PUBLIC LAWS

OF THE

STATE OF NORTH-CAROLINA,

PASSED BY THE

GENERAL ASSEMBLY

AT ITS

ADJOURNED SESSION OF 1864.

RALEIGH:
W. W. HOLDEN, PRINTER TO THE STATE.
1864.
PUBLIC LAWS
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ASYLUMS.

AN ACT CONCERNING THE NORTH-CAROLINA INSTITUTION FOR THE Chap. 1.
DEAF AND DUMB AND BLIND.

Section 1. Be it enacted by the General Assembly of the Annual appropriation—
State of North-Carolina, and it is hereby enacted by the authority of the same, That section first of an act passed by $75,000.
the General Assembly at the adjourned session of 1863, entitled "An act concerning the North-Carolina Institution for the Deaf and Dumb and the Blind," be and the same is hereby amended so that the annual appropriation for the support of the Institution for the Deaf and Dumb and Blind shall be seventy-five thousand dollars.

Sec. 2 Be it further enacted, That this act shall take effect and be in force from and after its ratification. [Ratified the 28th day of May, 1864.]
AN ACT TO AMEND AN ACT PASSED AT THE 1ST SESSION OF THE GENERAL ASSEMBLY FOR 1862-63 AND ENTITLED "AN ACT TO ESTABLISH THE OFFICE OF AUDITOR OF PUBLIC ACCOUNTS."

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 Auditor of Public Accounts may take affidavits or depositions in relation to the claims presented for his consideration and the accounts and returns submitted to him for his adjustment as well as to other matters coming within his jurisdiction, and that he may issue commissions to any person to take affidavits and depositions to be read in the like cases in the same manner as they are now issued by the courts of the State; and any person swearing falsely and corruptly upon any such oath as aforesaid shall be guilty of perjury, and punished as in cases of perjuries committed in trials for cases not involving life.

Sec. 2. Be it further enacted, That in case any vacancy shall occur in the office of Auditor, during a recess of the General Assembly, the Governor shall have power with the advice of the council of State to fill up such vacancy by granting a temporary commission, which shall expire at the end of the next session of the General Assembly.

Sec. 3. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 28th day of May, 1864.]

AN ACT TO PROTECT CATTLE.

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 contractors, persons or companies engaged in the manufacture of saltpetre, shall be
required to enclose their works with a good and lawful fence.

Sec. 2. Be it further enacted, That any contractor, person or company neglecting or refusing to comply with the foregoing section, shall be subjected to a fine of twenty-five dollars a day till the works are enclosed—the fine to be recoverable at the suit of any person, upon warrant before a justice of the peace, and applied to the use of the county: Provided, That the stay-law, prohibiting the collection of debts, shall not apply to this act.

Sec. 3. Be it further enacted, That when any contractor, person or company shall neglect or refuse to comply with the first section of this act, and any cattle, sheep or hogs shall die from imbibing the poison, whether in liquid form or otherwise, the said contractor, person or company shall be liable for the double value thereof.

Sec. 4. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 26th day of May, 1864.]

COMMON SCHOOLS.

AN ACT TO AUTHORIZE THE CHAIRMEN OF THE BOARDS OF SUPERINTENDENTS OF COMMON SCHOOLS OF THE SEVERAL COUNTIES IN THIS STATE, WHO HAVE INVESTED THE FUNDS IN THEIR HANDS IN CONFEDERATE STATES' BONDS, TO SELL SAID BONDS AND DISTRIBUTE THE PROCEEDS AMONG THE DISTRICTS OF THEIR RESPECTIVE COUNTIES ENTITLED TO RECEIVE 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 the chairmen of the boards of superintendents of common schools of the several counties of this State who have in compliance with the recommendations of the literary board invested funds in their hands in bonds of the Confederate States be and they are hereby authorized to sell the bonds and certificates now in their possession, and distribute the proceeds of sale among the districts entitled to receive the same, pro rata.
Sec. 2. Be it further enacted, That the said chairmen will be charged in the settlement of these accounts with the market value of said bonds and certificates, and not with the loss, if any, that may be sustained by reason of the investment as aforesaid.

Sec. 3. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 28th day of May, 1864.]

COURTS.

Chap. 5. AN ACT TO AMEND AN ACT TO RESTORE THE COURTS AND FOR OTHER PURPOSES.

Extends provisions of former act to Harnett 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 provisions of an act to restore the courts, and for other purposes, ratified 12th day of December, 1863, be extended to the county of Harnett, the courts whereof shall be held at the times and places fixed by an act to establish a superior court for the county of Harnett, ratified 16th day of February, 1859.

Sec. 2. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 26th day of May, 1864.]

Chap. 6. AN ACT TRANSFERRING CAUSES IN EQUITY DEPENDING IN THE COURTS OF CERTAIN 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 all causes now depending in the courts of equity in any county in which the regular terms of the court are prevented from being held by reason of the proximity of the enemy, may be heard and determined by the consent of the parties thereto, in any other county of the same judicial circuit at such times and places as the judge riding said circuit may appoint for that purpose; and
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all orders and decrees may be taken and entered upon such hearing in the same manner and to the same extent as if heard in the counties in which the causes are depending; and such orders and decrees shall have the same force and effect.

Sec. 2. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 28th day of May, 1864.]

AN ACT TO PROVIDE FOR HOLDING EXTRA TERMS OF THE SUPREME COURT.

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 chief justice or a majority of the judges of the supreme court of North-Carolina are hereby authorized to convene said supreme court in extra session in the city of Raleigh, whenever in his or their opinion it may be necessary for the public interest.

Sec. 2. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 28th day of May, 1864.]

AN ACT TO ALTER THE TIMES OF HOLDING THE SUPERIOR COURTS OF LAW AND EQUITY IN THE SIXTH JUDICIAL CIRCUIT.

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 the several superior courts of law and equity for the counties composing the sixth judicial circuit, shall hereafter be begun and held in their respective counties on the following days, to wit: Davie, on the last Mondays in February and August; Yadkin, on the first Mondays after the last Mondays in February and August;
Surry, on the second Mondays after the last Mondays in February and August; Alleghany on the third Mondays after the last Mondays in February and August; Ashe, on the fourth Mondays after the last Mondays in February and August; Wilkes, on the fifth Mondays after the last Mondays in February and August; Alexander, on the sixth Mondays after the last Mondays in February and August; Iredell, on the seventh Mondays after the last Mondays in February and August; Union, on the eighth Mondays after the last Mondays in February and August; Mecklenburg, on the ninth and tenth Mondays after the last Mondays in February and August; Cabarrus, on the eleventh Mondays after the last Mondays in February and August; Rowan, on the twelfth Mondays after the last Mondays in February and August; and continue as the law now directs.

SEC. 2. Be it further enacted, That all writs and process in the hands of any sheriff in the State returnable to any of the superior courts of law and equity of any of the counties aforesaid, shall be returned by the said sheriffs to the said courts at the times above prescribed for the holding thereof, notwithstanding any command on the face of said writ or process to return the same at a different time, under the same penalties and forfeitures as are now prescribed by law for failure to return process in other cases.

SEC. 3. 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 28th day of May, 1864.]

DISTILLATION OF SPIRITUOUS LIQUORS.

Chap. 9.

AN ACT TO AMEND AN ACT RATIFIED ON THE 17TH OF DECEMBER, 1862, ENTITLED "AN ACT TO PROHIBIT THE DISTILLATION OF SPIRITUOUS LIQUORS."

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 ratified on the 17th of December, A. D., 1862, entitled "An act to prohibit the distillation of spirituous liquors," be amended in the first
section by inserting the words "Buckwheat and Barley" after the word "Rye," in the sixth line.

SEC. 2. Be it further enacted, That this act shall be in force and effect from and after its ratification. [Ratified the 26th day of May, 1864.]

ELECTIONS.

AN ACT TO EXTEND THE TIME FOR COMPARING THE POLLS FOR CERTAIN COUNTIES, 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 lawful for the sheriffs of the counties in this State in possession of or under the control of the enemy to compare the polls of their respective counties for Governor, members of the legislature, and clerk of the county and superior courts at any place in the State they may think proper, and they shall include in their returns the votes of officers and soldiers, if received within twenty days after they are cast, and all other votes if received within thirteen days after they are cast and they shall not make up their returns and declare the result of the elections until the expiration of the time herein specified, and the clerks of the county courts of said counties may receive the returns of the election for sheriff and compare the same in like manner.

SEC. 2. Be it further enacted, That if at any time it shall happen that the sheriff or coroner of such county cannot hold the elections by reason of his being with the enemy's lines, the election may be held by some respectable freeholder appointed by three justices of the peace of the county, and such freeholders shall in like cases compare the polls in the manner prescribed in the preceding section, and shall have like powers, be under the same directions and restrictions and subject to the same penalties as are conferred or imposed upon sheriffs; and in default of such appointment the returns may be made to the Secretary of State, who shall compare the same and declare the result of the election.
SEC. 3. Be it further enacted, That if the county courts or sheriffs of the counties mentioned in the first section of this act shall not have appointed inspectors according to the existing law, it shall be lawful for any justice of the peace to make such appointment on the day of the election.

SEC. 4. Be it further enacted, That when it shall be impracticable for the sheriffs or clerks elected for such counties to give bond and qualify in the manner now prescribed by law, it shall be lawful for them to give the usual bonds and to qualify at the county courts of the county wherein courts are held nearest to their respective counties.

SEC. 5. Be it further enacted, That this act shall be in force from its ratification. [Ratified the 28th day of May, 1864.]

HABEAS CORPUS.

Chap. 11. AN ACT MORE EFFECTUALLY TO SECURE THE BENEFITS OF THE WRIT OF HABEAS CORPUS, AND TO PREVENT CITIZENS IN CIVIL LIFE FROM BEING REMOVED BEYOND THE LIMITS OF THE STATE.

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 any person as to whom a writ of habeas corpus has been issued and served, who wilfully fails or refuses, under any pretence whatsoever to obey the mandate thereof, or the orders of the Judge or Court thereon before whom the same is heard, or who knowingly and intentionally prevents the service of the same by force, or by keeping out of the way, or who shall wilfully fail or refuse to permit any person, upon application by counsel, in his custody, to consult with and have assistance of counsel, for the purpose of suing out or prosecuting said writ, or who shall send away or conceal any person who [is] in his custody, or under his control, with intent to prevent said writ from being sued out or executed, or the petitioner from being discharged, when the Judge or Court so orders, shall
be guilty of a high misdemeanor, and, on conviction in the Superior Court, shall be fined not less than one thousand dollars, and imprisoned not less than one year.

Sec. 2. Be it further enacted, That if any person shall, under any pretence whatsoever, transport beyond the limits of this State by force or violence any person in civil life, such person so offending shall be guilty of a high misdemeanor, and, on conviction, shall be fined not less than two thousand dollars, and imprisoned not less than one year.

Sec. 3. Be it further enacted, That if any person in civil life shall be transported beyond the limits of this State contrary to the provisions of the second section of this act, the Governor of the State shall forthwith demand him of the authorities of the Confederate States where such person may be imprisoned. [Ratified the 28th day of May, 1864.]

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LANDLORDS.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT FOR THE RELIEF Chap. 12. OF LANDLORDS."

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 for the relief of Landlords," passed by the General Assembly at its session of 1862-'63, and ratified on the 26th of January, 1863, be so amended as to give landlords and their grantees, lessees, heirs, executors and administrators, or any lawful purchaser, the same remedies and rights against their tenants, and the grantees, lessees, heirs, executors and administrators of said tenants, as are given in said act to the landlord against his tenants.

