

STAR, AND NORTH CAROLINA STATE GAZETTE.

NO. 5

RALEIGH, N. C. THURSDAY, JANUARY 27, 1831

VOL. XII

LAWS OF NORTH CAROLINA. Passed in 1830-31.

(BY AUTHORITY.)

An act to extend the jurisdiction of the Supreme Court 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...

II. And be it further enacted, That when, upon the hearing of any such case, it shall be ascertained that such grant or letters patent have been obtained by fraud or false suggestion...

III. And be it further enacted, That when any such bill in equity, or information in nature thereof, shall have been exhibited in any of the Superior Courts of Equity...

An act to preserve the public buildings in the city of Raleigh. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same...

II. And be it further enacted, That the Commissioners of the public Buildings be required forthwith to cause the damage done by the State House by the late fire to be forthwith repaired...

III. And be it further enacted, That each fire place in the State House be furnished with a fender, and part of the floor adjacent to each be covered with sheet iron.

IV. Be it further enacted, That said commissioners shall cause to be advertised in one of the public prints in the town of Fayetteville and the State Gazette, for the space of four weeks...

V. Be it further enacted, That the Governor be authorized to draw upon the Treasury for the sum necessary to effect the above objects.

An act more effectually to prevent intermarriages between free negroes or free persons of colour and white persons and slaves, 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 hereafter it shall not be lawful for any free negro or free person of colour to marry a white person...

II. Be it further enacted, That if hereafter any clerk of the Court of Pleas and Quarter Sessions shall knowingly issue any license for a marriage between any free negro or free person of colour and a white person, he shall be guilty of a misdemeanor...

III. Be it further enacted, That hereafter it shall not be lawful for any free negro or free person of colour to intermarry or cohabit and live together as man and wife with any slave...

An act to prevent the circulation of seditious publications, 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...

II. Be it further enacted, That if any person shall by words endeavor to excite in any slave or slaves or free negro or person of colour a spirit of insurrection, conspiracy or rebellion...

An act to prevent all persons from teaching slaves to read or write, the use of figures excepted.

Whereas the teaching of slaves to read and write, has a tendency to excite dissatisfaction in their minds, and to produce insurrection and rebellion, to the manifest injury of the citizens of this State: Therefore, Be it enacted by the General Assembly of the State of North Carolina...

viction, shall, at the discretion of the court, if a white man or woman, be fined not less than one hundred dollars, nor more than two hundred dollars...

II. Be it further enacted, That if any slave shall hereafter teach, or attempt to teach, any other slave to read or write, the use of figures excepted, he or she may be carried before any justice of the peace...

III. Be it further enacted, That the judges of the Superior Courts and the justices of the County Courts shall give this act in charge to the grand jurors of their respective counties.

An act to prohibit free persons of colour from peddling and hawking out of the limits of the county in which they respectively reside.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That from and after the passage of this act, it shall not be lawful for any free person or persons of colour to hawk or peddle any goods, wares or commodities whatsoever out of the limits of the county in which they reside...

II. Be it further enacted, That if any free person or persons of colour as aforesaid shall be guilty of a violation of this act, he, she or they shall forfeit and pay the sum of fifty dollars for each and every such offence, to be recovered by warrant before any justice of the peace...

An act providing further punishment for harboring or maintaining runaway slaves. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same...

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That hereafter any inhabitant of this State, desirous to emancipate a slave or slaves, shall file a petition in writing in some one of the Superior Courts of this State...

II. And be it further enacted, That any emancipation hereafter granted to any slave or slaves, as herein directed, shall be upon the express condition that he, she or they will leave the State within ninety days from the granting thereof...

III. And be it further enacted, That if shall hereafter be lawful for any person, by his or her last will and testament, to direct and authorize his or her executor or executors to cause to be emancipated any slave or slaves, pursuant to this act...

IV. And be it further enacted, That it may be lawful at any time hereafter to emancipate, upon petition filed and under the order of any Superior Court of Law in this State, any slave over the age of fifty years...

