ALBICH STAR ON CAROLINA CARETY

THOS. J. LEMAY, Editor and Proprietor.

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TTHREE DOLLARS a Vest, in Advance

VOL. 40.

RALEIGH, N. C. WEDNESDAY, APRIL 26 1849.

Ng. 17.

LAWS

ETATE OF NORTH-CAPILITA. PASSED BY THE GENERAL ASSEMBLY

THEIR RESSERVE, WHICH COMMERCED ON MOSDAY, THE TWESTIRTH CO NOVEMBER, ONE THOUSAND, EIGHT HUNDRED AND FORTT RIGHT, AND ENDED ON THE TWENTY-NINTH OF JANUARY, UNE THOUSAND, RIGHT BUNDRED AND PORTY-NINE.

[BY AUTHORITY.]

AN ACT to incorporate the town of Swans oro'. Sec. 1. Be it enacted by the General Assembly of the State to work the public streets and roads in said town, shall be of North Carolina, and it is hereby enacted by the authority of the same, That Capt. Lamberson, Daniel Ambrose, Wilnis, be, and the same are hereby appointed commissioners for the town of Swansboro', in the county of Ouslow.

Sec. 2. Be it further enacted, That the said commissioners before entering upon the duties of their office, shall take an oath before some justice of the peace of said county, faithfully and impartially to perform their duties as said commissioners; and therenpon, they shall be constituted a body politic and corporate, by the name and style of Commissioners of Swansboro'.

Sec. 3. Be it further enacted, That said commissioners shall have power to appoint a Magistrate of Police and town Treasurer, and to lay and collect a tax on the inhabitants and property of said town, not exceeding twenty five cents on the poil, and ten cents on the hundred dollars value of swn property, per annum; and to enact all such rules and regulations as they, or a majority of them, may deem necestsary for the good order and regulation of said town, not inconsistent with the constitution of the United States or the constitution of this State.

Sec. 4. Be it further enacted, That whenever any vacancy shall occur in the said board of commissioners, said vacancy shall be filled by said commissioners or a majority of hem; and the person so elected shall have full power and

authority as if appointed by this act. Sec. 5. Be it further enucted, That the sheriff of the county of Onslow shall be the collector of the town tax, under the lirection of said commissioners. And said taxes, when colected, shall be applied to the improvement of said town. Sec. 6. Be it further enacted, That this act shall be in

force from and after its ratification.

AN ACT to incorporate the town of Stadesville, in Hyde

county. See. 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 Edmund Slade, John L. Martin, Charles B. Russell, Joseph E. Blount and John E. Fortescue, and their successors in office (chosen in the manner hereinafter describ ed) be, and they are hereby constituted a body politic and corporate, under the name and title of commissioners of the town of Stadesville, in the county of Hyde,

Sec. 2. Be it further enacted, That said commissioners (or a majority of them) shall have full power and authority to make all necessary by-laws for the government of said town, which are not inconsistent with the constitution of this State or of the United States, to contract and be contracted with, to sue and be sued, plead and be impleaded, by that name and title, and they are hereby invested with all powers and rights necessary and usually appertaining to municipal cor-

porations. That said commissioners, before entering upon Hyde, that they will support the constitution of the State town of Sladesville, to the best of their ability; that it shall he the the duty of said clerks to record said oaths in a book to be kept in his office; and said commissioners shall each sign said oath.

Sec. 4. It shall be the duty of said commissioners, within three months from the time of their qualification as aforesaid, to make a plat of said town of Sladesville; and each of said commissioners shall sign said plat; and the same shall be returned to the ensuing county court of Hyde county, and shall be registered in the Register's office of said county, and filed in the clerks office of said court : said commissioners shall appoint one of their body Intendant who shall have power to convene a meeting of said commissioners whenever he shall deem it necessary.

Sec. 5 That said commissioners shall remain in office until others are chosen or appointed to succeed them. It shall be lawful for a majority of said commissioners at any time to fill any vacancy which may occur in their body either by death, resignation, removal or otherwise; and any appointment so made, shall be entered in the clerks office as aforesaid; and said commissioner shall be qualified, before he shall act as such.

