AN ACT TO INCORPORATE THE DURHAM ACADEMY IN THE COUNTY OF ORANGE.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That M. A. Angier, Solomon Shepherd, Z. J. Lyon, John B. Green, and Robert F. Morris, with their successors, be and they are hereby incorporated by the name and style of “the Durham Academy,” and by that name may have power to sue and be sued, purchase and hold lands and do all other acts necessary and proper for the education of youth; subject, nevertheless, to the regulations and restrictions in the twenty-sixth chapter of the Revised Code, so far as they are applicable to corporations of this nature.

Sec. 2. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 16th day of December, A. D., 1865.]
Chap. 2. AN ACT TO AUTHORIZE THE CONSTRUCTION OF A BRIDGE ACROSS THE FRENCH BROAD RIVER, IN THE COUNTY OF BUNCOMBE.

Body politic.

SECTION 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That Alfred Alexander, of the county of Buncombe, and such persons as he may see proper to associate with him, and their heirs and assigns be, and they are hereby authorized and empowered to erect and keep up a toll-bridge across the French Broad River, at or near where the said Alfred Alexander now lives, ten miles north of Asheville, in the county of Buncombe.

Sec. 2. Be it further enacted, That the amount of tolls to be charged and received by the owner or owners of said bridge shall be determined by the county court of Buncombe County, whose duty it shall be to establish the rate of tolls, and cause the same to be entered on record in said Court.

Sec. 3. Be it further enacted, That if any person or persons, after the completion of the said bridge, shall pass over the same and refuse to pay the tolls as fixed by law, that every such person or persons shall forfeit and pay the sum of five dollars, to be recovered by the owner or owners of said bridge, by warrant before a justice of the peace.

Sec. 4. Be it further enacted, That in case of failure on the part of the owners of said bridge to keep the same in good repair, so that the public may cross in safety, the said owner or owners shall be subject to indictment in the County or Superior Courts of Buncombe County.

Sec. 5. Be it further enacted, That this grant shall continue for the space of thirty years; and, this act shall be in force from and after its ratification. [Ratified the — day of December, A. D., 1865.}
AN ACT TO AMEND AN ACT RATIFIED TWENTY-NINTH DAY OF JANUARY, ONE THOUSAND EIGHT HUNDRED AND FORTY-NINE, IN REFERENCE TO AMENDING THE CHARTER FOR BUILDING A BRIDGE ACROSS THE PASQUOTANK RIVER.

SECTION 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the act entitled an act to extend the time for the duration of the charter for erecting a bridge across the Pasquotank river, ratified the twenty-ninth day of January, one thousand eight hundred and forty-nine, be, and the same is hereby so amended as to authorize and empower Dorsey Sanderlin, Esquire, of the county of Camden, his heirs and assigns, to construct and use, for the space of ten years, a good and sufficient boat or flat, according to dimensions hereinafter named, in the place of the bridge required by the above recited charter.

SEC. 2. Be it further enacted, That the said Sanderlin, his heirs and assigns, shall not be permitted to take or receive in current money any higher tolls than that named in the charter aforesaid, under a fine of ten dollars for each offence, to be recovered under a warrant before justice of the peace either in the county of Camden or Pasquotank.

SEC. 3. Be it further enacted, That within ninety days from the ratification of this act, the said Dorsey Sanderlin, his heirs or assigns, be, and the same are hereby required to prepare a good and sufficient boat as aforesaid, under a penalty of one hundred dollars, to be recovered by the Wardens of the Poor of Camden County. The dimensions of said flat or boat shall be at least forty feet in length, and twelve feet in breadth at the bottom, with a good and sufficient railing on each side, and a bar or chain across each end; it shall be of good and strong material, well built and kept in proper repair.

SEC. 4. Be it further enacted, That the said Dorsey Sanderlin, his heirs and assigns, may be held liable under
an indictment for a breach of any part of this act, and upon conviction, may be fined in a sum not less than ten, nor more than one hundred dollars.

Sec. 5. Be it further enacted, That this act shall be in force from and after its ratification. Ratified the — day of December, A. D., 1865.

AN ACT TO AMEND AN ACT PASSED AT THE SESSION OF 1854-'55, TO INCORPORATE THE LITTLE RIVER TURNPIKE COMPANY.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the said act be and is hereby amended as follows, to wit: First. That the said turnpike company, at their next annual meeting, or any meeting thereafter, a majority of the stock being represented in said meeting, may, by a majority vote, and said vote entered on their books, surrender their chartered privileges to all that part of said road north of the late residence of C. C. Orr, dec'd, at the foot of the mountain, and retain all their rights and privileges to the south end of said road, from the late residence of the late C. C. Orr, deceased, across the mountains south to the South Carolina line, with the privilege of keeping but one toll-gate at a time on said road, subject to removal, or changed to any other point on said road by the directors, at their own appointment, with the privilege of collecting the following tolls, or less, at their discretion, to wit: For sheep and hogs, two cents each; for cattle, horses or mules, five cents each; man on horseback, ten cents; wagons and carts drawn by one horse, twenty-five cents; and twenty-five cents additional for every additional horse that may be attached to carts and wagons of larger size; fifty cents for buggies and carriages drawn by one horse; and fifty cents for every additional horse attached to buggies or carriages drawn by more than one horse; animals for exhibition or show twenty-five cents each.
SEC. 2. Be it further enacted, That the said Turnpike Company shall only be held responsible for that portion of the road retained by them, from the late residence of the said C. C. Orr, deceased, to the South Carolina line, and that they shall be released from all liabilities on the North end of said road; but shall be required to keep the South end of said road so retained, in good traveling order, at least fifteen feet wide, with a grade not to exceed one foot in ten, and the bridges twelve feet wide. And that the chartered privileges to said Company be extended to a term of fifty years from the time they commence the collection of tolls on the same. [Ratified the 15th day of December, A. D., 1865.]

AN ACT TO INCORPORATE STOKESBURG LODGE, NO. 220, OF A. Chap. 5. Y. M., IN THE COUNTY OF STOKES.

SEC. 2. Be it further enacted, That this act shall be in full force and effect from and after its ratification. [Ratified the 14th day of December, A. D., 1865.]
AN ACT TO PROVIDE FOR THE HOLDING OF COURTS IN THE COUNTY OF WASHINGTON.

Preamble.

WHEREAS, The Court House in the town of Plymouth, in Washington county, was destroyed by fire in the month of December, one thousand eight hundred and sixty-two, Therefore,

SECTION 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same. That Courts may be held in any place or places in the town of Plymouth, at the regular time of holding Courts in said county, wherever a majority of the justices of the peace of said county may agree: Provided, That in case a majority cannot agree, that it shall be in the power of the special Court to decide.

SEC. 2. Be it further enacted, That the chairman of the County Court shall direct the sheriff of said county to summon all the justices of the peace in said county to attend at Plymouth at any time for the purpose of deciding where the Courts shall be held.

SEC. 3. Be it further enacted, That all acts and judicial proceedings, entered upon record by any Court or Courts, held in the town of Plymouth, county of Washington, since the burning of the Court House of said county, be and they are hereby confirmed and legalized.

SEC. 4. Be it further enacted, That the clerks of the Superior and County Courts shall not be compelled to keep their offices at the Court House, as required by chapter nineteen and section fifteen, of Revised Code, until a Court House and suitable offices shall be provided. All laws and clauses of laws coming in conflict with this act are, as to this act, hereby repealed.

SEC. 5. And, be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 14th day of December D., 1865].
1865.—Chapter 7—8.

AN ACT TO AMEND An ACT ENTITLED "AN ACT CONCERNING THE COUNTY SITE OF MITCHELL COUNTY," AND REPEALING THE SAME.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That an act to amend an act of the General Assembly at the adjourned session of one thousand eight hundred and sixty-two, chapter second, in relation to the county site of Mitchell county, ratified the eleventh day of February, one thousand eight hundred and sixty-three, is hereby repealed, and that the act passed at the General Assembly at the session of one thousand eight hundred and sixty-two, chapter fifth, and ratified December second, one thousand eight hundred and sixty-two, in relation to the county site of Mitchell county, is hereby declared to be in full force, and that the justices of the peace of Mitchell county proceed to locate the county site of Mitchell county as therein directed.

Sec 2. Be it further enacted, That all laws and clauses of laws coming in conflict with this act are hereby repealed.

Sec 3. And, be it further enacted, That this act shall be in force from and after it ratification. [Ratified the 16th day of December, A. D., 1863.]

AN ACT TO AUTHORIZE THE RALEIGH AND GASTON RAILROAD COMPANY TO ESTABLISH A FERRY AT GASTON FOR THE TRANSPORTATION OF PASSENGERS AND FREIGHT ACROSS ROANOKE RIVER.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the Raleigh and Gaston Railroad Company shall have the right, and they are hereby authorized and empowered, to establish a ferry across Roanoke river, at Gaston, for the purpose of transporting across said river, all passengers and freight taken to or
intended for railroad transportation going North or coming South, in the same manner and under like rules and regulations as said Railroad Company had the right of transporting passengers and freight across said river on the bridge, before its destruction.

Sec. 2. Be it further enacted, That said ferry shall be established at the same point on the river as the bridge was before its destruction.

Sec. 3. And, be it further enacted, That this act shall be in force immediately after its ratification. [Ratified the 16th day of December, A. D., 1865.]


WHEREAS. By the burning of the Register's books of the county of Burke and the destruction of other records and papers; also, the destroying of records and unregistered papers, by the Federal army, in the Register's office in the county of Sampson, many of the evidences of titles have been destroyed and the proof thereof become difficult:

SECTION 1. Be it therefore enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That copies of all such deeds, instruments and papers as may be of record and registry, upon proof of the genuineness of the same, shall be recorded and registered.

Sec. 2. Be it further enacted, That where the original deed, or deeds, shall be lost and there are no copies of the same, copies of any intermediate deed conveying the same land, upon satisfactory proof before any Court of such conveyance having been made, shall be admitted to registration in the same county where such original deed should have been proven.
Sec. 3. Be it further enacted, That any person who shall have been in the continued and quiet possession of any land, tenements or hereditaments situated in the counties of Burke and Sampson or any other county (the registration of such deeds having been in the counties of Burke or Sampson) claiming them as his own for the space of seven years, under known boundaries, the title thereof being out of the State, shall be deemed to have been lawfully possessed under color of title of such estate therein, although he may exhibit no conveyance therefor: Provided, That such possession shall have commenced before the destruction of the Register’s books, and also that such person, or any one claiming under him, shall make affidavit and produce satisfactory proof to the Court, that the possession was rightfully taken, and shall make affidavit that the original deeds in the chain of title are lost and that there are no copies in existence, and that the registration of such deeds were destroyed by fire.

Sec. 4. And be it further enacted, That the provisions of an act passed at the session of the Legislature one thousand eight hundred and fifty eight-fifty nine, chapter thirty-second, in relation to the public records of the county of Pitt, be and the same are hereby extended to the counties of Burke and Sampson. [Ratified the 14th day of December, A. D., 1865.]
RESOLUTIONS
OF A PRIVATE NATURE, PASSED BY THE
GENERAL ASSEMBLY
OF
NORTH CAROLINA,
AT ITS
SESSION OF 1865.

RESOLUTION IN FAVOR OF L. G. WARD.

Resolved, That the Secretary of State be and he is hereby authorized to issue to L. G. Ward, security of Abraham Sellers, deceased, grants to the following entries in the county of Jackson, to wit: Numbers three hundred and nineteen, three hundred and twenty, three hundred and twenty-one and three hundred and twenty-three, when he is satisfied the purchase money for the same has been paid, according to law, by him as security of the said Abraham Sellers. [Ratified at — December, A. D. 1865.]

RESOLUTION IN FAVOR OF HONORABLE ZELELON B. VANCE.

Resolved, by the General Assembly of North Carolina, That the members of this body having entire confidence in the loyalty and honor of Honorable Zebulon B. Vance, would be pleased to see an extension of the Executive clemency in his pardon, and believe that this action would be highly gratifying to the people of the State.
Resolved, That the Speakers of this body be and they are hereby instructed to lay these Resolutions before His Excellency, the Provisional Governor, and ask him to forward them to the President of the United States, with the assurance that the action of this Assembly, in the premises, springs from a sincere desire to promote the patriotic aims of His Excellency, the President, in reconstructing the Union and restoring to it the blessings of domestic tranquility. [Ratified the 6th day of December A. D., 1865.]

STATE OF NORTH CAROLINA,
Office of Secretary of State,
December 23d, 1865.

I, ROB'T. W. BEST, Secretary of State in and for the State of North Carolina, do hereby certify that the foregoing are true copies of the original Acts and Resolutions on file in this office. Given under my hand, this 23rd day of December, 1865.

ROB'T W. BEST,
Secretary of State.
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CITIES AND TOWNS.

AN ACT TO CHARTER THE CITY OF RALEIGH.

Chap. 1.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the inhabitants of the city of Raleigh shall be, and continue as they heretofore have been, a body politic and corporate, and henceforth the corporation shall bear the name and style of "The City of Raleigh," and under such name and style is hereby invested with all property and rights of property, which now belong to the corporation, under any other corporate name or names heretofore used; and by this name may acquire and hold, for the purpose of its government, welfare and improvement, all such estate as may be devised, bequeathed or conveyed to it, not exceeding in value five hundred thousand dollars, and the same may from time to time sell, dispose of and invest, as shall be deemed advisable by the proper authorities of the corporation.
City limits.  

Sec. 2. Be it further enacted, That the present corporate limits of the city of Raleigh shall be one-quarter of a mile in every direction around said city as originally laid out and established in seventeen hundred and ninety-two, North, South, East and West, and the boundary line shall run parallel with the old boundary until the line shall intersect at each corner. The city shall be divided into three divisions or wards, denominated Eastern, Middle and Western, each of which shall extend across the city from the Northern to the Southern limits, and shall be bounded as follows: The Middle Ward shall contain all that part of the city which lies between the middle of Wilmington street on the East, and the middle of Salisbury street on the West, and the continuation of said streets to the northern and southern boundary of the city, and all East of the Middle Ward shall be the Eastern Ward, and all West of the Middle Ward shall be the Western Ward.

Sec. 3. Be it further enacted, That there shall annually on the first Monday of January in each year, be elected a Mayor and nine Commissioners, who shall hold their office until their successors are qualified, the Mayor to be elected by the qualified voters of the whole city, and for the Commissioners, three shall be chosen for the Middle Ward, three for the Eastern and three for the Western, by the voters therein. If, from any cause, such election shall not be held, the Commissioners shall designate one other time, and give ten days notice, by advertisement in a city paper, at which time the election shall be held, as prescribed in the charter.

Sec. 4. Be it further enacted, That no person shall be eligible as Mayor or Commissioner, unless he shall be a native or naturalized white citizen of the United States, shall have attained the age of twenty-one years, and shall have resided within the corporation sixty days next preceding the day of election, and shall on the day of election be possessed of a freehold situate within the city of the
value of one hundred dollars, according to the assessment for taxation, and every Commissioner shall be a resident in the Ward for which he shall be chosen.

Sec. 5. Be it further enacted, That for the purpose of electing said officers, the Commissioners shall, at least twenty days before the election, appoint one inspector for each Ward, who shall be a freeholder and a qualified voter, and the inspector shall give ten days notice thereof by public advertisement, and if from any cause such inspectors shall not be appointed, the Governor of the State shall designate inspectors qualified in like manner.

Sec. 6. Be it further enacted, That on the day of election the inspectors shall give due attendance at the time and place, shall be judges of the polls, receive the votes and conduct the election in like manner, and during the same hours of the day as electors for members of the General Assembly. The voter shall designate on his ballot the person for whom he votes as Mayor, and the persons for whom he votes as Commissioners, otherwise the votes shall not be counted.

Sec. 8. Be it further enacted, That at the close of the election, the votes shall be counted by the inspectors, and such person voted for as Mayor, having the largest number of votes, shall be declared duly elected Mayor, and such persons voted for as Commissioners, having the largest
number of votes, shall be declared duly elected Commissioners of their respective wards; and the Mayor and Commissioners shall be notified of their election by the inspectors.

EC. 9. Be it further enacted, That the inspectors, before they proceed to act, shall be sworn by the Mayor, or a justice of the peace, to conduct the election fairly, impartially and according to law, and in case of the absence of any inspector, his place shall be forthwith supplied by the Commissioners.

SEC. 10. Be it further enacted, That if among the persons voted for as Mayor, there shall be an equal number of votes between any two or more having the largest number, the Commissioners elect shall proceed, within five days after their qualification, to select a Mayor of such persons; and if among the persons voted for as Commissioners there shall be a like tie, the remaining Commissioners, within five days after their qualification, shall select of such, the person or persons to be Commissioners.

SEC. 11. Be it further enacted, That the inspectors shall certify and subscribe the poll lists and return them to the clerk of the board of commissioners, who shall keep them among the archives of the city.

SEC. 12. Be it further enacted, That the Mayor, immediately after the election, and before entering upon the duties of his office, shall take the following oath: "I, A. B., do solemnly swear that I will diligently endeavor to perform faithfully and truly according to my best skill, judgment and ability, all the duties of the office of Mayor of the city of Raleigh while I continue therein, and will cause to be executed, as far as my power lies, all the laws, ordinances and regulations made for the government of the city, and in the discharge of my duties I will do equal justice in all cases whatsoever."

SEC. 13. Be it further enacted, That each Commissioner, before entering upon the duties of his office, shall take, before the Mayor or some justice of the peace, an oath that
he will truly and impartially perform the duties of Commissioner for the city, according to the best of his skill, ability and judgment.

Sec. 14. Be it further enacted, That the Mayor and Commissioners shall hold their offices respectively until the next succeeding election, and until their respective successors shall be qualified.

Sec. 15. Be it further enacted, That if any person chosen Mayor shall refuse to be qualified, or there is any vacancy in the office after election and qualification, or if the Mayor be absent from the city or unable to discharge the duties of his office, the Commissioners shall choose some qualified person Mayor for the time, or the unexpired portion of the time, or during such absence or disability as the case may be, and on like occasion and in like manner the Commissioners shall choose other Commissioners to supply the place of such as shall refuse to act, or are absent, or unable, and all vacancies which may occur, and such persons only shall be chosen as are here-tofore declared to be eligible.

Sec. 16. Be it further enacted, That any person elected Mayor or Commissioner, who shall refuse to be qualified and act as such, shall forfeit and pay for the equal use of the city, and of him who will sue therefor, twenty-five dollars.

Sec. 17. Be it further enacted, That if the Commissioners shall fail to give notice of elections, or to hold and declare the same in the manner herein prescribed, such of them as shall be in default, shall forfeit and pay for the equal use of the city, and of him who will sue therefor, one hundred dollars.

Sec. 18. Be it further enacted, That the Mayor, within the corporate limits, shall have all the powers and authority of a justice of the peace to preserve and keep the peace, and may cause to be arrested and detained, criminals, who fly to the city from other States or counties, and shall cause to be arrested and bound for their appear-
ance at the proper tribunal, to answer for their offences, all persons offending against the laws of the State, or against the laws or ordinances and regulations of the corporation. He shall also have, within the same limits, as a judicial officer, all the powers, jurisdiction and authority of a justice of the peace to issue process, to hear and determine all causes of action which may arise upon the ordinances and regulations of the city, to enforce penalties by issuing execution upon any adjudged violation thereof, and to execute the laws and rules which may be made by the Commissioners: Provided, nevertheless, That he shall not have the jurisdiction of cases of any nature or amount other than of such whereof a justice of the peace may take cognizance, unless specially allowed by this act.

Sec. 19. Be it further enacted, That the Mayor may issue his precepts to constables of the city, and to such other officers to whom a justice of the peace may direct his precepts.

Sec. 20. Be it further enacted, That the Mayor shall keep a faithful minute of the precepts issued by him and of all his judicial proceedings. The judgments rendered by him shall have all the force, virtue and validity of judgments rendered by a single justice of the peace and may be executed and enforced against the parties, in the county of Wake and elsewhere, in the same manner and by the same means as if the same had been rendered by a justice of the peace for the county of Wake.

Sec. 21. Be it further enacted, That the Mayor shall keep his office in some convenient part of the city designated by the Commissioners. He shall keep the seal of the corporation, and perform such duties as shall from time to time be prescribed; and he shall receive such compensation and fees as may be allowed by this act and the ordinances of the corporation.

Sec. 22. Be it further enacted, That the Mayor, when present, shall preside at all meetings of the board of Commissioners, and when there is an equal division upon
Sec. 23. Be it further enacted, That the Commissioners shall form one board, and a majority of them shall be competent to perform all the duties prescribed for the Commissioners, unless otherwise provided. Within five days after their election, they shall convene for the transaction of business, and shall then fix their stated days of meeting for the year, which shall be as often at least as once in every calendar month. The special meetings of the Commissioners may also be held on the call of the Mayor or a majority of the Commissioners, and of every such meeting, when called by the Mayor, all the Commissioners, and when called by a majority of the Commissioners, such as shall not join in the call, shall be notified in writing.

Sec. 24. Be it further enacted, That if any Commissioner shall fail to attend a general meeting of the board of Commissioners, or any special meeting, of which he may have notice as prescribed in said charter, unless prevented by such causes as shall be satisfactory to the board, he shall forfeit and pay for the use of the city the sum of four dollars, and it shall be the duty of the Mayor to enforce such forfeiture.

Sec. 25. Be it further enacted, That the Commissioners, when convened, shall have power to make and provide for the execution thereof, such ordinances, by-laws, rules and regulations for the better government of the city as they may deem necessary: Provided, The same be allowed by the provisions of this act, and be consistent with the laws of the land.

Sec. 25. Be it further enacted, That among the powers hereby conferred on the board of Commissioners, they may borrow money, shall provide water, provide for
repairing and cleansing the streets, regulate the market, take all proper means to prevent and extinguish fires, make regulations to cause the due observance of Sunday, appoint and regulate city watches, suppress and remove nuisances, preserve the health of the city from contagious and infectious diseases, appoint constables to execute such precepts as the Mayor and other persons may lawfully issue to them, to preserve the peace and order and execute the ordinances of the city, and shall appoint and provide for the pay and prescribe the duties of all such other officers as may be deemed necessary.

Sec. 27. Be it further enacted, That the Commissioners, at their first meeting after their election, shall appoint a clerk, a treasurer, a collector of taxes and one or more constables; the constables shall respectively hold their offices for three months, and until the appointment of their successors, subject, however, to be removed at any time, and others appointed in their stead, for misbehavior or neglect in office. Before acting, each of said officers shall be sworn to the faithful discharge of his duty, and shall execute a bond with sufficient security, payable to the city of Raleigh in such sum as the Commissioners may determine.

Sec. 28. Be it further enacted, That the clerk shall keep regular and fair minutes of the proceedings of the board, and preserve all books, papers and articles committed to his care, during his continuance in office, and deliver them to his successor, and generally perform such other duties as may be prescribed by the Commissioners.

Sec. 29. Be it further enacted, That every person shall be allowed to inspect the journals and papers of the board in the presence of the clerk, on paying to him twenty-five cents for each inspection, under a penalty of two dollars on the clerk for every refusal, to be paid to him who will sue for the same.

Sec. 30. Be it further enacted, That the treasurer shall call on all persons who may have in their hands any
money or securities belonging to the city, which ought to be paid or delivered into the treasury, and keep safely the same for the use of the city, to disburse the funds according to such orders as may be duly drawn on him in the manner hereinafter specified; he shall keep in a book, provided for that purpose, a fair and correct account of all money received and disbursed by him, and shall submit said account to the Commissioners whenever required to do so; on the expiration of his term of office, he shall deliver to his successor all the moneys, securities and other property entrusted to him for safe keeping, or otherwise, and during his continuance therein he shall faithfully perform all duties lawfully imposed on him as city treasurer.

Sec. 31. Be it further enacted, That all orders drawn on the treasurer shall be signed by the Mayor, and countersigned by the Clerk, and state the purposes for which the money is applied, and the treasurer shall specify said purposes in his account, and also the sources whence are derived the money received by him.

Sec. 32. Be it further enacted, That the Commissioners shall cause to be made out annually a fair transcript of their receipts and disbursements on account of the city for the general inspection of the citizens, and cause the same to be posted before the court house ten days before the day of the annual election of Commissioners, and publish an abstract of the same in a city newspaper, and the Commissioners failing to comply with the duties prescribed in this section, shall forfeit and pay for the use of the city, and him who will sue therefore, one hundred dollars.

Sec. 33. Be it further enacted, That it shall be the duty of the constable to see that the laws, ordinances and the orders of the Commissioners are enforced, and to report all breaches thereof to the Mayor, to preserve the peace of the city by suppressing disturbances and apprehending offenders, and for that purpose he shall have all the powers
and authority vested in sheriffs and county constables, he shall execute all precepts lawfully directed to him by the Mayor or others, and in the execution thereof, shall have the same powers which the sheriffs and constables of the county have, and he shall have the same fees on all process and precepts executed or returned by him which may be allowed to the constables of the county on like process and precepts, and also such other compensation as the Commissioners may allow.

Sec. 34. Be it further enacted, That the constables shall have the same powers and be bound by the same rules in this respect as constables of the county of Wake, to apprehend all offenders against the State within the limits of the city, and to carry them before the Mayor or some justice of the peace, and for such duty he shall have the same fees as constables of said county, to be paid by the party offending, if found guilty, otherwise by the city.

Sec. 35. Be it further enacted, That the Commissioners shall provide a patrol or night watch for the city, and prescribe the duties and powers of the several officers, members and classes thereof, and shall pay such patrol or watch, or may class the inhabitants into such patrol or watch.

Sec. 36. Be it further enacted, That the inhabitants, when classed into a watch, shall (each one either in person or by a good substitute) serve in turn when ordered out by the Mayor, or other persons appointed by the Mayor, as commandants of the watch.

Sec. 37. Be it further enacted, That any such person being of the watch or patrol, and failing to serve and faithfully to discharge his duty, shall forfeit and pay to the city for each default, if an officer of the watch, two dollars, and if not, one dollar.

Sec. 38. Be it further enacted, That the sheriff or jailor of the county of Wake is hereby required, without a mittimus, to receive into the jail of the county, as his prisoner, any person taken up in the night by the watch
or constables, and to keep such person safely until the
morning, when the offender shall be brought before the
Mayor or some magistrate, resident in the city, and be
lawfully dealt with, and for such services the jailor shall
be entitled to such fees as he is in other like cases.

Sec. 30. Be it further enacted, That the Commissioners
may appoint four auctioneers, including those authorized
by the Revised Code, and every person appointed auc-
tioneer for the city shall enter into a book a daily account
of all his sales; wherein shall appear as well the items
sold as the aggregate of sales, cast up at least once a
week, and such accounts shall be open to the inspection
of the Commissioners, or any person authorized by them
to make inspection.

Sec. 40. Be it further enacted, That at the time required
of auctioneers to render to the clerks of the county courts
their account of money received in auction sales liable to
tax, the auctioneer shall render to the clerk of the city
an abstract showing monthly the gross amount of such
sales up to the time of rendering the account, which
abstract shall be laid before the Commissioners.

Sec. 41. Be it further enacted, That every auctioneer
shall be entitled to two and a half per cent, on the amount
of sales, unless otherwise agreed between him and the
owner of the goods sold.

Sec. 44. Be it further enacted, That in order to raise a
fund for the expenses incident to the proper government
Commissioners may levy tax.
of the city and other expenses which they may be authorized by law to pay, the Commissioners may annually levy and collect the following taxes, namely:

1. On real estate. (1.) On real estate, situate within the city, a tax not exceeding one dollar and fifty cents on every hundred dollars value.

Poll tax. (2.) On all taxable polls a tax not exceeding three dollars a poll, who may be resident in the city on the first day of April of each year, or may have been so resident within sixty days next preceding that day.

On merchandise. (3) On every hundred dollars value of goods, wares and merchandise, purchased for resale by any merchant, trading in the city, within one year next preceding the first day of April of the year in which the same is listed, a tax of twenty-five cents, and on the value of spirituous liquors, wines and cordial and fermented or malt liquors, purchased for resale within said time by any dealer trading in the city, a tax not exceeding five per cent.

