THE

LAWS

OF

THE STATE

OF

North Carolina,

ENACTED IN THE YEAR

1813.

Transmitted according to Law to

One of the Justices of the Peace to the County of

RALEIGH:
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1814.
AN ACT to amend the Militia Laws of this State.

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 in case of any invasion or insurrection, it shall be the duty of the militia officer highest in command in the county where the same shall happen, immediately to take measures to repel such invasion or to suppress such insurrection, and to give notice thereof to the nearest general officer, whose duty it shall be to send an express without delay to his Excellency, the Governor of the State, informing him of the same, and the nature and extent thereof: In the meantime, the said general officer shall immediately pursue the most effective measures for repelling such invasion or suppressing such insurrection, and the militia thus called out, shall be armed according to law.

II. Be it further enacted, That nothing contained in the fifth section of an act passed in the year 1806, entitled "An act to revise the militia laws of this State, relative to the infantry," shall be held or construed to prevent any officer from exercising and training his corps according to the rules of discipline which may be established in the army of the United States.

III. And be it further enacted, That if no immediate opportunity offers for forwarding orders or returns, the certainty of which ensures a speedy delivery thereof, which can be easily ascertained and proved, that then it shall be the duty of the officer issuing the order or making the return, (as the case may be), to lodge the same properly directed, in the post-office, marked on the back "Public Service," under which he shall write his name and grade; and a return thus made, shall be deemed sufficient and good in law, any law to the contrary notwithstanding.

IV. And be it further enacted, That no appeal shall be granted from a company court martial to a regimental court martial, unless the person praying the same shall give security to be approved by the captain or presiding officer of the company court martial, to abide by the decision of the regimental court martial; which appeal shall be taken in like manner as appeals from the judgments of Justices of the Peace to the County Courts, and shall be proceeded on in like manner by the regimental courts martial.

V. And be it further enacted, That the militia of this State, both officers and soldiers, when called into the service of the State, shall receive the same pay and rations as when called into the service of the United States.

VI. Be it further enacted, That the Governor for the time being is hereby authorized to mitigate or remit all fines and penalties recovered, or which may hereafter be recovered in any of the courts of justice in this state, against any general or field officer, arising under any of the militia laws of this State.

VII. Be it further enacted, That the commanding officer of each regiment or battalion of militia, shall give to the commanding officers of the companies under his command, not less than ten days notice of battalion or regimental reviews, which may at any time be ordered.

VIII. Be it further enacted, That His Excellency the Governor is hereby authorized to appoint a general staff to the militia of this state; and that the officers of the same when appointed, shall be subject to and be governed by such rules and regulations, and perform such duties as may be prescribed and assigned to them by the Governor for the time being.

IX. Be it further enacted, That it shall be the duty of the Adjutant-General to compile the several acts and parts of acts of assembly now in force relative to the militia, and to cause the same to be printed in pamphlet form, together with the act.
of Congress of eighth May, one thousand seven hundred and ninety two, and to be
distributed one copy for every general and field officer, and one copy to the com-
manding officer of each company; and when so printed, to be delivered to the pub-
lic printer, and by him transmitted to the several county court clerks, with the
Laws and Journals of the General Assembly; and it shall be the duty of the several
clerks aforesaid, to deliver the same to the commandants of the regiment or regi-
ments of his county.

X.  Be it further enacted, That the colonel commandant of each regiment of
militia in this state, shall have power, and he is hereby authorised and required to
call together at the usual place of regimental musters, all the officers of his regiment,
and such parts of the non-commissioned officers and musicians, as he may deem
necessary, at least three and not exceeding six days in each and every year, for the
purpose of mustering, training and establishing uniformity of discipline among
them; and it shall be the duty of said officers, to attend such musters within duly
notified thereof, in full uniform, and equipped with a musket and bayonet, or good
and sufficient firelock; cartouch-box, capable of containing 24 rounds; and 12 car-
triges— Provided always, That the officers of rifle corps, who appear armed with a
good rifle, shot pouch and powder-horn, and twelve rounds of powder and ball.

XI. Be it further enacted, That the Brigadier-General of each brigade shall
in like manner, once in two years, call together at some convenient place, within
their respective counties, all the officers of such county, (officers of cavalry except-
ed) for the like purpose; and it shall be the duty of the Brigadiers General to mus-
ter or cause to be mustered, trained and exercised, the officers aforesaid, at least
two days, and not more than six days: And it shall be the duty of the Majors Gen-
eral at least once in four years, or oftener if they think proper, to attend the musters
of the officers composing their respective divisions; and in case any of the officers
required by this act to attend the musters aforesaid, shall fail or neglect so to at-
tend, the said officers respectively so failing or neglecting, shall be subject to the
fines and forfeitures following; that is to say: A Major-General shall be fined in
the sum of sixty dollars; a Brigadier-General in the sum of fifty dollars; a Colonel
in the sum of forty dollars; a Captain in the sum of twenty dollars; a Lieutenant or
Ensign in the sum of fifteen dollars; a non-
commissioned officer or musician in the sum of five dollars; and that such default-
er or defaulters shall be tried, and the fines appropriated in the same manner as is
now directed by the militia laws of this State.

XII. Be it further enacted, That each and every section of the several acts of
Assembly, relative to the infantry, which can be applied to the government and dis-
ciplining of the artillery, light infantry, grenadiers or riflemen, or which can by con-
struction be applied to them or either of them, is hereby declared to be in force for the
government and disciplining of the artillery, light infantry, grenadiers or riflemen,
respectively, in the same manner and to all intents and purposes whatsoever, as
if each section of the acts aforesaid had been particularly and at full length set forth
in this act; any thing in any law, usage or custom to the contrary notwithstanding.

XIII. Be it further enacted, That if any non-commissioned officer or private
militia-man while in the pay and service of this State, shall wilfully desert the ser-
vice or abandon the post assigned to him, without being regularly discharged or
permitted by an officer duly authorized for that purpose, such non-commissioned
officer or private so deserting or abandoning his post, and being thereof convicted
by a court martial having jurisdiction of the offence, shall be adjudged to have for-
feited the pay and emoluments due to him at the time of his desertion, and be sub-
ject to a fine, not less than twenty and not exceeding fifty dollars, and imprison-
ment not exceeding six nor less than one month, at the discretion of the court mar-
tial; and furthermore turned over to serve as a private soldier in the regular army
of the United States, at the discretion of the court martial, not exceeding double the
term of time which he had been called out to serve in the militia of this State.

XIV. Be it further enacted, That whenever an officer under the grade of a field
officer, or any non-commissioned officer or private, shall be charged with an offence
or the omission of any duty, it shall be the duty of the commanding officer of the
regiment or battalion in which the case may happen, forthwith to cause a regimental
court martial to be convened and constituted as directed by the 12th section of
the act of 1806, entitled "An act to revise the militia laws of this State relative to the
infantry," to investigate and try the same, and thereupon to give judgment accor-
ding to the nature and circumstances of the offence.

XV. Be it further enacted, That the 21st, 28th and 29th sections of an act
passed in the year 1806, entitled "An act to revise the militia laws of this State rela-
tive to the infantry;" the 9th and 10th sections of an act passed in the same year,
titled "An act to revise the militia laws of this State relative to the artillery, light
infantry, grenadiers and riflemen," an act passed in the year 1807, entitled "An act
to expedite the organization of the quota of militia required from this State by the general government, and to provide for uniformity and dispatch in making and receiving returns in future, and to amend the laws now in force relative to the militia; and the 3d, 4th, 5th, 11th and 14th sections of an act passed in the year 1812, entitled "An act to amend the militia laws of this State," and all other acts or clauses of acts coming within the meaning and purview of this act, and contrary thereto, be, and the same are hereby repealed and made void.

XVI. And be it further enacted, That the uniform prescribed for the officers of the United States, shall be the uniform to be worn in future, by the commissioned officers of this State—Provided nevertheless. That nothing herein contained shall be so construed, as to compel officers who have already equipped themselves in uniform, to purchase others.

Uniform

Ratified three times, and ratified in General Assembly, this 23d day of December, A. D. 1813.

GEORGE OULTON, Speaker of the Senate.
WILLIAM MILLER, Speaker of the House of Commons.

WILLIAM HILL, Secretary.

CHAP. III.
AN ACT to provide means to furnish supplies to the militia which may be called into the service of the State, during the year one thousand eight hundred and fourteen.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That in the event of the militia being called into the service of the State, at any time or times, during the year one thousand eight hundred and fourteen, it shall be the duty of the Public Treasurer, under the direction of His Excellency the Governor, to borrow of one or more of the Banks in this State, such sums of money as in the opinion of His Excellency the exigency may require for the purchase of supplies for the militia thus called into service; Provided, That the whole sum to be borrowed during the said year for this purpose, shall not exceed fifty thousand dollars, and shall be borrowed at a rate of interest not exceeding six per cent per year, and shall be reimbursable at such times and in such proportions as shall be agreed on between the Public Treasurer and the said Bank or Banks.

CHAP. IV.
AN ACT to amend the laws now in force relative to the Supreme Court.

BE it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, That the Clerk of the Supreme Court, who shall have or may prepare the same for publication, shall be authorised on his own account, for his own use and at his own expense, to print, publish and vend, and to obtain under this grant, and in conformity to the acts of Congress, the copy right of the reports of the cases argued and determined in the said Court : Provided, the said Clerk secure to the use of the State sixty two copies of said reports, to be delivered within two years from this time to the Secretary of State, who shall cause the same to be distributed with the Laws and Journals by the public printer, one copy to each of the Clerks of the County Courts within this State for the use of said County ; and that all acts and clauses of acts, coming within the purview and meaning of this act, shall be & the same are hereby declared to be repealed and made void.

II. Be it further enacted, That in case the Clerk of said Court accept the terms specified by this act, he shall signify his said acceptance to the Secretary of State, and within sixty days from the passage of this act, shall execute and deliver to the Secretary a bond in the penal sum of five hundred pounds, payable to the Governor for the due performance of his undertaking.

CHAP. V.
AN ACT to amend the several acts regulating the inspection of flour in this State.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That within twenty days after the first
2813. The day of January next, the Governor shall appoint two persons of good repute, and who shall be skilful judges of flour, to act as inspectors of flour in the town of Fayetteville; and he shall also appoint one person of good repute, and who shall be a skilful judge of flour, to act as inspector of flour in the City of Raleigh; each of which said inspectors having taken the oaths prescribed by law for his qualification, shall have power to inspect flour, and brand the casks containing the same, under the same rules, regulations and restrictions as are prescribed for inspectors of flour in this State: And the said inspectors shall be removable by the Governor for the time being, for proper cause to him shown. 

II. And it further enacted, That from and after the passing of this act, it shall be lawful for the master, owner, or commander of any boat or craft, to receive on board his boat or craft for transportation from Fayetteville to Wilmington, any barrel or barrels of flour not inspected and branded; any thing contained in any law heretofore passed to the contrary notwithstanding.

III. And it further enacted, That the several degrees of flour shall in future be distinguished as follows, to wit: Superfine, Fine and Cross-middling; and it shall be the duty of inspectors of flour at the several places of inspection in this State, to conform their inspection as near as may be to the inspection of flour observed, and in use in the adjacent States.

IV. And it further enacted, That each Inspector shall have and receive from the owner or owners of flour by him inspected, the sum of five cents for each cask, and no more; and that all acts and clauses of acts, which come within the purview and meaning of this act, be, and the same are hereby repealed and made void.

CHAP. VI.

AN ACT for the removal of certain suits in the Superior Courts of Law and Equity of this State.

BE it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of this act, it shall and may be lawful for the parties to any suit now depending, or which may hereafter depend in any of the Superior Courts of Law or Equity within this State, to remove such suit by consent, for trial to any convenient County; which removal by consent shall be entered of record, and thereupon it shall be the duty of the Clerk to transfer the papers relating to such suit, in like manner as prescribed for the removal of causes on affidavit of either party, for which he shall receive the same compensation as in cases of that kind, and the Court to which such suit shall be so removed shall have full power and authority to proceed to hear and determine the same, as fully as if the same had been originally commenced in such Court, any law to the contrary notwithstanding.

CHAP. VII.

AN ACT to continue in force an act passed at the last session of the General Assembly, entitled "An Act to suspend Executions for a time therein limited." 

BE 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 debtor or debtors who have stayed Execution on any judgment obtained in any Court of this State, or before any Justice of the peace out of court, by virtue of the provisions of an act passed at the last session of the General Assembly, entitled "An act to suspend Executions for a time therein limited," shall be entitled to a further stay thereupon conforming to the conditions herein contained, to wit: that any debtor or debtors who have stayed an execution by virtue of the said act either in court or by giving security to the Sheriff out of court, may at the first court which shall happen after the first day of February next, give two sufficient free holders to be approved by the Court, securities for the payment of such judgment with interest and cost, and the acknowledgement of such securities in open court and entered on the records of the same shall be taken and deemed sufficient to bind him, her or them as securities aforesaid, and that any debtor or debtors who have stayed an execution before a justice of the peace out of court, may within ten days after such stay shall expire, give the like security, to be approved by the justice of the peace, for the payment of such judgment, with interest; and upon giving such security, such debtor or debtors shall be entitled to stay of execution until the first day of July next.

II. And it further enacted, That in all cases when a judgment has been obtained by the judgment in any Court on an execution shall be granted by virtue.
of this act, unless all the defendants to such judgment shall by themselves or their attorney, desire to have the benefit thereof.

V. And be it further enacted, That all the costs which have accrued upon judgments heretofore stayed, shall be stayed in like manner with the said judgments, any law to the contrary notwithstanding.

CHAP. VIII.

An Act to provide for the better accommodation of the Governors of this State.

BE it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the Treasurer, Comptroller, Secretary of State, and Henry Potter, Henry Seawell, William Hinton, Nathaniel Jones, (Crabtree,) Theophilus Hunter and William Peace, be, and they are hereby appointed Commissioners for the purpose of designing and causing to be erected on such part of the public lands near the city of Raleigh as they may deem most proper, a convenient and commodious dwelling-house, together with such out houses as to them shall appear necessary, for the accommodation of the Chief Magistrate of this State for the time being; and for the purpose of raising the necessary fund for the object aforesaid,

II. Be it further enacted, That the said Commissioners or a majority of them, shall have full power and lawful authority to sell and convey in fee simple by instruments of writing, from under their hands and seals, the lot number one hundred and thirty-one, and the buildings thereon, occupied at present by the Governor; and all or any part of the public lands contained within the deed of Joel Lane to the Governor for the use of this State, and adjoining the city of Raleigh, on the north, the west and south sides thereof, that is to say, not east of Person street nor east of Sugg's branch.

III. And be it further enacted, That the said Commissioners shall lay off or cause to be laid off into convenient lots of such size as to them may seem most proper, all or such parts of the lands above described as they may deem most advisable; and also lay off the lot number one hundred and thirty-one in the city of Raleigh the present residence of the Governor, into convenient building lots.

IV. And be it further enacted, That when the said lands and lot number one hundred and thirty-one shall be laid off as aforesaid, it shall be the duty of the Commissioners or a majority of them, to make an estimate of the value of each lot of land and the several parts of the lot now occupied by the Governor, and deposit the same with the Treasurer; and they shall not communicate to any person previous to the sale, the affixed value to any lot.

V. And be it further enacted, That the said Commissioners shall cause to be laid off within the lines above described, a lot not less than six, and not exceeding ten acres for the purpose of erecting thereon suitable houses for the accommodation of the Governors of this State.

