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THE CONSTITUTION AND THE LAWS—THE GUARDIANS OF OUR LIBERTY

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CAPTIONS OF ACTS AND RESOLUTIONS PASSED AT THE CALLED AND ADJOURNED SESSIONS OF 1866.

[Concluded.]

52. An act further suspending the operation of the statute of limitation. Provides that in all cases when the loss of time is made a bar of the claims, the time between the 20th of May, 1861, and the 1st of January, 1867, shall not be counted.

53. An act to extend the time allowed to widows to enter their protest to the last will and testament of their husbands.

Provides that when an estate has not been finally settled, the widows of all testators whose wills have been admitted to probate since January 1, 1862, and before the 1st day of May, 1865, whose real estate has not been sold, may have six months from the ratification of this act to enter their dissent to the same, and allow her (if she dissents from the will) the same right of dower as if her husband died intestate.

54. An act concerning indictment in the courts of Oyer and Terminer.

Provides that defendants in all bills of indictment found but not disposed of at the several courts of oyer and terminer shall be held for trial at the next regular term of the county in the same manner as though the said bill had been found at a regular term of the Superior Court.

55. An act to authorize the county court of Cumberland to appoint inspectors of Naval stores.

56. An act to amend the county line of Mitchell county, and to annex a part of Yancey county to the county of Mitchell.

57. An act to incorporate the Leaksville Male Academy in the county of Rockingham, and to appoint the Trustees thereof.

58. An act to amend an act passed by the General Assembly at the session of 1858-'59, entitled an act to amend an act passed by the General Assembly of North Carolina at the session of 1854-'55, to incorporate the town of Lenoir in Caldwell county.

59. An act to regulate salaries and fees.

Allows the Governor \$4,000 and furnished house; Councillors of State the same pay as members of the General Assembly, for every day of attendance; Judges of the Supreme and Superior Courts \$2,500; Public Treasurer \$2,000; Chief Clerk to the Treasurer \$1,500; Secretary of State \$1,250 and fees; Private Secretary to Governor \$1,000 and fees; Attorney General \$100 for his attendance on each regular term of the Supreme Court, and \$20 for each term of the Superior Court he shall attend, and the fees allowed by law; each Solicitor of the State \$20 for every term of the Superior Court he shall attend, and fees; Reporter of the Supreme Court \$600 and fees; Public Librarian \$600; Messenger to Governor \$365; Clerk of the Supreme Court \$500, and forty cents for recording, as heretofore, besides the regular fees; Clerks of the Superior and County Courts, and Clerks and Masters in Equity, Jurors and Witnesses, fifty per cent in addition to the fees now allowed by law.

60. An act to punish seditious language, insurrections and rebellions in the State.

Any person guilty of seditious language, spoken, written or printed, or endeavoring to incite insurrection, conspiracy, sedition or rebellion against the government of the State, shall stand in the pillory one hour, receive one or more public whippings, not less than thirty-nine lashes each, and be imprisoned twelve months; and punishes with death any person found guilty of rebellion or insurrection, or inciting others to engage therein.

61. An act to consolidate and amend the several acts heretofore passed for the better regulation of the town of Jacksonville, in Onslow county.

62. An act to re-enact sec. 4, chap. 102 Revised Code.

63. An act to amend an act, entitled an act to amend the charter of the town of Salisbury.

64. An act to restore jury trials to the Courts of Pleas and Quarter Sessions in this State, in criminal cases.

Gives the County Courts jurisdiction to inquire into, try, hear and determine petit larcenies, assaults and batteries, all trespasses and breaches of the peace, and all other crimes and misdemeanors, the judgment upon conviction whereof shall not extend to life, limb or member, excepting those only whereof the original jurisdiction is given exclusively to one or two Justices of the Peace, to the Superior or Supreme Courts.

65. An act to amend sec. 4, chap. 35 Revised Code, relating to fugitives from justice.

So amended as to authorize the Governor to offer the reward for felons who have fled from justice, whether within or without the jurisdiction of the State.

66. An act to outlaw felons who flee from justice.

Gives two Justices of the Peace, or a Judge of the

Supreme Court, on written affidavit, filed and retained, that a felony has been committed and the person fled from justice, or evades the usual process of law, the power to issue proclamation against such person requiring him to surrender himself, and to empower the sheriff to take such force as he shall see fit to apprehend such fugitive, and if he do not surrender himself, any citizen or officer, after warning him to surrender, may slay him without accusation or impeachment of any crime.

67. An act to provide for the collection of taxes of 1865 in counties where no sheriff or other officer was qualified under the Revenue ordinance of the Convention.

Requires the present sheriffs to collect said tax and pay it over to the Public Treasury.