On pleasure vehicles. (4.) Upon every sulky, gig, buggy, barouche, carriage, or other vehicles used in the city, for the carriage of persons, except stage-coaches for the transportation of the mail, of which the person using may have been in possession on the first day of April of that year, when the value of such vehicle shall be between one hundred and two hundred dollars, a tax not exceeding one dollar, and when of the value between one hundred and two hundred dollars a tax not exceeding one dollar and fifty cents, and when to the value of three hundred dollars and upwards a tax not exceeding two dollars.

On wagons and drays. (5.) On all drays, omnibuses, express wagons and other wheeled vehicles, used to carry persons or other things for hire, a tax not exceeding twenty-five dollars, and such vehicles shall be exempt from the ad valorem tax.

On dogs. (6.) Upon all dogs kept in the city, and which may be so kept on the first day of April, a tax not exceeding five dollars: Provided, however, That a discrimination, within
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the limit, may be made on the different sexes and species of dog.

(7.) Upon all swine and goats, not prohibited by the Commissioners to remain in the city, a tax not exceeding twenty-five cents a head.

(8.) Upon all encroachments on the streets by porches and piazzas, allowed by the Commissioners, a tax not exceeding one dollar per square foot.

Sec. 45. Be it further enacted, That the citizens of Raleigh and others liable to be taxed, on account of any of the foregoing subjects, shall on the first day of April or within five days thereafter, render to the Mayor on oath a list of their property and subjects for which they may be liable to be taxed, and if any person shall fail to render such list, he shall pay double the tax assessed on any subject for which he is liable to be taxed.

Sec. 46. Be it further enacted, That within one week after receiving the tax list, the Mayor shall return the same to the Commissioners, who shall forthwith appoint three respectable freeholders, one from each ward of the city, not of their body, as assessors, who being duly sworn before the Mayor to do equal and impartial justice to all in the discharge of the duties, shall assess their cash value of the taxable real estate, with its improvements, lying within the corporate limits of the city, and they shall make a list thereof, together with the names of the owners thereof, previous to laying the tax, and return it to the Commissioners on or before the first day of May next ensuing; and the value of real estate of the assessors shall be assessed by the Commissioners.

Sec. 47. Be it further enacted, That as soon as the assessors shall have made their return, the board shall proceed to lay the taxes on such subjects of taxation as they may choose, and shall place the tax list in the hands of the collector for collection, who shall complete the same on or before the first day of August next ensuing, and shall pay the moneys as they are collected, to the
treasurer, and the collector, for his compensation, shall receive such commission on the amount collected, not to exceed five per cent., as the Commissioners may prescribe.

Sec. 48. Be it further enacted, That if any person liable to taxes on subjects directed to be listed, shall fail to pay them within the time prescribed for collection, the collector shall proceed forthwith to collect the same by distress and sale, after public advertisement, for the space of ten days in some newspaper published in the city, if the property be personalty, and twenty days if the property be realty.

Sec. 49. Be it further enacted, That when the tax due on any lot or other land (which is hereby declared to be a lien on the same) shall remain unpaid on the first day of August, and there is no other visible estate but such lot or land of the person, in whose name it is listed liable to distress and sale, known to the collector, he shall report the facts to the Commissioners together with a particular description of the real estate, and thereupon the Commissioners shall direct the same to be sold upon the premises by the collector, after advertising for twenty days in some newspaper published in the city, which the collector shall do; and the collector shall divide the said land into as many parts as may be convenient, (for which purpose he is authorized to employ a surveyor) and shall sell as many thereof as may be required to pay said taxes and all expenses attendant thereon. If the same cannot be conveniently divided, the collector shall sell the whole, and if no person will pay the whole of the taxes and expenses for the whole of the land, the same shall be struck off to the city, and if not redeemed as hereinafter provided, shall belong to the said city in fee.

Sec. 50. Be it further enacted, That the collector shall return an account of his proceedings to the Commissioners, specifying the portions into which the land was divided, and the purchaser or purchasers thereof, and the prices of each, which shall be entered on the books of the proceed-
ings of the Commissioners, and if there shall be a surplus, after paying said taxes, the same shall be paid into the city treasury subject to the demands of the owner.

Sec. 51. Be it further enacted, That the owner of any land sold under the provisions of said charter, his heirs, executors and administrators, or any person acting for them, may redeem the same within one year after the sale, by paying to the purchaser the sum by him paid and twenty-five per cent. on the amount of taxes and expenses, and the treasurer shall refund to him, without interest, the proceeds less double the amount of taxes.

Sec. 52. Be it further enacted, That if the real estate sold as aforesaid shall not be redeemed within the time specified, the corporation shall convey the same in fee to the purchaser or his assigns, and the recitals in such conveysances, or in any other conveyance of land, sold for taxes due the city, that the taxes were due, or of any other matter required to be true or done before the sale might be made, shall be prima facie evidence that the same was true and done.

Sec. 53. Be it further enacted, That the real estate of infants, or persons non compositis, shall not be sold for tax, and when the same shall be owned by such, in common with other persons free of such disability, the sale shall be made according to section ninety-two of chapter ninety-nine of the Revised Code.

Sec. 54. Be it further enacted, That in addition to the subjects listed for taxation, the Commissioners may levy a tax on the following subjects, the amount of which tax, when fixed, shall be collected by the city constable instantly; and if the same be not paid on demand, the same may be recovered by suit on the articles upon which the tax is imposed, or any other property of the owner may be forthwith distrained and sold to satisfy the same, namely:

(1.) Upon all itinerant merchants or peddlers, vending or offering to vend in the city, a tax of twenty dollars a
year, except such only as sell books, charts or maps, and such as sell only goods, wares and merchandize and other productions of the growth or manufacture of this State.

(2.) Upon every billiard table or bowling alley or other game allowed by law, and every victualling house or restaurant, established, used or kept in the city, a tax not exceeding fifty dollars a year.

(3.) Upon every permission by the board of Commissioners to retail spirituous liquors within the city or within one mile thereof, a tax not exceeding five hundred dollars, and on every retailer of fermented and malt liquors within the city or one mile thereof, not exceeding one hundred dollars.

(4.) Upon every company of circus riders, who shall exhibit within the city or within one mile thereof, a tax not exceeding twenty-five dollars for each separate exhibition; the tax to be paid before the exhibition, and if not, to be double.

(5.) Upon every person or company exhibiting in the city, or in one mile thereof, stage or theatrical plays, sleight of hand performances, rope dancing, tumbling, wire dancing or menageries, a tax not exceeding twenty dollars for every twelve hours allowed for exhibiting; the tax to be paid before exhibiting, or the same to be doubled.

(6.) Upon every exhibition for reward or artificial curiosities, (models of useful inventions excepted) in the city, or within one mile thereof, a tax not to exceed twenty dollars, to be paid before exhibition, or the same shall be double.

(7.) Upon each show or exhibition of any other kind, and on each concert for reward, and on every traveling musician, a tax not exceeding fifty dollars, to be paid before exhibition, or otherwise to be double.

(8.) Upon every goat or hog, running at large in the city, there may be levied a tax not exceeding three dollars, and every such goat or hog may be seized and impounded, and if the owner, on being notified, will not pay the tax,
the animal shall be sold therefor at such place as the Commissioners may designate after three days notice at the Court House.

(9.) Upon every horse, mule or bull, going at large, a tax not exceeding five dollars.

(10.) Upon every dog which may be brought into the city after the first day of April, to be kept therein, a tax not exceeding three dollars for the permission to keep such dog in the city, which permission shall not extend further than the last day of March next ensuing. Provided, nevertheless, That no property or subjects of taxation, which are specially exempt from taxation, shall be taxed by the city.

Sec. 55. Be it further enacted, That all moneys arising from taxes, donations or other sources, shall be paid to the treasurer, and no appropriation thereof shall be made but by a board constituted of a majority of all the Commissioners.

Sec. 56. Be it further enacted, That the Commissioners shall cause to be kept clean and in good repair, the streets, sidewalks and alleys. They may establish the width and ascertain the location of those already provided, and lay out and open others, and may reduce the width of all of them; they may also establish and regulate the public grounds and protect the shade trees of the city.

Sec. 57. Be it further enacted, That when any land or right of way shall be required by said city of Raleigh for the purpose of opening new streets or for other objects allowed by its charter, and for want of agreement as to the value thereof, the same cannot be purchased from the owner or owners, the same may be taken at a valuation to be made by five freeholders of the city, to be chosen by the Commissioners; and in making said valuation, said freeholders, after being duly sworn by the Mayor or a justice of the peace of the county, or clerk of a court of record, shall take into consideration the loss or damage which may accrue to the owner or owners in consequence
of the land or right of way being surrendered, and also any special benefit or advantage such owner may receive from the opening of such street, or other improvement, and shall state the value and amount of each, and the excess of loss or damage over and above the advantage shall form the measure of valuation of said land or right of way; Provided, nevertheless, That if any person, on whose land the said street may pass, or improvement be located, or the Commissioners be dissatisfied with the valuation then made, thus and in that event, either party may have an appeal to the next county or superior court of Wake county, to be held thereafter; and the said freeholders shall return to the court, to which the appeal may be taken, their valuation, with the proceedings thereon; and the land so valued by the freeholders, shall vest in the city so long as it may be used for the purpose of the same, as soon as the valuation may be paid or lodged in the hands of the clerk of the county court (in case of its refusal by the owner of the land, or if the owner is a non-resident of Wake county); Provided, however, That such appeal shall not hinder or delay the Commissioners opening such street or erecting such improvement; And, provided, further, That in case of the discontinuance of the use of the land and its reverter to the owner, the city shall have the right to remove any improvement under its authority erected.

Sec. 58. Be it further enacted, That the Commissioners may grant the privilege of erecting porches or piazzas in front of any dwelling-house already built on the line of any public streets; provided such porch or piazza, including the steps thereof, shall not extend more than six feet into the street; And, provided, also, That no bar or impediment be erected under or upon the same, which may impede the air or view, and every such encroachment shall be measured and entered on their journals, with the number of square feet which it embraces.

Sec. 59. Be it further enacted, That no cellar shall be
built under any side-walk in the city, or entrance established on the side-walk to any cellar whereby the free passage of persons may be delayed, hindered or interrupted, and every offender herein shall forfeit and pay to the city twenty-five dollars for every day the same may remain.

**Sec. 60. Be it further enacted, That every owner of a lot or person having as great an interest therein as a lease for three years, which shall front any street on which a side-walk has been established, shall improve in such manner as the Commissioners may direct such side-walk as far as it may extend along such lot, and on failure to do so within ten days after notice to said owner, or if he be a non-resident of the county of Wake, to his agent; or if such non-resident have no agent in said county, then after advertisement for ten days on such lot, at the Court House door, calling on the owner to make such repairs, the Commissioners may cause the same to be repaired, either with bricks, stone or gravel, at their discretion, and the expense shall be paid by the person in default, and shall be collected in like manner as taxes due the city by distress or otherwise; said expense shall be a lien upon said lot, and if not paid within six months after the completion of repairs, such lot may be sold, or enough of the same, to pay such expense and costs, under the same rules, regulations and restrictions, rights of redemptions and savings, as are prescribed in said charter for the sale of lands for unpaid taxes; Provided, That if the owner or his agent shall avow his intention not to make such improvement, the Commissioners may proceed with such repairs forthwith without any notice.

**Sec. 61. Be it further enacted, That no Mayor or Commissioner shall, directly or indirectly, become a contractor for work to be done for the city; and any person herein offending shall forfeit and pay to the city one hundred dollars, and moreover, be deemed guilty of a misdemeanor.

**Sec. 62. Be it further enacted, That the Commissioners
may require and compel the abatement and removal of all nuisances within the city at the expense of the person causing the same, or the owner or tenant of the ground whereon the same may be; they may also prevent the establishment, within the city, and may regulate the same, if allowed to be established, of any slaughter house or place, or the exercise within the city of any dangerous, offensive or unhealthy trade, business or employment.

Sec. 63. Be it further enacted, That the Commissioners shall have power to prevent dogs, horses, cattle and all other brutes from running at large in the city.

Sec. 64. Be it further enacted, That they may prohibit and prevent, by penalties, the riding or driving of horses or other animals at a speed greater than six miles per hour, within the city; and also the firing of guns, pistols, crackers, gun-powder or other explosive, combustible or dangerous materials in the streets, public grounds, or elsewhere within the city.

Sec. 65. Be it further enacted, That the Commissioners may establish and regulate the markets and prescribe what time and place, within the corporation, marketable articles shall be sold, in what manner, whether by weight or measure, may be sold grain, meal, flour, (if not packed in barrels) fodder, hay, or oats in straw; may create scales to weigh the same; appoint a weigh-master and fix his fees, and direct by whom they shall be paid, appoint a keeper of the market, prescribe his duties and fees, and shall also have power to prevent forstalling and regrating.

Sec. 66. Be it further enacted, That they may establish all public buildings necessary and proper for the city, and prevent the erection or establishment of wooden buildings in any part of the city, where they may increase the danger of fire.

Sec. 67. Be it further enacted, That they may provide grave-yards in or near the city, and regulate the same, may appoint and pay a keeper and compel the keeping
and returning bills of mortality, and they may prohibit interments within the city.

Sec. 68. Be it further enacted, That they may provide for the establishment, organization, equipment and government of fire companies; and in all cases of fire, a majority of such of the Commissioners as shall be present, may, if they deem it necessary to stop the progress of the fire, cause any house to be blown up or pulled down, for which they shall not be responsible to any one in damages.

Sec. 69. Be it further enacted, That they may take such measures, as they deem effectual, to prevent the entrance into the city, or the spreading therein, of any contagious or infectious disease, may stop, detain and examine for that purpose every person coming from places believed to be infected with such diseases, may establish and regulate hospitals within the city, or within three miles thereof, may cause any person in the city, suspected to be infected with such disease, and whose stay may endanger its health, to be removed to the hospital, may remove from the city or destroy any furniture or other articles which shall be suspected of being tainted, or infected with contagious or infectious disease, or of which there shall be reasonable cause to apprehend that they may pass into such a state as to generate or propagate disease, may abate by any reasonable means all nuisances which may be injurious to the public health.

Sec. 70. Be it further enacted, That in case any person shall be removed to the hospital, the corporation may recover, before the Mayor or any justice of the peace, of said person, the expense of his removal, support, nursing and medical attendance, and burial expenses, also, in case of death.

Sec. 71. Be it further enacted, That if any person shall attempt, by force or by threat of violence, to prevent the removal to the hospital of any person ordered to be conveyed thither, the person, so offending, shall forfeit and
pay to the city one hundred dollars, and moreover be deemed guilty of a misdemeanor.

Sec. 72. Be it further enacted, That it shall not be lawful for the county court of Wake to grant any license to retail spirituous liquors, within the limits of the city or within one mile thereof, without permission first obtained from the board of Commissioners in being at the time of application to court, and if any license shall be granted without permission in writing attested by the clerk of the board and exhibited to the court and filed with the clerk of the county court, the same shall be utterly void, and the person obtaining such license shall be liable to indictment, as in other cases of retailing without a license, and for any offence of retailing shall moreover forfeit and pay to the city the sum of twenty dollars.

Sec. 73. Be it further enacted, That all penalties incurred by any minor for the breach of any of the provisions of this act or any ordinances passed in pursuance thereof, shall be recovered from the parent, guardian or master (if the minor be an apprentice) of such minor.

Sec. 74. Be it further enacted, That all penalties imposed by law, relating to the city or by this act, by any ordinance of the city, unless otherwise provided, shall be recoverable in the name of the city of Raleigh, before the Mayor, or any tribunal having jurisdiction thereof.

Sec. 75. Be it further enacted, That the Commissioners shall not have power to impose, for any offence, a larger penalty than one hundred dollars, unless the same be expressly authorized, and from any judgment of the Mayor for any penalty which is imposed or allowed to be imposed by this act, or for other cause of action herein allowed, the party dissatisfied may appeal in like manner and under the same rules and regulations as are prescribed for appeals from the judgment of a justice of the peace.

Sec. 76. Be it further enacted, That the Mayor, for any warrant issued by him for the recovery of any penalty or
for other causes of action, fifty cents; for any judgment rendered thereon, one dollar, to be taxed among the costs for every warrant issued by him as mayor to apprehend an offender against the criminal law of the State, under which he may be arrested and recognized to appear before a court of record, one dollar, to be taxed, on submission or conviction of the offender, among other costs; for every warrant to arrest individuals who may have fled from other States or counties, two dollars, to be paid on removal of offender by such as may carry him away; for use of the city seal for other than city purposes, one dollar; for every certificate for other than city purposes, fifty cents.

Sec. 77. Be it further enacted, That this act shall not go into effect until it has been ratified by the people of Raleigh, at an election to be held for that purpose. And the Mayor and Commissioners of the city shall designate a day within two months after the ratification of this act, for an election to be held for its ratification or rejection, and twenty days public notice of such election shall be given in one or more of the daily papers of the city, and all persons now entitled to vote for mayor and commissioners of the city of Raleigh, shall be entitled to vote at said election under the same rules and regulations as are now in force respecting elections in the city of Raleigh. And the Mayor shall cause two sets of tickets to be printed, upon one sett shall be printed the word "accepted," and upon the other sett shall be printed the word "rejected," and a supply of both kinds of tickets shall be kept at the place of election from the opening to the closing of the election. And if a majority of the votes cast at said election are for accepting this charter, then it shall be proclaimed by the mayor within five days thereafter that it is the law of the city; and if a majority of the votes cast be for rejecting this charter, then it shall not be in force.

Sec. 78. Be it further enacted, That from and after the acceptance of this act, the same shall thenceforth be
the charter of the city of Raleigh, and all laws now constituting the charter of the city and effecting the government thereof in the grants heretofore made of its corporate franchise and power, and all laws of a public and general nature, inconsistent with or coming in the per-view of this act, are hereby repealed, so far only, however, as they may effect the city: Provided, however, That such repeal shall not annul any ordinance, by-law, or rule of the corporation, unless the same be inconsistent with this act, nor shall such repeal affect any act done, or any right accruing, or accrued and established, or any suit had or commenced in any case, before the time when such appeal shall take effect; neither shall right, estate, duty or obligation possessed by or due to the corporation by its present name, from any corporation or person whatever, be lost, affected or impaired; but the same remain in full force and be passed, enforced and enjoyed in the name, and for the use of the corporation, by the name of "The city of Raleigh." Nor shall any right, duty, obligation or liability whatever, accrued or owing to the State or to any corporation or person, by such repeal, be lost, affected or impaired, but the same shall remain in full force, and may be possessed, enforced and enjoyed by the State, and such corporation or person against the corporation by this act styled the city of Raleigh.

Sec. 79. Be it further enacted, That no offence committed and no penalties or forfeitures incurred under any of the acts or ordinances hereby repealed, and before the time when such repeal shall take effect, shall be affected by the repeal, except that when any punishment, penalty or forfeiture shall have been mitigated by the provisions of this act, such provisions may be extended and applied to any judgment to be pronounced after the repeal.

Sec. 80. Be it further enacted, That no suit or prosecution pending at the time of the repeal for any offence committed, or for the recovery of any penalty or forfeiture incurred, under any of the acts or ordinances hereby repealed, shall be affected by such repeal.
Sec. 81. Be it further enacted, That no law heretofore repealed shall be revived by the repeal of any act repealing such law.

And, provided, lastly, That all persons who, at the time when the said repeal shall take effect, shall hold any office under any of the acts hereby repealed, shall continue to hold the same according to the tenure thereof, except those offices which may have been abolished, and those as to which a different provision shall have been made by this act.

Sec. 82. Be it further enacted, That the city of Raleigh may convey lands and all other property, which is transferable by deed of bargain and sale, or other proper deed sealed with the common seal, signed by the Mayor and two members of the corporation, and attested by a witness.

Sec. 83. Be it further enacted, That all laws and clauses of laws coming in conflict with this act be and the same are hereby repealed.

Sec. 85. And be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 10th day of March, A. D., 1866]

AN ACT TO INCORPORATE THE INHABITANTS OF THE TOWN OF WILMINGTON.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the inhabitants of the town of Wilmington, in the county of New Hanover, shall be a body corporate and politic; and henceforth said corporation shall be known by the name and style of "The City of Wilmington," and under such name and style is hereby invested with all the property, and rights of property, which now belong to the corporation known by the name of "The Commissioners of the Town of Wilmington," or which belong to said town of Wilmington,
under any other corporate name or names heretofore used or known; and by said corporate name of the City of Wilmington, may acquire and hold for the purpose of the government, welfare, improvement or convenience of said city and its inhabitants, all such estate or effects as may be devised, bequeathed or conveyed to it, and may, from time to time, sell, dispose of, or invest the same as shall be deemed advisable by the proper authorities of said corporation.

Sec. 2. *Be it further enacted*, That the city shall be divided into four divisions or wards, denominated first, second, third and fourth wards respectively, which shall be severally bounded, as follows: the first shall contain and include all that part of the city which is north of the middle of Market street, and east of the middle of Third street; the second, all that part of the city which is north of the middle of Market street, and west of the Middle of Third street; the third, all that part of the city which is south of the middle of Market street, and west of the middle of Third street; and the fourth, all that part of the city which is south of the middle of Market street, and east of the middle of Third street.

Sec. 3. *Be it further enacted*, That the corporate powers and authority granted to said city shall be vested in and exercised by a mayor and eight aldermen. No person shall be eligible as mayor or alderman unless he shall be a native or naturalized citizen of the United States, shall have attained the age of twenty-five years, shall have resided within the corporate limits of said city for one year next preceding the day of election, and shall be, on the day of election and have been for six months prior to that day, possessed in his own right of a freehold, situate within the city, of the value of one thousand dollars, according to the assessment for taxation; and every alderman shall be, on the day of election, and have been for six months before that day, a resident in the ward for which he shall be elected such alderman.
SEC. 4. Be it further enacted, That no person shall be entitled to vote for mayor or alderman unless he shall be qualified and entitled to vote for members of the General Assembly of this State, and shall have resided for six months next preceding the day of election, within the corporate limits of said city, nor shall any person be entitled to vote for aldermen, of any particular ward, unless he shall have resided in such ward for thirty days, next before the day of election: Provided, nevertheless, That all persons entitled to vote for members of the General Assembly of this State, who shall have been seized in fee simple of real estate situate within the city, for six months next preceding the day of election, of the value of two thousand dollars, as assessed for taxation, may vote for mayor and for aldermen of the ward in which such real estate lies.

SEC. 5 Be it further enacted, That the mayor shall be elected by the qualified voters of the whole city, and two of the eight aldermen shall be elected for each of the four wards by the qualified voters in such wards respectively. For the purpose of electing said officers, the board of aldermen shall, at least twenty days before the day of election, appoint one inspector from each ward, who shall be a freeholder and qualified voter in the ward for which he is so appointed, and shall have no official connection with the administration or execution of the laws or ordinances of said city; and said board shall give not less than ten day's notice of such appointment, and of the time and place of election by public advertisement in one or more of the newspapers published daily in the city. On the day of election, the inspectors shall give due attendance at the time and place, shall be judges of the polls, receive the votes, conduct the election in like manner and during the same hours of the day as elections for members of the General Assembly. There shall be provided by the city, for the use of the inspectors in holding such elections, five boxes or one suitable box with five separate compart-
ments, in one of which boxes or compartments shall be deposited the votes given for mayor; in one, the votes for aldermen of the first ward; in one, the votes for aldermen of the second ward; in one, the votes for aldermen of the third ward, and in the remaining one the votes given for aldermen of the fourth ward. The votes shall be given by ballot, and, at the close of the election, the inspectors shall count the votes in the box appropriated to the votes for mayor, and the person having the largest number shall be declared duly elected mayor; and, in like manner, they shall count the votes in the several boxes appropriated to the votes for aldermen in the several wards, and the person or persons having the largest number of votes in the respective boxes for the several wards, shall be declared duly elected aldermen of their respective wards; and it shall be the duty of the inspectors to notify the mayor and aldermen of their election. The inspectors, before they proceed to act, shall be sworn by a justice of the peace to conduct the election fairly, impartially, and according to law; and, in the absence of any inspector, his place shall forthwith be supplied by the board of aldermen. If, among the persons voted for as mayor, there shall be an equal number of votes given to any two or more having the largest number, the board of aldermen elect shall, within five days after their qualification, select a mayor of such persons; and, if among the persons voted for as aldermen, there shall be a like tie, the remaining aldermen, within five days after their qualification, shall, of such persons, select the person or persons to be aldermen. The inspectors shall certify and subscribe the poll lists and return them to the clerk of the board of aldermen for preservation among the archives of the city.

Sec. 6. Be it further enacted, That the election for mayor and aldermen shall be held annually on the Thursday after the third Monday in December, and the mayor shall hold his office for one year from the first Monday in
January next succeeding his election and until his successor shall be qualified. At the election to be held at the time aforesaid in the year eighteen hundred and sixty-six, and annually thereafter, there shall be elected one aldermen from each of the several wards, who shall hold his office for two years from the first Monday in January next succeeding his election and until his successor shall be qualified. If any person elected mayor shall refuse to qualify, or there is any vacancy in the office after election and qualification, the board of aldermen shall choose some qualified person as mayor for the term or unexpired portion of the term, as the case may be; and, in like manner, the board of aldermen shall choose other aldermen to supply the place of such as shall refuse to act, and to fill all vacancies which may occur; and such persons only shall be chosen as are heretofore declared to be eligible. Any person elected as mayor or alderman, who shall refuse to be qualified, or refuse to act as such, shall forfeit and pay for the equal use of the city and of him who will sue therefor, the sum of one hundred dollars. If the aldermen shall fail to appoint inspectors of election, or fail to give notice of such appointment, and of the time and place of election, as required, or if any inspector shall fail to hold such election, and declare and certify the same in the manner prescribed, any alderman or inspector so in default, shall forfeit and pay for the equal use of the city and of him who will sue for the same, the sum of two hundred dollars.

Sec. 7. Be it further enacted, That the mayor shall attend at his office at such hours as the board of aldermen shall designate; he shall keep the seal of the corporation, shall perform such duties as are incident or attached to his office by virtue of any law or ordinance of said city, and such other duties as, from time to time, shall be prescribed by the board of aldermen; and he shall receive such compensation, not exceeding two thousand dollars per annum, as said board shall allow.
The mayor, when present, shall preside at all meetings of the board of aldermen, and, when there is an equal division upon any question, or in the election of officers by the board, he shall determine the matter by his vote; he shall vote in no other case, and, if he shall be absent, the board shall appoint one of their number pro tempore to exercise his duties at the board. In case of the sickness of the mayor, or his absence from the city, the board of aldermen shall appoint one of their number to act as mayor during such sickness or absence of the mayor elect.

Sec. 8. Be it further enacted, That the aldermen shall form one board, and a majority of them shall be competent to perform all the duties prescribed, and have all the powers granted to the aldermen as a board, unless otherwise provided. On the first Monday of January next succeeding any election, they shall convene for the transaction of business, when the mayor elect, before some justice of the peace, before entering upon the duties of his office, shall take and subscribe, on the minutes of the corporation, the following oath: "I, A. B., do solemnly swear that I will diligently endeavor to perform faithfully and truly, according to my best skill, judgment and ability, all the duties of the office of mayor of the city of Wilmington, while I continue therein, and will cause to be executed as far as my power extends, all the laws, ordinances and regulations made for the government of the city; and in the discharge of my duties I will do equal justice in all cases whatsoever." Each alderman before entering upon the duties of his office shall, before some justice of the peace, take and subscribe as aforesaid, an oath that he will truly and impartially perform the duties of alderman of the city according to the best of his ability and judgment. If, for any cause, the aldermen shall not convene on the day aforesaid, they shall convene as soon thereafter as may be practicable, and take and subscribe the oath aforesaid. At their first meeting as aforesaid, they shall fix their regular stated days of
meeting for the year, which shall be as often at least as once in every month, and special meetings shall be held on the call of the mayor or any three of the aldermen, and of every such meeting when called by the mayor or any three aldermen, the aldermen shall be notified in writing; and if any alderman shall fail to attend a regular stated meeting, or any called meeting, of which he shall have notice as aforesaid, unless prevented by such cause as shall be satisfactory to the board, and shall be entered on the minutes, he shall forfeit and pay for the use of the city, the sum of ten dollars. The board of aldermen, when convened, shall have power to make and provide, for the execution thereof, such ordinances, by-laws, rules and regulations for the better government of the city, as they may deem necessary and proper: Provided, The same be allowed by the provisions of this or any other act of the General Assembly of this State; and said mayor and board of aldermen are hereby invested with all the rights, privileges, power and authority of the mayor and commissioners of the town of Wilmington as heretofore established and empowered by the laws of this State for the government of the town of Wilmington; and shall have power by all needful ordinances, rules and regulations, to secure order, health and quiet in said city, and for one mile around the same.