VI. And be it further enacted, That the said Commissioners shall cause to be set up at public auction the said lots of land, together with the lot number one hundred and thirty-one, and the buildings thereon, first giving sixty days notice by advertisement in the newspapers printed at Raleigh, of the time and place of sale: Provided always, That the Commissioners shall adopt effectual measures to prevent the bidding off any lot for a less sum than the previous estimation, nor shall any title be made until the purchase money shall have been paid—Provided, That nothing contained in this act shall be construed to empower the Commissioners to sell the four unappropriated lots which are situated in the corners of the city.

VII. And be it further enacted, That the purchasers of the lots of lands shall have a credit of six months for one half the purchase money, twelve months for the balance, on giving bond with sufficient security, payable to the Governor, and negotiable at the State Bank; and the lot number one hundred and thirty-one shall be sold upon the condition that the purchaser or purchasers shall not have possession until other buildings be provided for the accommodation of the Governor be completed, and the purchasers shall be entitled to a credit of six months after being entitled to take possession of said lots, on securing the payment as aforesaid.

VIII. And be it further enacted, That the spring on the public land, north of the city, commonly called Rex's spring, and all such other springs as shall be deemed of public utility by the Commissioners aforesaid, together with such quantity of reserved land around the same as the Commissioners shall deem necessary, be reserved for public use.

IX. And be it further enacted, That the said Commissioners shall contract with persons for erecting buildings for the residence of the Governor, with suitable offices and out houses, the principal building, and such others as the Commissioners shall think fit, to be of brick or stone, not exceeding in the cost of the whole, five
An Act to amend an act entitled "An act concerning proving Willas and granting Letters of Administration, and to prevent frauds in the management of Justice's estates, Provided always, That nothing contained in this last will and testament of said testator or testatrix was proved or hereafter shall be proved shall nor affect the rights of such executor, so far as relates to his undertaking forthwith and his successor in office, and all persons residing out of this State who have heretofore been appointed executors of any last will and testament of any testator or testatrix had this or her last usual place of residence shall proceed to grant letters of administration with the will annexed which shall continue in force until the said executor or executrix shall enter into bond as by this act directed, within the space of one year after the death of the said testator or testatrix and not afterwards; and all persons residing out of this State who have heretofore been appointed executors of any last will or testament of any person residing within this State, shall within twelve months after the passing of this act enter into bond in manner herein prescribed, otherwise all their powers as executors to intermeddle with the goods and effects of his or her testator or testatrix shall cease and determine, and the court of the county in which the testator or testatrix had his or her last usual place of residence shall proceed to grant letters of administration with the will annexed to some discreet person or persons; Provided always, That nothing contained in this act, shall affect the rights of such executor, so far as relates to his undertakings for his testator or his power of retainer.

CHAP. X.

An Act to raise a Revenue for the payment of the civil list and concomitant charges of Government, for the year one thousand eight hundred and fourteen.

BE 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 tax on all stud horses and jack assesses within this State, a tax of twelve pence on every hundred pounds value of town lots with their improvements, as well on those not established by law; as those that have been established, and a tax of three shillings on every black poll shall be levied, collected and accounted for in the same manner as such taxes have heretofore been levied, collected and accounted for.

II. And be it further enacted, That a tax on all stud horses and jack asses within this State of the full sum which the owner or keeper of such stud horse or jack ass shall ask, demand, or receive for the season of one mare, shall be levied, collected, and accounted for in the same manner as such taxes have heretofore been levied, collected, and accounted for.

III. And be it further enacted, That all free males between the ages of twenty-one and fifty years, and all slaves between the ages of twelve and fifty shall be subject to a poll tax, Provided, That all slaves shall be listed in the county wherein they reside, and the tax shall be collected accordingly: And provided also, That it shall in future be the duty of the Clerks of the respective Courts of Pleas and Quarter-Sessions, in making their returns unto the Comptroller of the taxable property.
of their counties, to distinguish the number of white from that of the black polls therein.

IV. And be it further enacted, That each and every person who shall hereafter peddle or hawk in any county of this State, and not on a navigable stream, goods, wares or merchandize, which are not of the manufacture of this State or of the United States, shall pay to the Sheriff of each and every county in which he or she may so peddle or hawk goods, wares or merchandize, the sum of three pounds as a tax, which tax shall be accounted for by the Sheriff in like manner as other taxes, and on paying said tax and obtaining a receipt therefor, such person shall be authorised and permitted to peddle and hawk, as aforesaid, in such county and in no other, for the term of one year thereafter; and every person who shall peddle or hawk goods, wares and merchandize, on any navigable stream in this State, shall pay to the Sheriff of each and every county in which he or she shall so hawk or peddle ten pounds, as a tax to the State, to be accounted for as above; and on payment thereof, shall be authorised and permitted to peddle and hawk as aforesaid in such county and in no other, for the term of one year thereafter; and each and every person who shall hawk or peddle in any county without having previously paid the tax thereon, as herein before directed, shall be liable to a forfeiture of fifty pounds, to be collected by the Sheriff of such county, by distress and sale of any of the property of such delinquent, and to be applied one half to the use of the State, and the other half to the use of the said Sheriff.

V. And be it further enacted, That every merchant, who shall sell goods wares or merchandize in any store, in the amount of two hundred pounds in one year, shall pay a tax on each and every such store if a wholesale merchant, of eight pounds, and if a retail merchant, of three pounds, and every such merchant shall give in such store or stores in the list of his taxable under the same rules and regulations as other taxable are given in; and the tax thereon shall be levied, collected and accounted for in the same manner as other taxes. Provided always, That no retailers of spirituous liquors by the small measure, shall be liable to pay in addition to the tax imposed on such retailers, the tax also imposed on stores, unless such retailer shall sell goods, wares and merchandize, other than liquors to the amount herein stated. And provided always, That the Sheriff may be entitled to demand and shall demand and collect the tax imposed by this section from such persons also, as keep store for a less time than one year, and sell therefrom the amount herein before specified, although such stores were not open on the first day of April.

VI. And be it further enacted, That the owners of Billiard Tables, shall hereafter give them in at the same time and in the same manner as other taxable property, and shall pay for each Billiard Table, a tax of thirty-five pounds, to be levied, collected and accounted for in the same manner as other taxes; and the Sheriff shall collect the tax upon every Billiard Table within his county, whether the same shall have been there on the first day of April preceding or not, and whether the same shall have been erected on that day or not, unless the person having such Table in possession shall produce the receipt of the Sheriff of some other county for the said tax.

VII. And be it further enacted, That each and every company of itinerant stage players, race dancers, tumblers and wire dancers, and each and every person or company who shall exhibit natural or artificial curiosities of any sort or kind for a reward, shall previously to performing or exhibiting in any county of this State, pay to the Sheriff thereof, the sum of five pounds, as a tax to the State, to be accounted for by the Sheriff as other taxes; and on paying such tax and obtaining a receipt therefor, such person or company, shall be authorised and permitted to perform and exhibit as aforesaid in such county and in no other, for the term of one year thereafter; and each and every itinerant stage player, rope dancer, tumbler or wire dancer, or exhibiter of curiosities natural or artificial for a reward, who shall perform or exhibit in any county without having previously paid the tax herein directed, shall be liable to a forfeiture of thirty pounds, to be collected by the Sheriff of such county, by distress and sale of any of the property of such delinquent, and to be applied one half to the use of the State, and the other half to the use of the said Sheriff.

VIII. And be it further enacted, That after the payment of the civil list, and other specific appropriations by Law, the balance of the Revenue remaining in the Treasury during the year one thousand eight hundred and fourteen, be, and is hereby declared a contingent fund, to be applied to the incidental charges of government.

IX. And be it further enacted, That a tax of fifty shillings, be, and the same is hereby laid on all gates erected across any public road or highway within this State, and the owners of all such gates shall give in the same, at the same time that they give in their taxable property, and the tax shall be levied, collected and accounted for in the same manner as other taxes.
An Act to extend the time for securing entries of land.

BE it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That all bona fide entries of land in this State, the purchase money of which has been paid to the Treasurer of this State, since the first day of January, one thousand eight hundred and fourteen, shall have, until the fifteenth day of December, one thousand eight hundred and fifteen, for surveys to be made and returned to the Secretary's Office. Provided nevertheless, That nothing contained in this Act, shall affect grants for lands hereafter bona fide obtained, or entries made.

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

CHAP. XII.

An Act to extend the time for securing entries of land.

BE it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That whenever the United States shall desire to obtain scite within this State, for the purpose of erecting Fortifications or Light-houses thereon, and the owner or owners thereof be unknown or refuse to sell the same for a fair price, and shall by the Attorney of the United States for the District of North Carolina, file, with his Excellency the Governor of this State, a suggestion in writing setting forth their desire to obtain a scite or scites for the erection of Fortifications or Light-houses thereon, and describing in such suggestion the situation of such scite and the name of the owner or owners if known; it shall be the duty of the Governor forthwith to transmit a copy of such suggestion to one of the Judges of the Superior Courts of Law and Equity of this State, who shall on receipt thereof issue a Writ of Venire-facies to the Sheriff of the County in which such scite so required is situated commanding him to summon twenty-four freeholders of his County to appear on the premises on a day certain, from whom he shall draw by lot a jury of eighteen persons entirely unconnected with the owner or owners of such land, who being duly sworn by the Sheriff or his lawful Deputy, either of whom is hereby authorised and empowered to administer the oath to the said jurors, shall, impartially value, lay off and allot to the United States the scite required, (which in no case shall exceed ten acres,) shall proceed to view, lay off, allot and value such scite with the ground thereunto annexed under the hands and seals, in the presence of such Sheriff or lawful Deputy, who shall deliver the said Writ of Venire-facies with his return thereon; and the report of the jury under their hands and seals within ten days thereafter to the Public Register of the County in which such scite and lands lies, who shall forthwith register the same in the records of his Office; and thereupon the said United States shall on payment of the valuation to the party to whom such land belonged, or if such party refuse to accept the same, or be unknown, on payment of the same into the Public Treasury, be entitled to the use and possession thereof for the purpose mentioned in this Act. Provided always and upon express condition, That such scite for the purpose of erecting Lighthouses and Fortifications shall be used within five years after the filing of such petition, and be used and occupied continually thereafter for such purposes; otherwise such scite shall revert to this State.

II. Be it further enacted, That so much of an Act entitled "An Act to cede to the United States of America certain land upon the condition therein mentioned, as cedes Beacon Island and four acres of land at the head land of Cape Hatteras," as relates to Beacon Island, be and the same is hereby revived and declared to be in full force, any law to the contrary notwithstanding: Provided always and upon express condition, That a Fort be erected upon said Island by the United States within the limits which may be laid off and ceded by this Act to the United States, in the same manner and to the same effect as if this Act had never been made.

III. And be it further enacted, That the full and entire sovereignty and jurisdiction in and over such land as may be laid out and paid for for the purpose of erecting Fortifications and Light-houses under and by virtue of this Act, on or before the first day of December, 1814, be ceded absolutely and entirely to the United States, who shall have, use and exercise exclusive jurisdiction, power and authority over the same and every part thereof.

IV. And be it further enacted, That nothing herein contained shall be so construed as to debar or hinder any of the Officers of this State from serving any process or levying executions within the limits which may be laid off and ceded by this Act to the United States, in the same manner and to the same effect as if this Act had never been made.

V. And be it further enacted, That this Act shall be in force from and after the ratification thereof.
An Act concerning the boundary between this State and the State of South Carolina.

CHAP. X.

WHEREAS Commissioners duly appointed and authorised on the part of this State, and Commissioners appointed and authorised in like manner on the part of the State of South Carolina, did meet on the 20th of July last, near the termination of the line of 1772, in pursuance of an arrangement made by the Governors of the two States for the purpose of carrying into effect, the articles of a conventional agreement, entered into at Columbia on the 11th day of July, in the year 1808, and subsequently ratified by the Legislatures of the said States respectively: And whereas the said Commissioners in various conferences on the matters committed to them having on each part maintained different opinions, as to the practicability of fixing a boundary line, according to the true intent and meaning of the third article of the said conventional agreement; and not being able to agree thereon, did on the 4th day of September last by an instrument under their hands and seals agree to recommend to the Legislatures of their States respectively, the following as a substitute for the said third article of the conventional agreement, vizt.

A provisional article of agreement, entered into between the Commissioners of the State of North-Carolina and the Commissioners of the State of South Carolina, at M'Kinney's, on Toxaway river, on the fourth day of September, in the year of our Lord, one thousand eight hundred and thirteen:

Whereas the undersigned, John Steele, Montfort Stokes and Robert Burton, on the part of North-Carolina, and Joseph Blythe, Henry Middleton and John Blasingame, on the part of the State of South-Carolina, duly appointed commissioners by their respective States, to carry into effect a conventional agreement on boundary, signed at Columbia, in the State of South Carolina, on the 11th day of July, 1808, did meet on the 20th day of July last, near the termination of the line of 1772, and have continued their meetings by several adjournments to this present date: And whereas the said conventional agreement, by the third article thereof, provides that from the termination of the line of 1772, a line shall be extended in a direct course to that point in the ridge of mountains which divides the Eastern from the Western waters, where the 35th degree of North latitude shall be found to strike it, nearest to the termination of the said line of 1772; thence along the top of the said ridge to the Western extremity of the State of South Carolina. The commissioners above named after ascertaining from the observations and reports of the Astronomers accompanying them the 35th degree of North latitude at several points, and lastly on the Eastern bank of Chattooga river, and after conferring fully on the matters committed to them, perceiving real difficulties to exist in the execution, and having on each part maintained different opinions as to the practicability of fixing on a boundary line according to the true intent and meaning of the said article: Considering nevertheless that it is essential to the interests and conveniences of both States that a line of separation and limits should be ascertained and established with as little delay as possible, the said commissioners have agreed and do hereby agree to recommend to the Legislatures of their States respectively the following article as a substitute for the said third article of the conventional agreement, which substitute when ratified by the Legislatures of the said States shall be to all intents and purposes binding and conclusive and not before in vogue. From the termination of the line of 1772 a line shall be extended due West to the ridge dividing the waters of the North fork of Pacolet river from the waters of the North fork of Saluda river; thence along the said ridge to the ridge that divides the Saluda waters from those of Green river; thence along the said ridge to where the same joins the main ridge which divides the Eastern from the Western waters, and thence along the said ridge to that part of it which is intersected by the Cherokee boundary line run in the year 1797; from the center of the said ridge at the point of intersection the line shall extend in a direct course to the Eastern bank of Chattooga river, where the 35th degree of North latitude has been found to strike it, and where a rock has been marked by the aforesaid commissioners with the following inscription, vizt. LAT 35° 1813. It being understood and agreed, that the said lines shall be so run as to leave all the waters of Saluda river within the State of South Carolina; but shall in no part run North of a course due West from the termination of the line of 1772. In order therefore, that the aforesaid provisional article of agreement may be carried into full and complete effect, Be 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 Article aforesaid, as aforesaid provisional article of agreement, be, and the same is hereby fully ratified and confirmed.

CHAP. XIV.

An Act further to provide for widows of persons dying intestate.

WHEREAS by the existing laws the widow of an intestate person cannot have a years provision assigned to her except out of such specific articles as may belong to the estate which is often productive of hardships; for remedy thereof, BE it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted...
An Act authorising and empowering the Secretary of State to transcribe certain old Books in his office and for other purposes.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the Secretary of State shall cause to be re-bound in his office and in his presence, book number fifteen, containing grants from one thousand seven hundred and seventy-four to one thousand seven hundred and seventy-nine inclusive; and when said book shall be thus transcribed and copied, the said book shall be carefully examined and compared with the transcripts by the Secretary of State with the original records, and upon ascertaining the fidelity and correctness of said copies he shall carefully pack up the original book and deposit the same in his office among the archives of the state; and a copy of any grant taken from the said transcript shall be held valid to all intents and purposes, and given in evidence as if taken from the original transcript; any law to the contrary notwithstanding.

