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CAPTIONS OF LAWS

Enacted by the Legislature of North-Carolina, at its session in 1823.

PUBLIC ACTS.

1. To regulate the practice in the several Courts of Equity in this State. [Making it the duty of the Courts of Equity to direct the trial of such issues as may appear necessary, according to the rules in Chancery.]

2. Repealing the act of 1822, to encourage the apprehension of runaway slaves in the Great Dismal Swamp.

3. To repeal, in part, the 4th section of the act of 1805, entitled an act to revise the militia laws of this state relative to the artillery companies of light infantry, grenadiers and riflemen. [Reduces the fines incurred by artillerymen to the same grade with those of grenadiers and riflemen.]

4. To secure the rights of landlords against tenants holding over, after the expiration of their terms. [Where a landlord gives his tenant legal notice of the expiration of his term, the tenant is prevented from pleading to his suit of ejectment.]

5. To regulate the practice in the several Courts of Equity in this state.

6. To amend the act of 1819, entitled an act relative to the apprehension of runaway slaves. [Allowing the person apprehending a runaway in the county where the owner resides, a reward of three dollars.]

7. Concerning the public lands in Haywood county. [This act makes it an indictable offence to cut or remove timber from, or cultivating said land.]

8. Amending the act of 1808, to provide for children born after the making of their parents' will. [Where no petition has been preferred by the child, within two years after the probate of a will, the executor, executor or administrator, before the legacy is paid, is to call upon the legatees, devisees, &c. to litigate their respective claims. In case the child shall have no guardian, the Court is to appoint a special guardian.]

9. To amend the act of 1813, exempting vessels under sixty tons burden, entering the Cape-Fear river, from paying pilotage. [Such exemption not to extend to vessels of more than fifty tons burden; and vessels entering the river for the purpose of making a harbor, &c. to pay pilotage.]

10. Directing in what manner the laws of our sister states shall be received in evidence in this state. [This act makes it lawful for either party to produce a law of another state in evidence, which shall be drawn off by the Secretary of our State, certified by his hand and seal, with the seal of North-Carolina attached.]

11. To amend the act of 1777, for appointing sheriffs, and directing their duty in office, and for obliging the late sheriffs and collectors in arrears to account for and pay the same. [The several County Courts to require a bond, with two or more securities, in the penal sum of 10,000 dollars, from the Sheriffs who shall hereafter be appointed.]

12. Respecting the reservations of certain Indians in the lands lately acquired by treaty from the Cherokee nation. [The Governor to appoint two commissioners, who are to inquire into the titles of lands claimed by the Indians; to contract for the purchase of the same; and to report to the next General Assembly.]

13. Concerning the University of N. Carolina. [Prohibiting horse-racing, cock-fighting, and elections for members of Congress and Assembly in the vicinity of the University.]

14. Authorising the payment of money to Clerks of Courts of Record in certain cases. [Provides that defendants may pay money to the Clerks, although no execution may have been issued.]

15. For the relief of such persons as became purchasers of the Cherokee lands sold under the authority of this state. [A stay of proceedings given to those who purchased in 1820 and 1821, until the 1st of October, 1824. The Treasurer authorised to receive from purchasers one eighth part of their instalments, and to postpone the remaining parts of such instalments for 12 months.]

16. Extending the time for registration of grants, mesne conveyances, powers of attorney, bills of sale, and deeds of gift.

17. Repealing the 44th section of the act of 1781, concerning servants and slaves.

18. Repealing part of the 10th section of the act of 1784, which gives to the wardens of the poor of any county in this state, for the use of the poor of said county, all tar, pitch or turpentine that may be condemned in said county.

19. To facilitate the navigation of Neuse river. [Empowers the County Courts of the several counties through which the river runs to appoint overseers to work on the river.]

20. Amending the act of 1808, regulating descents. [This act provides that no inheritance shall descend to any person as heir of the person last seized, unless such person be in life at the death of the person last seized, or shall be born within 10 months after such death.]

21. Concerning the Cape Fear Navigation Company. [Authorises the Board of Internal Improvement to subscribe 25,000 dollars on behalf of the State.]

22. Securing to the widows of intestates the surplus of the personal estate of their deceased husbands, where no kindred claim the same.

23. Amending the act of last session, to provide a revenue for the payment of the Civil List and contingent charges of government.

24. Explaining the second section of the act of 1806, to revise the militia laws of this State, relative to infantry.

25. Declaring the punishment of persons of color in certain cases. [Persons of color, making an assault, with intent to commit a rape, shall suffer death without benefit of clergy.]

26. Authorising the issuing of Treasury Notes. [To the amount of 100,000 dollars.]

27. Amending and explaining the 6th section of the act of 1814, for the more perfect organization of the militia of this State. [Provides that no free persons of color shall be enrolled, except as musicians.]