Sec. 2. Be it further enacted, This act shall be in full force and effect from and after its ratification. [Ratified the 28th day of May, 1864.]
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**MILITARY APPROPRIATIONS.**

**Chap. 13.** AN ACT TO APPROPRIATE MONEY FOR THE MILITARY ESTABLISHMENT OF THE STATE.

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 sum of one million five hundred and five thousand and nine hundred dollars ($1,505,900) be and the same is hereby appropriated for the support of the military establishment of the State during the remainder of the fiscal year, beginning October 13th, 1863, to be apportioned as follows:—To the pay department seven hundred and twenty thousand dollars, ($720,000); to the ordnance department two hundred thousand dollars, ($200,000); to the commissary department four hundred and eighty-seven thousand five hundred dollars, ($487,500); to the quartermaster’s department ninety-eight thousand four hundred dollars, ($98,400.)

Sec. 2. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 28th day of May, 1864.]

**Chap. 14.** AN ACT TO AMEND AN ACT RATIFIED THE 13TH DECEMBER, 1863, ENTITLED "AN ACT MAKING APPROPRIATION FOR THE MILITARY ESTABLISHMENT OF THE STATE."

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 ratified on the 13th of December, A. D., 1863, entitled “An act making appropriations for the military establishment of the State,” be and the same is hereby amended by inserting before the clause of ratification the words and figures “Quartermaster’s Department ninety-eight thousand four hundred dollars, ($98,400)" heretofore omitted by error in the engrossing of the said act; and all payments made by the Public Treasurer within the said amount are hereby legalized and confirmed as if no such error had been made.
Sec. 2. Be it further enacted, That this act shall be in force and effect from and after its ratification. [Ratified the 25th day of May, 1864.]

REVENUE.

AN ACT IN REFERENCE TO THE PAYMENT OF TAXES.

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 taxes due to the State or to counties and free school purposes, or taxes for the poor, all payments for entries of public lands, and all fines and forfeitures for the use of the State or counties, may be paid in treasury notes of the Confederate States under five dollars, or in the new issue authorized by the act of the Confederate Congress, ratified the 17th of February, 1864; and all such dues may be paid during the present year in the old issues of the Confederate treasury notes, from the denomination of five dollars up to fifty dollars, both inclusive—less thirty three and one-third per cent., the tax imposed by the act of Congress.

Sec. 2. Be it further enacted, That when the Confederate treasury notes from five dollars to fifty dollars, of a date previous to the seventeenth of February, 1864, and received by the Public Treasurer, he shall pay them out in discharge of all public dues—less one-third of the amount of such notes, or may exchange them for the new issue of treasury notes authorized by the act of Congress aforesaid, and when so exchanged, they shall not be paid out at a rate less than par.

Sec. 3. Be it further enacted, That the act ratified July 3d, 1863, entitled "An act in relation to the payment of taxes" and for other purposes, and so much of section second of the ordinance No. 35, of the State Convention, ratified 26th of February, 1862, as directs the receiving of Confederate treasury notes in payment of taxes and all other dues, are hereby repealed.
SEC. 4. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 21st day of May, 1864.]

Chap. 16. AN ACT TO AUTHORIZE THE JUSTICES OF ANY COUNTY TO MEET IN SPECIAL TERM TO LEVY TAXES.

Whenever, In any county of this State there is no term of the County Court between the third Monday in March and the first Monday in July in each year:

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 special court shall be called by the Chairman or Clerk of the County Court to meet at the courthouse in the month of May or June, for the year A. D., 1864, and for each succeeding year thereafter, for the purpose of levying the taxes of said county.

SEC. 2. Be it further enacted, That one-third of the justices of such county shall be authorized to levy said taxes, and that their proceedings shall be recorded by the clerk on his minutes.

SEC. 3. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 27th day of May, 1864.]

Chap. 17. AN ACT IN REFERENCE TO EXEMPTION FROM TAXES.

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 ratification of this act all the estates, money, bonds and other evidences of debt, and also all effects whatsoever held by any corporation or society in trust for the education of the children of deceased soldiers, or for the support of the widows and families of such soldiers, are hereby declared to be exempt from taxation for State, county and municipal purposes, and such exemption shall apply to the present as well as to any subsequent year. [Ratified the 28th day of May, 1864.]
AN ACT TO PROVIDE WAYS AND MEANS FOR THE SUPPLY OF THE TREASURY.

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 Public Treasurer be and he is hereby authorized, if in his opinion it shall be necessary and expedient to do so, in order to meet the demands on the treasury, to have prepared and to issue treasury notes to an amount not exceeding three millions of dollars, payable two years after the ratification of a treaty of peace between the Confederate States and the United States, and receivable in payment of all dues to the State, or any department thereof.

SEC. 2. Be it further enacted, That the bills hereby authorized to be issued, shall be of such denominations as the Treasurer may deem expedient, and shall be issued under the regulations prescribed in the act of the 20th December, 1862, entitled "An act to provide ways and means for supplying the treasury," and the provisions of the 9th section of said act shall be deemed as re-enacted in reference to the notes hereby authorized to be issued.

SEC. 3. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 23th day of May, 1864.]

AN ACT TO AMEND THE ACT ENTITLED "REVENUE," RATIFIED 11TH FEBRUARY, 1863.

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 14th paragraph of section 70 of said act be amended so as to read as follows: Every resident of the State who may have brought into the State, or who may have bought, whether by sample or otherwise, spirituous liquors, wines or cordials distilled or made out of this State for the purpose of sale, twenty per cent. on the amount of his profits; and every person who may have
bought to sell again spirituous liquors distilled in this State, ten per cent. on the amount of his profits.

Sec. 2. Be it further enacted, That this act shall be in force immediately after its ratification. [Ratified the 28th day of May, 1864.]

SALARIES AND FEES.

Chap. 20. AN ACT TO AMEND "AN ACT IN RELATION TO SALARIES AND FEES."

Doubles fees of Att. Genl. and State Solicitors

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 in relation to salaries and fees, ratified the 14th day of December, 1863, be so amended as to allow the Attorney General and the State Solicitors for each judicial circuit double the fees now allowed by law. [Ratified the 28th day of May, 1864.]

SOLDIERS.

Chap. 21. AN ACT FOR THE RELIEF OF THE WIVES AND FAMILIES OF SOLDIERS IN THE ARMY.

Appropriates $1,000,000.

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 sum of one million of dollars, payable in North-Carolina treasury notes, be and the same is hereby appropriated for the support of the wives and families of the indigent soldiers of this State, whether in the service of the State or Confederate government, or whether killed in battle or dying in the military service; the said amount to be distributed among the several counties of the State as prescribed in the second and third sections of an act ratified on the 10th day of February, 1863, entitled "An act for the relief of the wives and families of soldiers in the army."
Sec. 2. *Be it further enacted,* That the quota of each county be paid to the commissioner or trustee of each county, the said trustee or commissioner having given bond with security approved by the county court of their respective counties as soon after the first day of October next as practicable, and shall be applied to the use and benefit of the wives and families of the soldiers of this State, according to the rules and regulations which have been or may be prescribed by the courts of pleas and quarter sessions of each county.

Sec. 3. *Be it further enacted,* That the money hereby appropriated shall be paid and distributed according to the provisions of the 6th section of the said act for the relief of the wives and families of soldiers in the army, hereinbefore referred to.

Sec. 4. *Be it further enacted,* That in addition to the foregoing appropriation, the sum of seven thousand dollars in State treasury notes be and the same is hereby appropriated out of any moneys in the public treasury not otherwise appropriated, to be paid by the Treasurer for the use and benefit of the families of Indian warriors of the Cherokee tribe, who have rendered service to the State or Confederate States in the present war.

Sec. 5. *Be it further enacted,* That the Public Treasurer forward the funds hereby and which have been heretofore appropriated for the relief of the families of Indian warriors, at as early a day as practicable, by some trusty agent, to the clerk of the court of pleas and quarter sessions for the county of Jackson, who is hereby constituted the agent of the State to receive the same, and that he, the said agent, is hereby instructed to pay the said funds over to such agent or agents as may be selected by the said Indians in their own councils, to be expended in provisions for their own use: *Provided,* That such agents so selected by said Indians shall be disinterested persons: *And provided further,* That such agents so selected shall give bond properly conditioned and secured, and shall be required to make to the Public Treasurer semi-annual reports of the amounts of such provisions as they may have furnished said Indians, with an accurate statement of prices, freights, &c.,
and in default of such agents to do so, they shall forfeit and pay to the State double the amount placed in their hands by the aforesaid clerk of the court of pleas and quarter sessions for the county of Jackson: Provided further, That such agents shall receive the same rates of compensation allowed to the county agents for the whites.

Sec. 6. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 28th day of May, 1864.]

Chap. 22. AN ACT AUTHORIZING THE GOVERNOR TO APPOINT A COMMISSIONER FOR THE BENEFIT OF THE REPRESENTATIVES OF DECEASED SOLDIERS.

An agent shall be appointed—his duties, salary, &c. 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 Governor is hereby authorized to appoint an agent for this State, whose duty it shall be to investigate, collect and distribute the claims of the representatives of deceased soldiers of this State; that said agent shall hold his office for two years, or until his successor shall be appointed, and that he be allowed an annual salary of twenty-five hundred dollars, payable quarterly; [and] in addition to the salary, said agent be allowed his actual necessary expenses, not exceeding twenty-five hundred dollars per year; and this act shall be in force from and after its ratification. [Ratified the 30th day of May, 1864.]

MISCELLANEOUS.

Chap. 23. AN ACT TO REPEAL THE ACT RATIFIED THE 20TH OF SEPTEMBER, 1861, CONCERNING WINTER CLOTHING FOR OUR TROOPS.

Repealing section. 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 resolution ratified on the 20th of September, 1861, entitled "A resolution to provide win-
ter clothing for our troops," be and the same is hereby re-
pealed.

Sec. 2. *Be it further enacted*, That in all cases hereafter no money shall be drawn from the public treasury for the military establishment of this State upon the warrant of the Governor, but specific appropriations shall be made by the General Assembly for each department of the said military establishment, and the Treasurer shall keep his ac-
counts accordingly.

Sec. 3. *Be it further enacted*, That this act shall be in force from and after its ratification. *[Ratified the 28th day of May, 1864.]*

AN ACT CONCERNING THE PER DIEM AND MILEAGE OF THE MEMBERS OF THE GENERAL ASSEMBLY DURING ITS PRESENT SESSION.

**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 General Assembly shall receive thirty dollars for each days attendance, and forty cents for each mile of travel to and from the seat of government, from their respective places of residence, by the most usually travelled route.

**Sec. 2.** *Be it further enacted*, That this act shall be in force during the present session and no longer. *[Ratified the 21st day of May, 1864.]*
RESOLUTIONS
OF A PUBLIC NATURE, PASSED BY THE
GENERAL ASSEMBLY
OF
NORTH-CAROLINA,
at its
ADJOURNED SESSION OF 1864.

RESOLUTIONS IN REFERENCE TO A BASIS OF PEACE.

Resolved, by the General Assembly of the State of North-
Carolina, That while we regard the present war between
the Confederate States and the United States as a war of
self-defence on the part of the Confederate States, yet we
do not hesitate to declare, that for the sake of humanity, it
becomes our government, through its appropriate constitu-
tional department, to use its earnest efforts to put an end to
this unnatural and unchristian work of carnage; and to this
end we earnestly recommend that our government, after
signal success of our arms, and on other occasions when no
one can impute its action to alarm, instead of a sincere de-
sire for peace, shall make to the government of our enemy
an official offer of peace on the basis of independence and
nationality, with the proposition that the doubtful border
States shall settle the question for themselves by Conven-
tions to be elected for that purpose, after the withdrawal of
all military force of both sides from their limits.