II. And be it further enacted, That the Secretary of State shall cause to be re-bound in his office and in his presence, book number fifteen, containing grants from one thousand seven hundred and seventy-four to one thousand seven hundred and seventy-nine inclusive; and when said book shall be thus transcribed and copied, the said book shall be carefully examined and compared with the transcripts by the Secretary of State with the original records, and upon ascertaining the fidelity and correctness of said copies he shall carefully pack up the original book and deposit the same in his office among the archives of the state; and a copy of any grant taken from the said transcript shall be held valid to all intents and purposes, and given in evidence as if taken from the original transcript; any law to the contrary notwithstanding.

III. And be it further enacted, That the Secretary of State shall be allowed as a compensation for transcribing and indexing the books aforesaid, and for indexing book number thirteen and for indexing the book containing Armstrong's entries, the sum of one hundred and seventy-five dollars; and also the further sum of fifty dollars as librarian according to the Act of the last General Assembly.

IV. And be it further enacted, That the Act passed in the year one thousand eight hundred and nine, entitled "An Act giving further time for the probate and registration of certain deeds issued from Lord Granville's office, be and the same is hereby declared to be and continue in force and operation for two years hereafter, any thing in the law to the contrary notwithstanding."
present superior courts of Law, and courts of Equity, in the several counties in this State now have and exercise.

II. And be it further enacted, That the county of Haywood shall hereafter constitute a part of the sixth circuit, and the Judge and Solicitor who may attend the superior courts in said county, shall be respectively entitled to the same pay for attending said courts, that they are now by Law entitled to receive for attending other superior courts in said circuit.

III. And be it further enacted, That the said superior courts and also the county courts of Haywood shall be held in the same manner, and exercise the same powers and authorities, and be subject to the same laws, rules, regulations and restrictions of the other superior and county courts of the several counties in this State. Provided always, That nothing in this Act contained shall be so construed as to give the superior courts any jurisdiction of the roads in said county, except the main road leading from Ashville to Waynesville.

IV. And be it further enacted, That the superior courts hereby established shall in all respects have the same powers as the other superior courts of this state: That a clerk and clerk and master in equity, both men of skill and probity, and residents in the county of Haywood, shall be appointed for the same for the purpose of attending the first term of said court: The said clerk and clerk and master in equity shall give bonds and security as directed by law for such officers, and take the oaths prescribed for their qualification: The county court of Haywood shall appoint thirty jurors to attend the said court in the same manner that jurors are appointed to attend the other superior courts of this state.

V. And be it further enacted, That all civil cases depending in the superior court of law and equity for Buncombe county, the plaintiffs to which causes reside in Haywood, and all other actions of ejectment and trespass quare clausum fremit, for or concerning lands lying in Haywood county, shall be transferred with the process and proceedings thereto to the superior courts of law of the county of Haywood hereby established: And the provisions of the Act passed in the year one thousand eight hundred and six, entitled "An Act amendatory and supplementary to an Act, entitled an Act for the more convenient administration of justice, passed at the present session of this General Assembly," for the appointment, summoning and attendance of jurors; for the transmission and receipt of the records, proceedings and papers; for docketing and bringing the causes forward for trial; for summoning witnesses, for issuing original and mesne process prior to the first term of Haywood superior court, and generally for all other purposes, relative to the preparation for trial, and determination of the business of the said court be, and the same are hereby extended to the superior court of Haywood county. The neglects and failures of the several officers of the superior courts of Buncombe and Haywood and of the county court of Haywood shall be subject to the same penalties and forfeitures as are prescribed for similar neglects and failures by the said Act: and the said officers shall be entitled to the same fees for their services as are established by the said Act for like services.

VI. And be it further enacted, That the superior courts of the several counties herein after mentioned, shall after the next spring circuit be opened and held on the days following, to wit: The superior court for the county of Rutherford, shall be opened and held on the third Monday after the fourth Monday in September next, and on the third Monday after the fourth Monday in March and September in each and every year thereafter; the superior court for the county of Lincoln, shall be opened and held on the fourth Monday after the fourth Monday in September next, and on the fourth Monday after the fourth Monday in March and September in each and every year thereafter; the superior court for the county of Iredell, shall be opened and held on the fifth Monday after the fourth Monday in September next, and on the fifth Monday after the fourth Monday in March and September in each and every year thereafter; the superior court for the county of Cabarrus shall be opened and held on the sixth Monday after the fourth Monday in September next, and on the sixth Monday after the fourth Monday in March and September in each and every year thereafter; and the superior court for the county of Mecklenburg shall be opened and held on the seventh Monday after the fourth Monday in March and September in each and every year thereafter: And all proceedings and process of every kind, depending in and issued from any of the said superior courts, at the time when the alteration of the terms thereof above prescribed shall take effect, shall stand continued and be returnable accordingly, any law to the contrary notwithstanding.

VII. And be it further enacted, That nothing in this Act contained shall be so construed as to prevent the trial of any cause in the superior courts of Buncombe county at the next term thereof.

VIII. And be it further enacted, That all Acts and parts of Acts that come within the purview and meaning of this Act, be, and the same are hereby repealed.
An Act to amend an Act entitled "An Act to empower the several County Courts of Pleas and Quarter Sessions of the several Counties in this State to order the laying out public Roads, and to establish and settle Ferries, and to appoint where Bridges shall be built, and to clear inland Rivers and Creeks."

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That from and after the passage of this Act the said county courts of pleas and quarter sessions shall not appoint or settle any ferry, or order the laying out of any public road, or discontinue or change such roads as now are or shall hereafter be made, unless upon the petition in writing of one or more persons in the said court filed, and unless such petitioners or petitioners shall make it appear to the satisfaction of the court that all and every such person over whose lands the said road may pass, or whose ferry theretofore established shall be within two miles of the place at which the said petitioner or the court shall have had twenty days' notice of the intention of filing said petition, the court shall cause the said petition to be filed in the clerks office until the succeeding court, and notice thereof to be posted during the same period at the court-house door, at which court the justices present shall hear the allegations set forth in the said petition, and if sufficient reason be shown the court shall have full power and authority to appoint and settle the said ferry or to order the laying out, or to discontinue or alter the said roads as the case may be, in the same manner and under the same rules, regulations and restrictions as in the said Act contained.

II. And be it further enacted, That if any person or persons shall be dissatisfied with the judgment, sentence or decree which the court may pass or pronounce on said petition, such person or persons so dissatisfied may pray an appeal to the superior court of law of the said county, but before obtaining the same shall enter into bond with two or more sufficient securities to be judged of by the said court for the faithful prosecution of said appeal, and for the faithful performance of the judgment, sentence or decree of the said superior court; which bond shall be made payable to the person or persons who shall have filed said petition, or to such person or persons who shall have opposed the same as the case may be, and the appeal so granted shall be subject to the same rules and regulations as appeals in other cases from the county courts to the superior courts; and the said superior court shall proceed to hear and determine the said petition, as shall appear right and expedient. Provided nevertheless, That nothing in this Act contained shall authorise the superior court to interfere in the fixing or regulating the rates of ferriage, tolls of bridges or the distribution or allotment of hands to work under overseers of the public roads.

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

An Act to amend an Act entitled "An Act directing how persons injured by the erection of Public Mills, shall in future proceed to recover damages."

BE 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 owners of lands which shall be overflowed by reason of the erection of Mills for domestic manufactures, or other useful purposes, shall have the same remedy against the persons erecting such mills or the owners thereof, as is given by the said act against the person or persons, erecting gist mills or the owners thereof.

II. Be it further enacted, That in all cases, arising under the said act, where either party shall appeal from the county to the superior court, the trial in the superior court shall be had at bar.

III. Be it enacted, That the venue issued to the Sheriff upon applications under the before recited act, shall command him to summon twenty-four jurors, from whom twelve shall be drawn as the jury to make the inquiry directed by the said writ, each party may challenge either peremptorily or for cause as in other civil cases.

An Act to amend an Act passed at the last session entitled "an Act to regulate ferriage rates."

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That if any Clerk and Master in Equity within this State, shall fail or neglect to pay over to the county Trustee the tax fees on suits in Equity, in like manner as tax fees on suits at Law, such Clerk and Master in Equity so failing or neglecting shall forfeit and pay the same sum that the clerks of the superior courts of law upon failures of the like nature, by the laws now existing, and to be sued for and recovered in the same manner, any thing to the contrary notwithstanding.

Read three times, and ratified in General Assembly, this 25th day of December, A. D. 1813.

GEORGE OUTLAW, Speaker of the Senate.

WILLIAM MILLER, Speaker of the House.
An Act to authorize Aaron Albertson to cut a Canal and make a Road thereon.

WHEREAS it has been represented to this General Assembly that a road from the head of Little River in Pasquotank county, through the desert in the county of Pasquotank, to or near Pasquotank river bridge, would render a very great convenience to travellers and the inhabitants of Chowan, Perguimons, Gates, Pasquotank and Camden counties, and Aaron Albertson, of Pasquotank county, having made application to said road.

BE it therefore enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That it shall be lawful for the county of Pasquotank and Pasquotank, and the said courts are hereby required (upon application) that they each appoint a jury of twelve men, who shall be possessed of a freehold in the county appointing the same, and it shall be lawful for the said jurors (when appointed) to go on the premises and lay off said road in such direction as to them shall appear most expedient, which jurors are also required to adjudge the damages, if any, to them shall appear, that will be sustained by the owner or owners of any tract or tracts of land in consequence of the said road and canal passing through the same, and make return thereof, each jury to the court by which said jury was appointed; and it shall be the duty of the said person or persons making said road to pay such damages before the said road shall pass through such tract or tracts of land, but shall not be liable until the said canal shall enter the premises.

II. Be it further enacted, That the said Aaron Albertson shall have full power and authority to enter upon the premises, after the said road shall be laid off as aforesaid, with full privileges to cut a canal not to exceed twelve feet in width, to lay off into the waters of Little river and Pasquotank river, for the purpose of draining said road, and that he shall also have authority to open the way for said road on the canal not to exceed forty feet in width.

III. Be it further enacted by the authority aforesaid, That it shall be lawful for the said Aaron Albertson to erect a turnpike gate or gates across said road, to ask, demand, and receive from all persons passing the same, the following tolls, (to wit:) For all carriages of pleasure, seventeen and a half cents; for each horse, mule or jack drove, twelve and one half cents; for each horse and rider, twenty-five cents; for each horse, mule or jack drove, twelve and one half cents; for each horse and rider, twenty-five cents; for each head of sheep and swine, three cents; and for each wagon and cart of burthen, for each wheel, fifteen cents; and for each horse or yoke of cattle in draught of the same, ten cents; and for each foot passenger, six and a quarter cents.

IV. And be it further enacted, That the said Aaron Albertson shall have full power and authority to erect a mill or mills on the said canal, for the purpose of making the same navigable, and it shall be lawful for him to ask, demand and receive for all commodities passing said canal (by water) the following tolls, (viz.:) For each thousand pipe staves, one hundred cents; for each thousand hoghead staves or heading, seventy-five cents; for each thousand barrel staves, fifty cents; for each thousand two feet shingles, fifteen cents; for each thousand three feet ditto, twenty-five cents; for each thousand twenty-two inch barrel containing goods, wares or merchandise, six and a quarter cents; for each hoghead containing the same, twenty-five cents; for each bushel of bulk, ten cents; and for all other goods, wares and merchandise, in bales, boxes or otherwise, in proportion to six and a quarter cents, for each barrel.

V. And be it further enacted, That it shall be lawful for the said Aaron Albertson to erect a mill or mills on the said canal, and to appoint a jury in manner as is mentioned in the first section of this act, which jury shall go on the premises and adjudge and lay off, for said Aaron Albertson, two acres of land in such manner as they shall deem expedient; and at the same time adjudge the value thereof, which the said Aaron Albertson shall be bound to pay, and in the payment thereof the right of said land shall be vested in him, his heirs and successors for the purpose of erecting such mill or mills upon; and it shall be lawful for him to demand and receive toll in the same manner and at the same rates for each bag, each head of cattle, and each sheep and swine, as the said Albertson is entitled to.

VI. And be it further enacted by the authority aforesaid, That the said Albertson and his successors for and during the term of ninety-nine years, from and after the passing of this act.

VII. And be it further enacted, That the said jury or juries shall be authorized (and they are required to do the same) to lay off a slip of land on each side of the said river of twelve feet in width, as to better secure the said Aaron Albertson in the dirt and timber for the purpose of keeping said road in repair, paying to the respective owners of said land the amount if any given by the jury or juries.

VIII. And be it further enacted by the authority aforesaid, That it shall be lawful for the said Aaron Albertson, and he is hereby authorized to make one or more lotteries for the purpose of raising a sum of money, not to exceed eight thousand dollars, to enable him to carry the same into effect.

IX. Be it further enacted, and it is hereby enacted by the authority aforesaid, That an act passed in the year one thousand eight hundred and nine, page eighty-eighth and chapter thirty-three, authorizing Thomas Nicholson, deceased, to cut a canal and make said road, be repealed, and the same is hereby declared to be null and void.

Provided, That if the said canal shall not be completed agreeably to this act within ten years from the passing thereof, the lands condemned to the use aforesaid shall revert to the original proprietors, their heirs and assigns, upon their repaying to the said Aaron Albertson, his heirs and assigns, the sum paid at the time the lands were condemned.

CHAP. XXII.

An Act for the better government of the city of Raleigh.

WHEREAS the citizens of Raleigh have found that the government of the said city by four boards of commissioners is attended with much inconvenience, and believing that the object contemplated by this division of authority can be accomplished by a single board partially appointed.

BE 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 government of the city of Raleigh shall in future be vested in a sole-intendente and seven commissioners, to be elected annually on the third Monday in January, as directed by an act passed in the year one thousand eight hundred and three, entitled "An act for the
government of the city of Raleigh, and for repealing all former acts passed for that purpose," three of
which commissioners shall be elected by and from the inhabitants of the middle ward; two by and from
the inhabitants of the eastern ward; and two by and from the inhabitants of the western ward: The
wards of the city to be and remain as fixed by an act passed in one thousand eight hundred and six, enti-
tled "An act for dividing the city of Raleigh into three wards, and for amending the act of one thou-
sand eight hundred and three," and by an act passed in the year one thousand eight hundred and ele-
ven, entitled "An act to amend the said acts," and the said acts.
II. Be it enacted, That the amount of taxes collected from each ward of the said city, shall if require-
ed, be expended on the ward in which the same was collected except so much thereof as shall be neces-
sary for general purposes, to which the several wards shall furnish their due proportions according to
their population and the amount of their taxable property.
III. Be it enacted, That the said commissioners shall form one board, a majority of which shall be
chosen by the inhabitants of the several districts in the city of Raleigh as prescribed in the several acts
above recited, and in the by-laws passed from time to time under their authority.
IV. And be it enacted, That the Intendant of Police shall have a seat in the board of commissioners,
and when present, shall preside therein, in his absence the board shall appoint a chairman pro-tempore.
V. And whereas by the act passed in the year one thousand eight hundred and three for the govern-
ment of the city of Raleigh, the commissioners of the city are authorised to do what they may deem neces-
sary to extinguish and stop the progress of any fire which may break out in the city,
VI. Be it enacted, That the commissioners are hereby authorised and directed whenever they shall
decide it expedient to procure a fire engine for the use of the city, form a fire company and make such
other regulations as they may deem necessary in order effectually to bring into operation the provision
of said act in relation to the extinguishment of any fire which may happen in said city.
VII. Be it enacted, That all former acts which come within the purview of this act are hereby repealed.