28. Amending the militia laws of this State relative to cavalry. [No cavalry officer to be commissioned unless certified to the Adjutant General by the Brigadier General in whose brigade they reside, that there are four companies of troops.]

29. Amending the several acts of Assembly respecting weights and measures. [Only traders and dealers by profession to have their weights and measures re-stamped.]

30. For the relief of female debtors. [No female debtor whatever to be imprisoned.]

31. Authorising the distribution of the militia laws of this State. [Adjutant General to have the militia laws compiled, printed, and distributed among the officers of the several regiments.]

32. Amending the laws making provision for widows. [The widow of any person dying intestate, to retain for her support, in addition to the articles already allowed her by law, one bed and bed furniture, and clothing of family domestic manufacture, all kitchen furniture, loom, bureau, wheel and cards.]

33. Appointing commissioners to lay off the state road from John Lyles' to Absalom Bowers' old place, and for other purposes.

34. Directing a geological and mineralogical survey to be made of the State.

35. Authorising certain limitations of slaves by deed or writing. [Provides that every deed or writing for a slave, which, if contained in a last will or testament, would be effectual, shall be a good limitation in the remainder of such slave.]

36. To repair and improve the road leading from Huntsville, in Surry, to the Virginia line, by the way of Gap Civil.

37. To amend and extend the provisions of the act of last session, to promote Agriculture and family domestic manufactures within this State.

PRIVATE ACTS.

1. An act to repeal the act of 1821, altering the time of holding one of the County Courts in Bertie.

2. For the better regulation of elections in Guilford county.

3. For the relief of Edward Owen, of Person county.

4. Restoring Michael Rymer, of Rowan county, to credit.

5. To emancipate Sally Zimmerman, a slave belonging to the estate of Andrew Caldwell, deceased, late of Rowan county.

6. To alter the times of holding the County Courts of Tyrrell county.

7. Incorporating the Trustees of Bertie Union Academy.

8. To repeal the act of 1821, entitled an act to alter the time of holding two of the County Courts of Burke county.

9. Making compensation to jurors of the Superior and County Courts of Tyrrell county.

10. To amend the act of 1822, entitled an act supplemental to an act, passed in 1784, entitled an act to appoint commissioners and to establish the town of Morganton.

11. For the better regulation of the town of Sta tesville.

12. To incorporate the Sandy Creek Library Society.

13. For the better regulation of elections in Guilford county.

14. Concerning the commissioners of the town of Greenville.

15. Repealing the act of 1822, entitled an act directing the time and place of selling lands and slaves under execution, so far as relates to the counties of Perquimans, Pasquotank, Randolph, Brunswick, Sampson, and Camden.

16. To amend the act of 1822, entitled an act making compensation to the jurors of the Superior and County

Courts of Moore, Carteret and Bertie, so far as the same relates to Moore county.

17. Repealing the act of 1822, entitled "an act supplemental to an act, passed at the last session, entitled an act to allow commissions to constables in the counties of Warren, Northampton and Brunswick," so far as relates to the county of Ashe.

18. For the better regulation of the town of Windsor.

19. Incorporating Morganton Academy.

20. To amend the act to extend and improve the two roads leading from Wilkesborough to the Tennessee line, so far as respects the appointment of commissioners.

21. Authorising Thomas Love, of Haywood county, to remove off a certain building erected on the 400 acres of public land in the Cherokee purchase.

22. Exempting certain citizens in Tyrrell county from public duty.

23. To add a part of Currituck county to Hyde county.

24. Regulating the County Courts of Richmond county.

25. Amending the act of last session, entitled "an act supplemental to an act, passed at the present General Assembly, entitled 'an act for the division of Rowan county.'" "

26. For the relief of Jordan Denson, late sheriff of Franklin.

27. To legitimate and alter the name of Sally Smith, of Stokes county.

28. To alter the name of Joseph Scott, and to legitimate him.

29. Amending the act of 1816, respecting the Academy and town of Smithville.

30. Authorising the making of a turnpike road from Ashville, by the Warm Springs, to the Tennessee line, and incorporating a company for that purpose.

31. Incorporating Charity Lodge.

32. Amending the 4th section of the act of last session, entitled an act supplemental to an act, passed at the present General Assembly, entitled an act for the division of Rowan county.

33. Incorporating Greensborough Lodge, No. 76.

34. Legitimizing Emery Beazer Williams.

35. Supplemental to the act of this session, incorporating Morganton Academy.

36. Concerning the duty of ferrymen across the Albemarle Sound, and its waters.

37. Amending the act of 1817, for the better protection of the health of the inhabitants of Smithville, and its vicinity.

