

# RALEIGH STAR & N. CAROLINA GAZETTE.

THOS. J. LEMAY, Editor and Proprietor.

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## LAW

### STATE OF NORTH-CAROLINA, PASSED BY THE GENERAL ASSEMBLY.

AT THEIR SESSION, WHICH COMMENCED ON MONDAY, THE TWENTY-NINTH OF NOVEMBER, ONE THOUSAND, EIGHT HUNDRED AND FORTY EIGHT, AND ENDED ON THE TWENTY-NINTH OF JANUARY, ONE THOUSAND, EIGHT HUNDRED AND FORTY-NINE.

[BY AUTHORITY.]

AN ACT to incorporate the Island Ford Manufacturing Company in the county of Randolph.

Sec. 1. *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 Alexander S. Harney, Elisha Coffin, John M. Coffin, Thomas Rice, Joshua Cox, B. F. Coffin, Michael Cox, Joshua Foster and others, now manufacturing and trading at Franklinsville, in the county of Randolph, under the name and style of the Island Ford Manufacturing Company, their associates, successors and assigns, be, and they are hereby created a corporation and body politic in law and in fact, by the name and style of the Island Ford Manufacturing Company, for the purpose of manufacturing cotton, wool, iron and all other articles whatsoever, on Deep River, in the county of Randolph and village of Franklinsville; and by that name and style, may sue and be sued, plead and be impleaded, in any court of record; contract and be contracted with, have perpetual succession and a common seal; and acquire, possess and enjoy, and retain real and personal estate, and also goods and merchandise to enable them to carry on their business with profit and advantage, and shall so continue until the first day of January, one thousand, nine hundred and twenty-five.

Sec. 2. *Be it further enacted,* That said corporation shall have power to make all necessary by-laws and regulations, not inconsistent with the laws and Constitution of this State, for its good government; and to appoint officers and agents to transact their business and conduct their operations.

Sec. 3. *Be it further enacted,* That the capital stock of said company shall be twenty thousand dollars, in shares of one hundred dollars each; and the stockholders, or a majority of them in interest, may from time to time, and at any time, enlarge the capital stock of said company, by selling shares therein, at such times and in such manner, to such an amount, and at such prices, as they, in general meeting, may direct, until the capital stock shall amount to fifty thousand dollars; and upon such additional stock being taken, the owners thereof shall to all intents and purposes, to members of said company hereby incorporated, and have equal powers and privileges with the original stockholders; and the capital stock of such corporation shall be personal estate; but the stockholders shall have power to sell, alien and convey, any part of their real estate, which, when sold, aliened and conveyed, shall be considered real estate.

Sec. 4. *Be it further enacted,* That said company shall hold their annual meetings of the stockholders on the Tuesday after the first Monday in January, in each and every year, at their mill in Franklinsville, at which time and place the proper officers and agents shall be appointed. The business shall be conducted by a President and four directors; and the President may call a meeting of the stockholders whenever in his judgment he may think the business of the concern may require it; and there shall also be semi-annual meetings of the stockholders held at their mill, on the Tuesday after the first Monday in July, in each and every year; and in all general meetings of the corporation, the stockholders, in person or by proxy, shall [each] be entitled to one vote for every share of stock owned by him, as high as twenty; and above that, one for every five.

Sec. 5. *Be it further enacted,* That it shall be the duty of said corporation to keep a full and fair record of their proceedings, in a book or books provided for that purpose, and shall produce the same in any court of record, when required by said court.

Sec. 6. *Be it further enacted,* That said corporation shall have power, from time to time, in general meeting, to declare dividends of the net profits.

Sec. 7. *Be it further enacted,* That the stockholders in general meeting, shall have power to adopt such rules and regulations, with regard to certificates of stock, and the transfer and payment thereof, as they think necessary.

Sec. 8. *Be it further enacted,* That whenever any of the stockholders in said corporation shall sell or assign over their shares of stock, respectively held by them, and thereby cease to be stockholders, they shall cease to be members of the company as to all its future operations and transactions; and the purchasers or assigns of said stock shall be entitled to all the rights, and subject to all the liabilities of the former owners.

Sec. 9. *Be it further enacted,* That this act shall be in force from and after its ratification.