An act to amend an act, passed in the year one thousand eight hundred and twenty-six, entitled "an act to prevent free persons of colour from migrating into the State, for the good government of such persons resident in 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 the Public Treasurer sell at public or private sale, on a credit of one, two and three years, with interest from the day of sale...

An act to amend an act, passed in the year one thousand eight hundred and twenty-six, entitled "an act to prevent free persons of colour from migrating into the State, for the good government of such persons resident in 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 if at any time hereafter, any free negro or person of colour, who may be a resident of this State, shall migrate from this State and go into any other State...

VI. And be it further enacted, That if any slave shall refuse or neglect to leave the State as aforesaid, or shall ever come within the same after having left it, it shall and may be lawful for any person to bring suit in the name of the Governor...

VII. Be it further enacted, That it shall be the duty of all grand juries within this State to make presentment of all slaves who may hereafter be emancipated, who may violate the provisions of this act of Assembly...

VIII. Be it further enacted, That all laws and clauses of laws heretofore passed relative to the emancipation of slaves, be, and the same are hereby repealed.

An act to prevent the gaming of slaves, and to prevent free persons from gaming with them or suffering them to game in their houses.

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 for any slave or slaves to play at any game of cards, dice, nine-pins, or any game of hazard or chance...

II. Be it further enacted, That it shall not be lawful for any white person or free negro, mulatto or person of mixed blood, descended from negro ancestors to the fourth generation inclusive, (though one ancestor of each generation may have been a white person) to play at any game of cards, dice, nine-pins, or any game of chance or hazard...

III. Be it further enacted, That if any white person, free negro, mulatto, or person of mixed blood as aforesaid, shall knowingly suffer any slave or slaves to play at any game of cards, dice, nine-pins, or any game of chance or hazard...

IV. Be it further enacted, That it shall be the duty of the patrol, whenever they shall see or receive information of the gaming of slaves within their district, to proceed to disperse them; and the patrol shall have power to apprehend any slave so gaming and inflict upon him or her a whipping, not to exceed fifteen lashes.

V. And be it further enacted, That the above recited act shall not go into operation till the tenth day of May next.

An act to explain and amend an act, entitled "an act to provide a revenue for the payment of the civil list and contingent charges of government," passed in the year one thousand eight hundred and twenty-two, so far as it respects exhibitions of artificial curiosities.

Whereas doubts have arisen whether models of useful inventions, when exhibited for reward, are artificial curiosities within the meaning of the above recited act;

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 nothing contained in the above recited act shall be so construed as to impose a tax upon any exhibition of models of useful inventions, for such exhibitions, whether made for reward or otherwise.

An act to amend an act, passed in the year one thousand eight hundred and twenty-six, entitled "an act concerning the entry of land in this State."

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That it shall and may be lawful for entry takers to receive entries of marsh or swamp land when the quantity of land in any one marsh or swamp does not exceed two thousand acres; Provided, however, that this act shall not be construed to extend to any swamp or marsh lands which have been surveyed by engineers in the employment of the State with a view to the draining and reclaiming the same.

An act to authorize and direct the Public Treasurer to make sale of certain lands owned by the State.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the Public Treasurer sell at public or private sale, on a credit of one, two and three years, with interest from the day of sale, requiring bond and security, to be approved of by him, the following property, to wit: the Bushy Branch tract of land, and the Blacksmith's Shop and Stable lots in the city of Raleigh...

An act to amend an act, passed in the year one thousand eight hundred and twenty-six, entitled "an act to prevent free persons of colour from migrating into the State, for the good government of such persons resident in 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 if at any time hereafter, any free negro or person of colour, who may be a resident of this State, shall migrate from this State and go into any other State, and shall be absent for the space of ninety days or more, it shall not be lawful for such free negro or person of colour to return to this State...

OUR COCK HAV. Letter from the Secretary of War, transmitting communications from the local Engineer, in relation to the progress which has been made in removing obstructions near the Ocracock bar, which was referred to the Committee on Commerce on the 10th instant.

