THE

LAWS

OF

THE STATE

OF

WORTH CAROLINA,

RECORD IN THE YEAR

1814.

Printed according to Law to

R. Penny

One of the Judges of the Peace of the County of

Perry (in manuscript)

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1814.
LAWs
OF
NORTH-CAROLINA

Enacted by a General Assembly begun and held at Raleigh, on the twenty-first day of November, in the year of our Lord one thousand eight hundred and fourteen, and in the thirty-ninth year of the Independence of the said State.

WILLIAM MILLER, ESQUIRE, GOVERNOR.

CHAPTER I.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That all persons liable to stand a second draft until the whole of the militia within his beat or company district shall have performed a like tour of duty.

II. And be it further enacted, That the regiment in the County of Ashe, shall be subject to a draft as infantry: Any law to the contrary notwithstanding.

III. Be it further enacted, That upon any requisition of the United States for a detachment of the militia from this State, it shall be the duty of every Captain of Infantry to enter upon his roll, able-bodied free men between the age of eighteen and forty-five years, except such as are exempted by the second section of the act of Congress of one thousand seven hundred and ninety-two, and except the Judges and Dividers exempted from draft, to be appointed by the Brigadier General and commissioned by the Governor, which said officers when in the actual service of this State shall receive the same pay and emoluments as officers of the like grade are entitled to in the service of the United States.

IV. Be it further enacted, That there shall be to each brigade within this State, one brigade Inspector with the rank of Major, one hospital-surgeon and two mates and one assistant deputy quarter master General with the rank of Captain, to be appointed by the Brigadier General and commissioned by the Governor, which said officers when in the actual service of this State shall receive the same pay and emoluments as officers of the like grade are entitled to in the service of the United States.

V. Be it further enacted, That so much of the eleventh section of the act of Assembly passed in the year one thousand eight hundred and thirteen, entitled "An act to amend the Militia Laws," as requires Major Generals and Brigadier Generals to muster the field and company officers, and also the eighth section of the said act, be and the same is hereby repealed and made void.

VI. Be it further enacted, That the first section of an act passed in the year one thousand eight hundred and twelve "to amend the Militia Laws of this State," is hereby repealed and made void: Provided, That the Captains and other returning officers, shall designate by proper columns the free persons of colour, from the rest of the militia of this State.

VII. And be it further enacted, That all that part of the fourteenth section of an act passed at the last General Assembly, entitled "An act to amend the Militia Laws of this State," as respects non commissioned officers and privates is hereby repealed and made void.

CHAPTER II.

AN ACT to extend the time for perfecting titles to 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 allBonafide entries of land in this State the purchase money of which has been paid to the Public Treasurer, since the first day of January one thousand seven hundred and ninety-six, shall have until the fifteenth day of December in the year of our Lord one thousand eight hundred and sixteen, for surveys to be made and returned into the Secretary's office: Provided, That no grant to be obtained under any survey to be made under this act shall affect or impair the title of any lands heretofore bonafide acquired by grant from the State: Provided, That this act shall not be construed to effect any entries made prior to one thousand eight hundred.
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 fifteen.

BE 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 fifteen, 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 be borrowed at a rate of interest not exceeding six per centum per year, and be reimbursable at such times and in such proportions as shall be agreed on between the Public Treasurer and the said Banks or Banks.

CHAP. IV.

AN ACT to provide for the purchase of Arms, Artillery, Tents and Camp Equipage for the use of the State, 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 two thousand stand of arms with the necessary accoutrements, twelve pieces of artillery, tents and camp equipage for two Regiments, consisting of one thousand rank and file each, be purchased under the direction of his Excellency the Governor for the use of the State; and that the said artillery be mounted in such way as his Excellency shall direct.

II. And be it further enacted by the authority aforesaid, That the arms and munitions of war purchased under this act be under the care and direction of the Governor, to be distributed by him where the same may be most wanted until the Legislature may further order; and to discharge by warrants upon the Treasury such incidental expenses as may arise for storage and preservation.

III. Be it further enacted, That the arms now belonging to this State, be distributed, preserved and taken care of in the same way as the arms to be purchased under this act.

IV. Be it further enacted, That the said arms and accoutrements, pieces of artillery, tents and camp equipage shall be kept exclusively for the use of this State, except in cases where the detached militia shall be called into service, when his Excellency the Governor may loan the said tents and camp equipage to the said militia on their march to their place of rendezvous: but the said tents and camp equipage shall in no case be taken out of the State.

V. Be it further enacted, That public notice be given in the papers published in the City of Raleigh, for the space of three months, that proposals will be received by the Treasurer of this State up to the end of the said three months, for supplying the State with the said arms and accoutrements, pieces of artillery, tents, and camp equipage, and in said notice the citizens of this State be particularly invited to make proposals, and undertake to furnish the said supplies.

VI. Be it further enacted, That to defray the expenses incurred in the purchase of the said arms and accoutrements, pieces of artillery, tents, and camp equipage, the said Treasurer is hereby authorized and directed to borrow the said sum of fifty-five thousand dollars from the Bank, in this State, and the said Banks are hereby authorized to make such loan: Provided, That the said loan can be obtained at a rate of interest not exceeding six per centum per year, and upon a credit of five years, the discount upon the money borrowed or so much thereof as shall be due to be paid by the Treasurer annually, and the said Treasurer to be at liberty to discharge the debt, to be incurred by the said loan, at any earlier period if he shall think proper to do the same.

VII. And be it further enacted, That should peace be concluded between the United States and Great Britain before the monies hereby appropriated shall be laid out, then all further purchases under this act shall cease.

CHAP. V.

BE 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 marriage had been heretofore or shall be hereafter contracted and celebrated between any two persons and it shall be adjudged in the manner herein after mentioned, that either party at the time of the contract was and still is naturally impotent, or that either party has separated him or herself from the other, and is living in adultery; in every such case it shall and may be lawful for the injured person to obtain a divorce either from bed and board or from the bonds of matrimony, at the discretion of the courts.

II. Be it further enacted, That where any person has been or shall hereafter be
injured in either of the ways above mentioned, the husband or the wife may exhibit his or her petition or libel to one of the Judges of the Superior Courts of Law in this State, in time, or to one of the Judges in the vacation, at least thirty days before the next term, setting forth therein particularly and especially the causes of his or her complaint; and shall together with such petition or libel exhibit an affidavit, on oath, taken before one of the Judges of the Superior Courts of Law, or some Justice living in the county where he or she resides, that the facts contained in the said petition or libel are true to the best of his or her knowledge and belief, and that the said complaint is not made out of envy or diversity between the parties, and for the mere purpose of being freed and separated from each other; but in sincerity and truth for the causes mentioned in the said petition of libel—

Bond and security required.

Provided always. That in all suits commenced under this act, the material facts charged in the said petition or libel shall be submitted to a jury, upon whose verdict, and not otherwise, the court shall decree—any rule or practice to the contrary notwithstanding.

III. Be it further enacted, That in any action or suit commenced in any of said courts for a divorce for the cause of adultery, if it shall be proved that the plaintiff has been guilty of the like crime, or has admitted the defendant into conjugal society or embraces after he or she knew of the criminal fact, or that the said plaintiff (if the husband) allowed of his wife’s prostitution or exposed her to lawful company whereby she became ensnared to the crime aforesaid, it shall be a good defence and a perpetual bar against the said suit.

IV. Be it further enacted, That it shall and may be lawful for the Superior Court aforesaid after hearing any cause commenced in virtue of this act, to determine the same as to law and justice shall appertain by either dismissing the petition or libel, or sentencing and decreeing a divorce and separation from nuptial ties or bonds of matrimony, or that the marriage is null and void, agreeable to the prayer thereof; and such court shall have power to decree alimony to the wife in the case of general divorce upon the petition of the wife: Provided, That no judgment, sentence or decree of final and absolute divorce from the bonds of matrimony shall be valid until ratified by the General Assembly of this State; and that after such judgment, sentence or decree of dissolving the marriage and its ratification by the General Assembly, all and singular the rights, duties, and legal and equitable claims of the parties in right of said marriage shall cease and determine, and the complaint or innocent person shall be at liberty to marry again as if he or she had never been married: Provided always, That nothing herein contained shall be construed to extend to effect the rights of any creditor or creditors of the husband.

V. Be it further enacted, That if any person shall either abandon his family or maliciously turn his wife out of doors, or by cruel or barbarous treatment endanger her life, or offer such indignities to her person as to render her condition intolerable or life burdensome, it shall and may be lawful for the Superior Court upon complaint and due proof made, in manner aforesaid, to grant a divorce from bed and board, and also to allow her such alimony as her husband’s circumstances will admit, or exceeding one third part of the annual income or profits of his estate, or of his occupation or labors, or by assigning to her separate use, such part of the real and personal estate of the husband as the court shall think fit, not exceeding one third part of the husband’s estate; as the justice of the case may require; which shall continue until a reconciliation shall take place between the parties. Provided always, That nothing herein contained shall be construed in any wise to effect the rights of any creditor or creditors of the husband.

VI. And to guard the persons thus injured against the host of momentary passion, and to afford time for reflection and opportunity for reconciliation, Be it enacted, That no petition shall be sustained in said courts unless the petitioner shall state proved and swear that the facts the ground of his or her complaint have existed to his or
Be 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 say act entitled "An act to establish a Bank in the town of Wilmington" and so much of an act entitled "An act to incorporate the Newbern Marine Insurance Company, and to establish a Bank in said town" passed within the year one thousand eight hundred and four, as relates to the Bank of Newbern; and all other acts subsequently passed, relating to the management, direction and affairs of said Banks; be and the same are hereby continued in force until the first day of January in the year of our Lord one thousand eight hundred and thirty five; except as herein after provided for.

II. Be it further enacted, That the President and Directors of the Banks of Cape Fear and Newbern shall within six months after notice given to the Governor of this State in the manner hereinafter prescribed, or the acceptance of the amended charter by the Stock holders in the said Banks respectively, open books for receiving subscriptions to the said stock at the City of Raleigh, and the towns of Wilmington, Newbern, Fayetteville, Edenton, Halifax, Hillsborough, Washington, Warrenton, Salisbury, Tarborough, Morganton, Pittsburgh, Salem, Rutherfordton, Plymouth, Murfreesborough and Greensborough, and in Nash County; and keep the same open for receiving subscriptions to the said stock until the whole stock authorized by this act shall be subscribed. But all shares not subscribed for within forty days after opening the books as aforesaid shall be sold and disposed of by the said President and Directors respectively at such price as they may think proper not exceeding an advance of ten dollars on each share; and purchasers of shares after the expiration of the said forty days shall pay down at the time of subscribing the first instalment, the advance required by the said President and Directors, and shall then stand upon the same footing with those who subscribed within the said forty days according to the payments they may have made.

IV. Be it further enacted, That ten dollars upon each share subscribed shall be paid at the time of subscribing, and the remaining ninety dollars in payments of ten dollars every sixty days thereafter until the whole shall be paid; the said deferred payments bearing interest at the rate of six per centum per annum until paid; and it shall be at the option of each subscriber to fill up his share of shares by payment of the residue of the money due thereon; and each subscriber paying in advance shall have a discount at the rate of six per centum per annum on such advance. When fifty dollars on any share shall be paid, the holder thereof shall be entitled to receive dividends on the whole share; and on failure to make payment punctually

VIII. Be it further enacted, That in all cases brought under this act, the parties may take testimony by depositions under the same rules, regulations and restrictions as exists in suits in equity in this State.

IX. Be it further enacted, That a tax upon the State of ten pounds shall be paid by the party cast upon every case under this act.

X. Be it further enacted, That the court may award costs to the party 'in whose behalf the sentence or decree shall pass, or that each party shall pay his or her own costs as to the court shall appear reasonable.

XI. Be it further enacted, That the husband against whom alimony or separate maintenance may be decreed shall give good and sufficient security in open court, to be approved by the court, for the faithful performance of the same; and in case of failure, shall stand committed until the order or decree of the court is complied with, or the court may direct execution to issue as in cases at law, for the money thus decreed, and a writ of venire to the sheriff to summon a jury to lay off and allot the real or personal estate decreed to the wife: Provided, That no process shall issue from the court to carry the decree into execution until the same shall have been ratified by the General Assembly and an authentic copy of such ratification filed with the clerk of the court, before whom the cause was tried.

CHAP. VI.
AN ACT to continue in force certain acts concerning the Banks of Cape Fear and Newbern and for other purposes concerning the said Banks.

II. Be it further enacted, That the President and Directors of the Bank of Cape Fear shall be and they are hereby authorized to add to the Capital Stock of said Bank five thousand two hundred and fifty shares, and the President and Directors of the Bank of Newbern, shall be and they are hereby authorized to add to the capital stock of said Bank five thousand seven hundred and fifty shares, of one hundred dollars each.

III. Be it further enacted, That the President and Directors of the Banks of Cape Fear and Newbern shall within six months after notice given to the Governor of this State in the manner hereinafter prescribed, or the acceptance of the amended charter by the Stock holders in the said Banks respectively, open books for receiving subscriptions to the said stock at the City of Raleigh, and the towns of Wilmington, Newbern, Fayetteville, Edenton, Halifax, Hillsborough, Washington, Warrenton, Salisbury, Tarborough, Morganton, Pittsburgh, Salem, Rutherfordton, Plymouth, Murfreesborough and Greensborough, and in Nash County; and keep the same open for receiving subscriptions to the said stock until the whole stock authorized by this act shall be subscribed. But all shares not subscribed for within forty days after opening the books as aforesaid shall be sold and disposed of by the said President and Directors respectively at such price as they may think proper not exceeding an advance of ten dollars on each share; and purchasers of shares after the expiration of the said forty days shall pay down at the time of subscribing the first instalment, the advance required by the said President and Directors, and shall then stand upon the same footing with those who subscribe within the said forty days according to the payments they may have made.