38. Repealing the act of 1822, directing the time and place of selling lands and slaves under execution, so far as respects the counties of Washington and New-Hanover.

39. To alter the names of Wm. Riley Brewer, Daniel P. Brewer, and Hilliard Brewer, of Martin county, and to legitimate them.

40. To establish and incorporate Lumberton Academy.

41. Directing the manner in which constables shall hereafter be appointed in Mecklenburg county.

42. Altering the mode of electing militia officers in Gates county.

43. To legitimate James, Milley, and Unice Smith, and for other purposes.

44. To prevent persons from falling timber into the Tennessee river, or Sugar-town Fork thereof, within Haywood county.

45. Securing to Sally Hampton, of Stokes county, such property as she may hereafter acquire.

46. Repealing the act of last session, to regulate the patrol of Richmond county.

47. Repealing the act of 1818, entitled an act to repeal the first section of the 26th chapter of the acts of 1791, so far as relates to the counties of Robeson, Columbus, Ashe, Richmond, Moore, Duplin, Carteret, and Johnston, so far as the same relates to the counties of Robeson and Richmond.

48. Divorcing Elizabeth Wilkins, of Burke county, from her husband, Wm. Wilkins.

49. Restoring to credit John Clewis, of Brunswick county.

50. Authorising a certain number of the justices of the peace of Brunswick county to appropriate the county moneys.

51. Appointing commissioners for the better regulation of Elizabethtown.

52. To alter the names and legitimate Sally Ann Woolard and Emeline Woolard.

53. Authorising the County Court of Robeson to appoint a committee of Finance.

54. Amending the act of 1821, to compel the clerks of the Superior and County Courts of Surry to keep their offices at the Court-house at Rockford.

55. Amending the act of 1822, entitled an act to amend an act passed in the year 1818, entitled an act to amend

an act passed in the year 1815, to incorporate a company, and make a turnpike road from Pungo river, in Hyde county, to Plymouth.

56. Supplemental to the act of this session, incorporating Morganton Academy.

57. Amending the first section of the act of 1818, directing a road to be laid out and opened from Leaksville, by Rockford, to Wilkesborough.

58. Authorising Alex. Long to erect and keep up a gate across the road in Rowan county.

59. To alter the names of Charles A. Williams and others, and to legitimate them.

60. Altering the time of holding the County Courts of Buncombe, and

61. To legitimate and alter the names of Emerchly, Elias, and Ellis Thomas.

62. Divorcing Daniel Nocomcaser from his wife Catharine.

63. For the relief of Annis Blackman.

64. Concerning the Clubfoot and Harlow Creek Canal Company.

65. Amending the act of 1795, appointing commissioners to fix on a proper place in Wilkes county, and to erect thereon a Court-house, prison and stocks.

66. Concerning the sheriff of Cumberland, and the special justices of Fayetteville.

67. For the better regulation of the town of Nashville.

68. Altering the times of holding the County Courts of Washington.

69. Legitimizing Nancy Johnson and others, of Moore county.

70. Securing to Jane Wellborn, of Randolph county, and Sarah Pinnix, of Surry county, the property they may hereafter acquire.

71. Amending the act of 1820, for the better organization of the militia of Beaufort county.

72. For the more convenient administration of justice in the County Courts of Rockingham.

73. Amending the act of 1795, appointing commissioners to fix on a proper place in Wilkes county, and to erect thereon a Court-house, prison and stocks.

74. Incorporating the Lincoln Agricultural Society.

75. Establishing a poor-house in Chowan county.

76. Establishing Town Creek Academy, in Edgecombe county, and incorporating the Trustees thereof.

77. Repealing the act to establish a Court of Probate in Cumberland county, and for other purposes.

78. For the regulation of the County Courts of Buncombe.

79. Appointing commissioners for the town of Swansborough.

80. Incorporating Friendship Academy, in Duplin county.

81. Amending the act of 1817, directing a road to be laid out and opened from Fayetteville to Morganton.

82. Authorising Wm. Neal and Isaac Ward, of Rowan county, to erect gates on the road leading through their plantations.

83. Repealing the act of 1822, directing the manner of appointing patrollers in Davidson county.

84. Legitimizing Helen, Mehalz and Benj. Godley.

85. For improving the navigation of Crane's creek, in Cumberland county.

86. To remove obstructions in Pungo creek, and for other purposes.

87. To alter the names and legitimate Melby and Charlotte Stokes.

88. Altering part of the line dividing the two regiments in Surry county.

89. Authorising and directing the Sheriff of Davidson to pay over the taxes, collected for the public buildings, to the commissioners of public buildings for said county.

90. Repealing the 7th section of the act of 1822, authorising certain counties therein mentioned to appoint a committee of Finance, so far as respects the county of Anson.

