treasurers, under the same rules as are prescribed for the payment of jurors to the superior court; Provided nevertheless, that two-thirds of the acting justices of said county shall concur in laying the tax, which shall be collected and accounted for in the same manner as the county tax: And provided also, that the claims for services hereunto performed, shall be paid agreeable to said act, making compensation to the jurors of Brunswick county; but all future services shall only be allowed for by the county court, and compensated in manner above mentioned.

An Act to repeal a part of an act, entitled "An act allowing compensation to the superior and county court jurors," so far as relates to the county of Burke.

WHEREAS it has become oppressive to the citizens of the county of Burke to allow compensation to the jurors of the superior and county courts: 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 from and after the passing of this act, that a part of a certain act, entitled "An act to allow compensation to the superior court jurors," passed in the year one thousand seven hundred and eighty-three, and amended in the year one thousand eight hundred and two, that so much of said acts as relates to the compensation of jurors of the county of Burke, shall be, and are hereby repealed and made void.

An Act to authorize the county court of Chatham to lay a tax, at any time previous to the sitting of the next General Assembly, for the year one thousand eight hundred and five and the year one thousand eight hundred and six, not exceeding two shillings on each poll, eight-pence on every hundred acres of land, and two shillings on every hundred pounds value of town property, so levied for one year, should be insufficient to answer the purposes above mentioned, it shall and may be lawful for the county court aforesaid to continue the same from year to year until a sufficient sum shall be raised, so that the object of laying the tax may be carried into effect.

And be it further enacted, That the county court of Chatham, on proceeding to the business aforesaid, shall appoint three commissioners, whose duty it shall be to let out the building of the court-house aforesaid to the lowest bidder, and to dispose of the old court-house and all public buildings attached thereto, and the money arising from such sale, when made, shall be appropriated to the use of the county.

An Act to empower the county court of Martin to lay a tax on the inhabitants of said county, for the purpose of building a house for the reception and employment of the poor thereof, and for other purposes.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the court of said county is hereby authorized to lay a tax, at any time previous to the sitting of the next General Assembly, for the year one thousand eight hundred and five and the year one thousand eight hundred and six, not exceeding two shillings on each poll, eight-pence on every hundred acres of land, and two shillings on every hundred pounds value of town property within the said county, to be levied, collected and accounted for as the law in such cases directs.

II. And be it further enacted, That the said county court shall have full power to appoint such commissioners, or as many of them, as they may think proper, for carrying said building into effect, and to finish
That from and after the passing of this act, all such persons as they may think proper to receive by way of donation, such lands as may be convenient for the same, and to take a deed thereof from the former proprietor or owner to the wardens of the poor of said county, to and for the use of the poor thereof: Which deed shall be recorded in the proper office, and lodged with the clerk of the court of said county. And the said commissioners are hereby further authorised to use their own discretion with respect to the size and dimensions of said house, and manner of erecting the same.

IV. Be it further enacted, That when the said house may be completed, it shall be under the care and management of the wardens of the poor of said county to admit therein such persons as they may think proper, objects of public charity, to provide suitable provisions and apparel for them, and to make such arrangements for their useful, convenient employment, as may appear most advantageous for the support of said poor-house, and the wardens shall make due return of the earnings of said poor, at least once a year, to the court of said county.

V. Be it further enacted, That if any of the commissioners herein to be named shall die, remove, be unable, or refuse to act, then, in that case, it shall be lawful for the court of said county to appoint any other person or persons in lieu of such commissioner or commissioners who shall die, remove, or be unable or refuse to act.

VI. And be it further enacted, That the wardens of the poor of the county of Martin shall have full power and authority to lay a tax annually not exceeding four shillings on each poll, and one shilling on every hundred pounds value of town property, and one shilling and four-pence on every hundred acres of land in said county, to be collected and accounted for as other public monies are; and all acts and clauses of acts heretofore made, coming within the purview and meaning of this act, are hereby repealed and made void; and all law to the contrary notwithstanding.

CHAP. LXXXV.

An Act to continue in force an act passed at Raleigh, in the year one thousand eight hundred and two, entitled "An act authorising the county courts therein mentioned to lay a tax for defraying the expenses incurred in suppressing the late insurrection of the Negroes in said counties," so far as respects the county of Pasquotank, and for other purposes therein mentioned.

WHEREAS the tax contemplated in the above recited act has been found insufficient to meet the object thereof, and whereas doubts have arisen with the county court of Pasquotank, whether they were authorised to lay the tax for more than one year,

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 Pasquotank is hereby authorised and empowered to continue the said tax for the years one thousand eight hundred and four and one thousand eight hundred and five, under the same rules and regulations as are prescribed in the above recited act; any thing to the contrary notwithstanding. And whereas the granting a separate general muster in the county of Pasquotank, has been found to be inconvenient and troublesome, and the commissioned officers of said county having expressed a wish that the separate battalions should be united,

II. Be it enacted by the authority aforesaid, That from and after the passing of this act, all general musters in the county of Pasquotank, shall be held at Elizabeth City, and that all acts or parts of acts granting separate general musters in said county, are hereby repealed and made void. And whereas the poor-house in the county aforesaid has become but of little use, in consequence of the court being removed from Nixonton to Elizabeth City,

III. Be it enacted by the authority aforesaid, That the sheriff of the county of Pasquotank is hereby authorised and directed to sell the poor-house, and lot and furniture thereof, on a credit of six months, and the money arising from the same, be hereby directed to pay over to the wardens of the poor of the county of Pasquotank, towards the building of a poor-house in Elizabeth City; and the sheriff of the county aforesaid is hereby authorised and empowered to give a good and sufficient conveyance for the said poor-house, lot and furniture, to the purchaser or purchasers thereof; any thing to the contrary notwithstanding.

IV. And be it further enacted by the authority aforesaid, That the wardens of the county of Pasquotank, are hereby authorised and empowered to lay an additional poor tax of nine-pence on every poll, and three-pence on every hundred acres of land, and nine-pence on every hundred pounds value of town property, in the county aforesaid, to be levied and collected as other taxes, and to be applied towards the building of a poor-house in Elizabeth City.

CHAP. LXXXVI.

An Act to alter the time for electing sheriffs and laying the county tax for the county of Richmond.

WHEREAS the time for electing sheriffs and laying the county taxes in the county of Richmond has been found inconvenient to the sheriffs of said county: 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 from and after the ratification of this act, the county court of Richmond shall annually appoint a sheriff for said county, at the first court which shall be held after the first day of January in each and every year, under such rules, regulations and restrictions in other respects as heretofore pre

II. Be it enacted, That the sheriff elected at the first court happening after the first day of January, one thousand eight hundred and six, shall be bound to collect and account for the taxes laid as aforesaid for the year one thousand eight hundred and five, under the same rules and regulations as heretofore pre

III. And be it further enacted, That the county court of Richmond shall annually after the first day of January in each and every year, proceed to levy and account the county taxes for each year: Provided, that seven or
An Act to authorise the wardens of the poor for the county of Perquimans to lay a tax higher than heretofore, and to regulate their proceedings in certain cases.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of this act, it shall and may be lawful for the wardens of the poor for the county of Perquimans, or a majority of them, to lay a tax not exceeding four shillings on each and every poll, and four shillings on every hundred pounds value of town property, and one shilling on every hundred acres of land, within the said county, for the year one thousand eight hundred and four, and for any year hereafter when they shall deem it necessary, to be collected and accounted for as directed by the law in such cases made and provided.

II. And be it further enacted, That when any person shall apply to the said wardens for assistance for himself or herself, having property, he or she shall assign over and yield up into the hands of the wardens, the said property, or as much thereof as the said wardens, or a majority of them shall think just and reasonable, before he or she shall be eligible for applying shall be entitled to receive assistance at the expense of the county; which property is to be applied at the discretion of the wardens towards the assistance of the poor under their care: Provided always, that such assignment of the property shall not be made to the prejudice of just creditors.

And in case the said wardens should have under their care or be charged with any malady, it shall be the duty of the wardens, or a majority of them, at their discretion, to employ some person or persons of skill and abilities to take such under their care, and by applying medicine or otherwise, to endeavour that they may be recovered.

An Act to alter the time of appointing sheriffs, and laying the county taxes for the county of Buncombe.

WHEREAS the time of electing sheriffs and laying the county tax in the county of Buncombe has been found inconvenient to the sheriffs of such county: 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 from and after the ratification of this act, the county court of Buncombe shall annually appoint a sheriff for said county, at the first court which shall be held after the first day of January in each and every year, under such rules, regulations and restrictions in other respects as heretofore prescribed by law. And whereas the present sheriff of said county is bound for the tax for the year one thousand eight hundred and four, the settlement of which will take place in October, one thousand eight hundred and five, and fire,

II. Be it therefore enacted, That the sheriff elected at the first court happening after the first day of January, one thousand eight hundred and six, shall be bound to collect and account for the taxes laid before prescribed by law.

III. And be it further enacted, That the county court of Buncombe shall annually, at the first court which shall be held after the first day of January in each and every year, proceed to levy and assess the county taxes for such year. Provided, That seven or more justices shall be present at the time of such assessment; anything in any law to the contrary notwithstanding. And provided also, that nothing herein contained, shall be so construed as to prevent the said court of Buncombe to levy and assess the county taxes of the said county for the year one thousand eight hundred and four, and make the necessary provisions for the collection thereof.