IV. Be it further enacted, That ten dollars upon each share subscribed shall be paid at the time of subscribing, and the remaining ninety dollars in payments of ten dollars every sixty days thereafter until the whole shall be paid; the said deferred payments bearing interest at the rate of six per centum per annum until paid; and it shall be at the option of each subscriber to fill up his share of shares by payment of the residue of the money due thereon; and each subscriber paying in advance shall have a discount at the rate of six per centum per annum on such advance. When fifty dollars on any share shall be paid, the holder thereof shall be entitled to receive dividends on the whole share; and on failure to make payment punctually

VIII. Be it further enacted, That in all cases brought under this act, the parties may take testimony by depositions under the same rules, regulations and restrictions as exists in suits in equity in this State.

IX. Be it further enacted, That a tax upon the State of ten pounds shall be paid by the party cast upon every case under this act.

X. Be it further enacted, That the court may award costs to the party 'in whose behalf the sentence or decree shall pass, or that each party shall pay his or her own costs as to the court shall appear reasonable.

XI. Be it further enacted, That the husband against whom alimony or separate maintenance may be decreed shall give good and sufficient security in open court, to be approved by the court, for the faithful performance of the same; and in case of failure, shall stand committed until the order or decree of the court is complied with, or the court may direct execution to issue as in cases at law, for the money thus decreed, and a writ of venire to the sheriff to summon a jury to lay off and allot the real or personal estate decreed to the wife: Provided, That no process shall issue from the court to carry the decree into execution until the same shall have been ratified by the General Assembly and an authentic copy of such ratification filed with the clerk of the court, before whom the cause was tried.
of any of the said first mentioned five, instalments on every share; the subscriber so failing shall forfeit to the use of the company, all the money that has been previously paid on such share: and such share shall be sold by the President and Directors for the benefit of the company, but there shall be no forfeiture after the payment of fifty dollars on each share.

V. Be it further enacted, That the President and Directors of said Banks shall at the first meeting and after the passing of this act and during the continuance of the same, be bound and obliged to make a loan or loans to the State of North-Carolina, if required and authorized by law, of any sum or sums of money not exceeding in the whole at any one time one tenth part of the actual stock of said Banks respectively, and at a rate of interest not exceeding six per centum per year to be paid yearly: Provided, That it shall be the duty of the Treasurer to make application in writing to the President and Directors of said Banks for such loan or loans at least three months previous to the time when such loan or loans shall be required.

VI. Be it further enacted, That of the shares hereby allowed to be subscribed to the Stock of the said Banks one thousand shares in each shall be reserved for this State and subscribed by the Treasurer immediately upon the opening of the books for receiving subscriptions as aforesaid; and as a consideration of this amended charter granted to the said Banks, the State shall be entitled to one hundred and eighty, shares of the said one thousand shares in each Bank aforesaid, without paying any thing therefor; and at the expiration or earlier dissolution of the charter, the President and Directors of the Banks shall pay to the Treasurer for the use of the State the same rate of dividend on the said shares, together with the shares as may be paid to other Stockholders; and shall be entitled to make payment for four hundred and ten shares in each of the said Banks in Treasury notes to be issued as herein after directed, and shall be entitled to make payment for the remaining four hundred and ten shares in each Bank at any time or times the said State may think proper during the continuance of this act, and shall not be bound to pay to either of the said Banks interest upon the shares not paid for. But the interest which may accrue thereon shall be accounted for as herein after directed.

VII. Be it further enacted, That the State shall be entitled to receive full dividend upon the one hundred and eighty, shares in each Bank, mentioned in the preceding section; and like dividend upon four hundred and ten shares in each Bank, to be paid for in Treasury notes after the second dividend to be declared by the said President and Directors after the first day of February next; and from and after the declaration of the said second dividend, the State shall be entitled to receive whatever sum shall accrue upon the remaining four hundred and ten shares in each Bank over and above six per centum per year, and the same dividend shall be declared upon the said remaining shares, as upon shares which have been fully paid for.

VIII. Be it further enacted, That at all meetings of the Stockholders of the said Banks, and at all elections for Directors, the Governor for the time being of such other persons or persons as he or the Legislature may from time to time appoint, shall act on behalf of the State; and shall have the same number of votes, to which the greatest number of Stockholders may be entitled, possessing an equal number of shares, with those owned by the State at the time of such election; and the number of votes to which each Stockholder shall be entitled, except the State, shall be according to the number of shares he shall hold in the proportions following: that is to say: for one share and not more than two shares one vote; for every four shares above ten, and not exceeding thirty, one vote; for every six shares above thirty, and not exceeding sixty, one vote; for every eight shares above sixty and not exceeding one hundred, one vote; and for every ten shares above one hundred, one vote; but no person, copartnership or body politic shall be entitled to a greater number than thirty votes. No share or shares shall confer a right of suffrage which shall not have been held three callendar months previous to the day of election. Stockholders actually resident within the State, and none other may vote in elections; and at general meetings of the Stockholders, by proxy; none but a Stockholder being a citizen of the State, and holding at least ten shares, shall be eligible as a Director of the Principal Bank, or shall a Director of any other Bank, be eligible as a Director of either of the said Banks. Eleven principal Directors shall be elected by the Stockholders in each Bank at their annual meeting for the well ordering of the affairs of the said corporations, seven of whom being Directors of the Cape Fear Bank, shall reside in the town of Wilmington; and seven being Directors of the Bank of Newbern shall reside in the town of Newbern. The board of principal Directors of each Bank shall appoint annually the Directors of the several Branches and agencies; and other officers required at the said Branches and agencies.

A number of Stockholders not less than thirty who together shall be proprietors of one hundred shares or upwards, shall have power at any time to demand a general meeting of the Stockholders for purposes relative to the said corporations.
respective, And upon such demand the President of the Bank shall call such meeting giving at least four weeks notice in a public Gazette published in the City of Raleigh, and specifying in such notice, the object or objects of such meeting. Every Cashier of the said Banks before he enters upon the duties of his office shall be required to give bond with two or more securities to the satisfaction of the directors in a sum not less than ten thousand dollars, with condition for his good behavior. The total amount of the debts which either of the said corporations shall at any time owe whether by bond, bill, note or other contract shall not exceed the sum of two millions four hundred thousand dollars; and above the sum then actually deposited in the said Banks respectively for safe keeping, unless the contracting of any greater debt shall have been previously authorized by a law of this State.

In cases of excess, the Directors under whose administration it shall happen shall be liable for the same in their natural and private capacities; and any action of debt may in such case be brought against them or any of them, their heirs, executors, or administrators in any Court of Record of this State, by any creditor or creditors of said corporations, and may be prosecuted to judgment and execution; any condition, covenant or agreement to the contrary notwithstanding: But this shall not be construed to exempt the said corporations, or the lands, tenements, goods, or chattels of the same from being also liable, and chargeable with the said excess; such of the said Directors who may have been absent when the said excess was contracted, or created, or may have dissented from the resolution or act, whereby the said excess so contracted or created, may respectively exonerate themselves from being so liable, by forthwith giving notice of the fact and of their absence or dissent; with or before some Notary Public; and to the Stockholders at a general meeting, which they shall have power to call for that purpose.

The Treasurer of this State shall be furnished from time to time, as often as he may require, not exceeding once in three months, with a statement of the amount of the capital stock of each of the said corporations, and of the debts due to each; of the monies deposited in each, of the notes in circulation, and of the cash on hand, and shall have a right to inspect such general accounts in the books of the said corporations, as shall relate to the said statements: Provided, That this shall not be construed to a right of inspecting the account of any private individual or individuals with the said banks.

X. Be it further enacted, That from and after the first day of January, in the year one thousand eight hundred and sixteen, the paper money issued by this State in the year one thousand seven hundred and eighty-three, and one thousand seven hundred and eighty-five, shall cease to be a tender to or from either of the said banks, except to the State Bank.

X. Be it further enacted, That the President and Directors of the said Banks of Cape Fear and Newbern shall not issue any note or notes under the sum of one Dollar, and from and after the first day of July next, the eleventh section of an act passed in the year one thousand eight hundred and four, entitled "An act to establish a Bank in the town of Wilmington," and the twelfth section of an act passed in the same year, entitled "An act to incorporate the Newbern Marine Insurance Company, and to establish a Bank in said town"—also an act passed in the year one thousand eight hundred and nine, entitled "An act to regulate the Banks of Newbern and Cape Fear in certain cases," shall be, and the same are hereby repealed and made void.

X. Be it further enacted, That a tax of one per centum per annum shall be levied on all stock holders in each of the banks of Cape Fear and Newbern, except on the stock held by this State, which shall be paid to the treasurer of this State, by the presidents or cashiers of said banks, on or before the first day of October in each and every year.

X. Be it further enacted, That the treasurer of this state, be, and he is hereby authorized and directed, as soon as he can conveniently do the same, to issue Treasury Notes to the amount of eighty two thousand Dollars, of the following denominations, to wit: Of five cents, ten cents, twenty cents, twenty five cents, thirty cents, forty cents, fifty cents; and the notes shall have such margin, and device as the treasurer shall think proper to adopt—shall be made payable to bearer at the treasury of this State—shall be dated and signed by the treasurer, and immediately be paid over by him to the cashiers of the banks of Cape Fear and Newbern in equal portions, thereby paying to each of the said banks for four hundred and ten shares of stock in each, to be subscribed for the state as aforesaid. The said Treasury notes shall not bear interest. They may be thrown into circulation by the said banks, and they shall be redeemed by the treasurer from time to time as they shall be presented for payment; but by him may again be circulated, and they shall be receivable in debts and taxes due to the State.

XIII. Be it further enacted, That the presidents of the Banks of Cape Fear and...
Newbern, shall make known to the Governor of this State, in writing, within four months after the first day of January next, their acceptance of this amended charter; and in case they fail to do so, this act and every part thereof shall become void, and of no effect.

XIV. And be it further enacted, As a condition and further consideration for the privilege hereby granted, that it be by the common consent of the stockholders in the State Bank of North Carolina, or otherwise, the charter of the said bank shall be dissolved previous to the eighteenth day of December in the year one thousand eight hundred and sixteen, and before the said banks shall have taken up and withdrawn from circulation the whole of the paper money of this state, issued in the year one thousand seven hundred and eighty three, and one thousand seven hundred and eighty five, and before the said paper money shall be actually redeemed by the State in the manner prescribed by an act passed in the year one thousand eight hundred and eight, entitled " An act in addition to the act entitled * An act to redeem the paper currency now in circulation, and to establish a bank by the name and title of the State Bank of North-Carolina, passed in the year one thousand eight hundred and ten:" the said banks of Cape Fear and Newbern shall within two weeks after notice of such dissolution from the public treasurer (which notice the said treasurer is hereby directed to give) cause public notice to be given by advertisement in the papers published in the City of Raleigh for six weeks, that they will for the term of one year, commencing on the day of the said advertisement, and following next thereafter, take up and exchange all the paper currency of the state, which shall be presented for the purpose of being taken up, and exchanged at the said banks or any of their branches, by giving in exchange therefor, in notes of said banks, or gold or silver at the option of the holder of the paper money, the full sum to which the paper money so to be presented shall amount, after the rate of one dollar for every ten shillings of the said paper money. And it shall further be the duty of the said president and directors actually to take up all the paper money of the state, which shall within the said term of one year be presented for exchange as aforesaid; and to give in exchange therefor, in the notes of the said banks or in gold or silver, at the option of the holder of the paper money, after the rate of one dollar for every ten shillings of the money to be presented for exchange as aforesaid; and upon its being made appear to the satisfaction of the Governor by the president and directors of the said banks, at any time within six months after the expiration of the twelve months hereof, to make known to the Governor in writing, within four years from the date of this act—the said president and directors have faithfully complied with the preceding terms, and have given the required notice at the time and in the manner above prescribed, and have actually taken in all the paper money of the State which shall have been presented to the said banks or any of their branches in pursuance of the notices above prescribed, and faithfully paid therefor, in the manner and after the rate above prescribed; it shall be lawful for the Governor of the State to make known the same by proclamation; and in the said proclamation, to declare that the said paper money shall thenceforward cease to be a tender.

XV. And be it hereby further declared, That on the date of the said proclamation, that the said paper money shall cease to be a tender in all cases whatever, except in payments to be thereafter made to the said banks. In all which payments to the said banks it is hereby declared it shall thereafter be a tender; and when received by the said banks, shall not again return into circulation by any means whatever; but remain in their vaults until redeemed and destroyed in the manner herein after prescribed: Provided always, That if the said banks should, at any time, fail to comply with the terms of this act—so far as the same are herein prescribed, it shall be lawful for the Governor of this State to make known the same by proclamation; and in the said proclamation, to declare that the said paper money shall cease to be a tender.

XVI. Be it further enacted, That the dividends accruing on all shares in the said banks of Cape Fear and Newbern held by the State shall be applied as the said dividends shall be declared, to the redemption of the paper money remaining in the hands of the said banks, which paper money, when so redeemed, may be delivered to the said banks, or their branches, or the State or its Agent the Public Treasurer, by the said Treasurer in the presence of the Comptroller and Secretary of State, be burnt and destroyed: And in case the State should hold no shares in said Banks on the said eighteenth day of December in the year one thousand eight hundred and seventeen, said paper money may be delivered by the said President and Directors to the Public Treasurer for the use of the State, and shall be considered as a part of the sum which the said banks are by this act authorized and required to lend to the State.
THE ACT to amend an act passed in the year one thousand seven hundred and forty-four, entitled "An Act for the better observation and reposing the Lord's Day, commonly called Sunday, and see the more effectual suppression of vice and immorality.