68. An act to punish vagrancy.

Makes it the duty of any Justice of the Peace, upon proof of any person who may be able to labor and has no apparent means of subsistence, and neglect to apply himself to some honest occupation for the support of himself and family, if he has one, or be found spending his time in dissipation, or gaming, or sauntering about without employment, or endeavoring to get support by any undue or unlawful means, to issue a warrant for the arrest of the offender, to be brought before some Justice of the Peace; and if found to be a vagrant, to recognise him with good security for his appearance to the court next succeeding; and upon failing to give bond, to be imprisoned until court; Provided he may at the court give bond and security for good behaviour and industrious department for one year and be discharged. But if he fail to give bond and pay costs, he shall be prosecuted, and, upon conviction, the court may fine or imprison him, or both, or sentence him to the work house for such time as the court may think fit.

69. An act to punish persons pursuing and injuring horses and other live stock with intent to steal them.

Makes the offender guilty of a misdemeanor, punishable as if convicted of larceny, who shall pursue, kill or wound any horse, mule, ass, jenny, cattle, hog, sheep or goat, the property of another, with the intent to convert to his own use, and all persons who may aid or abet in any such unlawful acts, shall be punished in like manner as the principal actor.

70. An act more effectually to secure the maintenance of bastard children, and the payment of fines and costs on convictions in criminal cases.

Makes it competent for the court (where the putative father is unable to pay costs and charges) to sentence him to the House of Correction not exceeding twelve months. Provided, however, that such putative father, at his discretion, instead of being imprisoned or sent to the House of Correction, may bind himself as an apprentice to any person he may select for such time and for such sums as the court may direct, the binding to be done in open court, and the price obtained shall be paid to the county trustee. This act to go into effect the first day of April, 1866.

71. An act to secure to agricultural laborers their pay in kind.

When laborers in agriculture shall contract for wages or a part of the crop cultivated by them, such part shall not be subject to sale under executions against their employers or the owners of the land cultivated.

72. An act to prevent wilful trespasses on lands and stealing any kind of property therefrom.

When done feloniously the party shall be deemed guilty of larceny and punished as for that offence.

73. An act to prevent enticing servants from fulfilling their contracts, or harboring them.

Gives the employer the right to sue such person or persons so enticing or harboring, and on recovery shall have judgment for the actual double value of the damages assessed.

74. An act to establish work houses or houses of correction in the several counties of the State.

A majority of the Justices of the Peace of the several counties of the State concurring therein, may, when they deem it necessary, establish within their respective counties, one or more fit and convenient houses of correction, with work shops and other suitable buildings for the safe keeping, correction, governing and employing of offenders legally committed thereto.

75. An act to incorporate the Rock Island Manufacturing Company in Mecklenburg county.

76. An act to authorize the Public Treasurer to receive and invest the land scrip donated to this State for the establishment of an Agricultural College.

Authorizes the Treasurer to demand and receive the lands and land scrip donated by Congress, and to sell said scrip (by and with the advice of the Governor,) from time to time, for the highest price which can be obtained in such market as he may deem best, and invest the proceeds in stocks of the U. S. or of other States, or some other safe stock yielding not less than five per cent.

77. An act entitled an act to incorporate the town of Graham in the county of Albemarle.

78. An act to legalize the acts of the County Courts of Gaston and Lincoln counties.

This act legalizes the Court of Pleas and Quarter Sessions held by the Provisional Magistrates of Gaston county in August 1865, and the court held for the county of Lincoln in January 1866, and directs the Sheriffs of said counties to collect the taxes levied by the magistrates at said courts.

79. An act to incorporate Union Mining Company in the county of Rowan, North Carolina.

80. An act to amend the charter of the Governor's Creek Steamboat Transportation and Mining Company.

81. An act to renew the charter of Hiwassee Turnpike Company.

82. An act in relation to the town of Goldsboro, in the county of Wayne.

83. An act to revive and amend an act to incorporate Sulphur Springs Camp ground in the county of Cleveland.

84. An act to amend an act entitled, an act for the relief of landlords.

So amended as to extend to all cases in which any grants or leases have been made of lands heretofore claimed as abandoned lands under any orders of the Treasury Department of the United States or of the Bureau of R. F. & A. lands, or of any officer of either of them, and upon the restoration of said lands, the said grants or leases have been or may be assigned or transferred by either of the said Departments or any officer thereof, and assigners and transferees shall be entitled to all the benefits of the provisions of the original acts.

85. An act to incorporate the Mystic Tie Lodge No. 237 in the town of Marion, McDowell county.

86. An act to repeal the 17th section of an act passed by the General Assembly at its Session in the year 1825, entitled an act for the regulation of the town of Beaufort.

87. An act to incorporate Stokes Lodge No. 32 of Free and Accepted Masons, in the town of Concord, county of Cabarrus.

88. An act to incorporate Little River Select School in the county of Orange.

89. An act to incorporate the Carolina Joint Stock Insurance and Trust Company.

90. An act for the relief of the President, Directors and Company of the Washington Toll Bridge.

Relieves them from all forfeitures and penalties incurred for failing to rebuild said bridge, since its destruction by fire, and allows them to rebuild the same within twelve months from the ratification of this act, and give them the privilege of substituting a boat until the bridge is rebuilt.