CHAP. XXIII.
An Act to establish the mode of elections in the county of Halifax.
BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the
authority of the same, That in future all elections for members of the General Assembly to be held in
the county of Halifax, shall be held in each and every year on the second Thursday in August at the
following places, (to wit): At the store-house of Jesse N. Faulcon now occupied by Edward Drom
Grande, at Josiah Brinkley's, at Ringgold, at James Smith's store in Scotland neck, and at the court-house
of said county.

II. And be it further enacted, That it shall be the duty of the court of said county, at the court next
preceding the day of any election, to appoint one justice of the peace and two free-holders to act as in-
spectors of the polls at every place heretofore mentioned, and to appoint at the court-house, whose duty it is
be to attend at the places for which they are appointed, on the day mentioned in this act for holding said
elections, and the court shall also appoint two inspectors to act with the sheriff of said county or his
legal deputy at the court-house, for holding said elections, which elections shall be held in the man-
ner and under the same rules, regulations and restrictions as in other cases of elections in this state.

III. Be it further enacted, That the inspectors shall immediately after the close of the polls proceed
to count the votes, in a correct statement of the votes of each of the counties as shall be by
one of them returned at or before seven o'clock the next day, to the sheriff of said county or his lawful
deputy at the court-house, and it is hereby declared to be the duty of said sheriff or deputy to attend at
the court-house the day succeeding the day of elections to receive the returns so made by the inspectors.

IV. And be it further enacted, That if it should so happen that the court of said county should ne-
gligent appoint inspectors as aforesaid or any of them should die or refuse to act, then and in that case
it shall be lawful for any justice of the peace and two free-holders to appoint them, and when so appoint-
de shall have the same powers and be subject to the same restrictions as if they had been appointed by
the court.

V. And be it further enacted, That it shall be the duty of the clerk of said court to deliver copies of
the appointment of inspectors to the sheriff, whose duty it shall be to notice them of the same as soon
as possible, and the said sheriff is hereby directed to advertise said election in every district and at the
court-house of said county at least twenty days previous thereto.

VI. And be it further enacted, That if any person should vote at more than one election in said coun-
ty, he shall be convicted before any justice of the peace and pay the sum of ten pounds, one
half the use of the person voting for the same and the other half to the use of the county.

VII. And be it further enacted, That the election for members of Congress and electors to vote for
a President and Vice-President of the United States, shall be held at the same places, under the same
rules as have heretofore been observed in similar cases.

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

CHAP. XXIV.
An Act to authorize Samuel Nixon, of Perquimons county, to make a road and cut a canal to drain the same, &c.

WHEREAS it has been represented to this General Assembly that a road leading from Samuel
Nixon's float bridge in Perquimons county, nearly a south course so as to intersect Josiah Collins' road in
Chowan, would shorten the distance eight miles, and thereby render a great convenience to persons
traveling from Edenton to Elizabeth city; and Samuel Nixon of Perquimons county, having made
application to make said road, &c.

BE it therefore enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by
the authority of the same, That it shall be lawful for the county courts of Perquimons and Chowan,
and the said courts are hereby required upon application, that they each appoint a jury of twelve men, who shall be possessed of a free-hold in the county appointing the same, and it shall be lawful for the said jurors when appointed to go on the premises, and lay off said road in such direction as to them shall appear most expedient, which jurors are also required to adjudge the damages if any to them shall appear, that will be sustained by the owner or possessors of any tract of land, in consequence of said road and cause passing through the same, and make return thereof, each jury to the court appointing the same, and it shall be the duty of the person or persons making said road to pay such damages, before said road shall pass through such tract or tracts of land, but shall not be liable until said canal shall enter the premises.

II. Be it further enacted, That the said Samuel Nixon shall have full power and authority to enter upon the premises after said road shall be laid off as aforesaid, with full privilege to cut a canal not to exceed twelve feet in width for the purpose of draining said road and that he shall also have authority to open the way for said road on the canal, not to exceed forty feet in width, with the privilege of cutting timber most convenient for the making and repairing said road.

III. And be it further enacted by the authority aforesaid, That it shall be lawful for the said Samuel Nixon to erect a turnpike gate across said road, and to lay off the same, and it shall be the duty of the person or persons making said gate the following toll, to wit: For each four wheeled carriage, forty cents; for each horse and cart including the rider or riders, twenty cents; for each man and horse, ten cents; for carts of every description, fifteen cents; for each foot passenger, five cents; for each horse, mule, or jack, five cents; for each head of horned cattle, five cents; and for each head of hogs and sheep, two cents.

IV. And be it further enacted by the authority aforesaid, That the jury at the time of laying out said road shall select some convenient and proper place to erect the gate across said road, and lay off one acre of land adjoining the place so selected, and at the same time adjudge the value thereof, which the said Samuel Nixon shall pay, and on the payment thereof, the right of said land shall be vested in him and his heirs for the purpose of erecting a house and toll gate upon, &c.

V. And be it further enacted, That the said right, use, and benefit of said canal and road shall be and the same is hereby declared to be vested in the said Samuel Nixon, his heirs and assigns for and during the term of ninety-nine years from and after the passing of this act.

CHAP. XXXV.

An Act to establish a Free School in the County of Wayne. It shall be enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That Silas Hollowell, John Davis, Nicholas Washington, Robert G. Greene, John Hooks, Sampson Lane, Callen Blackman, James Slocumb, Laurence Wood, Procter Collier, and Barnabas McKinnie, shall be and they are hereby declared a body politic and corporate to be known and distinguished by the name of the Trustees of the Free School of the County of Wayne, and by the same aforesaid they shall have perpetual succession and a common seal, and they or a majority of them shall be and are hereby declared and endowed for the purpose of establishing and endowing the said Free School.

II. And be it further enacted, That the said Trustees or a majority of them, shall determine on the place for establishing the said Free School, and adopt such rules and regulations for erecting the buildings and the government of said Free School, and particularly for the preservation of religion, order, and good morals therein as a majority of the said Commissioners or Trustees may devise for that purpose, and they are hereby declared to possess the same powers which the Trustees of any other semi-public and charitable institution may possess or enjoy, Provided the same are not contrary to the Constitution of this State or the United States.

III. And be it further enacted, That upon the death, resignation, removal or refusal to act of any of the said Trustees, it shall be lawful for the remaining Trustees or a majority of them to appoint others to act in their room, and when so elected they shall have the same powers as those appointed by this act.

IV. And be it further enacted, That the said Trustees or a majority of them are hereby authorized to raise by lottery a sum not exceeding two thousand dollars, by such scheme or schemes as they may think proper to devise, and the same shall be applied solely and exclusively to the use and benefit of the said Free School in such manner as may be by them prescribed.

V. And be it further enacted, That the said Trustees shall enter into bond payable to the Chairman of the county court of Wayne for the time being, and his successors for the faithful performance of the duties of their appointment.

CHAP. XXVI.

An Act to incorporate a company for the purpose of rendering navigable Cotextena creek. BE it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That Thomas Holiday, Roderick L. Powel, Henry Westbrook, James Porter, Charles Jenkins, John B. Coob, Richard Croom, Willie Stanton, Benjamin Simms, Joseph Farmer and their successors appointed as herein after directed are hereby created a body politic and corporate in law and in fact by the name and style of the Cotextena Creek Navigation Company, and by the same aforesaid they shall have perpetual succession and a common seal, and they or a majority of them shall be and are hereby declared and endowed for the purpose of clearing out and rendering navigable Cotextena creek from its mouth to Cobb's mills.
That if any person shall vote at more than one election, or twice at the same election, in person or by his lawful deputy, at the court-house in the said county on the day hereby specified for making the returns, to receive the returns so made by the inspectors, and on the returns being received, the inspector or inspectors appointed to receive the votes thus to him returned, and the person or persons having the greatest number of votes, shall be declared lawfully elected, and the sheriff shall immediately at the court-house door make proclamation thereof.

And be it further enacted, That if any person who is not lawfully entitled to vote shall vote at any of said elections, or if any person holding office shall vote at the same, or if any person shall vote at any election to which he is not entitled, or if any of the persons appointed to act as inspectors shall neglect or refuse to perform the several duties required by this act to be performed by a justice of the peace, the person or persons so offending shall be made liable to answer the purposes aforesaid, they are hereby authorized and empowered, to require the sheriff or his lawful deputy, to pay such sums of money by way of recovery, not exceeding five thousand dollars, to be appropriated to the opening of said navigation.

And be it further enacted, That the court of said county shall keep open their book of subscription and donations until the first day of May next, and if at that time there shall not be a sufficient sum of money to answer the purposes aforesaid, they shall be hereby authorized and empowered to raise a sum of money by way of recovery, not exceeding five thousand dollars, to be appropriated to the opening of said navigation.

And be it further enacted, That the said company or a majority of them, shall before they sell or cause to be sold any tickets by virtue of the authority hereby granted, give bond in the sum of twenty thousand dollars with security to be approved by the county court of Greene, and payable to the chairman thereof, and his successors, and conditioned for the fair conducting said lottery according to such scheme as they shall adopt and publish, and for the payment at the time set forth in such scheme of the prizes which shall be drawn, which bond may be put in suit without assignment for the benefit of any person injured by their misconduct or refusal to pay such prizes, at the time and in such manner as they shall appoint. And be it further enacted, That should the court of said county neglect to hold the said court, or to appoint the said persons, or if any person shall neglect to perform the several duties required of him, they are hereby authorized and empowered to impose and recover the sum of fifteen pounds to be recovered before any jurisdiction having cognizance thereof.

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the elections heretofore held in said county at Jack's creek, Log-house landing, North mountain, Lake, Lake landing, Swampquarter and at the court-house in Germanton, for the purpose of electing Members of the General Assembly, Electors to vote for a President and Vice-President of the United States, and representatives in Congress, shall in future be held at the places aforesaid.

II. And be it further enacted, That Electors for representatives in the General Assembly for said county shall be held on the Wednesday preceding the second Thursday in August in each and every year, and elections for members of Congress and for electors to vote for President and Vice-President of the United States at the times which are or shall be appointed by law.

III. And be it further enacted, That it shall be the duty of the county court on the last Monday in May in each and every year to appoint one justice of the peace and two free-holders for each of the aforesaid places (except the district of Germanton where it shall be the duty of the sheriff to attend) to act as inspectors; whose duty it shall be to attend at the place of election, for which they are appointed, and receive the ballots, the justices having administered to the free-holders the oath directed by law to be administered to inspectors of elections.

IV. And be it further enacted, That it shall be the duty of the justice and free-holders so appointed and qualified to open the poll at eleven o'clock on the day and at the place appointed for holding the election and shall close the same at five o'clock, and shall immediately proceed to count out the votes, a correct statement of which shall be written by their hands and seals together with a list of the voters' names shall be by them or some one of them, returned at or before nine o'clock on the Friday succeeding the second Thursday in August in each and every year at the court-house in Germanton, and the votes so returned at the said court shall be submitted to the sheriff of the said county or his lawful deputy, and it is hereby declared to be the duty of the said sheriff to attend either in person or by his lawful deputy at the court-house in the said county on the day hereby specified for making the returns, to receive the returns so made by the inspectors, and on the returns being made to the sheriff or his lawful deputy, he shall in presence of the inspectors, proceed to add the number of votes thus to him returned, and the person or persons having the greatest number of votes, shall be declared lawfully elected, and the sheriff shall immediately at the court-house door make proclamation thereof.

V. And be it further enacted, That should it so happen that the court of said county should neglect to appoint inspectors as aforesaid, or should any of those who are appointed die, be absent or refuse to act, or shall neglect to hold the said elections, it shall be lawful for any one justice of the peace and two free-holders to supply the vacancy, and in case no justice attends it shall be the duty of the captain of the district in which such vacancy may occur to perform the several duties required by this act to be performed by a justice of the peace, and the inspectors so appointed, shall have the same power, and be subject to the same restrictions as if they had been appointed by the court.

VI. And be it further enacted, That it shall be the duty of the clerk of the court of the said county to make out a statement of the appointments of said justices and inspectors to the sheriff of said county, whose duty it shall be forthwith to make known to them, and to advertise said elections in every district where the elections are held, at least twenty days previous to holding said elections, to each and every officer thereof.

VII. And be it further enacted, That if any person shall vote at more than one election, or twice at the same election, or if any person who is not lawfully entitled to vote shall vote at any of said elections, he or they shall forfeit the sum of five pounds for every such offence to be recovered by warrant before any justice of the peace, one half to the use of the person suing for the same, and the other half to the use of the poor of said county.

VIII. And be it further enacted, That all acts and clauses of acts coming within the meaning and purview of this act, be and the same is hereby repealed and made void.
WHEREAS the opening of a communication between the Rivers Neuse and Newport by means of Clubfoot and Harlow's Creeks has long been deemed an object of great commercial importance, to effect which several laws have heretofore been passed, and whereas in pursuance of this object a company was actually created for cutting a channel between the said creeks, all the shares of which company by virtue of a deed of assignment of the property to William M'Cure formerly of Craven County, deceased; and whereas notwithstanding the said company by its agent did assign the same at his death remained unassigned, and the interest therein descended unto his only daughter, Hannah M'Cure, since the wife of William Gaston, and whereas by her recent death the interest in said property hath accrued unto the said William Gaston as tenant by the curtesy for term of his life remainder to see to her issue, children, Alexander Gaston, Susan Jane Gaston and Hannah Margaret Gaston, now, and to give to the representatives of the said William M'Cure, as of having an effectual mode of completing a communication so essentially and essentially useful, it is hereby enacted that the said William M'Cure, and by and with the consent of Hannah Margaret Gaston, their assigns, and directors so elected or a majority of them or their successors assemble at any meeting, and the presence and acts of such proxy shall be effectual to all intents and purposes, as the vote of the said subscribers or a majority of them shall at such time as the said subscribers or a majority of them shall then be open books to be held at the Town of Newbern on the first day of January next, and shall keep the same open thirty days unless the whole number of shares be sooner subscribed. And if the whole number of shares shall not be then and there subscribed, or if a majority of them shall cause books to be opened at the Town of Newbern on the first day of January, or if the remaining ninety-nine shares shall be made in persons or by authorisation, that the stock of one hundred and thirty-two shares, estimated at one hundred dollars each, and that of the William M'Cure aforesaid, in behalf of himself and of Alexander Gaston, Susan Jane Gaston and Hannah Margaret Gaston, his aforesaid minor children, be authorised in the first instance and before any other subscriptions can be received, to subscribe thirty-three shares for which he neither nor they shall pay or ever be required to pay any price, the same being deemed an equivalent in lieu of the interests by him and them respectively surrendered in and to said canal, and so appear by the sanction of said canal; and if such subscription shall be paid for: That the remaining ninety-nine shares each subscriber shall pay down at the time of subscribing twenty dollars on each share, and shall subscribe a written engagement to pay eighty dollars on each share subscribed at such time at such rate and manner as shall be prescribed. That as soon as the whole number of shares shall have been subscribed, or if the whole number be paid for, the said commissioners or a majority of them shall call a meeting of all the parties interested, which shall be advertised at least three days previous to the meeting in the public papers; and unless three fourths of the shares shall be subscribed for on or before the first of March, one thousand eight hundred and fifty, all subscriptions made in virtue of this act shall be void, and the moneys paid shall be refunded to the respective subscribers; And in case three fourths, and less than three fourths, of the shares shall be subscribed for, the President and Directors are hereby authorised if they deem it expedient, to receive subscriptions at any place which shall be offered (all subscriptions being for whole shares) until the whole amount be completed.

