LAWS OF NORTH-CAROLINA. Passed in 1888-29.

BY AUTHORITY. the explository of an act, entitled in act existing to bunds given by Shevilly and Clerks of the Aperior Court and Court of Picas, and Quarter Sensons, much in the year one thousand eight handwed and true.

Re 1 exacted by the General Assembly of the State of North-reling, and it is hereby enacted by the authority of the same, the is exacted by the General Assembly of the State of Northrelation, and it is hereby enacted by the authority of the same,
and all suits on bonds of Clerks and Masters in Equity, if the
that of action has already accrued, shall be commenced and prointell within three years after the passage of this act, and not
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entell within three years after the passage of the second the same and the time and the t eir disabilities are removed.

As set in addition to the sets respecting Divorce and Allmony. Be il enacted by the General Assembly of the State of North reding, and it is hereby enacted by the authority of the same, but the Superior Courts of Law shall have jurisdiction of all ap-not afready talles made to them, as shall appear from the said re-bations for allmony, as well as of those for divorce or for di-port, with the exception herein before made. c and alimony. 11. And be it further engeted. That whenever a case shall

in hed and-board, or an allowance of alimony, it shall be lawfor the Court to decree almony only, if no more be demandto continue so long as the justice of the case may require. III. And be it further enacted, That whenever a man shall ome in habitual drunkard or spendthrift, wasting his substance the impoverishment of his family, in every such case it shall lawful for his wife to claim, and for the court to decree alimoent of all just claims against him up to the period when alimo anail be granted.

IV. And be it further enacted, That the effect of every such peration of law, unless the court, in its judgment, shall other-

ise order and detrec.

V. And be it further enacted. That the mode of proceeding unerthis act shall be the same as is directed to be observed in apleations for divorce.

net to repeal in part the third section of an act, passed in the year one thonhaset to repeat in page the third section of an act, passed to the year one thousand eight hundred and six, entitled an act to revise the militia laws of this State relative to the Calanter; and forepeat the minth and tenth of an act, passed in the year one thousand eight hundred and thirteen, entitled an act in amend the militia laws of this State.

Be it enacted by the General Assembly of the State of North

arolina, and it is hereby enacted by the authority of the same, hat so much of the third section of an art to revise the militia aws of this State relative to Infantry as inflicts the penalty of we shillings and six pence upon every person subject to mittia luty for failing to have a pouch and powder horn on the days of pusters, be, and the same is hereby repealed.

II. And be it further enacted, That the ninth and tenth sections an act, passed in the year one thousand eight hundred and hirteen, entitled an act to amend the militia taws of this State. e, and the same are hereby repealed: Provided however, that he above recited act shall not be so applied or construed as to flect or prevent the colonels from drilling their officers on the ay previous to general or regimental musters in their respective

in act to validate all grants issued by the Secretary of State on surveys made and signed only by deputy surveyors previous to the year one thousand eight hundred and twenty.

Be it enacted by the General Assembly of the State of North

hat all grants issued by the Secretary of State previous to the ectual to pass all the right of the State in and to said lands in as all and ample a manner as if such returns had been made by the from of this act. urveyors of the respective counties: Provided nevertheless, that othing herein contained shall affect any entries made, or grants btained on legal returns for such lands previous to the passage of his act; any law, usage or custom to the contrary notwithstand-

nest for the reliaf of smallry persons engaged in surveying the Cherokee lands. Whereas, owing to the premature and lamented death of the ate Charles D. Donoho, Esquire, one of the commissioners appinted to superintend the surveying of the Cherokee lands, it has come impossible for the persons engaged in surveying said lands o procure the certificate of both commissioners with regard to

Be it therefore enacted by the General Assembly of the State North Carolina, and it is hereby enacted by the authority of trane, That the Public Preasurer be, and he is hereby inthorised and directed to pay said claims according to the sche-dule on file in the Treasury Department, upon the certificate of the surviving commissioner.

That the Public Treasurer be, and he is never about the purchases of the pend the collection of the bonds given for the purchases of the imprisonment three months.

If And be it further enacted. That if any free negro or mulatto and called the Cherokee lands, which were sold by the State, shall hereafter sell, barter with or deliver to any slave or slaves, and the meeting of the next General Assembly, and immediately any fire arms, powder or shot, or lead, except by the order of the any fire arms, powder or shot, or lead, except by the order of the hereafter to commence suit upon all bonds when the obligars hall not have paid on or before that day one eighth part of the princip, and interest due upon said bonds respectively: Provided, had nothing herein contained shall be construed to extend to any state of the princip. I and interest due upon said bonds respectively: Provided, shall receive not exceeding thirty-nine lashes on his or her bare of the discovering the shall be construed to extend to any state. I the obligors, whose securities may request that suits should be rought.