[Ratified 29th day of January, 1849.]

AN ACT to incorporate the Union Manufacturing Company.

Sec. 1. *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 Samuel Hill, G. W. Woolten, James Dick, Jesse Walker, Joseph Newlin, William Clark, S. D. Bumpass, Daniel Coltrane, James Hodgkin, J. P. Winstow and William Husbaw, Senr., their associates, successors and assigns, be, and they are hereby created a corporation and body politic in law and in fact, by the name and title of the Union Manufacturing Company, for the purpose of manufacturing cotton, wool, iron, tinseed oil, and the milling business in its various branches; and by that name and style, may sue and be sued, plead and be impleaded, in any court of record; contract and be contracted with; have succession and a common seal; and acquire, own and possess real and personal estate; and shall so continue until the first day of January, one thousand nine hundred and nine.

Sec. 2. *Be it further enacted,* That said corporation shall have power to make all necessary by-laws and regulations for its good government, not inconsistent with the laws and regulations of the State, and shall have power to appoint their officers and agents.

Sec. 3. *Be it further enacted,* That the capital stock of said company shall consist of not less than twenty thousand dollars, or more than one hundred thousand dollars, of shares of one hundred dollars each.

Sec. 4. *Be it further enacted,* That an annual meeting of the stockholders shall be held at the factory on the first Monday in January, in each and every year; at which meeting proper officers shall be appointed to conduct the

business of said corporation, who shall hold their office from year to year or until their successors are chosen; at such and all other meetings, the stockholders shall be entitled to vote, in person or by proxy, one vote for every share held by them respectively to twenty shares; and one vote for every five shares above that number. Nothing in this clause to be construed as to prevent general meetings when the interest of the company may require it.

Sec. 5. *Be it further enacted,* That the stockholders of said company in general meeting, shall have power to adopt rules and regulations, with regard to certificates and evidence of stock and transfer and assignments of the same, and may have power to increase their capital stock whenever the interest of the company may require it.

Sec. 6. *Be it further enacted,* That it shall be the duty of said corporation to keep a full and fair record of their proceedings, in a bound book or books provided for that purpose; and shall produce said record in any court of justice, when required to do so by said court.

Sec. 7. *Be it further enacted,* That dividends of the profits of the concern shall be declared by the officers of the company at convenient times, when the State of the funds render it prudent.

Sec. 8. *Be it further enacted,* That this act shall be in force from and after the ratification thereof.

[Ratified 29th day of January, 1849.]

AN ACT to incorporate Union Manufacturing Company, in the town of Fayetteville.

Sec. 1. *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 E. J. Hale, John S. Pearson, C. P. Mallett, W. P. Mallett, and A. E. Mallett, and their associates, successors and assigns, be, and they are hereby created a corporation and body politic, by the name and style of the "Union Manufacturing Company;" and by that name and style, may acquire, hold, possess and transfer real and personal estate; may contract and be contracted with, may sue and be sued, plead and be impleaded, in all courts of record; have a common seal, with power to break and renew or change the same; have perpetual succession and so continue until the first day of January, one thousand eight hundred and ninety-nine.

Sec. 2. *Be it further enacted,* That said corporation shall have power to establish factories and mills for the manufacture of cotton, iron, wool and wood in their various branches, in the town of Fayetteville, county of Cumberland, and for no other purpose whatsoever.

Sec. 3. *Be it further enacted,* That the capital stock of said company shall consist of thirty five thousand dollars, in shares of one hundred dollars each, with power to increase the same from time to time to seventy thousand dollars.

Sec. 4. *Be it further enacted,* That said corporation shall have power to make all necessary by-laws and regulations or its government, not inconsistent with the laws and Constitution of the State; and shall have power to appoint their officers and agents to transact their business and conduct their operations.

Sec. 5. *Be it further enacted,* That an annual meeting of the stockholders in person or by proxy shall be held in the town of Fayetteville, in the month of April, in each and every year, on such day or days as the company may appoint; at which meeting proper officers shall be appointed to conduct the business of said corporation, who shall hold their office for one year, or until their successors be chosen; but nothing in this clause shall be so construed as to prevent general meetings when the interest of the company may require them.