Sec. 9. Be it further enacted, That the principal executive officer, to be appointed by the board of aldermen, shall be styled the marshal, who shall be chief of the police, head of the fire department and collector of the city taxes; and for his aid and assistance, as the tax collector, he may appoint a special deputy, for whose acts he shall be responsible. The marshal, as compensation for his services, shall receive a salary not exceeding two thousand dollars per annum, to be fixed by the board, and his special deputy shall receive a compensation for his services, such salary not exceeding twelve hundred dollars per annum, as the board may determine. The board may
Police force. appoint one or more assistant marshals, and such other police force as they may deem necessary. It shall be the duty of the marshal, assistant marshal and members of the police force to see that the laws and the ordinances, regulations and orders of the board are enforced, and to report all breaches thereof to the mayor, to preserve the peace of the city by suppressing disturbances and apprehending offenders, and, for these purposes, shall be vested with all powers and authority of sheriffs and constables. The marshal and assistant marshal shall execute all precepts lawfully directed to the marshal by the mayor or others, and, in the execution thereof, shall have the same powers which sheriffs and constables of the county have. The assistant marshal and the members of the police force of the city shall receive such compensation as the board may deem reasonable and proper. The marshal, before entering on his duties, shall, before the mayor, or some justice of the peace, be sworn to the faithful and impartial discharge of the duties of his office and execute a bond, well and sufficiently secured, payable to the city of Wilmington in such sum not less than fifteen thousand dollars, as the board shall prescribe, with condition that he will well and faithfully collect all taxes, penalties, fines or other dues to the city of Wilmington, account for and pay over the same as he may be required to do, and that he will in all things faithfully and truly discharge the duties which now are, or may be attached, or incident to the office of marshal of the city of Wilmington.

Sec. 10. Be it further enacted, That the board of aldermen, at their first meeting after every election, or at some adjournment of the same, shall appoint the officers before referred to, and some suitable person as clerk and treasurer, all of whom shall hold their respective offices during that year and until their successors are appointed, subject, however, to be removed at any time, and others appointed in their stead, for any misbehavior or any neg-
lect in office. The clerk and treasurer shall keep regular and fair minutes of the proceedings of the board, preserve all books, papers and articles committed to his charge, receive and safely keep for the use of the city all moneys, securities and records belonging to the city, and disburse the funds according to such orders as may be drawn on him in the manner hereinafter specified; he shall keep in such books, as shall be provided for that purpose, a fair and correct account of all moneys received and disbursed by him, and submit such account and said books to the board, whenever required to do so; he shall call on all persons who may have in their hands, or under their control, any moneys or securities belonging to the city, which ought to be paid or delivered into the treasury on the expiration of his term of office, whether by lapse of time or removal, he shall deliver to his successor all the moneys, securities, books, papers and other property, entrusted to him for safe keeping or otherwise, and, during his continuance in said office, he shall faithfully perform all the duties lawfully imposed on him as clerk and treasurer. The clerk and treasurer shall receive such reasonable compensation not exceeding fifteen hundred dollars per annum, as the board shall determine; he shall, before entering on the duties of his office, be sworn in like manner as the marshal, and shall execute a bond well and sufficiently secured, payable to the "city of Wilmington," in such sum not less than twenty thousand dollars, as the board of aldermen shall prescribe. Any inhabitants and citizens of the city shall be allowed to inspect, in the presence of the clerk and treasurer, the minutes or journals of the board of aldermen, or the books of account to be kept by the clerk and treasurer, on paying to him the sum of fifty cents for each inspection, under the penalty of five dollars on the clerk and treasurer for every refusal, to be paid to him who will sue for the same. All orders on the clerk and treasurer shall be signed by the mayor, and shall state on their face the purpose for which
the money is to be applied, and the clerk and treasurer shall specify such purposes in his books of account, and, in said books, he shall also specify the sources whence are derived any moneys received by him. The board of aldermen shall cause to be made out annually a fair transcript of the receipts and disbursements of the city for the general inspection of the citizens, and cause the same to be posted in some convenient and accessible place in the city hall, ten days before the annual election of the mayor and aldermen; and the aldermen, failing to comply with this duty, shall severally forfeit and pay for the equal use of the city and him who will sue for the same, the sum of one hundred dollars.

Sec. 11. Be it further enacted, That for any breach of the bond of the marshal, the clerk and treasurer, or any other officer, or any other person whatsoever, who may be required to give bond to the city, the obligors, in such bonds, shall be liable in an action on the same in the name of the "city of Wilmington," at the suit of the city, or any person aggrieved by such breach, and said bond may be put in suit without assignment, from time to time, until the whole penalty shall be recovered.

Sec. 12. Be it further enacted, That no mayor or aldermen shall, directly or indirectly, become a contractor for work to be done for the city of Wilmington, or be interested in the sale to the city of any articles or property required for the use of the city, and any person herein offending shall forfeit and pay to the city two hundred dollars, and, moreover, be deemed guilty of a misdemeanor.

Sec. 13. Be it further enacted, That all penalties or fines relating to the city, whether imposed by this act or any subsequent act, or by any act heretofore passed in reference or relation to the town of Wilmington, or the commissioners of said town, by any ordinance or regulation of the mayor and aldermen of the city, or by any ordinance or regulation heretofore made by the commissioners of the town of Wilmington, shall be recoverable in the
name of the city of Wilmington before the mayor or any tribunal having jurisdiction thereof; and from any judgment of the mayor for any penalty or fine, or other cause of action of which he may have cognizance, the party dissatisfied may appeal in like manner, and under the same rules and regulations as are prescribed by law for appeals, from the judgment of a justice of the peace.

Sec. 14. Be it further enacted, That the mayor shall charge the following fees: For every warrant issued by him, fifty cents; for every judgment rendered thereon, one dollar; for every warrant issued by him, as mayor, to apprehend an offender against the criminal laws of the state, under which such offender may be arrested, and recognized to appear before a court of record, one dollar, to be taxed on conviction or the submission of the offender, among the costs; for every warrant, to arrest individuals who may have fled from other states or counties, two dollars, to be paid on the removal of the offender, by such person as may convey him away; for the use of the city seal for other than city purposes, one dollar; for every certificate other than city purposes, fifty cents. The marshal and assistant marshals shall charge same fees on process and precepts executed by them, which may be allowed to constables of the county of New Hanover, on like process and precepts executed by them. All the fees as aforesaid, to be charged by the mayor, or the marshal or assistant marshals, shall be collected by the proper officer and paid over to the clerk and treasurer for the use of the city.

Sec. 15. Be it further enacted, That the jurisdiction, powers and authority of the mayor and board of aldermen, on all matters connected with or in reference to retailers of spirituous liquors by a measure less than a quart, or to the granting of licenses to conduct, carry on or practice any calling, trade, business or profession as heretofore vested in the commissioners of the town of Wilmington shall extend not only to the corporate limits of the city.
but also one mile in all directions beyond and outside said limits.

Sec. 16. *Be it further enacted,* That all the rights, franchises, privileges, powers and authority derived from or granted by any law now in force in reference to the town of Wilmington, or the government of said town, or any law granting franchises or powers of any kind to the corporation styled "The commissioners of the town of Wilmington" are hereby vested in "The city of Wilmington," and the same shall be exercised and administered for the government and benefit of the city by the mayor and aldermen thereof: *Provided, however,* That all laws in reference to the town of Wilmington, or affecting the government of the said town, or granting any powers or franchise to the commissioners of the town of Wilmington, or any laws of a public or general nature inconsistent with, or coming within the purview of this act, are hereby repealed so far only, however, as they may affect the city of Wilmington: *Provided, further,* That no ordinance, by-law, regulation or rule of the former corporation, the commissioners of the town of Wilmington, shall be affected or annulled by this act; unless the same be inconsistent therewith; neither shall any right, estate, duty or obligation possessed by, or due to the town of Wilmington, or said former corporation from any corporation or person whatever be lost, affected or impaired, but the same shall remain in full force and be possessed, enforced and enjoyed in the name and for the use of the city of Wilmington, nor shall any duty, obligation or liability whatever of said former corporation, accrued or owing to the State or to any corporation or person be lost, affected or impaired by this act, but the same shall remain in full force, and be enforced, possessed and enjoyed by the State or such corporation or person against the corporation, by this act, styled "the city of Wilmington."

Sec. 17. *Be it further enacted,* That as soon as practicable after the ratification of this act, and the giving of
ten day's notice of the time and place by advertisement in the newspapers published in the city, the sheriff of the county of New Hanover, with such assistants as he may appoint, shall hold an election for mayor and two aldermen for each of the four wards of the city, and such election shall be held as nearly as may be practicable in conformity with the provisions of this act; and the qualification of the candidates and the voters at such election shall be the same which are required of such persons by the previous provisions of this act. Of the two persons so to be elected as aldermen of each of the four wards, one of them shall hold office until the first Monday in January, 1867, and until his successor shall be qualified, and the other shall hold office until the first Monday in January, 1868, and until his successor shall be qualified; and the sheriff shall, of the two persons so elected as aldermen from each ward, determine by lot who shall hold his office for the longer, and who for the shorter term. At the place of holding said election, the sheriff shall declare who has been elected mayor and aldermen as aforesaid, and in the event of a tie between two or more persons having the largest number of votes, the sheriff shall, by lot, determine who is elected, shall notify the persons elected, make returns of such election to the Governor of the State, and also make return to the clerk of the board of aldermen, as is before provided in case of inspectors of such elections.

Sec. 18. Be it further enacted, That this act shall be in force from and after its ratification.

Sec. 19. Be it further enacted, That at the time and place of holding the election directed in the seventeenth section, the sheriff shall provide a separate box, at which each voter at said election may deposit his ballot on which shall be written or printed either the word "Acceptance" or the word "Refused," thus indicating the acceptance or refusal to accept this act as the charter of the city of Wilmington. And should there be a major-
ity of the ballots so cast with the word "Acceptance" thereon, then, and in that event, this act shall be and remain in full force and effect, and should there be a majority of the ballot so cast with the word "Refused" thereon, then, and in that event, this act and every thing herein contained shall be null, void and of no effect, and the election for mayor and aldermen, held by the sheriff as before directed, shall be void and of no effect or validity whatsoever. The sheriff shall make return of the votes so given for and against the acceptance of this act to the Governor of the State, and, also, to the present clerk of the commissioners of the town of Wilmington, for preservation among the archives of the town, and such return shall be recorded by such clerk on the journals of minutes now used by the commissioners of the town of Wilmington, and such record or a duly certified copy of the same shall be received as conclusive evidence of the fact therein to be stated concerning the acceptance of this act as the charter of the city of Wilmington, or the refusal to accept it as such charter. [Ratified the 1st day of February, A. D., 1866.]

Chap. 3. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND THE CHARTER OF THE TOWN OF SALISBURY."

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the board of commissioners of the town of Salisbury shall have power to increase the tax on the following subjects of taxation, to wit: 1. On all licensed retailers of spirituous or alcoholic liquors, a tax not exceeding two hundred dollars. 2. On all vendors of wines, cordials, or other spirituous, alcoholic or malt liquors of the measure of a quart or more, a tax not exceeding one hundred dollars. 3. On all ten-pin alleys, a tax not exceeding fifty dollars. 4. On all hotels, a tax
not exceeding twenty-five dollars. 5. On all bank agencies, a tax not exceeding two hundred dollars.

Sec. 2. Be it further enacted, That the commissioners of the town of Salisbury shall have power and authority annually to levy, and cause to be collected, the following additional taxes, to wit: 1. On all barber-shops, a tax not exceeding ten dollars. 2. On all ice-cream saloons, a tax not exceeding ten dollars. 3. On every public eating houses, restaurant or eating saloon, not connected with a retail liquor shop, a tax not exceeding ten dollars. 4. On all boot and shoe shops, a tax not exceeding ten dollars. 5. On all saddle and harness shops, a tax not exceeding ten dollars. 6. On all blacksmith shops, a tax not exceeding ten dollars. 7. On all tailor shops, a tax not exceeding ten dollars. 8. On all carpenter shops, a tax not exceeding ten dollars. 9. On all lumber yards, a tax not exceeding twenty dollars. 10. On all buggy, cart and wagon shops, a tax not exceeding ten dollars. 11. On all cabinet shops, a tax not exceeding twenty dollars. 12. On all manufacturers of copper or tin ware, a tax not exceeding twenty-five dollars. 13. On all tanyards, a tax not exceeding twenty-five dollars. 14. On all plank-kilns, (if allowed by the commissioners within the corporate limits of the town,) a tax not exceeding fifty dollars. 15. On all printing offices, whether newspaper or job work, a tax not exceeding twenty-five dollars. 16. On every druggist or apothecary, a tax of one fourth per cent. upon his capital. The capital aforesaid shall be the aggregate amount of his purchases of goods, wares and merchandise for the year ending first February, (excluding alcoholic and spirituous liquors, upon which, if sold by the measure of a quart or more, a tax not exceeding one hundred dollars. 17. On every express company, having an office or resident agent, or officer doing business within the corporate limits of the town, a tax not exceeding fifty dollars. 18. On all telegraph companies having an office or resident agent, or officer doing busi-
ness within the corporate limits of the town, a tax not exceeding fifty dollars. 19. On all other companies whatever, incorporated or not, and not taxed by this or some other act, having an office, resident agent, or officer doing business within the corporate limits of the town, a tax not exceeding twenty-five dollars. 20. On all brick-yards upon which brick is made during the year, a tax not exceeding twenty-five dollars.

Sec. 3. Be it further enacted, That the commissioners of the town of Salisbury are hereby authorized and empowered to lay out and establish such streets within the corporate limits of said town, as to them shall seem to be required for the comfort and convenience of the citizens of said town, and from time to time as to them shall seem necessary, shall cause such streets so laid out and established to be opened, and when the same are so opened, all laws and clauses of laws, and all ordinances of said commissioners, now or hereafter to be made in reference to the streets of said town shall apply to and have full force and effect over and within each one of said streets so opened and established; and they shall be further empowered to straighten, widen, or close such streets as they shall deem necessary to the general good of the town, and in conformity with some general plan for laying out and extending the town to the outer limits provided for by a former act of Assembly.

Sec. 4. Be it further enacted, That in all cases in which the owner or owners of the land which may be necessary for any street proposed to be established, to be straighened widened or closed up by such commissioners, by virtue of this act, claim compensation for the use of such land as a street, or for damage done said owner or owners by the straightening, widening or closing of said street, the intendent of police of said town shall issue his warrant to the sheriff of the county of Rowan, commanding him to summon twenty freeholders, citizens of said town, who are unconnected by consanguinity or affinity with the
owners of the land required for such streets, or with the owners of the lands in the vicinity of the same, to meet at the courthouse of said county, at a day to be named in said warrant, when and where the said sheriff, or his lawful deputy shall proceed, from the persons summoned, to draw a jury of twelve persons, to each and every one of whom the said sheriff, or his lawful deputy, is hereby authorized, empowered and required to administer the following oath, to wit: "I, ——, do solemnly swear that I will fairly and impartially, and to the best of my ability and skill, assess the damages that may be sustained by the owner or owners of any land in the town of Salisbury, required to be used for any street, or part of any street, to be established and opened by the commissioners of said town, or the damages sustained by the owner or owners of land adjacent to any street proposed by said commissioners to be closed, and which I may be called on to view." And the said jury, attended by the sheriff, or one of his deputies, shall thereupon proceed to view the land required for such street or streets, the straightening, widening or closing of the same, required by this section, and also the several lots or parts of lots adjacent to or in the vicinity thereof, and shall be required by the said sheriff or his deputy, who shall have the jury in charge to make the assessment required by them on oath as aforesaid, and return the same to the sheriff or his deputy, who shall therefrom reduce his proceedings, under the said warrant from the intendant of police of said town, and the verdict and findings of the jury, to writing, and return the same to the said intendant who shall file the same in the office of the commissioners aforesaid, and upon payment or tender of payment by the commissioners aforesaid through their treasurer to the owner or owners of said land required for any street as aforesaid, or the damages done by the closing of such street as aforesaid, of the damage to each owner or owners assessed as aforesaid, it shall and may be lawful and right, and the said commis-
sioners are hereby authorized and empowered to cause such street or streets to be open and kept open, closed and kept closed, and the same shall forever thereafter be possessed by and vested in such commissioners, and it shall be the duty of the sheriff to give the owners and tenants in possession of any land required for any of the aforementioned purposes, at least ten days notice of the time when such land so owned or possessed by them respectively as aforesaid, shall be viewed, and when the assessment as aforesaid shall be made by the jury as herein before provided, and it shall be the duty of said commissioners to give public notice, by advertisement, in one or more newspapers published in said town, of the opening, straightening, widening or closing of any street so published by them as aforesaid, and any person or persons, who shall make claim of compensation for the use of land belonging to them as such street, or for damages done to them by straightening, widening, or closing such street, one year after the same shall have been opened, widened, closed or straightened, and the aforesaid notice in manner aforesaid given, shall be forever thereafter barred of any such right to compensation, unless the owner or owners of such land shall be an infant, absent from the State, non compos mentis, or a feme covert, in which case such owner or owners shall have the right to make such claim at anytime within one year after such disability shall be removed, and the said commissioners shall have the right by their agents or servants, to enter upon, and open and keep open any street established by them, except in such cases where the land required for such street shall be enclosed, or some building or improvement shall be situated thereon, in which case the said commissioners shall have no right of entry on such land until the same has been condemned as is hereinbefore provided, and the damages assessed have been paid or tendered to the owner or owners of the same.

Sec. 5. Be it further enacted, That the sheriff of the
county of Rowan, shall be entitled to the sum of five dollars to be paid by the commissioners of said town in full payment for the general services to be performed by him as herein before set forth under such warrant to him directed, by virtue whereof a jury shall be summoned as aforesaid; and if any person summoned to attend as a juror for the purposes aforesaid shall fail to attend and discharge the duties required of him, as aforesaid, such person, so failing, shall pay the sum of five dollars. Penalty for refusing to serve on jury of assessment.

Sec. 6. Be it further enacted, That either party, who may be dissatisfied with the verdict rendered by the jury, to assess damages as provided for in the fourth section of this act, shall have the right to appeal to the county or superior court of the county of Rowan.

Sec. 7. Be it further enacted, That all partition fences between the lots of individuals of said town, and occupied by both parties, or their tenants, or the same being beneficial to both parties, shall be at their joint expense, and either party so putting up or repairing such fence, may recover out of the owner or owners of such lot or lots adjoining, the ratable proportion of such expense of such fence, Provided, however, That the same does not exceed a common board fence, six feet high.

Sec. 8. Be it further enacted, That the salary of the intendant of police shall be determined by the board of commissioners of said town.

Sec. 9. Be it further enacted, That the commissioners of said town, shall have power to adopt a tariff of freight, applicable to the government of all public carts, waggons, drays and omnibusses of said town.

Sec. 10. Be it further enacted, That the commissioners shall have power, for any fines, forfeitures or penalties
incurred for any violation of the laws and ordinances adopted for the government of said town, to subject such offenders, in the event of their failure to pay the same, to imprisonment or such labor as to them may seem expedient.

Sec. 11. Be it further enacted, That the commissioners have power to lay such tax upon the owner or owners, of any estate or tenements used for purposes of ill-fame, as in their discretion shall seem just and proper.

Sec. 12. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 28th day of February, A. D., 1866.]

Chap. 4. An Act to Reorganize the Corporation Governments of the City and Academy of Newbern.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the corporation, heretofore existing within the limits assigned by law to the town of Newbern, shall hereafter be established and known as the city of Newbern.

Sec. 2. Be it further enacted, That the corporate powers shall be vested in a mayor and council; the mayor to be elected by a majority of suffrages cast by persons within the corporate limits, and authorized by law to vote for members of the House of Commons of the State, and each member of the council to be elected from his ward by a majority of voters residing therein and qualified as aforesaid.

Sec. 3. Be it further enacted, That the mayor and council, thus elected, are hereby invested with all the powers and privileges of the intendant and commissioners heretofore established by the laws of North Carolina for the government of the city. And they shall have power, as such, by all needful ordinances, rules and regulations, to
secure order, health and quiet within the same and for one mile around. And, in aid of these objects, the mayor is hereby invested, during his continuance in office, with the powers and privileges of a justice of the peace, to be exercised within the limits aforesaid, in addition to those which may be specially conferred by law.

SEC. 4. Be it further enacted, That the mayor and council shall have power to appoint a chief officer of police, to be called the marshal, and such number of assistants as may be deemed necessary; and these, during their continuance in office, shall be severally invested with the powers and duties of executing all lawful orders and regulations, emanating from the mayor and council, for the government of the city.

SEC. 5. Be it further enacted, That the mayor and council shall have power to lay taxes for the support of the city government, not exceeding an annual tax of two dollars upon the poll, one per cent. upon the value of all real estate within the limits of the corporation, and one-fourth of one per cent. upon all capital employed in any business within the same. And shall have power, likewise, to tax specifically all retailers of spirituous liquors, tables, and places kept for gaming, of whatsoever nature, (which may be permitted by the State,) carts, drays, omnibusses, wagons and other carriages kept for hire: Provided, That said specific tax shall not exceed an annual tax of one hundred dollars on the retailer of liquors, five dollars on each vehicle kept for hire, and fifty dollars on tables and places for game.

SEC. 6. Be it further enacted, That immediately upon the passage of this act, and the giving of seven days' notice of the time and place, by advertisement in the daily gazette of the place, (the Newbern Times,) and by advertisement at ten suitable places in the public streets, the sheriff of the county of Craven shall hold an election for mayor and council, in conformity with this act and the laws and usages of the State; shall make public procla-
mation of the persons elected at the place of holding the election, and make a return of the same to the executive officer of the State. And, thereupon, the mayor and council elect shall take the oaths of qualification prescribed for public officers of the State, either before a judge or some justice of the peace of the county, enter upon their duties and hold their offices until the first Monday in May, 1867, and until successors are elected and qualified.

Sec. 7. Be it further enacted, That the mayor and council are furthermore authorized and required to lay off the city into seven wards, at some convenient time between this and the first of April, one thousand eight hundred and sixty-seven, make known the same to the public, and make a record thereof in their books; and elections held, after the one specially provided for in this act, shall be for seven members of the council, one for each ward, to be chosen by the qualified voters in the respective wards, as herein provided.

Sec. 8. Be it further enacted, That there shall be an election, held according to law, for mayor and council, to succeed the officers, whose election is herein specially provided for, on the first Monday of May, one thousand eight hundred and sixty-seven, and annually thereafter, on that day of the month.

Sec. 9. Be it further enacted, That adequate compensation may be made the mayor, the marshal and his assistants, by the votes of the council; Provided, The salary of the mayor shall not exceed fifteen hundred dollars per annum, the salary of the marshal one thousand dollars per annum, and the salary of his assistants sixty dollars per month; and the mayor and council shall have power, also, to appoint a city clerk with a proper salary, not exceeding five hundred dollars.

Sec. 10. Be it further enacted, That the sheriff of Craven county, at the time of holding the special election for mayor and council herein directed, shall, also, hold an election for nine trustees of the Newbern Academy, to be
chosen by the citizens qualified to vote in said election, according to the laws and usages heretofore in force in respect to the same, (of which election he shall give due notice as aforesaid,) and shall, by proclamation, notify the nine persons, having the greatest number of votes, of their election.

Sec. 11. Be it further enacted, That the trustees aforesaid, shall be elected in three classes, (1st, 2nd, 3rd,) three persons being embraced in each class, and shall immediately enter upon the duties of their trust, and hold until the first Monday of May, eighteen hundred and sixty-seven, eighteen hundred and sixty-eight, and eighteen hundred and sixty-nine, respectively. That on the first Monday of May, one thousand eight hundred and sixty-seven, there shall be an election of three to supply the places of class number one; on the first Monday of May, one thousand eight hundred and sixty-eight, an election of three others to supply the place of class number two; and on the first Monday of May, one thousand eight hundred and sixty-nine, an election of three to supply the place of class number three; and, that annually thereafter, on the first Monday of May, there shall be an election of one class to supply the place of that which shall have been in office for three years.

Sec. 12. Be it further enacted, That the trustees of the academy shall, as soon after the election as convenient, organize themselves into a board for the management of the institution, by the appointment of a president, secretary, and treasurer, who shall hold their offices for one year, and until their successors are appointed. And in this board shall be vested all the rights of property, choses in action and credits, powers, franchises and privileges of every description which belonged by law or appertained of right to the incorporated company lately and commonly known as the trustees of the Newbern academy. And the said board, through its appointed agent or agents, shall have power to take possession of all property be-
longing to the academy, and manage the same to the best advantage for the permanent increase of its income, and for the fulfilment of its object, "the education of youth."

SEC. 13. Be it further enacted, That all the laws and usages heretofore in force for the government of the academy corporation of Newbern, as well as the town, consistent with the provisions of this act shall continue in force and effect, and those inconsistent are hereby repealed.

SEC. 14. And, be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 25th day of January, A. D., 1856.]

Chap. 5. AN ACT SUPPLEMENTAL AND AMENDATORY OF AN ACT TO RE-ORGANIZE THE CORPORATION GOVERNMENT OF THE CITY AND ACADEMY OF NEWBERN, PASSED AT THIS SESSION OF THE GENERAL ASSEMBLY.

Paragraph 1. Section 1. Paragraph 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the Mayor and Council of the city of Newbern, in lieu of the taxes by law allowed on the same subjects, shall have power to levy and collect the following taxes to wit: On all merchants, bankers, brokers, commission and forwarding merchants, express companies, distillers and lumber dealers, a tax not to exceed one hundred and twenty dollars per annum, according to a scale to be established by the Mayor and Council aforesaid, based upon the amount of annual receipts.

Paragraph 2. Paragraph 2. On all dealers in ale, beer, lager, porter and cider; on all auctioneers, bar rooms and hotels; a tax not to exceed one hundred and twenty dollars per annum.

Paragraph 3. Paragraph 3. On all builders, bakers, butchers, blacksmiths, barbers, confectioners, cabinet makers and undertakers, daguerrean and photographic artists, dentists,
drays and cleaners, gas-fitters and plumbers, insurance agents, jewellers and watchmakers, lawyers, livery-stable keepers, newspaper and periodical dealers, physicians and surgeons, painters, eating houses, shoe-makers, tailors, wagon-makers and wheel-wrights, soda water manufacturers and venders, itinerant venders of clothing, cigars, dry goods and yankee notions, theatres, concerts, minstrels and exhibitions and other shows not embraced in the above (except circuses,) a tax not exceeding sixty dollars per annum.

Paragraph 4. On all bowling alleys, billiard tables and other gaming tables permitted by law, a tax not to exceed thirty dollars.

Paragraph 5. On all hacks, two horse drays and other two horse vehicles kept for hire, a tax not to exceed twenty-four dollars per annum.

Paragraph 6. On all one horse carts and drays, a tax not to exceed twelve dollars per annum.

Paragraph 7. And upon all business not included in the above list, a tax not to exceed sixty dollars per annum, at the discretion of the Mayor and Council aforesaid.

Sec. 2. Be it further enacted, That the Mayor and Council aforesaid, shall have power to divide the taxes above enumerated into monthly instalments, to be paid in advance by the parties liable to the same upon receipt of license to carry on their respective trades or occupations.

Sec 3. Be it further enacted, That the treasurer of the said city of Newbern, before entering on the discharge of the duties of his office, shall enter into bond in the sum of fifteen thousand dollars, payable to the Mayor for the benefit of the city, for the faithful accounting for, and paying over all moneys that shall come into his hands by virtue of his office, and for the faithful discharge of the duties incumbent on him as Treasurer aforesaid.