Resolved, That we believe that this course on the part of
our government would be hailed by our people and soldiers
1864.—Resolutions.

Resolved, That while the foregoing is an expression of the sentiments of the General Assembly respecting the manner in which peace should be sought, we renew our pledge of the resources and powers of this State to the prosecution of the war (defensive on our part) until peace is obtained upon just and honorable terms, and until the independence and nationality of the Confederate States is established. [Ratified the 28th day of May, 1864.]

RESOLUTIONS RESPECTING THE NATIONAL ADMINISTRATIONS AND THE PROPER AUTHORITIES TO CONDUCT NEGOTIATIONS FOR PEACE WITH THE ENEMY.

Resolved, by the General Assembly of the State of North-Carolina, That we have confidence in the fidelity and patriotism of his Excellency, President Davis.

Resolved, That in our opinion the President and Senate of the Confederate States, being the treaty-making power under the Constitution, are the only legitimate agents for entering into negotiations for peace with the enemy.

Resolved, That our profoundest thanks are due, and are hereby tendered to our brave and devoted soldiers in the field, for their heroic gallantry and fortitude which, under the providence of God, have crowned their efforts with such signal success. [Ratified the 28th day of May, 1864.]

RESOLUTION CONCERNING THE ACTS OF CONGRESS.

Resolved, That the Secretary of State be and he is hereby authorized and instructed to procure and place in the State Library one dozen copies of all acts of the several sessions of the Congress of the Confederate States, from the organization of the government of the Confederate States of America up to the present time. [Ratified the 28th day of May, 1864.]
RESOLUTION CONCERNING THE NORTH-CAROLINA WOUNDED.

Resolved, That the Surgeon General of this State be instructed to use his influence in obtaining the transfer of the North-Carolina wounded, or as many thereof as may be practicable, from the hospitals in Richmond to the hospitals in this city and elsewhere in the State. [Ratified the 28th day of May, 1864.]

RESOLUTION IN REFERENCE TO THE PUBLIC TREASURER.

Resolved, That the Public Treasurer be and he is hereby authorized to dispose of the Confederate treasury notes now on hand, either by exchanging them for new issue, by funding, or by paying them out less thirty-three and a third per cent. of their face value, according to his best discretion. [Ratified the 28th day of May, 1864.]

RESOLUTION CONCERNING THE IMPORTATION OF GOODS BY THE STATE.

Resolved, That the Governor be and he is hereby authorized to appoint two or more agents, who shall take charge of the commercial and financial interests of the State in the importation of goods, to prescribe their place of residence, fix their compensation, and require from them reports in detail, which are to be laid before the General Assembly.

Resolved, That in case the restriction imposed on the State by the instructions of Mr. Secretary Memminger are not removed, the Governor, or the agents of the State named in the first resolution, be authorized to purchase a vessel entire, in which goods yet undelivered in our ports may be conveyed, and in the purchase a sale may be made of such property acquired for the business of importation as may be most advantageously shared.
Resolved, That S. F. Phillips, Esq., be appointed a commissioner to take the accounts of the officers and agents of the State who have been charged with the duties alluded to in the message of the Governor; and said commissioner is authorized to appoint a clerk, to summon before him witnesses, and to send for persons and papers. His compensation shall be fixed by the next General Assembly, and that of his clerk in like manner; and to the said Assembly he shall make his report.

Resolved, That the Treasurer be directed to pay the bills due or that may become due in Wilmington against the State's interests in any vessel importing goods, and reimburse the treasury for such expenditure by receiving sterling exchange at par from the officer of the ship having the right to draw on our foreign agent. [Ratified the 28th day of May, 1864.]

RESOLUTIONS IN REFERENCE TO THE MILITARY ORGANIZATION KNOWN AS "MALLETT'S BATTALION."

Resolved, That our Senators and Representatives in Congress be requested to ask for the passage of a law authorizing the military organization now at Camp Holmes in this State, and known as "Mallett's Battalion," to enter into the military field service of the country: Provided, That the men of each company shall have the right to elect their company officers, and the field officers shall be elected by the company officers.

Resolved, That a copy of this resolution be transmitted by the Governor to our Senators and Representatives in Congress, requesting immediate action to the matter. [Ratified the 28th day of May, 1864.]

RESOLUTIONS CONCERNING CERTAIN ACTS OF THE LATE CONGRESS OF THE CONFEDERATE STATES.

Resolved, That while the people of North-Carolina have ever been and still are anxious to strengthen the administration of the Confederate government in every legitimate
way, and to promote the success of the common cause in order that we may have a speedy and honorable peace, they view with deep concern and alarm every infraction of the Constitution by the Congress of the Confederate States, and this General Assembly doth, in their name, protest against such infractions as of pernicious example and fatal tendency.

Resolved, That the act of the late Congress, entitled "An act to suspend the privilege of the writ of habeas corpus in certain cases," violates the fundamental maxim of republican government which requires a separation of the departments of power, clothes the Executive with judicial functions which Congress cannot constitutionally confer even on the judiciary itself, and sets at naught the most emphatic and solemn guarantees of the Constitution.

Resolved, That this General Assembly, representing the people of North-Carolina, doth not consent to the sacrifice of the vital principles of free government in a war carried on solely to secure and perpetuate them, and doth declare that "no conditions of public danger;" present or prospective, probable or possible, can render the liberties of the people incompatible with the public safety.

Resolved, That the act of the same Congress, entitled "An act to organize forces to serve during the war," declaring all white men, residents of the Confederate States, between the ages of seventeen and fifty, to be in the military service, embracing in its provisions every State officer in all the departments, executive, legislative and judicial, and subjecting all the industrial pursuits of the country to military supervision and control, reduces the State governments to mere provincial administrations, dependent on the grace and favor of Congress and the Executive, is destructive of state sovereignty, and imports an assertion of the power on the part of Congress to convert the Confederate government into a consolidated military despotism.

Resolved, That this General Assembly doth therefore request our Senators and Representatives in Congress to use their best endeavors to procure a repeal of the first mentioned act, and such modification of the second as shall se-
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cure the rights and preserve the integrity of the States of the Confederacy.

Resolved, That a copy of these resolutions be transmitted to each of our Senators and Representatives in Congress. [Ratified the 28th day of May, 1864.]

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RESOLUTION IN RELATION TO GOVERNOR VANCE.

Resolved, That his Excellency, Z. B. Vance, is justly entitled to the confidence and thanks of this General Assembly for the able, faithful and successful manner in which he has heretofore discharged and is now discharging the complicated and arduous duties of the executive office, embarrassed as it has been by the difficulties growing out of the present unjust and fiendish war.

Resolved further, That Governor Vance has the most hearty approval and cordial sympathy of this General Assembly, for the firmness and fidelity with which he has uniformly adhered to the cause of our independence, and resistance to the powers brought against us for our subjugation. [Ratified the 28th day of May, 1864.]

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RESOLUTION IN FAVOR OF HARMONY AND CO-OPERATION.

Resolved, by the General Assembly of the State of North-Carolina, That the present is deemed a fit and suitable occasion to exhort the people of North-Carolina, by every consideration which can influence freemen and patriots to a magnanimous surrender of all personal and party feuds; to an indignant rebuke of every exhibition of factions temper; to a generous support of all branches of the State and Confederate governments in the legitimate exercise of their constitutional powers; and to that harmonious and unselfish and patriotic co-operation which can alone impart to our cause the irrepressible strength which springs from united councils, fraternal feelings, and a fervent devotion to the public weal. [Ratified the 28th day of May, 1864.]
RESOLUTIONS EXEMPTING STATE AND OTHER OFFICERS FROM CONSCRIPTION.

Whereas, The fearless and free discharge of the officers of the State is essential to the preservation of its sovereignty; and whereas Congress has no power to conscript State officers, and as this General Assembly has already by an act declared certain officers and employees of the State exempt,

Resolved, That this State demands exemption from conscription of all the civil and military officers thereof, and also all county surveyors and jailers, and all and every class of officers named in an act to exempt certain officers and employees of the State from conscription, passed by this General Assembly at its adjourned session in 1863, and ratified the 14th day of December, 1863. [Ratified the 28th day of May, 1864.]

RESOLUTION OF THANKS TO THE OFFICERS AND SOLDIERS OF NORTH-CAROLINA.

Resolved, That the heartfelt thanks of the Legislature of North-Carolina, now in session, are due, and are hereby tendered to the officers and soldiers of the old North State, for the brave and gallant manner in which they have lately met and repelled the invading foe, (in Virginia and North-Carolina, or elsewhere,) and we hereby pledge ourselves not only as legislators, but as private individuals, to sustain them in their noble efforts in the defence of the freedom of our common country, that every effort in our power shall be rendered them and their families while they are thus engaged in so laudable and glorious a work, being fully persuaded of the justice of our cause, we feel confident of our success. [Ratified the 27th day of May, 1864.]
RESOLUTIONS TO BE LAID BEFORE CONGRESS IN REFERENCE TO THE
RIGHTS OF NORTH-CAROLINA IN THE IMPORTATION OF GOODS.

Whereas, In the year 1861 the State of North-Carolina did enter into a contract with the Confederate States of America to clothe the troops of said State in the army of the Confederate States, which contract was highly advantageous to the government of the latter, and whereas, in the execution of such contract the State of North-Carolina has made large appropriations, has appointed commercial agents, has purchased portions or interests in vessels importing goods, and has incurred expense and risk in the undertaking which has gone directly in aid of the government of the Confederate States as well as to the comfort of our own soldiers; and whereas, the Honorable, the Secretary of the Treasury, has decided that the sovereign rights of the State cannot be recognized while private parties are concerned in the ownership of the vessels which have been used for the importation of goods on account of the State; and whereas, the effect of said decision is extremely injurious, rendering the clothing of the State troops almost if not utterly impracticable by closing the source of foreign supply; and whereas, this General Assembly is advised and believes that the aforesaid decision is not well founded, although it is held to be the law of the case by the Treasury department for remedy whereof,

Be it resolved by the General Assembly of the State of North-Carolina, That our Senators and members of the House of Representatives be requested forthwith to lay before Congress the above recited facts, and to ask for the adoption of an act or resolution declaratory of the rights of the State in this behalf, and for removing of the hindrances by which the contract of the State will be defeated in its execution.

Resolved, That a copy of the above preamble and resolution be transmitted by the Governor at the earliest practicable day to our Senators and Representatives in Congress. [Ratified the 25th day of May, 1864.]
A RESOLUTION IN REFERENCE TO THE PUBLIC TREASURER.

Whereas, By ordinances No. 35 of the State Convention, section 2, ratified the 26th of February, 1862, it is provided that dues to the State shall be paid in the Confederate treasury notes or in the treasury notes of the State; and whereas, since the ratification of the act of the Confederate Congress on the 17th of February last in reference to the currency, offers of payment have been made to the Treasurer in the treasury notes of the Confederate States at par, issued prior to the said day, and he has declined to accept the same at par in discharge of dues to the State.

Resolved, That the action of the public Treasurer in his behalf is by the General Assembly deemed to be just, and is hereby fully approved. [Ratified the 25th day of May, 1864.]

RESOLUTION TO AUTHORIZE A DISTRIBUTION OF THE REVISED CODE OF THIS STATE AMONG THE JUSTICES OF THE PEACE WHO HAVE NOT BEEN SUPPLIED.

Resolved, That the clerks of the several county courts of this State be required to furnish the Secretary of State with a list of all the acting justices of the peace in the counties, who have not been supplied with the Revised Code, and upon the lists so furnished, the Secretary is hereby authorized and required to distribute the Revised Code to the clerks of the different county courts to be by them distributed to the justices of the peace who have not been supplied with the same; and the distribution shall be made, in case there should not be enough on hand to supply all the magistrates with one copy, in proportion to the number reported from each county. [Ratified the 25th day of May, 1864.]
RESOLUTIONS IN FAVOR OF THE WASHINGTON SUFFERERS.