An Act to repeal part of an act passed in the year one thousand seven hundred and ninety-four, entitled "An act to empower the county court of New-Hanover, to lay a tax for the purpose of destroying the vermin of the same, and for altering one of the places for holding the annual elections in the county of New-Hanover." passed in one thousand seven hundred and ninety-two, so far as the said act relates to the county of New-Hanover;

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That so much of the first, second, third and fourth sections of the above-mentioned act as relates to the county of New-Hanover be, and the same is hereby repealed.

An Act to amend an act, entitled "An act to authorize and empower the county court of Northampton to appoint some person proper to transcribe the register’s books of said county," passed the last session of the General Assembly.

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 aforesaid, shall have power to appoint two discreet and proper persons as commissioners to examine the transcripts directed to be made in virtue of the said act; and if the same are true and accurately transcribed, they shall make report thereof to the court of the said county; which report, if approved by a majority of the justices of the said county, and certified as such under their hands, the said transcript shall be as valid, to all intents and purposes, as the original, and transcripts and copies thereof shall be received in evidence, in all full and ample manner as copies and transcripts from the said original.

II. And be it further enacted, That the commissioners appointed in pursuance of this act, shall, at the time of making their report, also report what sum, in their opinion, would be adequate compensation for the services of the persons appointed to transcribe the said register’s books of said county.

III. And be it further enacted, That a majority of the justices of said county shall have power and authority to allow to the person appointed to transcribe the said register’s books, and also to the commissioners appointed in virtue of this act, such compensation as they may deem adequate to their services; and
An Act authorise the county court of Onslow to appoint a proper person to transcribe such of the records in the register's office as said court shall deem necessary.

INASMUCH as it is represented to this General Assembly, that a considerable part of the books in the register's office of Onslow county, are much obliterated, owing to time and use,

be it enacted by the General Assembly of the State of North-Carolina, that the county court of Onslow, after examining the records belonging to the register's office of said county shall have full power and authority, if they should deem it necessary, to appoint a capable person to transcribe a part or the whole of said books, and allow him such sum for so doing out of the county tax, as may be deemed adequate to his time and trouble;

and be it further enacted, That after the said records shall be transcribed in books well bound and procured for the purposes, the said transcripts in said books, after the same shall be inspected by persons appointed by the said county court, and by the said court approved, shall be, and they are hereby declared to be as valid, to all intents and purposes, as the originals, and transcripts and copies therefrom shall be received in evidence in as full and ample a manner as copies and transcripts from the said originals.

An Act authorising the county court of Anson to appoint a proper person to transcribe such of the records in the register's office of Anson county, as they may deem necessary.

INASMUCH as it is represented to this General Assembly, that a considerable part of the books in the register's office of Anson county, are much obliterated, owing to time and use,

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 Anson, after examining the records belonging to the register's office of said county, shall have full power and authority, if they should deem it necessary, to appoint a capable person to transcribe a part or the whole of said books, and allow him such sum for so doing out of the county tax, as may be deemed adequate to his time and trouble; which appointment shall be made by a majority of the acting justices.

and be it further enacted, That after the said records shall be transcribed in books well bound and procured for the purpose, the said transcripts in said books, after the same shall be inspected by persons appointed by the said county court, and by the said court approved, shall be, and they are hereby declared to be as valid, to all intents and purposes, as the originals, and transcripts and copies therefrom shall be received in evidence in as full and ample a manner as copies and transcripts from the said originals.

An Act granting two separate elections to the inhabitants of Wake county, and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF NORTH-CAROLINA, that the inhabitants of Wake county, may elect their representatives, in one of the persons, for the term of years ending in the year of our Lord one thousand eight hundred and twenty, on the north side of Neuse river, and the said election to be held annually at the places so fixed by the authorities of the county, under the same rules and regulations that annual elections are at present held at the different places established by law.

and be it further enacted, That the county court of Wake shall be held after the first day of January annually, shall appoint one justice of the peace and two freeholders in said county, to be inspectors of the separate election in said county, in the same manner, as the same justice and the other half of the county is now held.

An Act to establish a separate election in the county of Chatham.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF NORTH-CAROLINA, and it is hereby enacted by the authority of the same, That the sheriff of Chatham shall, by himself or by deputy, open and hold an election at the house of William Avent, in the lower end of said county, on the Tuesday preceding the second Thursday in August in each and every year, for the purpose of receiving votes for members of the General Assembly, representatives to Congress, and electors to vote for a President and Vice-President of
LAWS OF NORTH-CAROLINA.

An Act to amend an act passed in the year one thousand eight hundred and two, entitled "An act granting two separate elections to the inhabitants of Johnston county, and to establish two other separate elections in said county.

Passed 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 be the duty of the sheriff of Johnston county, either by himself or his lawful deputy, to open and hold four separate elections in said county, at the times and places as hereinafter prescribed, to wit: At the house of Edwin Smith, on the first Thursday in August; at the house of Isaac Walton, on Friday next preceding the second Thursday in August; at the house of Everett Pearce, esquire, on Saturday, the day next thereafter; and at the house of Isaac Williams, esquire, on Monday next thereafter, annually, for members of the General Assembly of this State: That said elections shall be opened on the days and at the places aforesaid, between the hours of eleven and twelve o'clock of the forenoon, and continue open until sunset (unless otherwise agreed on by the candidates then present) under the same rules and regulations that annual elections are at present held at the different places established by law for the same.

II. And be it further enacted, That it shall and may be lawful for as many of the inhabitants of said county as may find it most convenient to attend either of the aforesaid elections, and there give their suffrages for the purpose aforesaid, and that the votes so taken shall be, by the sheriff or his lawful deputy, counted out at the close of said elections, in presence of the sheriff and his lawful deputy, and transmitted by the sheriff or his deputy, to the court-house of said county, or to the house of one of the members of Congress, on Friday next after the second Thursday in August annually, which votes shall be, and they shall be hereby declared to be part of the suffrages of Johnston county.

And be it further enacted, That it shall be the duty of the sheriff of said county to advertise said elections at one or more public places in each and every of the captain's districts in said county, at least ten days before the same commence.

IV. And be it further enacted, That if any person shall vote at more than one place of election in said county in the same year, he shall be liable to forfeit and pay the sum of ten pounds, to be recovered before any jurisdiction having cognizance thereof, one half to the use of the person recovering the same, and the other half to the use of the county.

V. And be it further enacted, That elections for representatives of Congress, and for electors to vote for President and Vice-President of the same, shall be held at the aforesaid places, in the same manner, and under the same rules, regulations and restrictions, as in other cases of elections within this State.

VI. And be it further enacted, by the authority aforesaid, That in future the opening of the poll for the annual election in said county on the second Thursday in August, at the court-house in Smithfield, is hereby dispensed with, and said poll shall only be held on the first Friday after the second Thursday in August annually, at said court-house; any law to the contrary notwithstanding.

VII. And be it further enacted, by the authority aforesaid, That so much of the above recited act for granting two separate elections to the inhabitants of Johnston county, as comes within the purview and meaning of this act, be, and the same is hereby repealed and made void.

CHAP. XCVI.

An Act to establish a separate election at the house of Joseph Kimball, in the county of Warren.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the sheriff of Warren county, or his lawful deputy, shall open and hold an election at the house of Joseph Kimball, in said county, on Wednesday immediately preceding the second Thursday and Friday in August in each and every year, for the purpose of receiving votes for members of the General Assembly, representatives to Congress, and electors to vote for a President and Vice-President of the United States, which election shall be opened at twelve o'clock, and continue open until sun-down; and the votes so taken shall be counted out at the court-house the day succeeding the day of election, to receive the returns being made to the sheriff, he shall, in presence of the inspectors, proceed to add the number of votes, thus to him returned, together; and the persons having the greatest number shall be deemed duly elected, and the sheriff shall immediately, at the court-house door, make proclamation accordingly.
IV. And be it further enacted, That if it should so happen that the court of said county should neglect to appoint the inspectors as aforesaid, or any of them should decline or refuse to act, then in that case, it shall not be lawful for any one justice of the peace and two freeholders to appoint them; and when so appointed, they shall have the same powers, and be subject to the same restrictions as if they had been appointed by the court.

V. And be it further enacted, That it shall be the duty of the clerk of said court to deliver copies of the appointments of said inspectors to the sheriff; whose duty it shall be to notice them as soon as may be of their appointments; and the sheriff is hereby requisite to advertise said election in every captain's district, and every county court house door, at least twenty days previous thereto.

VI. And be it further enacted, That if any person shall vote at more than one election on the same day, he shall, on conviction before any justice of the peace for said county, forfeit and pay the sum of five pounds, one half to the person suing for the same, and the other half to be applied for the use of the poor of said county.

VII. And be it further enacted That the election for members of Congress, and for electors to vote for a President and Vice-President of the United States, shall be held in said county at the aforementioned places, and in the same manner, subject to the same rules, regulations and restrictions as other elections within this State.

VIII. And be it further enacted, That all acts that come within the meaning and purview of this act, and contrary thereto, are hereby declared to be repealed.