Sec. 4. Be it further enacted, That the clerk of the said city, shall, before entering on the discharge of t
Marshal to give bond.

duties of his office, enter into bond in the sum of two thousand five hundred dollars, payable to the Mayor and Council aforesaid, for the faithful accounting for, and paying over all moneys that shall come into his hands, by virtue of his office, and for the faithful discharge of the duties of clerk as aforesaid.

**Sec. 5.** Be it further enacted, That the marshal of the said city, shall, before entering upon the discharge of the duties of his office, enter into bond in the sum of two thousand dollars, payable to the mayor and council aforesaid, for the faithful accounting for, and paying over all moneys that shall come into his hands, by virtue of his office, and for the faithful discharge of his duties as marshal as aforesaid.

**Sec. 6.** Be it further enacted, That all laws and clauses of laws coming in conflict with this act, be, and the same are hereby repealed.

**Sec. 7.** Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 10th day of March, A. D., 1866.]

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Chap. 6. AN ACT SUPPLEMENTAL AND AMENDATORY OF AN ACT TO RE-ORGANIZE THE CORPORATION GOVERNMENTS OF THE CITY AND ACADEMY OF NEWBERN, PASSED AT THIS SESSION OF THE GENERAL ASSEMBLY.

**Section 1.** Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the second section of the act of the General Assembly, passed at the present session, entitled "An act to reorganize the corporation governments of the city and academy of Newbern," be so amended as to provide that the person, who receives the greatest number of votes for mayor, shall be considered and declared duly elected, and the person, who receives the greatest number of votes for a member of the council for each ward,
shall, in like manner, be considered and declared duly elected for that ward.

Sec. 2. Be it further enacted, That the mayor and council, in addition to the taxes now allowed, shall have power to levy and collect a tax, for the use of the city, from all companies of strolling theatrical or stage players and circus riders, and from vendors of patent medicines and nostrums, not exceeding twenty-five dollars.

Sec. 3. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 7th day of February, A. D. 1866.]

AN ACT TO INCORPORATE THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CHARLOTTE.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the mayor and aldermen, and their successors in office, chosen and elected as hereinafter provided, be, and they are hereby created a corporation and body politic under the name and title of "The Board of Aldermen of the city of Charlotte," and they shall have full power to make all by-laws, rules, regulations and ordinances, for the benefit and good government of said city, not inconsistent with the constitution of the State of North Carolina, or of the United States; to contract, and be contracted with, to sue and be sued, to plead and be impleaded, to purchase, and to hold, and to convey real or personal estate. And they are hereby invested with all the powers and rights necessary, or belonging to, or usually appertaining to municipal corporations.

Sec. 2. Be it further enacted, That Samuel A. Harris, mayor, and John Wilkes and Allen Cruse, of ward number one; R. M. Oates and John L. Brown, of ward number two; A. A. N. M. Taylor and M. D. L. Moody, of
ward number three; H. L. Alexander and Wm. Harty, of ward number four, commissioners elected on the 8th day of January, A. D., eighteen hundred and sixty-six shall continue to hold their office as mayor and commissioners until the acceptance of this amended charter, from which time they shall hold as mayor and aldermen, until an election shall be held as hereinafter provided for.

Sec. 3. Be it further enacted, That the said city shall be divided into four wards by the intersection of Trade and Tryon streets, to be known as follows, to wit: That part lying east of said intersection, to be known as ward number one; that part lying south, as ward number two; that part lying west, as ward number three; that part lying north, as ward number four. And each ward shall elect three aldermen, who shall be white male citizens of the full age of twenty-five years, and who shall have resided in said city twelve months next preceding the day of election, and who shall hold and continue to hold in the said city real estate assessed for taxation at a sum not less than fifteen hundred dollars, and who shall reside and continue to reside while in office in the ward for which he or they may be elected, and whenever a vacancy shall occur by resignation or otherwise, the mayor shall issue a writ of election within ten days thereafter to the ward, in which such vacancy shall occur, to hold an election, as hereinafter provided for, to fill such vacancy after twenty days notice.

Sec. 4. Be it further enacted, That the sheriff of Mecklenburg county, or a deputy by him appointed, shall advertise for an election of mayor and aldermen, at least twenty days before the first Monday in February A. D., eighteen hundred and sixty-eight, and at least twenty days before the first Monday in February, in every second year thereafter, and shall attend at the court house, on said day of election, at the hour of nine o’clock in the morning, and shall open the polls of election in the presence of five inspectors, one for the mayor’s election, and one for each ward, by him.
appointed and legally qualified, who shall receive the tickets and put them in their respective boxes, provided for that purpose. Each inspector shall, personally, or by an agent chosen by him and legally qualified, take down a list of the persons voting for mayor and aldermen of said city in their respective wards. And the said sheriff or deputy, shall, in the presence of said inspectors, at the hour of five o'clock in the evening, close the said polls, and open the said boxes containing the ballots and examine and number the same, and shall declare the person receiving the highest number of votes in the mayor's box, the mayor of the city of Charlotte, and the three persons who shall have received the greatest number of votes in their respective ward boxes, "Aldermen of the City of Charlotte" for two years from the third day next after the day of a election, provided that in case of a tie, the sheriff or deputy shall give the casting vote; Proviso. That in case the sheriff or deputy, refuse or neglect to hold said election, he shall forfeit and pay to the use of the corporation, one thousand dollars, to be recovered in any court of record, by any person who shall sue for the same.

Sec. 5. Be it further enacted, That on or before the fifth day after this election, the mayor and aldermen so elected shall meet at the city hall, or some other place by them appointed, and shall then and there take an oath to support the constitution and laws of the State of North Carolina, and of the United States, and to discharge the duties imposed upon them, by virtue of their office as mayor and aldermen, with fidelity and integrity, to the best of their ability; which oaths shall be administered by some justice of the peace, or by the former mayor.

Sec. 6. Be it further enacted, That it shall be the duty of the mayor to preside, if present, at all meetings of the board of aldermen; to call meetings of said board when he shall see fit and when required in writing by five members of said board, and, if he shall refuse when so re-
quired, they may, of themselves, convene a meeting; and in case of the voluntary absence of the mayor, when his presence is necessary to make a legal assembly, or refuse to perform any duty which said board shall require of him by ordinance, he shall be, two thirds of the board of aldermen concurring, liable to indictment before the superior court of law for said county as for a misdemeanor, and, on conviction, may be fined at the discretion of the court, said fine to go to the use of the city. And he shall see that the laws of the State, and the ordinances of the board of aldermen, are obeyed and executed within the city; and shall be a justice of the peace during his mayorality, and for three months thereafter, and shall perform all the duties required of such an officer by the laws of the State of North Carolina. And any person or persons, against whom he shall give judgment or pass sentence by virtue of the power herein granted, or by any ordinance of the board of aldermen, who shall feel themselves aggrieved thereby, may appeal to the county or superior court of law, held in and for the county of Mecklenburg, first filing such a bond as is required in such cases, in courts of common law. And the said mayor shall keep a faithful record of all processes, returns, judgments, sentences and all proceedings therein before him, in a book provided for that purpose, and deliver the same to his successor in office. And in all cases, where the person or persons shall be unable to pay the fine or penalty imposed, he shall have power to sentence such person or persons to confinement and hard labor, within the corporation, for a term not exceeding three months. And in all cases of appeals, he shall return all the original papers, together with his judgment therein, to the court to which such appeal was granted. And he shall be entitled to demand and receive the following fees, to wit: in breaches of the peace, and all breaches of any of the ordinances of the said board of aldermen, for every warrant, twenty-five cents; for every subpoena, or order to sum-
mons a witness, ten cents; for every judgment, fifty cents; for every appeal granted, and recognizance taken in pursuance thereof, twenty-five cents; for filing copy of his minutes, fifty cents. In civil cases, for every warrant or attachment, twenty-five cents; for every subpoena, or order to summon a witness, ten cents; for every judgment rendered upon any warrant, twenty-five cents; for granting an appeal, or stay of execution, ten cents; for every execution, twenty-five cents, which said fees may be recovered or collected as other fees to officers are, or may be collected, and the board of aldermen may, if they deem it expedient, allow said mayor an annual salary not exceeding fifteen hundred dollars, to be paid out of the city treasury.

Sec. 7. Be it further enacted, That the said board of aldermen shall meet at the city hall, or some other place appointed by them, on the third Monday night in each month, and at such other times as may be agreed upon, from time to time by them, and a majority shall constitute a quorum for the transaction of any business.

Sec. 8. Be it further enacted, That at the first meeting of the board of aldermen, or as soon thereafter as practicable, they shall appoint some citizen to the office of city clerk and treasurer, who shall be allowed a reasonable salary, to be fixed by the said board, and paid annually; and who shall hold his office during the official term of said board, subject, however, to be removed at any time for misbehaviour. The said clerk and treasurer, so appointed, shall give a bond, with acceptable sureties, payable to the mayor and board of aldermen, in a penal sum to be fixed by the board; with the condition of the keeping by him regular and faithful proceedings of said board at their meetings; and the keeping of all books, papers and articles committed to his custody, during his continuance in office, and to deliver them to his successor; and that he shall receive and faithfully keep all monies which shall be paid to him for the use, and on behalf of the
board of aldermen, and disburse the same, according to an order given in obedience of the direction of said board, appearing on their minutes; he shall keep a fair and correct account of all the monies so received and disbursed by him, in a book kept for that purpose; that he shall submit said accounts to the said board whenever required; that he shall pay to his successor all monies in his hands, belonging to said board; and that he will faithfully perform all duties imposed on him as clerk and treasurer by the laws and ordinances of said board, during his continuance in office; and the book of proceedings of the board of aldermen, kept by the said clerk and treasurer, shall be evidence in any court of record. And the said clerk and treasurer shall make a roll of the whole number of qualified voters of the said city, from the tax list, which roll he shall exhibit to the board of aldermen at least one month preceding each election, a copy of which roll he shall deliver to the inspectors holding the election, on the day of election for aldermen, made out according to wards, and no person shall be entitled to vote whose name does not appear on said roll.

Sec. 10. Be it further enacted, That the board of aldermen shall appoint, within thirty days after their election, a fit and proper person, who shall be a qualified voter of the city, to the office of city constable, who shall give bond, with approved sureties, in a penal sum to be fixed by, and payable to the mayor and board of aldermen of said city, with the condition that he will diligently collect all taxes imposed by the said board, and that he will faithfully pay to the clerk and treasurer all sums of money collected or recovered by him to, or for the use of said board, and that he will faithfully discharge all other duties imposed on him by the laws and ordinances of said board, and shall obey and diligently execute all lawful precepts to him directed by the mayor of said city, for which service he shall be allowed a reasonable salary to be fixed by the said board, and payed annually. And
the said constable shall hold his office during the term of
the board appointing him, subject however to be removed
at any time for misbehavior.

Sec. 11. *Be it further enacted*, That it shall be the duty
of the city constable, during the term of office, to appre-
hend all disorderly persons whom he shall find disturb-
ing the public peace, or whom he shall have just cause
to suspect of an intention to commit a felony, and to
imprison such person or persons, until he, she or they can
be brought before the mayor or justice of the peace, to be
dealt with according to law, or may give bail for his, her,
or their appearance before the mayor or justice of the
peace, if the constable shall think fit to take bail in the
manner usually given to sheriffs. And in case such per-
son or persons bailed do not appear, such action shall be
taken on the bond, as is usual in courts of record before
the mayor or a justice of the peace. And it shall be the
duty of said constable to preserve the peace by the sus-
pension of disturbances, and the apprehension of all
offenders, and for that purpose he shall have, and is
hereby invested, with all powers now vested in sheriffs
and constables, and he shall also have, and is hereby in-
vested with the same powers, in the execution of pro-
cesses directed to him, as that given to sheriffs in similar
cases. And the said constable shall have power to ap-
point such, and as many persons, deputies, as the said
board may deem fit and necessary to the discharge of his
duties.

Sec. 12. *Be it further enacted*, That if any person shall
assault or resist the city constable, or any member of the
police, in the discharge of his or their duty, or shall aid
or incite any person or persons, so to assault or resist,
every such offender being convicted thereof before the
mayor, or justice of the peace, shall for every such
offence, forfeit and pay such sum, not exceeding five hun-
dred dollars, as the presiding officer may, in his judg-
ment, think fit to impose: *Provided, always, That nothing

Penalty for re-
sisting consta-
tble.

Proviso.
herein contained, shall prevent any prosecution by way of indictment, against any person so offending, but so as that such person shall not be prosecuted by indictment, and also proceeded against under this act, for the same offence.

Sec. 13. Be it further enacted, That the said board of aldermen may, at their first monthly meeting after their election, appoint a weigh-master, whose duty it shall be to weigh all cotton sold in said city, and an inspector whose duty it shall be to inspect all flour, provisions and forage, and all other marketable produce, sold in said city, in their judgment requiring weighing or inspection, and the weigh-master and inspector, so appointed, shall give bond with approved security, payable to the aldermen of the city of Charlotte, in a penal sum to be fixed by them conditioned, for the faithful discharge of all duties imposed by law, or the ordinance of said board, and shall take an oath before entering upon the duties of inspector or weigh-master, and the said board shall have power to remove him, or them, for misbehavior or neglect, or malpractice in office, and appoint a successor instead, and the board of aldermen are hereby authorized and empowered to regulate the fees, to be paid for such weighing and inspection, and by whom to be paid, and to make and establish all necessary ordinances for said officers, and to impose fines for the violation of such ordinances.

Sec. 14. Be it further enacted, That the said board of aldermen, shall, at their first monthly meeting after the election, appoint one or more auctioneers for the city of Charlotte, who shall execute bond in the sum of five thousand dollars payable to the State of North Carolina, conditioned that he will faithfully perform all duties required of auctioneers by law, which bond shall be filed with the clerk of the county court, to be by him safely kept, and no person shall exercise the office of auctioneer in said city, except those duly appointed by the board of
aldermen, and the said board shall make ordinances regulating auction sales in said city, and the said auctioneer or auctioneers shall pay, as a tax, a certain per cent. on all sales, hires and profits made by virtue of his or their office, not to exceed one per cent., to be levied by the board of aldermen.

Sec. 15. Be it further enacted, That it shall be the duty of the said board of aldermen to appoint annually three citizens of said city, who shall have each a freehold in said city, assessed for taxation at not less than fifteen hundred dollars, whose duty it shall be to assess the real value of all city lots situated within the corporate limits of said city, which said lots shall be taxed according to said valuation, and that said assessors, before proceeding to discharge the duties assigned them, shall take an oath before the mayor of said city, that they will fairly and impartially assess the value of all the lots within said city, for which they shall be allowed a compensation by the board.

Sec. 16. Be it further enacted, That the said board of aldermen shall have power to organize a police force or patrol for said city, either by hiring persons to act as such, or by enrolling all the free white male inhabitants of said city, of the age of eighteen years and upwards, (except such as they may deem proper to exempt by reason of old age or infirmity,) and dividing them into classes of equal number, not exceeding ten, to be arranged alphabetically, or drawn by lot (as jurors are chosen) from the persons enrolled, as they may deem expedient. The said board of aldermen shall have power to enact by-laws for said police or patrol, so hired or appointed, and to impose fines and penalties for the infringement of any by-law so enacted, which fines and penalties, when incurred by a minor, shall be recovered from the parent or guardian, (or master, if an apprentice,) of such minor so offending. That the police and patrol, so hired or appointed by the board, whilst on duty, shall have all the powers

Three assessors to be appointed, duties of.
which patrols now have by law, and, for the suppression of riots and disturbances, and the preservation of the peace, and the enforcement of the ordinances, all the powers vested in the city constable.

Duty of clerk and Treasurer.

Sec. 17. Be it further enacted, That the clerk and treasurer shall, at such time as may be prescribed by the board of aldermen, make advertisement in one or more papers published in the city, notifying all persons residing in the city, on or before the first Monday in February, who own or possess taxable property in the city on the day aforesaid, to return to him within thirty days from the date of said advertisement, a list of their taxable property in said city; said list shall state the number of lots, or parts of lots, the number of taxable polls residing on the lots, and all other property now made, or hereafter made taxable by the board of aldermen or otherwise, and the list so returned to the clerk and treasurer, shall be sworn to before him, and he is hereby authorized to administer the oath to all persons making such returns: and the said list shall be filed, and from the same the clerk and treasurer shall, within thirty days after the expiration of the time for taking said list, make out, in a book kept for that purpose, an alphabetical list of the persons and owners of property, who have so made their returns, in the same manner as tax-lists are made out by law for the collection of State taxes, and shall deliver to the city constable a certified copy of the same, for the collection of the taxes therein returned; and the said tax-list shall be in the nature of a judgment and execution for the taxes therein mentioned.

Penalty for failure to list property.

Sec. 18. Be it further enacted, That the clerk and treasurer shall, within thirty days from the return of the tax-list, make out, to the best of his knowledge and belief, a list of taxable polls, and owners of taxable property in said city, who shall have failed to return a list in the manner and time aforesaid, and said persons so listed, shall forfeit and pay a sum to be fixed by the board,
not exceeding twice the sum paid by the person paying
the greatest tax in said city, which penalty may be re-
covered, as other fines and penalties imposed by the board
of aldermen before the mayor or any justice of the peace.

Sec. 19. Be it further enacted, That the board of alder-
men shall have power to levy annually, and cause to be
collected the following taxes, to wit:

No. 1. On each and every poll, liable to pay a tax to Poll tax.

No. 2. On the valuation of real estate, a tax not exceeding ten dollars.

No. 3. On every one hundred dollars of nett interest, On interest, dividend and profits received, or due from solvent credit-
ors during the fiscal year, arising from money loaned or
otherwise, except the bonds of the corporation, a tax not
exceeding three per cent.

No. 4. On all carriages, buggies, sulkies, and other ve-
hicles of pleasure, a tax not exceeding five per cent, on
the valuation.

No. 5. On all gold and silver plate and musical instru-
ments, of the value of fifty dollars or more, a tax, not ex-
ceeding three per cent, on valuation.

No. 6. On every pistol, bowie-knife, dirk, sword-cane, Pistols, bowie-
knives, etc.
or any other deadly weapon worn upon the person except
a pocket knife, without the special permission of the board
of aldermen, a tax of fifty dollars.

No. 7. On all goods, wares, merchandise, and articles manufactured out of the city, a tax not exceeding one per
cent, on the original bills, invoice or valuation.

No. 8. On all keepers of eating houses, fish, or meat Eating houses, or vegetable, or bread-stands or fruiters, a tax not exced-
ing one per cent, on the bills of cost or valuation.

No. 9. On all pedlars of articles of any kind whatso-
ever, organ grinders and all itinerant musicians, a tax not
exceeding fifty dollars.

No. 10. On every keeper of a house of public enter-
tainment or boarding house, or livery stable keeper, a
Proviso. tax not exceeding one hundred dollars; *Provided,* That this tax shall not exempt the owner or keeper from paying the tax on carriages, wagons, &c.

No. 11. On every bowling alley, and every billiard table, and all gaming establishments, the object of which is gain and profit, a tax not exceeding two hundred and fifty dollars, reserving the right to remove it or them at any time as a nuisance.

No. 12. On every agency of any incorporated company, a tax not exceeding fifty dollars.

No. 13. On every broker or exchange office, a tax not exceeding one hundred dollars.

No. 14. On every express company, a tax not exceeding one per cent. on the receipts at their office in this city.

No. 15. On every taker of likenesses by whatever art, a tax not exceeding fifty dollars.

No. 16. On every company of circus riders or equestrian performers, thirty dollars; on every company of stage or theatrical performers, slight of hand performers, rope or wire dancers, jugglers, exhibitions of natural or artificial curiosities, twenty dollars; on each company exhibiting animals, twenty dollars; on singers, ethiopian minstrels, and all other performances and lectures for reward, and all shows not included in the above, ten dollars, the power of taxation to extend one mile without the corporate limit of the city, and shall be for one week.

No. 17. On all stoops, cellar doors, porches or piazzas, or projections from any house encroaching more than two feet upon the public street or sidewalk, a tax not exceeding one hundred dollars.

No. 18. On every two horse omnibus, a tax not exceeding fifteen dollars; on every omnibus drawn by four horses, a tax not exceeding twenty-five dollars.

No. 19. On every dray or express wagon drawn by one or two horses, a tax not exceeding twenty-five dollars;
on every dray or express wagon drawn by more than two horses, a tax not exceeding fifty dollars.

No 20. On every dog and hog running at large, a tax not exceeding ten dollars.

No. 21. On every stallion or jackass in the city, a tax not exceeding one hundred dollars; reserving the right to remove him or them at any time as a nuisance.

No. 22. On all retailers of wines, cordials, malt and spirituous liquors by the quart or less, a tax not exceeding twelve hundred dollars, and all persons selling wines, malt or spirituous liquors by the quart or more, a tax not exceeding five hundred dollars; reserving the right, in each instance, to levy a tax on the wines, malt and spirituous liquors as merchandize, but not to exceed the tax levied by the revenue law of the State, and the sum levied by the court of pleas and quarter sessions of the county of Mecklenburg. And that all persons, contracting, bargaining, or selling goods, wares or merchandize within the corporation, shall be liable for such taxes as are imposed by the board of aldermen in such cases; and said board shall have power to make all rules, regulations and ordinances for the returning of taxable articles aforesaid, and levying and collecting the taxes thereon.

Sec. 20. Be it further enacted, That in case of a fire occurring in said city, the mayor, or, in his absence, four aldermen may order the blowing up, or pulling down, or destroying any house or houses which he or they shall deem expedient for stopping the progress of the fire; and no person shall be held liable, civilly or criminally, for acting in such case in obedience to such orders. The board of aldermen shall have power to establish fire limits within said city, within which it shall not be lawful for any person to erect or build any wooden house, or make any wooden additions to any buildings, under such penalties as the board may establish, and said penalty
may be sued for and recovered from the owner in an action of debt in any court having jurisdiction.

SEC. 21. Be it further enacted, That the said board of aldermen shall have power to authorize, in such manner as they may ordain, the formation of one or more volunteer fire companies, in said city, to be attached to an engine or engines which belong to the city, and in like manner, hook and ladder companies; and in case there be not fifty volunteers to each company so ordained, the board may from the patrol roll, chose by lot, persons to fill the company or companies, and those so drawn shall serve for one year, and shall not be liable to do service thereafter until all those enrolled shall have served, or have been drawn or excused on account of age or bodily infirmity, and the board may enact by-laws for the government of said companies, which, when adopted by any company, the members thereof shall be governed by the same, and be liable to the fines and penalties thereby incurred; any company so formed shall be entitled to elect its own officers, and the members thereof shall be exempt from military duty, except in cases of insurrection, invasion, or draft in time of war, and the board of aldermen shall appoint two or more white male persons, as fire masters, one or more of whom shall have charge of the company or companies, whenever they are on duty for practice or otherwise.

SEC. 22. Be it further enacted, That the said board of aldermen, shall have power by ordinances, to prohibit all persons from any place or places, wherein infectious or contagious disease is believed to exist, or to have existed, from entering the city of Charlotte, and all goods and chattels from being brought from said place or places, into said city, and to fix a penalty for the breach of any of the ordinances established by them on the subject, which penalty shall be recovered from any and all persons who are liable thereto, by action of debt in any court, having competent jurisdiction, the said board of aldermen shall
also have power to take such other precautionary measures to prevent the introduction and spreading of all infectious or contagious diseases in said city, as they may deem expedient.

Sec. 23. Be it further enacted, That it shall be the duty of the said board of aldermen to keep the streets of said city in good order, and they shall have power, and it shall be their duty, to cause the said streets to be drained, and they shall have further power to have them graded and paved, and to cause all accumulation of dirt and refuse to be removed from them, and they shall have power to lay out and open any new street, or widen those already made, and make improvements as the public convenience may require, and if the owners of property affected by the said streets, so opened, or widened, shall claim damages, it may be lawful for said aldermen to file their petition before the county or superior court of said county, praying said court to appoint five commissioners, who shall be disinterested free holders, resident in said city, who shall estimate the damages sustained by such citizens; in assessment of damages, they shall take into consideration the benefit which accrues, and the enhanced valuation of such property to the owner, and ascertain the sum which shall be paid to the owner of the property aforesaid, and report the same to the next term of said court, under their seals, which said report on being confirmed by the court, shall be enrolled on the records of said court, and registered in the register's office of the county of Mecklenburg, and said confirmation shall have the effect a judgment of court against said board of aldermen, for the amount so found due, and shall pass the title to the board of aldermen in their corporate capacity of the land over which said street was opened, moved or widened, as above prescribed, may pass.

Sec. 24. Be it further enacted, That the board of aldermen shall further have power to cause the side walks to be curbed and paved, or repaired when deemed neces-
sary, and to recover from the owner or occupier of the lots on which curbing or paving shall be made, one half of the expense of the work, which expense shall be a liee on the lot. Provided, always, that the owner before whose lot such curbing and paving shall have been ordered, shall have thirty days notice in writing of such order of the said board.

**Sec. 25.** Be it further enacted, That the board of aldermen may subscribe for any number of shares to the capital stock of any railroad company authorized to be constructed, by the present, or any future Legislature of the State, from or through the city of Charlotte, to any point or points within the limits of this State, and issue bonds in payment of the same; they shall also have power to issue other bonds, and all monies arising from the sale of such additional bonds, shall be by the said board applied to such purposes as in the opinion of the said board will promote the general good of the city, and for no other purposes whatever. Provided, That the whole bonded debt arising from payment of subscription to railroads and other purposes for the general good of the city, shall at no time exceed the sum of two hundred thousand dollars.

**Sec. 26.** Be it further enacted, That all bonds issued as authorized in the above section, shall be made payable by the corporation of the city of Charlotte, to bearer, and specify on the face the purpose for which issued; they shall be in sums of not less than fifty dollars, and running not more than thirty years, with coupons attached for interest payable semi-annually at the rate not exceeding ten per cent. per annum; said bonds shall be signed by the mayor, and countersigned by the treasurer, and sealed with the seal of said corporation; the coupons shall be signed by the city clerk, and shall be orders upon the treasurer for the amount of interest which they respectively call for as they fall due, and no bonds shall be issued unless the object for the payment of which they
are made, shall have been first submitted to and approved
by the vote of the citizens of said city, under such rules
and regulations as the board may direct.

Sec. 27. Be it further enacted, That it shall be the duty
of the board of aldermen, to lay a specific tax on all
property liable to be taxed for the purpose of paying the
interest on such bonds as may be issued as above, and to
invest and re-invest such sums out of the treasury and
arising from such specific tax as they think proper for the
purpose of liquidating the bonds, as they fall due, and
such money when so invested shall not be issued for any
other purpose whatsoever.

Sec. 28. Be it further enacted, That the said board of
aldermen shall have power to regulate the manner and
terms on which bodies may be intered in the public
cemetery, within said cit., and have the said cemetery
kept in due order and repair, and they shall also have
power to purchase, when they deem it proper, a piece of
land within or beyond the limits of said city for the pur-
poses of a public cemetery; they shall also have the
power to forbid any and all interments of dead bodies
within the limits of said city, whenever they shall deem
it expedient.

Sec. 29. Be it further enacted, That the said board
of aldermen shall have power to acquire by purchase, or
otherwise, any piece or pieces of land, for squares or
parks, or as sites for markets, or other buildings for said
city.

Sec. 30. Be it further enacted, That the said board of
Powers and
aldermen shall have power to make from time to time,
duties of
ordinances, rules and regulations concerning the firing of
board of al-
fire-arms, and all explosions in said city, the pace and
dermen.
speed at which horses may be driven or rode through the
streets, the arrangements of stove-pipes in buildings, the
mode in which fire shall be kept, or carried through the
city, the manner in which powder and other explosive
and inflammable substances may be kept and sold, the
manner in which dogs and hogs may be kept, and to prevent them from running at large in said city; to cause all alleys, lots, cellars, privies, stables, styes, and other places of like character, to be examined by the city constable, or other person by them appointed, at any and all times, from the first day of June, to the first day of November, in each and every year, and upon his written report that any of the above is a nuisance, it shall be their duty to cause by their order, the city constable to have said place or places cleansed, and the nuisance abated; and the said city constable shall have authority to enter the premises described to be in said order, and inspect and have the same cleansed, and the said board shall recover the expenses of abating said nuisance, from the occupier or owner of said premises, by action of debt in any court having competent jurisdiction; said board shall have further power and it shall be their duty to prohibit all trades or occupations, which are a nuisance from being carried on in said city; they shall have power, and it shall be their duty to cause all ponds, sunken lots, and other places in which water stands and stagnates, to be drained and filled up, and to recover from the owner or occupier the expenses as above, which expenses shall be a lien on the lot: Provided, the owner or occupier of said lots, after twenty days notice, shall have neglected or refused to abate said nuisance, they shall have further power to cause all nuisances arising from any cause, within or without the limits of said city, but sufficiently near to effect the health of the inhabitants thereof to be removed or abated, and for the removing or abating any such nuisance without the said city, to be paid out of any monies in the treasury.