WHEREAS the by the recited act whenever a single woman shall upon oath before two Magistrates according to its provisions, accuse any man with being the father of her bastard child or children, such person so accused shall be entitled to have the return of the County Court of the recognition, citation or attachment, as the case may be, be entitled to have an issue made up to try whether he be the father of such child or children; upon the trial of which issue the examination of the woman upon oath taken before two Justices of the Peace in the manner prescribed by the aforesaid act, and returned to court, shall be prima facie evidence only against the person so accused. And if the jury shall, upon the trial of such issue, find that the person so accused is the father of such child or children, he shall stand charged with the maintenance thereof in the manner prescribed by the said act: But if the jury shall find that he is not the father of such child or children, he shall be discharged. And all examinations upon oath to accuse or charge any man of being the father of a bastard child shall be had and taken within three years next after the birth of said child, and notafter.

II. Be it further enacted, That all costs which shall accrue upon the trial of any issue under this act, shall be paid by the party claiming the benefit of such issue.

III. And be it further enacted, That the officer prosecuting in behalf of the county, shall, and he is hereby authorized to appeal to the Superior Court of Law in all cases where he shall think that justice has not been obtained in the trial of any issue.

CHAP. VII.

AN ACT to amend the Revenue Laws of this State as to provide a Revenue for the payment of the Civil List, and contingent charges of Government.

BE 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 tax on all lands and their improvements throughout this State shall be levied and collected in the following manner, viz: the Justices of the Peace appointed to take the lists of taxable property within the several counties of the State according to the direction of the act of the General Assembly passed in the year one thousand eight hundred and one, entitled "An Act to fix an uniform time for taking the list of taxable property throughout the State and for enforcing the collection of taxes" shall after giving due notice thereof, according to the direction of the act before recited, require each and every person liable to pay land tax either in his own or otherwise to list each and every tract of land by him, her or them held within the county, stating the number of acres of each separate tract, its local situation and its reasonable value, including improvements thereon: And when the dividing line between two counties, runs through any tract of land the owner of the said land may list the same in either county: And it shall be the duty of Guardians to list the lands of their wards being minors, and also the duty of Guardians of lunatics and persons non compos mentis, to list the lands belonging to the said lunatics and persons non compos mentis. And if any person holding lands or any Guardian of a minor, lunatic, or person non compos mentis shall fail to list the lands which he is bound to list by this act, he shall pay a double tax to be collected by the Sheriff out of the property of the person bound to list the said lands by distress or other mode heretofore used in such cases.

II. And be it further enacted, That the justices appointed as aforesaid shall make out a fair copy of the list of lands by him taken with the number of acres and valuation annexed, and return the same together with the list of other taxable property by him taken to the Clerk of the County Court at the next succeeding County Court which may happen after the time prescribed by law for taking the list of taxable property. And the Clerks of the several County Courts are hereby required to return to the Clerk of the County Court at the next succeeding County Court the said lists and the owners names thereof with the number of acres of each tract, and the valuation of the same as is by law already established and required, on or before the first day of September in each year.

III. And be it further enacted, That when lands the property of non-residents shall be...
have been given in accordance to the directions of this act, the justice taking the list of taxable
or the Sheriff of the county, either from their own knowledge or from information lodged
of the fact, shall summon one freeholder in the neighbourhood of such lands, whose duty it
shall be within five days of such notification to proceed on said lands and on oath value the
same, describing as far as may be the local situation and number of acres thereof; and it shall be the duty of the justice so summoned as aforesaid to transmit under his hand a fair transcript
of such valuation to the Clerk of the county court within ten days from his assessment, and
that the said freeholder shall receive a compensation for his services as assessor, of one
dollar for each tract by him assessed, to be levied and collected by the Sheriff if not previously
paid by the owner, at the time the Sheriff shall collect the public tax due on such lands.

V. And be it further enacted, That all town lots and their improvements shall be assessed
as provided always, and that such valuation or assessment shall take place at the same time that land and other taxable property are assessed in the several counties of this State, and that the assessors shall make return thereof to the clerks of the county courts at the same time as is required by law for justices of the peace to make return of the lists of taxable persons taken by them under the penalty of forty dollars for such neglect, to the use of the county in which they are collected.

VI. And be it further enacted, That if any justice of the peace at the time of his receiving
a list of taxable property, entertains the opinion that the person or persons giving in, his,
or their list of taxable property manifestly undervalues the same, said justice of the peace
may summon two freeholders acquainted with the land whose duty it shall be to value the
same.

VII. And be it further enacted, That all residents who shall fail to give in the valuation of
his, her or their lands within the time prescribed by law shall be liable to pay audit fines to
and it is hereby declared to be the duty of the justice who takes the list as aforesaid upon
his knowledge of any such failure to summon two freeholders, whose duty it shall be to value
the same and return such valuation to said justice.

VIII. And be it further enacted, That the valuation of lands and their improvements as
good and valuable as may be be made in such manner as the justices of the peace may
agree to, and shall be levied and collected from all lands assessed and returned as aforesaid the sum
of eight cents on each hundred dollars value thereon, and that the tax be collected in the same
manner as other taxes, and on paying such tax and obtaining a receipt therefor, such person shall be authorized and permitted to peddle and hawk as aforesaid in such county and place, and such lands or property in such county or place as is subject to the penalty of
be levied, collected and accounted for in the same manner as such taxes herebefore
levied, collected and accounted for.

IX. And be it further enacted, That each and every person who shall hereafter peddle or
hawk in any county within this State and not on a navigable stream, goods or wares or merchandise,
shall pay to the Sheriff of each and every county in which he hawk or peddle, twenty dollars as a tax to the State to be accounted for in such manner as the laws hereinafter provide, and the Sheriff shall cause such merchandise to be sold for the taxes, shall be sold as herebefore provided for, and that one half to the use of the county, and the other half to the use of the said Sheriff.

X. And be it further enacted, That for the year one thousand eight hundred and fifteen
tax on all Stud-horses and Jack asses within this State, the value thereof shall be assessed by the justice of the peace in each county, and that the sum of six dollars as a tax, which shall be, accounted for by the Sheriff in like manner as other taxes, and on paying such tax and obtaining a receipt thereof, such person shall be authorized and permitted to peddle and hawk as aforesaid in such county and no other for the term of one year thereafter. And every person who shall peddle or hawk goods, wares or merchandise more than the value thereof as aforesaid in any navigable water of this State shall pay to the Sheriff of each and every county in which he shall so hawk or peddle, twenty dollars as a tax to the State to be accounted for and paid, and on payment thereof shall be authorized and permitted to peddle and hawk as aforesaid in such county and 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 on such property as is herein before directed, or who shall refuse or neglect, upon request by the Sheriff or his lawful deputy or a list of taxable property, shall, demand and receive for the season of one year, and each and every person who shall hawk or peddle, twenty dollars as a tax to the State to be accounted for in such manner as the laws hereinafter provide, and the Sheriff shall cause such merchandise to be sold for the taxes, shall be sold as herebefore provided for, and that one half to the use of the county, and the other half to the use of the said Sheriff.

XI. And be it further enacted, That every merchant who shall sell goods, wares or merchandise in any store to the amount of four hundred dollars in one year, shall pay a tax on each and every such store, if a wholesale merchant of sixteen dollars, and if a retail merchant of six dollars, and each such merchant shall give in such store or stores in the list of Tax at the time of his assessment, his value and description of all taxable property in the store, and the Sheriff shall assess the amount due in the same manner as other taxes; and the tax shall be levied, collected and accounted for in the same manner as other taxes:

Provided always, That no retailer ofspirits or liquors by the small measure shall be liable
to pay in addition to the tax imposed on such retailers, the tax also imposed on such merchandise.

XII. And be it further enacted, That the owners of Billiard Tables shall hereafter give
them in the same manner as other taxable property, and shall pay for all such tables in
each Billiard Table a tax of fifty dollars to be levied, collected and accounted for in the same
manner as other taxable property, and the Sheriff shall collect the tax on every Billiard Table within the county whether the same shall have been there on the first day of April or not, and whether the same shall have been erected on that day or not, unless the person owning such table in possession shall produce the receipt of the Sheriff of some other county for the said tax.

XIV. And be it further enacted, That each and every company of Itinerant Stage Players,
Beggars, Organ Grinders, Tumblers and Wire Dancers, and each and every person or company who plays. &c. shall exhibit natural or artificial curiosities of any sort or kind for a reward, shall previously

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the lands.
to performing or exhibiting in any county of this State, pay to the Sheriff thereof twenty dollars 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 persons shall be authorized and permitted to perform or 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 wax dancer or exhibitor 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 fifty dollars to be collected by the Sheriff of said county by distress, and sale of any of the property of such delinquent, and to be applied to the use of the State and the other half to the use of the Sheriff.

XV. And be it further enacted, That a tax of five dollars be and the same is hereby laid on all Gates which may have been or shall hereafter be at any time erected across any public road or highway within this State, and the owners of such Gates shall give in the same, within thirty days after the passing of this act, an account of the revenue arising from the same, to be applied to the incidental charges of government.

XVI. And be it further enacted, That for the year one thousand eight hundred and fifteen a tax of thirty cents on each and every free poll, and a tax of thirty cents on each and every black shall be levied and collected under the same regulations and restrictions as poll taxes have heretofore been collected.

XVII. 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 polled in the county where they reside.

XVIII. And be it further enacted, That the justices of the several county courts shall have the first county court which shall happen after the first day of January in each and every year hereafter, lay a tax not exceeding five cents on every hundred dollars valuation of lands with their improvements, and also on the other objects of taxation herein before enumerated as is already prescribed by law for the purpose of paying the said charges.

XIX. And be it further enacted, That the wardens of poor in each and every county within this State shall lay a tax not exceeding five cents on every hundred dollars valuation of lands with their improvements, and also a tax heretofore established by law on the other subjects of taxation herein before enumerated, for the purpose of defraying the public charges of said county.

XX. And be it further enacted, That the Sheriff shall have the same powers, and be subject to the same rules, regulations and restrictions in the collection and accounting for the taxes aforesaid, as have heretofore governed them in the collection of taxes.

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

CHAP. X.

AN ACT declaring Quakers competent persons to serve on Grand Juries, and also on Petit Juries in criminal cases.

WHEREAS doubts are entertained whether the people called Quakers, are entitled to serve on Grand Juries and also on Petit Juries in criminal cases, inasmuch as they are unwilling to be sworn upon the Holy Evangelists of Almighty God; and whereas the signatures of an oath do not depend upon the forms in which it shall be administered—but upon a belief of the existence of the Supreme Being, and of a future state of rewards and punishments—

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted, that the people called Quakers may be sworn by the authority of the same, That the people called Quakers shall be competent to serve on Grand Juries and also on Petit Juries in the trial of all criminal cases, and be entitled to use the same in all the terms of their religion, as herefore prescribed by law and observed in the trial of civil cases.

CHAP. XI.

AN ACT to continue in force the third section of an act passed in the year one thousand eight hundred and thirteen, respecting taxes for light houses and fortifications.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the provisions contained in the third section of an act entitled "An act providing for the support of Light-Houses and Fortifications within this State, and for placing the jurisdiction thereof to the United States," so far as relates to the time of laying off and paying for land for the purposes in the said act expressed, be and the same hereby declared to be in full force and operation, till the first day of December, one thousand eight hundred and eighteen.

CHAP. XII.

AN ACT allowing further time for registering grants, proving and registering Deeds, Masons, Conveyances, Powers of Attorney, Bills of sale and Deeds of Gift.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted, by the authority of the same, That all Grants for Lands, all Deeds or mean conveyances of lands, Tenements and Hereditaments, and all powers of attorney, under which any lands, tenements or hereditaments may have been conveyed, not already proven, acknowledged and registered, shall and may within two years after the passing of this act, be admitted to probate and registration, under the same rules and restrictions as herefore appointed by law; and that they may be conveyed or conveyed and registered, shall be as good and valid, as if they had been proved and registered in the time herebefore allowed.

II. And be it further enacted, That all Bills of Sale or other conveyances of Slaves, all deeds of gift of any estate of whatever nature, and all marriage contracts, shall and may within two years after the passing of this act be admitted to registration, under the same rules, regulations and restrictions as herebefore appointed, and shall be as good and valid as if they had been proved in the time herefore allowed: so law to the contrary notwithstanding.
AN ACT to amend and explain an act passed at the last session of the General Assembly, entitled "An act to raise, receive, and dispose of the revenue for the payment of the civil list and contingent charges of government for the year one thousand eight hundred and fourteen."

WHEREAS, by a mistake made in engraving the before-recited act, it is doubtful whether free males are subject to the payment of the poll tax thereby laid.

AN ACT to amend the act of the General Assembly of the State of North-Carolina, and it is hereby enacted, that the first section of the act entitled "An act to raise, receive, and dispose of the revenue for the payment of the civil list and contingent charges of government for the year one thousand eight hundred and fourteen," is hereby declared to extend to all free males between the ages of twenty-one and fifty years; and the different Collectors of the taxes thereby laid are fully authorized, empowered and required to collect the same accordingly.

I. And it is further enacted, that this act shall be in force, from and after the ratification thereof.

CHAP. XII.
AN ACT further to promote the administration of justice in the Supreme Court of North-Carolina.

BE 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, no Judge on his Circuit, before whom, in any of the Superior Courts of this State, any cause in Law or Equity, or any matter of law shall be tried, and which may be transmitted to the supreme Court by appeal, for the opinion of the Judges, shall set on the trial of said cause or matter of law in the supreme Court: but is hereby forbidden from giving his opinion on any matter of law which may have arisen on the trial of said cause in any of the courts below, which said judge may have held.

II. And it is further enacted by the authority aforesaid, That the Judges of the Superior courts shall and may hereafter arrange their respective ridings as to them shall seem fit, so as not to be located to any particular circuit.

CHAP. XIII.
AN ACT further to provide for the duties of the Comptroller.

BE 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 Superintendent of the General Assembly, and the Court of Law in each County shall have, possess, and exercise, as full power and authority to receive, hear and determine petitions for the amendment of grants from the State, and make conveniences for land in all cases whatsoever, and to direct the amendment of the same, as the several Courts of Common Pleas and Quarter Sessions now possess, by virtue of the several acts of Assembly in such case made and provided: and all laws, usage, or custom to the contrary notwithstanding.