Resolved, That the sum of fifty thousand dollars, in the Treasury notes of the State, be appropriated for the relief of the destitute and suffering caused by the burning of the town of Washington, in the county of Beaufort, and that the Governor be authorized to draw the same out of any money in the Treasury not otherwise appropriated.

Be it further resolved, That the Governor be authorized to expend the foregoing sum of fifty thousand dollars, or so much thereof as may be necessary, in the manner which he may think best calculated to relieve the distress intended to be provided against, either by the purchase and supply of provisions or otherwise; and he may appoint agents for that purpose. [Ratified the 28th day of May, 1864.]

RESOLUTION IN RELATION TO PUBLIC PRINTER.

Resolved, That the public printer be required to furnish each member of the Legislature the number of copies to which he is entitled of the correspondence between the Governor and President and the accompanying documents, (army register excepted) and to mail the same to them at their respective post offices, and that he be authorized to draw upon the Treasurer for the postage. [Ratified the 28th day of May, 1864.]

RESOLUTION IN RELATION TO THE ACTS REGULATING THE SALARIES OF THE CIRCUIT JUDGES.

Resolved, That the salaries of the judges of the superior courts of law and equity, authorized by an act of the General Assembly ratified the 14th day of December, 1863, are due and payable quarterly on the first days of April, July, October and January, without the production of certificates from the clerks as required before the passage of said act. [Ratified the 28th day of May, 1864.]
RESOLUTIONS IN RELATION TO THE JUDGES, GOV. VANCE AND THE MATTER OF T. P. NAPIER.

The Judiciary. *Resolved*, That a fearless discharge of duty by the judiciary of this State is indispensable to the protection of the citizens from lawless violence, and that this General Assembly will sustain the judges in their efforts to vindicate the majesty of the law and bring transgressors to justice.

The Governor. *Resolved*, That we approve the promptness and energy manifested by the Governor in upholding and sustaining our judges in their efforts to bring to justice all bad men who transgress the civil law and endeavor to set its officers at defiance. [Ratified the 28th day of May, 1864.]

RESOLUTIONS IN FAVOR OF THE SPEAKERS, CLERKS AND DOOR KEEPERS.

Per diem and mileage. *Resolved*, That the Speakers of both Houses be allowed thirty-five dollars, the principal and assistant clerks forty dollars, the engrossing clerks thirty-five dollars and the principal and assistant doorkeepers thirty dollars each *per diem* and forty cents mileage for the present session, and that the principal clerks of both houses be allowed the sum of one hundred dollars each for transcribing the journals for the public printer, and other incidental services for the present session as an additional compensation to that now allowed by law.

Extra allowance. *Resolved, further*, That the principal and assistant doorkeepers of both houses be allowed the sum of fifty dollars each as an extra allowance for the present session. [Ratified the 28th day of May, 1864.]

RESOLUTION TO APPROPRIATE MONEY FOR THE PREMISES AROUND THE GOVERNOR'S RESIDENCE.

Appropriates $3,000. *Resolved*, That the sum of three thousand dollars ($3,000) be and the same is hereby appropriated to renew and improve the fencing around the Executive mansion. [Ratified the 28th day of May, 1864.]
RESOLUTION IN RELATION TO THE JUDGES OF THE SUPREME AND SUPERIOR COURTS.

Resolved, That the judges of the supreme and superior courts for the present year shall be allowed their actual expenses while holding the terms of their respective courts: Provided, such allowance shall not exceed twenty-five hundred dollars. [Ratified the 30th day of May, 1864.]
STATE OF NORTH-CAROLINA,
Office of Secretary of State,
June 25th, 1864.

I, John P. H. Russ, 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 25th day of June, 1864.

JOHN P. H. RUSS,
Secretary of State.
PRIVATE LAWS

OF THE

STATE OF NORTH-CAROLINA,

PASSED BY THE

GENERAL ASSEMBLY

AT ITS

ADJOURNED SESSION OF 1864.

RALEIGH:
W. W. HOLDEN, PRINTER TO THE STATE.
1864.
PRIVATE LAWS
OF THE
STATE OF NORTH-CAROLINA,
PASSED BY THE
GENERAL ASSEMBLY,
at its
ADJOURNED SESSION OF 1864.

ACADEMIES.

AN ACT TO INCORPORATE THE FAYETTEVILLE MILITARY
ACADEMY.

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 A. McKethan, Wm. McL. McKay, Isaac B. Hawley, John M. Rose, John MacRae, Jno. H. Cook, M. G. Mathews, Alex. Johnson, Jr., Dr. Wm. C. McDuffie and R. M. Overall and such other persons as may be associated with them, be incorporated into a company, under the name and style of the "Fayetteville Military Academy," for the purpose of establishing a military and scientific institution of high grade in or near the town of Fayetteville.

Sec. 2. Be it further enacted, That said company be empowered to hold property in real estate not exceeding the value of fifty thousand dollars, and that so much of such real estate as shall be occupied for purposes directly connected with said institution be exempt from taxation.
Sec. 3. *Be it further enacted,* That the academic body of said institution be empowered to confer degrees upon students completing the prescribed course as is now done by the faculties of other institutions of learning.

Sec. 4. *Be it further enacted,* That it shall be lawful for the Governor to grant a commission to the superintendents of said military institution; *Provided,* that the rank thus conferred be no higher than that of colonel; that it shall be lawful for the Governor to grant commissions to such other officers of said military institute as may be recommended by the superintendent; *Provided,* the rank so conferred be no higher than that of captain.

Sec. 5. *And be it further enacted,* That officers commissioned as herein before provided, shall take rank according to date of commission, with officers in the line of North Carolina militia. [Ratified the 28th day of May, 1864.]

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Chap. 2. AN ACT TO INCORPORATE THE YANCEYVILLE FEMALE SEMINARY.

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 William Lea, James Poteat and Thomas I. Wormack, and such other persons as may associate with them, their successors and assigns are hereby declared to be a body politic and corporate by the name and style of the Yanceyville Female Seminary, and as a corporation may have a capital stock of twenty-five thousand dollars, divisable into shares of fifty dollars each, and may have by-laws, rules and regulations for their government, such as by the laws of this state all corporations are allowed to do.

Sec. 2. *Be it further enacted,* That this act shall be in force from and after its ratification. [Ratified the 25th day of May, 1864.]
BANKS.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO EXTEND THE CHARTER OF THE BANK OF THE STATE OF NORTH-CAROLINA FOR CERTAIN PURPOSES," RATIFIED THE 11TH DAY OF MAY, 1861.

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 of the act entitled "An act to extend the charter of the Bank of the State of North-Carolina for certain purposes," ratified on the 11th day of May, 1861, be and the same are hereby continued and extended until the first day of January, 1867. [Ratified the 28th day of May, 1864.]

FISH.

AN ACT CONCERNING THE FREE PASSAGE OF FISH IN NEUSE 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 it shall not be lawful for any person or persons to construct dams, traps, wires or other contrivances for the purpose of catching fish in Neuse river, which shall obstruct more than two-thirds the width of said river; nor shall such dams, traps, wires or other contrivances be constructed within less than two hundred yards of each other from the opposite banks of the river.

Sec. 2. Be it further enacted, That all violations of the foregoing prohibitions shall be considered misdemeanors and punishable by either fine or imprisonment, or both, and cognizable by the several courts of record in the several counties in which said obstructions may have been erected.

Sec. 3. Be it further enacted, That upon conviction on the rendition of a judgment upon the verdict of a jury, of a violation of the provisions of this act, it shall be the duty of the sheriff of any county in which the breach of the
aforesaid law occurs, to abate or remove said obstructions upon the receipt of a certificate of the clerk of the county having jurisdiction of the same. [Ratified the 28th day of May, 1864.

IMPORATING AND EXPORTING COMPANIES.

Chap. 5. AN ACT TO INCORPORATE THE CAPE FEAR IMPORTING AND EXPORTING 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 O. G. Parsely, John D. Williams, Henry Lilly, J. T. Murray, Andrew J. Howell, William R. Utley and William H. McRary, their associates and successors be and they are hereby declared a body politic and corporate, under the name and style of the Cape Fear Importing and Exporting Company, and by that name shall have succession for the purpose of importing and exporting goods, wares, merchandize and produce of any kind or description: That it may be lawful to import and export from and to any foreign or domestic port or place that it may be lawful to import from and export to; to transport mails and passengers, and shall have power to hold and dispose of such real and personal estate as may be necessary for the purpose aforesaid, and shall be entitled to all the privileges granted to other corporations under the twenty-sixth chapter of the Revised Code, entitled "corporations:" Provided they shall run no vessel during this war.

Privileges, powers, &c. Sec. 2. Be it further enacted, That the capital stock of said corporation shall be divided into shares of one hundred each, and the capital stock of said company shall not exceed one million of dollars at specie value.

Proviso. Sec. 3. Be it further enacted, That the following named persons shall be commissioners, whose duty it shall be to

Sec. 4. Be it further enacted, That this act shall be and continue in force for the term of thirty years from and after the ratification thereof. [Ratified the 28th day of May, 1864.]
MINING AND MANUFACTURING COMPANIES.

Chap. 6. AN ACT TO INCORPORATE THE CROSS CREEK MANUFACTURING COMPANY IN THE COUNTY OF CUMBERLAND.

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 Edmond J. Lilly, Augustus W. Steel, James R. Lee, John Shaw, their associates and successors, be and they are hereby created a body politic and corporate, under the name and style of the Cross Creek Manufacturing Company, for the purpose of manufacturing cotton and such other articles as they may choose on Cross creek, in the county of Cumberland, with privilege to buy and sell goods, wares and merchandize, should they deem proper to do so, and hold all such real estate and other property as may be necessary in order to enable them to conduct their manufacturing operations with convenience and profit.

Section 2. Be it further enacted, That the capital stock of said company shall be thirty thousand dollars, in shares of one hundred dollars each, with power to the stockholders, a majority of the stockholders concurring, to enlarge the capital to sixty thousand dollars.

Section 3. Be it further enacted, That it shall be the duty of the corporators to keep a full and fair record of their proceedings in a book or books provided for that purpose, and to produce the same in any court of record whenever so required by said court.

Section 4. Be it further enacted, That in case of the failure of said corporation to pay its liabilities, the stockholders shall be liable to the amount of stock owned by each corporator respectively at the time of such failure, after the property of said company shall have been exhausted and not before.

Section 3. Be it further enacted, That this act shall be in force and effect from and after its ratification. [Ratified the 25th day of May, 1864.]
AN ACT TO INCORPORATE THE FAYETTEVILLE MILL MANUFACTURING COMPANY IN THE COUNTY OF CUMBERLAND.

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 L. Pemberton, James R. Lee, John Kershaw, A. L. Scott, M. M. Davis, &c., John Shaw, W. R. Johnson, their associates and successors, be and they are hereby created a body politic and corporate, under the name and style of the Fayetteville Mill Manufacturing company, for the purpose of manufacturing cotton and such other articles as they may choose, on Cross creek, in the county of Cumberland, with privilege to buy and sell goods, wares and merchandize, should they deem proper to do so, and to hold all such real estate and other property as may be necessary in order to enable them to conduct their manufacturing operations with convenience and profit.

Sec. 2. Be it further enacted, That the capital stock of said company shall be fifty-four thousand dollars, in shares of one hundred dollars each, with power to the stockholders, a majority of the stockholders concurring, to enlarge the capital to ninety thousand.