SEC. 31. Be it further enacted, That the said board of aldermen shall have power to regulate the manner in which provisions, and all other articles shall be sold in the streets and markets of said city, and to regulate the
manner in which the streets and public markets in said city may be used.

Sec. 32. Be it further enacted, That the board of aldermen shall have power to grant and cancel all license to retail wine, malt or spirituous liquors by the small measure, within said city, to any person whom they may think proper: Provided, the party, to whom such license is issued, shall first pay such taxes as may be imposed by the board, and give bond payable to the board of aldermen of the city of Charlotte, with approved security, in the sum of one thousand dollars, conditioned for the keeping of an orderly and lawful house, and no person shall be permitted to retail wine, malt, or spirituous liquors within said city, or one mile thereof, unless licensed by the board of aldermen.

Sec. 33. Be it further enacted, That the board of aldermen shall have power to make all ordinances, rules and regulations, for the good government, health and safety of the property and persons in said city, not inconsistent with the laws and constitution of this State, or of the United States, and to impose penalties for the breaking or infringement of any laws or ordinances by them established.

Sec. 34. Be it further enacted, That all the forfeitures and penalties which are imposed by this act, or which shall or may be imposed by the ordinances of said board of aldermen, and which are not hereby, or shall not be by said ordinances, directed to be recovered in any way, shall be sued for in the name of the board of aldermen of the city of Charlotte, before the mayor or any justice of the peace, and when so recovered, shall be paid to the treasurer for the use of said city.

Sec. 35. Be it further enacted, That the board of aldermen may use the jail, or build or rent a house for the purpose of confining those who disobey the law and ordinances of said city.

Sec. 36. Be it further enacted, That the board of aldermen shall have power to grant and cancel all license to retail wine, malt or spirituous liquors by the small measure, within said city, to any person whom they may think proper: Provided, the party, to whom such license is issued, shall first pay such taxes as may be imposed by the board, and give bond payable to the board of aldermen of the city of Charlotte, with approved security, in the sum of one thousand dollars, conditioned for the keeping of an orderly and lawful house, and no person shall be permitted to retail wine, malt, or spirituous liquors within said city, or one mile thereof, unless licensed by the board of aldermen.
men may establish, when and where the mayor shall hold his court, and, in the absence of the mayor, the board shall appoint one of their members to act as such, until he returns, or election is had for one.

Sec. 37. Be it further enacted, That the city constable and police, or patrol, shall take an oath to carry out diligently and truly all duties placed upon them by the board, and to arrest and confine or report all persons offending against the laws, and ordinances of said city.

Sec. 38. Be it further enacted, That the corporate limits of the city of Charlotte, shall embrace the land now contained within the boundaries of the charter amended at the session of the General Assembly of 1850-'51.

Sec. 39. Be it further enacted, That all laws and clauses of laws, inconsistent with this act, be, and are hereby repealed.

Sec. 40. Be it further enacted, That this act shall not go into effect until it has been ratified by a vote of the citizens of the town of Charlotte at an election to be held for that purpose; and it is hereby made the duty of the mayor of the town of Charlotte, within thirty days after the ratification of this act, to advertise for ten days, in one or more papers published in the town of Charlotte, for an election to be held for the purpose of adopting or rejecting this act, and he shall cause tickets to be printed with the word "adopted" on one set, and the word "rejected" on the other set; and at said election, to be held at the court house in Charlotte, all persons entitled to vote for mayor of said town, shall be permitted to vote, and if a majority of the votes cast at said election, shall be for adopting this act, then, and in that event, this act shall go immediately thereafter into operation; but, if a majority of said votes cast, shall be for rejecting said act, then this act shall never go into effect. [Ratified this 10th day of March, A. D., 1866.]
AN ACT IN RELATION TO THE TOWN OF GOLDSBORO', IN THE COUNTY OF Wayne.

SECTION 1 Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That all special laws in relation to the town of Goldsboro', in the county of Wayne, are hereby repealed, except such parts of said laws as incorporate said town and fix the limits and boundaries thereof: Provided, however, That said repeal shall not, in any manner, invalidate the election of the commissioners and other officers now acting in said town, or any of the acts, ordinances or by-laws of said commissioners, which they had authority to pass by the law heretofore in force.

Sec. 2. Be it further enacted, That said corporation shall, in future, be governed by the provisions of chapter 111, Revised Code, and the general laws of the State now in force, or which may be hereafter enacted in reference to towns.

Sec. 3. Be it further enacted, That in addition to the powers granted above, the commissioners of said town shall have authority to lay and collect annual taxes for municipal purposes, on all persons and subjects within the corporate limits which may be taxed for State and county purposes: Provided, Such taxes shall be uniform on all such subjects, and shall be in proportion to the State and county taxes, equal to the wants and necessities of said town.

Sec. 4. Be it further enacted, That said commissioners shall be further empowered to impose and collect, in addition to any annual taxes, a monthly tax on persons or companies, who shall be engaged in the following trades, professions or callings in said town, to wit:
1. On persons keeping horses or vehicles for hire, a tax of not exceeding five dollars.
2. On hotels, a tax not exceeding ten dollars.
3. On drinking saloons, a tax not exceeding twenty-five dollars.

4. On drays, carts and wagons for hire, a tax not exceeding ten dollars.

5. On billiard tables and bowling alleys, a tax not exceeding five dollars.

6. On persons or firms engaged in buying and selling goods, wares, merchandize, produce or other articles, a tax on the amount of sales, not exceeding one per centum, to be given in on oath before the mayor.

7. On eating saloons, cook shops and oyster houses, a tax not exceeding three dollars.

8. On lawyers, physicians and dentists, a tax not exceeding two dollars and fifty cents.

9. On butchers, daguerreans, photographers, auctioneers, commission and forwarding merchants, soda water and ice cream venders, a tax not exceeding five dollars.

10. On express companies having an office in the town, a tax not exceeding ten dollars, on every circus, menagerie, theatrical company, concert, minstrel or exhibition for reward (except for benevolent purposes, to be judged of by the mayor,) a tax not exceeding ten dollars for each exhibition.

SEC. 5. Be it further enacted, That the commissioners of said town may adopt such ordinance as they may deem proper to enforce the powers hereby vested in them.

SEC. 6. Be it further enacted, That the county court of Wayne county shall not have power to grant license to retail spirits in said town, unless the person applying, shall produce to the court a written recommendation from a majority of the commissioners of said town.

SEC. 7. And be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 6th day of March, A. D., 1866.]
AN ACT TO AUTHORIZE HOLDING AN ELECTION FOR COMMISSIONERS OF THE TOWN OF GOLDSBORO', IN WAYNE COUNTY, AND FOR OTHER PURPOSES.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That it shall be the duty of C. F. R. Kornegay, sheriff of Wayne county, and he is hereby directed to hold an election, at the court house, in the town of Goldsboro', Wayne county, on or before the third day of February, one thousand eight hundred and sixty-six, for five commissioners of said town, whose term of office as commissioners shall continue until the first Saturday in December next, or until their successors shall be elected and qualified, and no longer.

Sec. 2. Be it further enacted, That the said C. F. R. Kornegay shall give notice of said election in some newspaper in said town, or by advertising at three public places in said town for three days immediately preceding the day thereof, and, in all other respects, shall hold said election according to the provisions of an act entitled "An act to amend an act entitled an act to incorporate the town of Goldsboro', in Wayne county, to extend the limits thereof, and for other purposes," ratified the twenty-ninth day of January, one thousand eight hundred and forty-nine, and of an act entitled "An act to amend an act entitled an act to incorporate the town of Goldsboro', in the county of Wayne, to extend the limits thereof, and for other purposes," ratified the fifteenth day of February, one thousand eight hundred and fifty-nine, except whenever the said provisions are inconsistent with the provisions of this act.

Sec. 3. Be it further enacted, That the commissioners to be elected under this act, and all persons proposing to vote in said election, shall have the same qualifications as are required in the several acts aforesaid.
Oaths of office and authority of certain officers. Sec. 4. Be it further enacted, That the commissioners to be elected as herein directed, and all officers and employees whom they may elect or appoint, shall take the same oaths of office, shall exercise the same authority, and perform the same duties in all respects, and be subject to the same pains and penalties as are prescribed in the acts above referred to.

Penalty for refusal of sheriff to hold said election. Sec. 5. Be it further enacted, That if the said C. F. R. Kornegay shall refuse or fail to hold said election as herein directed, he shall, in addition to such pains and penalties as are imposed by the acts aforesaid, be guilty of a misdemeanor.

Sec. 6. And be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 25th day of January, A. D., 1866.]

Chap. 10. AN ACT TO EXTEND THE LIMITS OF THE TOWN OF SWANSBORO', IN THE COUNTY OF ONSLOW, AND OTHER PURPOSES.

Limits of town extended. Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the present limits of the town of Swansboro' be extended, so as to embrace all the land between its presents limits and the red hill gully on the one side, and the public road leading to Jacksonville and Newbern, and the white oak river on the other.

Board of commissioners appointed, duty of. Sec. 2. Be it further enacted, That Daniel A. Hargett, Lyre Moore, B. S. McLean, Richard Canady, William P. Ward and Edward Mattocks, be, and they are hereby appointed, a board of commissioners for the said town of Swansboro', whose duty it shall be, except as hereafter directed, to meet on the first Saturday in April next, a majority being present, and shall elect one of their number a town magistrate, who has been recommended by this General Assembly and commissioned by the Governor,
and had qualified as a justice of the peace for the county of Onslow.

Sec. 3. *Be it further enacted,* That the town magistrate shall immediately give notice, by public advertisement, that an election will be held in the said town of Swansboro on the third Saturday in April for a town constable, said election to be held under the same rules as all other elections are held; and all those qualified to vote for Governor shall vote for town constable.

Sec. 4. *Be it further enacted,* That the constable so elected shall enter into bond and security, to be approved by the court of pleas and quarter sessions, for the county of Onslow, and he shall receive the same fees as are now allowed by law to all other constables, except when he acts by the order or warrant of the town magistrate, then he may apply to the board of commissioners who shall examine the case, and award him such pay as they may deem proper and fair.

Sec. 5. *Be it further enacted,* That the board of commissioners shall have full power to pass all needful rules and regulations for the internal police of said town, and the said board of commissioners, shall, at the first meeting, appoint one of their number a secretary and treasurer, who shall enter into bond to be approved by the said board, and he shall receive all moneys, and pay the same out only upon an order of the board; he shall keep a book, in which he shall record the proceedings of the board, and for his services, he shall receive such compensation as the board of commissioners shall deem proper and right, and he shall hold his office for twelve months and until a successor is chosen; he shall turn over the moneys to his successor.

Sec. 6. *Be it further enacted,* That the commissioners shall have full power and authority, to allow no horse or mule of any kind, no cattle nor hogs, to run at large in said town, and they are hereby directed to cause all such horses, mules, cattle and hogs to be taken up by the
town constable, whose duty it shall be to advertise all such stock, giving ten days notice, and should no owner come forward to prove the property and pay the charges, then the constable is hereby directed to sell said stock, and after paying all necessary expenses, the balance to be paid over to the treasurer.

Sec. 7. Be it further enacted, That the commissioners shall have full power and authority to lay and have collected a tax on all real and personal property for the purpose of improving the streets, keeping in repair the town pumps and wells, and other improvements which, in their opinions, are necessary and conducive to the health and comfort of the town. And it shall be the duty of the treasurer to make a list of all the taxable property, and the amount due thereon, and shall furnish the town constable with a duplicate copy of the same, who shall proceed to the collection of the same, and shall pay the same over to the treasurer at such time and manner as the said board of commissioners may direct.

Sec. 8. Be it further enacted, That in all vacancies which may happen in said board by death, removal or resignation, the same shall be filled by the commissioners, and the present board shall hold their places until others are duly elected, and all elections for board of commissioners and town constable, shall be held in said town of Swansboro on the last Saturday in January, in each and every year, and all those who are qualified to vote for Governor shall be qualified to vote for commissioners, and no person shall be eligible to the office of commissioner unless he owns real estate in said town of Swansboro.

Sec. 9. Be it further enacted, That it shall be the duty of the town magistrate to give at least ten days notice, by public advertisement, previous to the time of holding said election for said commissioners and town constable, and the town magistrate, and two other persons whom he may select, shall constitute a board to hold said election, and the election of the officers shall be held in the same
way and under the same rules and regulations as all other elections are held.

Sec. 10. Be it further enacted, That this act be in full force and virtue from and after its ratification.

Sec. 11. And, be it further enacted, That all laws and clauses of laws coming in conflict with this act be, and the same are hereby repealed [Ratified the 6th day of March, A. D., 1866.]

AN ACT TO CONSOLIDATE AND AMEND THE SEVERAL ACTS HERETOFORE PASSED FOR THE BETTER REGULATION OF THE TOWN OF JACKSONVILLE, IN ONSLOW COUNTY.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the free white men of the town of Jacksonville, who shall reside there on the first Monday in April, of each and every year, are hereby authorized and empowered to convene at the court-house in said town, on the said first Monday in April of each and every year, and elect by ballot five commissioners, who shall hold their offices for one year thereafter provided; and said commissioners, so elected and qualified, and their successors in office, shall be, and they are hereby created a corporation and body politic, under the name and style of "The commissioners for the town of Jacksonville," with full power to make all necessary by-laws and regulations for the government of said town not inconsistent with the constitution or laws of this State, to contract and be contracted with, to sue and be sued, plead and be imploved by that name and title, and they are hereby invested with all other powers and rights necessary, or usually appertaining to municipal corporations.

Sec. 2. Be it further enacted, That the commissioner, Mayorelected, receiving the highest number of votes, shall be mayor of said town.
SEC. 3. Be it further enacted, That it shall be the duty of the sheriff, or other person for the time being acting as sheriff of Onslow county, to advertise said election at the court-house door, and two other public places in said town, at least ten days before the time of holding the same; and it shall be his further duty to appoint two inspectors of said election, who, together with himself, shall hold the same at the courthouse on the first Monday in April of each and every year, as herein before provided, between the hours of eleven A. M. and three P. M., and the persons, holding such election, shall make out a certificate thereof, setting forth the names of the persons elected commissioners for said town; and it shall be the further duty of the sheriff, or other person for the time being acting as sheriff of the said county, to notify the persons so elected of their appointment, and convene them together at the court-house on the next day after their election, and administer to them an oath to support the constitution and laws of this State, and faithfully and impartially to discharge all their duties as commissioners of said town.

SEC. 4. Be it further enacted, That any sheriff, or other person for the time being acting as sheriff of said county, or any person or persons appointed to hold said election, refusing or neglecting to obey and perform the several duties enjoined on them respectively by the preceding section, shall forfeit and pay the sum of fifty dollars, to be recovered in the name and for the use of any suing in any tribunal having jurisdiction thereof.

SEC. 5. Be it further enacted, That said commissioners shall have full power to supply all vacancies; and any person either elected or appointed a commissioner under the provisions of this act, and refusing or neglecting to serve as such, shall forfeit and pay the sum of ten dollars, to be recovered in the name of the board, and applied to the use of the town.

SEC. 6. Be it further enacted, That said commissioners
shall, at their first meeting, appoint one of their number magistrate of police, who shall be, _ex-officio_, chairman of the board, and shall have one vote therein. He shall take an oath before the board for the faithful performance of his duties as magistrate of police for said town, and shall have all the powers usually incident to that office, such as administering oaths, issue warrants and other process, and hearing and determining trials in all cases affecting the corporation.

_Sec. 7._ Be it further enacted, That the commissioners of said town shall have power to appoint a town clerk, treasurer and constable, each of whom shall give bond payable to the commissioners, in such sum as they may require, and shall, also, take an oath for the faithful performance of their respective duties, and the board shall allow said officers such salaries and fees as may be deemed right and proper, and any person appointed to either of said offices, or refusing or neglecting to serve, shall forfeit and pay the sum of ten dollars, to be recovered in the name of the board, and applied to the use of the town.

_Sec. 8._ Be it further enacted, That said commissioners shall be allowed to collect the following taxes, to wit: 

- A sum not exceeding fifteen cents nor less than five cents, on every hundred dollars' worth of real estate therein; 
- A sum not exceeding two dollars nor less than one dollar, on every male poll therein taxable by the laws of the State; 
- A tax on each store, grocery and tavern, not exceeding five dollars per annum; 
- On lawyers and physicians, not exceeding five dollars each; 
- On every dog, not exceeding fifty cents; 
- On hogs allowed to run at large in said town, not exceeding fifty cents each; 
- On cattle allowed to run at large in said town, not exceeding fifteen cents each; 
- For milch cows and all others, not exceeding fifty cents each; 
- On all horses and mules allowed to run at large in said town, whether they be the property of the inhabitants of said town or not, a sum not exceeding five dollars each; 
- On exhibitions, circuses, theatres, ma-
nageries, and all other, except charitable performances, a sum not exceeding five dollars each; on all bar rooms, and bowling alleys, not exceeding five dollars each; said taxes to be applied in keeping the streets and side walks of said town in good order and repair, and for such other purposes as the commissioners of said town may deem necessary and proper.

**Sec. 9.** Be it further enacted, That three of said commissioners shall, at any time, constitute a quorum, and their meetings shall be held at such times and such places as may be determined upon among themselves.

**Sec. 10.** Be it further enacted, That all laws, clauses of laws, and all private acts of the General Assembly inconsistent or conflicting with the provisions of this act, except those or such parts thereof as defines the boundaries of said town, be, and the same are hereby repealed.

**Sec. 11.** And be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 27th day of February, A. D. 1866.]

**Chap. 12.** AN ACT TO AMEND AN ACT ENTITLED "AN ACT FOR THE BETTER REGULATION OF THE TOWN OF GREENVILLE," AND TO INCREASE THE POWERS OF THE COMMISSIONERS OF SAID TOWN.

**Section 1.** Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the sixth section of an act entitled "An act for the better regulation of the town of Greenville," passed at the session of one thousand eight hundred and thirty-eight and thirty-nine, be, and is hereby so amended as to authorize the commissioners of said town to increase the tax on every taxable poll to a sum not to exceed two dollars, and to enable the said commissioners to receive the lists of taxables and direct the assessment of taxable property at another time than that prescribed in said section, at their direction.
SEC. 2. Be it further enacted, That the seventh section of said act be, and is hereby so amended as to extend the time for furnishing the tax lists to the sheriff, to the first day of June in each and every year.

SEC. 3. Be it further enacted, That the tenth section of said act be, and is hereby amended so as to read as follows: That no person shall retail spirituous liquors or malt liquors by a measure less than a quart, or shall keep a bowling alley, billiard table, or other table or contrivance intended and used for profit, or for the amusement and attraction of customers or visitors, or at which table or contrivance the players or bystanders bet, in the town of Greenville, until said person shall first obtain a certificate of recommendation or certificate of permission from the commissioners of said town, or a majority of them, for that purpose, which recommendation or permission shall be valid for one year and no longer; and any person who shall retail as aforesaid, or who shall keep any bowling-alley, billiard-table, or other table or contrivance as aforesaid, without such certificate as aforesaid, shall forfeit and pay the sum of one hundred dollars, to be recovered by suit in the name of the "commissioners of Greenville," before any court of competent jurisdiction, and applied to the use of the town. And every person hereby required to obtain a certificate of recommendation or certificate of permission as aforesaid, shall pay an annual tax not to exceed one hundred dollars to the treasurer, to be applied to the use of the town.

SEC. 4. Be it further enacted, That the commissioners of said town of Greenville may impose and collect an annual tax or fine, not to exceed the sum of twenty dollars, from all persons who own hogs or pigs that run at large in said town, in violation of any ordinance or regulation of said town, or from any peddler of goods, wares and merchandise, who shall hawk and peddle the same in said town, or from any peddler of tobacco or snuff; and vender of nostrums or patent medicines, or any manufac-
tured simples or compounds, who shall retail or vend said articles in the streets or upon the public squares of said town.

Sec. 5. Be it further enacted, That the commissioners of said town of Greenville are hereby authorized to require to work on the streets and public works of said town, any able-bodied male inhabitant, who shall fail or refuse to pay any poll tax or other tax authorized by this act, or any fine imposed by the ordinances of the town, the said work to be fixed as to the length of time by ordinance and published as other ordinances, the time not to exceed in value, according to the daily wages of labor, the amount of the fines or taxes for which said person is liable, and shall fail or refuse to pay.

Sec. 6. Be it further enacted, That the jurisdiction of the intendant of police of said town of Greenville, be, and is hereby increased, so as to include all disorderly breaches of the peace and cases of vagrancy, happening within the corporate limits of said town, over which a single justice of the peace, and to the same degree and extent, now has, or may hereafter have, jurisdiction.

Sec. 7. Be it further enacted, That this act shall not apply to persons who have obtained a certificate of recommendation from the commissioners, and a license to retail for the year one thousand eight hundred and sixty-six, before said act goes into effect.

Sec. 8. Be it further enacted, That all acts of the General Assembly coming in conflict with this act be, and are hereby repealed.

Sec. 9. And, be it further enacted, That this act shall go into effect from and after the fifteenth day of February, one thousand eight hundred and sixty-six. [Ratified the 19th day of February, A. D., 1866.]
AN ACT SUPPLEMENTAL TO AN ACT ENTITLED AN ACT FOR THE GOVERNMENT OF THE TOWN OF ELIZABETH CITY, IN THE COUNTY OF PASQUOTANK, PASSED BY THE GENERAL ASSEMBLY IN EIGHTEEN HUNDRED AND FIFTY-TWO.

SECTION 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That no person shall sell or retail any fresh meat, or spirituous, fermented or malt liquors, or wine, within one mile of the corporate limits of said town of Elizabeth City, without first obtaining a permit from the corporate authorities thereof, under a penalty of one hundred dollars, to be recovered by warrants, in the name of the corporation, before the mayor of said town, or of imprisonment not exceeding twenty days, at the discretion of the mayor, the penalty when recovered, shall go into the treasury of the town, to be accounted for and used as other moneys of the corporation.

SEC. 2 Be it further enacted, That upon the failure, neglect or refusal of any person to pay the poll tax assessed by the corporate authorities of said town, when the same may be due and demanded, he shall be liable to work on the streets of said town for five days, and upon failure to do said work, the mayor may issue a warrant to the town constable for his arrest, and upon conviction before the mayor of his failure to work or his neglect to pay the tax, he shall be subject to imprisonment for a period not more than twenty days, at the discretion of the same.

SEC. 3. Be it further enacted, That upon the failure of any person, his agent or attorney to pay the taxes assessed by the corporation upon real or personal estate, by the first of July in each and every year, the mayor shall cause execution to issue to the town constable for the same and said constable shall levy said execution, and after advertising for twenty days, shall sell sufficient of the estate of the delinquent to pay said taxes and all costs.
SEC. 4. Be it further enacted, That the constable of the corporation shall have the same fees for the services required by this act, as are now allowed by law to sheriffs and constables for like services.

SEC. 5. Be it further enacted, That the sheriff of said county shall, in ten days after the ratification of this act, advertise and hold an election for mayor and five commissioners for the town of Elizabeth City, having first given five day's notice, in such public places in said town, as he may deem necessary. At this election, all persons now residing in said town, who are qualified to vote for members of the House of Commons, shall be also entitled to vote for said mayor and commissioners. The mayor and commissioners so elected shall be invested with all the powers and privileges they would have possessed if elected at the regular time fixed in the charter of said town.

SEC. 6. And, be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 30th day of January, A. D., 1866.]

AN ACT TO AMEND THE ACT OF INCORPORATION OF THE TOWN OF NEWTON, IN CATAWBA COUNTY.

SECTION 1. Paragraph 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the fourth section, chapter two hundred and forty-seven, of the acts of eighteen hundred and fifty-four, fifty-five, be so amended as to read as follows, to wit: the commissioners of said town or a majority of them on the first Monday of January, of each and every year, shall hold elections for five commissioners in said town, as their successors in office, in manner following: they shall hold the election in the court house in Newton, after giving ten days previous notice by advertisement, in said town: the poll to be
opened at ten o'clock, A. M., and closed at sunset; they shall summon three freeholders in said town, to inspect and superintend the election, who shall within five days thereafter give the persons elected notice of their election; and shall also within the same time file with the commissioners of the town for the time being, the poll books and a certificate in writing of the persons so elected, and if the commissioners neglect or refuse to hold said elections, or said freeholders to superintend said elections, or to file such certificate, they shall forfeit and pay the sum of ten dollars each, to be recovered before any justice of the peace of Catawba county, one half to the use of the town, the other half to the use of the person suing for the same; the five persons receiving the highest number of votes shall be declared elected commissioners, and in case of a tie the said freeholders shall have the casting vote.

Sec. 2. Be it further enacted, That section fifteen of the said two hundred and forty-seventh chapter be amended by striking out the words "or fifty cents on the poll," and insert the words "or five dollars on the poll."

Sec. 3. Be it further enacted, That all laws and clauses of laws in said chapter contained, coming in conflict with this act are hereby repealed. [Ratified the 10th day of March, A. D., 1866.]

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF KINSTON, Chap. 15.

AND FOR OTHER PURPOSES.

SECTION 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the corporate limits of the town of Kinston, in the county of Lenoir, be extended to a point not exceeding six hundred yards beyond the original limits of said town.

Sec. 2. Be it further enacted, That the mayor and commissioners of said town shall have the same power and
authority over the extension hereby granted, that they have over the original limits of said town, and that all persons living within the limits of said town hereby extended, shall be entitled to all the rights and privileges of other persons living within the original limits of said town.

SEC. 3. BE IT FURTHER ENACTED, That all unimproved farm lands and unimproved lands not laid off into town lots, included within this extension of the limits of said town, are hereby exempt from any taxes which may be levied by the board of commissioners of said town: provided, That nothing herein contained shall be so construed as to prohibit said commissioners from taxing said lots when improved or when laid off into town lots.

SEC. 4. BE IT FURTHER ENACTED, That said mayor and commissioners shall have power, with the consent of the owners of the land, or by purchase of the land, to open streets through the extended limits of said town.

SEC. 5. BE IT FURTHER ENACTED, That the mayor and commissioners of said town be empowered to increase the poll tax on all taxable polls within their corporate limits, to a sum not exceeding one dollar on each taxable poll.

SEC. 6. BE IT FURTHER ENACTED, That this act shall be in force from and after its ratification. [Ratified this 12th day of March, A D, 1866.]

Chap. 16. AN ACT TO AMEND AN ACT ENTITLED AN ACT TO INCORPORATE THE TOWN OF GRAHAM, IN THE COUNTY OF ALAMANCE.

Amends former act.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF NORTH CAROLINA, AND IT IS HEREBY ENACTED BY THE AUTHORITY OF THE SAME, That an act entitled an act to incorporate the town of Graham, in the county of Alamance, ratified on the twenty-eighth day of January, eighteen hundred and fifty-one, be, and the same is hereby amended with the following additional provisions, to
ith: That no person shall sell by wholesale or retail, or
give any spirituous or fermented liquors, wines, or cord-
dials, within the corporate limits of the town of Graham
without first obtaining a permit from the corporate au-
thorities of said town, under a penalty of one hundred
dollars for every offence, to be recovered by warrant in the
name of the corporation before the mayor of said town,
or of imprisonment not exceeding twenty days, at the dis-
cretion of the said mayor.

Sec. 2. Be it further enacted, That on failure or neg-
lect of any person to pay taxes or fines imposed by the
corporate authorities of said town, when the same shall
be due or demanded, the person so offending shall be lia-
ble to work on the streets of said town for the space of
five days, and any person failing so to work, the mayor of
said town may issue a warrant to the town constable, com-
manding him to arrest said person, and upon conviction
before said mayor for failing to pay taxes, or to so work
on the streets, the mayor may commit the person so
offending to the common prison, at the discretion of the
mayor.