CHAP. XIV.
AN ACT further to promote the duties of the Comptroller.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That it shall be the duty of the Comptroller, immediately after the first day of November in every year, to prepare the account of the public Treasurer of this State, with the returns thereof, which shall appear upon the books of the Comptroller's office for the year preceding the said first day of November, stating the balance of money in the Treasury at the last settlement; the receipts into the treasury within the year, particularizing the monies and accounts from which the same accrued, and were received, the amounts received from each respectively, and a particular statement of the disbursements from the treasury within the same period, and the money remaining in the treasury; and shall annex to said account a statement of the revenue from each subject of taxation in every county of the State, with all account and statement, the Comptroller to cause printed the sum of two hundred and fifty copies, before the meeting of the General Assembly next ensuing the first day of November in every year, and deliver the same within the first week of the session of the General Assembly to the clerk of either House, subject to the disposal of the General Assembly.

II. It is further enacted, That for printing the said account and statement, the Treasurer shall pay a reasonable compensation on the certificate of the Comptroller.

CHAP. XV.
AN ACT for the relief of persons who have made entries on vacant and unappropriated Lands, and on which warrants of survey have been issued and lost by accident.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That any person who has made, or shall hereafter make an entry on any Lands within this State as required by law, since the year one thousand eight hundred, and upon which the entry taker has issued, or shall issue his warrant, or warrants of survey, and the same be lost by accident, it shall be lawful, on due proof thereof being made to the satisfaction of the Court of Pleas and Quarter Sessions within the county wherein such entry shall have been made, or shall be made hereafter, to issue an order or other proper process, directing the entry taker or his successor to issue a duplicate warrant of survey, of the same tenor and date of the one so lost, taking care to setforth in the face of said warrant, that the same is a duplicate, in which case, such warrant shall be as valid and binding as the original: Provided, That seven justices shall be present in court, at the time of making such order: Provided, That nothing herein contained shall have the effect of reviving such entries as have reverted, or may hereafter revert to the State, by the purchase money not being paid within the time limited by law: Provided also, That no survey to be made under this act or grant to be obtained thereon, shall affect or impair the title to lands herebefore granted.

II. It is further enacted, That the entry takers shall be entitled to demand and receive for each duplicate warrant by them issued according to the provisions of this act, the sum of twenty-five cents.
AN ACT to appoint Commissioners to run the Boundary line between this State and South-Carolina.

WHEREAS, The 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 All’s Kinney’s on Toxaway river, on the fourth day of September, in the year one thousand eight hundred and thirteen, hath been ratified by the Legislatures of the States of North-Carolina and South-Carolina respectively, and it is necessary that the line established by said provisional article should be run and marked.

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by authority of the same, That each of the Clerks of the Courts of Pleas and Quarter-Sessions, in their respective counties, shall have power to employ suitable persons to transcribe and index such of the Register’s Books in their respective counties, as may be approved by the said clerks, and the said clerks shall have power to employ suitable persons to transcribe and index such of the Register’s Books in their respective counties, and for other purposes.

II. Be it further enacted, That each of the Clerks of the Courts of Pleas and Quarter-Sessions, upon application of the Register for his county at any time after ten days from the rise of each court, shall deliver to the said register all deeds and other instruments of writing admitted to probate, and then remaining in the office of the said clerk for registration, and shall at the same time pay over to the register the several fees for registering the same; and in case any one of the said clerks shall fail to deliver over such deeds and instruments of writing upon the application of the register aforesaid, and pay the said fees aforesaid, he shall for every such failure, forfeit and pay to the said register the sum of fifty pounds, for which sum judgment shall be entered by the succeeding court upon motion on behalf of the register.

II. Be it further enacted, 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.

GEO. OUTLOW, Speaker of the Senate.
F. NASH, Speaker of the House of Commons.

A true Copy,
WILLIAM HILL, Secretary.

CHAP. XVII.

AN ACT to amend an act concerning old Titles of Land and for limitations of actions, and for avoiding suits in law.

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by authority of the same, That all actions of debt, grounded upon any lending or contract without specialty, which shall be sued or brought, after the ratification of this act, shall be commenced or brought within three years next after the cause of such action or suit and not after: Provided, if any person or persons that is, or shall be entitled to such action of debt, shall be at the time of such cause of action given or accrued, fallen or come within the age of twenty-one years, femme covert, non-compos mentis, imprisoned or beyond the seas, that then such person or persons shall be at liberty to bring the same action, so as they bring the same within such time as is before limited, after the coming to, or being of full age, discover, of sound mind, at large, or returned from beyond the seas, as other persons having no such impediment might have done.

CHAP. XVIII.

AN ACT to authorize the Courts of Pleas and Quarter-Sessions to employ suitable Persons to transcribe the Register’s Books of their respective Counts, and for other purposes.

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by authority of the same, That the Courts of Pleas and Quarter-Sessions, shall have power to employ suitable persons to transcribe and index such of the Register’s Books in their respective counties, as may be approved by the said clerks, and other conveyances, repasts of commissioners appointed to make partition of real estates and all other papers required by law to be registered, certified by the registers for the time being, shall be received in evidence in the same way and under the same rules, regulations and restrictions as copies from the register’s books have heretofore been received in evidence.

II. Be it further enacted, That each of the Clerks of the Courts of Pleas and Quarter-Sessions, upon application of the register for his county at any time after ten days from the rise of each court, shall deliver to the said register all deeds and other instruments of writing admitted to probate, and then remaining in the office of the said clerk for registration, and shall at the same time pay over to the register the several fees for registering the same; and in case any one of the said clerks shall fail to deliver over such deeds and instruments of writing upon the application of the register aforesaid, and pay the said fees aforesaid, he shall for every such failure, forfeit and pay to the register the sum of fifty pounds, for which sum judgment shall be entered by the succeeding court upon motion on behalf of the register.

II. Be it further enacted, 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.

GEO. OUTLOW, Speaker of the Senate.
F. NASH, Speaker of the House of Commons.

A true Copy,
WILLIAM HILL, Secretary.

CHAP. XIX.

AN ACT to authorize the Courts of Pleas and Quarter-Sessions to employ suitable Persons to transcribe the Register’s Books of their respective Counts, and for other purposes.
an Act for the further Regulation of the Town of Edenton:

WHEREAS it is found that the inhabitants of the town of Wilkesborough, labour under many difficul-
ties, from want of competent laws to regulate the same; and 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 five proper persons shall be annually chosen by the inhabitants of the said town, to act as Commissioners for the space of one year; and it shall be the duty of the Sheriff of Wilkes, by himself or his lawful Deputy, on the first Monday in May, each and every year, to give notice to the Court-House door, in said town, to the following effect:—That on the same day, at the Court-House doors, in Wilkesborough and hold an election for that purpose, under the same rules and regulations as other elections are held in said county.

II. And be it further enacted, That if the said Sheriff shall fail or neglect to hold the election aforesaid, he shall forfeit and pay the sum of ten pounds, to be recovered by any person suing for the same, in his proper name, one half to the Commissioners of said town and the other half to the person suing for the same.

And be it further enacted, That any person residing in the county of Wilkes, and owning real property within the said town to the value of one hundred pounds, and upwards, shall be eligible to act as a Commissioner in the said town, and shall also be entitled to vote for Commissioners for said town; and all free men of the age of twenty-one years, and upwards, who have resided in said town one month immediately preceding the day of election, shall be entitled to vote for a Commissioner as aforesaid.

IV. And be it further enacted, That the said Commissioners when elected and declared by the Sheriff, shall convene as soon thereafter as possible and enter upon the duties of their office, first taking and subscribing the following oath:—"I A. B. do solemnly and sincerely swear, that I will do and execute as a Commissioner in the said town, and shall also be entitled to vote for Commissioners for said town; and it is hereby expressly declared, that the duty of the Sheriff of said county, to collect the same, at the same time, and under the same rules and regulations as he collects all other taxes, and shall be entitled to the same fees as for collecting other taxes; and shall pay over the same to the Treasurer of the said Board of Commissioners, all such monies as he shall have received on or before the first day of December, in each and every year, under the penalty of five pounds, to be recovered by the said Town of Wilkesborough, under the same regulations as other elections are held in said county.

V. And be it further enacted, That the said Commissioners and their successors in office, shall have full power and authority to make such by-laws, rules and ordinances for the better regulation of said town, and regulate the salaries of such officers.

VI. And be it further enacted, That the Commissioners shall have full power and authority to lay a tax on all property in said town, not exceeding ten shillings upon every hundred pounds value of real property, not exceeding five dollars upon every store where goods, wares and merchandise are sold, and not exceeding two dollars upon every person who retails spirituous liquors within said town, and it is hereby expressly declared, that it shall be the duty of the Sheriff of said county, to collect the same, at the same time, and under the same rules and regulations as he collects all other taxes; and all free men of the age of twenty-one years, and upwards, who have resided in said town one month immediately preceding the day of election, shall be entitled to vote for a Commissioner as aforesaid.

And be it further enacted, That no tax exceeding one halfpenny on property in said town, not exceeding five dollars upon every store where goods, wares and merchandise are sold, and not exceeding two dollars upon every person who retails spirituous liquors within said town, shall be levied or imposed, under penalty of five pounds, to be recovered by any person suing for the same, in the name of the person sueing for the same, and the said Commissioners shall have full power and authority to cause the same to be delivered, to the Sheriff within one month from the time the annual returns are delivered to him by the Clerk of the Court, with the rates of taxes by them levied.

And be it further enacted, That the said Commissioners shall have full power and authority to appoint a Treasurer, Clerk and such other officer as to them shall appear necessary and proper for the better regulation of said town; and regulate the salaries of such officers. In addition to the powers and authorities vested in the Commissioners of the said town, shall have full power and authority to appoint a Treasurer, Clerk and such other officer as to them shall appear necessary and proper for the better regulation of said town; and regulate the salaries of such officers.

And be it further enacted, That all taxes laid by them under this act, shall be levied, collected, and accounted for as other taxes, and the same shall be recovered before any competent jurisdiction in the name of the person sueing for the same, and all penalties by them imposed, upon motion in open Court, as the first Court to be held for the County of Wilkes, subject to appeal as in all other cases; and it is hereby declared and enacted, that all taxes laid by them under this act, shall be levied, collected, and accounted for as other taxes, and the same shall be recovered before any competent jurisdiction in the name of the person sueing for the same, and all penalties by them imposed, upon motion in open Court, as the first Court to be held for the County of Wilkes, subject to appeal as in all other cases.

And be it further enacted, That all acts and clauses of acts, that come within the purview and meaning of this act be and the same is hereby repealed and made void, any law or usage to the contrary notwithstanding.

CHAP. XXI.

An Act for the further Regulation of the Town of Edenton:

BE 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 and authorities vested in the Commissioners of the Town of Edenton, they are hereby authorised and empowered, to make such rules, regulations and ordinances, as a majority of them shall deem expedient, to prevent dogs running at large in said town, either by imposing penalties upon the owners of them, or by imposing taxes or otherwise, as to them shall seem most advisable.

II. And be it further enacted, That all taxes laid by them under this act, shall be levied, collected, and accounted for as other taxes, and the same shall be recovered before any competent jurisdiction in the name of the person sueing for the same, and all penalties by them imposed, upon motion in open Court, as the first Court to be held for the County of Wilkes, subject to appeal as in all other cases.

And be it further enacted, That all taxes laid by them under this act, shall be levied, collected, and accounted for as other taxes, and the same shall be recovered before any competent jurisdiction in the name of the person sueing for the same, and all penalties by them imposed, upon motion in open Court, as the first Court to be held for the County of Wilkes, subject to appeal as in all other cases.

And be it further enacted, That all taxes laid by them under this act, shall be levied, collected, and accounted for as other taxes, and the same shall be recovered before any competent jurisdiction in the name of the person sueing for the same, and all penalties by them imposed, upon motion in open Court, as the first Court to be held for the County of Wilkes, subject to appeal as in all other cases.

And be it further enacted, That all taxes laid by them under this act, shall be levied, collected, and accounted for as other taxes, and the same shall be recovered before any competent jurisdiction in the name of the person sueing for the same, and all penalties by them imposed, upon motion in open Court, as the first Court to be held for the County of Wilkes, subject to appeal as in all other cases.

And be it further enacted, That all taxes laid by them under this act, shall be levied, collected, and accounted for as other taxes, and the same shall be recovered before any competent jurisdiction in the name of the person sueing for the same, and all penalties by them imposed, upon motion in open Court, as the first Court to be held for the County of Wilkes, subject to appeal as in all other cases.

And be it further enacted, That all taxes laid by them under this act, shall be levied, collected, and accounted for as other taxes, and the same shall be recovered before any competent jurisdiction in the name of the person sueing for the same, and all penalties by them imposed, upon motion in open Court, as the first Court to be held for the County of Wilkes, subject to appeal as in all other cases.

And be it further enacted, That all taxes laid by them under this act, shall be levied, collected, and accounted for as other taxes, and the same shall be recovered before any competent jurisdiction in the name of the person sueing for the same, and all penalties by them imposed, upon motion in open Court, as the first Court to be held for the County of Wilkes, subject to appeal as in all other cases.

And be it further enacted, That all taxes laid by them under this act, shall be levied, collected, and accounted for as other taxes, and the same shall be recovered before any competent jurisdiction in the name of the person sueing for the same, and all penalties by them imposed, upon motion in open Court, as the first Court to be held for the County of Wilkes, subject to appeal as in all other cases.

And be it further enacted, That all taxes laid by them under this act, shall be levied, collected, and accounted for as other taxes, and the same shall be recovered before any competent jurisdiction in the name of the person sueing for the same, and all penalties by them imposed, upon motion in open Court, as the first Court to be held for the County of Wilkes, subject to appeal as in all other cases.