Be it enacted, That whereas any other acts of the principality of the said person and directors no elected or a majority of them or their successors assembled shall have power and authority to agree with any person or persons in behalf of said company, or assign the said canal, and to erect such locks, remove such obstructions, perform such work as they shall judge necessary for convenient navigation from the waters of Neuse river to those of Newport, and also to make along said canal and creeks any Turnpike or rail road, or other convenience, or device for any conveyance of passengers and commodities from time to time, and upon such terms and in such manner, as shall be for the benefit of the said company, or the public good.
such manner as they shall think fit, and out of the money arising from the subscriptions to pay for the same, and to repair and keep in order said canal, locks, and other works necessary therein and to defray all incidental charges, and also to appoint a treasurer, clerk and such other officers, stewards, managers and servants as they shall judge necessary, and also to receive and collect all sums of money due to the company, and to have and use such books, deeds, and accounts; and also to make and establish rules of proceeding, and transact all other business, and concerns of the said company in, and during the intervals between the general meetings of the same; and they shall be allowed a satisfaction for their trouble therein such sum of money as shall by a general meeting of the subscribers be determined. *Provided always, That the treasurer shall give bond in such penalty and with such security, as the said president and directors or a majority of them shall direct for the true and faithful execution of his trust. And the said treasurer shall not exceed the pounds in the hundred for the disbursements by him made, and that no officer in the said company shall have a vote in the settlement or passing his account.*

V. Be it further enacted, That the said president and directors and their successors or a majority shall have full power and authority from time to time as money shall be wanting to make and sign orders for the purpose; and direct in what manner, and in what proportions the proprietors shall advance and pay off the sums subscribed, which orders shall be advertised at least one month in one or more of the public papers. And they are hereby authorized and empowered to demand and receive of the several proprietors from time to time, the sums of money so ordered to be advanced for the carrying out, and executing or repairing and keeping in order said works until the sums subscribed shall be fully paid; and to order the sums to be lodged in the hands of the treasurer to be by him disbursed and laid out as the said president and directors or a majority of them shall order and direct: And if any of the said proprietors shall refuse or neglect to pay their said proportions within one month after the same is so ordered and advertised as aforesaid, the said president and directors or a majority of them may sell at auction and convey to the purchaser the share or shares of such proprietor so refusing or neglecting paying giving at least one month's notice of the sale in one or more of the public papers, and after retaining the same due and charges of sale out of the money paid for the same, such purchaser shall have and enjoy the said share or shares of such proprietor so refusing or neglecting to pay their said proportions within one month after the same is so ordered and advertised as aforesaid, the said president and directors or a majority of them may in the name of the company sue and recover the balance by motion, on ten days previous notice, and the said purchasers and purchasers shall be subject to the same rules and regulations as if the said sale and conveyance had been made by the original proprietor; and to continue the succession of the said president and directors, and to keep up the same number.

VI. Be it further enacted, That from time to time until the expiration of the terms for which the said president and directors were appointed, the proprietors of the said company at their next general meeting shall either continue the said president and directors or any of them or shall choose others in their stead; and in case of the death, removal, resignation or incapacity of the president or any of the directors, the remaining members of that body or a majority of them shall appoint successors upon the same conditions as aforesaid. And if such number shall not be so ordered as aforesaid, the said president and directors or a majority of them may sell such shares and establish rules of proceeding as aforesaid. And the proprietors then present or a majority of them shall give a certificate thereof a duplicate of which shall be entered in the stock and company's books, and at such yearly meeting after leaving in the hands of the treasurer such sum as the proprietors or a majority of them shall judge necessary for repairs and contingent charges, an equal dividend of all the net profits arising from the tolls hereby granted shall be ordered and made to the proprietors of the said company in proportion to their several shares: And on any emergency in the interval between the said general meetings, the president or a majority of the directors may appoint a general meeting of the proprietors of the company giving at least one month's notice in one or more of the public papers, which meeting may be adjourned and settled as aforesaid. Provided there shall be no application of the profits arising from tolls to the expenditures of the company, and no dividend thereof until the canal shall be completed in the manner set forth in the thirteenth section of this act.

VIII. And be it further enacted, That for and in consideration of the expenses the said proprietors shall be at the aforesaid canal, locks, the lands, and works therein and assignments forever as tenants in common in proportion to their respective shares; and the same shall be exempt from the payment of any tax, impost, or assessment whatever. And it shall be lawful for the said president and directors at all times hereafter to demand and receive and keep in their convenient place or places for all commodities and persons transported or carried through the said canal or on said railway, or turnpike, the tolls or rates as shall be directed and assessed by the said president and directors; and a copy thereof put up at each end of said canal; and in case of refusal to pay the tolls or rates at the time of passing the place aforesaid, and previously to passing the same the collector shall have power and authority to seize and attach the goods, effects, or cattle belonging to such obstinate payers. Provided, That the said rates or tolls shall be made publicly known, and a copy thereof put up at each end of said canal; and in case of refusal to pay the tolls or rates at the time of passing the place aforesaid, and previously to passing the same the collector shall have power and authority to seize and attach the goods, effects, or cattle belonging to such obstinate payers. Provided, That the said tolls or tolls may lawfully refuse passage to whoever refuses payment: And if any vessel, boat, raft, waggon or cart, shall pass without paying the toll, then the said collector shall have power and authority to seize and attach the goods, effects, or cattle so transported on the canal, which so far as is necessary, shall be ordered to be paid by the said toll collector and all expenses of seizure and sale, without bonds, if any shall be
and to the owner, and the person having the direction of such vessel, boat, raft, waggon, or cart, shall, for the time being, till the said sum is paid, be entitled to such compensation, if the same is not paid by the said aforesaid.

X. And be it further enacted, That the said canal and works to be erected thereon, by virtue of this act, causeways, railway, turnpike, when completed shall forever hereafter be esteemed and taken as public high-ways, free for the transportation of all goods, wares, commodities or produce whatever, and for traveling on payment of tolls or rates imposed as by this act is directed.

XI. And be it further enacted, That all lands, water and watercourses which have heretofore been used or may hereafter be used as an outlet or drainage for the said canal, or therefore condemned, be and the same are hereby absolutely vested in and declared to be the property of the company by this act created, and that it shall and may be lawful for the President and Directors of the company hereby created, or a majority of them to purchase any other lands which they may judge useful for the purposes of their incorporation; and should the said canal, railway or turnpike pass through lands which have not been duly conveyed to or condemned, for the use of the company hereof created, or a majority of them to purchase the same, or the owner thereof be a bona fide non compos, under age or out of the state, then an application to any two Justices of the Peace of the county in which the land shall be, the said Justices shall issue their warrant under their hands to the sheriff of their county to summon a jury of eighteen inhabitants of his county of probity and reputation, not related to the parties, nor in manner interested, to meet on the land to be valued at any day to be expressed in the warrant, not less than ten nor more than twenty days; thereafter, and the said jurors shall be sworn as to the said canal which shall be as deep as the canal, sixty feet long at bottom and twelve feet in width exclusive of the depth of water, and of equal width, and of convenient and suitable means in evidence, and on a verdict against the plaintiff or plaintiffs, or nonsuit or any judgment for any thing done in pursuance of this act, he or they may plead the general issue and give this

XII. And be it further enacted, That the said company and their successors shall have the power of purchasing and mortgaging and selling real and personal estate, and if any person or persons shall be sued for any thing done in pursuance of this act, he or they may plead the general issue and give this

XIII. And be it further enacted, That the said company and their successors shall have the power of purchasing and mortgaging and selling real and personal estate, and if any person or persons shall be sued for any thing done in pursuance of this act, he or they may plead the general issue and give this
In the order herein stated, then shall the contract between the now subscribers and the old promise be fulfilled, and in case of failure to have the canal thus done and placed in this condition within five years from the date of this act, the same or hereafter to be made by the said act shall utterly cease, and the rights of those claiming under William McCullar restored to their present state, and all laws repealed by this act thenceforth and immediately thereafter revived, and in full force.

XV. And be it enacted, That it shall be the duty of the president and directors of the company hereby incorporated to keep up good and sufficient bridges over said canal wherever public roads shall cross the same under the authority of the same, and to every of them for the time being subject to indictment and prosecutions for over-runs of roads by the laws now existing or hereafter to be made, and according to the average of the last twenty-five years will produce a net gain of fifteen per centum upon the capital stock.

XVII. And be it further enacted, That after this law goes into operation and subject to the provision of the thirteenth section all other laws in relation to the Chisholm and Harrow's Creek Canal shall be and the same are hereby repealed and made void.

CHAP. XXIX.

An Act to provide for the manner of conducting a separate election in the County of Pitt, and to repeal the laws now in force for that purpose.

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That Elections for the purpose of choosing Rerpresentatives in the General Assembly for the County of Pitt, Representatives in the Congress and Executive body in the State, for President and Vice-President of the United States shall be held at the following places within said county, to wit:

I. At the House of Captain Samuel Vines, at Willie Cameron's.

II. At the Court House, in Greenville, at the house of Captain Samuel Vines, at Willie Cameron's and at Mayre's.

III. And be it further enacted, That eleetions for the purpose of choosing Representatives in the General Assembly shall be held each and every year at Greenville on the second Monday in August, and at the other places of election on the day preceding, and that elections for Representatives in Congress and for Electors to vote for President and Vice-President of the United States shall be held on the days appointed or which shall hereafter be appointed by law.

III. And be it further enacted, That it shall be the duty of the justices of the peace and quarter sessions of the county to meet the next before the day of election to appoint two persons to act as inspectors of the polls at each place of election, and in case the said court should fail to appoint any one inspector of the peace present at the place of election and two freeholders residing within the county of Pitt and within the limits of the said town of Greenville, they shall on closing the polls shall at their several places of election respectively ascertain the number of votes taken thereat, and transmit the same together with a correct list of the names of the persons having the greatest number duly elected.

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

CHAP. XXX.

An Act to establish and incorporate an Academy in the Town of Lincoln, in the County of Lincoln.

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the rev. Philip Hinkle, the rev. Humphry Hacker, Messrs. Lawson Henderson, Joseph Graham, John Fearnside, John Hoke, Peter Forney, Robert Williamson, Daniel Hoke, M. Shufford, J. Summe, D. Shufford, J. Rhinehart Vardy, M. Bee, David Ramsour, Peter Heiley, Henry W. Webb, George Carruth, W. McCurrrie, Robert Burton, John Reid and David Rhinehart, shall be and they are hereby declared to be a body politic and corporate, to be known and distinguished by the name of the Trustees of the "Pleasant Retreat" Academy, by that name they shall have perpetual succession, and by the same authority shall they or a majority of them shall be able and capable to law to take, demand, receive and possess all monies, goods and chattels that shall or may be given for the use of the said Academy, and the same shall apply in the will of the donor, and by gifts, purchase or devise to have, take, receive, possess, enjoy and retain to them and their successors forever, any lands, tenements or hereditaments, goods, chattels, books, works or other things which may be given, devised or subscribed for the use of said Academy.

II. And be it further enacted, That the said trustees or a majority of them shall have power to appoint such professors or tutors, as to them shall appear necessary, also a treasurer, and secretary on their own written bond, and with such restrictions as they may think proper, and the said trustees...
CHAP. XXXII.

An Act concerning the Turnpike Roads in Buncombe County.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the second, third and fourth sections of an act passed at the last session of the General Assembly, chapter twenty, entitled "An act to amend an act passed at the last session of eight hundred and nine, be and the same are hereby repealed and made void.

II. And be it further enacted, That James Whittaker, Samuel Wilson, Abigail Garrison, James Gedger, Benjamin Sams, Elias Jones, Joseph Boyler, William Rodgers, James Poteet, Zephium Baird, David McCavon, Thomas Justice and William B. Smith, he and they are hereby appointed Commissioners to view the Turnpike Road leading from Buncombe Comity to the South-Carolina line, and it shall be the duty of the aforesaid commissioners to take into consideration the part of the road struck off by the boundary line, and such part extended by the act of last General Assembly, and determine the further length of time Samuel Murray, the county, George B. Greer and James Kirkindall are to receive the profits arising from said Turnpike, as they shall judge to be right, and when so concluded shall be the duty of said commissioners to report the same to the Clerk of the County Court of Buncombe, and to enter the same on the record of the court, and the same shall be final.

III. And be it further enacted, That the aforesaid James Kirkindall shall be entitled to receive one half of all the profits arising from said turnpike, and be subject to keep up one half of said road as agreed with the original proprietors, and to be subject to indictment for any other part of the said road than his own.

And said Samuel Murray and George B. Greer shall each be subject to keep up his own part of said road, and each of them shall be subject to such penalties for his own part.

IV. And be it further enacted, That John Welch, of Buncombe county, be and he is hereby authorized to have, hold and possess all the profits or benefits arising from that part of the Turnpike Road Phillip Hoodemstle, one of the original proprietors, was possessed of by virtue of acts of Assembly authorizing said Hoodemstle and John Barnard to erect gates on said road, and have all the privileges.
An Act to divide the Militia of Edgecombe County into two Regiments and four Battalions.

BE 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 Militia of Edgecombe county shall be divided into two Regiments, in the following manner, viz.: the companies now commanded by Captains Bullock, Holland, Jordan, Sharp, Dixon, Thomas and Barnes, shall compose the first Regiment; and the companies commanded by Captains Howell, Linch, Clark, Wilson, E. Howell, Barnes, Mason, Hopkins and Abington, shall compose the second Regiment.

II. And be it further enacted, That the companies now commanded by Captains Bullock, Holland, and Sharp, and a company to be formed out of these three companies, compose the second Battalion of the first Regiment; and that the companies now commanded by Captains Clark, Linch, Mason and Abington, compose the second Battalion of the second Regiment.

IV. And be it further enacted, That the aforesaid Regiments shall be mustered at least once in every year, and that each Battalion shall be mustered at least twice in each and every year. And that the Colonel or commanding officer of said Regiment, shall appoint the place for holding the first Regimental Muster that shall happen after the passing of this act; and that the Colonels or commanding officers of the respective Regiments, or a majority of them, shall appoint the several places at which the respective Regiments shall hereafter hold their Regimental Musters and Courts Martial.

An Act to establish an Academy in Duplin County, within one mile of the house of Benjamin Bridges, by the name of the "Goshen Academy."

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the Reverend Samuel Stanford, Charles Bicks, David Hooks, Thomas Hill, junior, James Wright, Samuel Dunn, Levi Borden, Lewis Dickson, William Dickson, Joseph Dickson and David Wright, be and they are hereby ordained and constituted a body corporate, to be known by the name of the Trustees of the Goshen Academy, and by that name shall have perpetual power and authority to do and perform all and every such acts and things in respect to said Academy as the said Trustees shall think proper, and as lie shall from time to time by their several and respective acts or by their respective powers, be and they are hereby authorised and empowered to do and perform, and all and every such acts and things as any and every Trustee of said Academy might and may do and perform, as well at law as in equity.

An Act to alter the times of holding the Superior Courts of Law and Equity for the County of Lenoir.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the Superior Courts of Law and Equity for the County of Lenoir, shall after the next term of said court, commence and be held on the Thursday next after the second Monday in March and September in each and every year thereafter.