Sec. 6. Said Intendant of Police shall have full power to issue warrants, directed to the sheriff or any constable of said county of Hyde, against any person or persons, for any violations of any ordinance or regulation which said commissioners may have made for the government and comfort of said town : said Intendant shall have full power to hear and determine all such warrants, and to give such judgment thereon as the regulations of said commissioners will justify : Provided. That any defendant shall be at liberty to appeal from any judgment of said Intendant to the ensuing county court of said county, by giving security as in cases of appeal before justices of the peace; said Intendent of Police shall have full power to issue executions on any judgment rendered by him, and from which no appeal has

Sec. 7. It shall be the duty of said commissioners to keep a record of their proceedings, in a book to be kept for that purpose.

AN ACT to extend the corporate limits of the town of Lincointon, in the county of Lincoln, and for other purposes. South Fork of the L'atawba.

of said town shall have power and authority to appoint one 3 shall be used as the public jail lot. or more overseers, as they may deem proper, to keep all the streets and roads within the corporate limits of said town, as shall have power and authority to sell lot No. 9, in said town. extended by this act, in proper repair; and that the overseer at public sale, and make fulle to and convey the same to the or overseers so appointed, shall have power and authority, purchaser, upon such terms as the county court, a majority to call out all persons residing within one mile of the court of the acting justices being present, shall prescribe; and pay house within said town liable to work on public roads, to over the proceeds of the sale to the county treasurer. keep the streets and roads within the corporate limits of said town, in good repair, under such rules, regulations and pen- ANACT to repeal the 2nd section of an act, entitled "An act alties, as are now prescribed by law, or such as may be adopted by the police of said town, not inconsistent with the laws of this State: Provided however, that no person liable

liable to work any other public road in said county. Sec. 3. Be it further enacted, That the commission tiam Fennand, Robert McLane, Israc Ewas, and Capt. Den- ers of said town shall have power and authority to appoint such number of patrollers for said town as they may deem necessary, whose duty it shall be to patrol said town within the limits herein prescribed, according to the laws now in force governing patrollers, or such rules and regulations as may be adopted by the commissioners of said town, not inconsistent with the laws already prescribed for the government of patrollers.

Sec. 4. Be it further enacted, That the commissioners of said own shall not possess, enjoy nor exercise any rights or privleges, without the corporate limits of said town, as they stood before the passage of this act, except the power of working and keeping up the streets and public roads, and patrolling within the limits as extended by this act.

AN ACT to incorporate the town of Asheville,

Sec -1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby engeted by the authority of the vame, That the sheriff of the county of Buncombe shall hold an election for five commissioners, for the town of Astreville, on the first Monday in January, 1849, or as soon thereafter as convenient, first giving ten days previous notice. hereof, by advertisement at the court house door.

Sec. 2. Be it further enacted, That said election shall be reld under the same rules and regulations as elections for the members of the General Assemtly are held; and every citizen residing within the corporate limits of said town, as hereinalter defined, who is qualified to vote for members of the House of Commons, shall be entitled to vote for said commissioners, each voter placing on his ticket the names of the five persons voted for.

Ser. 3. Be it further enacted, That the five persons receiving the highest number of votes, at such ejection, shall be commissioners for said town, and shall be, and are hereby declared to be, a body politic and corporate; and in their corporate name of "The Commissioners of the Town of Ashe ville," shall sue and be sued, and have perpetual succession, and shall have the power, or any three of them, to fill any vacancy that may happen in their body, by death, resignation or refusal to act.

Sec. 4. Be it further enacted. That the same commission-ere shall have power to lay and collect a tax, not exceeding twenty cents on the poll, and ten cents on each tunder dollars value of town property in said town, to be ascertained by the assessment thereof made by law for taxation, as shown by the tax lists returned to the county court of said county; and a tax on each store, grocery and tavern, not exceeding five dollars; and on officers, lawyers and physi- in said town of Monroe; for the election of three commis- Sec. 5. Be it further enacted, That said commissioners not exceeding one dollar each; on every dog, twenty cents; and on hogs allowed to run at large in said town, not exceed ing five cents each; on exhibitions of natural or artificial the clerk of the superior or county court of said county of curiosities, not exceeding five dollars; for the purpose of repairing the streets and side wolks; and to make such by and of the United States, and that they will faithfully and laws, rules and regulations for the government of said town, impartially discharge their duties of commissioners of the as they shall judge proper, not inconsistent with the constitution and laws of the State.