Be it enacted by the General Assembly of the State of North woling, and it is hereby enacted by the authority of the same hat the sum of eight thousand nine hundred and twenty dellars e, and the same is hereby appropriated, out of the fund for lo ernal improvements, for the purpose of improving the navigation of Cape Fear river below Wilmington.

to be to nuthorise the Roard for Internal Improvements to have a road made from Eschezer Petrigrew's Guisl to Cahoon's Lake, in Tyrrell county.

Be it enacted by the General Assembly of the State of North That the Board for Internal Improvements be, and they are tereby authorised and empowered to cause a survey to be made or a road in the most direct and convenient way from Ebenezer

ind shall have given the Governor for the time being due notice and whereas it is represented to this General Assembly that the hereof, then and in that case the Board for Internal Improvessid rounties have been at considerable expense in erectility said pany, the sum of six thousand dollars, upon the same terms, and ject of the subath day, and our the same regulations and restrictions as the loan heretofore and that a draw might be fixed therein so as to permit the hereof, of the same dimensions, connecting the roads and ditch, of the same dimensions, connecting the roads and bridge, and that a draw might be fixed therein so as to permit the passage of vessels having mests; and inasmuch as the making of the provisions of an act, passage of vessels having mests; and inasmuch as the making of the provisions of an act, passage of vessels having mests; and inasmuch as the making of the provisions of an act, passage of vessels having mests; and the passage of vessels having mests; and the passage of the provisions of an act, passage of the provisions of an act, passage of the provisions of an act, passage of the passage of the provisions of an act, passage of the passage of th Expense of making said road through the lands owned by the socas to permit the passage of masted versels, would be for the their obtained the completion of their canal."

State shall not exceed the sum of one thousand five hundred public benefit, it is just and proper that the State should contribute pany, in the completion of their canal."

dollars: Provided necerticles, that if hereafter it shall appear that the land through which the road and canal is proposed to un.

Be it therefore which is now supposed to belong to the State, should hereafter be claimed and recovered by any person or persons, such persons or game. That Will persons shall pay the cust of carling the road and canal through so much of the land as may be claimed or recovered as aforesaid.

regards; and all suits, when the right of action shall accrue cafter, shall be commenced and prosecuted within six years and devisees of the late John Haywood, Espaire, as made by the commissioners, Joseph Pickett, James F. Taylor and William on accompassmentis, so that they sue within three years after a piece of land, which is not confirmed; and the sittes are removed. made by them, or a majority of them, to the negroes stated to have been sold, be, and they are hereby declared to be good and valid to the purchasers; and that the Governor be unthorised to execute fittes to the purchasers of such tracks of land, as have

11 Be it further enacted. That the Comptroller of the State shall raise an account against such of the purchasers as stated in established, which may entitle a woman to claim a divorce the report of the surviving commissioner; and whenever the pur chasers, or either of them, are prepared to make a payment, be shall report the amount due, to the Public Treasurer; upon which the shall receive the same, by giving duplicate receipts as are now directed by law.

III. Be it further enacted. That the Public Treasurer is here by authorised and empowered to sell the different tracts of land houses and lots purchased for the use of the State at the sale of as sloresaid: Provided, that nothing herein contained shall the property of the late Public Treasurer, John Haywood, either empt any property, which he may then possess, from the pay at public or private sale, on a credit of one, two and three years: Provided, that in no case is he authorised to sell for a less such than the prices at which said lands were originally valued by the said commissioners; and that in case a sale of the land or houses ecree shall be to secure to the wife any property which she may and lots shall be made, the Governor is hereby authorised to make bequently acquire, either by her own labour, gift, devise or titles on behalf of the State, apon the sale being reported to him by the Public Treasurer: Provided nevertheless, that the Governor shall make no deed until the purchaser fully pays up for said lands. or lots.

IV. Be it further enacted, That the Public Treasurer is directd to superintrad the interest of the State in the several tracts of hand and houses and lots; and it is made his duty to prosecute aexperson who may commit a trespass, by cutting timber and aking the same away from the public lands so acquired as aforesaid, by indictments and any person convicted of the same, shall be fined put less than, one hundred dollars; and this act shall be in force from and after the passing thereof.

