

# STATE GAZETTE OF NORTH-CAROLINA.

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*An act for improving the navigation of Roanoke river, from the town of Halifax, to a point or place which shall be one mile below the place where the Virginia line intersects the same.*

WHEREAS the navigation of Roanoke river from the great falls westward, is of important public utility, and many persons are willing to subscribe money to effect the work, and it is just that such subscribers, their heirs and assigns should receive reasonable toll and satisfaction for the money advanced by them to execute the said work, and for the risk they

shall be 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 to open books of subscription at Halifax town, in Halifax county, North Carolina, under the management of Thomas Amis, Willie Jones, Goodoram Darnley, or any two of them; at Danville in Pittsylvania county, in Virginia, under the management of John Wilson, sen. Robert Payne and James Colquhoun, or any two of them; and at St. Tamany in the county of Mecklenburg, in the state of Virginia aforesaid, under the management of Samuel Goode, Hume R. Field and Samuel Hopkins, or any two of them; and at South Boston, in the county of Halifax, in the state of Virginia aforesaid, under the management of George Carrington, John B. Scott and Charles Bruce, or any two of them, for receiving subscriptions to the amount of eighty thousand dollars for the said undertaking; which subscriptions shall be made personally, or by power of attorney, and shall be in dollars; that the said books shall be opened on the first day of February next, and kept open until the twenty third day of October next inclusive; and on the twenty third day in the month of October, there shall be a general meeting of the subscribers at Halifax aforesaid, and the managers shall give notice of such meeting in the state gazettes of North Carolina and Virginia, one month at least before the day for the purpose appointed; and the acting managers shall then and there before such of the subscribers as shall meet, the books by them kept containing a state of the subscribers; and if the capital sum aforesaid shall not have been subscribed, then the managers are to continue to receive subscriptions to make up the deficiency. The acting managers shall make a list of the subscribers, with the sums subscribed by each person, and return the same under their hands to the Secretary's office of the State of North Carolina, to be recorded; and if more than eighty thousand dollars shall be subscribed, the same shall be reduced to that sum by the managers, or a majority of them, by beginning to strike off from the largest subscriptions in the first instance, and continuing to strike off from all a share under the largest, and above one share, until the sum is reduced to the capital aforesaid of eighty thousand dollars; or until a share is taken from all subscriptions above one share, and the sum shall be drawn between subscriptions of equal sums, to determine the number in which each subscriber shall stand on a list to be made by striking off as aforesaid; and the said capital shall be divided into eight hundred shares of 100 dollars each; and any person may subscribe for one or more shares, but not for a part of a share: *Provided*, That unless the two hundred and sixty-six shares shall be subscribed before or at the meeting of the subscribers at Halifax town, on the twenty-third day of October next, all subscriptions made in consequence of this act shall be void; and if two hundred and sixty-six shares shall be subscribed, then the President and Directors are empowered to receive the subscriptions which shall be first offered in whole shares, until the deficiency shall be made up, and they shall return their proceedings in this behalf to the Secretary's office to be recorded.

And be it further enacted, That if two hundred and sixty-six shares or more of the capital shall be subscribed as aforesaid, the sub-

scribers, their heirs and assigns, from the time of the said first meeting, shall be, and are declared to be incorporated by and under the name of the *Roanoke Navigation Company*, and may sue and be sued; and the subscribers present at the said meeting, or a majority, shall elect a President and seven Directors, to conduct the said undertaking, and manage the business of the company for and during such time as the company shall think proper; and on counting the votes of all general meetings of the company, each member shall have one vote for each share as far as ten shares, and one vote for every five shares above ten by him or her held at the time, and any member by writing under his or her hand, executed before a Justice of Peace, and certified, may depute any member to act as proxy for him or her at any general meeting.

III. *And be it further enacted*, That the President and Directors, their successors or a majority of them, shall and may agree with persons on behalf of the company, to open and improve the navigation of Roanoke from the town of Halifax, to a point or place which shall be one mile below the place where the Virginia line intersects the same, by canals, locks or sluices, from place to place, and from time to time, upon such terms as they shall think best; and out of the said capital and money arising from toll, pay for making and repairing all works necessary for the navigation; and also to appoint a Treasurer, not one of their body, but yet a proprietor, clerk, toll-gatherers and such officers, managers and servants as may be requisite, and to agree for their wages, settle and pass their accounts, and also to establish rules of proceeding, and generally to transact all the business of the company in the intervals between the general meetings of the same; and they shall be allowed by the company at their general meetings, a reasonable sum for their trouble: *Provided*, That the Treasurer shall give bond and security as the President and Directors shall direct; and that no officer in the company shall have a vote in passing and settling his account.