Sec. 5. Re it further enacted, That said commisioners shall have power to appoint a town magistrate and constable, if they deem it advisable, or to call on any justice of the peace or constable of the county of Buncombe, to enforce and carry out any of their ordinances; and it is hereby made, the duty of such justice of the peace or constable to perform the duties required of them; and it shall be the duty of such constable, as they may appoint or call on, to execute the process directed to him, or to collect the tax imposed by said commissioners, and to pay the same over to their treasurer, or such person or officer as said commissioners may appoint to receive the same; and such constable is hereby giv en all the power, to enforce the collection of such tax, that sheriffs have by law for collecting the State and county tax, and shall be allowed the same compensation therefor, and the same fees, for serving process, that constables are allowed for like services.

Sec. 6. Be it further enacted, That before entering on their duties each of such commissioners shall take an oath, before the sheriff, or some justice of the peace for said county, houestly and faithfully to discharge their duty; and shall at all times be subject to indictment for failure or neglect of their duty in repairing the streets and side walks, as overseers of roads are; and any citizen of said town, who is elected or appointed commissioner under this act, and who shall refuse to serve without an excuse satisfactory to the other commissioners, shall forfait and pay to said commissioners, for the repair of the streets, twenty dollars, to be recovered, by action of debt, before the town magistrate or any justice of the peace for said county. . .

Sec. 7. Be it further enacted, That any one being dis satisfied with any judgment of a justice of the peace or town magistrate, shall have the right of appeal, as in other cases as appear from justices' judgments.

Sec. 8. Be it further enacted, That the corporate limits of said town shall be one mile from the court house in every

a public jail thereon.

See. 1. He it enacted by the General Assembly of the Sec. 1. Be it enacted by the General Assembly of the State of State of North Carolina, and it is hereby enacted by the necessary for the good order, regulation and government of North Carolina, and it is hereby enacted by the authority of the authority of the same, That the commissioners for buil said town, not inconsistent with the laws and constitution of same, That from and after the passage of this act, the cor- ding a public jail in the county of Union, be, and they are the state; and they are hereby declared to possess the same porate limits of the town of Lincolnton, in the county of hereby authorized to lay off and condemn that part of power and authority as are usually exercised by the combined, shall be extended to the distance of one mile in each Hayne Street, in the town of Mouroe, contained in the foland every direction from the court house in said town, lowing boundaries, viz: beginning at the South-east corner | Sec. 2. Be it further enacted, That in case of vacancy, except in the direction of Clarke's creek and the South Fork of lot No. 3, and running East twenty feet; thence North by death, resignation, or otherwise, the remaining commisof the Carawba river; and it shall not be lawful to extend one hundred and eighty feet to alley B; thence West twen- sioners shall have full power to fill such vacancy; and the ern boundary of the Hilton plantation, where it corners of the limits of said town across either Clarke's ereck or the ty feet to the North-East corner of lot No. 3; thence with person or persons so appointed shall have and possess as full the Eastern bank of the North-East corner of lot No. 3; thence with person or persons so appointed shall have and possess as full lot No. 3 to the beginning; which portion of Hayne Street, power and authority as if appointed by this act, in the

Sec. 2. Be it further enucled, That the commissioners so laid off, shall be added to lot No. 3, and that said lot No.

Sec. 2. He it further enacted, That the said commissioner

to incorporate the town of Windsor, in the county of Ber tie," and to amend the same.

Sec. 1 Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority if the same, That the second section of the before recited at be, and the same is hereby repeated."

Sec. 2. Be it further enacted, That the magistrate of police and commissioners, elected according to the provisions of the first section of the act aforesaid, shall hold their off ces for the term of one year next after said election, and my til others chosen in their piace shall have entered upon the duties of their office; and the said magistrate and commis sioners and their successors shall be a body corporate, under the name and style of "The Magistrate of Police and Conmissioners of the Town of Windsor;" and as such, shall have a common seal, may sue and be sucd, possess, hold and convey real estate and other property; (may alter, extend and esudaribon lishestab within the limits of said town. giving thereafter seventy days public notice of any change made; may open, after and discontinue public streets as the public convenience may require and justify; shall have power, at their discretion, to abate and remove all nuisances within their corporate limits; to provide against fire and disease; and make all other necessary by-laws and ordinances for the regulation and well-ordering of said town, not inconsistent with the constitution and laws of the State.