An art to provide for the protection of the Arsenal and safe keeping of the pub-Be it enacted by the General Assembly of the State of North

Carolina, and it is hereby enacted by the authority of the some, That Beverly Daniel, Adjutant General of this State, he, and he is hereby authorised and empowered to contract for the fixing and ell securing the windows in the State Ar-enal, with the lowest pidder, so as not to exceed the sum of two bandred dollars, with good and sufficient grates; and he is hereby authorised to draw wo hundred dollars, for the purposes above; and the aforesaid

shall be secured with grates as above, the said Adjutant General foreclased, or a decree obtained for the sale thereof. of this State be, and he is hereby author, and and required to proceed to the calling in and removing the caldic arms to this place. An act to amend an act, passed in the year one thousand eight hundred and twenarding, and it is hereby enacted by the authority of the same, companies, as his excellency the Governor of this State may die rect; and for the purposes of meeting all expenses which may be

sixty dollars per annum, to be drawn and allowed as in the second, the same before it is paid into the public Treatury. section of this act.

in the manner therein prescribed," passed in the year one thousand legit handred and twenty-six.

Be it enacted by the General Assembly of the State of North Curolina, and it is hereby enacted by the authority of the same, that if any white person or persons shall bereafter sell, barter with, or deliver to any slave or slaves, any line arms, ponder or As set for the relief of sundry purchasers of Cherokee lands.

Be it enacted by the General Assembly of the State of North

If And be it further enacted, That if any free negro or mulatto enclosure around the Public Square.

III And be it further enacted, That if either of the parties be ing dissatisfied with the judgment of the justice, or verdict of the fury, may pray an appeal therefrom as in other cases: Provided. hat no suit or indictment shall be prosecuted for any violation of this act, unless such suit or indictment be commenced within weive months after such violation.

IV. Bul be it further enacted That this act shall not take effect intil after the first day of May next.

to see to provide for the removal of the obstruction to the passage of masted vessels fro The Disnel Swamp Canal to Albamarle Some WHEREAS complaint has been made to this General Assembly that a bridge erected across Pasquotack river by the counties of Caurden and Pasquotank, obstructs the passage of masted vest Carolina, and it is hereby enacted by the anthority of the same, sels from the Dismal Swamp Canal to the waters of Roznoke and the other rivers flaving into Albamarle Sound; and whereas, in the compact entered into with the State of Virginia, the State of North Carolina pledged its farth and honor that the waters of Roanoke river, Menerren Nottaway, Chowan, Albemarle Sound Pettigrew's Canal to Calson's Lake, in Tyrrell county. Roanoke river, Meherren, Nottaway, Chowan, Albemarle Sound II. Be it further enacted, That as soon as said survey shall as law as the mouth of Pasquotank river, and of the Pasquotank have been made, and Ebeuezer Pettigrew and Thomas Dunbar from the wouth thereof to the said canal, should be forever con shall have made a good road, at least fourteen feet wide, with a sidered a common highway, free for the use and pavigation of all litch six feet wide and four feet deep, through their own land, vessels belonging to the State of Virginia or any of its citizens;

Be it therefore concted by the General downthly of the State of North-Carolina, and it is become reacted by the gentlarity of the come. That Willie M'Phorson, George Persber and Joseph Dager, of Camden county, and Williams Hinton and North Saw yer, of Pasquotank he and they are hereby appointed commissioners, whose duty it shall be to examine said tridge; and if, in their uplaine, a draw can be fixed therein, to as not to obstruct the passage of bessels with masts, they, or a majority of them, may cause the same to be done, in the Best and most economical manner, by contract or otherwise; and show completed, the said commissioners, upon obtaining a conflictate from the President of the executors and administ to revise, dig at, after and other vascels, are hereby authorised to demand of and receive from the public Treasurer the sam necessary to pay fire such deaw or other afteration in mid bride, provided the same shall not exor other afteration in said bride, provided the same shall and ex-Creasurer is hereby authorized and directed to pay the same, onpresentment of the centificate from the president as aforesaid

11. And he it further exacted, That the soul countries Pashuotank and Camden shall ever hereafter, so long as they may keep the bridge across Pasquotank river as of resaid, keep a good and sufficient theaving and bridge, so as not to construct the passage of any vessel with or we want must, in passing to or from said anal, at the proper coursed on regresof the countries of oresoid.

shall ful to have a draw and in said arribge, or co have it so after ed as to promit yesse's to pass with mass by the time the said canal shall be ready to admit of the passage of steam brats or yes sels with miss, then and in that case it shall be the duty of the sheriff of each of the counties of Pasquotank and Camden or ention of them, and they, occitive of them, ore hereby required o sammon a sufficient force, and without delay to remove so as had said bridge as may abstruct be passage of any vessel as turesaid, whenever the Pr siderat of the Dismal Swamp Canal beapany shall require; and if the said shoulfs, or either of them. call perfect or refuse to remove said budge as aforesaid, when required is afficesaid, they, or either of them, so neglecting or refusing, may be prosecuted by said president, in his own name, for such neglect or refusal, in any court having competent jurisdiction, and, on conviction, shall be fined in a sum not excepting five bindred dollars, to the use of the State.