Sec. 6. *Be it further enacted,* That the stockholders of said company, in general meetings, shall have power to adopt rules and regulations with regard to certificates and evidence of stock, and transfer and assignments of the same.

Sec. 7. *Be it further enacted,* That it shall be the duty of said corporation to keep a full and fair record of their proceedings in a book or books provided for that purpose; and shall produce said record in any court of justice, when required by said court.

Sec. 8. *Be it further enacted,* That the proper officers of said corporation, when expedient, may declare dividends of the net profits thereof.

Sec. 9. *Be it further enacted,* That in case of failure on the part of said corporation to meet its obligations, the private property of the stockholders therein shall be subject by law to the payments of the debts of the corporation, after the property of the corporation is first exhausted, in proportion to the stock severally owned and held by them at the time of said failure, not exceeding an amount equal to the stock held by them respectively.

Sec. 10. *Be it further enacted,* That this act shall be in full force and effect from and after its ratification.

[Ratified 16th day of January, 1849.]

AN ACT to incorporate Blount's Creek Manufacturing Company, in the town of Fayetteville.

Sec. 1. *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 George McNeill, J. M. Bradley, Samuel T. Hawley, H. and E. J. Lilly, J. C. Coit, Wm. Molvrey, H. L. Myrover, John Waddill, James Martin, Alex. McLaughlin and their associates, successors and assigns, be, and they are hereby created a corporation and body politic, by the name and style of "Blount's Creek Manufacturing Company;" and by that name and style, may acquire, hold, possess and transfer real and personal estate; may contract and be contracted with; sue and be sued, plead and be impleaded in any court of record; have a common seal, with power to break and renew or change the same; have perpetual succession and so continue until the 1st day of January, one thousand eight hundred and ninety-nine.

Sec. 2. *Be it further enacted,* That said corporation shall have power to establish factories and mills for the manufacture of cotton, iron and flour, in their various branches in the town of Fayetteville, in the county of Cumberland, and for no other purpose whatsoever.

Sec. 3. *Be it further enacted,* That the capital stock of said company shall consist of thirty thousand dollars, in shares of five hundred dollars each, with power to increase the same from time to time to sixty thousand dollars.

Sec. 4. *Be it further enacted,* That said corporation shall have power to make all necessary by-laws and regulations for its government, not inconsistent with the laws and Constitution of the State; and shall have power to appoint their officers and agents to transact their business and conduct

their operations.

Sec. 5. *Be it further enacted,* That an annual meeting of the stockholders in person or by proxy, shall be held in the town of Fayetteville, in the month of April, in each and every year, on such day or days as the company may appoint, at which meeting proper officers shall be appointed to conduct the business of said corporation, who shall hold their office for one year, or until their successors be chosen; but nothing in this clause shall be so construed as to prevent general meetings whenever the interest of the company may require them.

Sec. 6. *Be it further enacted,* That the stockholders of said company, in general meetings, shall have power to adopt rules and regulations with regard to certificates and evidence of stock, and transfers and assignments of the same.

Sec. 7. *Be it further enacted,* That it shall be the duty of said corporation to keep a full record of their proceedings in a book provided for that purpose, and shall produce said record in any court of justice when required by said court.

Sec. 8. *Be it further enacted,* That the proper officers of said company, when expedient, may declare dividends of the net profits thereof.

Sec. 9. *Be it further enacted,* That in case of failure on the part of said corporation to meet its obligations, the private property of the stockholders therein shall be subject by law to the payment of the debts of the corporation, after the property of the corporation is first exhausted, in proportion to the stock severally owned and held by them at the time of said failure, not exceeding an amount equal to the stock held by them respectively.

Sec. 10. *Be it further enacted,* That this act shall be in full force and take effect from and after its ratification.

[Ratified 16th January, 1849.]

AN ACT to incorporate the Newbern Manufacturing Company.

Sec. 1. *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 Charles Slower, Alexander Mitchell, Alonzo J. Jenkins and Richard N. Taylor, their associates, successors and assigns, be, and they are hereby created a body politic and a corporation in law and in fact, by the name and style of the "Newbern Manufacturing Company;" and by that name and style may sue and be sued, plead and be impleaded, in any court of record; contract and be contracted with; have perpetual succession and a common seal; acquire, own and possess real and personal estate; and shall so continue until the first day of January, one thousand, eight hundred and eighty.

