

said Company, or works constructed under the authority of this act, and all profits which shall accrue from the same, shall be vested in the respective shareholders of the Company forever in proportion to their respective shares, and the said shares shall be deemed personal estate, and the property of said Company only the shares therein shall be exempt from any public charge or tax whatsoever.

13. *And be it further enacted,* That so soon as nine miles of said Road shall be completed, and as often thereafter as any other section of like length shall be completed, the said President and Directors shall transport all produce or other commodities, that shall be deposited convenient to said Rail Road and which they shall be required to transport to any place to which the said Rail Road may have been completed, in the order in which the Company shall be required to transport the same, after it shall have been deposited, convenient to said Rail Road, so that equal and impartial justice shall be done to all the owners of produce or other commodities in the transportation thereof by the Company—Provided, the owner of produce or other commodities, required to be transported by said Company on said Rail Road, shall pay or tender to said Company at their toll gate or gates, the toll due on such produce or commodities under this act. And it shall be lawful for the President and Directors of the said Company, and they are hereby authorized to erect on such section or sections, a toll gate or gates, and they shall be entitled to demand and receive a sum not exceeding the following rates, (viz:) On goods, produce, merchandize, or property transported, not exceeding four cents a ton per mile for toll, and eight cents a ton per mile for transportation; and for the transportation of passengers not exceeding six cents per mile for each passenger, until the nett profits received shall amount to a sum equal to the capital stock expended, with six per centum per annum interest thereon from the time the money was advanced by the stockholders, until received back in the nett profits: But when the nett profits, received as aforesaid from the tolls aforesaid, shall have amounted to a sum equal to the capital stock expended as aforesaid, with six per centum per annum interest thereon aforesaid, then the tolls which the said President and Directors shall be entitled to demand and receive for transportation of produce or other commodities on the said Rail Road, shall be fixed and regulated from time to time by the Governor, or such other person as may be appointed by the Legislature for that purpose, so as to make them sufficient in his or their estimation to yield a nett profit equal to ten per centum per annum on the capital stock expended in making and completing the said Rail Road, over and above what may be necessary for the repairs and renewal of the same. The President and Directors of said Company shall at, or shortly before each session of the Legislature, report to the Governor, or such other person or persons as the Legislature may hereafter appoint for that purpose, shewing the whole amount of capital stock expended in the construction of the said Road,

the amount of tolls received during each year, the expences and charges incurred during each year, and the nett annual profit or loss on the capital expended: And it shall not be lawful for any other Company, or person or persons whatever, to travel upon or use the Road of said Company, or to transport persons, or property of any description along said Road, without the license or permission of the President and Directors of said Company: And nothing herein contained shall be construed to prevent said Company from making contracts for the transportation of the mail upon such terms as may be agreed on, between said Company and the agents of the United States.

14. *And be it further enacted,* That it shall be lawful for the Company hereby created to receive donations, and to borrow money for the objects of this act, and to pledge the property of the Company for the payment of such loans, and to make and issue proper evidences of such loans and assurances for the re-payment thereof.

15. *And be it further enacted,* That it shall and may be lawful for the Company hereby created, to construct all such bridges as it may be necessary for them to erect, for the purposes of their Rail Road as to afford general accommodation to all travellers; and to demand and receive from all persons passing over, or using such bridges a reasonable toll, which shall in no case exceed the highest rate of toll now allowed by law on any bridge in this State—Provided, however, that no toll shall be demanded for using said bridge or bridges on account of either property or person passing along the Rail Road and paying toll therefor.

16. *And be it further enacted,* That it shall be lawful for said Company to erect scales at the toll-gate or gates, to weigh the burthen of any wagon, carriage, machine, or other vehicle, used in transporting produce or other commodities along said Rail Road.

17. *And be it further enacted,* That an annual meeting of the proprietors of the stock of said Company shall be held at such time and at such place in each year, as the stockholders at their first general meeting, or at any subsequent general meeting, may appoint, to constitute which, or any general meeting called by the President and Directors according to the provisions of this act, the presence of proprietors holding a majority of all the shares, shall be necessary, either in person or by proxy properly authorized; and if a sufficient number do not attend on that day, or any day appointed for a general meeting called by the Directors as aforesaid, the proprietors who do attend may adjourn from time to time until a general meeting shall be had.