Sec. 3. Be it further enacted, That this act shall be
in force from and after its ratification. [Ratified the 6th
day of March, A. D., 1866.]

AN ACT TO INCORPORATE THE TOWN OF NEWPORT, IN CARTERET COUNTY.

Section 1. Be it enacted by the General Assembly of the
State of North Carolina, and it is hereby enacted by the
authority of the same, That a town is established in the
county of Carteret by the name of Newport, and the cor-
porate limits of said town are hereby declared to be as
follows to-wit: Beginning at the mouth of Laurel swamp
branch, running with said branch to Deep creep swamp,
thence with said swamp to Elisha Morton's line, thence
with said line to school-house branch, thence with said branch to Newport river, thence with said river to the beginning,

SEC. 2. Be it further enacted, That the government of said town of Newport shall be vested in the following named persons, and their successors in office, to wit: Hiram R. Bell, Major Isaac S. Hill, Thomas Hill, Jasper Mann and Josiah S. Bell.

SEC. 3. Be it further enacted, That the commissioners, and their successor in office, appointed agreeably to the direction of this act, shall be, and they are hereby incorporated into a body corporate by the name of "The commissioners of the town of Newport," and, by that name, shall have succession and a common seal, with all the rights, powers and privileges granted to, or invested in corporations, by virtue of chapter one hundred and eleven of the Revised Code of North Carolina.

SEC. 4. Be it further enacted, That an election shall be held in each and every year, on the first Monday of March, by the inhabitants of said town, qualified to vote for members of the House of Commons, for five commissioners, who shall hold their office for one year, or until their successors are appointed.

SEC. 5. Be it further enacted, That the commissioners, under this act, shall be and continue to act as such, until their successors are appointed.

SEC. 6. And be it further enacted, That this act shall be in force from and after its ratification [Ratified the 30th day of January, A. D. 1866.]

Chap. 18. AN ACT TO LEGALIZE THE ELECTION OF MAYOR AND COMMISSIONERS IN THE TOWN OF MORGANTON.

Preamble Whereas, Upon the termination of the provisional government, a vacancy in the offices of mayor and commissioners of the town of Morganton did occur, which
has been filled by an election of the legal voters of said town, on the thirteenth of January, one thousand eight hundred and sixty-six, and which was irregular and informal as to time and manner of such election. Therefore:

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the election of William C. Erwin, mayor, and John M. Happoldt, John A. Hunt, Joseph Chambers, John W. McElrath and Robert G. Presnall, commissioners of the town of Morganton, in the county of Burke, is confirmed and declared lawful and valid to all interests and purposes, as if elected at the regular time, and in the usual manner provided by law.

Sec. 2. Be it further enacted, That it shall be lawful for said mayor and commissioners to adopt the acts, rules, regulations and by-laws of their predecessors, and to collect all taxes, fines and forfeitures, levied and imposed by them, and to prosecute all suits brought by their said predecessors for the recovery of taxes, fines, forfeitures and amereements now pending.

Sec. 3. Be it further enacted. That said appointments of mayor and commissioners shall continue in force during the year one thousand eight hundred and sixty-six, and until their successors are duly appointed.

Sec. 4. And be it further enacted, That this act shall take effect and be in force from its ratification. [Ratified this 5th day of February, A. D., 1866.]

AN ACT TO INCORPORATE THE TOWN OF COMPANY SHOPS, IN THE COUNTY OF ALAMANCE.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the town of Company Shops, in the county of Alamance, is hereby incorporated by the
name and style of "Company Shops," and shall be subject and entitled to enjoy all the privileges and powers contained in the various sections of the one hundred and eleventh chapter of the Revised Code.

SEC. 2. Be it further enacted, That the corporate limits of said town of Company Shops shall be one mile and a half square, having for the center of the same the hotel of the North Carolina Railroad.

SEC. 3. Be it further enacted, That J. G. Moore, B. E. Seigient, D. Wilkes, Dr. W. C. Tarpley and Jacob Trolinger are hereby constituted, appointed and declared to be commissioners for said town of Company Shops, and they, and their successors, are hereby invested with all rights, privileges, powers and immunities conferred upon, and secured to commissioners of incorporated towns by said one hundred and eleventh chapter of the Revised Code, until their successors have been elected and qualified agreeable to the provisions of said one hundred and eleventh chapter, entitled "Towns."

SEC. 4. And, be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 7th day of February, A. D., 1866.]

Chap. 20. AN ACT TO AMEND THE CHARTER OF THE TOWN OF FAYETTEVILLE.

Empowers commissioners to appoint assessors.

SECTION 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That to facilitate the collection of the corporation taxes of the town of Fayetteville, it shall and may be lawful for the mayor and commissioners, at their first meeting, or any subsequent meeting, after the first day of January in each and every year, to appoint one or more, not exceeding three, discreet persons, freeholders, to take and make out the list of taxables, and assess the taxable property subject to taxation, being the same upon
which the county and State assessed taxes, upon which the said mayor and commissioners shall, on or before the first day of April, in each an every year, assess and order to be collected such rates of taxes as may be necessary to provide for the liabilities and expenses of said town.

**Sec. 2. Be it further enacted,** That it shall be the duty of said assessors to give notice and require tax payers to give in their taxables, and the collector to collect the taxes assessed, under the same penalties as are now provided in the case of assessors, collectors and sheriffs, under the order of the county courts.

**Sec. 3. And be it further enacted,** That this act shall be in force from and after its ratification. [Ratified the 7th day of February, A. D., 1866.]

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**AN ACT TO CONTINUE IN OFFICE THE PROVISIONAL COMMISSIONERS OF Chap. 21. LINCOLNTON, AND OTHER TOWNS.**

**Section 1 Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,** That the provisional commissioners of the towns of Lincolnton, Salisbury, Wilmington, Kingston, Rutherfordton, Salem, Edenton, Asheville, Hendersonville, Hillsboro', Louisburg, Milton and Kenansville, who were in office at the termination of the provisional government of the State, be, and the same are hereby continued in office, until their successors are elected and sworn into office, according to the provisions of the acts of incorporation of said towns.

**Sec. 2. Be it further enacted,** That all the acts and doings of said provisional commissioners between the termination of the provisional government and the passage of this act, not inconsistent with the powers conferred upon them by said acts of incorporation, be, and the same are hereby in all things, ratified and confirmed.
Sec. 3. And be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 26th day of January, A. D., 1866.]

Chap. 22. AN ACT TO REGULATE THE SALE OF SPIRITUOUS LIQUORS IN THE TOWN OF SALEM, IN FORSYTHE COUNTY.

Prohibits sale of liquor, less than three gallons. Sec. 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That it shall not be lawful for any person to sell spirituous liquors in the corporate limits of the town of Salem, in quantities less than three gallons, except such persons as have obtained permission from the board of commissioners for said town.

Penalty for violation. Sec. 2. Be it further enacted, That any person who shall violate this act, shall be deemed guilty of a misdemeanor, and upon due conviction thereof in the county or superior court, shall be fined not less than fifty dollars for every offence. [Ratified this 12th day of March, A. D., 1866.]

Chap. 23. AN ACT TO AMEND AN ACT TO INCORPORATE THE TOWN OF HIGH POINT, IN GUILFORD COUNTY, PASSED BY THE GENERAL ASSEMBLY AT ITS SESSION, FEBRUARY, 1859.

Authorizes election of mayor and commissioners. Sec. 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That an election shall be held in each and every year on the first Monday in February, by the inhabitants thereof qualified to vote for members of the House of Commons, for a mayor and four commissioners, who shall hold their office for one year or until their successors are appointed.

Sec. 2. And be it further enacted, That this act shall be in force from and after its ratification. [Ratified this 14th day of February, A. D., 1866.]
AN ACT TO AMEND AN ACT PASSED BY THE GENERAL ASSEMBLY OF NORTH CAROLINA, AT THE SESSION OF EIGHTEEN HUNDRED AND FIFTY-EIGHT, FIFTY-NINE, ENTITLED "AN ACT TO AMEND THE ACT PASSED BY THE GENERAL ASSEMBLY OF NORTH CAROLINA, AT THE SESSION OF EIGHTEEN HUNDRED AND FIFTY-FOUR, FIFTY-FIVE, TO INCORPORATE THE TOWN OF LENOIR, IN CALDWELL COUNTY."

SECTION I. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the first section of the act ratified the twenty-first of January, eighteen hundred and fifty-nine, entitled "an act to amend an act passed by the General Assembly of North Carolina, at the session of eighteen hundred and fifty-four, fifty-five, to incorporate the town of Lenoir, in Caldwell county," be, and the same is hereby amended, so as to prohibit the sale of spirituous liquors in quantity less than five gallons, subject to the provisions and requirements of said act.

AM ACT AUTHORIZING THE TOWN OF WADESBORO TO LEVY TAXES.

SECTION I. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the mayor and town commissioners of the town of Wadesboro', in the county of Anson, be empowered, and are hereby authorized to levy a tax of not less than five dollars, nor more than five hundred dollars, on all retailers of spirituous liquors within the corporate limits of the town of Wadesboro'. [Ratified the 10th day of March, A. D. 1866.]
Chap. 26.  AN ACT TO AMEND THE ACT OF INCORPORATION OF THE TOWN OF CLINTON, IN SAMPSON COUNTY.

SECTION 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That upon all certificates of recommendation furnished by the commissioners of the town of Clinton, in the county of Sampson, to retailers of spirituous liquors, the commissioners shall fix the tax upon said recommendation and certificate at any sum, not exceeding fifty dollars, they may think right.  [Ratified the 6th day of February, A. D., 1866.]

Chap. 27.  AN ACT TO REPEAL THE SEVENTEENTH SECTION OF AN ACT PASSED BY THE GENERAL ASSEMBLY, AT ITS SESSION IN THE YEAR EIGHTEEN HUNDRED AND TWENTY-FIVE, ENTITLED "AN ACT FOR THE BETTER REGULATION OF THE TOWN OF BEAUFORT."

SECTION 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That all citizens of the town of Beaufort, qualified to vote for members of the House of Commons, shall be competent to vote for commissioners of said town.

SEC. 2 And, be it further enacted, That this act shall be in force from and after its ratification.  [Ratified the 6th day of March, A. D., 1866.]

Chap. 28.  AN ACT FOR THE BENEFIT OF THE FIREMEN OF THE TOWN OF WILMINGTON.

SECTION 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the members of the different fire companies of the town of Wilmington be, and they
are hereby exempt from all jury and militia duty, except in time of actual hostilities.

Sec. 2. Be it further enacted, That in no case shall the number of members of each company exceed sixty.

Sec. 3. And, be it further enacted, That this act shall be in full force and effect from and after its ratification. [Ratified the 7th day of February, 1866.]

CORPORATIONS.

AN ACT TO INCORPORATE THE NEWBERN SAVINGS INSTITUTION. Chap. 29.

SECTION 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That for the purpose of establishing a Savings Institution, in the city of Newbern, Messrs. A. T. Jenkins, W. H. Oliver, J. D. Flanner, Thomas J. Mitchell, I. Disosway, John D. Whitford, L. A. Guion, C. W. McLean and Frederick C. Roberts, shall constitute a board of commissioners, who shall, after giving ten day's public notice of the time and place by them or a majority of them agreed upon, cause books to be opened for receiving subscription to the capital stock of the company, and cause the same to be kept open for thirty days, unless the capital stock hereinafter mentioned shall be sooner subscribed.

Sec. 2. Be it further enacted, That the subscribers aforesaid, and such others as may thereafter become members of the company, shall be, and hereby are created and made a body politic and corporate, by the name and style of "The Newbern Savings Institution," to be located in said town, and by that name shall have succession and be capable in law to hold and dispose of real and personal property by deed or otherwise, to sue, and be sued, plead and be impleaded, and to answer and be answered in all

Commissioners appointed to receive subscription of stock.

Body politic.
courts whether of law or equity, and to receive and make all deeds, transfers, and conveyances whatsoever, and to make, have and use a common seal, and the same to change and renew at pleasure, and generally, to do every other act or thing necessary to accomplish the purposes and provisions of this act: Provided, the said corporation shall purchase and hold only such lands, tenements and hereditaments as shall be requisite for the convenient transaction of its business, or 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.

Sec. 3. Be it further enacted, That upon the subscription of the capital stock aforesaid, the said commissioners, or a majority of them, shall notify the said subscribers and appoint a time and place for them to assemble and take upon themselves their corporate powers and privileges, and then, and annually thereafter, as the by-laws of said Institution shall provide, five directors shall be chosen for the management of the affairs of the Institution for the ensuing twelve months, or until their successors shall be elected according to the by-laws of the company.

Sec. 4. Be it further enacted, That the directors for the time being, or a majority of them, shall have power to elect a president from their own body, or from the other members, to appoint all such officers, agents and servants as they shall deem necessary to transact the business of said Institution; to fix their compensation, and in their discretion to dismiss them; to provide for the taking of bonds to said Institution, from all or any of the officers, agents or servants by them so appointed, with security conditioned in such form as they shall prescribe for the faithful execution of their several duties, and to secure the corporation from loss; to regulate the manner of making and receiving deposits; the form of certificates
to be issued to depositors, and the manner of transferring stock in said Institution; to provide for the investment of the funds of the corporation in such manner as they shall deem most safe and beneficial; to provide for the admission of members, and furnishing proof of such admission; to provide for paying all necessary expenses incurred in conducting the affairs of the corporation, and generally, to pass all such by-laws as shall or may be necessary to the exercise of the said powers and of the powers vested in said corporation by this charter, and the same by-laws to alter and repeal: Provided, however, that the stockholders in any general meeting, may modify, alter or repeal, any of the by-laws of said Institution, so made by the directors as aforesaid, and may pass others, which shall be binding upon the said directors: Provided further, That no by-law of the Institution shall be made incompatible with the Constitution and laws of this State, or of the United States.

Sec. 5. Be it further enacted, That said corporation shall be capable of receiving from any person or persons, or bodies politic or corporate, any deposit or deposits of money, and it shall have power to invest its funds in notes, bonds, bills of exchange, gold and silver, public stocks or other securities, at the discretion of the directors, in the manner by them deemed most safe and beneficial, and the same to sell and buy as they may deem most advisable: Provided, That nothing herein contained shall be construed to authorize the corporation to issue any certificate of deposit, or bill, or note, or other device in nature of a bank note.

Sec. 6. Be it further enacted, That such deposits shall be re-paid to each depositor, when required, at such times and with such interest, and under such regulations as the board of directors shall, from time to time prescribe, which regulations shall not be altered so as to effect any one who may have deposits with said Institution at the time of such alteration; and all certificates or evidences
of deposit made by the proper officer, shall be effectual to bind the Institution as fully as if attested by the seal of the company.

Sec. 7. Be it further enacted, That when any deposit shall be made by any person being a minor, the said corporation may pay to such depositor, any such sum or sums as may be due to him or her at their discretion, not exceeding two hundred and fifty dollars, although no guardian shall have been appointed for such minor, and the receipt or acquittance of such minor shall be as valid as if the same were executed by a guardian of such minor.

Sec. 8. Be it further enacted, That it shall be the duty of the directors, at least once in every six months, to appoint five competent members of said corporation as a committee of examination, whose duty it shall be to investigate the affairs of the corporation, and make and publish a report in one or more newspapers published in said town of Newbern, if any, and if none, then in the newspaper published nearest to said town; and it shall be the duty of said directors to make and declare, at least semi-annually, dividends of its profits whenever the profits and situation of the company will justify it, and the same to pay over to the stockholders, or their legal representatives, within ten days thereafter, if called on.

Sec. 9. Be it further enacted, That no stockholder who is a debtor to the corporation shall be permitted to transfer his stock until such debt be paid or otherwise secured to the satisfaction of the directors, who are hereby authorized to sell and transfer the same, if the debt is not paid, first giving ten days prior notice in writing to such director of their intention so to do.

Sec. 10. Be it further enacted, That in all discounts or loans to be made by said Institution, it shall not take more than the rate of interest established by the laws of the State of North Carolina, but it shall, and may be lawful, to take such interest in advance, at the time of making
such loan, at the rate of one half per cent. for every thirty
days.

Sec. 11. Be it further enacted, That the concerns of
the Institution shall, at all times, be subject to the in-
Spection of the treasurer of the State, or of such other
officers or agents of the State as may be selected for that
purpose by the General Assembly.

Sec. 12. Be it further enacted, That the capital stock of said corporation shall not exceed the sum of one hun-
dred thousand dollars, to be divided into shares of one
hundred dollars each, unless and until an additional cap-
ital shall hereafter be authorised by the General Assem-
bly.

Sec. 13. And be it further enacted, That this act shall be in force from and after its ratification. [Ratified this
12th day of March, A. D., 1866.]

AN ACT TO INCORPORATE THE TRUSTEES OF THE GENERAL ASSEMBLY OF Chap. 30.
THE PRESBYTERIAN CHURCH IN THE UNITED STATES.

Section 1. Be it enacted by the General Assembly of the Body politic.
State of North Carolina, and it is hereby enacted by the au-
thority of the same, That Thomas C. Perven, Rev. B. M.
Palmer, D. D., Samuel McCorkle, Joseph H. Wilson,
Jesse H. Lindsay, Robert Adger, J. A. Ausley, J. A.
Crawford, James B. Walker, J. A. Inglis, John Whiti-
ing, R. M. Patton, Rev. George Howe, D. D., Rev. J.
S. Kirkpatrick, D. D., and William L. Mitchell, and their
successors duly chosen, in manner as herein directed, be,
and they are hereby constituted a body politic and corpo-
rate, by the name and style of "The trustees of the Gen-
eral Assembly of the Presbyterian Church in the United
States," and, by the name and style aforesaid, shall be
able and capable to take and hold all such estate, prop-
ty and effects, as may be acquired by gift, purchase, de-
vice or bequest, to aid and enable the said General As-
sembly of the Presbyterian Church to undertake and carry on the work of Christian education, of foreign and domestic missions, of the publication of such books, tracts and papers, as are connected with the diffusion of religious literature and learning, and of building up and supporting churches of their faith and worship in the United States aforesaid; and all the said estate, property and effects that shall be acquired by the said trustees, and their successors, at any time, shall be held, used and disposed of, according to the directions of the General Assembly aforesaid: Provided, That the property, real and personal, held or possessed by said corporation, shall not exceed two million dollars.

Sec. 2. Be it further enacted, That said trustees, and their successors, shall have and use a common seal, and alter the same at pleasure, and, by the name aforesaid, may sue and be sued, plead and be impleaded; and they are hereby authorized to make all by-laws and ordinances, prescribe the duties and qualifications of their officers, elect such officers as are necessary, and do any thing proper or incident to the due government and support of the corporation, and for the management of the funds and revenues thereof: Provided, Such by-laws, ordinances or acts done, shall not be repugnant to the constitution of the United States, or this State, or any direction of the said General Assembly.

Sec. 3. Be it further enacted, That said corporation shall consist of fifteen persons, unless the said General Assembly shall, at some future time, change that number, five of whom shall be sufficient for the transaction of any business; and, as vacancies may occur, the said General Assembly, at their pleasure, may fill them.

Sec. 4. Be it further enacted, That the General Assembly shall establish any committees, boards or agencies for any of the purposes recited in section first, the same shall be held and deemed to be branches of this incorporation; and if any gift, grant, sale, devise, or be-
quest shall be made to the "trustees of the General Assembly of the Presbyterian Church in the United States," for the use of such committees, boards or agencies, the same shall be good and effectual, to pass to such objects whenever the donor, grantor, bargainor or testator shall name the aforesaid corporation in general terms.

Sec. 5. Be it further enacted, That the said corporation may alienate any real estate owned by them for any of the trusts aforesaid, and the conveyance shall be executed by the president with the seal attached, and be attested by a witness.

Sec. 6. Be it further enacted, That the first meeting of the persons named in this act as corporators, shall be in the town of Charlotte; and, for the due administration of justice, after this charter is accepted, process may be served on any officer of the said corporation, or any one of the said trustees.

Sec. 7. Be it further enacted, That the General Assembly reserves the right to amend the charter hereby granted, by restricting or enlarging its privileges.

Sec. 8. And, be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 19th day of February, A. D., 1866.]

AN ACT TO INCORPORATE SALEM FEMALE ACADEMY, AT SALEM, IN THE COUNTY OF FORSYTHE.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the Right Reverend George F. Bahnsen, and the Reverend Emil A. DeSchweinitz, and the Reverend Lewis Rights, duly elected by the Synod of the Southern District of the Church of the United Brethren, (commonly called Moravians,) in the United States of America, a board of direction of the ecclesiastical affairs of said church in said district, and, like-
wise constituted, by virtue of their office, the board of trustees of the Salem Female Academy, and such other persons as may be hereafter appointed their associates or successors, according to the rules and regulations of said branch of the church of the United Brethren, be, and they are hereby constituted a body politic and corporate, to be known and distinguished by the name and style of "The Salem Female Academy," and, by that name, shall have succession and a common seal, and shall be able and capable in law, of holding lands, and tenements, and chattels, sufficient for the purposes of the school; and of suing and being sued, pleading and being impleaded, in their corporate name.

**Duties of trustees.**

**Sec. 2. Be it further enacted,** That the trustees already appointed, or who shall be hereafter appointed, in accordance with the fundamental statutes which govern the church of the United Brethren aforesaid, shall have the care and management of said school, and of its estates and properties, and shall have power to make all needful by-laws and regulations for the same.

**Powers of Faculty.**

**Sec. 3. Be it further enacted,** That the faculty of said school, that is to say, the president and professors and teachers, by and with the consent of the trustees, shall have the power of conferring all such degrees or marks of literary distinction, or diplomas, as are usually conferred in colleges and seminaries of learning.

**Sec. 4. And, be it further enacted,** That this act shall be in force from and after its ratification. [*Ratified the 3rd day of February, A. D., 1866.*]

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**Chap. 32. AN ACT TO INCORPORATE DILLWOOD CEMETERY, IN THE COUNTY OF GUILFORD.**

**Body politic.**

**Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,** That Win. L. Scott, Lyndon Swain,
1866.—Chapter 32.

A. P. Eckel, D. W. C. Benbow, William C. Porter, A. C. Caldwell, and such other persons as may associate themselves with them for the purpose hereinafter mentioned, be, and they are hereby made a body politic and corporate, by the name and style of "Dillwood Cemetery," and, by that name, may sue and be sued, plead and be impleaded, in all the courts of his State, contract and be contracted with, and may have a common seal.

Sec. 2. Be it further enacted, That said corporation may purchase and hold so much land as may be necessary for the purpose of establishing a burial ground near the town of Greensboro', in the county of Guilford, and may sell, or otherwise dispose of the same, or any part thereof, to be used exclusively as a cemetery; and all moneys arising from the sale of lots in the said cemetery, or in any otherwise, shall be expended or disposed of in such way, and for such purpose, as said corporation may deem expedient; and said corporation may acquire such personal property as may be needed in improving and embellishing the said grounds.

Sec. 3. Be it further enacted, That if any person shall wilfully mutilate, deface, injure, destroy or remove any tomb, monument or grave stone, or other structure, placed in the cemetery aforesaid, or any fence, railing, or other work for the protection or ornament of said cemetery, or of any tomb, monument or structure aforesaid, or of any lot within the cemetery aforesaid, or shall wilfully cut, break, impair or destroy any tree, shrub, plant or vine within the limits of said cemetery, such person, so offending, shall be deemed and held guilty of a misdemeanor, and indictable in either the county or superior court, and, upon conviction thereof, shall be fined or imprisoned, or both, at the discretion of the court, and shall be, moreover, liable in an action of trespass, which may be brought in the name of said corporation, for damages by such unlawful act.
Sec. 4. Be it further enacted, That the rights and interests of the several corporators shall not pass into the hands of personal representatives, but, in the event of death, shall remain in the families of each, according to the course of descent.

Sec. 5. Be it further enacted, That no streets, lanes, roads or alleys shall, at any time, be made or established over the grounds of said cemetery, or any part thereof, without the consent of the corporation, nor shall the same be condemned or taken, in any manner, for any public use, without such consent.

Sec. 6. Be it further enacted, That such corporator, or his successor, shall have power to sell and convey, by deed, his interest in the said cemetery grounds and improvements, and in the personal property acquired by the corporation; and the said corporators shall have power to sell and convey, by deed, the entire seal and personal estate belonging to said corporation, but only for the purpose of a cemetery, and without impairing the rights, interests, and privileges of persons who have before become proprietors of lots in said cemetery.

Sec. 7. Be it further enacted. That said corporation may prescribe the form of conveyance, for any lot or lots in said cemetery, and how the same shall be executed, and shall have full power to make all such by-laws and regulations as may be necessary to conduct the affairs of said corporation, and to improve and embellish said cemetery; Provided, The same be not inconsistent with the constitution and laws of this State and the United States.

Sec. 8. And, be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 5th day of February, A. D., 1866.]
AN ACT TO INCORPORATE THE ROCK ISLAND MANUFACTURING COMPANY, Chap. 33.
IN THE COUNTY OF MECKLENBURG.

SECTION 1. Be it enacted by the General Assembly of the Body politic, State of North Carolina, and it is hereby enacted by the authority of the same, That John A. Young, John Wilkes, Miles L. Wriston and James Earnshaw, and their associates, successors and assigns, be, and they are hereby created a corporation and a body politic, in law and in fact, by the name and style of the Rock Island Manufacturing Company, for the purpose of manufacturing wool, cotton, grain and other articles in the county of Mecklenburg, and by that name and style may sue and be sued, plead and be impleaded in any court of record, contract and be contracted with, have perpetual succession and a common seal, and acquire, possess, enjoy and retain real and personal estate, and also goods and merchandize, to enable them to carry on their business with advantage and profit, and shall so continue for thirty years, and during said period, and at the expiration thereof, may sell, barter, exchange and dispose of the real and personal estate acquired in a corporate character, as also all the articles manufactured and owned by them.

SEC. 2. Be it further enacted, That said corporation shall have power to make all necessary by-laws and regulations, not inconsistent with the laws and constitution of this State for its government, and to alter and amend the same at pleasure, and to appoint officers and agents to transact their business, and conduct their operations.

SEC. 3. Be it further enacted, That the capital stock of said company or corporation shall be one hundred thousand dollars; in shares of one thousand dollars each, and the capital stock may, at the discretion of the company, be enlarged to five hundred thousand dollars.

SEC. 4. Be it further enacted, That the stockholders, at their first general meeting, shall proceed to organize, by the election of such number of directors and officers,
as, in their judgment, may be necessary to properly attend to and conduct the business of the company, and in their by-laws, shall prescribe their general duties, and provide for their re-election, and for the general meetings of stockholders, and also prescribe the mode of election, manner and scale of voting, and the manner of issuing certificates of stock, and the mode of transferring and assigning the same. All officers, when once elected by said company, shall continue in office until their places are filled by others duly chosen, and the regular term of office shall not be less than one year. If the election of officers and filling vacancies be omitted on the day prescribed, the same may be done on any subsequent day, without forfeiting any of the rights or privileges of the company.

Sec. 5. And be it further enacted, That this act shall be in force from and after its ratification. [Ratified this 3rd day of March, A. D., 1866.]

Chap. 34. AN ACT TO INCORPORATE THE CLARENDON BRIDGE COMPANY, AND TO INVEST CERTAIN POWERS THEREIN.

Preamble. Whereas, By an act of the General Assembly of the State of North Carolina, passed in the year one thousand eight hundred and eighteen, entitled, "An act to authorize and empower James Seawell, and his associates, to build a bridge across the Cape Fear river, near Fayetteville," the said James Seawell, and his associates, were created a body corporate: and, whereas, in the year one thousand eight hundred and fifty-two, the Fayetteville and Northern Plank-Road Company became the assignees of the said James Seawell, and his associates, and took a transfer of the stock: and, whereas, on the twentieth day of December, one thousand eight hundred and sixty-five, all the interest of said Fayetteville and Northern Plank-
Road Company, in and to said bridge property was sold at public auction by act of the stockholders: and, whereas, at the said sale, A. A. McKethan, Henry Lilly, E. J. Lilly and Thomas McDonald, became the purchasers, and now desire to take a new corporate name and to enlarge the provisions of the former charter. Therefore,

Section 1. Be it enacted by the General Assembly of the Body politic of the State of North Carolina, and it is hereby enacted by the authority of the same, That A. A. McKethan, Henry Lilly, Edmund J. Lilly and Thomas McDonald, and such other parties as they may associate with them, their successors and assigns, are hereby declared to be a body corporate under the name of "The Clarendon Bridge Company," with a capital stock of forty thousand dollars, divided into shares of one hundred dollars each, and as such shall have all the rights, powers and privileges, which, by the laws of this State, belong to corporations in general.