### CHAP. XC VIII.

An Act to alter the place of holding the separate elections on the south side of Neuse river, in the county of Wayne.

WHEREAS it has been found extremely inconvenient to the good people of Wayne county, residents on the south side of Neuse river, to attend the separate elections of said county at Robert Former's, the place fixed by law for that purpose; and Mr. Former himself having petitioned the representatives from said county for a removal,

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, it shall be lawful for all future elections authorized at said Former's, to be held at the house of Alex Bass, on the same days, and under the same rules, regulations and restrictions as have been heretofore observed at the elections at said Former's.

And be it further enacted, That it shall be the duty of the sheriff, by himself or lawful deputy, to open the poll on the days and hours pointed out by law for that purpose, at the said Former's, in future at Alex Bass's, where the election shall be conducted by him as heretofore at said Former's, under the penalty of one hundred pounds; any law to the contrary notwithstanding.

### CHAP. XCIX.

An Act to amend an act passed at Raleigh, in the year one thousand eight hundred and two, and an act passed in one thousand eight hundred and three, granting separate elections in Duplin county.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of this act, it shall be lawful for the sheriff of Duplin county, by himself or deputy, to open the annual election in said county for members of the General Assembly of this State, at the following places on the following days, to wit: At the house of Moses Stanley, on the Northeast; at the house of Austin Bryan, near Muddy Creek; and at such place on the waters of Rockfish, as David Corbin, William Stokes, Gibson Sloan, Abraham Newton and David Williams, require, or a majority of them shall appoint; and at the house of Benjamin Hodges, on Bear Swamp, on the second Thursday in August in each and every year.

II. And be it further enacted, That the sheriff or his deputy shall count out the ballots taken at said elections, in the presence of the voters, on the evening of the said second Thursday, and shall transmit them to the sheriff at the court-house, on the second Friday in said month, when they shall be added to the votes taken at the court-house; and the person having the greatest number of votes shall be duly elected; but if no two persons have an equal number of votes, the sheriff shall give the casting vote.

III. And be it further enacted, That the said separate election shall be held open for the reception of votes from twelve to four o'clock.

IV. And be it further enacted, That the election for representatives in the Congress of the United States, shall be held on the above recited days, and at the same places as described in this act, when they are by law to be held.

V. And be it further enacted, That the election for electors to vote for a President and Vice-President of the United States, shall commence at the before recited places on Thursday before the second Friday in November, and be closed on the evening of the day following at the court-house, under the same rules, regulations and restrictions as are heretofore prescribed by law.

VII. And be it further enacted, That all acts that come within the meaning and purview of this act, as hereby repealed and amended; any law to the contrary notwithstanding.

### CHAP. C.

An Act altering the time and mode of holding the separate elections in the county of Cumberland, and for other purposes.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That in future, the separate elections held in Cumberland county for members of the General Assembly, for representatives to Congress, and for electors to vote for a President and Vice-President of the United States, shall be held at the several places appointed by law, on the day preceding the day or days appointed by law for holding said elections in the town of Fayetteville.

II. And be it further enacted, That the county court of Cumberland shall, at the court preceding such election, appoint inspectors and clerks to superintend said elections; and the sheriff shall, by himself or his lawful deputies, hold the said elections in the same manner as heretofore prescribed by law, except as hereinafter excepted.
An Act to establish a separate election in the county of Moore.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That John Ray, jun. John M'Neil and William Patterson be, and they are hereby appointed commissioners to fix on a proper place on the south side of Little River, in said county, for the purpose of holding an election for the convenience of the inhabitants thereof; and when a place shall be so fixed as aforesaid, the sheriff of said county, or lawful deputy, shall open and hold at that place an election on Wednesday preceding the day of annual election, for the purpose of receiving votes for members of the General Assembly, representatives to Congress, and electors to vote for a President and Vice-President of the United States.

And the votes taken at said election shall be counted out at sun-set, or sooner if the candidates present shall agree; and the number in favour of each candidate shall be transmitted and added to the number of votes taken at the court-house on Friday, the day of annual election; and the election established by this act, shall be conducted under the same rules and regulations as other elections in said State.

And be it further enacted, That no election shall be held at the court-house on Thursday as usual, and the votes taken at the separate elections, and those taken at the court-house on Friday, shall include the number of votes taken for the purpose aforesaid; any law to the contrary notwithstanding.

An Act granting a separate election to the inhabitants of the county of Randolph, and altering the time of holding the several separate elections in said county.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of this act, there shall be an election opened and held at Jacob Hoover's mill, on the west side of Uwharrie, where any of the inhabitants of the said county may give their votes for members of the General Assembly, electors and representatives to Congress, and persons qualified as aforesaid, in said county shall be registered to vote, shall be held in said county.

And be it further enacted by the authority aforesaid, That the sheriff, by himself or lawful deputy, shall, on the second Thursday in August in each and every year, between the hours of nine and ten of the clock in the morning, open and hold an election at the several places provided by this act, to receive the votes of those entitled to suffrages in said county, and shall keep the same open until the hour of five in the afternoon, at which time he or they shall close the polls, and immediately proceed to count out the votes in the presence of the inspectors, and shall make out a fair list of all the votes taken, together with a list of the names of all the electors at the election, which list shall be signed by the inspectors present, and countersigned by the sheriff holding such election; which lists shall be by said sheriff transmitted to the court-house in Winton on the next day, and shall on that day be publicly compared and the votes added together; and the person or persons having the greatest number of votes shall be declared duly elected.

And be it further enacted, That the election for representatives in Congress, and for electors for President and Vice-President of the United States, shall be held at the same places as those provided for electing members to represent said county in the General Assembly, under the same rules and regulations as are or may be provided for that purpose.

An Act to alter the time of holding the several separate elections in said county.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of this act, the annual election in said county shall be held on the Friday after the second Thursday in August in each and every year; and the elections at White's and Farmer's, on the Wednesday immediately preceding the second Thursday in each and every year, at the town of Johnsonville, to select the electors for members of Congress at the houses of James Turpley, on the west side of Uwharrie, shall be held on the Saturday in each and every year, subject to the same rules, regulations and restrictions that separate elections have heretofore been held in said county; any law to the contrary notwithstanding.

An Act to alter the time of holding the annual election of the county of Hertford, and to establish two separate elections in said county.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of this act, the annual election for the purpose aforesaid shall be held at the house of Frederick Farmer, under the same rules, regulations and restrictions as other elections in said county.

And be it further enacted by the authority aforesaid, That if the candidates present shall agree; and the number in favour of each candidate shall be transmitted and added to the number of votes taken at the court-house on Friday, the day of annual election; and the election established by this act, shall be conducted under the same rules and regulations as other elections in said State.

And be it further enacted, That no election shall be held at the court-house on Thursday as usual, and the votes taken at the separate elections, and those taken at the court-house on Friday, shall include the number of votes taken for the purpose aforesaid; any law to the contrary notwithstanding.
place of election in said county on the same day, he shall forfeit and pay the sum of ten pounds, to be re-1804 covered before any justice of the peace, one half to the person who shall sue for the same, and the other half to the use of the county.

V. And be it further enacted by the authority aforesaid, That all acts and clauses of acts that come within the meaning and purview of this act, are hereby repealed and made void.

CHAP. CV.

An act to amend an act, entitled "An act establishing a separate election at Hogtown, in the county of Martin," and to repeal part of two laws passed in the years one thousand seven hundred and ninety-five and sixty, granting separate elections at Hogtown and James-Town, in said county of Martin.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the separate elections directed to be held for the upper end of Martin at Hogtown, be hereafter held at some convenient place in the town of Hamilton, on the Wednesday preceding the time of holding elections for the purpose of electing representatives to Congress, and likewise for members of the General Assembly; which elections shall be conducted in every other respect, as is or may be established by law.

II. And be it further enacted, That instead of sealing up the boxes and carrying them to Williamson before the votes are counted, as heretofore, the sheriff shall on each day at the close of the poll of both the separate elections at James-Town and Hamilton, count the votes in the presence of the inspectors, which votes shall be considered as a part of the election of the said county, and shall be added to the votes taken at the general election held at the court-house in Williamson.

III. And be it further enacted, That a poll shall be opened and held at the court-house of said county, on the Friday succeeding the second Thursday in August, and the ballots taken at the other two places, together with those at the court-house, shall be added together in the presence of the inspectors, and the persons having the greatest number of votes shall be declared duly elected.

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

CHAP. CVI.

An Act granting separate elections in Brunswick county, and for altering the time of holding elections in said county.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That in future the election for members to represent the county of Brunswick in the General Assembly of this State, shall be held on the following days of each and every year, viz. At the place already appointed by law on the west side of Waccamaw, on the second Monday in October in each & every year; for the North West district on the Wednesday following; on Town-Creek at such place as the following persons shall appoint, to wit: Charles Gause, Edward Sullivan, William Wingate, Thomas Jones and Richard Parvis; on the Thursday following at Smithville; on the following Friday at such place as John Brown, John L. Griffin, Benjamin Blaney, Charles Betts and Wilson Davis shall appoint; and at the court-house of the county on the Saturday next ensuing. And the persons herein authorized to appoint the places of holding the elections on Town-Creek and Smithville, shall make return to the county court previous to the first day of April next: and in case either of the persons authorized as aforesaid shall die, refuse or neglect to make such return, the said court are hereby authorized and required, at the term ensuing the said first day of April, to appoint other persons in the room of those who shall so die, refuse or neglect to act. And the returns of such persons, with the returns of the commissioners heretofore appointed by law, when made, are required to be entered of record by the clerk of the county, and shall be considered as establishing the respective places of election in the same.