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

An Act to alter the times of holding the Superior Courts of Law and Equity for the County of Lenoir.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the Superior Courts of Law and Equity for the County of Lenoir, shall commence and be held on the Thursday next after the second Monday in March and September in each and every year thereafter.

II. And be it further enacted, That all laws and parts of laws coming within the meaning and purport of this act are hereby repealed.
An Act authorising the County Court of Wilkes to lay a Tax for the purpose of building a Gaol in said County.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That it shall be lawful for the County Court of Wilkes to lay a Tax for the years one thousand eight hundred and fourteen, one thousand eight hundred and fifteen, and one thousand eight hundred and sixteen, of every poll for the purpose of erecting and maintaining a Gaol, and that every poll as heretofore assessed shall be liable to the payment of such Tax as aforesaid, and that the Sheriff of said County shall collect the same, in like manner as other taxes provided for by law, and when said Tax is laid, it shall be levied, collected and accounted for in like manner as other county taxes.

And be it further enacted, That when the Sheriff of said county shall collect the taxes aforesaid, he shall pay the moneys so collected over to the undertaker of said building, and his receipt shall be a sufficient voucher in his settlement with the County Trustee.

And be it further enacted, That the Commissioners hereafter named, shall let out said building to the lowest bidder, advertising at least one month previous to letting out said building, describing therein particularly the length, breadth, how to be built, and of what kind of materials.

And be it further enacted, That Montfort Stokes, James Hacket, Richard N. Gwyn, John Finlay, James Robins, Samuel Barlow, are hereby appointed commissioners for fixing on a proper place within the bounds of the public square of the town of Wilkesborough, whereon to build said Gaol, and when the building of said Gaol is let out as aforesaid, they shall take bond with sufficient security from the undertaker or undertakers of said public building, to complete the same agreeably to the plan laid down as aforesaid.

And be it further enacted, That the said commissioners as herein appointed, shall on or before the twentieth day of June next, proceed to let out the building of the Gaol aforesaid to the lowest bidder, and the undertaker or undertakers thereof shall build the same agreeably to the plan agreed upon and within the time set forth in the publication of their proposals.

An Act concerning the Militia of Cumberland County.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of this act the company of Infantry in Cumberland county under the command of Captain David Walker, commonly called the Barbecue company, be and is hereby annexed to the Second Regiment of said county, any law to the contrary notwithstanding.

An Act to divorce Anna Hyatt, of Burke County, from her husband Seth Hyatt.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of this act Anna Hyatt, of Burke county and her husband Seth Hyatt, be fully and absolutely divorced from the bonds of matrimony in said State, and that the said Anna and Seth had never been solemnly married, and the said Anna and Seth are divorced accordingly.

And it is further enacted, That nothing herein contained shall operate to render illegitimate the children born during the coverture of said marriage, and their posterity for ever.

An Act to regulate the Town of Henderson, in Montgomery County, so as to provide for the repairing the said Town.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That William Rush, Benjamin Bell, Richard Bell, John Bell and David Tilman, be and they are hereby appointed Commissioners with full power and authority to re-survey the town of Henderson, in Montgomery county, agreeably to the former survey of said town, and to employ a Surveyor for that purpose at the expense of said county.

And be it further enacted, That the said commissioners, after having made such re-survey, shall report the same with their proceedings thereon to the next County Court, designating all such streets in said town as should be kept open and clear of obstructions; which report shall be filed in the Clerk's Office of said Court.

And be it further enacted, That after such survey is made, the said commissioners shall give notice to each person who may have inclosures or buildings in the streets thus designated, and if said obstructions are not removed within twenty days after such notice, the proprietor or proprietors thereof shall be liable to a fine of one dollar for every day such obstructions may remain unremoved after the time above specified, to be recovered by any one of the said commissioners, before any jurisdiction having cognizance thereof, for the use of said county.

And it is further enacted, That the aforesaid commissioners be and they are hereby authorised to employ some person to remove the public Gaol in said town to any part of the public lands thereof that they may think proper, and to order such repairs as they may think proper at the expense of said county.

And it is further enacted, That the said commissioners, after surveying the streets in said town, may lay a tax not exceeding one shilling on every poll, and one shilling on every hundred pounds' value of town property, and four pence on every hundred acres of land in said county, any law to the contrary notwithstanding.

An Act to authorize the County Court of Wilkes to lay a Tax for the purpose of erecting and maintaining a Gaol in said County.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority thereof, That it shall be lawful for the County Court of Wilkes to lay a Tax for the years one thousand eight hundred and fourteen, one thousand eight hundred and fifteen, and one thousand eight hundred and sixteen, of every poll for the purpose of erecting and maintaining a Gaol, and that every poll as heretofore assessed shall be liable to the payment of such Tax as aforesaid, and that the Sheriff of said County shall collect the same, in like manner as other taxes provided for by law, and when said Tax is laid, it shall be levied, collected and accounted for in like manner as other county taxes.

And be it further enacted, That when the Sheriff of said county shall collect the taxes aforesaid, he shall pay the moneys so collected over to the undertaker of said building, and his receipt shall be a sufficient voucher in his settlement with the County Trustee.

And be it further enacted, That the Commissioners hereafter named, shall let out said building to the lowest bidder, advertising at least one month previous to letting out said building, describing therein particularly the length, breadth, how to be built, and of what kind of materials.

And be it further enacted, That Montfort Stokes, James Hacket, Richard N. Gwyn, John Finlay, James Robins, Samuel Barlow, are hereby appointed commissioners for fixing on a proper place within the bounds of the public square of the town of Wilkesborough, whereon to build said Gaol, and when the building of said Gaol is let out as aforesaid, they shall take bond with sufficient security from the undertaker or undertakers of said public building, to complete the same agreeably to the plan laid down as aforesaid.

And be it further enacted, That the said commissioners as herein appointed, shall on or before the twentieth day of June next, proceed to let out the building of the Gaol aforesaid to the lowest bidder, and the undertaker or undertakers thereof shall build the same agreeably to the plan agreed upon and within the time set forth in the publication of their proposals.

An Act to lay a Tax for the purposes of establishing and maintaining an Academy in the town of Wilkesborough.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted, That it shall be lawful for the County Court of Wilkes to lay a Tax for the years one thousand eight hundred and sixteen, should a majority of the acting Justices deem it expedient and necessary, of every poll, not exceeding eight pence on every hundred acres of land, and not exceeding two shillings on every hundred pounds' value of town lots with their improvements; and when said Tax is laid, it shall be levied, collected and accounted for in like manner as other county taxes.

And be it further enacted, That the said Trustees, or a majority of them, shall have authority to make such Bye-Laws and Regulations as are usual in such Seminaries, and to appoint other Trustees, who shall have the same powers and authority as are granted to the other Trustees appointed by this act.

And it is further enacted, That the Commissioners hereafter named, shall let out said building to the lowest bidder, advertising at least one month previous to letting out said building, describing therein particularly the length, breadth, how to be built, and of what kind of materials.

And be it further enacted, That Montfort Stokes, James Hacket, Richard N. Gwyn, John Finlay, James Robins, Samuel Barlow, are hereby appointed commissioners for fixing on a proper place within the bounds of the public square of the town of Wilkesborough, whereon to build said Gaol, and when the building of said Gaol is let out as aforesaid, they shall take bond with sufficient security from the undertaker or undertakers of said public building, to complete the same agreeably to the plan laid down as aforesaid.

And be it further enacted, That the said commissioners as herein appointed, shall on or before the twentieth day of June next, proceed to let out the building of the Gaol aforesaid to the lowest bidder, and the undertaker or undertakers thereof shall build the same agreeably to the plan agreed upon and within the time set forth in the publication of their proposals.

An Act to regulate the Town of Henderson, in Montgomery County, so as to provide for the repairing the said Town.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That William Rush, Benjamin Bell, Richard Bell, John Bell and David Tilman, be and they are hereby appointed Commissioners with full power and authority to re-survey the town of Henderson, in Montgomery county, agreeably to the former survey of said town, and to employ a Surveyor for that purpose at the expense of said county.

And be it further enacted, That the said commissioners, after having made such re-survey, shall report the same with their proceedings thereon to the next County Court, designating all such streets in said town as should be kept open and clear of obstructions; which report shall be filed in the Clerk's Office of said Court.

And be it further enacted, That after such survey is made, the said commissioners shall give notice to each person who may have inclosures or buildings in the streets thus designated, and if said obstructions are not removed within twenty days after such notice, the proprietor or proprietors thereof shall be liable to a fine of one dollar for every day such obstructions may remain unremoved after the time above specified, to be recovered by any one of the said commissioners, before any jurisdiction having cognizance thereof, for the use of said county.
WHEREAS the Poor Tax for the County of Mecklenburg is insufficient for the maintenance of the poor thereof.

BE IT ENACTED by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the County Court of Cumberland, shall at the usual time of laying the county tax for said county, lay a tax, at their discretion, not exceeding two shillings on each and every poll within said county for the maintenance of the poor thereof, and shall be collected and accounted for in the same manner by the Sheriff as is already prescribed by law in such cases.

CHAP. XLV.
An Act to incorporate the Female Orphan Asylum Society of Fayetteville.

BE IT ENACTED by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the individuals who are at present associated in the town of Fayetteville, for the education of poor children, under the name of the "Fayetteville Orphan Asylum," and those who may hereafter become members of the said association agreeably to the rules which may be therein established, be and the same are hereby incorporated into a body corporate and politic by the name of the "Fayetteville Orphan Asylum," and as such shall have perpetual succession, may sue and be sued, be capable of acquiring and holding real or personal estate, have ability to make and ordain laws and regulations for their own government and elect their own officers, and generally to receive and perform all such matters and things as rightfully belonging to or are usually incident to bodies corporate and politic within this State, any law, usage or custom to the contrary notwithstanding. And whereas it appears by representations made to the General Assembly, that it is the wish and intention of the said society to seek out as objects of their charity, children who are destitute of both parents and who would become chargeable to the county in which they reside, which said children they the said society intend to board, clothe and educate, and when properly qualified and of suitable ages, to have them bound out to suitable trades, whereby they may become useful members of society; therefore,

II. BE IT FURTHER ENACTED, That the aforesaid society are hereby authorised, to take under their care and protection, and with the consent of the Wardens of the Poor for Cumberland county, or any three of them, any such children who are destitute of both parents and who are deemed by the said society to be either chargeable to said county, to which said children they the said society shall be allowed to board, clothe and educate, until the said society conceive them properly qualified to bind out to proper trades or professions, and whenever said society conceive such children so qualified, they are hereby authorised, by and with the consent of the County Court of Cumberland, to bind out such children in the same manner as the County Courts have heretofore done.

CHAP. XLVI.
An Act to incorporate the North Carolina Bible Society.

BE 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 individuals who are at present associated under the name of "The North Carolina Bible Society" and those who may hereafter become members of the said association, be and the same are hereby incorporated into a body corporate and politic by the name and style of "The North Carolina Bible Society," and as such shall have perpetual succession, may sue and be sued, be capable of acquiring and holding real and personal estate, have ability to make and ordain laws and regulations for their own government, and elect their own officers, and generally to do, receive and perform all such matters and things as rightfully belong to or are usually incident to bodies corporate or politic within this State.

CHAP. XLVII.
An Act to amend an act passed in the year one thousand eight hundred and eleven, entitled "An Act to incorporate the Broad River Navigation Company."

BE IT ENACTED by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That in addition to the powers given or granted to the Court of Pleas and Quarter Sessions for the County of Rutherford, the said court is hereby authorized and empowered to appoint as many commissioners over and above the number specified in the said act of one thousand eight hundred and eleven, as they may deem necessary to carry the same more fully into effect; and the said commissioners, when so appointed, shall be notified thereof in the same manner as the officers of the said court as now by law bound to work on public roads.

II. And be it further enacted, That the said court shall and may appoint three or more commissioners not exceeding seven, to superintend and cause to be made navigable Green River within said county, who shall possess and exercise the same powers that the Commissioners of Broad River shall, so far as respects Green River.

III. And be it further enacted, That the said court shall have power to appoint hands to work on said river, under said commissioners, under the same rules and penalties that hands are by law bound to work on public roads.

IV. And be it further enacted, That the said commissioners, or any of them, shall have power to remove and clear all obstructions within said rivers respectively to the navigation thereof.

V. And be it further enacted, That the said commissioners of each river, or a majority of them, shall prescribe the senses of navigable improvements on their respective rivers, as they shall deem best, subject to the approval of the said court, and every justice in the said county, being of the opinion that they shall prove beneficial to the public.

VI. And be it further enacted, That the said Green river, when made navigable, shall be deemed a public high way free for the passage of all persons.
An Act, for erecting and establishing in the Town of Tarborough,

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That Francis L. Dancey, Edmund D. McNaier, Jeremiah Battle, Robert Joyner, Bennet Barrow, James W. Clarke, Joel Battle, James Southard, Henry A. Donaldson, Peter Evans and Carey Whitaker, be and they and their successors, to be elected in manner herein after directed, shall forever be a body politic and corporate in deed and in name, by the style of "The Trustees of the Tarborough Academy; and by the same name and by their successors shall and may have full power and authority to meet at all times they shall think proper at the town of Tarborough, to deliberate, resolve upon and carry into effect the laws, and regulations relating to the government and government of the said Academy, and shall have full power to fill up any vacancies which may happen in the said incorporated body of trustees by death, resignation, or removal out of the state of any of its members; and the persons appointed to fill such vacancies, shall be and they are hereby declared to have the same power and privileges as the trustees named in and by this act.

II. And be it further enacted, That the said trustees, or a majority of them, shall have full power and authority to meet at all times they shall think proper at the town of Tarborough, to deliberate, resolve upon and carry into effect the laws and regulations relating to the government and government of the said Academy, and shall have full power to fill up any vacancies which may happen in the said incorporated body of trustees by death, resignation, or removal out of the state of any of its members; and the persons appointed to fill such vacancies, shall be and they are hereby declared to have the same power and privileges as the trustees named in and by this act.

And be it further enacted, That the said trustees, or a majority of them, are hereby authorized and empowered to convene and meet at the town of Tarborough, at any time after the passing of this act, and then and there elect and constitute by commission in writing, under their hands or the hands of a majority of them, a proper person to preside at said Academy, who shall be a trustee during his continuance in office, and vested with the same powers, privileges and authorities as any trustee named in and by this act; and such president and the trustees, or their successors, or any seven of them, at all other times thereafter when meet together in the said town of Tarborough, shall have full power and authority to elect and constitute one or more Professors or Tutors, a Secretary, Treasurer and Steward, and also to make and ordain such laws, rules and regulations, not repugnant to or inconsistent with the Laws and Constitution of this State or of the United States, for the well ordering and governing the Students, their morals, studies and academical exercises, as to them shall seem meet; and to give certificates to such students as shall leave the said Academy, certifying their literary merit and the progress they shall have made in their unlawful knowledge; and they shall and may do all such things as are usually done by bodies corporate and politic, or such as may be necessary for the promotion of learning and virtue.

IV. And be it further enacted, That the said trustees, or a majority of them, are hereby authorized and declared to have power to remove or displace the president, professors or tutors, the secretary, treasurer or steward, or any of them, if they shall find it necessary, and appoint others in their stead; and in case of the death, resignation or refusal to act of the president, or any of the said professors or tutors, the treasurer, or the secretary, or the trustees may, by a majority of them, either of them, or any other persons, be elected by such trustees in the room and stead of those dead, resigning or refusing to act.