DEPARTMENT OF WAR. January 7, 1831.

SIR: In compliance with the resolution of the House of Representatives of yesterday, I have the honor to transmit herewith copies of two communications from the local engineer, which furnish the information called for, as to the progress that has been made towards removing the obstructions at the swash near Ocracock bar, in the State of North Carolina; the amount of expenditures heretofore made; and also, an estimate of the amount of funds required for that service during this year.

I am, very respectfully, Sir, Your most obedient servant, J. H. EATON, The Honorable Andrew Stevenson, Speaker of the House of Representatives.

Annual report, exhibiting the state of the operations at Ocracock Inlet, North Carolina, September 30th, 1830. Amount of appropriations \$41,000 00 Amount expended to September 30th, 1830, 25,872 11

Amount in the hands of the agent, September 30th, 1830, 10,428 05 Amount in the Treasury, 9,900 00 Balance available on the 30th September, 1830, 12,602 08

Since the date of the last annual report in relation to this work, a very efficient dredging machine has been put into successful operation on that part of the swash at Ocracock Inlet denominated the Flour-dred Slue, and has been in operation there at since the 7th August, 1830. Said machine is worked by a steam engine of 15 horse power, on the high pressure principle. A steam towboat of 10 horse power, and 4 relieving lighters, containing each 8 cubic yards, accompany and assist the operation of the machine in conveying away and discharging the sand.

With the means above mentioned, the sand is now removed from the Flour-dred Slue, in fair weather, at the rate of 24 cubic yards per hour, which is as much as the towboat and lighters now in use are capable of conveying away and discharging. Owing to the constantly unfavorable state of the weather since the machinery was put into operation, the quantity of sand as yet removed from the shoal has been comparatively small, and amounts at the present date to 336 cubic yards. The depth of water on the shoal where the machinery operates is 9 feet and although the vessel at ebb tide is left aground, her draft of water being 5 feet 4 inches; yet the importance of cutting away the shoal-est part first has induced me to incur this risk.

The dredging apparatus originally projected for this service, and executed by contract bearing date May 19, 1829, was found on trial to be inadequate to the accomplishment of the object, and unsuited to the size of the vessel, as shown at large by my report to the Department, dated 16th April, 1830; in consequence of which, a new plan of dredging apparatus was forthwith adopted, and placed in the vessel, with the sanction of the Engineer Department, being the one now in operation, which has fully realized every expectation, and appears well calculated for this locality. The expense incurred in carrying into effect this alteration and improvement in the machinery has been \$5,000, yet to be paid over. The work was executed by contract with Mr. John P. Strepell, of Baltimore, and bears date 24th April, 1830, a copy of which accompanies this report.

The monthly expense of the operations amounts at the present time to about \$600, including repairs and contingencies.

The Flour-dred Slue has been selected to be opened, as affording a much nearer and more direct communication with the sea, and being better sheltered, than any other channel; and through it vessels can nearly lay their course out with the prevailing winds. Horse Island channel has been selected as a harbour for the dredging machine, and vessels attached thereto; and in it they have already withstood the effects of several severe gales.

Ocracock appears to be the only outlet to the sea of the whole region of country bordering on Pamlico and Albemarle sounds and their tributary streams; in consequence of which, considerable interest appears to be manifested in relation to this work by the inhabitants of the seaport towns, and country lying thereon. The excavations, as far as they have been made, remain as yet unaltered.

A drawing of the machine, and a small map of Ocracock Inlet, accompany this report, which is respectfully submitted to the Chief Engineer.

GEORGE H. EATON, Lieut. U. S. Engineers, Portsmouth, N. C. October 1, 1830.

Portsmouth, N. C. November 30, 1830. SIR: I have the honor to submit herewith an estimate for carrying on the operations at Ocracock Inlet, North Carolina, during the year 1831. The experience as far obtained in relation thereto is entirely demonstrative of the practicability of opening it. (See 4th page.)