II. And be it further enacted, That elections for representatives to Congress, and electors of President and Vice-President, shall be held at the respective places above mentioned; and all separate elections hereinafter appointed shall be conducted under the same rules, regulations and restrictions, as separate elections have heretofore been held in the said county of Brunswick, except that all the elections therein shall close at five o'clock in the afternoon of each day, unless the candidates present agree to an earlier time.

CHAP. CVII.

An Act granting to the inhabitants of the counties of Edgecomb and Franklin the privilege of separate elections. BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the sheriff of the county of Edgecomb, by himself or his lawful deputy, shall open and hold an election at the house of Willis M. Dade, on the head of Colra Swamp, on the Wednesday preceding the second Thursday and Friday in August in each and every year; when and where the inhabitants residing in the upper end of the county of Edgecomb shall have the privilege of voting for members of the General Assembly, members of the Congress of the United States, and an elector to vote for a President and Vice-President of the United States, in the same manner, and under the rules, regulations and restrictions as heretofore prescribed by law.

II. Be it further enacted, That the votes taken at the house of Willis M. Dade, by virtue of this act, shall, by the sheriff or his lawful deputy taking the same, be conveyed to the court-house in the county of Edgecomb, and there counted out, and added to the other votes taken in the said county, and the candidate or candidates having the largest number of votes shall be declared duly elected.

III. Be it further enacted, That the election heretofore established by law at the house of Jane Phillips, in said county, shall hereafter be held on the Tuesday preceding the second Thursday and Friday in August in each and every year, according to the other rules, regulations and restrictions as heretofore prescribed by law, any thing to the contrary notwithstanding.

IV. And be it further enacted, That the sheriff of the county of Franklin, shall, by himself or lawful deputy, open and hold an election at the house of William Dunn, in said county, on the Wednesday immediately preceding the day of the annual election in each and every year, for the purposes aforesaid; and the votes taken at said election shall be sealed up in the presence of the inspectors, (at sun-set, or sooner if the candidates present shall agree) and transmitted by the sheriff aforesaid, and added to the number of votes taken on the day of the annual election, any law to the contrary notwithstanding.
CHAP. CVII.

An Act to establish a second separate election in the county of Pitt, on the north side of Swift's Creek Swamp.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the sheriff, or his lawful deputy, shall open and hold an election at the house of Jesse Scoffield, in said county, on Wednesday before the annual election in each and every year, for the purpose of receiving of votes: for members to the General Assembly of this State, and representatives to the Congress of the United States, the polls of which election shall be opened at twelve o'clock, and continue open until five o'clock in the afternoon, unless sooner agreed on by the candidates present; and the votes so taken shall be counted out in presence of the inspectors, and transmitted to the court-house, and added to those taken at the other separate election; and those taken at the court-house on Friday following. Which election shall be conducted under the same rules, regulations and restrictions as all other elections in this State, any law to the contrary.

CHAP. CVIII.

An Act to amend an act passed in the year one thousand eight hundred and three, entitled "An Act granting three separate elections to the inhabitants of Robeson county."

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the sheriff of Robeson county, by himself or his legal deputy, shall, on the second Thursday of August in each and every year, open and hold elections at the following places, to vote for members of the General Assembly, representatives to the Rhett and Whitecongress of the United States, and voters to vote for a President and Vice-President of the United States, at the house of John McPhaul, at the house of Major Sion Alford, at the house of Captain Jesse Lee, and at the house now occupied by Charles Council; which several elections shall be opened on the day aforesaid, at twelve o'clock, and continue open until four o'clock in the afternoon, and shall be subject to the same rules and regulations as other elections in this State.

II. And be it further enacted, That no election shall be held on Thursday in Lumberton, as usual; neither shall the votes taken at the separate elections be counted out on that day, but shall be sealed up in the presence of the inspectors, and transmitted to the court-house on Friday the day following, and added to the votes taken there on that day.

III. And be it further enacted, That all acts and clauses of acts heretofore passed relative to this subject, so far as respects Robeson county, be and the same are hereby repealed and made void.

CHAP. CIX.

An Act granting two separate elections to the inhabitants of Richmond county.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the sheriff of Richmond county, by himself or his legal deputy, shall open and hold an election for members of the General Assembly of this State annually, for representatives to the Congress of the United States, and for electors to vote for the President and Vice-President of the United States, on the second Thursday in August; as often as required by law at the house of Duncan McFarland, to continue from twelve o'clock till four o'clock in the afternoon, for receiving the votes of the inhabitants residing in the counties of Captains William Wright, McFarland and McKay.

II. And be it further enacted, That the said sheriff, by himself or his legal deputy, shall, on the day aforesaid, in the same manner open and hold an election for the purpose aforesaid, at the house of Arthur Robinson, for receiving the votes of the inhabitants residing in the companies of Captains James Swindall, and Henry Smith.

III. And be it further enacted, That the votes taken at the separate elections hereby established, shall be counted out at the close of the polls in the presence of the inspectors, and their amount added to the votes taken at Rockingham on Friday following, and are hereby declared to constitute a part of the suffrages of Richmond county.

IV. And be it further enacted, That the sheriff shall depute one fit and proper person to conduct each separate election, who shall in open court take the following oath or affirmation, as the case may be:

"I, A. B. do solemnly swear (or affirm) that I will conduct the separate election for which I am appointed without prejudice, favour or affection, and according to law, to the best of my skill or ability, so help me God."

V. And be it further enacted, That where it shall so happen by accident or otherwise, that the person appointed to conduct any of the said elections shall not attend, or any of the persons appointed by the court to inspect said election, that then and in that case any two justices of the peace are hereby empowered to appoint others in the room and place of those that do not attend; and the person or persons so appointed and sworn, are hereby vested with the same powers and authorities to conduct the said elections, as if they had been appointed as by law directed.

VI. And be it further enacted, That all persons who may not find it convenient to vote at any of the separate elections in said county are entitled to vote at the court-house in the same manner as if this act had never passed: Provided always, that if any person who may have given his vote at any of the separate elections in Richmond county, shall vote at the court-house thereof, or at any other election than that where he gave his vote first, shall pay twenty pounds for the use of the public buildings of the county, to be recovered by an action of debt before any justice of the peace, and the sheriff is hereby directed to collect and account for all such monies, after deducting the one-fourth part for his trouble.

VII. And be it further enacted, That in future there shall be but one day allowed by law for elections to be held at the court-house of Richmond, which shall be on Friday, as usual, any law, custom or usage to the contrary notwithstanding.

CHAP. CX.

An Act for establishing two places for holding general musters in Brunswick county.

WHEREAS it is very inconvenient and expensive for the inhabitants of Brunswick county to attend general musters at the court-house of said county; 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 from and after the first day of January, one thousand eight hundred and five, when a general muster of the militia of Brunswick county shall be ordered, it shall be in the
An Act to amend an act, entitled 'An act granting to the inhabitants of Montgomery county the privilege of separate elections.'

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the sheriff of Montgomery county, or his deputy, shall form the first battalion, to consist of the districts commanded by Captains Rusk, Lay and Frink, shall form the second battalion; and that the sheriff, or any deputy, shall appoint the men who shall have power, and they are hereby required, on or before the 1st day of January, to fix on the places of their respective parades; in doing which the field-officers may cooperate, and their votes shall be equally regarded with those of the other officers; all vacancies in said companies being previously filled up.

An Act to amend an act, entitled 'An act to establish a separate election, in the name and to the sole use of the person or persons for or against the abridgment of the congres's power to lay and collect taxes, and for electors to vote for a President and Vice-President.'

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the sheriff of Montgomery county, or his deputy, shall form the second battalion, to consist of the districts commanded by Captains Rusk, Lay and Frink, shall form the first battalion; and that the sheriff, or any deputy, shall appoint the men who shall have power, and they are hereby required, on or before the 1st day of January, to fix on the places of their respective parades; in doing which the field-officers may cooperate, and their votes shall be equally regarded with those of the other officers; all vacancies in said companies being previously filled up.

An Act to amend an act, entitled 'An act to establish a separate election, at the house of Jonathan Taylor, in said county.'

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the sheriff of Montgomery county, or his deputy, shall form the first battalion, to consist of the districts commanded by Captains Rusk, Lay and Frink, shall form the second battalion; and that the sheriff, or any deputy, shall appoint the men who shall have power, and they are hereby required, on or before the 1st day of January, to fix on the places of their respective parades; in doing which the field-officers may cooperate, and their votes shall be equally regarded with those of the other officers; all vacancies in said companies being previously filled up.

An Act to amend an act, entitled 'An act to establish a separate election, at the house of William Judkins, in said county.'

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the sheriff of Montgomery county, or his deputy, shall form the first battalion, to consist of the districts commanded by Captains Rusk, Lay and Frink, shall form the second battalion; and that the sheriff, or any deputy, shall appoint the men who shall have power, and they are hereby required, on or before the 1st day of January, to fix on the places of their respective parades; in doing which the field-officers may cooperate, and their votes shall be equally regarded with those of the other officers; all vacancies in said companies being previously filled up.