V. And be it further enacted, That every treasurer appointed by the trustees aforesaid, shall previous to the entering upon his office, enter into bond in the sum of two thousand pounds, payable to the trustees aforesaid, conditioned for the faithful discharge of his office and the trust imposed in him; and that all monies and chattels belonging to the said corporation, which shall be in his hands at the expiration of his term of office, shall be then immediately paid and delivered to the hands of his successor in office; and every treasurer shall receive all monies, donations, gifts, bequests and charities, and all moneys, donations, gifts, bequests and charities, that may belong or accrue to the said Academy during his office, and at the expiration thereof shall account with the trustees for the same, and on his neglect or refusal to pay and deliver to his successor as aforesaid, the monies and chattels in his hands, the same mode and manner of recovery shall and may be had against him as may be had for the recovery of monies from the sheriff or other person chargable with the recovery of monies.

VI. Be it further enacted, That two acres of land belonging to the Town Commons in the town of Tarborough, be and the same is hereby vested in the said trustees and their successors. And the said trustees may fix upon the spot where the said two acres shall be allotted to them; and to cause the same to be surveyed, and a plat thereof to be returned into the office of the Clerk of the County Court of said county, and such plat being recorded and registered, the said two acres of land shall thereafter be held, their inheritance, and shall forever belong to and be the property of, and belonging to the said Academy, and shall have full power and privileges as the trustees named in and by this act.

VII. And be it further enacted, That every corporation in the Constitution mentioned in the Constitution of this State.
...it shall be lawful for the said Aaron Alberson to erect a Turnpike or Gate across the said road, and to ask, demand and receive from all persons passing the same the following toll, to wit: for each four wheel carriage of pleasure, thirty-seven and a half cents; for each horse and chair including ri, twelve and a half cents; for each horse, mule or jack ass in droves, one and a half cents; for each cattle, sheep or hog in droves, one and a half cents.

CHAP. IV.

An Act to provide for the building of a new Jail for the County of Lincoln.

WHEREAS the present Jail in the Town of Lincolnton is unsuitable for the reception and safe keeping of Offenders,
CHAP. LIII.

An Act to establish two other separate Elections in the County of Buncombe, and for other purposes.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the place of election shall be the dwelling-house of Boyd M'Crary, on Cane creek; the other place to be the dwelling-house of George Rose, on Misson creek; and the same are hereby directed to co-operate with the first and second regiments to issue their orders and take charge of the said compare, any law to the contrary notwithstanding.

CHAP. LIV.

An Act to amend an act declaring certain water-stocks common property, in the County of Brunswick.

WHEREAS the said act only declares that the proprietors of leases of Beach and Water-fronting the town of Southport, and all places between the streets and the channel of Cape Fear river, may be hereafter vested and enjoyed in the said water-stocks as heretofore, and sustains the perpetual right of inheritance; but does not according to the intention, clearly and absolutely vest the same in the said proprietors, or vest the other lease-holders毗邻 said town, when it was the wish and desire of the petitioners that all the said proprietors and lease-holders, both of the town and the immediate lands adjoining said town, when it was the wish and desire of the petitioners.
BE it therefore enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That all the leased lots in front of, adjoining to, and situated on the said town of Smithville, shall be and they are hereby vested in the lessees, their heirs and assigns forever, and shall be subject to taxes, dues only and in equal proportion to their relative value, and they shall be assessed in the same manner, at the same time and upon the same principles as the original town lots are: any regulation, law, usage or custom heretofore existing to the contrary notwithstanding.

BE it therefore enacted, That in all cases of judgments granted by the Intendants or commissioners of the said town, except for the payment of taxes, the citizen shall have the same right to appeal to the County Court as in cases of trial before a Justice of the Peace.

CHAP. IV.

An Act to form the Regiment of Infantry, in the County of Ashe, into a regiment of riflemen.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That hereafter the regiment of infantry in the county of Ashe, shall be formed into a regiment of riflemen; that the said and company officers that continue in their commands respectively, in the same manner and through this act had not been passed.

II. Be it further enacted, That the uniform hereafter to be worn by said regiment, shall be such as the Court-martial of said regiment, or a majority of them, shall direct, and the same to alter from time to time, as to them may seem proper.

II. And be it further enacted, That each person in said regiment shall within twelve months after the passage of this act, be armed with one good rife, a shot bag and powder horn, and such other implements of war as the court-martial of said regiment, or a majority of them shall direct, and that the officers and soldiers in said regiment shall incur the same fines and penalties for misconduct or neglect; of duty, as is now prescribed by law for the infantry; any usage, custom or law to the contrary notwithstanding.

IV. And be it further enacted, That after the expiration of twelve months as aforesaid, should any of the aforesaid regiment, subject to militia duty, and not equip as directed by this act, they shall be subjected to the same fines and penalties as the militia of this state are for not appearing with muskets.

V. And be it further enacted, That nothin herein contained shall be so construed as to prevent any person from enrolling out of any company in said regiment into a troop or troops of Cavalry upon their being equip in the uniform of the regiment of cavalry to which said troop may belong.

CHAP. LVII.

An Act to amend an act entitled "An act to incorporate the Town of Plymouth," passed in the year one thousand eight hundred and twenty-four.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the town Constable of the town of Plymouth, in the county of Washington, or two Justices residing within said town, are hereby authorized and empowered to open and hold an election at the Academy in said town on the first day of January in the year of our Lord one thousand eight hundred and thirty-nine, for the purpose of electing five Commissioners for the town of Plymouth; and said election shall be opened not before twelve o'clock and continued open until four o'clock of the same day; and all free persons of the age of twenty-one years, who have resided in said town for the space of twelve months immediately preceding the day of election, shall be entitled to vote for commissioners of said town; and when the said commissioners shall be elected pursuant to the directions of this act, they or a majority of them are hereby declared to have full power and authority to adopt such rules, regulations as may appear to them the most conducive to the interests of good government of said town, and shall have full power to regulate and establish the streets of said town, and for that purpose may summon witnesses to establish the corners and boundaries thereof, and that all disputes may subside and the same become permanently established.

III. And be it further enacted, That the first section of the above recited act, be and the same are hereby repealed and made void.

CHAP. LVIII.

WHEREAS the mountainous and rocky situation of Montgomery render it impossible to keep all the public roads in lawful repair, for remedy whereof

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the first County Court which shall be held for the county of Montgomery after the first day of April next, shall divide the public roads of said county into two classes, the first class shall comprehend all such roads as the court shall designate for market and other roads; and the second class shall comprehend all such roads in said county.

II. And be it further enacted by the authority aforesaid, That all the roads included in the first class shall be kept in repair agreeable to the public laws in this state relative to roads as heretofore; and all roads of the second class shall be deemed lawful roads if kept in good repair of the width of fourteen feet.

III. And be it further enacted, That the County Court shall appoint the hands to work on said roads respectively agreeable to the width thereof, and the labor required to keep them in repair.

IV. And be it further enacted, That a majority of the acting Justices of said county shall be necessary to make the classification by this act required; and the said court may alter, rescind or regulate such order or any future court, a majority of the Justices of said county being present, any law to the contrary notwithstanding.

CHAP. LIX.

An Act to amend an act entitled "An act to authorize the Commissioners of the Town of Hilsborough to rent part of the land belonging to the said town, to the Commissioners of the State of North-Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of this act, it shall and may be lawful for the Commissioners of the Town of Hillsborough for the time being, or a majority of them, to lease from time to time the whole of the Commons belonging to said town, or such part or parts of the same as the said Commissioners may think proper, for the same term or terms, and under the same rules, regulations and restrictions as
In the said recited act the part or parts of the said common in said act mentioned can now be leased.

II. And be it further enacted, That the said commissioners, or a majority of them, be and they are hereby authorized and empowered to lay annually hereafter, a tax on the inhabitants of the said town, not exceeding twenty shillings on each male poll, twenty shillings on every hundred pounds value of property in said town, twenty shillings on every unimproved lot, and twenty shillings on every wheel belonging to a carriage of pleasure; which taxes shall be laid and collected in the same manner and under the same rules, regulations and restrictions as taxes may be laid and collected by the laws now in force for that purpose, as also the monies hereafter arising from the lottery or lotteries of said town, by virtue of the said recited act and the first section of this act, shall be applied in cleaning, cleansing and repairing the streets and public passages of said town, paying officers for transacting the business of said town, and in such other public work and business as the said commissioners, or a majority of them, shall or may deem necessary.

CHAP. LIX.

An Act to incorporate the Salisbury Thespian Society, and for other purposes.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the commissioners, who are now associated in the town of Salisbury, for the purpose of establishing an institution of learning and for the general promotion of literature, under the name of the "Salisbury Thespian Society," and those who hereafter may become members of the said association, agreeably to the rules which may be therein established, be and the same are hereby incorporated into a body corporate and politic, by the name of the "Salisbury Thespian Society," and as such shall have perpetual succession, and may be sued and be sued, implied and be impeded, be capable of acquiring, holding and transferring real or personal estate, having power to make and ordain laws and regulations for their own government, and to elect their own officers, and generally to do, receive and perform all such matters and things as rightfully belong to and usually incident to bodies corporate and politic within this state, any law, usage or custom to the contrary notwithstanding.

And whereas an act was passed at the last session of the General Assembly, entitled "An act to authorize the commissioners of the town of Salisbury to raise a sum of money by one or more lotteries for the purposes thereof mentioned;"

II. Be it enacted by the authority aforesaid, That if the commissioners of the town of Salisbury have not by themselves, or some suitable agent, entered into bond with the Court of Pleas and Quarter Sessions for the county of Rowan, as required by the said act; and if the commissioners shall not enter into bond as aforesaid, and signify their willingness to carry the said act into execution by publishing the same in the county of Rowan, on or before the first day of August next, then and in that case, it shall and may be lawful for the Thespian Society of Salisbury, incorporated by this act, either by themselves or agent duly authorized to enter into bond in the same manner as required by the commissioners, which being done to the satisfaction of the Court of Pleas and Quarter Sessions for the county of Rowan, all the powers and authorities vested by the said act in the commissioners of the town of Salisbury, by virtue of the said act, shall cease and determine, and from thence forward be transferred to and vested in the Thespian Society of Salisbury, and that society is hereby fully authorized and empowered, under the restrictions and conditions above mentioned, to carry the said act and every part thereof into effect, and to apply the monies which may from time to time be raised, to the uses and purposes therein expressed, as fully and completely to all intents and purposes as the commissioners of the town of Salisbury might or could have done if this act had not been passed.

CHAP. LX.

An Act to establish a Separate Election in the county of Cabarrus.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That in future an election shall be held at the house of Frederick Peck, on Little Buffalo creek, on the second Thursday in August, in each and every year, for the purpose of electing Members of the General Assembly, Representatives to Congress, and Electors to vote for President and Vice President of the United States, whenever the same is required by law.

II. BE it further enacted, That it shall be the duty of the Justices of the Peace and of the town of Salisbury, at the term next preceding the day of election, to appoint one Justice of the Peace and two Freeholders, and if the court should fail or neglect to appoint, or any of them should refuse to act, it shall be the duty of the Justices of the Peace to supply such vacancy, and the person or persons so appointed shall have the same powers and authority as if they had been appointed by court; and it shall be their duty to open the polls on the said second Thursday in August in each and every year at twelve o'clock and close the same at sun set of the said day; and the said Freeholders aforesaid, shall immediately in presence of the Justices of the Peace seal up the box or boxes, and they, or either of them, shall deliver the box or boxes to the Sheriff or his lawful Deputy on the succeeding day, at the Court-house, under a penalty of five pounds, to be recovered before any competent authority.

III. BE it further enacted, That the Sheriff or his lawful Deputy, shall, on receiving the aforesaid box or boxes, proceed in the presence of the Inspectors, to count out the votes therein contained and add them to the votes given to each candidate at the Court-house, and when so added, shall make proclamation and declare the person or persons having the greatest number of votes duly elected.

IV. Be it further enacted, That this act shall not be so construed as to prevent the election of the candidates from being kept open for two days, under the same rules and regulations as heretofore established, and if on the second day, or any of the candidates shall be convicted of voting more than once during any election, she shall be subject to the penalties as is now prescribed by law.

CHAP. LXI.

An Act to establish a Seminary of Learning in the county of Duplin, by the name of "Greene Academy."

BE 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 Wright, Joseph Greene, Levi Borden, John Beck, Alfred Beck, Samuel Faison, Elias Faison, Lewis Dickson, David Wright and Jethro Oates, be and they are hereby declared to be a body politic and corporate, to be known and distinguished by the name of "The Trustees of Greene Academy," and by that name shall have perpetual succession, and they or their successors...
That elections for the purpose of choosing Representatives in the General Assembly, shall be held each and every year on the second Thursday in August, and election,...
WHEREAS it has been signified to this General Assembly, that the Stockholders in the Washington Toll Bridge Company, are desirous to sink large piers in the south channel of Tar River, where the aforesaid Bridge is now building,

BE 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 Stockholders, President, Directors, and Company of the Washington Toll Bridge Company, are hereby authorised and fully empowered, in building the aforesaid bridge, to sink piers in the south channel of the river, not larger than fourteen feet by eighteen, nor nearer to each other than twenty six feet.

II. Be it further enacted, That if from any circumstance the election of directors should be omitted within the time prescribed by law, then and in that case the election may be held at any time within sixty days thereafter, and the directors last elected shall continue in office until such subsequent election shall be made.

III. And be it further enacted by the authority aforesaid, That no seine or net of any description shall be used for the purpose of catching fish within one hundred and fifty yards of said bridge, from the fifteenth day of January to the first day of May inclusive in each and every year, under the following fines and penalties, to wit: for working a seine, thirty pounds for every pound it may be hauled, and for every net of whatever kind, ten pounds for every time the same shall be used, to be recovered before any jurisdiction having cognizance thereof, one half to the use of the informer, and the other half to the use of the county of Beaufort, and such seine or net shall be forfeited to the informer.

IV. And be it further enacted, That in case any person so convicted shall fail to pay the said fine with costs, or give security for the same agreeably to the laws now in force for stays of execution, if a free person, shall be confined in close prison for thirty days, and if a slave, shall receive thirty-nine lashes on his or her bare back, and the person then in possession of said slave shall be subject to all costs.

CHAP. LXV.