91. Amending the laws concerning wrecks and wrecked property, so far as respects Hyde county.

92. Concerning the County Courts of Moore and Sampson.

93. Exempting certain citizens of Beaufort county from certain duties.

94. Establishing a light infantry company in Richmond county.

95. Regulating seine fisheries on Blount's creek, in Beaufort county.

96. Establishing a Poor-house in Rutherford county.

97. To legitimate B. F. Jackson.

98. Authorising Daniel Dougherty, of Lenoir county, to erect a bridge across Neuse river.

99. Prescribing the manner in which the Sheriff of Buncombe shall pay over the tax laid for building a Court-house in said county.

100. Authorising the County Court of Washington to appoint a committee of Finance.

101. Directing the appointment and time of holding the Board of Appeals for

Washington county, and for other purposes.

102. Establishing a Poor and Work-house in Duplin county.

103. Amending the act, directing the time and place of sales of land and slaves under execution, so far as respects Rowan county.

104. Amending the act of 1813, to alter and regulate the annual elections in Hyde county.

105. Divorcing Jacob Johnson from his wife Hannah.

106. Dividing the militia of Iredell county into two regiments.

107. Authorising the erection of the public buildings of Washington county at Plymouth.

108. Repealing the act of 1819, authorising the wardens of the poor of Wake, Craven and Jones counties to lay such tax as may be necessary for the support of the poor of said counties, so far as respects Craven county.

109. To amend and continue in force the act of 1820, appointing commissioners for fixing upon a suitable place for the public buildings in Hyde county, and for other purposes.

110. To keep open Goose creek in Craven county.

111. For the relief of Elizabeth Hoggott, of Guilford county.

112. Authorising the County Court of Rowan county to lay a tax, and appoint commissioners to build a bridge across the South Yadkin river.

113. Authorising certain persons to raise, by lottery, 550 dollars for building a bridge across the South Yadkin.

114. Increasing the Constables' fees in New-Hanover county.

115. Incorporating New-Providence Library Company.

116. Incorporating the Milton Male Academy.

117. Regulating the County Courts of Duplin.

118. Regulating the Seine fisheries on Tranter's Creek.

119. Amending the act of last session, for the better regulation of the County Courts of Cabarrus, Moore and Montgomery, so far as relates to Cabarrus.

120. To authorise and empower the commissioners of Smithfield to levy and collect additional taxes, and for other purposes.

121. Amending the act of 1812, directing the time and manner of appointing overseers of roads in Richmond county.

122. To provide for the paying of jurors of the county of Wayne.

123. Authorising the building of a toll bridge over the Roanoke river at the town of Halifax, and incorporating a Company for that purpose.

124. Concerning the Roanoke Navigation Company.

125. To establish a Superior Court of Law and Equity in Davidson county, and to alter the time of holding the Superior and County Courts of Guilford, Rockingham, and Caswell, the Superior Court of Stokes, and the County Courts of Person.

126. Repealing the act of 1822, to regulate the County Courts of Cabarrus, Moore and Montgomery, so far as relates to the counties of Moore and Montgomery.

127. Amending the act of 1818, to appoint commissioners to extend the Fayetteville road from Morganton to the Tennessee line.

128. Regulating the time of holding the Superior Courts of Law and Equity in the 5th Judicial Circuit.

129. Appointing commissioners to view and lay out a road from Salisbury to Beattie's Ford.

130. Amending the act to appoint commissioners to view and lay off the road leading across the mountain from Wilkesboro' to Mrs. Boyle's, in Iredell county.

131. Authorising the making and improving a road from Asheville to Rutherford.

132. To alter the names and legitimate John Hunt and others.

133. Extending the time within which commissioners were authorised to receive subscriptions to build a toll bridge over Dan river near Milton, and continuing in force the act of last session, incorporating a company for that purpose.

RESOLUTIONS.

1. A resolution requiring the Public Printer to attach to the laws of 1823, returns of the Sheriffs and Clerks in this state.

2. In favor of Judge Norwood.

3. In favor of John S. Russwurm.

4. In favor of Job Gargis.

5. In favor of John Ray.

6. In favor of the heirs of John Rice.

7. In favor of Arthur Hutchins.

8. In favor of the Trustees of the University.

9. In favor of Joseph and Ann Wynn.

10. In favor of Thomas D. Watta.

11. In favor of Dancy Penticost.

12. Making compensation to Superintendent of Public Buildings.

13. In favor of John Taylor, senr.

14. In favor of the heirs of Samuel Carpenter.

15. In favor of Wm. Drew, the Attorney-General.

16. In favor of the Vestry and Members of the Protestant Episcopal Church in Raleigh.