Sec. 2. *Be it further enacted,* That said corporation shall have power to establish factories and mills for the manufacture of cotton, wool and other like materials, in the town of Newbern, and county of Craven, and for no other purpose whatsoever.

Sec. 3. *Be it further enacted,* That said corporation shall have power to make all necessary by-laws and regulations, for its good government, not inconsistent with the Constitution of this State; and shall have power to appoint their officers and agents to transact their business and conduct their operations.

Sec. 4. *Be it further enacted,* That the capital stock of said corporation shall consist of five hundred shares of one hundred dollars each.

Sec. 5. *Be it further enacted,* That an annual meeting of the stockholders, either in person or by proxy, shall be held in the town of Newbern, on the first Monday of November, in each and every year; at which meeting proper officers shall be appointed to conduct the business of said corporation, who shall hold their office one year, or until their successors shall be appointed; but nothing in this clause shall be so construed as to prevent general meetings whenever the interest of the company may require them.

Sec. 6. *Be it further enacted,* That the stockholders of said company, in general meeting, shall have power to adopt rules and regulations, with regard to certificates and evidence of stock, and transfers and assignments of the same; and have power to increase their capital stock, whenever the business of said company may require it, to an amount not exceeding one hundred thousand dollars.

Sec. 7. *Be it further enacted,* That each stockholder shall vote according to the following scale, that is to say, for each share not exceeding five shares, one vote; for every four shares above five and not exceeding thirteen shares, one vote; and for every ten shares above thirteen, one vote.

Sec. 8. *Be it further enacted,* That it shall be the duty of said corporation to keep a full and fair record of their proceedings in a book or books provided for that purpose, and shall produce said record in any court of justice when required to do so by said court.

Sec. 9. *Be it further enacted,* That the proper officers of the said company, when expedient, shall semi-annually declare dividends of the net profits thereof.

Sec. 10. *Be it further enacted,* That this act shall be in force from and after the ratification thereof.

[Ratified 27th day of January, 1849.]

AN ACT to incorporate the Deep River Manufacturing Company.

Sec. 1. *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 Isaac H. Foust, Henry Kiver, Abraham Brower, David Kiver, Alfred M. Brower, John C. Burgess, James W. Brower, David Kiver, Joseph A. Alfred, John Allen, Robert Gray and Mathias D. Bray, their associates, successors and assigns, be, and they are hereby created a corporation and body politic in law and in fact, by the name and style of the Deep River Manufacturing Company, for the purpose of manufacturing cotton, wool, iron, grain and all other articles whatsoever, on Deep River, in Randolph county; and by that name and style, may sue and be sued, plead and be impleaded, in any court of record; contract and be contracted with; have perpetual succession and a common seal; and acquire, possess, enjoy and retain real and personal estate, and also goods and merchandise, to enable them to carry on their business with advantage and profit; and shall so continue until the first day of January, one thousand, nine hundred.

Sec. 2. *Be it further enacted,* That said corporation shall have power to make all necessary by-laws and regulations, not inconsistent with the laws and constitution of this State, for its good government.

Sec. 3. *Be it further enacted,* That the capital stock of said corporation shall not exceed one hundred thousand dol-

ars, nor less than twelve thousand dollars; in shares of one hundred dollars each, and shall be deemed and considered as personal estate.

Sec. 4. *Be it further enacted,* That the stock, property or affairs of said corporation shall be managed by not less than three nor more than five directors, one of whom shall be President of the company, all of whom shall be stockholders, who shall hold their offices for one year and until their successors are appointed. The stockholders shall hold an annual meeting, on the second Monday in February, in each and every year, when the President and directors shall be appointed; in which elections and in all other elections and meetings of the company, the stockholders shall be entitled to one vote for every share held by them respectively, and may vote in person or by proxy, in such manner as may from time to time be prescribed in general meeting. The said directors or a majority of them may choose a president, or, in his absence, a president *pro tempore*. They shall have power to call special meetings of the stockholders, to supply vacancies in their body, to appoint such officers and agents as the stockholders in general meeting may authorize. Dividends of net profits of said company shall be made at such times as shall be determined by the stockholders in general meetings.