Sec. 3 Be it further enacted. That the board aforesaid shall annually appoint persons to conduct the election of the magistrate and commissioners aforesaid, who shall, within three days after said election, make return thereof, under their hands and seals, to the clerk of said board, to be kept among the records of his office; and shall also notify the persons who may be elected, by written communication, delivered to each of them or left at their respective places of residence or business; and any one neglecting to qualify within ten daysafter such notice, unless on sufficient excuse, to be judged of by the board for the time being, shall incur the penalties provided in the first section of said act.

AN ACT to amend an act, passed in 1844-45, entitled "an act to incorporate the town of Monroe, in the county of

Sec. 1. Beit macted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That so much of an act, passed in the year 1844, entitled " An act to incorporate the town of Monroe, in the county of Union," as requires the sheriff of said county to hold an election for three commissioners for said town, on the first Saturday in January in each and every year, be,

Sec. 2. Be it further enacted, That the sherm or . ty be, and he is hereby authorized and required, within the first ten days in Ja mary, in each and every year, either by himself or his lawful deputy, to open polls at the court house in said town. the term of one year thereafter, said sheriff having first advertised said election in three public places in said town, for ten days.

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

AN ACT to amend the acts heretofore passed for the

better regulation of town of Williamston. Sec. 1. Be it enusted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That two deeds of bargain and sale, dated 23rd county of Martin, the one from Henry Williams, D. W. Bayly, Levi S. Yates, John Watts and George Hobbs, commissioners of the Town of Williamston, to Cushing B. Hassell, conveying the old burying grounds therein described, and the other from Gavin Lauger to the commissioners a foresaid and their successors in office, conveying the lot of land therein particularly described, for the purpose of a publie burying ground, be, and the same are hereby declared valid and effectual, to convey title in the lands aforesaid, according to the tenor of the deeds aforesaid, notwithstanding any disability or want of power in the granters or grantees any person appointed to either of said offices, and refusing to convey the said lands, or to deliver or accept the deeds or neglecting to serve, shall torfeit and pay the sum of ten aforesaid; and the present commissioners of the town of Williamston, or their successors in office, shall have power plied to the use of the town; to make and deliver, to accept and receive, deeds, confirming and making valid the title of the land conveyed in the said deeds to the said C. B. Hassell and from the said Gavin La-

Sec. 2. It shall be the duty of the commissoners of the own of Williamston to superintend, manage and improve, the public burying ground as aforesaid, in such manner as they may deem proper, and to adopt and enforce rules for its use and government; and for these purposes, they are hereby clothed with all the powers they possess, to make. any improvement or reparation of the streets in the town aforestid.

AN ACT to appoint Comraissioners for the Town of Ashboro, in the county of Randolph, and to incorporate the

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 Hardy H. Brown, J. M. A. Drake, A. H. Marsh, Jonathan Worth, and R. H. Brown, be, and they are AN ACT to condemn a part of Hayne Street, in the town hereby appointed commissioners for the town of Ashboro', of Monroe, in Union county, for the purpose of erecting in the county of Randelph; and they are hereby declared to possess full power and authority to adopt such rules and regulations, and pass such by-laws as may appear to them

Sec. 3. Be it further enacted, That three of raid com missioners shall constitute a quorum for the transaction of business; and this act shall be in force from and after its

AN ACT to consolidate and amend the several sets betetolore passed for the better regulation of the town of Coucord, in the county of Cabarrus.

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 tree white men of the town of Concord, who shall have resided therein six months next preceding the first. Monday in March of each and every year, are hereby authorized and empowered to convene at the court house in said town, on the said first Monday in March of such and every year, and elect, by ballot, five commissioners, who shall hold their offices for one year thereafter, or until others are elected and qualified as hereinafter provided; and said commissioners so elected and qualified, and their successors n office, shall be, and they are hereby created a corporation and body politic, under the name and style of "The Commissioners for the Town of Concord," with full power to nake all necessary by laws and regulations for the government of said town, not inconsistent with the Constitution or laws of this State or of the United States; to contract and be contracted with, to sue and be shed, plend and be implend; ed, by that name and title; and they are hereby invested with all other powers and rights necessary or usually appertaining to municipal corporations.