Sec. 3. Be it further enacted, That it shall be the duty of said corporation to keep a full and fair record of their proceedings in a book or books provided for that purpose, and to produce the same in any court of record whenever so required by said court.

Sec. 4. Be it further enacted, That in case of the failure of said corporation to pay its liabilities, the stockholders shall be liable to the amount of stock owned by each corporator, respectively at the time of such failure, after the property of said company shall have been exhausted and not before.

Sec. 5. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 25th day of May, 1864.]
Chap. 8.  

**AN ACT TO AMEND THE CHARTER OF THE BEAVER CREEK MANUFACTURING 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 from and after the ratification of this act, the charter of the Beaver Creek Manufacturing Company, in Cumberland county, is so amended that each share of stock may have one vote, and that all elections be made in the town of Fayetteville for the officers of the company instead of Beaver creek as heretofore. [Ratified the 28th day of May, 1864.]

Chap. 9.  

**AN ACT TO INCORPORATE THE MECKLENBURG IRON AND STEEL 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 W. O. Kerr, E. Nye Hutchinson, John Springs, J. P. Irwin, W. L. Wriston, J. J. Blackwood and L. S. Williams, their associates, successors and assigns, be and they are hereby created and constituted a body politic and corporate, by the name and style of the "Mecklenburg Iron and Steel Company," and as such shall have succession, and may have and use a common seal and change the same at pleasure; may sue and be sued, plead and be impleaded in any court of law and equity; shall have power to make all such by-laws and regulations, not inconsistent with the existing laws and constitution of this State, as may be deemed necessary for the government of said company, which shall be binding thereon; and shall have exercise and enjoy all the rights and privileges of a body corporate necessary or requisite to carry on the business of exploring and mining coals, iron, ores and all other minerals, and smelting, manufacturing, transporting and vending the same, and establishing and working iron and steel furnaces, forges, foundries, rolling mills and other manufactories of metallic fabrics, and of transporting and vending their products, and shall have power to purchase, lease,
hold, convey and dispose of any estate, real and personal; 

_Provided_, That said corporation shall at no time hold more than twenty thousand acres of land; said company shall also have the right, power and authority to build and construct roads and ways, whether tram, plank, railroad or turnpike, and to change the same as to them may seem advisable, for the transportation to, from or between their mines, furnaces, forges, mills, foundries and factories of iron, coke, coal, ores, minerals, metals and materials and other supplies and products of their works; and also to construct such canal or canals and drains as may be required or needed for the supply of water to their furnaces, forges, factories and foundries, for the transportation of coal, ores or materials or other supplies as aforesaid, and the drainage of their mines; and such roads canals, or drains shall be open to the use of the public upon the payment of such reasonable tolls and compensation and subject to such rules and regulations as said corporation may by their by-laws establish; 

_Provided_, That neither of the said railroads, tram roads, turnpikes or canals shall be over twenty miles in length.

_Sec. 2._ Be it further enacted, That when any lands or rights of way may be required by said company for constructing said roads, canals or drains, and for want of agreement as to the value thereof or for any other cause, the same cannot be purchased of the owner or owners, the same may be taken and the value thereof ascertained as follows, viz: On application of the company or owner to any justice of the peace of the county where said land or right of way may situate, it shall be his duty to issue his warrant to the sheriff of the county to summon a jury of at least five free holders to meet on the land on a day expressed in said warrant, not less than five nor more than twenty days thereafter, and the sheriff or his deputy on the receipt of such warrant shall summon the jury and when met shall administer an oath or affirmation to them, if three or more appear that they will impartially value the land or right of way in question. The proceedings of such persons, accompanied by a description of the lands or right of way, shall be returned under their hands and seals or a majority of them by the sheriff to the clerk of the county court, there
to remain a matter of record; and on the payment of said valuation, or if refused, its deposit in the office of the clerk, the lands or right of way so valued shall rest in said company so long as the same shall be used for the purpose of said road, canal or drain; Provided, That the location of said road, canal or drain shall not interfere with any graveyard, house, house lot or garden, without the consent of the owner thereof; Provided further, That no more land shall be condemned for the purpose aforesaid than thirty feet in width on either side from the center of said road, canal or drain; And provided further, That if such owner or the company shall be dissatisfied with the valuation of said jurors, either party may have an appeal to the county or superior court of the county in which the land lies, but such appeal shall not delay or interrupt the use or enjoyment of said right of way by said company.

Sec. 3. Be it further enacted, That the capital stock of said company may be divided into such number of shares and of such amount for each share as the by-laws of the corporation may prescribe; said shares shall be personal property, and certificates thereof may be issued and made transferable and assignable and liable to assessments, forfeiture and sale by the board of directors in such manner as may be prescribed in the by-laws of the corporation; Provided, That the capital stock of said company shall not exceed one million of dollars; Provided further, That any other corporation shall have the privilege of holding shares of stock in said company subject to the same rules and conditions as other stockholders.

Sec. 4. Be it further enacted, That the affairs of said company shall be managed by a board of directors, all of whom shall be stockholders of said company and citizens of the Confederate States; said board of directors shall be composed of such number and shall be elected by the stockholders in such manner as the by-laws shall direct, and they shall chose one of their number to be president of the board of the company; three of said board shall constitute a quorum to transact business, of whom the president or one appointed by him to fill his place shall always be one; they shall have power to fill vacancies which may happen
in their body and until the first election of directors by the stockholders, and the said W. C. Kerr, J. P. Irwin, E. Nye Hutchinson, J. M. Springs, M. L. Wriston, J. J. Blackwood and S. L. Williams shall constitute the board of directors of said company, with full power and authority to exercise all the corporate powers thereof.

Sec. 5. Be it further enacted, That general meetings of the stockholders may be called and held as the by-laws shall prescribe; that to constitute a meeting there must be present in person or by proxy (the proxy being a stockholder) a number holding a majority of the stock, each share of which shall entitle the holder to one vote.

Sec. 6. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 28th day of May, 1864.]

AN ACT TO AMEND THE CHARTER OF THE LOCKVILLE MINING AND MANUFACTURING 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 any railroad or corporation may subscribe to the capital stock of the Lockville Mining and Manufacturing Company to any amount not exceeding ten per cent. of the capital stock of said subscribing corporation.

Sec. 2. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 28th day of May, 1864.]

PLANKROADS.

AN ACT IN REGARD TO TOLLS ON THE WESTERN PLANKROAD.

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 section twenty-three (23) of an act ratified on the 28th day of January, 1851, entitled "An act to incorporate the Western Plankroad company" be
amended by changing the first clause of said section, and the rate of toll to be charged for passing the bridge belonging to said Plankroad Company across the Catawba river, so that the section shall read as follows: "That the said Plankroad Company is hereby authorized to erect toll gates at their bridge across Catawba river, and from all persons who may cross said bridge may require the following tolls, viz.: For every pleasure carriage three dollars, for every two horse buggy two dollars and fifty cents, for every one horse buggy two dollars, for every four horse wagon three dollars, for every two horse wagon two dollars, for every cart one dollar, for every one horse wagon one dollar, for every man and horse fifty cents, for every person on foot twenty-five cents, for every loose horse or mule twenty-five cents, for every cow, hog, or sheep, twenty-five cents, and for every animal on foot intended for exhibition one dollar. [Ratified the 28th day of May, 1864.]

RAILROADS.

Chap. 12. AN ACT TO AMEND THE CHARTER OF THE FAYETTEVILLE AND FLORENCE RAILROAD 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 so much of the 5th section of the ordinance of the convention of North Carolina, entitled "An ordinance to charter the Florence and Fayetteville Railroad Company," as requires a subscription of one hundred thousand dollars before an organization of said company be made, be and the same are hereby repealed, and that whenever fifty thousand dollars shall be subscribed the commissioners therein appointed may call a general meeting of stockholders and said company may be duly organized and proceed to the construction of said road, and that in organizing said company the stockholders shall not be required to elect a treasurer, but said officers shall be elected by and be amenable to the board of directors.

Sec. 2. Be it further enacted, That the justices of the county court of any county or the authorities of any incor-
porated town, or the authorities of any corporation in this State, shall have full power and authority to subscribe for the stock of this company, and to issue bonds and other evidences of debt for the purpose of receiving money to pay the same under such rules and regulations as said authorities may adopt, and to levy and collect taxes to pay the same. [Ratified the 25th day of May, 1864.]

AN ACT TO INCORPORATE THE PLASTER BANKS' AND SALT WORKS' RAILROAD 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 for the purpose of forming a connection with the Western North Carolina Railroad and the Atlantic, Ohio and Tennessee Railroad, the valley of the Yadkin and some point on the Virginia line in the direction of the iron, lime, plaster and salt region of that State, a company is hereby authorized to be incorporated under the name and style of the "Plaster Banks' and Salt Works' Railroad Company," which shall have a corporate existence as a body ninety-nine years; and by that name may sue and be sued, plead and be imploaded, may have and use a common seal, and shall be capable in law and equity of purchasing, holding, leasing and conveying estate both real and personal and mixed, and of acquiring the same by gift or will so far as may be necessary for the purposes herein contemplated and no further; and said company may enjoy all other rights and immunities which other corporate bodies may lawfully exercise, and may make all necessary by-laws and regulations for its government not inconsistent with the constitution and laws of the State of North-Carolina or of the Confederate States of America.

SEC. 2. Be it further enacted, That the said company shall have power and authority to construct a railroad from the town of Statesville to some point on the Virginia line in the direction of the lime, iron, plaster and salt region in that State.
Sec. 3. Be it further enacted, That the capital stock of said company shall not exceed three millions of dollars, divided in shares of one hundred dollars each, and may raise the same by subscription of individuals, counties, towns and corporations of any and every description whatsoever, equal in amount to a sum sufficient to construct and equip the road herein authorized to be built.

Sec. 4. Be it further enacted, That C. A. Carlton and R. F. Simonton of the town of Statesville, O. J. Ford and Jerry Tomlin of the town of Olin, J. A. Young and Wm. Johnston of the town of Charlotte, A. C. McIntosh and Alfred Carson in the town of Fayetteville, Andrew Conler and A. N. Martin in the town of Hamptonville, A. B. F. Gaither and Wm. J. Colvert of the county of Iredell, N. A. Joyner and R. F. Armfield in the town of Yadkinville, B. B. Bur and Dr. E. B. Hampton in the town of Jonesville, Dr. James Calaway and Oliver Cowles in the town of Wilkesborough, T. S. Martin and Thomas Long in Huntsville, Tyre York and John Alexander at Trap Hill, and such other persons as the above named persons may appoint, are hereby appointed commissioners to receive subscriptions to the capital stock of said company in each of the said towns and counties, any three of whom may have power to act, first giving ten days notice in one of the newspapers of this State, of the time of opening the books for that purpose; and any five of said commissioners may at any time after said books have been kept open for twenty days have power to call together the subscribers to the capital stock of said company for the purpose of organizing the said company, and the commissioners may, after the organization of the company, from time to time receive further subscriptions to the capital stock as they may deem proper.

Sec. 5. Be it further enacted, That whenever the sum of one hundred thousand dollars shall have been subscribed, by responsible persons, corporations, towns or counties to the capital stock of said company, and the sum five dollars per share shall have been paid in, the said general commissioners, the subscribers, their successors, executors or administrators or assigns shall be and they are hereby declared incorpor-
ated into a company, under the name and style of the “Plaster Banks’ and Salt Works’ Railroad Company,” and the said general commissioner shall forthwith call together the stockholders of said company, by giving public notice of the place of meeting for thirty days, who shall proceed to organize the company by the election of a president, treasurer and nine directors, out of the number of the stockholders, who shall serve for one year and until others are elected, according to the rules and regulations contained in the charter of the Western Railroad Company, amended by several amendments now existing thereto.