Sec. 5. *Be it further enacted,* That a majority of stock must be represented to form a quorum to transact business.

Sec. 6. *Be it further enacted,* That if any of the subscribers for stock in said company shall fail to pay the amount of his subscription at such time and in such instalments as may be called for by the President and directors of the company, it shall be lawful for the company to recover the same, by action of debt, in any court of record in the State, or to sell the stock of said delinquent subscribers, at such time and upon such terms as the President and directors may prescribe; and such delinquent shall receive no dividend until the full amount of his subscription shall have been paid.

Sec. 7. *Be it further enacted,* That the stockholders of said company, a quorum being present, may order a sale of any part of the land, with appurtenances, which they are hereby authorized to acquire and hold; and said land, when sold, shall be considered real estate.

Sec. 8. *Be it further enacted,* That if there shall be no election of directors at any annual meeting as heretofore prescribed, those in office shall continue until the next annual meeting, or until an earlier election can be held by the stockholders in general meeting.

Sec. 9. *Be it further enacted,* That said company shall at all times have a lien upon all the stock or property of the members of the corporation invested therein, for all debts due from them to the company.

Sec. 10. *Be it further enacted,* That upon the payment of the whole amount of stock subscribed for by any individual, the President, under his signature and seal of corporation, shall issue a certificate or scrip to the stockholders for the number of shares so subscribed and paid for.

Sec. 11. *Be it further enacted,* That this act shall take effect and be in force from and after its ratification.

[Ratified 29th day of January, 1849.]

AN ACT to incorporate the Johnston Little River Manufacturing Company, in the county of Johnston.

Sec. 1. *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 Thomas L. Hollowell, Michael Cox and Needham T. Perkins, and their associates, successors and assigns, be, and they are hereby created a corporation and body politic in law and in fact, by the name and style of the Johnston Little River Manufacturing Company, and by that name and style, may acquire, hold, possess and transfer real and personal estate, including all kinds of goods and chattels; may contract and be contracted with; sue and be sued, plead and be impleaded, in any court of record in this State; have a common seal, with power to alter, renew or change the same; have perpetual succession, and shall so continue until the first day of January, one thousand, eight hundred and ninety.

Sec. 2. *Be it further enacted,* That said corporation shall have power to establish factories and mills on Little River, in the county of Johnston, for the manufacturing of cotton, wool, wheat, corn and all other materials whatsoever, that the said company may think practicable.

AN ACT to incorporate Concord Division, No. 1, of the Sons of Temperance.

Sec. 1. *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 Worthy Patriarch, Worthy Associate, Treasurer, Recording Scribe and other officers of the Division of the Sons of Temperance, in the City of Raleigh, known as Concord Division, Number 1, and their successors in office, be, and they are hereby incorporated into a body politic and corporate under and by the name and style of "Concord Division, No. 1, of the Sons of Temperance;" and by that name, may sue and be sued, plead and be impleaded in any court of record or before any justice of the peace in this State; contract and be contracted with; acquire, hold and dispose of both real and personal property, for the use and benefit of the said Division.

Sec. 2. *And be it further enacted,* That the said corporation shall have power to pass all necessary by-laws and regulations for its own government, not inconsistent with the laws of the State, the United States or the constitution of either of them.

Sec. 3. *And be it further enacted,* That this act shall be in force from and after its ratification.

[Ratified 20th day of January, 1849.]

AN ACT to incorporate Rock Spring Tent No. 180, Independent Order of Rechabites, in the town of Wilmington.

Sec. 1. *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 officers, wardens and members who are at present or in future may be of the Rock Spring Tent, No. 180, Independent Order of Rechabites, of the town of Wilmington aforesaid, are hereby constituted and declared to be a body politic and corporate, under the name and style of "Rock Spring Tent, No. 180, Independent Order of Rechabites," to be located in the town of Wilmington and by that name shall have succession and a common seal, and sue and be sued, plead and be impleaded, acquire and transfer property, and pass all acts, by-laws and regulations, as they may deem expedient and proper, not inconsistent with the