18. *And be it further enacted,* That in counting all votes of the said Company each member shall be allowed one vote for each share as far as ten shares, and one vote for every five shares above ten by him held at the time in the stock of stock of said Company.

19. *And be it further enacted,* That the President and Directors shall render distinct accounts of their proceedings, and disbursements of money, to the annual meeting of the subscribers.

20. *And be it further enacted,*

That so soon as said Rail Road shall be completed, the President and Directors of the said Company, or a majority of them, shall semi-annually declare and make such dividend from the nett profits, from the tolls herein granted, as they may deem advisable to be divided among the proprietors of the stock of said Company, in proportion to their respective shares.

21. *And be it further enacted,* That after said Rail Road shall be completed and put into operation, if the said President and Directors shall by reason of the said Rail Road being out of repair, or from any other cause, fail or neglect to transport any produce or other commodities which shall be deposited convenient to said Rail Road, and which the said President and Directors shall be required to transport as aforesaid, the toll for transportation being tendered, as a penalty for such failure or neglect the Company shall be liable to the party injured by such failure or neglect.

22. *And be it further enacted,* That if any toll-gatherer, at any gate, to be erected by authority of this act, shall ask, demand, or receive any other, or greater tolls than are herein allowed, he shall forfeit and pay to the party aggrieved thereby two dollars for every such offence, recoverable with cost by warrant before any Justice of the Peace; and if such toll-gatherer being at the time of incurring such penalty in the service of the Company, shall be unable to pay the judgment recovered against him, the said Company shall be liable to pay the same.

23. *Be it further enacted,* That if the said President and Directors shall not begin the said work, within three years after the passage of this act, or shall not complete the same within ten years thereafter, then the interest of the said Company in the said Rail Road and the tolls aforesaid, shall be forfeited and cease.

24. *Be it further enacted,* That the President and Directors shall cause to be written or printed, certificates for the shares of the stock in said Company, and shall deliver one such certificate signed by the President and countersigned by the Treasurer, to each person for every share subscribed by him, which certificate shall be transferable by him subject however to all payments due thereon; and such assignee having first caused the transfer or assignment to be entered in a book to be kept by the Company for that purpose, shall thenceforth become a member of said Company, and shall be liable to pay all sums due or which shall become due upon the stock assigned to him—Provided, however, that such assignment shall in no wise exempt the assigner or his representatives from their liability to said Company for the payment of all such sums, if the assignee or his representatives shall be unable or shall fail to pay the same.

25. *Be it further enacted,* That if the said President and Directors, or a majority of them, cannot agree with the proprietors for the purchase of any such quantity of ground, not exceeding one acre, at any one place as may be necessary for a toll-house, or a house to cover any stationary engine, or for any other necessary purpose, it shall and may be lawful for the President and Directors to file a petition in the Court of Pleas and Quarter Sessions of the

county in which the land lies against the proprietor of the land, setting forth the circumstances; and it being made appear to the satisfaction of such Court, that the President and Directors have caused the proprietor of such land to be notified ten days before Court, the said Court shall order the Sheriff and lawful men, who after having taken an oath, which oath the Sheriff or his deputy is hereby authorized to administer, that they will assess the damages which such proprietor will sustain, by reason of the condemnation of such land, shall assess the amount which the petitioner ought to pay to such proprietor; and the said jury in assessing such damages, shall take into estimation the benefit resulting to said proprietor from constructing said Rail Road through or near the lands of said owner or proprietor, but only in extinguishment of damages; and upon payment of the value found by the jury upon any such proceeding, to the proprietor of the ground so condemned by the jury, or upon the payment thereof into Court, where for good cause shewn the Court, shall have ordered it, the said President and Directors and their successors shall be and stand seized of the ground so condemned in fee simple. If any person or persons shall wilfully by any means whatsoever, injure, impair, or destroy any part of the Rail Road constructed by authority of this act, or any of the necessary works, buildings, machines, wagons, vehicles, or carriages, such person or persons shall be punished according to the laws which may be in force in this State at the time, for the protection of the public works or property of the State.