An Act to amend an act, entitled 'An act to establish a separate election, at the house of Daniel Melvin, in said county.'

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the sheriff of Montgomery county, or his deputy, shall form the second battalion, to consist of the districts commanded by Captains Rusk, Lay and Frink, shall form the first battalion; and that the sheriff, or any deputy, shall appoint the men who shall have power, and they are hereby required, on or before the 1st day of January, to fix on the places of their respective parades; in doing which the field-officers may cooperate, and their votes shall be equally regarded with those of the other officers; all vacancies in said companies being previously filled up.

An Act to amend an act, entitled 'An act to establish a separate election, at the house of Daniel Melvin, deceased, on the east side of Adams's Creek, in said county.'

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the sheriff of Montgomery county, or his deputy, shall form the second battalion, to consist of the districts commanded by Captains Rusk, Lay and Frink, shall form the first battalion; and that the sheriff, or any deputy, shall appoint the men who shall have power, and they are hereby required, on or before the 1st day of January, to fix on the places of their respective parades; in doing which the field-officers may cooperate, and their votes shall be equally regarded with those of the other officers; all vacancies in said companies being previously filled up.

An Act to amend an act, entitled 'An act to establish a separate election, at the house of Darby Ryan, in said county.'

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the sheriff of Montgomery county, or his deputy, shall form the second battalion, to consist of the districts commanded by Captains Rusk, Lay and Frink, shall form the first battalion; and that the sheriff, or any deputy, shall appoint the men who shall have power, and they are hereby required, on or before the 1st day of January, to fix on the places of their respective parades; in doing which the field-officers may cooperate, and their votes shall be equally regarded with those of the other officers; all vacancies in said companies being previously filled up.

An Act to amend an act, entitled 'An act to establish a separate election, at the house of Darby Ryan, in said county.'

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the sheriff of Montgomery county, or his deputy, shall form the second battalion, to consist of the districts commanded by Captains Rusk, Lay and Frink, shall form the first battalion; and that the sheriff, or any deputy, shall appoint the men who shall have power, and they are hereby required, on or before the 1st day of January, to fix on the places of their respective parades; in doing which the field-officers may cooperate, and their votes shall be equally regarded with those of the other officers; all vacancies in said companies being previously filled up.

An Act to amend an act, entitled 'An act to establish a separate election, at the house of Darby Ryan, in said county.'

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the sheriff of Montgomery county, or his deputy, shall form the second battalion, to consist of the districts commanded by Captains Rusk, Lay and Frink, shall form the first battalion; and that the sheriff, or any deputy, shall appoint the men who shall have power, and they are hereby required, on or before the 1st day of January, to fix on the places of their respective parades; in doing which the field-officers may cooperate, and their votes shall be equally regarded with those of the other officers; all vacancies in said companies being previously filled up.

An Act to amend an act, entitled 'An act to establish a separate election, at the house of Darby Ryan, in said county.'

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the sheriff of Montgomery county, or his deputy, shall form the second battalion, to consist of the districts commanded by Captains Rusk, Lay and Frink, shall form the first battalion; and that the sheriff, or any deputy, shall appoint the men who shall have power, and they are hereby required, on or before the 1st day of January, to fix on the places of their respective parades; in doing which the field-officers may cooperate, and their votes shall be equally regarded with those of the other officers; all vacancies in said companies being previously filled up.

An Act to amend an act, entitled 'An act to establish a separate election, at the house of Darby Ryan, in said county.'

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the sheriff of Montgomery county, or his deputy, shall form the second battalion, to consist of the districts commanded by Captains Rusk, Lay and Frink, shall form the first battalion; and that the sheriff, or any deputy, shall appoint the men who shall have power, and they are hereby required, on or before the 1st day of January, to fix on the places of their respective parades; in doing which the field-officers may cooperate, and their votes shall be equally regarded with those of the other officers; all vacancies in said companies being previously filled up.
An Act to legitimate Sally Hopkins Tison, natural daughter of Thomas Tison, of Pitt county.

WHEREAS Thomas Tison, of Pitt county, hath petitioned this General Assembly to have his natural daughter, Sally Hopkins Tison, legitimized.

It is hereby enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, that Sally Hopkins Tison, natural daughter of Thomas Tison, of Pitt county, and it is hereby enacted by the authority of the same, that the sheriff of Pitt county shall, by himself or lawful deputy, open and hold an election at the house of William McSwine's, on First Broad River, in the county of Pitt, on the second Thursday in August in each and every year thereafter, for the purpose of receiving votes for the members of the General Assembly, representatives to Congress, and electors to vote for a President and Vice-President of the United States; and the votes so taken shall be counted and the names of the persons so voting, and the manner in which they shall be voted for, added to those taken at the court-house: which election shall be conducted under the same rules, regulations and restrictions, as all other elections in this State; any law to the contrary notwithstanding.

An Act directing the election of the President and Vice-President of the United States, and the Members of the General Assembly to vote thereof.

WHEREAS Samuel Easton has presented to this General Assembly a petition, praying to be divorced from his wife, Zilphia, and hath shewn such proofs and reasons for the same, as reconcile the measure with justice and policy.

IT IS HEREBY 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 General Sessions, at the county-seat of Pitt, shall determine the case, and decide whether the parties shall be divorced.

And whereas Daniel Vervell, and Mary Vervell, of Rowan county, have separated by mutual consent, and have divided all estate, both real and personal, as they hereafter may acquire by purchase, devise, industry, or otherwise, in as full and ample a manner as if the said Daniel Vervell had never married, and they are hereby divorced accordingly.

CHAP. CXXVII.

An Act to divorce Benjamin Singleton, of the county of Bladen, from his wife Sarah.

WHEREAS Benjamin Singleton, of the county of Bladen, hath petitioned this General Assembly to have himself and his wife Sarah divorce.

IT IS HEREBY ENACTED, by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, that Benjamin Singleton, of the county of Bladen, and his wife Sarah, be and are hereby divorced from and out of all estate, both real and personal, in their own names as to their own uses respectively: any law, usage or custom to the contrary notwithstanding.

An Act to establish a separate election in the county of Tyrrell.

WHEREAS the county of Tyrrell has never been married, and they are hereby divorced accordingly.

An Act to provide for the separate elections in that county.

WHEREAS the county of Tyrrell, has never been married, and they are hereby divorced accordingly.

An Act to establish a separate election in the county of Bladen.

WHEREAS Benjamin Singleton, of the county of Bladen, and his wife Sarah, have been divorced from each other.

An Act to authorize the sheriffs to hold separate elections in the several counties.

WHEREAS Benjamin Singleton, of the county of Bladen, and his wife Sarah, have been divorced from each other.

An Act to provide for the separate elections in that county.

WHEREAS Benjamin Singleton, of the county of Bladen, and his wife Sarah, have been divorced from each other.

An Act to provide for the separate elections in that county.

WHEREAS Benjamin Singleton, of the county of Bladen, and his wife Sarah, have been divorced from each other.

An Act to divorce Benjamin Singleton, of the county of Bladen, from his wife Sarah.

WHEREAS Benjamin Singleton, of the county of Bladen, hath petitioned this General Assembly to have himself and his wife Sarah divorced.

IT IS HEREBY ENACTED, by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, that Benjamin Singleton, of the county of Bladen, and his wife Sarah, shall be and are hereby divorced from each other.
An Act to restore to credit James Permenter of Johnston county, &c.

As is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Permenter of Johnston county, be, and he is hereby declared to be restored to credit, in as full and ample a manner as if he had never been convicted of any crime of any kind or nature whatsoever, and that he shall be a competent witness to depose and testify in all cases and in every court of record where the same may be necessary.

An Act to restore to credit James Permenter and Anne Permenter of Johnston county.

As is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Permenter of Johnston county, be, and he is hereby declared to be restored to credit, in as full and ample a manner as if he had never been convicted of any crime of any kind or nature whatsoever, and that he shall be a competent witness to depose and testify in all cases and in every court of record where the same may be necessary.

An Act to restore to credit James Permenter of Johnston county.

As is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Permenter of Johnston county, be, and he is hereby declared to be restored to credit, in as full and ample a manner as if he had never been convicted of any crime of any kind or nature whatsoever, and that he shall be a competent witness to depose and testify in all cases and in every court of record where the same may be necessary.

An Act to restore to credit James Permenter of Johnston county.

As is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Permenter of Johnston county, be, and he is hereby declared to be restored to credit, in as full and ample a manner as if he had never been convicted of any crime of any kind or nature whatsoever, and that he shall be a competent witness to depose and testify in all cases and in every court of record where the same may be necessary.

An Act to restore to credit James Permenter of Johnston county.

As is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Permenter of Johnston county, be, and he is hereby declared to be restored to credit, in as full and ample a manner as if he had never been convicted of any crime of any kind or nature whatsoever, and that he shall be a competent witness to depose and testify in all cases and in every court of record where the same may be necessary.

An Act to restore to credit James Permenter of Johnston county.

As is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Permenter of Johnston county, be, and he is hereby declared to be restored to credit, in as full and ample a manner as if he had never been convicted of any crime of any kind or nature whatsoever, and that he shall be a competent witness to depose and testify in all cases and in every court of record where the same may be necessary.