Sec. 2. Be it further enacted, That said corporation shall not charge over the following rate of tolls, to wit:

<table>
<thead>
<tr>
<th>Vehicle Type</th>
<th>Rate of Toll</th>
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<tbody>
<tr>
<td>one horse cart</td>
<td>twenty-five cents</td>
</tr>
<tr>
<td>two horse cart</td>
<td>thirty cents</td>
</tr>
<tr>
<td>one horse wagon</td>
<td>twenty-five cents</td>
</tr>
<tr>
<td>two horse wagon</td>
<td>thirty-five cents</td>
</tr>
<tr>
<td>four horse wagon</td>
<td>sixty cents</td>
</tr>
<tr>
<td>five and six horse wagons</td>
<td>seventy-five cents</td>
</tr>
<tr>
<td>one horse pleasure vehicle</td>
<td>thirty cents</td>
</tr>
<tr>
<td>two horse pleasure vehicle</td>
<td>fifty cents</td>
</tr>
<tr>
<td>four horse pleasure vehicle</td>
<td>one dollar</td>
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<tr>
<td>man and horse</td>
<td>ten cents</td>
</tr>
<tr>
<td>single horse</td>
<td>five cents</td>
</tr>
<tr>
<td>cattle, sheep and hogs</td>
<td>five cents</td>
</tr>
<tr>
<td>foot passenger</td>
<td>five cents</td>
</tr>
</tbody>
</table>

and in case of failure of any person using the bridge, which the said corporation may re-build across the Cape Fear river, at Fayetteville, without paying the aforesaid tolls, the said Clarendon Bridge Company may, in their corporate name, by warrant before a justice of the peace, recover the same in such mode as is applicable to any other civil case of which a justice of the peace has jurisdiction. And this act shall be in force from and after its ratification. [Ratified this 30th day of January, A. D., 1866.]
Chap. 35. AN ACT TO INCORPORATE THE WELDON ENTERPRISE AND LOAN COMPANY.

Body politic. Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That R. W. Daniel, Charles J. Gee, J. T. Evans, J. B. Tilghman, B. W. Spilman, J. T. Gooch, W. A. Daniel, and such other persons as are, or may be hereafter associated with them, for the purposes hereinafter specified, and their successors, be, and the same are hereby created and constituted a body politic and corporate, under the name and style of "The Weldon Enterprise and Loan Company," and by that name may sue and be sued, plead and be impleaded, contract and be contracted with, have a common seal, which they may alter when they deem proper, and have all other powers and authorities usually granted to bodies corporate.

Capital Stock. Sec. 2. Be it further enacted, That the said company shall have a capital stock not exceeding the sum of two hundred thousand dollars, and may purchase and hold to them and their successors, all property real and personal necessary to the objects for which they are incorporated, not to exceed the amount of one million of dollars, and may transfer the same.

Object of company. Sec. 3. Be it further enacted, That the object and business of the said company shall be this: of building houses in the town of Weldon and its vicinity, to be rented, leased or sold, as the company may deem proper, and the construction of manufactories in Weldon, and its vicinity, for like purposes.

Power of stockholders. Sec. 4. Be it further enacted, That the stockholders of the said company, a majority being present, either in person or by proxy, shall have power to pass all by-laws and regulations necessary for the government and management of the company, and to elect all such officers as may be deemed proper for carrying out the object of the company, said officers to hold their offices for terms to be pre-
Section 1. Be it enacted by the General Assembly of the Body politic and corporate in the State of North Carolina, and it is hereby enacted by the authority of the same, That Edward Wool and Robert Dixon, with such persons as they may hereafter associate with them, their successors and assigns, are hereby created and constituted a body politic and corporate, by the name of the Albemarle Steam Navigation Company: and, as such body politic and corporate, and by such name, may sue and be sued, plead and be impleaded, shall have succession and a common seal; and may acquire, hold, possess, and transfer real and personal property, for the necessary purposes of the company; and may make and adopt all rules, regulations and by-laws for the government of said company, not inconsistent with the laws of this State or of the United States.

Sec. 2. Be it further enacted, That said company shall have all the rights, powers and privileges which they may deem necessary, to build, construct and purchase steamboats for the transportation of persons, goods, wares and merchandises, or any articles of property whatsoever, to and from any place situated on the Albemarle Sound, or its tributaries.

Sec. 3. Be it further enacted, That the capital stock of said company shall be one hundred thousand dollars, distributed in shares of such amount as shall be most convenient and necessary for the purposes of the company.
Sec. 4. And, be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 6th day of March, A. D., 1866.]

Chap. 37. AN ACT TO CHARTER THE HIGH SHOALS RAILROAD COMPANY.

Body politic. Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That for the purpose of establishing and maintaining a connection by railroad between the Ellison Ore Bank, by the High Shoals, in the county of Gaston, and the Wilmington, Charlotte and Rutherford Railroad, Charles Wilkes and John Wilkes, their associates, successors and assigns, be, and they are hereby incorporated, and made a body politic, by the name and style of the "High Shoals Railroad Company," with power to make, and from time to time to alter, such by-laws, rules and regulations, and to have such officers as may be necessary for the purpose of this act, with power also to have and use a common seal, to sue and be sued, plead and be impeached at law and in equity, and to have and enjoy the powers, privileges, and authorities conveyed by law on railroad and other companies and corporations, under the sixty-first and twenty-sixth chapters of the revised code of this State.

Powers. Sec. 2. Be it further enacted, That the said company shall have power to transport for such fare and reward as may be agreed upon, to and between the said points, all iron, minerals, produce, passengers and all other articles, goods and things whatsoever, by horse or steam power, as they deem proper, and the same to store for hire and reward.

Capital stock. Sec. 3. Be it further enacted, That the capital stock of said company shall not exceed the sum of one hundred and fifty thousand dollars, to be divided into shares of one hundred dollars each, and transferable and assignable
as may be provided by the by-laws of the company; and all such shares shall be deemed personal estate, and they may raise money by loan or otherwise, sufficient to equip and complete their road upon such terms and security as a majority of the holders of stock, representing a majority of the capital hereby authorized to be invested, may direct.

**Sec. 4. Be it further enacted,** That any obstruction to the safe and free passage of cars and other vehicles on the said road shall be deemed a public nuisance, and may be abated as such by any officer, agent or servant of the said company, and the person causing such obstruction may be indicted as for committing a public nuisance.

**Sec. 5. And, be it further enacted,** That this act shall be in force and full effect, from and after its passage.  
[Ratified the 19th day of February, A. D., 1866.]

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**AN ACT TO INCORPORATE THE RUDISIL GOLD MINING COMPANY, IN THE CHAP. 38. COUNTY OF MECKLENBURG, NORTH CAROLINA.**

**Section 1. Be it enacted by the General Assembly of the Body politic, State of North Carolina, and it is hereby enacted by the authority of the same,** That Charles Kalmback, of the town of Charlotte, North Carolina, and Augustus C. Peacht, Joseph Reynolds, William Fisher, John J. Wright and William R. Penniman, all of the city of Baltimore, Maryland, and their associates and successors, shall be, and they are hereby created and constituted a body corporate, by the name and style of "The Rudisil Gold Mining Company," for the purpose, and with all necessary powers and privileges, to carry on the business of mining, smelting and manufacturing any gold or other minerals, in the said county of Mecklenburg, and of transporting and vend ing the products of their business aforesaid, and shall have the power to acquire therefor, any estate, real, personal or mixed: Provided, That said
company shall not hold any real estate, other than such as may be convenient for enabling it to conduct its business; nor for that purpose, at any one time, a greater quantity than two thousand acres of land.

Capitol stock. Sec. 2. Be it further enacted, That the capital stock of said company shall not exceed seven hundred and fifty thousand dollars, and shall be divided into shares of five dollars each.

Board of Directors. Sec. 3. Be it further enacted, That the affairs of the said company shall be managed by a board of directors, one at least of whom shall be a citizen of this State, and until the first election of directors by the stockholders, the persons herein before named, shall be deemed the board of directors of said company.

Powers, etc. Sec. 4. Be it further enacted, That the corporation hereby created shall continue for thirty years, and have all the powers and privileges as provided by the revised code, chapter twenty-sixth, entitled, "corporations."

Sec. 5. And, be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 6th day of March, A. D., 1866.]

Chap. 39. AN ACT TO INCORPORATE TRANSLYVANIA SEMINARY, IN TRANSLYVANIA COUNTY, AT OR NEAR THE TOWN OF BREVARD.

Body politic. Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That A. D. Farmer, Samuel J. Tracy, J. E. Duckworth, Ephraim England, Isaac A. Harris, William W. Moore, O. L. Erwin, T. L. Gash, and all others who are, or may hereafter become stockholders, be, and they are hereby constituted a body politic and corporate, and shall be known and distinguished by the name of "Transylvania Seminary;" and, by that name, shall have perpetual succession and a common seal, and shall be vested with power and authority to sue
Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the au-

President and Trustee, how chosen, term of office, etc.

Sec. 2. Be it further enacted, That said seminary shall be under the management of a president and board of trustees, chosen by the stockholders, who shall hold their offices for one year, and until their successors are elected or appointed by the recommendation of a majority of the stockholders, in any meeting where a majority of the whole stock is represented, each share representing one vote. And the stockholders, their successors and assigns, shall have power to fix their annual or other meetings, elect their officers, and make all by laws necessary for the preservation of good order and protection of the interests of the institution, not inconsistent with the constitution and laws of the State of North Carolina, nor that of the United States.

Sec. 3. Be it further enacted, That the capital stock of the said corporation shall not exceed one hundred dollars, in shares of twenty-five dollars each, transferable on the books of the corporation, or in such other manner as may be prescribed in the by-laws or other regulations made by the president and trustees. Land, not exceeding fifty acres, and the improvements thereon, shall be exempt from taxation.

Sec. 6. And be it further enacted, That this act shall be in force and effect from and after its ratification. [Ratified the 19th day of February, A.D., 1866.]

AN ACT TO INCORPORATE RICHLAND FEMALE ACADEMY, IN THE COUNTY OF ONslow.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the au-
thority of the same, That J. M. Franck, James White, Abner Erwin, J. H. Foy, and L. W. Hargott, 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 Richland Female Academy," 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 and in equity to take, demand, receive and possess and hold all moneys, goods, chattels and choses in action that shall be given them for the use of the said Female Academy, and the same apply according to the will of the donors, and by gift, purchase or devise to take, 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 to, and for the use and purposes of establishing and endowing said Female Academy.

Sec. 2. Be it further enacted, That the said trustees and their successors, or a majority of them by the name aforesaid, shall be able and capable in law or equity to bargain, sell, grant, devise or dispose of and convey to the purchasers, any such lands, rents, tenements, hereditaments aforesaid, when the grant to them or the will of the devisor does not forbid it; and that they, the said trustees, and their successors, or a majority of them, shall be able and capable in law, and in equity, by the name aforesaid, to sue and implead, be sued and imploade, answer and be answered, in all courts of record whatsoever, and they shall have power to do all such things as are usually done, not in violation of the constitution, by bodies corporate and politic, or such as may be incorporated for the promotion of learning and virtue.

Sec. 3. And be it further enacted, That this act shall be in force from and after its ratification. [Ratified this 19th. day of February, A. D, 1866.]
AN ACT TO INCORPORATE UNION MINING COMPANY, IN THE COUNTY OF Chap. 41.

ROWAN, NORTH CAROLINA.

Section 1. Be it enacted by the General Assembly of the Body politic.

State of North Carolina, and it is hereby enacted by the authority of the same, That John Williams, of Gold Hill, North Carolina, and Joseph Reynolds, William Fisher, Augustus C. Pracht, Richard Norris, Jr., and Ferdinand Thayer, all of the city of Baltimore, Maryland, and their associates and successors, shall be, and they are hereby created and constituted a body corporate, by the name and style of "The Union Mining Company," for the purpose, and with all necessary powers and privileges, to carry on the business of mining, smelting and manufacturing any gold or other minerals in the said county of Rowan, and of transporting and vending the products of their business aforesaid, and shall have the power to acquire therefor any estate, real, personal or mixed: Provided, That said company shall not hold any real estate, other than such as may be convenient for enabling it to conduct its business, nor for that purpose, at any one time, a greater quantity than two thousand acres of land.

Sec. 2. Be it further enacted, That the capital stock of said company shall not exceed five hundred thousand dollars, and shall be divided into shares of five dollars each.

Sec. 3. Be it further enacted, That the affairs of the said company shall be managed by a board of directors, one at least of whom shall be a citizen of this State, and until the first election of directors by the stockholders, the persons herein before named, shall be deemed the board of directors of said company.

Sec. 4. Be it further enacted, That the corporation hereby created shall continue thirty years, and have all the powers and privileges, as provided by the revised code, chapter twenty-six, entitled, "corporations."
Sec. 5. And be it further enacted, That this act shall be in force from and after its ratification. [Ratified this 6th day of March, A. D., 1866.]

Chap. 42. AN ACT TO INCORPORATE THE CAROLINA JOINT STOCK INSURANCE AND TRUST COMPANY.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That Charles B. Root, Robert W. Haywood, J. J. Ferrell, and their associates and successors and assigns, are hereby created and constituted a body politic and corporate, by the name of "The Carolina Joint Stock Insurance and Trust Company."

Sec. 2. Be it further enacted, That the said company shall have power to make all and every insurance, appertaining to, or connected with, fire or like risks of whatever kind or nature.

Sec. 3. Be it further enacted, That it shall be lawful for said corporation to receive deposits of money, and loan the same; said loans to be secured by pledges of personal property, as at common law, of double the value of the sum so loaned; Provided, Said corporation shall issue no certificates of deposit, or bills payable in gold or currency, to be used as currency.

Sec. 4. Be it further enacted, That the first meeting of said company shall be called by any one or more of the persons named in the act of incorporation, upon giving two days notice, in writing, to each and all the parties interested.

Sec. 5. And, be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 6th day of March, A. D., 1866.]
AS ACT TO AUTHORIZE THE WILMINGTON, CHARLOTTE AND RUTHERFORD RAILROAD COMPANY TO EXTEND SAID ROAD FROM THE TOWN OF RUTHERFORDTON BY THE MOST PRACTICABLE ROUTE WESTWARD TO SOME POINT OF INTERSECTION WITH THE WESTERN EXTENSION OF THE NORTH CAROLINA RAILROAD, AT OR NEAR THE TOWN OF ASHEVILLE, IN BUNCOMBE COUNTY.

SECTION 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the Wilmington, Charlotte and Rutherford Railroad Company, heretofore incorporated for the purpose of effecting railroad communication between Wilmington, Charlotte and Rutherfordton, are hereby authorized and empowered to extend said railroad to or near the town of Asheville, in the county of Buncombe, locating the line of said road upon such route as the president and directors of said company, in their discretion may deem most judicious and practicable. To enable said company to do so, it is hereby invested with authority to direct the president and directors thereof, to cause books of subscription for additional stock, to be opened by them in such manner and at such places and times as said officers, in their discretion, may see fit, and payable at such time and in such manner as said officers may prescribe; and are fully vested with all the powers, rights and privileges, in locating said extension, as is accorded by the acts of incorporation.

SEC. 2. Be it further enacted, That the extension of said road, as contemplated by this amendatory act, shall be constructed solely by said company, without any aid from the State of North Carolina, by a loan of its credit or otherwise, as is provided for by the charter of said corporation.

SEC. 3. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified this 9th day of March, A D. 1866.]
Chap. 44. AN ACT TO AUTHORIZE THE SALE OF THE ROANOKE VALLEY RAILROAD.

Authority given to sell railroad, etc.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That it shall be lawful for the president and board of directors of the Roanoke Valley Railroad company, if so authorized by the stockholders of said company, to sell at public or private sale, as they may deem most expedient, the said railroad, its property, real and personal, its rights, claims, privileges and franchises, and to make such transfer and conveyances as may be necessary in the premises, to vest in the purchaser or purchasers a full and complete title thereto: Provided, That such sale of the said road shall not be made for less than a sufficiency to satisfy the mortgage and floating indebtedness of the said company, and that the terms of such sale, transfer and conveyances as aforesaid, shall secure and guarantee the reconstruction of the railroad from Clarksville to the junction with the Raleigh and Gaston Railroad, as the proper completion and equipment of the said Roanoke Valley Railroad from Clarksville to Keysville, or from Clarksville to the junction of the Southside and Danville Railroads, within a reasonable time, to be determined, with discretion of the president and board of directors of the said Roanoke Valley Railroad Company.

Sec. 2. Be it further enacted, That the president and board of directors of the said Roanoke Valley Railroad Company, shall, out of the proceeds of such sale of the said Roanoke Valley Railroad, first, to promptly pay all the indebtedness of the said company as aforesaid, and then shall be paid to the State of Virginia the preferred stock held by the commonwealth, in said company, and then whatever remains of the proceeds of such sale shall be divided rateably among the stockholders of said Roanoke Valley Railroad Company.
Sec. 3. And, be it further enacted, That this act shall be in force from its passage. [Ratified the 12th day of March, A. D., 1866.]

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE CHOCOMACON COUNTY TURNPIKE COMPANY," PASSED AT THE SESSION OF EIGHTEEN HUNDRED AND FIFTY-SIX AND FIFTY-SEVEN.

SECTION 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the eighteenth section of the above recited act be so amended as to read as follows: That as soon as five hundred dollars shall have been subscribed and paid by solvent individuals, it shall be the duty of the agents of the State, for the collection of the Cherokee bonds, to subscribe, of the stock of the company, on the part of the State, five hundred dollars, on bonds given, and to be given, for lands situated in the counties of Macon, Cherokee and Clay, or money which has been, or may hereafter be, paid into his office, on said bonds or otherwise; and said bonds are hereby pledged for that purpose, and, in like manner as the subscription stock of the company may, from time to time, be increased by individuals, solvent and able to pay the subscription, shall be increased on the part of the State, in proportion aforesaid, until the road is completed; and the State shall be represented by the said agent of the State, or by some person appointed by him, in the election of directors, in proportion to the number of shares owned by the State in said company: Provided, however, That the State shall not be called on for the payment of her stock faster than payment is made by individual stockholders.

Sec. 2. Be it further enacted, That all laws and clauses of laws, coming in conflict with the provisions of this act, are hereby repealed.
Act not to apply.

Sec. 3. Be it further enacted, That this act shall not be so construed as to apply to an act passed at the present session of the General Assembly, to amend the charter of the Tuckasegee and Keowee Turnpike Company, in the county of Jackson.

Sec. 3. And, be it further enacted. That this act be in force from and after its ratification. [Ratified the 17th day of February, A. D., 1866.]

Chap. 46. AN ACT FOR THE RELIEF OF THE PRESIDENT, DIRECTORS AND COMPANY OF THE WASHINGTON TOLL BRIDGE.

Released from certain forfeitures and penalties.

That the president, directors and company of the Washington Toll Bridge, be, and the said corporation is hereby released from all forfeitures and penalties incurred for, or on account of the failure to rebuild and reconstruct the said bridge since the destruction of the same by fire, upon the evacuation of the town of Washington by the United States troops, and that the said company shall be allowed to rebuild and reconstruct the said bridge: Provided, That this privilege shall not extend beyond the period of twelve months, from and after the ratification of this act.

Sec. 2. Be it further enacted, That until said bridge shall be rebuilt and repaired (provided it shall be done within twelve months from the ratification of this act) the said company are hereby authorized to substitute a boat or boats in lieu of the bridge, and the rates of ferryage shall be the same as the rates of toll over the said bridge, which are hereinafter established.

Sec. 3. Be it further enacted, That the tolls charged for the use of said bridge shall not exceed the following rates: one person, five cents; one horse, twenty cents; every two wheeled carriage, twenty-five cents; every four...
Sec. 4. And be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 6th day of March, J. D., 1806.]

AN ACT TO INCORPORATE THE LEAKSVILLE MALE ACADEMY, IN THE COUNTY OF ROCKINGHAM, AND TO APPOINT THE TRUSTEES THEREOF.

Chap. 47.

Sec. 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That Edward T. Brodnax, James C. Martin, Alexander Mar, Daniel E. Field, Samuel Smith, Pryor Reynolds, John R. Winston, and A. P. Johns, Jr., be, and they are hereby incorporated by the name and style of "the trustees of the Leaksville Male Academy," and by that name shall be able and capable in law, to sue and be sued, plead and be imploided, acquire by purchase, gift or otherwise to them and their successors, real and personal estate for the use of the academy, and enjoy all other powers, privileges and immunities belonging to bodies corporate of the like nature.

Sec. 2. Be it further enacted, That in case of any vacancy occurring by death, resignation or otherwise of said trustees, the remainder or a majority of them, may appoint successors to the same, who shall have the same powers and authority as the trustees constituted by this act.
SEC. 3. And be it further enacted, That this act shall be in force, to take effect from and after its ratification, and shall continue in force for a period of thirty years. [Ratified this 24th day of February, A. D., 1866.]

Chap. 48. AN ACT TO INCORPORATE STOKES LODGE, NO. 32, OF FREE AND ACCEPTED MASON'S, IN THE TOWN OF CONCORD, COUNTY OF CABARRUS.

Body politic. Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That J. C. H. Buckhead, W. A. Patterson, C. A. Caldwell, Daniel Coleman, R. P. Harris, and their associates of the masonic fraternity, of the town of Concord, and their successors, are hereby incorporated as such, in the name and style of "Stokes Lodge, number thirty-two," and by that name may have succession and a common seal, sue and be sued, plead and be imploaged in any court of record, or before any justices of the peace in this State, contract and be contracted with, acquire, hold and dispose of personal property for the benefit of said Lodge, and also such real estate as may be required for the convenient transaction of its business.

Power. Sec. 2. Be it further enacted, That the said corporation shall have power to pass all necessary by-laws and regulations for its own government, which may not be inconsistent with the constitution and laws of this State, or of the United States.

Sec. 3. And, be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 6th day of March, A. D., 1866.]
AN ACT TO INCORPORATE THE MYSTIC TIE LODGE, NUMBER TWO HUNDRED Chap. 49.
AND THIRTY-SEVEN, IN THE TOWN OF MARION, MCDOWELL COUNTY.

SECTION 1. Be it enacted by the General Assembly of the Body politic.
State of North Carolina, and it is hereby enacted by the authority of the same, That the master and wardens, and their successors in office, are hereby constituted a body corporate and politic, by the name and style of "Mystic Tie Lodge, number two hundred and thirty-seven," in the town of Marion, McDowell county, and by that name shall have perpetual succession and a common seal, may sue and be sued, plead and be impleaded, and, in general, exercise and enjoy all such rights and privileges as are usually incident to corporate bodies of the like nature.

Sec. 2. And be it further enacted, That this act shall be in full force from and after its ratification. [Ratified the 6th day of March, A. D., 1866.]

AN ACT TO INCORPORATE LITTLE RIVER SELECT SCHOOL, IN THE Chap. 50.
COUNTY OF ORANGE.

SECTION 1 Be it enacted by the General Assembly of the Body politic.
State of North Carolina, and it is hereby enacted by the authority of the same, That Charles Wilson, Lambert W. Hall, Joseph W. McKee, Charles R. Wilson, Felix G. Wilson, Tyne B. Ray, James Allison, Nelson P. Hall, John C. Witherson, David R. McKee, and John W. Wilson, and their successors, be, and they are hereby incorporated and made a body politic, under the name and style of "the trustees of the Little River Select School, in the county of Orange," with the usual rights, powers and privileges, and subject to the usual restrictions of such corporations.

Sec. 2. And be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 6th day of March, A. D., 1866.]
Chap. 51. AN ACT TO RENEW THE CHARTER OF THE HIWASSEE TURNPIKE COMPANY.

Re-enacts certain laws.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That an act passed at the session of the General Assembly of eighteen hundred and thirty-eight, thirty-nine, entitled "An act to incorporate the Hiwassee Turnpike Company," together with an act passed at the session of the General Assembly eighteen hundred and forty-two, forty-three, amendatory of the first named act, be, and the same are hereby in all things re-enacted.

Stockholders re-invested.

Section 2. Be it further enacted, That the stockholders in the said company at the expiration of the said charter are hereby invested with same rights, privileges and powers as they were entitled to under the original act.

Section 3. And, be it further enacted, That this act shall extend to a period of twenty years, and be in force from its ratification. [Ratified the 6th day of March, A. D., 1866.]

Chap. 52. AN ACT TO AMEND THE CHARTER OF "THE ASHEVILLE AND GREENVILLE PLANK ROAD COMPANY."

Change of name.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That "the Asheville and Grenville Plank Road Company" shall, hereafter, be known as "The Buncombe Turnpike Company."

Increase of toll rates.

Section 2. Be it further enacted, That "the Buncombe Turnpike Company" be allowed to increase, at their discretion, the rates of toll given by section seventh of the act of eighteen hundred and twenty-four, not exceeding fifty per cent.
Sec. 3. Be it further enacted, That all persons in the counties of Buncombe, Henderson and Madison, traveling beyond the limits of their respective counties, shall be required to pay toll in the counties in which they reside.

Sec. 4. Be it further enacted, That all laws and clauses of laws heretofore passed, inconsistent with the provisions of this act, are hereby repealed.

Sec. 5. And, be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 12th day of March, A. D., 1866.]

AN ACT TO INCORPORATE ENOE LODGE, OF FREE AND ACCEPTED MASON MEMBERS.

Section 1. Be it enacted by the General Assembly of the Body politic, State of North Carolina, and it is hereby enacted by the authority of the same, That John R. Green, W. M., and the other officers of the Lodge of Free and Accepted Masons, at Durhams, in Orange county, with their successors, are hereby incorporated, by the name and style of "Enoe Lodge, number two hundred and ten," subject to the provisions of chapter twenty-six, of the revised code.

5 c. 2. And, be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 14th day of February, A. D., 1866.]

AN ACT TO AMEND AN ACT PASSED AT THE SESSION OF EIGHTEEN HUNDRED AND FIFTY, FIFTY-ONE, AND AMENDED AT THE SESSION OF EIGHTEEN HUNDRED AND FIFTY-FOUR, FIFTY-FIVE, AND EIGHTEEN HUNDRED AND FIFTY-EIGHT, FIFTY-NINE, ENTITLED "AN ACT TO INCORPORATE THE TUCKASEEGEE AND KEOWEE TURNPIKE COMPANY."

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authorize.
authority of the same, That the agent of the State for the collection of bonds given for Cherokee lands, be, and he is hereby authorized to subscribe to the Main Trunk Road, from Webster, in Jackson county, to the South Carolina line, instead of the branches to said road, until it is completed, out of any bonds or money which may be in his hands, or may come into his hands.

Sec. 2. Be it further enacted, That it shall not be lawful for said agent to apply said bonds to any other purpose until said road is fully completed.

Sec. 3 Be it further enacted, That the president of said Tuckasegee and Keowee Turnpike Company, may draw upon said agent for bonds, from time to time, as fast as the lots are fully completed.

Sec 4 Be it further enacted, That this act shall not be so construed as to apply to an act passed at the present session of this Legislature, to amend the charter of the Mason County Turnpike Company.

Sec. 5 Be it further enacted, That all laws and clauses of laws coming in conflict with this act, be, and the same is hereby repealed.

Sec 6 And be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 15th day of February, A. D., 1866.]

Chap. 5. AN ACT TO INCORPORATE THE COUNTY LINE LODGE, NUMBER TWO HUNDRED AND TWENTY-FOUR, A. Y. M.

Body politic. Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the officers and members, who are at present, or in future may be, of County Line Lodge, number two hundred and twenty-four, of Free and Accepted Masons, at County Line, in Davie county, be, and they are hereby incorporated into a body politic
and corporate, under the name and style of "County Line Lodge, number two hundred and twenty-four, of Free and Accepted Masons," and, by that name, may have succession and a common seal, sue and be sued, plead and be impleaded, in any court of record, or before any justice of the peace in this State, contract and be contracted with, acquire, hold and dispose of personal property for the benefit of said lodge, and also such real estate, as may be necessary for the transacting and carrying on the business of said lodge.