26. *And be it further enacted,* That the Corporation shall exercise the corporate powers hereby granted for ninety years and no longer, without a renewal of the charter.

27. *And be it further enacted,* That full right and privilege are hereby reserved to the State, or to any Company hereafter to be incorporated under the authority of this State, to connect with the Road hereby provided for any other Rail Road leading from the same to any part or parts of this State—Provided, that in forming such communication no injury shall be done to the works of the Company hereby incorporated.

28. *And be it further enacted,* That such compensation shall be made from time to time, to any of the officers, servants, or agents of the Company as the proprietors in general meeting shall prescribe, or may authorize the President and Directors to allow.

(Read three times and ratified in General Assembly, this 14th day of January, 1832.)

Chs. Fisher, S. H. C.  
D. F. Caldwell, S. S.  
State of North-Carolina, }  
Secretary's Office. }  
I hereby certify that the foregoing is a true copy. Given under my hand this 26th day of January, 1832.  
W. HILL, Sec'y.

AN ACT  
For the better regulation of the conduct of negroes, slaves and free persons of color.

1. *Be it enacted,* by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, that it shall not be lawful under any pretence for any free

negro, slave, or free person of color to preach or exhort in public, or in any manner to officiate as a preacher or teacher in any prayer meeting or other association for worship where slaves of different families are collected together; and if any free negro or free person of color shall be thereof duly convicted on indictment before any Court having jurisdiction thereof, he shall for each offence receive not exceeding thirty-nine lashes on his bare back; and where any slave shall be guilty of a violation of this act, he shall on conviction before a single magistrate receive not exceeding thirty-nine lashes on his bare back.

II. *And be it further enacted by the authority aforesaid,* That it shall not be lawful for any slave to go at large as a free man, exercising his or her own discretion in the employment of his or her time; nor shall it be lawful for any slave to keep house to him or herself as a free person, exercising the like discretion in the employment of his or her time; and in case the owner of any slave shall consent or connive at the commission of such offence, he or she so offending shall be subject to indictment, and on conviction be fined in the discretion of the Court not exceeding one hundred dollars: Provided, that nothing herein shall be construed to prevent any person permitting his or her slave or slaves to live or keep house upon his or her land for the purpose of attending to the business of his or her master or mistress.

## CONGRESS.

### SENATE.

Tuesday, Feb. 7.—The Senate was again occupied with the resolution on the subject of the Tariff. Mr. Hill spoke at some length in reply to Mr. Clay, and Mr. Mangum commenced and progressed considerably in his argument against the resolution and the protecting system.

Wednesday, 8th.—The consideration of Mr. Clay's resolution was resumed. Mr. Mangum spoke about two hours in conclusion of his speech against the resolution.

Thursday, 9th.—The consideration of Mr. Clay's resolution was renewed, and Mr. Tyler spoke about one hour in opposition to it, when he gave way to a motion to proceed to Executive business.

Friday, 10th.—The resolution submitted on Wednesday by Mr. Sprague, declaring that the arrangement respecting the Colonial Trade, lately entered between the United States and Great Britain, is disadvantageous to the interests of the United States, and was unauthorized by the Act of Congress of 29th May, 1830, was taken up, and on motion of the mover, laid on the table for the present. Mr. Clay's resolution was considered, and Mr. Tyler spoke about two hours in continuation of the argument which he commenced on Thursday, and without concluding, gave way for a motion to adjourn.

Monday, 13th.—Mr. Clay, from the joint committee on the subject of the commemoration of the centennial birth day of Washington, made a report, accompanied with a joint resolution for carrying into effect the resolution of Congress, passed in 1799, for removing to the Capitol the remains of Washington. The resolution was supported, in debate, by Messrs. Clay, Webster, Bibb,