IV And to it further consted. That if at any time bereafter, the soil draw shall not be kept in good and smitcient repair for the purposes aforesaid, it shall be the duty of the sheriffs of said counties, on complaint of the President of the Dismal Swamp Canal Company, to remove said bridge, under the penalty contain ed in this act.

V. And be it further carefed. That the Governor of the State be requested to transmir a copy of this act to the President of the Dismal Swarap Canal Company, and a copy to each of the she riffs of Pasquotank and Camden counties, as soon as can be conveniently done after the ratification bereof.

VI. And he it further enacted, That this act shall be in force from and after the passage thereof.

An act authorising the Court of Equity to grant administration in certain cases. Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That when any person has died, or shall hereafter die intestate, each and every such free negro or mulatto, having mortgaged personal estate, and no administration has been as a free poll, in his or her list of taxable apon the Public Treasurer for the necessary sum, not exceeding or shall be taken out from the period of the decease of such per son intestate as aforesaid, then and in that case the Court of Public Treasurer is hereby required to advance the same, for Equity for the county in which the mortgagee resides, shall and which be shall be allowed in the settlement of his public accounts, may have authority to appoint some proper person a special ad If And be it further enacted, That so soon as the windows ministrator of such intestate, to the end that such mortgage may be

in such propertion, and with such reservations to the towns and a telegraph and the provisions of react, cati-

Be it enacted by the General Assembly of the State of North which by law he or she would be liable for ear one thousand eight hundred and twenty, on surveys made necessary in removing the arms to this place, his excellency the Carolina, and it is hereby enacted by the authority of the same, neglecting or refusing to give in a list of his lifty and without fraud, and signed by deputy surveyors only. Governor of this State is hereby authorised to draw upon the That each clerk of the several courts in this State, who is bound or her taxable property; and it shall be the e, and the same are hereby validated and declared good and ef- Public Treasurer for such sums as he may deem sufficient for the by the provisions of the before recited act, to make a return to duty of the sheriff or other officer to collect above purposes, and the Treasurer be allowed as in the first sec- the Public Treasurer on oath of all monies remaining in his hands, from every such person so neglecting or reand which were received by him officially three years or more fusing, the fell amount of taxes due for III. And be it further enacted. That when the arms shall be previous thereto, shall post up in the court house of his county, every such free negro or mulatto, including emoved to the Arsenal, according to the provisions of this act, at least six months before he is by the provisions of this act bound | the full amount of the penalties aforesaid: the Adjutant General as aforesaid shall appoint some suitable per- to make his return, a list of all such moules, with the amount of son as a keeper of the arms, who shall be allowed a reasonable each claim, and the name of the person to whom it is payable, shall be so construed as to prevent the percompensation for his services, not, however, exceeding the sam of that the honest claimant may have an opportunity of applying for son, on whose land such free negro or mu-

11. And he it further enacted, That any clerk, who shall fail to comply with the provisions of this act, shall forfeit and pay the An act to amend an act, entitled "menet to probibit trading with slaves, except sum of twenty dollars, to be recovered before any justice of the peace for his country one half to the use of the person suing for the same, and the other half to the use of said county.

An act to provide for the repairing of the State House and calling round the Pub-

Be it enacted by the General Assembly of the State of North-Just, or lend, except it be for the owner or employer of such Carolina, and it is hereby enacted by the authority of the same, slave or slaves, or by the order of the owner or person having the That the Secretary, Preasurer and Comptroder be authorised and management of the same, every person so offending, shall, for required to contract for, and superintend the necessary repairs ach offence, forfeit and pay the sum of one hundred dollars, to of the Capitol and the raiting which encloses the Public Square, be recovered by warrant, before any justice of the meace, by the so that the expenditures for said purpo-es do not exceed two hunparty suing for the same; and shall moreover be liable to indict dred and thirty dollars; and that the Treasurer pay the cost of said repairs out of the monies in the Public Treasury, not exceed Be it enacted by the General Assembly of the State of North Law, and, on conviction, shall be fined or impresented at the dissing the sum aforesaid, upon the certificate of the Secretary, Treater the Public Treasurer be, and he is hereby authorised to sure that the Public Treasurer be, and he is hereby authorised to sure impresentent three months. be erected, through which any horse or carriage can pass into the