And be it further enacted, That all taxes laid by them under this act, shall be levied, collected, and accounted for as other taxes, and the same shall be recovered before any competent jurisdiction in the name of the person sueing for the same, and all penalties by them imposed, upon motion in open Court, as the first Court to be held for the County of Wilkes, subject to appeal as in all other cases.

And be it further enacted, That all taxes laid by them under this act, shall be levied, collected, and accounted for as other taxes, and the same shall be recovered before any competent jurisdiction in the name of the person sueing for the same, and all penalties by them imposed, upon motion in open Court, as the first Court to be held for the County of Wilkes, subject to appeal as in all other cases.

And be it further enacted, That all taxes laid by them under this act, shall be levied, collected, and accounted for as other taxes, and the same shall be recovered before any competent jurisdiction in the name of the person sueing for the same, and all penalties by them imposed, upon motion in open Court, as the first Court to be held for the County of Wilkes, subject to appeal as in all other cases.

And be it further enacted, That all taxes laid by them under this act, shall be levied, collected, and accounted for as other taxes, and the same shall be recovered before any competent jurisdiction in the name of the person sueing for the same, and all penalties by them imposed, upon motion in open Court, as the first Court to be held for the County of Wilkes, subject to appeal as in all other cases.
An Act to establish a Town on the lands of Jonathan Hunt, 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 Zephaniah Horton, Washington Hampsly, Enns Shields, William Rogers and John Bayley, be, and they are hereby appointed Commissioners for the purpose of laying off a Town on the lands of Jonathan Hunt, in Buncombe county, in the waters of Little-Ivey, by the name of Huntsborough; and it shall be the duty of said Commissioners, or a majority of them, as soon as may be, to lay off and exhibit a fair plan of said Town, in quarter, half or acres, so as each part thereof, be of said Hunt, or one majoriy of them may think proper; and when the said lots shall be so laid off, the same shall be at the entire will and free disposal of the said Commissioners; and the monies arising from the sale of said lots to be applied to the use of the said Jonathan Hunt.

CHAP. XXIII.

An Act to amend an act entitled "An act to provide for the better regulation of the Town of Smithfield," passed in one thousand eight hundred and forty-first year.

WHEREAS the burying ground in the Town of Smithfield, laid off under the direction of the above recited act, is too low and flat for that purpose, and is often in wet seasons covered with water; therefore,

Be it enacted by the General Assembly of the State of North-Carolina and it is hereby enacted by the authority of the same, That the Commissioners of the Town of Smithfield, or a majority of them, shall have power to sell the present burying ground, or any part thereof, which may appear to them the most advisable; and may with the proceeds of the sale of the same, purchase other lots, or otherwise appropriate a part of the town commons for a public burying ground.

CHAP. XXIV.

An act to appoint Commissioners for the better regulation of Elizabeth Town, in the county of Bladen.

Be it enacted by the General Assembly of the State of North-Carolina and it is hereby enacted by the authority of the same, That John Ellis, John Maguld, John B. Covin, Ezekiel Allen and James B. Cummins, be, and they are hereby appointed Commissioners of Elizabeth Town, in the county of Bladen; and they are hereby vested with full power and authority to enter into such rules and adopt such measures as they or a majority of them may deem expedient for the good regulation and government of said Town.

CHAP. XXV.

Be it further enacted, That on the death, resignation, inability or removal of any of the Commissioners, or a majority of them, to other others to supply their place, who shall have equal authority and power with the Commissioners hereby appointed.

An act to amend an act passed in the year one thousand eight hundred and fifty and six, entitled "An act to establish two Turnpike roads in the western part of this State,"

CHAP. XXVI.

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That so much of the third section of the above recited act, as authorizes the County Court of Wilkes, to appoint three commissioners to view and examine said Road, and report the same to the county court at least once in each and every year, is hereby repealed and made void.

CHAP. XXVII.

Be it further enacted, That William Sasser, be, and he is hereby appointed Commissioner of said Town, in addition to those heretofore appointed by law; and when said Commissioners or a majority of them, shall have set apart the public burying ground as aforesaid, it shall thenceforth be considered as the duty of the citizens of the said Town to bury their dead in the burying ground set apart for that purpose, as aforesaid.

CHAP. XXVIII.

Be it further enacted, That all forfeitures heretofore incurred in consequence of a non-compliance with the before recited act, and the same is hereby remitted; Any law, usage or custom to the contrary, notwithstanding.

CHAP. XXIX.

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That John Ellis, John Maguld, John B. Covin, Ezekiel Allen and James B. Cummins, be, and they are hereby appointed Commissioners of Elizabeth Town, in the county of Bladen; and they are hereby vested with full power and authority to enter into such rules and adopt such measures as they or a majority of them may deem expedient for the good regulation and government of said Town.

CHAP. XXX.

Be it enacted, That the Commissioners of the Town of Smithfield, or a majority of them shall have power to sell the present burying ground, or any part thereof, which may appear to them the most advisable; and may with the proceeds of the sale of the same, purchase other lots, or otherwise appropriate a part of the town commons for a public burying ground.

CHAP. XXXI.

An act to provide for the better regulation of Elizabeth Town, in the county of Bladen.

WHEREAS the burying ground in the Town of Smithfield, laid off under the direction of the above recited act, is too low and flat for that purpose, and is often in wet seasons covered with water: therefor,

Be it enacted by the General Assembly of the State of North-Carolina and it is hereby enacted by the authority of the same, That the Commissioners of the Town of Smithfield, or a majority of them, shall have power to sell the present burying ground, or any part thereof, which may appear to them the most advisable; and may with the proceeds of the sale of the same, purchase other lots, or otherwise appropriate a part of the town commons for a public burying ground.

CHAP. XXXII.

An act to amend an act entitled "An act to provide for the better regulation of Elizabeth Town, in the county of Bladen.

WHEREAS the burying ground in the Town of Smithfield, laid off under the direction of the above recited act, is too low and flat for that purpose, and is often in wet seasons covered with water: therefor,

Be it enacted by the General Assembly of the State of North-Carolina and it is hereby enacted by the authority of the same, That the Commissioners of the Town of Smithfield, or a majority of them, shall have power to sell the present burying ground, or any part thereof, which may appear to them the most advisable; and may with the proceeds of the sale of the same, purchase other lots, or otherwise appropriate a part of the town commons for a public burying ground.

CHAP. XXXIII.

An act to amend the "An act to provide for the better regulation of Elizabeth Town, in the county of Bladen.

WHEREAS the burying ground in the Town of Smithfield, laid off under the direction of the above recited act, is too low and flat for that purpose, and is often in wet seasons covered with water: therefore,

Be it enacted by the General Assembly of the State of North-Carolina and it is hereby enacted by the authority of the same, That the Commissioners of the Town of Smithfield, or a majority of them, shall have power to sell the present burying ground, or any part thereof, which may appear to them the most advisable; and may with the proceeds of the sale of the same, purchase other lots, or otherwise appropriate a part of the town commons for a public burying ground.

CHAP. XXXIV.

An act to amend an act entitled "An act to establish two Turnpike roads in the western part of this State,"

WHEREAS the burying ground in the Town of Smithfield, laid off under the direction of the above recited act, is too low and flat for that purpose, and is often in wet seasons covered with water: therefore,

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That John Ellis, John Maguld, John B. Covin, Ezekiel Allen and James B. Cummins, be, and they are hereby appointed Commissioners of Elizabeth Town, in the county of Bladen; and they are hereby vested with full power and authority to enter into such rules and adopt such measures as they or a majority of them may deem expedient for the good regulation and government of said Town.

CHAP. XXXV.

Be it enacted, That on the death, resignation, inability or removal of any of the Commissioners, or a majority of them, to other others to supply their place, who shall have equal authority and power with the Commissioners hereby appointed.

An act to amend the "An act to provide for the better regulation of Elizabeth Town, in the county of Bladen.

WHEREAS the burying ground in the Town of Smithfield, laid off under the direction of the above recited act, is too low and flat for that purpose, and is often in wet seasons covered with water: therefore,

Be it enacted by the General Assembly of the State of North-Carolina and it is hereby enacted by the authority of the same, That the Commissioners of the Town of Smithfield, or a majority of them, shall have power to sell the present burying ground, or any part thereof, which may appear to them the most advisable; and may with the proceeds of the sale of the same, purchase other lots, or otherwise appropriate a part of the town commons for a public burying ground.

CHAP. XXXVI.

An act to authorize the Commissioners of the Town of Beaufort, in the County of Carteret, to appoint one or more auctioneers, and pointing out the duty of the auctioneers so 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 Commissioners of the Town of Beaufort, in the County of Carteret, shall have power immediately after the next election after the passing of this act, and from time to time, to appoint one or more, not exceeding three persons to act as auctioneers, who shall give bond with two securities in the sum of five thousand pounds, to be filed in the clerk's office of the county in which the said town is situated, and the auctioneers so appointed, shall exclusively have the right of selling by auction, property of every kind which shall be exposed for sale at auction in said town, except as hereinafter excepted.

CHAP. XXXVII.

And be it further enacted, That the said auctioneers shall be authorised to demand and receive from any person requiring their services, such commissions as they may mutually agree on, and for want of such agreement not more than three and one half per centum; and they shall keep a correct account of all sales by them made, which shall at all times be subject to the inspection of said commissioners, or any person they may appoint; and also on the payment of one shilling for a search, to that
any other person interested therein: Provided, such interested person shall have no right to examine any part of such books except in such manner as may relate to his or her own particular concern.

III. And be it further enacted, That the said auctioneers shall yearly, on such day as may be appointed by the said commissioners, account for and pay to such commissioners one per cent on the total amount of all goods made by them.

IV. And be it further enacted, That if any of said auctioneers shall fail or refuse to account for and pay the proceeds of any sale by them made, it shall and may be lawful for the persons entitled thereunto, to enter up judgment in the county or superior court of the said county of Carteret, and days prior notice being given to the auctioneer. But if the said auctioneer shall deny the whole or any part of the claim of the plaintiff, a jury shall be convened to try any issue made up thereon, and the said auctioneer and all and each respectively, shall be entitled to summon witnesses to appear at the term or session in which notice of an intention to enter up judgment shall have been given: Provided nevertheless, That nothing herein contained shall extend or be construed to extend to any sale made by order of any court, or by any sheriff, coroner, or constable by virtue of his office, or of the goods and chattels of any deceased person of minor, or the sale of any goods and chattels the property of the vendor.

CHAP. XXVII.

An act to revise the second section of an act passed in the year one thousand eight hundred and sixty, entitled "an act to revise and amend the said second section of an act entitled "An act to encourage the sale of lumber," passed in the year one thousand seven hundred and forty-four, and to make the same, 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 from and after the passing of this act, the said second section of the above recited act, which declares that no merchant or shop-keeper shall keep open his or their store or shop on the Sabbath day, for the purpose of selling or retailing any thing then known as perfumes, or on pain of forfeiting ten pounds, be and it is hereby declared to be revoked and is as full force as if the same had never been repealed: And it is further enacted, That Dealers in Spirits by the small measure, shall be considered as shop-keepers, under the meaning of this act.

III. Be it enacted, That the Constable of the city of Raleigh shall have the same powers and duties attached to the constable of the county of Wake, to apprehend all offenders against the peace, within the limits of the said city, and carry them before the Mayor and Aldermen for trial. That the Police or some Justice of the Peace, for which he shall be allowed the same fees as the constables of the county are entitled to; to be paid by the party offending, if found guilty, or by the Commissioners in case of acquittal.

IV. Be it enacted, That the inhabitants of the city when classee by the Commissioners, as a City Watch, shall be compelled by themselves, or by good substitutes, to serve in two when ordered out by the Intendant of Police or other persons authorized by the City Commissioners as directors of the watch, under the penalty of ten shillings, to be recovered by warrant before the Intendant, in the name of the Commissioners, for the use of the city.

V. Be it further enacted, That in all sales of lots or parts of lots for city taxes, the Board of Commissioners, as a City Watch, shall be compelled by themselves, or by good substitutes, to serve in two when ordered out by the Intendant of Police or other persons authorized by the City Commissioners, for the use of the city, under the penalty of ten shillings.

VI. Be it further enacted, That when any inhabitant of the city aforesaid shall fail to pay within the time prescribed by law, any tax which may have been laid by the city commissioners, or any tax which may be levied by any other authority in them vested, it shall be lawful for the city constable or collector of said tax to proceed to the sale of any property of such person, in order to raise the amount of such tax, and the expense attending such sale.

VII. And be it further enacted, That the said Board of Commissioners are authorized to remove the Necessary Houses on Union Square to some proper and convenient places, as may be fixed by said commissioners: Provided, That the free use of said Houses shall be secured to the Officers of State, and the Members and Officers of the Legislative of this State.

CHAP. XXVIII.

An act to amend an act passed at Raleigh on the twenty-second day of December, one thousand eight hundred and thirteen, entitled "an act to appoint commissioners for the better regulation of the Town of Lumberton" WHEREAS, It is believed, the powers granted to the Commissioners of the Town of Lumberton by the above recited act, are not sufficiently extensive for the regulation of said town: And it is further 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 commissioners and their successors in office be, and they are hereby empowered and authorized to remove all kind of nuisances, and prevent the existence of nuisances within the said town.

And be it further enacted, That the said commissioners have power to regulate or prevent the practice of raising stock of any description within the limits of said town, under such penalty as the commissioners may think proper to lay, not exceeding ten dollars for each and every offense.

CHAP. XXIX.

An act to amend an act entitled "an act concerning the Turnpike Roads in Buncombe county," passed in session of the General Assembly.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the second section of the above recited act be, and the same is hereby repealed and made void, in consequence of the commissioners appointed in the said section having re-
Kirkendale, be, and they are hereby compelled to take up the part of the said road, which was admitted by the House of Assembly passed in the year one thousand eight hundred and twelve, and receive at said street line.

**AN WHERAS,** James Kirkendale is compelled by an act passed last session of the General Assembly to keep up one half of the said turnpike road, and to receive one half of the toll—therefore.