Sec. 6. Be it further enacted, That for the purpose of raising the capital stock, organizing said company, and constructing said railroad, this corporation is hereby invested with all the franchises, rights, powers and privileges, and made subject to the duties and liabilities that the Western Railroad Company are invested with and subject to by their charter.

Sec. 7. Be it further enacted, That said company may hold annual meetings of its stockholders and oftener if deemed necessary; Provided, That in all such meetings of the stockholders a majority of all the stock subscribers shall be represented by proxy or in person, and each share thus represented shall be entitled to one vote on all questions; and said company shall have power to call for and enforce the payment of all stock in like manner as the Western Railroad enforced the collection of theirs under their charter; and shall have power to condemn land for the use of the company if necessary to the same, and in the same manner and under the same rules, regulations and restrictions as the said Western Carolina Railroad Company were authorized to do by the said act of incorporation, and the gauge of this shall be the same as the gauge of the said road.

Sec. 8. Be it further enacted, That said company shall have power to borrow money for the completion of said road, and issue bonds for the same, bearing interest not exceeding seven per cent. per annum, and secure the payment of said bonds by procuring personal endorsers or executing mortgages upon their road or other property, and
that said company may have the exclusive right of transporting persons and freight upon said road at such rates and charges as the board of directors may fix.

Sec. 9. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 30th day of May, 1864.]

Chap. 14. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CHARTER THE SHELBY AND BROAD RIVER RAILROAD COMPANY."

Amendatory of 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 to charter the Shelby and Broad River Railroad," passed the 10th day of February, in the year of our Lord one thousand eight hundred and sixty-three, be and the same is hereby amended so as to allow the company thereby chartered to increase the capital stock of said company to the amount of one million five hundred thousand dollars, and to increase at their discretion the number of directors constituting the board to thirteen.

Sec. 2. Be it further enacted, That the said Shelby and Broad River Railroad Company be and it is further authorized to construct branches of not more than ten miles in length to such points near the route of said Railroad as may be deemed expedient.

Sec. 3. Be it further enacted, That this act shall be in force from its ratification. [Ratified the 28th day of May, 1864.]

ROADS.

Chap. 15. AN ACT TO AMEND AN ACT ENTITLED "AN ACT FOR THE IMPROVEMENT OF THE ROADS IN THE COUNTIES OF HENDERSON, BUNCOMBE, MADISON AND YANCEY."

Amendatory of act of 1858-59.

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 first section of the act passed
in 1858-'59, entitled "An act for the improvement of the roads in the counties of Henderson, Buncombe, Madison and Yancey" be so amended as to include the county of Transylvania. [Ratified the 28th day of May, 1864.]

TOLL BRIDGES.

AN ACT TO AMEND AN ACT AUTHORIZING THE ERECTION OF A TOLL BRIDGE OVER THE CATAWBA RIVER BETWEEN THE TOWNS OF NEWTON AND LENOIR.

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 authorize the erection of a toll bridge over the Catawba between the towns of Newton and Lenoir, passed at the session of Legislature, 1848-'9, be and the same is hereby amended so as to allow the company to charge the following toll: Upon all six horse wagons one dollar and fifty cents, five horse wagons one dollar and twenty-five cents, four horse wagons one dollar, three horse wagons seventy-five cents, two horse wagons fifty cents, upon four wheeled pleasure carriages one dollar and fifty cents, on two horse buggies one dollar, on one horse buggies seventy-five cents, on two wheeled pleasure carriages fifty cents, upon man and horse or mule twenty-five cents, single horse and mule ten cents, upon foot passengers ten cents, upon every head of horned cattle six cents, upon hogs and sheep four cents.

Sec. 2. Be it further enacted, That this act shall be in force two years from its passage and at the end of two years the rate of toll now allowed shall be re-established. [Ratified the 28th day of May, 1864.]

AN ACT TO INCORPORATE THE ISLAND FORD TOLL BRIDGE COMPANY IN THE COUNTY OF ROCKINGHAM.

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 company be and the same is hereby incorporated under the name and style of "The
Island Ford Toll Bridge Company," with a capital stock of fifty thousand dollars, divided into shares of one hundred dollars each, to continue and have a corporate existence as a body politic and corporate for thirty years, for the purpose and with the authority to build and construct a bridge over and across Smith's river in the county of Rockingham, at or near the island ford on said river where the public road leading from Leaks ville to Danville crosses the same, with all the power and authority vested in corporations by chapter twenty-six of the Revised Code of North-Carolina, under the title "Corporations," not inconsistent with the laws of this State, or the provisions of this act.

**Sec. 2.** Be it further enacted, That A. B. Johns, Jones W. Burton, Thomas Reynolds and Daniel E. Field are hereby appointed commissioners to open books of subscription to said stock, and to keep the same open for the space of ten days, and as soon as the sum of ten thousand dollars is subscribed, the subscribers shall be a body politic and corporate by the name and style and for the purposes aforesaid.

**Sec. 3.** Be it further enacted, That the stockholders shall appoint three of their body as directors to manage and conduct the affairs of said corporation, and in all meetings of stockholders each stockholder shall be entitled to one vote for each share of stock held or owned by him, and the said directors shall appoint one of their body president, who, together with the other two directors, shall hold their appointments for the space of two years and until their successors be elected and appointed.

**Sec. 4.** Be it further enacted, That said corporation shall have power and authority to fix the rate of tolls for crossing said bridge, and to make all such by-laws and regulations as it may deem necessary and proper, not inconsistent with the laws of this State, and to open books of subscription for the balance of its stock until all is subscribed.

**Sec. 5.** And whereas, it is desirable that a free bridge should be built at the above place designated, which the county court of Rockingham hath hitherto neglected or declined to do: Therefore be it enacted, that if said court shall at its next August term, 1864, neg-
lect, decline or refuse to make the proper and necessary orders to build a free bridge at the place, and shall neglect, decline or refuse to keep up said free bridge after the same is built for the space of six months, then, in either event it shall be the duty of the said persons appointed, to open books of subscription for the stock aforesaid; and as soon as said corporation shall construct said toll bridge and have the same ready for the use of the public, the said corporation may turn said road so as to cross at said bridge and may close said ford to the public, unless said bridge is destroyed by fire, water other cause or it becomes necessary to repair the same, during which time the said ford shall be kept open for public use until said bridge is ready for public use, when the said corporation shall close the same again.

Sec. 6. Be it further enacted, After the organization of said corporation, it shall not be lawful to build, construct or open any other bridge, ferry or ford over said river for public use within two miles of said toll bridge.

Sec. 7. Be it further enacted, It shall be lawful for the county court of Rockingham, a majority of the justices being present at its next August term, to make an order authorizing the subscription of the county to the stock of said company, and this act shall be in force from and after its ratification. [Ratified the 28th day of May, 1864.]

TOWNS.

AN ACT TO ENLARGE THE POWERS OF THE COMMISSIONERS OF Chap. 18. 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 commissioners of the town of Wilmington shall have full power and authority to levy and collect a tax for municipal purposes upon all auction sales made within the corporate limits of the town, and they may impose either a specific tax upon auctioneers or
a tax upon the gross proceeds of the sales made by them not to exceed five per centum thereof, or upon the gross profits or commissions of the auctioneers, and they may require the payment of such tax to be made monthly or quarterly, semi-annually or annually, as they may deem proper.

SEC. 2. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 26th day of May, 1864.]

Chap. 19. AN ACT TO ENLARGE THE POWERS OF THE MAYOR AND COMMISSIONERS OF THE TOWN OF FAYETTEVILLE.

Treasurer.

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 commissioners of the town of Fayetteville may annually appoint any suitable citizen of the town to act as treasurer of the town for that year, without being restricted in their election to one of their own body for said appointment.

Sec. 2. Be it further enacted, That the mayor and commissioners of Fayetteville be and are hereby empowered to pay the mayor of the town such salary as the board may deem adequate for his services.

Sec. 3. Be it further enacted, That the mayor and commissioners of Fayetteville shall have power to enforce their ordinances, rules and regulations by imposing fines and penalties for their infraction not exceeding one hundred dollars: Provided, That after conviction and judgment, the mayor shall have power, at his discretion, to reduce the fine and penalty to a sum not less than one dollar by remitting the excess.

Sec. 4. Be it further enacted, That the mayor and commissioners of Fayetteville be and are hereby empowered to impose the same taxes for municipal purposes upon all persons whose ordinary avocations are pursued within the corporate limits of the town, although resident beyond the
corporate limits, in like manner and to the same extent as upon persons resident within the corporate limits: Provided, That non-residents thus taxed shall have the right to vote at municipal elections.

Sec. 5. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 28th day of May, 1864.]

AN ACT TO AMEND THE CHARTER OF THE TOWN OF CHARLOTTE, PASSED AT THE SESSION OF 1860-61.

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 Charlotte, in the county of Mecklenburg," be amended as follows: Section 3 shall be amended to read as follows: "That the said town shall be divided into four wards, by the intersection of Trade and Tryon streets, to be known as follows: that part of town lying north-east of said intersection as ward No 1; that part lying south-east of intersection of same streets as ward No. 2; that part lying south-west of intersection of same streets as ward No. 3; and that part lying north-west of intersection of same streets as ward No. 4. The board of commissioners of said town shall consist of nine persons, viz: A mayor, who shall be elected by the voters of the town generally, and two commissioners for each ward, who shall be elected by the voters in their respective wards, and who reside and continue to reside, while in office, in the ward for which they are chosen. They shall be elected biennially and serve until others are elected and qualified. The mayor shall be president of the board of commissioners, and shall have no vote in said board except in case of a tie, in which case he shall have the casting vote. Section 4 shall be amended as follows: In the 13th line strike out the words "two inspectors," and insert "five inspectors," one for the mayor's election and one for each ward in the commissioners election; in the 14th line insert the word "who" before "shall receive;" in the 16th line strike out the words "one box" and insert "the respective ward boxes;" in the 19th line after the
words “one list” add “for each ward ;” in the 29th line strike out the word “eight” and insert “two,” and after the word “persons” insert ” in each ward;” in the 32nd line after the words “two or more persons” insert the words “in one ward.” Section 5 shall be amended in the 7th line, after the word “dollars” add “said freehold to be owned by the commissioner in the ward for which he is chosen.” Section 6 shall be amended by inserting after the words “town tax” in the 4th line the words “and all arrearages of town taxes,” and at the close of the section add the words “for the ward in which said real estate lies or in which he resides: Provided, That no person shall be allowed to vote in more than one ward for commissioners.” Section 9 shall be amended by inserting after the word “ordinances,” in the 8th line, the words “and shall have original jurisdiction of all suits for the recovery of such penalty or penalties not exceeding in amount five hundred dollars in any one case;” in the 3rd line from the end of the section strike out the balance of the section after the word “collected ” and add “and the mayor shall receive a reasonable salary to be fixed by the board of commissioners, and to be paid annually by the treasurer of the same.” Section 24 shall be amended as follows: In article No. 1, strike out the word “four” and insert “ten;” in article No. 2, strike out the words “fifty cents” and insert “one dollar;” in article No. 3, strike out the words “two ” and insert “four”; in article No 4, strike out the words “one-fourth of one per cent.” and insert “one per cent.;” in articles No. 5, 6 and 7, strike out the word “two ” and insert “four;” in article No. 8, strike out the word “five” and insert “fifty;” in article No. 9, strike out the word “one” and insert “twenty-five;” in article No. 10, strike out “one hundred” and insert “not exceeding one thousand ;” in article No. 11, strike out “fifty ” and insert “not exceeding five hundred;” in article No. 12, strike out the words “fifty cents” in the 6th line and insert “one dollar;” in the 7th line after the words “brought into the town,” strike out the words “for sale;” and in the 8th and last line strike out the word “ten ” and insert in both places the word “fifty; ” in article 13, after the words “business in the
town," in the second line add the words "a tax not exceeding fifty dollars," and at the last of the article strike out "ten dollars" and insert "one hundred dollars;" in article 14, strike out "ten" and insert "fifty;" in article 15, strike out "five" and insert "twenty-five;" in article 16, strike out "ten" and insert "one hundred;" in article 17, strike out in first line "twenty" and insert "one hundred;" in article 18, in the 1st line insert the word "public" before "billiard table," strike out the words "seventy-five" and insert "one hundred," and add to the section the words "on every private billiard table a tax not exceeding twenty-five dollars;" in article 19, 1st line, strike out "fifty" and insert "one hundred," in the last line strike out "thirty" and insert "fifty;" in article 21, strike out "fifty" and insert "five hundred;" in article 22, strike out "twenty" and insert "two hundred;" in article 23, strike out "ten" and insert "fifty;" in article 26, after the first words "on every," insert "hacks or," and strike out "fifteen" and insert "fifty," and strike out "twenty-five" and insert "one hundred;" in article 27, after the first words "on every dray" insert or "express wagon," after the words "one or two" insert "or more," strike out "twenty-five dollars" and the words following in the article and insert "one hundred dollars." Section 36, in 20th line, after the words "action of debt" add "before the mayor or." Section 42, strike out all after the words "said town" in the section and add "or use the county gaol."