Sec. 2. Be it further enacted, That it shall be the duty. of the sheriff, or other person for the time being acting as heriff, of Cabarrus county, to advertise said election at the court house door and two other public places in said town, at least thirty days before the time of holding the same; and it shall be his further duty to appoint two Inspectors of said election, who, together with himself, shall hold the same at the court house on the first Monday in March of each and every year, as hereinbefore provided, between the hours of eleven A. M. and three P. M.; and the persons holding such election, shall make out a certificate thereof, setting forth the names of the persons elected commissioners for said town; and it shall be the further duty of the sheriff, or. other person for the time being acting as sheriff, of said county, to notify the persons so elected of their apprintment, and convene them together at the court house on the next day after their election, and administer to them an oath to support the constitution and laws of this State, and faithfully and impartially to discharge all their duties as commissioners of said town.

Sec. 3. Be it further enacted, That any sheriff or other person for the time being acting as sheriff, of said county, or any person or persons appointed to hold said election, retusing or neglecting to obey and perform the several duties enjoined on them respectively by the preceding section, shall fortest and pay the sum of tifty dollars, to be reany tribunal having jurisdiction thereof.

Sec. 4. Be it further enacted, That no person shall be elected commissioner, unless he shall have resided in said and shall possess ma about tregodium the day of election. ed, for taxation, at not less than one hundred dollars, lying

cians, not exceeding five dollars each; on pleasure carriages, sieners in and for said town, who shall hold their offices for shall have full power to supply ut vacancies in their body, any person either elected or appointed a commissioner under the provisions of this act, and refusing or neglecting to serve as such, shall forfeit and pay the sum of ten dollars, to be recovered in the name of the Board, and applied to the use of the town.

Sec. 6. Be it further enacted, That said commissioners shall, at their first meeting, oppoint one of their number Magistrate of Police, who shall be ex officio chairman o the Board, and shall have one vote therein. He shall take an oath before the Board for the faithful performance of his July, 1817, and now of record in the Register's office of the duties as Magistrate of Police for said town, and shall have all the powers usually incident to that office, such as administering oaths, issuing warrants and other process, and hearing and determining trials in all cases affecting the corporation.

Sec 7. Be it further engeted, That the commissioners of said town shall have power to appoint a town clerk, treasurer and constable; each of whom shall give bond, payable to the commissioners, in such sims as they may require; and shall also take an oath for the faithful performance of their respective duties; and the Board shall allow said officers such salaries and fees as may be deemed right and proper; and dollras, to be recovered in the name of the Board, and ap-

Sec. 8. Be it further enacted, That said commissioners shall be allowed to collect the following taxes and none other, to wit : a sum not exceeding fifteen cems for less than five cents on every hundred dollars worth of real estate therein, a sum not exceeding two dollars nor less than one dollar on every male poll therein taxable by the laws of the State. And they are further authorized to make all necessary rules and regulations for the giving in of taxables and the levying and the collecting the taxes thereon.

Sec. 9. Beit further enacted, That three of said commissioners shall at any time constitute a quorum; and their meetings shall be held at such times, and at such places, as may be determined upon among themselves.

Sec. 10. Be it further enacted, That hereafter the lots at present occupied by B. W. Allison, Esq. and lying in the West end of said town, shall be, and the same are hereby included within the corporate limits thereof.

Sec. 11. Be it further enacted, That all laws, clauses of laws, and all private acts of the General Assembly, inconsistent or conflicting with the provisions of this act, except those, or such parts thereof as define the boundaries of said town, be and the same are hereby repealed.

AN ACT to extend the fimits of the town of Wilmington and for other purposes.

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 corporate limits of the town of Wilmington shall be, and the same are hemby extended to and bounded and circumscribed by the following metes and boundaries, that is to say, beginning at the South Fear river, and running thence Pastwardly five thousand