**III.** Be it enacted, That the County Court of Buncombe, be, and the same is hereby authorized to appoint five commissioners when application shall be made to divide the remainder of the said road into two equal parts, as a majority hereinafter in and within the said county, and such commissioners shall be James Kirkendale, Mr. Murr and George B. Greer, and each of them shall be accountable for all fines, forfeitures and penalties incurred by neglect or disobedience on his part of said road.

**IV.** And it is further enacted, That the said turnpike road shall be kept up under the same rules, regulations and restrictions as have been heretofore prescribed by law, and it shall be the duty of the proprietors of the several turnpikes, to keep said road in a good repair, or unable to pay the cost or fine of any indictment found against him in consequence of omission or neglect in performing his duty on such part of said road as falls to his share, it shall be lawful for the Sheriff of Buncombe county to execute and sell such and each of the commissioners of such one thousand eight hundred and nine.

**V.** Be it further enacted, That it shall be lawful for Job Barnett and John W. L., to divide their turnpike road in such manner as they may think proper, so that the same shall conform to the rights and privileges of travelers; and after the said road is so divided, each of them shall not be entitled to receive more than half of the part hereinafter established by law, and each of them shall only be accountable for his respective share of the said road so divided as aforesaid.

**CHAP. XXX.**

An Act to extend to Duncan McFarland the authority to establish turnpike roads.

**BE 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 commissioners shall publish an annual statement of their receipts and expenditures: a copy of which statement shall have been made and published, and not afterwards.

**CHAP. XXXI.**

An Act to lend an act, entitled "A act to establish one other separate election in the county of Orange.

**BE 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 commissioners shall publish an annual statement of their receipts and expenditures: a copy of which statement, or account, shall be posted up at the door of the house of assembly, and the ordinances made by the board, shall not become binding until two weeks after being so made and published, by affixing a copy of them to the court-house door.

**CHAP. XXXII.**

An Act to amend an act, entitled "A act to amend an act to authorize the Commissioners of the Town of Hillsborough, to rent one part of the Town Common and for other purposes," passed the year one thousand eight hundred and thirteen.

**BE 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 commissioners shall publish an annual statement of their receipts and expenditures: a copy of which statement, or account, shall be posted up at the door of the house of assembly, and the ordinances made by the board, shall not become binding until two weeks after being so made and published, by affixing a copy of them to the court-house door.

**CHAP. XXXIII.**

An Act to remove a separate election in the county of Orange.

**BE it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,** That in future, the separate election which has been hereinafter established in and within the said town of Hillsborough, shall be declared and null, and not be held after the passing of this act, and that every free person of the age of twenty-one years and upwards, seized and possessed of a free hold within the said town of Hillsborough, shall be entitled to vote for commissioners of said town:

**IV.** And it is further enacted, That the said commissioners shall publish an annual statement of their receipts and expenditures: a copy of which statement shall have been made and published, and not afterwards.

**VI.** And it be further enacted, That no person shall be eligible as a commissioner of said town, who is not a citizen, or possessed of a free hold within the same.
Beware of the first day of May, and the election heretofore held at the house of Philip Mock in the county of Rowan, shall hereafter be held at the house of Christian Hanes in Frederick Town in said county, and said elections shall be held under the same rules, regulations and restrictions, and for the same purposes as other separate elections in said counties respectively; and the laws directing the elections heretofore held at the houses of Philip Mock in the county of Rowan, and Eliza S. Kirksey in the county of Iredell, be and the same are hereby repealed and made void.

II. And it be further enacted, That a separate election for members to the General Assembly, a member to Congress, and an elector to vote for a President and Vice President of the United States, shall in future be held at the house of Samuel Black in the county of Cabarrus, on the same day, and under the same rules and regulations as are now prescribed by law for holding a separate election in said county at the house of Frederick Peck.

An act to alter the place of holding a separate election in the county of Franklin.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That Lewis Peeples, John Owen, William Dearing, Benjamin Peele, John Lacey and William Hand, be, and they are hereby appointed commissioners for the purpose of ascertaining some suitable place for holding a separate election in the west end of Rockingham county, instead of that place heretofore held at the Rocky Springs; and the opinion of a majority thereof shall be binding and decisive, and they shall ascertain the same previous to the first day of May, and make return to the next ensuing county court.

II. And it be further enacted, That hereafter an election shall be held at the place so ascertained by a majority of the commissioners, instead of the Rocky Springs as heretofore, and the same shall be conducted under the same rules, regulations and restrictions as heretofore prescribed by law for the government of separate elections in said county.

An act to alter the places of holding a separate election in the county of Gates.

BE 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 shall in future be opened and held at Charles Hays' tavern in the county of Franklin, at such times as are prescribed by law for electing members of the General Assembly, Representatives to Congress and electors to vote for President and Vice President of the United States, which elections shall be opened, conducted and closed 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.

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

An act to establish a separate election in the county of Gates.

BE it enacted by the General Assembly of the State of North-Carolina and it is hereby enacted by the authority of the same, That the separate election heretofore held at Bullock's Store, shall in future be held at the house of John Carrington senior, and the separate election heretofore held at the house of Elizabeth Nunn at Chapel Hill, shall hereafter be held at the house of Edward Robson in the Village of the University.

II. And it be further enacted, That the said elections shall be held and conducted under the same rules, regulations and restrictions in all respects as they have heretofore been at the said Bullock's store and Elizabeth Nunn's, any law or usage to the contrary notwithstanding.

An act to establish one other separate election in the county of Williams, and to remove one of the separate elections in said county.

BE it enacted by the General Assembly of the State of North-Carolina and it is hereby enacted by the authority of the same, That in future a separate election shall be opened and held in the county of
An act to remove one of the Separate Elections in the county of Northampton.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the separate election herefore held at Maconville in the county of Northampton, be and the same is hereby removed to the Store House of Colonel James T. Sykes, in the county aforesaid; there to be held under the same rules, regulations and restrictions as are already provided for by law.

CHAP. XLII.

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 the election herefore held at the house of Joshua Bartiff, be hereafter held at the house of Edward S. Pugh in said county, under the same rules, regulations and restrictions as other separate elections are held in said county, any law to the contrary notwithstanding.

CHAP. XLI.

An act to repeal an act passed in the year one thousand eight hundred and three, entitled "An act granting Separate Elections to the inhabitants of Wake and Halifax counties, and for other purposes, so far as respects the county of Wake," 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 before recited act so far as respects the county of Wake, be and the same is hereby repealed and made void.

II. And be it further enacted, That Lodwick Alford, William Fowler, Andrew Harsfield, Equire, Captain John Robertson and Charles King Equire, be and they are hereby appointed Commissioners for the purposes herein after mentioned.

III. And be it further enacted, That it shall be the duty of the said Commissioners or a majority of them on or before the fifteenth day of February next, to fix on some proper place for holding a separate election in the said county of Wake, on the east side of Neuse River, for the convenience of the citizens of Wake county who reside on or near the waters of Buffalo Creek, Little River, Macksboro, and Marks Creeks; and the place so fixed on by them or a majority as aforesaid, shall be certified by them and returned to the Court of Pleas and Quarter Sessions of said county, at their February Sessions, one thousand eight hundred and fifteen, and at the place so fixed upon a separate election shall be held at the times prescribed by law, for the purpose of electing members of the General Assembly, representatives in Congress, and for electors to vote for a President and Vice President of the United States, which election shall take place and be governed by the same rules, regulations and restrictions as have been heretofore, or may be hereafter prescribed in the government and regulation of other separate elections in said county.

CHAP. XLIII.

An act allowing compensation to the Sheriff or returning officer who shall hold the poll for the Election of members to represent the county of Carteret in the General Assembly, and for members of Congress, and for electors to vote for President and Vice President of the United States.

BE 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 court of pleas and quarter sessions in the county of Carteret, shall have the power to allow compensation to the Sheriff or returning officer who shall hold the poll for the Election of members to represent the county of Carteret in the General Assembly, and for members of Congress, and for electors to vote for President and Vice President of the United States, which compensation shall be paid from the funds of the county aforesaid, there to be held under the same rules, regulations and restrictions as are already provided for by law.

An act to move one of the Separate Elections in the county of Northampton.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the Separate Election herefore held at James Ray's in said county, shall hereafter be held at Niely Howard's mill on Elk Creek; which said elections shall be held on the same days, and under the same rules, regulations and restrictions as now govern all other separate elections in said county, any law to the contrary notwithstanding.

CHAP. XLIV.

An act to establish an Academy in the county of Iredell.

WHEREAS a number of the citizens of Iredell County are desirous of establishing an Academy for the promotion of learning—

BE 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 Doctor James Hall, John Huggins, Musswignes Matthew, James Irwin, John Nesbit, Miles Nesbit, Robert Work, Robert Simons, Richard Allen, J. L. Davidson, William Mc Knight, Esq. Yount, Collins Campbell, James Stewart and Samuel King, 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 Clio Academy," and by that name shall have perpetual succession, and that the Trustees aforesaid or a majority of them, shall be capable in law to take, demand, receive and possess all monies, goods and chattels that shall be given for the use of the said Academy, and the same apply according to the will of the donors; and by gift purchase or devise to take, hold, retain in their own right and in their successors' right; any lands, rents, tenements and hereditaments of what kind or nature soever in special trust and confidence that the same, or the profits thereof be applied to, and for the use and purpose of establishing and endowing the said Academy;
and all purchases by them made of real and personal estate in their names as trustees aforesaid, and all such contracts entered into by them as aforesaid, are hereby declared to be valid to all intents and purposes which are herein mentioned.

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

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

IV. And be it further enacted by the authority aforesaid, That the said trustees, or a majority of them, are hereby authorized to raise by lottery or lotteries, the sum of two thousand dollars, for the use and benefit of said Academy.

V. And be it further enacted by the authority aforesaid, That upon the death, resignation, inability or refusal to act, removal out of the district of any of the said trustees, its shall and may be lawful for the remaining trustees, or a majority of them, to elect others in the room of such trustees dying, resigning, refusing to act, unable to attend, removed, or to increase the number as aforesaid; and that the trustees so elected shall have equal power, authority and capacity with the trustees hereby appointed.

VI. And be it further enacted by the authority aforesaid, That this shall be in force from and after the day of its ratification.

CHAP. XLIV. An act to incorporate the Trustees of the Rush Academy, on Mottamasset, in Hyde 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 School-House, in H. de county, commonly called by the name of Sowthcomb's School-House, shall be known and be called by the name of Rush Academy.

II. Be it enacted, That Joseph Masters, William Selby, Jacob Gaskill, senior, William Swindell, Benjamin Watson and Thomas Spencer, and they are hereby ordained and constituted a body corporate, to be known by the name of the Trustees of Rush Academy, and by that name shall have perpetual succession; and they or their successors, or a majority of them, by the name aforesaid, shall be able and capable in law to sue and be sued, plead and be impleaded in any court of record within this State; and shall take,卵巢, and receive any property, real or personal, any monies or other things which shall be given for the use of said Academy; and the same to apply according to the will of the donor, and by gift, purchase or devise, to take, have and possess, receive, enjoy and retain to them and their successors forever, any lands, rents or tenements of whatever nature or kind soever, in special cases, or in case of such of the said society shall be given for the use of said Academy, the same to apply according to the will of the donor, and by gift, purchase or devise, to take, have and possess, receive, enjoy and retain to them and their successors forever, any lands, rents or tenements of whatever nature or kind soever, in special cases, or in case of such

And be it 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.

CHAP. XLV. An act to incorporate the Trustees of the Rush Academy, in the Town of Tarboro.

BE it enacted by the General Assembly of the State of North-Carolina and it is hereby enacted by the authority of the same, That so much of an act passed at the last session of the General Assembly, entitled "An act for erecting an Academy in the Town of Tarboro," as relates to the appointment of a Pr-ident, and constitutes him a member of the Board of Trustees, is hereby repealed and made void.

II. And be it further enacted by the authority aforesaid, That the number of trustees of the said institution be increased to eighteen, to be appointed by those now constituting the Board by virtue of the act of the last session.

CHAP. XLVII. An act to incorporate the Trustees of the Hillsborough 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 William Kirkland, James Phillips, A. B. Bruce, Frederick Nash, Henry Thompson, junior, John Taylor, James Webb, Thomas Rufin and David Yarborough, be, and they are hereby ordained and constituted a body corporate, to be known by the name of the Trustees of the Hillsborough Academy, and by that name shall have perpetual succession; and they, or their successors, or a majority of them, by the name aforesaid, shall be able and capable in law to sue and be sued, plead and be impleaded in any court of record within this State; and shall take, possess, receive, enjoy and retain to them and their successors forever, any lands, rents or tenements of whatever nature or kind soever, in special cases, or in case of such

And be it enacted, That the said trustees, or a majority of them, shall have power to appoint such Professors and Tutors, as to them shall appear necessary, also a Treasurer and Secretary, upon such conditions and with such restrictions as they may deem proper; and the said trustees, or a majority of them, shall have power to make all such laws and regulations for the government of said Academy, and for the preservation of order and good morals therein, as they may deem necessary.

III. And be it further enacted, That upon the death, removal, inability or refusal to act, or resignation of any of the said trustees, it shall be lawful for the remaining trustees, or a majority of them, to elect others in the room of such trustees dying, resigning, refusing to act, unable to attend, removed, or to increase the number as aforesaid; and that the trustees so elected shall have equal power, authority and capacity with the trustees hereby appointed.
An act to establish a Free-School in the county of Duplin.