Sec. 2. Be it further enacted, That in numbering the sections and lines as amended herein, reference shall be had to the copy of charter printed by the town of Charlotte in the year 1861. [Ratified the 28th day of May, 1861.

TURNPIKES.

AN ACT TO AUTHORIZE THE BUNCOMBE TURNPIKE COMPANY TO INCREASE THEIR RATES OF TOLL.

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 "Buncombe Turnpike Com-
pany" have power and authority to charge double the rates of toll on the turnpike road leading from Saluda Gap in Buncombe county by way of Smith's, Muraysville, Asheville and the Warm Springs to the Tennessee line, which they are authorized to charge by the seventh section of the act passed by the General Assembly in 1824, incorporating said company: Provided, nevertheless, That the General Assembly retains the right to hereafter reduce the rates of toll on said road to any sum not less than that authorized by the seventh section of the act aforesaid.

Sec. 2. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 28th day of May, 1864.]

**Chap. 22.** AN ACT FOR THE BETTER REGULATION OF THE WESTERN TURNPIKE ROAD.

Tolls.

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 any one traveling upon the Western Turnpike Road shall be required to pay toll at every gate that may be passed upon said road: Provided, That no one shall be required to pay toll at any gate in his own county or within ten miles of his residence.

Sec. 2. Be it further enacted, That all laws contrary to the intent and meaning of the foregoing section be and the same are hereby repealed. [Ratified the 28th day of May, 1864.]

**Chap. 23.** AN ACT IN FAVOR OF JOHN A. LONG.

Arrearages of taxes.

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 John A. Long, sheriff of the county of Richmond, shall have full power and authority to collect arrears of taxes in the county of Richmond until August, 1865. [Ratified the 26th day of May, 1864.]
AN ACT TO AUTHORIZE THE SECURITIES OF LEWIS WILLIAMSON, LATE SHERIFF OF COLUMBUS COUNTY, TO COLLECT ARREARS OF TAXES.

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 sureties of Lewis Williamson, late sheriff of Columbus county, be and they are hereby authorized and empowered to collect all arrears of taxes due said sheriff, which collection shall be made under the same rules and regulations and restrictions as other collection of taxes by virtue of the laws of this State: Provided, That the authority by this act granted shall not extend to persons who have removed from the county, or to personal representatives, nor to any person who will make oath before any justice of the peace for said county that he or she verily believes that the arrears of taxes claimed from him or her have been paid.

Sec. 2. Be it further enacted, That the power and authority hereby granted shall cease and determine with the year 1864.

Sec. 3. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 28th day of May, 1864.]

MISCELLANEOUS.

AN ACT TO INCORPORATE THE CAPE FEAR LODGE A. F. MASONs, No. 194, LOCATED IN ELIZABETHTOWN, BLADEN 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 masters and wardens, which at present are, or in future may be, of Cape Fear Lodge, No. 194, in Elizabethtown, Bladen county, are hereby constituted and declared to be a body corporate, under the name and style of Cape Fear Lodge, and by such name shall have a common seal, may sue and be sued, plead and be impleaded, acquire and transfer property, and pass all such by-laws and regulations as shall not be inconsistent with the laws of the State or Confederate States. [Ratified the 26th day of May, 1864.]

Body corporate. 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 master, wardens and members of the St. John's Lodge, No. 96, of free and accepted masons, at Kinston, in the county of Lenoir, be and they are hereby constituted a body politic and corporate, by the name and style of the "St. John's Lodge, No. 96, free and accepted masons," and by that name shall have perpetual succession, may sue and be sued, plead and be impleaded, have a common seal, and in general exercise and enjoy all such rights and privileges, as are usually incident to corporate bodies of the like nature.

Sec. 2. Be it further enacted, This act shall be in full force and effect from and after its ratification. [Ratified the 28th day of May, 1864.]

Chap. 27. An Act to Incorporate the Trustees of the General Assembly of the Presbyterian Church in the Confederate States of America.

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 C. Perrin, Rev. B. M. Palmer, D. D., Samuel McCorke, Joseph H. Wilson, Jesse H. Lindsay, Robert Adger, J. A. Ansley, J. A. Crawford, James B. Walker, J. A. Anglis, John Whiting, R. M. Patton, Rev. George Howe, D. D., Rev. J. L. Kirkpatrick, D. D., and Wm. L. Mitchell, and their successors, duly chosen in manner as herein directed, be and they are hereby constituted a body politic and corporate, by name and style of "The Trustees of the General Assembly of the Presbyterian Church in the Confederate States of America," and by the name and style aforesaid shall be able and capable to take and hold all such estate, property and effects as may be acquired by gift, purchase, devise or bequest, to aid and enable the said General Assembly 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 Confederate 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.

Sec. 2. Be it further enacted, The 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 to do any thing proper or
incident to the due government and support of the corpora-
tion, and for the managing of the funds and revenues
thereof: Provided, Such by-laws, ordinances or acts done,
shall not be repugnant to the constitution of the Confede-
rate States or this State or of any direction of the said
general assembly.

Sec. 3. Be it further enacted, The 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 the same.

Sec. 4. Be it further enacted, The said 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 bequest shall be made to
the "Trustees of the General Assembly by the Presbyterian
Church in the Confederate States of America" 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 afore-
said corporation in general terms.
SEC. 5. Be it further enacted, 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, 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. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 26th day of May, 1864.]

Chap. 28. AN ACT TO LEGALIZE THE PROCEEDINGS OF THE COUNTY COURT OF DAVIE IN LAYING TAXES FOR THE YEAR 1864.

Proceedings of court legalized. 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 proceedings of the justices of the county of Davie, in laying the county taxes at the court house in Mocksville on the 16th day of May, 1864, be and the same are hereby in all things declared legal and valid, and shall have the same validity in all respects as if laid at the regular March term as required by law.

SEC. 2. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 26th day of May, 1864.]

Chap. 29. AN ACT TO LEGALIZE CERTAIN ACTS OF THE COUNTY COURT OF MADISON COUNTY.

Preamble. Whereas, On account of the disturbances existing in Madison county, rendering it unsafe for the county court of said county to convene at the court house in Marshall;
and whereas, the court aforesaid did meet in extra session at the residence of T. S. Deaver in the county aforesaid on the 23rd day of April, A.D. 1861, and did there and then transact business necessary to be done in court; 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 all acts and judicial proceedings entered upon record by the court aforesaid so holden in extra session be and they are hereby confirmed and legalized.

Sec. 2. Be it further enacted, That this act shall be in force and after its ratification. [Ratified on the 28th day of May, 1864.]

AN ACT TO INCORPORATE THE TRUSTEES OF THE SOLDIERS' FEMALE ORPHAN HOME IN THE COUNTY OF FORSYTH.

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 B. G. Worth, of the town of Wilmington; H. B. Eiler, of the same; Thomas H. Holt, Dr. T. Watson and Rev. E. W. Beal, of the county of Alamance; Burton Craig, Esq., of the town of Salisbury; Jno. G. Clapp, M. S. Sherwood, Esq., Dr. W. A. Coble and Rev. J. D. Sheck, of the county of Guilford; Jacob Conell and Rev. L. D. Grossclose, of the county of Rowan; R. C. Puryear, of the county of Yadkin; John J. Conrad, of the same; Alexander Swicegood and Rev. John Swicegood, of the county of Davidson; Rev. W. Wright, of the county of Forsyth; and A. J. Fox, of the county of Lincoln, be and they are hereby declared to be a body politic and corporate, to be known and designated by the name and style of the “Trustees of the Soldiers' Female Orphan Home,” and by that name shall have perpetual succession, and so Powers. continue for the term of ninety-nine years; that they shall have a common seal, and that the said trustees or a majority of them, shall be able and capable in law to receive and
possess all moneys, goods and chattels, choses in action, land and tenements and rents, as shall be given or conveyed to them, by deed, gift, devise or otherwise, in special trust and confidence; that the same shall be held, enjoyed and used by them, for the sole use, behalf and benefit of the Soldiers' Female Orphan Home aforesaid.

Sec. 2. Be it further enacted, That the said trustees and their successors or a majority of them, shall have full power to bargain and sell, grant, demise and convey to the purchaser or purchasers, any such lands and tenements and rents, goods and chattels aforesaid; and further, that they, the trustees aforesaid, and their successors, or a majority of them, shall have power to sue and be sued, plead and be impleaded, in all courts whatsoever, either at law or in equity of record or otherwise.

Sec. 3. Be it further enacted, That the board of trustees aforesaid, two-thirds of their number concurring, shall have power to remove any of said trustees for incompetency, neglect of duty, or other sufficient cause, and to fill all vacancies so created, as also such vacancies as may be caused by death or removal from the State, a majority of such trustees being present and voting at any such election.

Sec. 4. Be it further enacted, That the said trustees shall have power to erect all suitable and necessary buildings, and to employ all such competent teachers, professors and matrons, as they may deem necessary and expedient in order to impart to the pupils of the aforesaid Soldiers' Orphan Home a good and useful English education, and to impart to them a competent knowledge in those branches of domestic economy, which will qualify them to become useful members of female society; and they shall have power from time to time, by concurrence of a majority, to make all such rules and regulations and to adopt all such by-laws as they may deem expedient, for the government of themselves and the said institution: Provided, The same shall not be in conflict with the constitution and laws of this State.

Sec. 5. Be it further enacted, That the whole amount of real estate held by the said trustees at any one time shall not exceed three hundred acres, and the whole value of
property, held by them at any one time, both real and personal, shall not exceed two hundred thousand dollars.

Sec. 6. Be it further enacted, That this act shall go into operation from and after its ratification. [Ratified the 25th day of May, 1864.]

AN ACT TO LEGALIZE THE SALE OF THE PUBLIC JAIL AND LOT IN THE TOWN OF WILKESBOROUGH.

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 sale and conveyance of the lot of ground on which the old jail was located in the town of Wilkesborough, in Wilkes county, made by R. F. Petty, A. L. Rosseau and Augustine Finley, commissioners, be and the same is in all respects confirmed and legalized.

Sec. 2. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 28th day of May, 1864.]

AN ACT TO PREVENT OBSTRUCTIONS IN THE BIG SWAMP BY MEANS OF FISH TRAPS.