An Act to restore to credit James Permenter of Johnston county.

As is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Permenter of Johnston county, be, and he is hereby declared to be restored to credit, in as full and ample a manner as if he had never been convicted of any crime of any kind or nature whatsoever, and that he shall be a competent witness to depose and testify in all cases and in every court of record where the same may be necessary.

An Act to restore to credit James Permenter of Johnston county.

As is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Permenter of Johnston county, be, and he is hereby declared to be restored to credit, in as full and ample a manner as if he had never been convicted of any crime of any kind or nature whatsoever, and that he shall be a competent witness to depose and testify in all cases and in every court of record where the same may be necessary.

An Act to restore to credit James Permenter of Johnston county.

As is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Permenter of Johnston county, be, and he is hereby declared to be restored to credit, in as full and ample a manner as if he had never been convicted of any crime of any kind or nature whatsoever, and that he shall be a competent witness to depose and testify in all cases and in every court of record where the same may be necessary.

An Act to restore to credit James Permenter of Johnston county.

As is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Permenter of Johnston county, be, and he is hereby declared to be restored to credit, in as full and ample a manner as if he had never been convicted of any crime of any kind or nature whatsoever, and that he shall be a competent witness to depose and testify in all cases and in every court of record where the same may be necessary.

An Act to restore to credit James Permenter of Johnston county.

As is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Permenter of Johnston county, be, and he is hereby declared to be restored to credit, in as full and ample a manner as if he had never been convicted of any crime of any kind or nature whatsoever, and that he shall be a competent witness to depose and testify in all cases and in every court of record where the same may be necessary.

An Act to restore to credit James Permenter of Johnston county.

As is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Permenter of Johnston county, be, and he is hereby declared to be restored to credit, in as full and ample a manner as if he had never been convicted of any crime of any kind or nature whatsoever, and that he shall be a competent witness to depose and testify in all cases and in every court of record where the same may be necessary.

An Act to restore to credit James Permenter of Johnston county.

As is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Permenter of Johnston county, be, and he is hereby declared to be restored to credit, in as full and ample a manner as if he had never been convicted of any crime of any kind or nature whatsoever, and that he shall be a competent witness to depose and testify in all cases and in every court of record where the same may be necessary.

An Act to restore to credit James Permenter of Johnston county.

As is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Permenter of Johnston county, be, and he is hereby declared to be restored to credit, in as full and ample a manner as if he had never been convicted of any crime of any kind or nature whatsoever, and that he shall be a competent witness to depose and testify in all cases and in every court of record where the same may be necessary.

An Act to restore to credit James Permenter of Johnston county.

As is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Permenter of Johnston county, be, and he is hereby declared to be restored to credit, in as full and ample a manner as if he had never been convicted of any crime of any kind or nature whatsoever, and that he shall be a competent witness to depose and testify in all cases and in every court of record where the same may be necessary.

An Act to restore to credit James Permenter of Johnston county.

As is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Permenter of Johnston county, be, and he is hereby declared to be restored to credit, in as full and ample a manner as if he had never been convicted of any crime of any kind or nature whatsoever, and that he shall be a competent witness to depose and testify in all cases and in every court of record where the same may be necessary.

An Act to restore to credit James Permenter of Johnston county.

As is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Permenter of Johnston county, be, and he is hereby declared to be restored to credit, in as full and ample a manner as if he had never been convicted of any crime of any kind or nature whatsoever, and that he shall be a competent witness to depose and testify in all cases and in every court of record where the same may be necessary.

An Act to restore to credit James Permenter of Johnston county.

As is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Permenter of Johnston county, be, and he is hereby declared to be restored to credit, in as full and ample a manner as if he had never been convicted of any crime of any kind or nature whatsoever, and that he shall be a competent witness to depose and testify in all cases and in every court of record where the same may be necessary.
FABLE OF CONTENTS.

1. To empower the several captains in the counties of Richmond, Prince and Montgomery, to appoint justices.
2. To amend an act making the county of Luzerne a part of the county of Susquehanna, and enlarge the limits of said county.
3. To prevent the settling timber in Chub and Deep rivers in Indiana, and creating a new county.
4. To amend an act to appoint commissioners to contract with P. Wood for improvements on the Warm Spring road, and for the relief of the subscribers of said road.
5. To authorize Wm. Taylor, of Mecklenburg county, in Virginia, to hold into two separate elections, in said county.
6. To amend an act passed in 1793, to amend an act to encourage the building of public mills, and directing the duty of millers.
7. To amend an act granting additional compensation to coroners and justices of the peace.
8. To amend the acts concerning the county court of New Hanover, for the better regulation of the county court of New Hanover.
9. To authorize the county court of Chatham to lay a tax to defray the expense of maintaining the county court.
10. To empower the county court of Martin to lay a tax for building.
11. To have a house for the reception of the poor thereof.
12. To exempt certain county courts from laying a tax for defraying the expense of supporting the poor.
13. To authorize the county court of Chatham to exempt certain county courts from laying a tax for defraying the expense of supporting the poor.
14. To establish a separate election in the county of Rowan, and to provide for the elections in said county.
15. To amend an act passed in 1802, granting separate elections in the county of Franklin.
16. To establish a separate election in the county of New Hanover.
17. To establish a separate election in the county of Caswell.
18. To establish a separate election in the county of David.
19. To establish a separate election in the county of Alamance.
20. To provide for the election of the president of the United States, and to amend an act for the election of the president of the United States.
21. To prevent the settling timber in Chub and Deep rivers in Indiana, and creating a new county.
22. To empower the county court of Chatham to lay a tax to defray the expense of maintaining the county court.
23. To authorize the county court of Chatham to exempt certain county courts from laying a tax for defraying the expense of supporting the poor.
24. To establish a separate election in the county of Martin.
25. To establish a separate election in the county of Caswell.
26. To establish a separate election in the county of David.
27. To establish a separate election in the county of Alamance.
28. To provide for the election of the president of the United States, and to amend an act for the election of the president of the United States.
29. To prevent the settling timber in Chub and Deep rivers in Indiana, and creating a new county.
30. To amend an act granted additional compensation to coroners and justices of the peace.
31. To amend the acts concerning the county court of New Hanover, for the better regulation of the county court of New Hanover.
32. To authorize the county court of Chatham to exempt certain county courts from laying a tax for defraying the expense of supporting the poor.
33. To establish a separate election in the county of Martin.
34. To establish a separate election in the county of Caswell.
35. To establish a separate election in the county of David.
36. To establish a separate election in the county of Alamance.
37. To provide for the election of the president of the United States, and to amend an act for the election of the president of the United States.
38. To prevent the settling timber in Chub and Deep rivers in Indiana, and creating a new county.
39. To amend an act granted additional compensation to coroners and justices of the peace.
40. To amend the acts concerning the county court of New Hanover, for the better regulation of the county court of New Hanover.
41. To authorize the county court of Chatham to exempt certain county courts from laying a tax for defraying the expense of supporting the poor.
## COMPTROLLER'S STATEMENTS.

### (A)

#### A STATEMENT

Of the net amount of that branch of the Revenue of the State of North Carolina, which is receivable by the Sheriffs, for the year 1803.