It is enacted by the General Assembly of the State of North-Carolina, and is hereby enacted by the authority of the same, That James Wright, Joseph McGowan, Andrew Hurst, John Oliphant, and James Hall, 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 Duplin: and by the name aforesaid they shall have perpetual succession, and a common seal, and they, or a majority of them, shall be able and capable in law to take, demand, receive, and possess all money, goods and chattels, that shall be given them from charitable motives for the use of said Free-School; and they shall be at liberty to apply according to the will of the donors; and by gift, purchase or devise, all lands, rents, or tenements of what kind or nature soever, to be applied by them and their successors forever, any lands, rents, tenements or hereditaments of what kind or nature the same may be, in special trust and confidence, that the same or the profits thereof or all be applied for the purpose of establishing and endowing the said Free-School.

An act to incorporate the Trustees of the Duplin Female Academy, and further purposes.

This is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That John D. Hawkins, Green Hill, Junior, Jesse Person, Richard Taylor, William Murphy, Benjamin F. Hawkins, Jordan Hill, Nathan Patterson, Richard Fennick, Richard Byrd, Inge, Joel King and Alexander Folkerter, be, and they are hereby constituted a body corporate, to be known by the name of the Trustees of the Duplin Female Academy, and by that name shall have perpetual succession; and they, or their successors, or a majority of them, by the same aforesaid, shall be capable in law to sue and be sued, plead and be impleaded in any of the Courts of Record within this State, and shall take, demand and receive any property, real or personal, and any monies or other things which may be given for the benefit of said institution, and the same to apply according to the will of the donors; and if gift, purchase or devise, to take, have and possess, receive, enjoy and retain to them and their successors forever, any lands, rents or tenements of what nature or kind soever, to be applied by them to the use of the said Academy.

An act to incorporate the Trustees of the Union Academy in the county of Pitts.

It is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That John D. Hawkins, Green Hill, Junior, Jesse Person, R. A. Taylor, William Murphy, Benjamin F. Hawkins, Jordan Hill, Nathan Patterson, Richard Fennick, Richard Byrd, Inge, Joel King and Alexander Folkerter, be, and they are hereby constituted a body corporate, to be known by the name of the Trustees of the Duplin Female Academy, and by that name shall have perpetual succession; and they, or their successors, or a majority of them, by the same aforesaid, shall be capable in law to sue and be sued, plead and be impleaded in any of the Courts of Record within this State; and shall take, demand and receive any property, real or personal, and any monies or other things which may be given for the benefit of said institution, and the same to apply according to the will of the donors; and if gift, purchase or devise, to take, have and possess, receive, enjoy and retain to them and their successors forever, any lands, rents or tenements of what nature or kind soever, to be applied by them to the use of the said Union Academy.

An act to incorporate the Trustees of the Union Academy in the county of Pitts.

It is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That Daniel Harriss, John Alston, Richmond Jones, be and they are hereby ordained and constituted a body corporate, to be known by the name of the Trustees of the Union Academy; and by the same shall have perpetual succession, and they, or their successors, or a majority of them, be capable in law to sue and be sued, plead and be impleaded in any of the Courts of Record within this State; and shall take, demand and receive any property, real or personal, and any monies or other things which may be given for the use of the said Institution, and the same to apply according to the will of the donors; and if gift, purchase or devise, take, have and possess, receive, enjoy and retain to them and their successors forever any lands, rents or tenements of what nature or kind soever, to be applied by them to the use of the said Union Academy.

An act to incorporate the Trustees of the Union Academy in the county of Pitts.

It is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Harris, John Alston, Richmond Jones, be and they are hereby ordained and constituted a body corporate, to be known by the name of the Trustees of the Union Academy; and by the same shall have perpetual succession, and they, or their successors, or a majority of them, be capable in law to sue and be sued, plead and be impleaded in any of the Courts of Record within this State; and shall take, demand and receive any property, real or personal, and any monies or other things which may be given for the use of the said Institution, and the same to apply according to the will of the donors; and if gift, purchase or devise, take, have and possess, receive, enjoy and retain to them and their successors forever any lands, rents or tenements of what nature or kind soever, to be applied by them to the use of the said Union Academy.

An act to incorporate the Trustees of the Union Academy in the county of Pitts.

It is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Harris, John Alston, Richmond Jones, be and they are hereby ordained and constituted a body corporate, to be known by the name of the Trustees of the Union Academy; and by the same shall have perpetual succession, and they, or their successors, or a majority of them, be capable in law to sue and be sued, plead and be impleaded in any of the Courts of Record within this State; and shall take, demand and receive any property, real or personal, and any monies or other things which may be given for the use of the said Institution, and the same to apply according to the will of the donors; and if gift, purchase or devise, take, have and possess, receive, enjoy and retain to them and their successors forever any lands, rents or tenements of what nature or kind soever, to be applied by them to the use of the said Union Academy.

An act to incorporate the Trustees of the Union Academy in the county of Pitts.

It is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Harris, John Alston, Richmond Jones, be and they are hereby ordained and constituted a body corporate, to be known by the name of the Trustees of the Union Academy; and by the same shall have perpetual succession, and they, or their successors, or a majority of them, be capable in law to sue and be sued, plead and be impleaded in any of the Courts of Record within this State; and shall take, demand and receive any property, real or personal, and any monies or other things which may be given for the use of the said Institution, and the same to apply according to the will of the donors; and if gift, purchase or devise, take, have and possess, receive, enjoy and retain to them and their successors forever any lands, rents or tenements of what nature or kind soever, to be applied by them to the use of the said Union Academy.

An act to incorporate the Trustees of the Union Academy in the county of Pitts.

It is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That John D. Hawkins, Green Hill, Junior, Jesse Person, R. A. Taylor, William Murphy, Benjamin F. Hawkins, Jordan Hill, Nathan Patterson, Richard Fennick, Richard Byrd, Inge, Joel King and Alexander Folkerter, be, and they are hereby constituted a body corporate, to be known by the name of the Trustees of the Union Academy; and by the same shall have perpetual succession, and they, or their successors, or a majority of them, be capable in law to sue and be sued, plead and be impleaded in any of the Courts of Record within this State; and shall take, demand and receive any property, real or personal, and any monies or other things which may be given for the use of the said Institution, and the same to apply according to the will of the donors; and if gift, purchase or devise, take, have and possess, receive, enjoy and retain to them and their successors forever any lands, rents or tenements of what nature or kind soever, to be applied by them to the use of the said Union Academy.

An act to incorporate the Trustees of the Union Academy in the county of Pitts.

It is enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That John D. Hawkins, Green Hill, Junior, Jesse Person, R. A. Taylor, William Murphy, Benjamin F. Hawkins, Jordan Hill, Nathan Patterson, Richard Fennick, Richard Byrd, Inge, Joel King and Alexander Folkerter, be, and they are hereby constituted a body corporate, to be known by the name of the Trustees of the Union Academy; and by the same shall have perpetual succession, and they, or their successors, or a majority of them, be capable in law to sue and be sued, plead and be impleaded in any of the Courts of Record within this State; and shall take, demand and receive any property, real or personal, and any monies or other things which may be given for the use of the said Institution, and the same to apply according to the will of the donors; and if gift, purchase or devise, take, have and possess, receive, enjoy and retain to them and their successors forever any lands, rents or tenements of what nature or kind soever, to be applied by them to the use of the said Union Academy.
An act to establish and incorporate an Academy at Greensville, in the county of Pitt.

BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That George Swain, James Whitter, and James Godger be, and the same are hereby appointed Commissioners, to ascertain the amount of money necessary for the promotion and support of an Academy in the place and stead of such as may be given, devised, or surrendered for the use of said Academy.

2. 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 such terms and conditions, and under such restrictions as they may deem proper. And the said trustees, or a majority of them, shall have power to make all such regulations for the government of the said Academy, and for the promotion and observation of order and morality therein, as they may deem necessary, not inconsistent with the laws or constitution of this State.

3. And be it further enacted, That on the death, removal from the county, inability or refusal to act, of any of the said trustees, it shall and may be lawful for the remaining trustees, or a majority of them, to elect other trustees in the place and stead of such as die, remove, resign, or refuse to act; and the said Commissioners are hereby authorized to demand and receive from any or either of said Academy, and shall have power to plead and bring implied service, or other process, in any court of law, equity, or other things which may be given, devised or surrendered for the use of said Academy.

CHAP. LII

An act to provide for a settlement with the Court Officers of 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 Court Officers of the county of said county shall keep a record of the said Court proceedings, and to be allowed the same fees as in other cases of such facias, and no process issued under this act shall be abated or set aside for any inaccuracy.

VII. And be it further enacted, That the clerk of the county court of said county shall keep a book,
and record all the amounts of taxes laid annually for county contingencies for every purpose whatever, also all the settlements annually, which shall be made, from time to time, by the said commissioners.

VIII. And be it further enacted, That each of the said commissioners shall be allowed the sum of twenty shillings for each day they may be necessarily employed in the investigation: Provided, They shall not exceed three days in each year, to be paid in the same manner as other county charges are paid—any law to the contrary notwithstanding.

CHAP. LIII.

An act authorizing the County Court of Surry to appoint a Committee of Finance.

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the Justices of the county Court of Pleas and Quarter-Sessions of Surry, be, and they are hereby authorized and required at their first session which shall happen after the first day of May next, to appoint three persons of integrity and capacity to act as a Committee of Finance—whose duty it shall be to examine all records, papers and documents in the offices of the clerks of the superior and county courut, sheriff, county trustee, and all other officers or commissioners who have heretofore held monies belonging to the said county of Surry, and the said committee are hereby authorized and empowered to call on each and every of the officers and commissioners aforesaid to lay before them the records, papers and documents respectively as aforesaid, for their inspection.

II. And be it further enacted, That it shall be the duty of the said committee of finance, to make a full investigation of all the financial concerns of the said county from the year one thousand eight hundred and four-up to the end of the present year, and return to the said court a full, fair and perfect statement thereof, designating therein all balances or monies due by the county to individuals, as well as those due by delinquents to the county.

III. And be it further enacted, That the said county court of Surry, shall direct the said committee to be paid such sum for their services as the said court may deem just: Provided, That in the appointment of the said committee, as well as in making them the said compensation for their services, it shall be considered that each of the said justices in said county shall be present.

IV. And be it further enacted, That if the said clerks, sheriffs, county trustees, or other officers or commissioners as aforesaid when respectively required thereto by the said committee of finance, shall refuse or neglect to lay before the said committee the records, papers or documents aforesaid, such clerk, sheriff, county trustee, or other officer or commissioner so refusing or neglecting, shall forfeit and pay the sum of one hundred pounds, to be recovered by the said committee for the use of the county, before any jurisdiction having cognizance thereof.

CHAP. LV.

An act to alter the times of holding the county court of Pleas and Quarter-Sessions for Rowan county.

Be it enacted by the General Assembly of the State of North-Carolina, and hereby enacted by the authority of the same, That the county courts of pleas and quarter-sessions for the county of Row., shall hereafter be held on the third Mondays of February, May, August and November, respectively.

Provided, That nothing herein contained shall be construed to alter the time of holding the next county court in Rowan county.

CHAP. LV.

An act to alter the time of holding the Superior Court of the county of Craven, and to extend the term of said court.

Be it enacted by the General Assembly of the State of North-Carolina, and is hereby enacted by the authority of the same, That the superior courts of law and equity for the county of Craven, shall be held on the following days, to wit: on the third Monday after the fourth Monday in March and September, as which times respectively, all matters and things therein depending shall stand adjourned, and be continued;

II. And be it further enacted, That the superior courts of law and equity for the county of Ashe, shall hereafter be held on the third Mondays of March and September, in each and every year; and the said courts as above altered, shall be held and governed by the same rules, regulations and restrictions as have been heretofore prescribed by law.

Provided nevertheless, That this arrangement shall not take place until the next term succeeding the following spring term—any law, usage or custom to the contrary notwithstanding.

CHAP. LVI.

An act to alter the time of holding the Superior Courts of the counties of Wilkes and Ashe.

BE 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 Wilkes, shall hereafter be held on the second Monday in March and September in each and every year.

II. And be it further enacted, That the superior courts of law and equity for the county of Ashe, shall hereafter be held on the fourth Monday of March and September in each and every year.

Provided, That nothing herein contained shall, after the time of holding the next superior courts of law and equity in said counties.

CHAP. LVII.

An act to alter the time of holding the Superior Courts of Law and Equity, in the counties of Mecklenburg and 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 the Superior Courts of Law and Equity for the county of Mecklenburg, shall hereafter be holden on the sixth Monday after the fourth Monday in March and September in each and every year; and the said courts as above altered, shall be held and governed by the same rules, regulations and restrictions as have been heretofore prescribed by law.

Provided nevertheless, That this arrangement shall not take place until the next term succeeding the following spring term—any law, usage or custom to the contrary notwithstanding.

CHAP. LVIII.

An act to authorize and empower the county Court of Nash to appoint one other Ranger for said county, on the south side of the river.

BE 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 Nash, is hereby authorized (a majority of the acting justices being present) to appoint one other Ranger on the south side of the river in said county,
which person when so appointed, shall be under the same rules, regulations and restrictions, as other such
rangers within said county.
Provided nevertheless, The above ranger shall not be authorized to enter stray horses—any law to
the contrary notwithstanding.

CHAP. LXI.

An act granting to the Superior Court of the county of Richmond, original and exclusive jurisdiction in all cases where the in-
tervention of a Jury is 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 last day of March next, it shall not be lawful for the
Justices of the Court of Pleas and Quarter Sessions for the county of Richmond, to try any causes
where a Jury may be necessary.

II. And be it further enacted by the authority aforesaid, That it shall be the duty of the clerk of the
court of pleas and quarter sessions of the county of Richmond aforesaid, to make out a true and correct
list or transcript of all suits which may be pending in said court on the last day of August next, and
deliver the same to the clerk of the superior court for the county aforesaid, together with all such pa-
pers as may relate to such suits respectively, on or before the first day of April next, to wit:

III. And be it further enacted, That it shall be the duty of the clerk of the superior court of the
county aforesaid, to receive such list or transcript and original papers, and immediately enter them on his
dockets in regular succession, and they shall stand in the same order for trial in the superior court a-
foresaid as they originally stood in the court of pleas and quarter sessions; and it is also declared to be the
duty of the clerk of the superior court of the county of Richmond aforesaid, on application of ei-
ther plaintiff or defendant in any suit which may be transmitted to him agreeably to the directions of this
act, to issue subpoenas for witnesses or other process returnable to the next superior court of the
county aforesaid, which shall be as binding and valid in law to all intents and purposes, as if such suits
had originated in the said superior court.