IV. *And be it further enacted*, That each subscriber shall pay for every share at the first general meeting to be had on the twenty third day of October next, at Halifax town, North Carolina, the sum of seventeen dollars per share to the Treasurer of the company; and the names of those who fail to pay then and there, may be struck off the books; and others complying with this regulation, may take such shares, and the President and Directors and their successors, or a majority, shall have power from time to time, as money may be wanting, to make and sign orders for that purpose, and direct at what time, and in what proportion, the subscribers shall pay the sums subscribed; which orders shall be advertised at least one month in the state Gazette of Virginia and North Carolina: *Provided*, That the President and Directors shall not demand from the subscribers more than thirty-three dollars and one third per share in one year; and if any of the subscribers shall fail to pay their proportion required, within one month after the same is so ordered to be advertised, the President and Directors, or a majority, may sell at auction, and convey to the purchaser the shares of the subscribers so failing, giving at least one month's notice of the sale, in the gazettes aforesaid; and all such sales shall be in the town of Halifax, North Carolina, and the purchasers of such shares shall be subject to the same regulations, as if the sale and conveyance had been made by the proprietors, and if such sale should not produce the full sum remaining unpaid on the said share, with the incidental charges, the said President and Directors, or a majority of them, may in the name of the company, sue for and recover the balance, with interest thereon from the time the same became due, and payable in any court of competent jurisdiction.

V. *And be it further enacted*, That from time to time on the expiration of the term for which the President and Directors may be appointed, the subscribers at their next general meeting may continue them, or any of them, or choose

others in their stead, and in case of the death, resignation, removal, or incapacity of any of them, may elect others, and may also at any of their general meetings, remove the President or any of the Directors, and appoint others for the remainder of the time for which such persons were to have acted.

VI. *And be it further enacted*, That every President and Director, before he proceeds to act, shall take an oath or affirmation for the faithful discharge of his office.

VII. *And be it further enacted*, That the presence of proprietors having two hundred and sixty-six shares, or a majority of them, shall be necessary to constitute a general meeting; and that there shall be a general meeting on the first day of June, annually, after the first meeting at Halifax town; but if a sufficient number does not attend on that day, the proprietors attending may adjourn from day to day, until a sufficient number does meet, and thence to continue to sit as long as necessary; and the President and Directors shall make report, and render just and distinct accounts of their proceedings, and the proprietors present, or a majority if they find the accounts just, shall grant certificate thereof, and make a statement of the same on the books of the company; and at such yearly general meeting, after leaving in the hands of the Treasurer, such sum as the majority of the proprietors shall judge necessary for repairs and contingent charges, an equal dividend of the profits arising from the tolls by this act granted, shall be made among the proprietors in proportion to their several shares; and on any emergency, the President or a majority of the Directors, in the intervals between the yearly meeting, may call a general meeting of the company at Halifax town, giving one month's notice in the Virginia and North Carolina gazettes as aforesaid.

VIII. *And be it further enacted*, That for the expences the company must incur in cutting canals, erecting locks, making roads, and doing various things for this navigation, the canals, locks, roads, and every work and thing appertaining to the said navigation, with all the profits arising from the same, or any part thereof, shall be, and they are hereby vested in the said company, their heirs and assigns, as tenants in common, for ninety-nine years, in proportion to their respective shares, and the same shall be deemed real estate, and shall be exempt from the payment of taxes, imposition, or assessment; and it shall and may be lawful for the President and Directors when a safe boat navigation shall be completed through or around the falls of Roanoke, to demand and receive at some convenient place or places, at or near the said falls, for all commodities transported through any canal, lock, or sluice made by the said company, tolls according to the following table, and rates as follows, to wit:

	C. nts
Every pipe or hoghead of wine, containing more than 65 gals.	75
Every hoghead of rum or other spirits,	65
Every cask between 65 and 38 gallons, half a pipe or hoghead, barrels one fourth part, and smaller casks or kegs in proportion, according to the quantity of their contents of wine or spirits.	
For casks of linseed oil, the same as spirits,	
Every hoghead of tobacco,	30
Every bushel of wheat, peas, beans or flaxseed,	3
Every bushel of Indian corn or other grain, or salt,	3

(See the last page.)