<table>
<thead>
<tr>
<th>COUNTY</th>
<th>Amount Received</th>
<th>Amount Deducted</th>
<th>Amount Remitted</th>
<th>Amount Property</th>
<th>Amount Net Remitted</th>
<th>Total Amount of Cash Remitted</th>
<th>Amount Due</th>
<th>Amount Paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anson</td>
<td>103.3</td>
<td>2.1</td>
<td>2.1</td>
<td>2.1</td>
<td>103.3</td>
<td>103.3</td>
<td>103.3</td>
<td>103.3</td>
</tr>
<tr>
<td>Ashe</td>
<td>80.9</td>
<td>10.0</td>
<td>10.0</td>
<td>10.0</td>
<td>70.9</td>
<td>70.9</td>
<td>70.9</td>
<td>70.9</td>
</tr>
<tr>
<td>Bertie</td>
<td>112.1</td>
<td>4.0</td>
<td>4.0</td>
<td>4.0</td>
<td>108.1</td>
<td>108.1</td>
<td>108.1</td>
<td>108.1</td>
</tr>
<tr>
<td>Beaufort</td>
<td>23.4</td>
<td>0.6</td>
<td>0.6</td>
<td>0.6</td>
<td>22.8</td>
<td>22.8</td>
<td>22.8</td>
<td>22.8</td>
</tr>
<tr>
<td>Bladen</td>
<td>152.0</td>
<td>4.0</td>
<td>4.0</td>
<td>4.0</td>
<td>148.0</td>
<td>148.0</td>
<td>148.0</td>
<td>148.0</td>
</tr>
<tr>
<td>Buncombe</td>
<td>239.7</td>
<td>10.3</td>
<td>10.3</td>
<td>10.3</td>
<td>229.4</td>
<td>229.4</td>
<td>229.4</td>
<td>229.4</td>
</tr>
<tr>
<td>Carteret</td>
<td>155.9</td>
<td>11.1</td>
<td>11.1</td>
<td>11.1</td>
<td>144.8</td>
<td>144.8</td>
<td>144.8</td>
<td>144.8</td>
</tr>
<tr>
<td>Chatham</td>
<td>35.3</td>
<td>1.4</td>
<td>1.4</td>
<td>1.4</td>
<td>33.9</td>
<td>33.9</td>
<td>33.9</td>
<td>33.9</td>
</tr>
<tr>
<td>Craven</td>
<td>76.2</td>
<td>2.5</td>
<td>2.5</td>
<td>2.5</td>
<td>73.7</td>
<td>73.7</td>
<td>73.7</td>
<td>73.7</td>
</tr>
<tr>
<td>Cumberland</td>
<td>100.9</td>
<td>7.7</td>
<td>7.7</td>
<td>7.7</td>
<td>93.2</td>
<td>93.2</td>
<td>93.2</td>
<td>93.2</td>
</tr>
<tr>
<td>Caswell</td>
<td>53.1</td>
<td>6.0</td>
<td>6.0</td>
<td>6.0</td>
<td>47.1</td>
<td>47.1</td>
<td>47.1</td>
<td>47.1</td>
</tr>
<tr>
<td>Chowan</td>
<td>138.7</td>
<td>5.7</td>
<td>5.7</td>
<td>5.7</td>
<td>133.0</td>
<td>133.0</td>
<td>133.0</td>
<td>133.0</td>
</tr>
<tr>
<td>Caswell</td>
<td>138.7</td>
<td>5.7</td>
<td>5.7</td>
<td>5.7</td>
<td>133.0</td>
<td>133.0</td>
<td>133.0</td>
<td>133.0</td>
</tr>
<tr>
<td>Chatham</td>
<td>35.3</td>
<td>1.4</td>
<td>1.4</td>
<td>1.4</td>
<td>33.9</td>
<td>33.9</td>
<td>33.9</td>
<td>33.9</td>
</tr>
<tr>
<td>Caswell</td>
<td>138.7</td>
<td>5.7</td>
<td>5.7</td>
<td>5.7</td>
<td>133.0</td>
<td>133.0</td>
<td>133.0</td>
<td>133.0</td>
</tr>
<tr>
<td>Caswell</td>
<td>138.7</td>
<td>5.7</td>
<td>5.7</td>
<td>5.7</td>
<td>133.0</td>
<td>133.0</td>
<td>133.0</td>
<td>133.0</td>
</tr>
<tr>
<td>Caswell</td>
<td>138.7</td>
<td>5.7</td>
<td>5.7</td>
<td>5.7</td>
<td>133.0</td>
<td>133.0</td>
<td>133.0</td>
<td>133.0</td>
</tr>
</tbody>
</table>

See Return of Petits's Licences among the Tax Fees. The amount due includes every Sheriff's receipt of the Tax Fees. New Hanover has not been judged proper Affidavit. The Land Tax in Hyde is stated at $42,407. It is more than it really owes in this year.

Extracted from Documents in the Comptroller's Office of the State of North Carolina.

November 29, 1804.

J. CHAVEN, Comptroller.
A STATEMENT

Of the nett Amount of that branch of the Revenue of the State of North-Carolina, which is receivable by the Clerks of the County Courts for the year 1804.

<table>
<thead>
<tr>
<th>COUNTIES</th>
<th>Amount of Tax</th>
<th>Amount of Pecuniary Licences</th>
<th>Amount due from Clerks</th>
<th>Amount paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anson</td>
<td>28 4</td>
<td>9 80</td>
<td>11 19 9</td>
<td>11 19 9</td>
</tr>
<tr>
<td>Ashe</td>
<td>2 11 9</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Beaufort</td>
<td>3 4 5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bladen</td>
<td>71 19 2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bertie</td>
<td>8 4 6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brunswick</td>
<td>7 19 2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Burke</td>
<td>12 18 6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buncombe</td>
<td>19 14 10</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Craven</td>
<td>33 11 2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carteret</td>
<td>10 2 2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chatham</td>
<td>12 18 6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Caswell</td>
<td>23 19 5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chowan</td>
<td>27 0 6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Camden</td>
<td>19 7 6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Currituck</td>
<td>19 0 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cumberland</td>
<td>12 9 2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cabarrus</td>
<td>7 1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Duplin</td>
<td>10 11 6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Edgecomb</td>
<td>33 9 1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Franklin</td>
<td>6 6 11</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gravely</td>
<td>35 8 6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gates</td>
<td>19 0 9</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Greene</td>
<td>10 11 6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Guilford</td>
<td>16 13 9</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Halifax</td>
<td>45 7 2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Haywood</td>
<td>40 17 10</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hyde</td>
<td>4 18 9</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Iredell</td>
<td>13 7 11</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Johnston</td>
<td>23 2 11</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jones</td>
<td>10 2 2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lincoln</td>
<td>30 5 8</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lenoir</td>
<td>11 5 2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Martin</td>
<td>23 4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mecklenburg</td>
<td>13 10 3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Montgomery</td>
<td>8 13 11</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Moore</td>
<td>8 13 11</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nash</td>
<td>17 2 2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New-Hanover</td>
<td>38 18 2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Northampton</td>
<td>29 2 10</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Orange</td>
<td>33 13 11</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Onslow</td>
<td>11 0 11</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pasquotank</td>
<td>21 7 9</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Perquimons</td>
<td>21 12 5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pitt</td>
<td>22 2 11</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Person</td>
<td>9 12 9</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rutherford</td>
<td>28 1 9</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rowan</td>
<td>47 0 0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Randolph</td>
<td>7 10 5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rockingham</td>
<td>31 14 6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Richmond</td>
<td>11 5 8</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Robeson</td>
<td>10 16 3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stokes</td>
<td>24 8 10</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Surry</td>
<td>14 16 2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sampson</td>
<td>6 6 11</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tyrrell</td>
<td>5 17 6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wayne</td>
<td>13 19 8</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wake</td>
<td>28 4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Warren</td>
<td>29 16 11</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wilkes</td>
<td>16 8 1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>9 6</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Extracted from Documents in the Comptroller's Office of North-Carolina.

* November 29, 1804. J. CRAVEN, Comptroller.
A STATEMENT of the nett amount of that branch of the Revenue of the State of North-Carolina receivable by the Clerks of the Superior Courts and Clerks in Chancery for the year 1803.

<table>
<thead>
<tr>
<th>District</th>
<th>Amount of Tax Payable</th>
<th>Amount of Net</th>
<th>Tax and Fees</th>
<th>Amount of Tax and Fees and Amount of Tax Payable paid by clerks and sheriff in chancery.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Morgantown</td>
<td>70 10</td>
<td>55 10</td>
<td>70 10</td>
<td>55 10</td>
</tr>
<tr>
<td>Salisbury</td>
<td>18 10</td>
<td>14 10</td>
<td>18 10</td>
<td>14 10</td>
</tr>
<tr>
<td>Hillsborough</td>
<td>70 10</td>
<td>55 10</td>
<td>70 10</td>
<td>55 10</td>
</tr>
<tr>
<td>Halifax</td>
<td>18 10</td>
<td>14 10</td>
<td>18 10</td>
<td>14 10</td>
</tr>
<tr>
<td>Kenisco</td>
<td>70 10</td>
<td>55 10</td>
<td>70 10</td>
<td>55 10</td>
</tr>
<tr>
<td>Newbern</td>
<td>18 10</td>
<td>14 10</td>
<td>18 10</td>
<td>14 10</td>
</tr>
<tr>
<td>Wilmington</td>
<td>70 10</td>
<td>55 10</td>
<td>70 10</td>
<td>55 10</td>
</tr>
<tr>
<td>Fayetteville</td>
<td>18 10</td>
<td>14 10</td>
<td>18 10</td>
<td>14 10</td>
</tr>
</tbody>
</table>

Excerpted from Documents in the Comptroller's Office of North-Carolina.

J. CRAVEN, Comptroller.

LIST OF DELINQUENTS TO THE TREASURY OF THE STATE OF NORTH-CAROLINA.

FAYETTEVILLE DISTRICT.