IV. And be it further enacted, That if the clerk of the court of pleas and quarter sessions, or of the
superior court of said county, shall fail or neglect to perform the duties enjoined on him by the requi-
sitions of this act, he shall forfeit and pay the sum of one hundred pounds for each and every offence, to
be recovered by an action of debt in the name of the Governor for the time being, and to be applied to
the use of the county.

V. And be it further enacted by the authority aforesaid, That from and after the first day of April
next, all suits in said county, whether civil or criminal, shall originate in the superior court aforesaid,
and all appeals from justices of the peace in said county of civil cases, and all recognizances by them tak-
en in civil cases, shall be returnable to the next superior court of the county aforesaid.

VI. And be it further enacted, That the court of pleas and quarter sessions for the county aforesaid,
shall have authority at their term next preceding the closing half term of the superior court of said county,
to take the State docket in regular order, and bind over the parties and witnesses concerned, to the
next succeeding superior court to be held for said county.

VII. And be it further enacted, That all acts and clauses of acts, which come within the meaning of
this act be, and the same are hereby repealed and made void.

CHAP. LXII.

An act to incorporate Davis Lodge, No. 39, of the County of Bertie.
BE it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the
authority of the same, That the Court of the said county of Chowan, are hereby empowered to lay a tax as
may be necessary to support the General Assembly, for the years one thousand eight hundred and fifteen
and one thousand eight hundred and sixteen, not exceeding two shillings on each poll—eight pence on every hundred acres of land, and two shillings on every hundred pounds value of town property within said county, under the same rules and regulations as are therein mentioned.

CHAP. LXIII.

An act to incorporate Fayetteville Thalian Association.
BE 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 now Associated in the town of Fayetteville, for the
the assignment of hands and labor, they shall be compelled to work under Overseers of Roads hereafter appointed in the Counties of Lincoln, Columbus, Burke and Rockingham.

Be it enacted by the General Assembly of the State of North-Carolina and it is hereby enacted by the authority of the same, That from and after the passing of this act it shall be the duty of the county courts of the counties of Lincoln, Columbus, Burke and Rockingham, to designate to each of the overseers of roads in said counties, the hands which shall be called upon by them to work on roads in their respective districts; and designation shall be made in such manner as to equalize the labor as much as possible; and no person hereafter shall be compelled to work on roads in the manner hereinafter prescribed.

II. And be it further enacted, That when an overseer makes a return to court of his having complied with the order, and deliver up his charge as such he shall at the same time deliver up the list of the persons designated by court, which list shall accompany the court order by which the overseer is so appointed.

III. And be it further enacted, That the said Justices are authorized to make and establish from time to time such regulations for the government of the said poor, and all superintendents they may employ, as they in their discretion shall deem necessary.

IV. And be it further enacted, That when such jurors shall have performed such services at any time, they shall be entitled to the sum of $10, and for all ferriages and for passing to and from such courts, and for such services, and all ferriages paid, the same sum of $10, and for all ferriages and for passing to and from such courts, and for such services.

And be it further enacted, That when such jurors shall have performed such services at any time, they shall be entitled to the sum of $10, and for all ferriages and for passing to and from such courts, and for such services.
An act to enable the Warden of the Poor of the county of Sampson to lay an additional tax.

WHEREAS the Treasurer of the county Martin, at the request of the citizens of said county, advanced seven hundred dollars for the relief of the Troops detached from the said county, and now stationed at Norfolk; and whereas it is believed that the County Court has not the power to sanction such expenditure.

Be it therefore enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the Court of Pleas and Quarter Sessions, held for the county of Martin, shall have full power and authority, and they are hereby required to sanction the expenditures made by their Treasurer for the relief of the troops detached from the Martin regiment of Militia and now stationed at Norfolk, and to pass the same to the credit of the said Treasurer in the settlement of his accounts with said county.

An act to enable the Cape Fear Agricultural Society to raise a sum of money by way of Lottery.

An act to enable the Cape Fear Agricultural Society to raise a sum of money by way of Lottery.

An act to enable the Warden of the Poor of the county of Beaufort to the discharge of taxes to the extent of three thousand dollars, for the support of the poor of said county.

An act to authorize Edward Chambers and John Smith, late Sheriffs of the county of Rowan, to collect the arrears of taxes due from them to said county.

An act to authorize Edward Chambers and John Smith, late Sheriffs of the county of Rowan, to collect the arrears of taxes due from them to said county.

An act to authorize Edward Chambers and John Smith, late Sheriffs of the county of Rowan, to collect the arrears of taxes due from them to said county.

An act to enable the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the body corporate and politic, known by the name of the Cape Fear Agricultural Society, be, and the same is hereby authorized and empowered to raise by way of Lottery a sum not exceeding twenty thousand dollars, by such scheme or schemes as they may think proper to devise, and the same shall be applied to the agricultural purposes and views of the Society.

An act to enable the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the Court of Pleas and Quarter Sessions, held for the county of Beaufort, shall have full power and authority, and they are hereby required to sanction the expenditures made by their Treasurer for the relief of the poor of said county, and to pass the same to the credit of the Treasurer in the settlement of his account with said county.

An act to enable the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That Colonel Samuel Ashe, colonel Thomas Hill, and John Meade, are hereby appointed commissioners in the place and stead of John O. Johnson, Eli Cleveland and Joshua Cox.

An act to enable the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the officers of St. John's Lodge, No. 3, of Newbern, or Edward Winslow, and the same are hereby appointed to manage and conduct the lottery aforesaid according to such scheme as the society may devise.

An act to authorize Edward Chambers and John Smith, late Sheriffs of the county of Rowan, to collect the arrears of taxes due from them to said county.

An act to enable the Warden of the Poor of the county of Sampson to lay an additional tax.

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An act to authorize the several persons therein named to collect the arrearages of taxes due them in their respective counties.

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That James Thompson, sheriff of Onslow county for the years one thousand eight hundred and ten, and one thousand eight hundred and eleven, and one thousand eight hundred and twelve—Daniel Glisson, sheriff of Duplin county for the years one thousand eight hundred and eleven, and one thousand eight hundred and twelve—Griffith Dickerson, late sheriff of the county of Hanover, for the years one thousand eight hundred and eleven, and one thousand eight hundred and twelve—Matthew McCullers, late sheriff of the county of Wake, for the years one thousand eight hundred and twelve, and one thousand eight hundred and thirteen—Reuben P. Jones, sheriff of the county of Craven, for the years one thousand eight hundred and ten, and one thousand eight hundred and twelve—Alexander Rowland, sheriff of Robeson county, for the years one thousand eight hundred and eleven, and one thousand eight hundred and twelve—Samuel Hyman, sheriff of Martin county, for the years one thousand eight hundred and eleven, and one thousand eight hundred and twelve, and one thousand eight hundred and thirteen—Simon Turner, administrator of James Grimes, deceased, county sheriff of Bertie county, for the years one thousand eight hundred and ten, and one thousand eight hundred and twelve, and one thousand eight hundred and thirteen—Matthew McCullers, late sheriff of the county of Wake, for the years one thousand eight hundred and twelve, and one thousand eight hundred and thirteen—Reuben P. Jones, sheriff of the county of Craven, for the years one thousand eight hundred and ten, and one thousand eight hundred and twelve, as far as respects the taxes due in Captains Pugh’s, Gallum’s and Cherry’s districts in said county—Samuel Hyman, sheriff of Martin county, for the years one thousand eight hundred and eleven, and one thousand eight hundred and twelve, as far as respects the taxes due in the same, to his or her own use, before any jurisdiction having cognizance thereof.

Be it enacted, That so much of the second section of the above recited act, as declares that unless three fourths of the shares shall be subscribed on or before the first day of January in the year two thousand and seventeen, the act shall continue in force for twelve months from the ratification thereof and no longer.

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

CHAP. LXXXI.

An act to prevent any person or persons from impeding the free passage of Fish up Brice’s Creek in the county of Craven, 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 from and after the passing of this act, it shall not be lawful for any person or persons to set or cause to be set any net or any description across Brice’s Creek in the county of Craven, whereby the passage of any fish, for each offence, to be recovered by any person sustaining the same, to his or her own use, before any jurisdiction having cognizance thereof.

II. Be it further enacted, That if any servant or slave, shall be guilty of the aforesaid offence, without the knowledge or consent of his or her master or mistress, he or she so offending shall have and receive thirty nine lathes on his or her bare back.

II. Be it further enacted, That the wardsmen of the poor of Craven county, may annually lay a tax on all the inhabitants of the said county, not exceeding one shilling, and six pence on every hundred acres of land, and one shilling and six pence on every hundred pounds of town property. In addition to the taxes which the said wardsmen have heretofore empowered to levy, for the support of the poor, and the taxes to be raised in pursuance of this act, shall be collected, accounted for, and applied in the manner herefore prescribed by law.

Be it enacted, That so much of the act of the General Assembly as directs and authorizes an election to be held at the house or plantation of John Latham, in Craven county, be and the same are hereby repealed.

CHAP. LXXXII.

An act to amend an act entitled, "an act to incorporate a company to be called the Clubfoot and Harrows Creek Canal 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 the Commissioners appointed by said act be, and they are hereby authorized to keep open the books for the purpose of receiving subscriptions for stock in the Clubfoot and Harrows Creek Canal Company, until the first day of January, one thousand eight hundred and seventeen, for the purposes therein mentioned, and the value of town property. In addition to the taxes which the said wardsmen have heretofore empowered to levy, for the support of the poor, and the taxes to be raised in pursuance of this act, shall be collected, accounted for, and applied in the manner heretofore prescribed by law.

Be it enacted, That so much of the second section of the above recited act, as declares that unless three fourths of the shares shall be subscribed on or before the first day of January in the year two thousand and seventeen, the act shall continue in force for twelve months from the ratification thereof and no longer.

II. Be it further enacted, That this act shall be in force immediately from and after the passing and ratification thereof.

CHAP. LXXXIII.

An act to amend an act passed at the last session of the General Assembly, relative to the person therein mentioned such property as they may hereafter acquire.

WHEREAS, it is represented to this General Assembly, that through a mistake committed in the act above recited, such property as might be thereby acquired by Alice Beck of Burke county, was vested in her, free from the claims of her husband, which name was also borne by Alice Banks, wife of William Banks, and consequently the petitioner was deprived of the benefit intended by said act.

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 such property either real or personal, which may be hereafter acquired by Alice Banks, married to the above-mentioned, wife of William Banks, and the same is hereby secured to the said Alice Banks; free and clear from the claims or claims or the said husband, in all full and complete manner to all intents and purposes, as if the said marriage had never been legally determined between them, as far as respects the property to be acquired by the said Alice Banks as aforesaid.

II. And be it further enacted, That Alice Banks is hereby declared to be able and capable in law by her own proper name as aforesaid, to sue and be sued, plead and be impleaded, and answer and be answered, wherever the same may be necessary—any law, usage or custom, to the contrary notwithstanding.
An act to elect a Commission of Bakey commissioners to the second regiment of the militia.

This act is entitled, "An act to elect a Commission of Bakey commissioners to the second regiment of the militia, and it is hereby enacted that by the authority of the same, That Captain Frederick Waters shall be a commissioner for the town district, and the same is hereby annexed to the second regiment of the militia of Rowan county, as law to the contrary notwithstanding.

An act to appoint a person in the place of James Hathaway, deceased, with full power and authority in conjunction with the other commissioners therein appointed to lay off, extend, and mark the lines between the said counties.

Provided, That this authority shall not extend to authorize the said William Hampton to collect the arrears of taxes due him from the executors or administrators of the estate of deceased persons, from those who have removed out of the county, or from those who shall voluntarily make oath that they have paid the same; and this act shall continue in force for twelve months and no longer.

An act to authorize William Hampton, late Sheriff of Wilkes county, to collect the arrears of taxes due him in said county, for the years one thousand eight hundred and eight and eleven, and one thousand eight hundred and twelve.

Provided, That this act shall be in force from and after the ratification thereof, and no longer.

An act to authorize a person in the place of James Hathaway, deceased, with full power and authority in conjunction with the other commissioners therein appointed to lay off, extend, and mark the lines between the said counties.

An act to amend an act entitled, "An act to authorize William Waters, late Sheriff of Wilkes county, to collect the arrears of taxes due him in said county, for the years one thousand eight hundred and eight and eleven, and one thousand eight hundred and twelve, which collection shall take place under the same rules, regulations and restrictions, as the collection of other public taxes within this State.

An act to authorize a person in the place of James Hathaway, deceased, with full power and authority in conjunction with the other commissioners therein appointed to lay off, extend, and mark the lines between the said counties.

An act to amend an act entitled, "An act to authorize William Hampton, late Sheriff of Wilkes county, to collect the arrears of taxes due him in said county, for the years one thousand eight hundred and eight and eleven, and one thousand eight hundred and twelve, which collection shall take place under the same rules, regulations and restrictions, as the collection of other public taxes within this State.

Provided, That this authority shall not extend to authorize the said William Hampton to collect the arrears of taxes due him from the executors or administrators of the estate of deceased persons, from those who have removed out of the county, or from those who shall voluntarily make oath that they have paid the same; and this act shall continue in force for twelve months and no longer.

An act to authorize William Hampton, late Sheriff of Wilkes county, to collect the arrears of taxes due him in said county, for the years one thousand eight hundred and eight and eleven, and one thousand eight hundred and twelve.

Provided, That this act shall be in force from and after the ratification thereof, and no longer.
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To establish separate elections in Caswell
To establish separate elections in Rockingham

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