An Act to establish a Poor House in the county of Stokes.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That it shall and may be lawful for the Wardens of the Poor in the county of Stokes, or a majority of them, as soon as they may deem it necessary after the passing of this act, to make application to the Court of Pleas and Quarter Sessions in said county, and the court is hereby directed and empowered to lay a tax, not exceeding one shilling on every poll, and four pence on every hundred acres of land, and one shilling on every hundred pounds value of town property, to be collected by the collector of the same county, and the same shall be paid into the hands of the wardens aforesaid, who are required immediately thereafter to lay out the same to the best advantage in procuring a piece of land either by purchase or otherwise, in or within four miles of Germanton, and to build or cause to be built thereon, a house or houses sufficient for the reception of the poor of said county; under which denomination shall be comprehended all such persons of either sex as shall be adjudged by the wardens incapable through age or infirmities to procure subsistence for themselves; and the said wardens shall appoint a keeper or overseer of said poor, whose business it shall be to preserve good order, see that they are humaneely treated and sufficiently provided with suitable diet, clothing and fuel, and to enforce all such regulations as shall be established from time to time, for the well ordering and governing said poor; which regulations the said wardens are hereby empowered to make: And it shall be lawful for the said court to renew the imposition of said tax from time to time, if necessary either to complete the aforesaid building or defray the expenses that may be occasioned by the keeping up thereof: And the said Keeper or overseer for his services shall be allowed for each year such sum as the wardens may deem adequate, to be paid out of the tax laid for that purpose; and the keeper or overseer of said poor is hereby required to keep at moderate labor such of the poor under their care as they shall judge capable to labor, and at the end of each and every year shall account to the wardens of said county on oath for all such sums which may have arisen from the labor of such poor, and have the same deducted from the amount of their expenditures; any law to the contrary notwithstanding.
An Act to secure to the persons therein named such property as they may hereafter acquire.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That Jenny Emery, of the county of Randolph, wife of Stephen Emery; Sannah Bass, of the county of Randolph, wife of Benjamin Bass; Polly Hatch, of the county of Lenoir; wife of Henry Hatch; Nancy Deeton, of the county of Richmond, wife of Thomas Deeton; Margaret Brightman, of the county of New Hanover, wife of Joseph Brightman; Elsey Neely, of the county of Buncombe, wife of William Neely; Hannah Hinkle, of Lincoln county, wife of Jacob Hinkle; Elizabeth M'Kinnie, of friedel county, wife of James M'Kinnie; Polly Daily Braddy, of Jones county, wife of Richard Braddy; Ann Brown, of Rowan county, wife of William Brown; Alsey Beck, of Burke county; wife of William Beck; Elizabeth Thomas, of Sampson county, wife of William Thomas; Fanny Wells, of the county of Caswell, wife of John Wells; Mary H. Jones, of Lincoln county, wife of Alexander Jones; Ann L. Butler, of Granville county, wife of Reuben Butler; Milly Holland, of Greene county, wife of James Holland; Thosie J. Higbie, wife of David Higbie; Nancy Perry, wife of Daniel Perry, of Carteret county, and they are hereby made capable of holding, possessing and enjoying in their sole and exclusive right, all such estate either real or personal as they may hereafter acquire either by descent, purchase or otherwise, in as full and ample a manner as if they had never been under the coverture of their respective husbands, free and clear from the claims of their said husbands or their creditors; and they are severally made capable to prosecute and defend suits either in law or equity, in their own names, in the same manner as if they had never been married.

CHAP. LVIII.

An Act for the removal of a separate election in Brunswick county.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That a separate election in future shall be opened and held at New Britania Ferry, at the house of John Wards in the county of Brunswick, at such times as are prescribed by law for electing members of the General Assembly, Representatives to Congress, and electors to vote for a President and Vice-President of the United States, which elections shall be opened, closed and conducted on the same days and under the same rules, regulations and restrictions as are prescribed for the government of other separate elections in said county.

And be it further enacted, That so much of the existing laws as relate to the establishment of a separate election at the house of William Simmons in the county aforesaid be and the same is hereby repealed and made void.

CHAP. LXX.

An Act to authorize and empower the Commissioners for the town of Louisburg in the county of Franklin to perfect the titles of the owners of lots in the said town.

Whereas the present titles of the owners of lots in the town of Louisburg, depend upon the tickets designated in the original drawing of the said town, and as each adventurer paid a valuable consideration, and as in case of any transfer the present claimant solely depends on his ticket for his title, and as in many cases the tickets may be lost or mislaid, and injustice may happen,

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of this act, it shall and may be awful for the Commissioners of the said town, or their successors in office, to correct the titles of the claimants of any lot or parts of lots in the said town, derived by bona fide purchase or other lawful means from any of the original holders of tickets drawn by the General Assembly of the State of North-Carolina, to vest in those persons who may be the holder of any ticket or tickets that were provided by law, and as such persons who may be the holder of any ticket or tickets that shall be made by the several returning officers of such elections on the day following as herefore prescribed by law for the government of other separate elections in said county, shall take place at the same time, and under the same rules, regulations and restrictions as herefore prescribed by law relative to the elections of said county.

And be it further enacted, That all acts and clauses of acts coming within the meaning of this act and the same are hereby repealed.
An Act to establish one other separate Election in the county of Lincoln, and to alter the place of holding the Election therein.

BE IT ENACTED by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That one other separate Election shall be established in the county of Lincoln at the house of Samuel Espy, Esquire, in said county, under the same rules, regulations and restrictions as are already prescribed for the collection of public taxes.

II. And be it further enacted, That the commissioners of said county for the time being shall be the presiding officers at each place of election within said county, and that so much of an act of the General Assembly as relates to establishing a separate election at Robert Wier's mill, and all other restrictions as other elections are held in said county, shall cease and be of no further validity.

III. And be it further enacted, That all citizens of the United States shall have and enjoy the privilege of being voters and participating in all elections held in said county, under the same rules, regulations and restrictions as are prescribed for the collection of public taxes.

IV. And be it further enacted, That this act shall continue in force for twelve months from the ratification thereof, and no longer.

CHAP. LXXIV.

An Act to repeal an act passed in the year one thousand eight hundred and nine; Simon Bruton, late sheriff of Lenoir county for the year one thousand eight hundred and nine, and from those who have removed from the respective counties, or from those who shall voluntarily make oath that he, she, or they have paid the same: And Provided also, That this act shall continue in force for twelve months from the ratification thereof, and no longer.

And be it further enacted, That this act shall be in force from and after the ratification thereof.
An Act to authorise the Commissioners of Pilotage for the Ports of Wilmington and Beaufort to supply vacancies occasioned by the death or resignation of any of them. 

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That if any of the Commissioners of Pilotage for the Ports of Wilmington or Beaufort, should die or resign, the other commissioners, or a majority of them, may elect by ballot other persons to supply such vacancy, who shall be vested with all the powers and authorities of those already appointed by this act, any law to the contrary notwithstanding.

II. And be it further enacted, That if any member of the board of commissioners shall have neglected to attend any of the meetings held thereunder, or shall be deemed unqualified by reason of any infirmity or defect, or shall be disposed by any other person, the vacancies so occasioned shall be supplied by the State, and the persons so appointed shall be in all respects entitled to the wholesome of the same.

An Act for the relief of David Turner of Johnson county. 

An Act to alter the place of holding one of the separate elections in the county of Duplin. 

An Act for the relief of John Xilfhoar, who shall be vetted by virtue of a writ of fieri facias issued from the Court of Quarter Sessions of said County unto the Sheriff of said county who sold the said land to the said David Turner as the property of one John Xilfhoar, and to regulate the sale of the same, and ten shillings for every thirty miles travelling going to and returning from the said court-house door, make proclamation accordingly; and moreover, it shall be the duty of the inspectors to transmit a correct statement, under their hands and seals, of the number of votes by them taken, with the list of the names of the persons voting at said election, to the Clerk of the County Court at or before the first County Court that shall thereafter happen; and it shall be the duty of said clerk to keep the said return by them made, or some other person for them, as aforesaid, for the inspection of any person who may be satisfied with the said return.

An Act for the relief of John Xilfhoar, who shall be vetted by virtue of a writ of fieri facias issued from the Court of Quarter Sessions of said County unto the Sheriff of said county who sold the said land to the said David Turner as the property of one John Xilfhoar, and to regulate the sale of the same, and ten shillings for every thirty miles travelling going to and returning from the said court-house door, make proclamation accordingly; and moreover, it shall be the duty of the inspectors to transmit a correct statement, under their hands and seals, of the number of votes by them taken, with the list of the names of the persons voting at said election, to the Clerk of the County Court at or before the first County Court that shall thereafter happen; and it shall be the duty of said clerk to keep the said return by them made, or some other person for them, as aforesaid, for the inspection of any person who may be satisfied with the said return.

An Act to alter the place of holding one of the separate elections in the county of Duplin.

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An Act to alter the place of holding one of the separate elections in the county of Duplin.
BE it enacted by the General Assembly of the State of North-Carolina, that Maurice Jones, late sheriff of the County of Hyde, be and he is hereby authorised and empowered for and during the term of one year from and after the ratification of this act, to collect all arrearages of taxes due to him for the year one thousand eight hundred and eleven, from persons owning taxable property within said county, and for the purpose of effecting such collection, he is vested with all the powers and authorities given by law to sheriffs for the purpose of collecting taxes. Provided always, That he shall not be authorised by virtue of this act to collect any arrearages of taxes from any person or persons who will make oath that he, she or they have paid the same.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the time limited in the sixth section of the before recited act for improving certain lots therein named, be extended to two years from the expiration of the term specified in said act, any thing to the contrary notwithstanding.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the said Stephen and Charity, are hereby absolutely and entirely dissolved to all intents and purposes.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That in case of death, resignation, inability or removal of any of the commissioners appointed, it shall be lawful for the remaining commissioners, or a majority of them, to elect others to supply their places, who shall have equal authority and power with the commissioners hereby appointed.

BE 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 Trusteis of the Wilmington Academy, or a majority of them, at any regular meeting thereof shall have power to elect by ballot such additional number of trustees as they may think proper, and make such rules and regulations as to them may seem necessary to compel the attendance of the trustees of the said Academy.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the said Stephen and Charity are hereby divorced; and the bonds of matrimony which unite them, are hereby absolutely and entirely dissolved to all intents and purposes.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of this act, it shall and may be lawful for the County Court of Hyde, to lay and collect a tax not exceeding two shillings on the poll, two shillings on every piece of land over two hundred acres of land, and two shillings on every hundred pounds worth of town property, to defray the expenses of the poor of said county.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the election hereafter held at Morrison's old Meeting-house in the county aforesaid, be hereafter discontinued.
An Act to provide for the payment of Witnesses in the county of New Hanover.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That every Witness who may have been legally summoned to give evidence in any Suit now depending in the county of New Hanover, or who may hereafter be summoned to give evidence in any suit now depending in any county, in the Superior Courts of New Hanover, shall be allowed ten shillings per day for every and each day he may attend either of the said courts as a witness, and ten shillings for every thirty miles travelling to and from the said courts, together with all such refreshment as such Witness may be compelled to pay in travelling to and from the said courts; which allowances shall be collected, recovered and proved in the same manner and under the same rules and regulations as witness tickets are now collected.

CHAP. XCV.  
An Act to provide for the return of the Records of said county, as may appear necessary.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of this act, Duncan Campbell, of the county of Robeson, be and he is hereby restored to credit in as full and simple a manner, to all intents and purposes, as if the said Duncan Campbell had never been convicted of any crime whatsoever; and he is hereby declared to be a competent witness to depose and testify in all cases where the same may be necessary; any law, usage or custom to the contrary notwithstanding.

An Act to provide a Board of Directors, which shall be fully competent to do and perform any act which a majority may do by the provisions of said act; any law to the contrary notwithstanding.

An Act to provide for the payment of Witnesses in the county of Burke.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of this act, Polly Mira Poor, of the county of Burke, be and she is hereby divorced and freed from the bond of matrimony with Caleb Poor, of said county, in the same manner as if the marriage of the said Polly Mira Poor with the said Caleb Poor had never been solemnized: Provided, That nothing in this act contained shall be held or construed to bastardize the birth born of the said Polly Mira Poor during her coverture.

An Act to restore to credit Duncan Campbell, of the county of Robeson.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of this act, Duncan Campbell, of the county of Robeson, be and he is hereby fully restored to credit in as full and simple a manner, to all intents and purposes, as if the said Duncan Campbell had never been convicted of any crime whatsoever; and he is hereby declared to be a competent witness to depose and testify in all cases where the same may be necessary; any law, usage or custom to the contrary notwithstanding.

An Act to restore to credit and serve as a witness, and shall stand and be allowed one hundred and fifty dollars for every thirty miles travelling to and from the said courts, together with all such refreshment as such Witness may be compelled to pay in travelling to and from the said courts; which allowances shall be collected, recovered and proved in the same manner and under the same rules and regulations as witness tickets are now collected.

An Act to alter the place of holding a separate Election in the county of Tyrrell.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of this act, the place of election shall be at the house of Joseph Tarkington, on Little Alligator, for the purpose of electing Members of the General Assembly of this State, Representatives to Congress, and Electors to vote for a President and Vice-President of the United States, shall be held in future at the house of Joseph Tarkington, under the same rules, regulations and restrictions as herebefore observed; any law to the contrary notwithstanding.

An Act to alter the place of holding a separate Election in the county of Tyrrell.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That from and after the passing of this act, the place of election shall be at the house of Joseph Tarkington, on Little Alligator, for the purpose of electing Members of the General Assembly of this State, Representatives to Congress, and Electors to vote for a President and Vice-President of the United States, shall be held in future at the house of Joseph Tarkington, under the same rules, regulations and restrictions as herebefore observed; any law to the contrary notwithstanding.

An Act to incorporate the Cape-Fear Agricultural Society.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the present members of the Cape-Fear Agricultural Society, and such as may hereafter be admitted, are hereby constituted a body politic and corporate by the name of the "Cape-Fear Agricultural Society," and by that name shall be able to sue and be sued, and be impleaded, in any court in this state, and may receive, hold, possess and enjoy real and personal estate, acquired either by donation or purchase.

And be it further enacted, That the said society may pass such rules and regulations for the government of the same, as may appear best calculated to promote the object of the institution.
An Act to alter the place of holding a separate Election in the county of Stokes.

An Act to exempt vessels under sixty tons burthen entering Cape-Fear River from paying pilotage.

An Act to regulate the duties and proceedings of the Clerk of the Court of Orange.

An Act to empower the Clerk of the Court of Orange to take and receive, and allow for, the services of clerks and other officers employed in the Court.
Chap. CXI.

An Act to establish and lay off a town on the lands of Shubal Gardner in the county of Randolph.

BE 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 Gray, Benjamin Marvel, Robert Walker, John Moss and Benjamin Eliot, be and they are hereby appointed commissioners to lay off a town on the lands of Shubal Gardner in Randolph county, to be called and known by the name of New-Market, and that the aforesaid commissioners, or a majority of them shall be, and they are hereby authorised to lay off forty acres of land into acre or half acre lots, with convenient streets or alleys, as if they shall appear most advisable, and the said lots when so laid off shall be for the sole benefit and free disposal of the said Shubal Gardner.

Chap. CXII.

An Act to establish a separate Election in the county of Cumberland.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That in future an Election shall be held at the house of Isaac Newberry, in the county of Cumberland, on the same days and under the same rules regulations and restrictions as other separate Elections are held in said county.

Chap. CXIII.

An Act to alter the place of holding one of the separate Elections in the county of Camden.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That in future the Election hereof held at the house of Thomas Watamore in the county of Camden, shall be opened and held at the house of Joshua Bartlett, down the river in said county, and shall be conducted in the same manner, and under the same rules, regulations and restrictions, as have been heretofore prescribed by law for conducting separate Elections in said county, any law, usage or custom to the contrary, notwithstanding.

Chap. CXIV.

An Act further to regulate the Fisheries on Roanoke and Cassie rivers, and to alter and amend an act passed in the year one thousand eight hundred and ten, entitled "An act to establish and lay off a turnpike road leading from the west end of Mattamuskeet Lake to John Jordans on Rose Bay in Hyde county, passed at Raleigh in the year 1809, and another act passed in the year 1810, to amend the said acts."

BE 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 scenes on Roanoke and Cassie rivers, shall cease to haunt during the season of fishing on every Saturday at twelve o'clock in each week, and may commence on Monday twelve o'clock succeeding, under the same rules and regulations as are directed to be observed in an act, passed in the year one thousand eight hundred and ten, entitled "An act to regulate the fisheries on Roanoke and Cassie rivers."
## Comptroller's Statement.

A statement of the nett amount of that branch of the Revenue of the State of North-Carolina, which is receivable by the Sheriff for the year 1812.

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The foregoing statement is founded on Documents filed in the Comptroller's Office of North-Carolina, this 30th day of November, 1813.

S. GOODWIN, Comptroller.
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