An act to cede to the United States an late of marsh, for the purpose of erect

ing thereon a light house. Whereas the United States in Congress assembled, at their last session, passed an act authorising the erection of a light house on the south side of the Roanoke Marshes, and the collecfor for the port of Edeuton having selected one of the islands of marsh belonging to the State, called Jackson's Island, for that

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 that piece of parcel of marsh, called Jackson Is land, lying and being in the county of Currituck, on the south side of the Roanoke Marshes, containing by e-timation hirty acres, be ceded to the United States of America; and the said United States shall and may have and exercise exclusive juris diction over the said island of marsh, so long as they shall choose to hold and occupy it, for the purposes specified: Provided, that nothing herein contained shall be construed to prevent the proper officers of this State from executing any process, civil or criminal, within the limits of said island.

An act in aid of the Clubfoot and Harlow's Creek Canal Company, Be it macted by the General Assembly of the State of North-Carolina and it is hereby enacted by the authority of the same, That to enable the Clubfoot and Harlow's Creek Canal Company to make another lock on said canal, at the head of Clubfoot Creek, and to complete the same, and improving the canal, the Treasurer of the State be authorised and directed in behalf of the

executors and administrators; and also to revise, digest, after and amend so much of the statute and common law, concerning heirs, devisees, and creditors of deceased persons' estries, as shall be properly con-nected, in the opinion of said commission-ers, with the law relating to executors and administratura, so as to form a code or syatem, on the title of executors and administrators, which shall be founded on principles of justice, and suited to the true policy d present situation of the people of this State

II . Ind be it further enacted, That the said commissioners shall submit to the next General Assembly such code or system, so revised and digested, for its consideration; and after it shall have been approved by the Legislature the said commissioners shall prepare the same for the press, and shall make an index of the matters contained therein.

111. And be it further enacted. That the said commissioners shall be allowed the time of one year to complete the duties assigned to them by this act, and that in the execution of those duties, they shall have free access to the State Library.

IV And be it further roted, That the

said commissioners shall, for the services hereby required of them he allowed such compensation as shall be deemed adequate and proper.

An act more effectually to enforce the payment of taxes from free negro

WHERRAS many free negroes and mulattoes living on other persons, land, frequently neglect to pay their taxes, and from the small value of their chattels, and from other causes, it has been found impracticable to enforce the collection thereof; 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, hereafter, when any free negro or mulatto, liable to pay a public tax, shall reside on the land of another person, with his or her consent, the person on whose land such free negro or mulatto may reside, shall include property, and be liable to pay all public, county and parish taxes on every such free negro or mulatto.

11. And be it further enacted. That if any person, on whose land any such free negro or mulatto may reside, shall neglect or refuse to give in every such free negro or mulatto in his or her list of taxable property as aforesaid, he or she so neglecting or refusing, shall be liable to all the penalties to Provided, that nothing herein contained latto may reside, from recovering from such free negro or mulatto the amount of taxes so paid for such free negro or mulatto.

An act to amend an act, entitled an act to amend the acts respecting lands sold for taxes, passed in the year one thousand eight bundred and nineteen, chapter one thousand and six, of the revised laws. Whereas the duties of the Sheriff and Clerk of the County Court, in the act of which this is amendatory, are not enjoined by any penalty:

Be it therefore enacted by the General Assembly of the State of North Curolina, and it is hereby enacted by the authority of the some That every Clerk or Sheriff, who shall omit to perform the several duties enjoined by the act aforesaid, shall forfeit and my the sum of one hundred dollars, to be recovered by any person suing for the same, in an action of debt; and shall be liable in an action on the case for such further damages. as may be sustrined by the owner of the lands in consequence of such irregular sale.

IN SENATE OF THE UNITED STATES. JANUARY 19, 1829 Mr. Johnson, of Kentucky, made the following reports

The Committee to whom was referred the several peritions on the subject of mails on the Sabbath,

or the 1st day of the week, report:
That some respite is required from the ordinary
vocations of life, is an established principle, sandtioned by the usages of all nations, whether Christain or Pagan. One day in seven has also been determined upon as the proportion of time; and in conformity with the wishes of the great majority of citizens of this country, the first day of the week, commonly called Sunday, has been set apart to that object. The principle has received the sanction of the national legislature, so far as to admit a suspension of all public business on that day, except in cases of absolute necessity, or of great public utility. This principle, the compilate would not wish to disturb. If kept within is legitimate sphere. of action, no injury can result? It should, however be kept in It should, however be kept per object of government is, to protect a in the enjoyment of their religious, as a in the enjoyment of their religious, as a shall esteem our day shove another, or

free as Christains, and entitled to the tion from the laws, derive their obligation