Sec. 2. Be it further enacted, That the said corporation shall have power to pass all necessary by-laws and regulations for its own government, which may not be inconsistent with the constitution of the United States, nor with the constitution of North Carolina.

Sec. 3. And, be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 12th day of March, A. D., 1868.]

AN ACT TO AMEND AN ORDINANCE OF THE STATE CONVENTION, ENTITLED "AN ORDINANCE TO INCORPORATE THE PIEDMONT RAILROAD COMPANY," RATIFIED THE EIGHTH DAY OF FEBRUARY, EIGHTEEN HUNDRED AND SIXTY-TWO.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That so much of the ordinance of the State Convention, entitled "An ordinance to incorporate the Piedmont Railroad Company," ratified the eighth day of February, one thousand eight hundred and sixty-two, as regulates or prescribes the gauge of the said railroad, is hereby repealed. And the said Piedmont Railroad Company is hereby authorized to charge and regulate the gauge of its road at such time, and in such manner, as in the judgment of the president
and directors thereof, the interests of said Company may require.

Sec. 2. And be it further enacted, That this act shall be in force from and after its ratification. [Ratified this 1st day of February, A. D., 1866.]

Chap. 57. AN ACT TO EXEMPT THE RALEIGH AND GASTON RAILROAD COMPANY FROM RE-BUILDING THE BRIDGE ACROSS THE ROANOKE, AT GASTON.

SECTION 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the Raleigh and Gaston Railroad Company, be, and it is hereby exempted from keeping up, across the Roanoke, near Gaston, the bridge which heretofore formed a part of the railroad: Provided, That a majority of the entire stock in amount shall so desire.

Sec. 2. Be it further enacted, That at the next general meeting of the stockholders of said company, when a sufficient amount of stock shall be represented, the company may declare whether it accepts or rejects the privilege of being thus exempted from rebuilding said bridge. And if it shall accept the said exemption, the acceptance thereof shall be entered on the proceedings of the company and notified by the president to the Secretary of State, and thenceforth the exemption from keeping up said bridge shall become a part of the charter of the company, and not otherwise: Provided, nevertheless, That the General Assembly may, at any time, after the term of five years from the ratification of this act, repeal the same, and thereafter the company shall rebuild said bridge, if the General Assembly shall so direct. [Ratified this 19th day of January, A. D., 1866.]
AN ACT TO AMEND AN ACT PASSED BY THE GENERAL ASSEMBLY AT Chap. 58.

THE SESSION OF EIGHTEEN HUNDRED AND THIRTY-EIGHT, THIRTY-NINE, ENTITLED "AN ACT TO INCORPORATE THE TRUSTEES OF GREENSBORO' FEMALE COLLEGE, IN THE COUNTY OF Guilford."

SECTION 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That said trustees be, and are hereby authorized and empowered to issue certificates of stock in said corporation, under such rules and regulations as may be adopted by them, to the extent of two hundred thousand dollars, consisting of shares of fifty dollars each; and they are hereby clothed with authority to make sale of such certificates of stock, with the understanding that said trustees may redeem such certificates, by refunding to the purchaser the cost price thereof, with interest thereon from the time of the purchase until redeemed, at the rate of six per centum per annum, subject to a reduction of any dividends which may have been received by such stockholders upon his certificate of stock as aforesaid.

SEC. 2. And, be it further enacted, That this act shall take effect from and after its ratification. [Ratified the 10th day of March, A. D., 1866.]

AN ACT TO AMEND THE CHARTER OF THE GOVERNOR'S CREEK STEAMBOAT TRANSPORTATION AND MINING COMPANY. Chap. 59.

SECTION 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the charter of the Governor's Creek Steamboat Transportation and Mining Company, granted at the session of eighteen hundred and fifty, be amended by changing the name to "The Egypt Company," and that said company have authority to establish...
a foundry and machine shops, and also to grind grain and make concentrated manures. [Ratified the 6th day of March, A. D. 1863.]

Chap. 60. AN ACT TO INCORPORATE THE PORTIS GOLD MINING COMPANY, IN THE COUNTY OF FRANKLIN.

Body politic. Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That Thomas K. Thomas, Ellis Malone, Joseph J. Davis, Peyton J. Brown, and Charles H. Thomas, and their associates, successors and assigns, are hereby created and constituted a body politic and corporate by the name, style and title of the "Portis Gold Mining Company," for the purpose of working, mining and exploring for gold, copper and all other metals and minerals, and for mining, vending, smelting and working the same; and may also purchase, hold, sell, mortgage, lease or convey real or personal property or estate, with a capital not to exceed five hundred thousand dollars.

Powers. Sec. 2. Be it further enacted, That said corporation may divide their stock into shares of not less than fifty dollars, issue certificates therefor, elect a president, directors and all other necessary officers, and make and adopt rules, regulations and by-laws for the government of said company, and be entitled to all the rights, privileges and immunities, and subject to all the restrictions contained in chapter twenty-six, of the revised code, entitled corporations.

Sec. 3. And, be it further enacted, That this corporation shall exist for thirty years, and this act shall be in force from and after its ratification. [Ratified the 5th day of February, A. D., 1866.]
AN ACT TO INCORPORATE THE MINISTERS' RELIEF SOCIETY, FOR THE EASTERN BAPTIST ASSOCIATION.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That Benjamin Oliver, David J. Middleton, James H. Stevens, James L. Boykin, John D. Carroll, Abner M. Faison and David K. Kornegay, and their successors, be appointed trustees of the "Ministers' Relief Society," and be constituted a body politic and corporate, by the name and style of "The Ministers' Relief Society for the Eastern Baptist Association," (formerly known as the Union Relief Society,) for the purpose of raising a permanent fund for the relief of infirm and superannuated ministers, who have labored within the limits of said Association for a period not less than five years, and for the widows and children of such.

Sec. 2. Be it further enacted, That the said trustees, and their successors, shall be invested with all the rights and privileges, and be subject to the rules and regulations of the twenty-sixth chapter of the Revised Code, entitled "Corporations," so far as they are applicable to corporations of this nature.

Sec. 3. And, be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 6th day of February, A. D., 1866.]

AN ACT TO REVIVE AND AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE SULPHUR SPRINGS CAMP GROUND," IN THE COUNTY OF CLEVELAND.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That an act entitled "an act to incorporate Sulphur Springs Camp Ground, in the county
of Cleaveland,'" ratified February twenty-third, eighteen hundred and sixty-one, chapter sixty-eight, be, and the same is hereby re-enacted and so amended, as to read after the word "property," in the seventh line after the enacting clause, the words, "have jurisdiction over all the lands heretofore conveyed or which may hereafter be conveyed to the trustees for the use of the church or camp ground."

SEC. 2. And, be it further enacted, That this act shall take effect from and immediately after its ratification. [Ratified the 6th day of March, A. D., 1866.]

Chap. 63. AN ACT TO AMEND THE CHARTER OF THE WILLIAMSTON AND TARBOROUGH RAILROAD COMPANY, AND FOR OTHER PURPOSES.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the charter of the Williamston and Tarborough Railroad Company, be so amended as to fully authorize and empower said company, either before or after the completion of their road, so to consolidate and merge said road (the consent of the Wilmington and Weldon Railroad Company having first been given thereto) as to make it a continuation or prolongation of the Tarborough branch of the Wilmington and Weldon Railroad. [Ratified this 12th day of March, A. D., 1866.]

Chap. 64. AN ACT TO INCORPORATE CATAWBA VALLEY LODGE, NUMBER TWO HUNDRED AND SEVENTEEN, OF FREE AND ACCEPTED MASONS.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That Dr. John Happoldt, Dr. William C. Tate, William C. Moore, W. M. Winters, J. A.
Claywell, J. C. W. Tate and J. C. Tate, and other officers and members of the Lodge of Free and Accepted Masons at Morganton, in Burke county, with their successors, are hereby incorporated by the name and style of Catawba Valley Lodge, number two hundred and seventeen, subject to the provisions of chapter twenty-six, of the revised code.

Sec. 2. And, be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 14th day of February, A. D., 1866.]

**MISCELLANEOUS.**

**AN ACT TO AUTHORIZE THE JUSTICES OF CARTERET COUNTY TO LEVY**

**TAXES FOR THE SUPPORT OF THE POOR, AND FOR OTHER COUNTY PURPOSES.**

WHEREAS, By reason of the occupation of Carteret county by the United States forces, no property has been listed for taxation in that county under the laws of this State since the year one thousand eight hundred and sixty-one; and the condition of the finances of the county is such that no suitable provision can be made for the support of the poor, or for other county purposes, until revenue can be collected; Therefore,

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the court of Carteret county, at February term, one thousand eight hundred and sixty-six, of said court (one-third of the justices of the county being present) shall have power to levy such taxes on the real estate of the county, as listed for taxation in the year one thousand eight hundred and sixty-one, and on every male resident of the county, between the ages of twenty-
one and forty-five years, without previous listing, as the
said justices may consider expedient and necessary, for
the support of the poor, and for other county purposes.

Sec. 2. Be it further enacted, That if such taxes shall
be levied, the clerk of said court shall prepare and deliver
to the sheriff, on or before the tenth day of March next,
full and complete lists of the various parcels of real es-
tate listed for taxation in the year one thousand eight
hundred and sixty-one, with the names returned on the
lists of that year as owners of said real estate, the value
of the same, with the taxes calculated thereon in the
manner heretofore prescribed by law. And the sheriffs, on
receiving said lists, shall proceed immediately to collect
the said taxes, and shall in every case collect from the
present owner of the real estate, where such owner can
be ascertained, and shall also ascertain by diligent inquiry
and by visits to the domicils of persons, if necessary,
what persons are liable for the poll tax levied by the jus-
tices aforesaid, and shall collect the same immediately;
and upon refusal of any person to pay such poll tax, the
sheriff may sell, after twenty days public notice, at the
court house and two other public places in the county,
yany personal property belonging to the delinquent, to sat-
ify the same; and in cases where the taxes on any real
estate entered on said lists, shall not be paid before the
May term, one thousand eight hundred and sixty-six, of
the county court of said county, the sheriff shall make re-
turn of the same to the said court at said term, and the
court may order writs of venditioni exponas to issue to the
sheriffs to sell the said real estate, as heretofore prescribed
by law. And the sheriff shall pay over the taxes by him
collected under this act, to such person or persons, and at
such time as the said justices may direct.

Sec. 3. Be it further enacted, That if it shall appear
that any of the real estate mentioned in the said lists, has,
by fire or other casualty, been reduced in value, or by the
erection of buildings or other improvements thereon, has
increased in value since the time of listing the same in eighteen hundred and sixty-one, the sheriff shall summon two freeholders who shall assess the present value of the same, and the sheriff shall collect the taxes on such valuation.

Sec. 4. And, be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 26th day of January, A. D., 1866.]

AN ACT TO EXTEND RELIEF TO ROBERT CHRISTY AND OTHERS. Chap. 66.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That Daniel Christy and his assignees, Robert Christy, B. P. Hinman and R. H. Stevenson be, and they are hereby re-instated in all the rights and privileges which they, or either of them, possessed on the twentieth day of May, eighteen hundred and sixty-one, respecting entries to lands in Cherokee and Macon counties, with the following exceptions and conditions.

Sec. 2. Be it further enacted, That all sums of money due from the above-named parties, or either of them, on account of said entries of lands, shall be payable in four equal yearly installments, the first payment to be made on or before the first day of July, eighteen hundred and sixty-six, and the remaining payments shall be made on or before the first day of July, eighteen hundred and sixty-seven, eighteen hundred and sixty-eight, and eighteen hundred and sixty-nine, and, at the time of making said payments, the interest due on the amount so paid shall be added to the principal and paid therewith, and all taxes due to the State of North Carolina, or to the counties of Cherokee and Macon, shall be paid on or before the first day of July, eighteen hundred and sixty-six.
Rights, not to apply.

SEC. 3. Be it further enacted, That the rights extended by this act shall not apply to any case where other parties have made entries since the expiration of the original entries, that were taken out by the parties named in the first section of this act, or either of them, but, in all cases, where subsequent entries have been made, a pro rata deduction shall be made from the amount of the purchase money; and the said Daniel Christy, or his assigns, shall not be held liable for any taxes upon lands where their right of entry has been defeated.

SEC. 4. Be it further enacted, That where the above-said parties shall have paid the full sum due on said land entries, together with all interest and taxes, whether State or county, due thereon, the Secretary of State shall execute grants for said lands upon the entries that have been heretofore made by them; and such grants, when executed, shall be as valid in law as if the entries had been renewed.

SEC. 5. And, be it further enacted, That this act shall be in force from and after its passage. [Ratified the 12th of March, A. D. 1866.]

Chap. 67. AN ACT TO AUTHORIZE THE COUNTY COURT OF CUMBERLAND TO APPOINT INSPECTORS OF NAVAL STORES.

SEC. 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That at the first regular term of the county court of Cumberland, which shall be held after the first day of January, in each and every year, a majority of the justices being present, it shall be the duty of the said court to appoint two persons of integrity and skill, inspectors of naval stores for the town of Fayetteville, who, before entering on the duties of their office, shall give bond to the State of North Carolina in the sum of five hundred dollars, conditioned for the faithful per-
formance of the same, and shall take the oath prescribed by law for inspectors.

Sec. 2. Be it further enacted, That the inspectors of naval stores for the town of Fayetteville shall receive as their fees, five cents for guaging and inspecting each cask of spirits of turpentine, and two and half cents for each barrel of crude turpentine and rosin, which fees, in all cases, shall be paid by the purchaser; and if any inspector shall demand, receive or exact any other fees, he shall be guilty of a misdemeanor, and on conviction thereof in the county or superior court, shall be fined at the discretion of the same: Provided, however, That the foregoing shall not be so construed as to prohibit inspectors from receiving such fees as are just and equitable for cooperage.

Sec. 3. Be it further enacted, That any person may sell naval stores in the town of Fayetteville, without submitting the same to inspection, when the seller and purchaser so elect.

Sec. 4. Be it further enacted, That naval stores shipped from the town of Fayetteville by the producer, and not offered for sale in that market, shall not be subject to inspection at that place.

Sec. 5. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 22nd day of February, A. D., 1866.]

AN ACT TO AMEND AN ACT CONCERNING JUSTICES OF THE PEACE, IN BLADEX COUNTY.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the first section of the seventeenth chapter of the private laws of North Carolina, passed by the General Assembly at its session of eighteen hundred and sixty-two, sixty-three, entitled "a bill
concerning justices of the peace,' be, and the same is hereby so amended, as to read that hereafter in the county of Bladen five justices of the peace shall have the same power and authority that is now vested either in one-third or a majority of the justices, except in levying taxes and appointing a special court.

Sec. 2. Be it further enacted. That the court of pleas and quarter sessions, for the county of Bladen in appointing a special court, shall not select more than one justice of the peace from an election precinct.

Sec. 3. And, be it further enacted, That this act shall be in force from and after its passage. [Ratified the 10th day of March, A. D., 1866.]

Chap. 69. AN ACT TO LEGALIZE THE ACTS OF THE COUNTY COURTS OF GASTON AND LINCOLN COUNTIES.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the acts of provisional magistrates of the county of Gaston at a session of the court held in August, eighteen hundred and sixty-five, and the acts of magistrates of Lincoln county, held at a session of the court in January, eighteen hundred and sixty-six, be, and the same are hereby legalized.

Sec. 2. And, be it further enacted, That the sheriffs of said counties be authorized and directed to collect the taxes laid by the magistrates at the courts herein mentioned, and that this act be in force from its ratification. [Ratified the 6th day of March, A. D., 1866.]
AN ACT TO AMEND THE COUNTY LINE OF MITCHELL, AND TO ANNEX A PART OF YANCEY COUNTY TO THE COUNTY OF MITCHELL.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the county line of Mitchell county shall be so amended as to run from the mouth of Big Rock creek down Loee river to the mouth of Brammet's creek, and up the extreme height of the ridge that divides the waters of Pigeon Roost creek and Brammet's creek to the top of the big ridge to the former line of the county line of Mitchell, and then running with said line to where it joins the Tennessee line, and then running with the old county line to the mouth of Big Rock creek to the beginning, so as to leave all west of said first named line to the county of Yancey.

Sec. 2. Be it further enacted, That all laws coming in conflict with this act are hereby repealed.

Sec. 3. And be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 24th day of February, A. D, 1866.]

AN ACT TO AUTHORIZE THE CLERK OF THE COURT OF PLEAS AND QUARTER SESSIONS OF CHOWAN COUNTY TO QUALIFY THE SHERIFF ELECT OF SAID COUNTY.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the clerk of the court of pleas and quarter sessions of Chowan county, in the presence of a majority of the justices of said county, be, and he is hereby authorized to administer the oaths of office to the sheriff elect of said county, and take the bond, to be approved by said justices, required of sheriffs in chapter one hundred and five, section thirteen, of revised code.
Sec. 2. Be it further enacted, That the magistrates, when assembled to take the bonds of the sheriff elect, shall have power, and are hereby authorized to levy a tax for county purposes according to the provisions of chapter twenty eight of the revised code.

Sec. 3. And be it further enacted, That this act shall be in force from and after its ratification. [Ratified this 19th day of February, A. D., 1866.]

Chap. 72. AN ACT TO AUTHORIZE THE CHAIRMAN OF THE COUNTY COURT FOR ALAMANCE COUNTY TO SELL REAL ESTATE.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That Jesse Gant, chairman of the county court of Alamance county, be, and the same is hereby authorized on the recommendation of the justices for Alamance county in open court, a majority of the justices being present, to sell the real estate belonging to said county known as the "poor-house tract of land," and he is hereby authorized to make good title to the same to the purchaser.

Sec. 2. Be it further enacted, That the funds arising from said sale shall, under the directions of said justices, be invested in real estate on which a poor house is to be established, which real estate shall be held by the county for the benefit of the poor of the county.

Sec. 3. And, be it further enacted, That this act shall be in force from its passage. [Ratified the 12th day of March, A. D., 1866.]
AN ACT TO AMEND AN ACT PASSED EIGHTEEN HUNDRED AND SIXTY-FIVE, SIXTY-SIX, CONCERNING THE RECORDS OF BURKE AND SAMPSON COUNTIES.

SECTION 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the second section of an act passed the first meeting of the General Assembly, eighteen hundred and sixty-five, sixty-six, concerning the destruction of the records of the counties of Burke and Sampson, be so amended as to read as follows: That where the original deed or deeds are lost, and there are no copies of the same, copies of any intermediate deed or deeds concerning the same land, upon satisfactory proof before any one of the judges of the superior courts, or before the county courts, of such conveyance having been made, shall be admitted to registration, in the same county where such original deed should have been proven, and shall be evidence of the same. [Ratified the 1st day of February, A.D., 1866.]

AN ACT FOR THE RELIEF OF SUCH PERSONS AS MAY SUFFER FROM THE BURNING OF THE COURT HOUSE AND RECORDS OF WASHINGTON COUNTY.

WHEREAS, In the month of December, one thousand eight hundred and sixty-two, the court house and records of Washington county were destroyed by fire: and, whereas, great inconvenience and injury may happen therefrom to the people. And for remedy whereof,

SECTION 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the provisions contained in the act passed at the session of the General Assembly of North Carolina, in eighteen hundred and sixty-two, sixty-
three, chapter sixth, and ratified the twentieth day of December, eighteen hundred and sixty-two, in relation to the recovery of the records of Hertford county, shall hereby be extended to Washington county, to all intents and purposes, so far as the same may be applicable to the destruction of the registry and records of Washington county.

Sec. 2. Be it further enacted, That this act shall be in full force and effect, from and after its ratification. [Ratified the 19th day of January, A. D., 1866.]

AN ACT TO AUTHORISE A COURT OF PLEAS AND QUARTER SESSIONS FOR THE COUNTY OF CABARRUS.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the justices of the peace for the county of Cabarrus, or any three of them, be authorized and directed to hold a session of the court of pleas and quarter sessions for said county at the court-house in Concord on the second Monday in February, in the year one thousand eight hundred and sixty-six.

Sec. 2. Be it further enacted, That the said court is authorized, and hereby directed, to qualify and take the bonds in conformity to law, of the sheriffs and clerks of the county and superior court elected by the people on the ninth day of November, one thousand eight hundred and sixty-five, to fill said offices.

Sec. 3. Be it further enacted, That after the session of the court aforesaid, the several courts of pleas and quarter sessions for said county shall be held at the times as heretofore directed by law.

Sec. 4. And, be it further enacted, That this act shall take effect, and be in force from and after its passage. [Ratified the 5th day of February, A. D., 1866.]
AN ACT TO LEGALIZE THE COURTS OF PLEAS AND QUARTER SESSIONS HELD BY THE PROVISIONAL JUSTICES IN THE COUNTY OF MECKLENBURG.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the courts of pleas and quarter sessions, held by the provisional justices of the county of Mecklenburg, in the months of July and October, eighteen hundred and sixty-five, and in the month of January, eighteen hundred and sixty-six, are hereby declared to be legal and valid, so far as the persons, the time and place of holding them are concerned. [Ratified the 6th day of March, A. D. 1866.]

AN ACT TO DECLARE THE DAN RIVER A WATER COURSE SUFFICIENT, INSTEAD OF A LAWFUL FENCE IN CASWELL COUNTY.

Section 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the Dan river be, and is hereby declared to be, a water course sufficient, instead of a lawful fence within the limits of Caswell county. [Ratified the 25th day of January, A. D., 1866.]
RESOLUTIONS OF A PRIVATE NATURE,

PASSED BY THE

GENERAL ASSEMBLY

OF

NORTH CAROLINA,

AT ITS

SESSION OF 1866.

RESOLUTION IN FAVOR OF MRS. SARAH HANRAHAN.

Resolved by the General Assembly, That the public treasurer, be, and he is hereby directed, to pay to Mrs. Sarah Hanrahan, widow of the late Walter S. Hanrahan, the per diem and mileage due the said Walter S. Hanrahan, as a member of this body. [Ratified the 19th day of February, A. D., 1866.]

RESOLUTION IN FAVOR OF EDWARD SANDERS, EXECUTOR OF ISAAC N. SANDERS.

Resolved, That the Treasurer of the State be authorized to pay over to Edward Sanders, executor of Isaac N. Sanders, late Senator from the county of Onslow, the arrears of pay, per diem and mileage due to said deceased. [Ratified this 17th day of February, A. D., 1866.]
RESOLUTION IN FAVOR OF BRIGGS AND DODD.

Pays $40.21.

Resolved, That the public treasurer pay to Briggs and Dodd, the sum of forty dollars and twenty-one cents ($40.21,) amount of their account for articles furnished by them for the use of the General Assembly, and for the late Convention. [Ratified this 30th day of January, A. D., 1866.]

RESOLUTION IN FAVOR OF DREWRY KING.

Pays $25.

Resolved, That the public treasurer pay to Drewry King, late superintendent of the Capitol, twenty-five dollars for his services from the thirty-first day of March, to the fifteenth day of April, one thousand eight hundred and sixty-five. [Ratified the 21st day of February, A. D., 1866.]

RESOLUTION IN FAVOR OF A. W. FRAPPS.

Pays $18.

Resolved, That the public treasurer pay to A. W. Frapps, the sum of eighteen dollars, for work done on the Capitol. [Ratified the 26th day of February, A. D., 1866.]

RESOLUTION CONCERNING THE COLLECTION OF THE STATE TAXES, IN BEAUFORT COUNTY.

Resolved, That the high sheriff of Beaufort county be allowed, until the first day of April next, to collect and pay into the public treasury the unpaid arrears of the taxes due from citizens of that county, and which were levied by the Convention at its session, in the year one thousand eight hundred and sixty-five, and all penalties
Resolved, That the public treasurer, by failing to make a full settlement of the said taxes before the said first day of April, eighteen hundred and sixty-six, be, and the same are hereby remitted. [Ratified this 19th day of February, A. D., 1866.]

RESOLUTION IN FAVOR OF JACOB SILER.

Whereas, Jacob Siler, agent for the collection of Cherokee bonds, did, prior to notice to him of the surrender of General Joseph E. Johnston's army, receive Confederate treasury notes in payments due to the State; and subsequent thereto, in June one thousand eight hundred and sixty-five, did receive North Carolina treasury notes for like purposes;

Therefore, Resolved, That the public treasurer be authorized to receive said funds and grant the said Jacob Siler proper vouchers for the same. [Ratified this 19th day of February, A. D., 1866.]

RESOLUTION IN FAVOR OF C. KEUSTER AND BROTHER.

Resolved, That the public treasurer, be, and is hereby authorized, to pay to Messrs. Keuster and Brother, such sum of money as may be due them, upon account for repairs to public buildings and furniture, after subjecting their account to the scale of depreciation of Confederate currency that may hereafter be adopted by this General Assembly. [Ratified the 12th day of March, A. D., 1866.]

RESOLUTION IN FAVOR OF R. H. BRADLEY.

Resolved, That the public treasurer pay to R. H. Bradley, superintendent of the capitol and public buildings,
twenty-five dollars for collecting furniture, having the same repaired and putting the two halls in order for the sessions of the Legislature. [Ratified this 10th day of March, A. D., 1866.]

RESOLUTION IN FAVOR OF CATHERINE KENDALL

Resolved, That the public treasurer issue to Catherine Kendall, a bond of the State for one thousand dollars running thirty years from first of January, eighteen hundred and sixty-three, with coupons for interest at six per cent. per annum payable semi-annually, with interest from twenty-fourth day of February, eighteen hundred and sixty-three, A. D., at which date she surrendered to the State a bond for this sum, then over due, and took from the public treasurer his certificate promising to issue to her a bond in lieu of the one then surrendered to the State. [Ratified the 10th day of March, A. D., 1866.]

RESOLUTION IN FAVOR OF DANIEL W. CHANBERS.

Resolved, That the public treasurer be authorized and directed to pay one hundred and seventy-five dollars to Daniel W. Chambers, of Union county, a disabled soldier, for the purpose of paying for an artificial leg, already purchased. [Ratified the 3rd day of March, A. D., 1866.]

RESOLUTION IN FAVOR OF R. W. BEST.

Resolved, That the public treasurer pay to R. W. Best, the sum of eleven dollars for expense of boxing and removing to the Geological rooms, in the Capitol, sixteen boxes of books and papers belonging to the Adjutant
General's, Quartermaster's and Commissary's Departments of North Carolina. [Ratified the 5th day of March, A. D. 1866.]

RESOLUTION OF THANKS TO REV. C. H. WILEY.

Resolved, That the gratitude of the people of North Carolina is eminently due to the Rev. C. H. Wiley, late Superintendent of Common Schools, for the zeal he has manifested in the cause of popular education, and for the untiring and efficient services which he has rendered to the common schools of the State.

Resolved, That he is hereby tendered the thanks of the people of the State by this General Assembly, with the assurance that the discontinuance of the office of General Superintendent of Common Schools was not prompted by any want of appreciation of his public services, but by the present inability of the State to keep up the common school system. [Ratified the 12th day of March, A. D., 1866.]

RESOLUTION AUTHORIZING THE SIGNATURE OF THE PUBLIC TREASURER TO BE ENGRAVED ON THE COUPONS OF THE STATE.

Resolved, That the public treasurer, in lieu of signing each coupon of the bonds of the State issued under authority of law, be authorized to cause a fac simile of his signature to be engraved on said coupons. [Ratified the 10th day of March, A. D., 1866.]

RESOLUTION IN FAVOR OF WILLIAM THOMPSON.

Resolved, That the public treasurer pay to William Thompson, of Wake county, the sum of eighteen dollars out of any moneys not otherwise appropriated. [Ratified the 10th day of March, A. D., 1866.]
STATE OF NORTH CAROLINA,
Office of Secretary of State.
March 20th, 1866.

I, Rob't. W. Best, Secretary of State in and for the State of North Carolina, do hereby certify that the foregoing are true copies of the original Acts and Resolutions on file in this office. Given under my hand, this 20th day of March, 1866.

ROB'T. W. BEST,
Secretary of State.
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