91. An act to incorporate the Rudisil Gold Mining Company, in the County of Mecklenburg, North Carolina.

92. An act to legalize the Courts of Pleas and Quarter Sessions held by the Provisional Justices in the county of Mecklenburg.

This act alludes to the courts held for said county in July and October 1866, and January 1866.

93. An act to extend the limits of the town of Swansboro, in the county of Onslow, and for other purposes.

94. An act to authorize the Wilmington, Charlotte and Rutherford Rail Road Company to extend said road.

95. An act to amend chapter 40 Revised Code, entitled draining and daming lowlands.

96. An act concerning salaries and fees. Provides that where no salary or fees of State officers have been regulated by the General Assembly, the same shall be regulated by chapter 102 Revised Code.

97. An act to amend chapter 75 of the Revised Code, entitled Notaries.

Gives Notaries Public the power to take and to certify acknowledgments or proof of powers of Attorney, mortgages, deeds and other instruments of writing, (except the examination of *feces covert*), to take depositions and administer oaths in matters incident to their office.

98. An act to incorporate the city of Raleigh.

99. An act to concerning negroes and free persons of color or of mixed blood.

100. An act to legalize the transfer of Registered bonds of this State to bearer.

101. An act to change the jurisdiction of the courts and the rules of pleading therein.

102. An act regulating fees in the Supreme Court.

Allows the Clerk fifty per cent in addition to the salary and fees allowed in Sec. 25, chap. 102, Revised Code, and allows the Marshal \$3 per day for every day in attendance.

103. An act to authorize the Public Treasurer to make special deposits.

Repeals so much of Sec. 11, chap. 112, Revised Code, as make it obligatory for the Public Treasurer to make deposits of the public moneys monthly in the Banks of the State, and authorizes him to make special deposits with the cashier of the Bank of North Carolina.

104. An act to provide for the payment of the State debt contracted before the war.

Authorizes the Public Treasurer to sell bonds to the amount not exceeding \$3,500,000, which bonds shall bear date January 1st, 1866, and run thirty-four years, with coupons bearing six per cent. interest, payable semi-annually.

105. An act to regulate the terms of the Supreme Court, and for other purposes.

Authorizes two terms to be held in the city of Raleigh on the second Mondays of January and June.

106. An act supplemental and amendatory of an act to reorganize the corporate government of the city and academy of Newbern, passed at this session of the General Assembly.

107. An act to secure a better government for the insane Asylum.

Repeals section 7, 8 and 9 of chapter 2nd of the laws of 1858-'59, and provides that the government hereafter shall be vested in five supervisors, to be appointed biennially by the Governor, and the Governor shall be ex-officio chairman of the board, and the said board to be appointed within ten days after the passage of this act, and hold their office until January 1st, 1867.

108. An act to amend an act concerning Justices of the Peace in Bladen county.

Gives five justices the power to transact any business except in levying taxes and appointing special court.

109. An act to amend the act of incorporation of the town of Newbern in Catawba county.

110. An act to authorize the town of Wadesborough to levy taxes.

111. An act to amend an act passed by the General Assembly at the session of 1838-'9, entitled "an act to incorporate the Trustees of Greensborough Female College, in the county of Guilford."

112. An act to incorporate the Mayor and Board of Aldermen of the city of Charlotte.

113. An act to extend the time for collecting taxes under the Revenue Ordinance of the Convention.

Extends the time until the 1st of May, 1866, and allows the Sheriff in collecting the additional tax, 6 per cent. for \$1,000, and if not exceeding \$2,000, 5 per cent., and \$2,000 and upwards 4 per cent.

114. An act to extend the terms of office of certin county officers.

Extends the term of the officers, elected by the Court, until their successors are appointed.

115. An act to abolish the offices of Superintendent of Common Schools, Treasurer of the Literary Fund, and for other purposes.

116. An act for establishing a College for the education of teachers and ministers of the gospel for the colored race.

Provides for the incorporation of the trustees of the Freedmen's college, for the education of those persons of the colored race who may aspire to be teachers or ministers.

117. An act to amend the charter of the Asheville and Greenville Plank Road Company.

118. An act for the better protection of the milling and manufacturing interests of the State.

Provides against the wanton destruction of dams, mill races, &c.

119. An act to incorporate the County Line Lodge, No. 222, A. Y. M.

120. An act to improve the law of evidence.

121. An act to incorporate the Newbern Savings Institution.

122. An act to establish a Board of Commissioners of Navigation for the port of Ocracoke and Hatteras Inlet and its waters.

123. An act to extend the corporate limits of the town of Kinston, and for other purposes.

124. An act to authorize the sale of the Roanoke Valley Railroad.

125. An act regulating the debts created during the war.

When the obligation does not set forth the value of the property for which such debts were created, it shall be admissible for either party to show on trial, by affidavit or otherwise, what was the consideration