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 not be lawful for any person to obstruct the main channel of the Big Swamp, by means of Fish traps, in the county of Robeson, between sunrise on Monday morning and sunset on Thursday evening next ensuing in each and every week.

Sec. 2. Be it further enacted, That any person violating the provisions of this act shall forfeit and pay the sum of one hundred dollars, to be recovered by any person who will sue for the same, in any court of competent jurisdiction, one half to the use of the informer and the other to the use of the county in which suit shall be brought.

Sec. 3. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 28th day of May, 1864.]
Chap. 33. AN ACT IN RELATION TO GUARDIANS AND WARDS IN TRANSYLVANIA 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 when a guardian of the person or property of any ward, said ward or his estate living or being within the territorial limits of the county of Transylvania, was appointed by the court of pleas and quarter sessions of either Henderson or Jackson county, previous to the foundation of the county of Transylvania, and where such guardian shall not have made final settlement of his ward’s estate, the clerk of the court where such guardian was appointed shall transfer to the clerk of the court of pleas and quarter sessions of Transylvania county the bond of the guardian, his account of the estate of his ward, his annual account and state of the profits and disbursements of his ward’s estate, and all other papers relating thereto together with a copy of the records of the court, making such appointment with his certificate and seal of office.

Section 2. Be it further enacted, That the clerk of the court of pleas and quarter sessions of Transylvania county, shall, upon the transfer of said papers, treat and dispose of them in all respects in the same manner; and the rights, duties and liabilities of the guardian, ward, and all others shall be the same as if the guardianship had been originally conferred by the court of Transylvania county.

Section 3. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 28th day of May, 1864.]

Chap. 34. AN ACT TO AUTHORIZE THE JUSTICES OF CASWELL COUNTY TO REGULATE THE CLEANING OUT OF MOON’S CREEK IN 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 justices of the court of pleas and quarter sessions of Caswell county, seven justices being
on the bench, the first court which shall be held after the first Monday in June in each and every year, shall lay off, in convenient districts, all the inhabitants in said county residing or owning lands on the said creek in said county, within such distance of said creek as said justices may designate, and for each district so laid off, the said justices shall appoint some suitable person as overseer, who shall cause the said stream to be kept free from all obstructions in his district, and for that purpose he shall have power and is hereby required to cause all persons within the district allowed to him, liable to work on public roads, to work at least six days in every year on the said creek, during which time he shall employ said hands in removing all logs, brush, sand and other obstructions to said creek.

Sec. 2. Be it further enacted, That if any person appointed an overseer on said creek, by virtue of said provisions of this act, shall fail or refuse to discharge his duty as such, he shall be guilty of a misdemeanor, and any person liable to work as aforesaid or to send hands who shall fail or refuse to do so, after being duly warned as hands are for working roads, to appear, bring and work with such tools as the overseer shall direct, shall pay for each day five dollars, to be recovered and applied as for failing to work on public roads.

Sec. 3. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 28th day of May, 1864.]

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AUTHORIZE FOUR JUSTICES OF THE PEACE OF CARTERET AND CRAVEN COUNTIES TO APPOINT A COMMISSIONER AND FOR OTHER PURPOSES," RATIFIED DECEMBER 14TH, 1863.

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 any three justices of the peace, for the county of Carteret, to meet at any place which they may select, and to do all acts which four justices may now do by virtue of an act entitled "An
act to authorize four justices of the peace of Carteret and Craven counties to appoint a commissioner and for other purposes," ratified December 14th, 1863.

Sec. 2. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 21st day of May, 1864.]

Chap. 36. AN ACT TO AUTHORIZE THE COUNTY COURT OF WATAUGA COUNTY TO SELL THE OLD GAOL IN THE TOWN OF BOONE.

Authorizes the sale of old goal.

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 ratification of this act, the court of pleas and quarter sessions for the county of Watauga, a majority of the justices being present, shall have full power and authority, at any time in their discretion to order the commissioner of public buildings, after his giving ten days' notice by advertising at three or more public places within the county, to expose to public sale the remains of the old gaol, in the town of Boone, upon whatever conditions the court may direct, including or reserving that portion of the lot on which it is situated; and the chairman of the court aforesaid shall execute to the purchaser all necessary transfer as is prescribed by law.

Sec. 2. Be it further enacted, That the proceeds of said sale shall be appropriated as other county revenues.

Sec. 3. Be it further enacted, That this act shall be in force from and after its ratification. [Ratified the 26th day of May, 1864.]

Chap. 37. AN ACT TO ALLOW ALEXANDER J. HOOD, LATE TAX COLLECTOR OF THE COUNTY OF MECKLENBURG, FURTHER TIME TO COLLECT TAXES.

Arrearages of taxes.

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 Alexander J. Hood, late tax collector for the county of Mecklenburg, be allowed fur-
ther time of one year to collect all taxes which may be owing to him for the year 1863, and for that purpose he may have and exercise all the power which he had as such tax collector.

Sec. 2. *Be it further enacted*, That this act shall take effect from and after its ratification. [*Ratified the 26th day of May, 1864.*]
RESOLUTIONS

OF A PRIVATE NATURE, PASSED BY THE

GENERAL ASSEMBLY

OF

NORTH-CAROLINA,

AT ITS

ADJOURNED SESSION 1864.

RESOLUTION EXTENDING TIME TO THE SURETIES ON THE OFFICIAL BOND OF W. T. J. VANN, LATE SHERIFF, TO COLLECT TAXES.

Resolved, That Samuel R. Bunting, administrator of Wm. T. J. Vann, dec'd, late sheriff of New-Hanover county, and the sureties to the official bond of the said Wm. T. J. Vann, late sheriff, as aforesaid, be authorized to collect, and be allowed two years in which to collect all arrearages of taxes due the said late sheriff: Provided, The authority hereby given shall not extend to persons who may have removed from the county, nor to executors or administrator's nor to any one who shall make oath that the arrears claimed from him or her have been paid. [Ratified the 21st day of May, 1864.]
RESOLUTION OF THANKS TO MAJ. GEN. Hoke, BRIG. GEN. RANSOM AND COMMANDER COOKE.

Resolved, That the thanks of the General Assembly be tendered of thanks and they are hereby tendered to General Robert F. Hoke, Brigadier General. M. W. Ransom and to commander James N. Cooke, and to the brave officers and men under their respective commands, for the signal gallantry and heroism of their conduct, resulting in the recapture of the towns of Plymouth and Washington, and in the deliverance of so large a part of our State from the possession of a hateful and brutal enemy.

Resolved, That a copy of the above resolution be transmitted by his Excellency, the Governor, to Gen. Hoke, Brig. Gen. Ransom and to commander Cooke, with a request that they may be made known to the officers and men under their commands, in such mode as may express the grateful feelings of the General Assembly. [Ratified the 25th day of May, 1864.]

RESOLUTION IN FAVOR OF J. C. GRIFFITH, SHERIFF OF CASWELL COUNTY.

Whereas, The sheriff of Caswell county, J. C. Griffith, at the instance of the Public Treasurer, in the month of March last, made a trip to Raleigh at an expense of fifty dollars, and paid into the treasury money in his hands due the State for taxes on collateral descents, &c., to the amount of $4,852.55, which taxes he was not required by law to pay into the treasury prior to the first day of October next, for which trip the Treasurer is not authorized to pay said sheriff mileage or per diem compensation, by reason of which payment said sum can be embraced in the certificate of the Governor, to be made under the twelfth section of the currency act of Congress, ratified on the 17th day of February last: Therefore,

Resolved, That the Public Treasurer pay said Griffith fifty dollars out of any money in the treasury not otherwise appropriated. [Ratified the 25th day of May, 1864.]
RESOLUTION IN FAVOR OF THE SURETIES OF J. O. SMITH, LATE SHERIFF OF ALEXANDER COUNTY.

Resolved, That the sureties of J. O. Smith, late sheriff of Alexander county, be authorized to collect any arrearage of taxes due him: Provided, That nothing herein contained shall be construed to extend to any person who will make oath that they have paid the same. [Ratified the 25th day of May, 1864.]

RESOLUTION CONCERNING THE LISTING AND COLLECTION OF TAXES IN WATAUGA COUNTY.

Whereas, It appears that the taxable property in the county of Watauga was not listed according to law during the last twenty working days in April, 1864, for State and county taxes by reason of no tax list blanks having been received for that purpose in said county:

Be it, therefore, resolved, That it shall be the duty of the justices or tax list takers in the county of Watauga, to take the tax lists in said county during the month of June, 1864, and return the same to the clerk of the county court on or before the first day of July next ensuing; and it shall be the duty of the clerk of the county court of the said county to make out the taxes for State and county purposes on the property returned to his office by the tax list takers, and deliver the same to the sheriff of said county on or before the first day of August ensuing; and it shall also be the duty of the clerk of the county court to return to the Comptroller an abstract of said taxes on or before the first day of September, 1864.

Resolved, further, That it shall be the duty of the sheriff of said county to settle with the Comptroller and pay into the public treasury the taxes due the State from said county, on or before the first day of November, 1864, under the same forfeitures as now prescribed by law. [Ratified the 26th day of May, 1864.]
RESOLUTION IN FAVOR OF H. B. DEAVER, LATE TAX COLLECTOR FOR THE COUNTY OF MADISON.

Resolved, That H. B. Deaver, late tax collector for the county of Madison, be authorized to collect arrearages of taxes due him for the years 1861, 1863 and 1864. [Ratified the 26th day of May, 1864.]

RESOLUTION IN FAVOR OF DRURY KING.

Resolved, That the Public Treasurer pay to Drury King, for arranging the two halls at the present session, thirty dollars, and that he be allowed the same in the settlement of his public accounts. [Ratified the 28th day of May, 1864.]

RESOLUTION IN REFERENCE TO THE MESSENGER IN THE EXECUTIVE DEPARTMENT.

Resolved, That the messenger in the Executive office be allowed to purchase clothing from the quartermaster's department for himself at the usual government prices. [Ratified the 28th day of May, 1864.]

RESOLUTION IN FAVOR OF ALEXANDER SMITH, OF TRANSYLVANIA COUNTY.

Resolved, That Alexander Smith, of Transylvania county, be excused from the payment of the State and county taxes on his personal property for the year 1864, when he produces proof of the payment of taxes on the same to the State of Tennessee for the year 1864. [Ratified the 28th day of May, 1864.]
RESOLUTION IN FAVOR OF ALEXANDER HOUSTON.

Resolved, That the Treasurer of the State pay unto Alexander Houston, of the county of Madison, one hundred and fourteen dollars, which sum of money has been overpaid as taxes due the State. [Ratified the 28th day of May, 1864.]

RESOLUTION IN FAVOR OF THOMAS J. KENNEDY.

Resolved, That the Public Treasurer pay to Thomas J. Kennedy the sum of seventy dollars and sixty cents, it being the amount of public taxes paid by him to the sheriff of Davidson county, and also to the sheriff of Lenoir county, upon the same slaves, and by them paid into the Treasury. [Ratified the 28th day of May, 1864.]

RESOLUTION IN FAVOR OF WALTER A. THOMPSON.

Resolved, That the Public Treasurer be and is hereby authorized to pay to Walter A. Thompson, upon the warrant of the Auditor of public accounts, such expenses as he may have necessarily incurred or may necessarily incur in future, as agent for the State in transporting provisions, clothing, &c., to the army of Northern Virginia. [Ratified the 28th day of May, 1864.]
STATE OF NORTH-CAROLINA,
Office of Secretary of State,
June 25th, 1864.

I, John P. H. Russ, 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 25th day of June, 1864.

JOHN P. H. RUSS,
Secretary of State.
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