<table>
<thead>
<tr>
<th>Counties</th>
<th>Person's Name</th>
<th>Office</th>
<th>Year</th>
<th>Money</th>
<th>Certificate</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anson</td>
<td>Thomas Ward</td>
<td>Sheriff</td>
<td>1783</td>
<td>432 10</td>
<td>350 10</td>
<td>Judgment.</td>
</tr>
<tr>
<td>Gaston</td>
<td>James Griffin</td>
<td>Clerk</td>
<td>1783</td>
<td>350 10</td>
<td>350 10</td>
<td>Do.</td>
</tr>
<tr>
<td>Davie</td>
<td>Samuel Johnson</td>
<td>Clerk</td>
<td>1744</td>
<td>144 10</td>
<td>144 10</td>
<td>Do.</td>
</tr>
<tr>
<td>Rowan</td>
<td>James Mills</td>
<td>Clerk</td>
<td>1783</td>
<td>250 10</td>
<td>250 10</td>
<td>Do.</td>
</tr>
<tr>
<td>Watauga</td>
<td>Michael Add</td>
<td>Clerk</td>
<td>1783</td>
<td>10 10</td>
<td>10 10</td>
<td>Do.</td>
</tr>
<tr>
<td>Surry</td>
<td>William Johnson</td>
<td>Clerk</td>
<td>1783</td>
<td>350 10</td>
<td>350 10</td>
<td>Do.</td>
</tr>
<tr>
<td>Sampson</td>
<td>Alexander Sanders</td>
<td>Clerk</td>
<td>1783</td>
<td>250 10</td>
<td>250 10</td>
<td>Do.</td>
</tr>
<tr>
<td>Cumberland</td>
<td>James Emmett</td>
<td>Clerk</td>
<td>1783</td>
<td>600 10</td>
<td>600 10</td>
<td>Do.</td>
</tr>
<tr>
<td>Richmond</td>
<td>John Campbell</td>
<td>Clerk</td>
<td>1783</td>
<td>300 10</td>
<td>300 10</td>
<td>Do.</td>
</tr>
<tr>
<td>Robeson</td>
<td>John Coit</td>
<td>Clerk</td>
<td>1783</td>
<td>150 10</td>
<td>150 10</td>
<td>Do.</td>
</tr>
<tr>
<td>New Hanover</td>
<td>James Morgan</td>
<td>Clerk</td>
<td>1783</td>
<td>50 10</td>
<td>50 10</td>
<td>Do.</td>
</tr>
<tr>
<td>Caswell</td>
<td>John Cole</td>
<td>Clerk</td>
<td>1783</td>
<td>150 10</td>
<td>150 10</td>
<td>Do.</td>
</tr>
<tr>
<td>Surry</td>
<td>William Johnson</td>
<td>Clerk</td>
<td>1783</td>
<td>500 10</td>
<td>500 10</td>
<td>Do.</td>
</tr>
</tbody>
</table>

WILMINGTON DISTRICT.

<table>
<thead>
<tr>
<th>Counties</th>
<th>Person's Name</th>
<th>Office</th>
<th>Year</th>
<th>Money</th>
<th>Certificate</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Hanover</td>
<td>James Morison</td>
<td>Clerk</td>
<td>1783</td>
<td>150 10</td>
<td>150 10</td>
<td>Judgment.</td>
</tr>
<tr>
<td>Caswell</td>
<td>Robert Booth</td>
<td>Clerk</td>
<td>1783</td>
<td>350 10</td>
<td>350 10</td>
<td>Do.</td>
</tr>
<tr>
<td>Surry</td>
<td>Robert Sanders</td>
<td>Clerk</td>
<td>1783</td>
<td>350 10</td>
<td>350 10</td>
<td>Do.</td>
</tr>
<tr>
<td>New Hanover</td>
<td>James Morison</td>
<td>Clerk</td>
<td>1783</td>
<td>350 10</td>
<td>350 10</td>
<td>Do.</td>
</tr>
<tr>
<td>Caswell</td>
<td>Robert Booth</td>
<td>Clerk</td>
<td>1783</td>
<td>350 10</td>
<td>350 10</td>
<td>Do.</td>
</tr>
<tr>
<td>Surry</td>
<td>Robert Sanders</td>
<td>Clerk</td>
<td>1783</td>
<td>350 10</td>
<td>350 10</td>
<td>Do.</td>
</tr>
</tbody>
</table>

NEWBERRY DISTRICT.

<table>
<thead>
<tr>
<th>Counties</th>
<th>Person's Name</th>
<th>Office</th>
<th>Year</th>
<th>Money</th>
<th>Certificate</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chester</td>
<td>Samuel Pearson</td>
<td>Clerk</td>
<td>1783</td>
<td>150 10</td>
<td>150 10</td>
<td>Judgment.</td>
</tr>
<tr>
<td>New Hanover</td>
<td>James Morison</td>
<td>Clerk</td>
<td>1783</td>
<td>150 10</td>
<td>150 10</td>
<td>Do.</td>
</tr>
<tr>
<td>Caswell</td>
<td>Robert Booth</td>
<td>Clerk</td>
<td>1783</td>
<td>150 10</td>
<td>150 10</td>
<td>Do.</td>
</tr>
<tr>
<td>Surry</td>
<td>Robert Sanders</td>
<td>Clerk</td>
<td>1783</td>
<td>150 10</td>
<td>150 10</td>
<td>Do.</td>
</tr>
</tbody>
</table>

Nov. 19, 1804.
### Halifax District

<table>
<thead>
<tr>
<th>County</th>
<th>Name</th>
<th>Officer</th>
<th>Year</th>
<th>Money</th>
<th>Certificates</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Edgecomb</td>
<td>Peter Goodwin</td>
<td>Entry-taker</td>
<td>1803</td>
<td>10</td>
<td>5 9</td>
<td>Entry-taker</td>
</tr>
<tr>
<td>Northampton</td>
<td>John Haywood</td>
<td>Do</td>
<td>1803</td>
<td>90</td>
<td>5 9</td>
<td>Do</td>
</tr>
<tr>
<td>Warren</td>
<td>John B. Hunter</td>
<td>Do</td>
<td>1803</td>
<td>50</td>
<td>6</td>
<td>Do</td>
</tr>
<tr>
<td>Person</td>
<td>Samuel Martin</td>
<td>Do</td>
<td>1803</td>
<td>53</td>
<td>5 9</td>
<td>Do</td>
</tr>
<tr>
<td>Chatham</td>
<td>Thomas C. Williams</td>
<td>Do</td>
<td>1803</td>
<td>53</td>
<td>5 9</td>
<td>Do</td>
</tr>
<tr>
<td>Granville</td>
<td>Thomas Morris</td>
<td>Do</td>
<td>1803</td>
<td>53</td>
<td>5 9</td>
<td>Do</td>
</tr>
<tr>
<td>Person</td>
<td>Robert M'Nair</td>
<td>Do</td>
<td>1803</td>
<td>53</td>
<td>5 9</td>
<td>Do</td>
</tr>
</tbody>
</table>

### Salisbury District

<table>
<thead>
<tr>
<th>County</th>
<th>Name</th>
<th>Officer</th>
<th>Year</th>
<th>Money</th>
<th>Certificates</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rowan</td>
<td>Robert Hardie</td>
<td>Clerk Sup. Court</td>
<td>1803</td>
<td>169 15 5</td>
<td>Judgment</td>
<td></td>
</tr>
<tr>
<td>Iredell</td>
<td>Thomas Morris</td>
<td>Clerk</td>
<td>1803</td>
<td>169 15 5</td>
<td>Judgment</td>
<td></td>
</tr>
<tr>
<td>Iredell</td>
<td>Samuel Martin</td>
<td>Do</td>
<td>1803</td>
<td>169 15 5</td>
<td>Judgment</td>
<td></td>
</tr>
<tr>
<td>Mecklenburg</td>
<td>William Mevillon</td>
<td>Do</td>
<td>1803</td>
<td>169 15 5</td>
<td>Judgment</td>
<td></td>
</tr>
<tr>
<td>Montgomery</td>
<td>Thomas Stevens</td>
<td>Do</td>
<td>1803</td>
<td>169 15 5</td>
<td>Judgment</td>
<td></td>
</tr>
<tr>
<td>Guilford</td>
<td>John H. Sprague</td>
<td>Do</td>
<td>1803</td>
<td>169 15 5</td>
<td>Judgment</td>
<td></td>
</tr>
<tr>
<td>Casarboras</td>
<td>James Whitmam</td>
<td>Do</td>
<td>1803</td>
<td>169 15 5</td>
<td>Judgment</td>
<td></td>
</tr>
<tr>
<td>Stokes</td>
<td>Moses Hare</td>
<td>Do</td>
<td>1803</td>
<td>169 15 5</td>
<td>Judgment</td>
<td></td>
</tr>
<tr>
<td>Person</td>
<td>John H. Sprague</td>
<td>Do</td>
<td>1803</td>
<td>169 15 5</td>
<td>Judgment</td>
<td></td>
</tr>
</tbody>
</table>

### Morgan District

<table>
<thead>
<tr>
<th>County</th>
<th>Name</th>
<th>Officer</th>
<th>Year</th>
<th>Money</th>
<th>Certificates</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ashe</td>
<td>Moses Hare</td>
<td>Clerk</td>
<td>1803</td>
<td>56 12 7</td>
<td>Judgment</td>
<td></td>
</tr>
<tr>
<td>Burke</td>
<td>John H. Sprague</td>
<td>Do</td>
<td>1803</td>
<td>56 12 7</td>
<td>Judgment</td>
<td></td>
</tr>
<tr>
<td>Wilkes</td>
<td>William Hall</td>
<td>Do</td>
<td>1803</td>
<td>56 12 7</td>
<td>Judgment</td>
<td></td>
</tr>
</tbody>
</table>

### Bedford District

<table>
<thead>
<tr>
<th>County</th>
<th>Name</th>
<th>Officer</th>
<th>Year</th>
<th>Money</th>
<th>Certificates</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stokes</td>
<td>Moses Hare</td>
<td>Clerk</td>
<td>1803</td>
<td>56 12 7</td>
<td>Judgment</td>
<td></td>
</tr>
<tr>
<td>Wilkes</td>
<td>William Hall</td>
<td>Do</td>
<td>1803</td>
<td>56 12 7</td>
<td>Judgment</td>
<td></td>
</tr>
</tbody>
</table>

### Balances

Due from Individuals, on the Books of the late Comptroller.