

the several acres of survey, to enable them to commence and carry on the said surveying, and by them to be applied towards paying charges and expenses incident to the performance of the duties enjoined by this act; and the said commissioners shall render the same in the final settlement of their accounts.

Sec. 15. *And be it further enacted,* That each and every purchaser of any tract or tracts of said land, having obtained a certificate from the commissioners as heretofore provided in this act, his heirs and assigns shall have full power and authority to institute an action of ejectment, in the name of the State of North Carolina, against any person or persons who may be in possession of such tract or tracts of land, and shall, on application, refuse to deliver up peaceable and quiet possession thereof; and the certificate of the commissioners to such person shall be evidence of title and right to sustain said action, unless it shall appear to the court before whom such action is tried, that said purchaser has forfeited his right under said purchase, as in this act provided; and further provided, that the said purchaser shall give bond and security for the payment of all costs accruing in said action, in case of his failure to recover.

Sec. 16. *And be it further enacted,* That until the said section of country is laid off into a separate and distinct county, it shall be and remain subject to the jurisdiction of the county of Macon, and form a part thereof.

Sec. 17. *Be it further enacted,* That no purchaser of lands, under this act, shall be at liberty to transfer their interest in said purchase, only subject to the lien of the security or securities for such part as they may be compelled to pay on their bonds as security; and said lien shall be good and valid in law as an indemnity to said security as aforesaid.

Sec. 18. *And be it further enacted,* That if any person or persons, cutting or removing timber from, or cultivating any portion of the four hundred acres of lands heretofore reserved by this act, for the future disposition of the Legislature, it shall be, and they are hereby made indictable offences in the inferior and Superior Courts of said county, and punishable by fine, at the discretion of the court before which the conviction takes place: *Provided,* nevertheless, that all settlers on any other portion of public land and waiting for the sale thereof, shall be entitled to such crop as they may have growing at the time of the sale provided for by this act.

Sec. 19. *And be it further enacted,* That the commissioners of sale heretofore appointed, shall expose to public sale, to the highest bidder, eight lots heretofore provided to be laid out within the four hundred acres, in the following order: two lots adjoining the public square, and the other six lots in such order as that no two lots so sold shall be adjoining to each other; and the said sales shall be under the same rules and regulations, and the said commissioners shall make return and account for as heretofore provided.

Sec. 20. *Be it further enacted,* That it shall be the duty of the commissioners to be appointed by virtue of this act, to cause to be surveyed, and offered for sale, all the reservations remaining undisposed of in the county of Macon, under the same rules and regulations that are provided for the surveying and selling the lands lately acquired by treaty from the Cherokee Indians.

Sec. 21. *Be it further enacted,* That it shall be the duty of the said commissioners of sale, to expose again to sale, all the lands already surveyed, and now remaining unsold, in the county of Macon aforesaid.

Sec. 22. *Be it further enacted,* That the county scite hereby directed to be laid out by the commissioners aforesaid, shall be known by the name of Murphy.

[Ratified 20th January, 1837.]

An Act concerning bodies corporate 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 no body corporate, hereafter to be established in this State, shall exist for a longer term than thirty years, unless otherwise provided in the act creating the same.

Sec. 2. *Be it further enacted,* That when any act shall have passed, creating a body politic and corporate, and the corporators shall, for the period of two years, neglect or fail to organize the company and carry into effect the intent of the act, or when organized, if they at any time, for two years together, shall cease to act as a body corporate, then such disuse of their corporate privileges and powers shall be considered and taken as a forfeiture of the charter.

[Ratified 10th December, 1836.]

An Act declaring that the shares of stock in incorporated companies shall be deemed and taken as personal estate.

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 shares of stock in all incorporated joint stock companies in this State, be, and they are hereby declared to be personal estate; and as such may be held by aliens, and may be transferable, under such rules and regulations as the corporation to which the stock pertains may from time to time establish, the same not being incompatible with the constitution and laws of this State.

[Ratified 14th December, 1836.]

An Act to encourage the culture and manufacture of silk and sugar 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 whenever any six or more citizens of any congressional district in this State, shall associate themselves together, as a joint stock company, for the growth or manufacture of silk or sugar, or both, and shall subscribe for one hundred shares, of twenty dollars each, of the capital stock of such company; and organize themselves as such, by appointing their President, Secretary, Treasurer and at least three Directors; and notify the Governor thereof, such subscribers and their subsequent associates, successors and assigns, shall be, and they are hereby declared to be incorporated into a joint stock company, by whatever name or style they may think proper to assume; which name they shall also make known to the Governor; and by such name may sue and be sued, plead and be impleaded, before any court or justice of the peace; and shall have succession, and continue their corporate existence for the space of ninety-nine years from and after the date of their organization, unless they voluntarily surrender their charter within that period; and shall be able and capable in law to have, purchase, receive, enjoy, and retain to them, and their successors, lands, rents, tenements, goods, chattels, and effects, of whatsoever nature, kind or quality; and the same to sell, grant, devise, alien, or dispose of; and shall possess and exercise all the rights and privileges of a corporation or body politic in law; and may make and use a common seal, and make all such bye laws, rules and regulations

as may be necessary for the well ordering and management of the affairs of such company, not inconsistent with the constitution or laws of the State: *Provided,* however, that the provisions of this act shall be extended only to such companies as shall be formed within twenty-five years from the ratification thereof; and provided further, that no company formed under this act, shall employ their capital in banking operations.

Sec. 2. *Be it further enacted,* That the Governor, on being notified as aforesaid, of the organization of any such company, shall thereupon issue his proclamation, making known the fact that such company is duly incorporated under this act, together with the name or style of such company, and the names of the officers thereof; a copy of which proclamation, and of this act, under the great seal of the State, shall be held and deemed conclusive evidence of the corporate existence of such company, until the termination of their charter.

Sec. 3. *Be it further enacted,* That every such company may, from time to time, as they may deem expedient, enlarge their capital stock, by additional subscriptions, in shares as aforesaid, until they severally reach the sum of fifty thousand dollars; but no one of them shall extend their capital beyond that sum, without an express permit to do so from the General Assembly. And the stock subscribed in such companies shall be paid in in the following manner, that is to say: ten dollars upon each share shall be paid, in sums of two dollars and fifty cents each, every three months from and after the date of the organization of such companies; and the balance in such sums and at such times as the President and Directors thereof may order and direct; and in case of delinquency of payments, the President and directors of such corporation may enforce payment, by the sale of the stock of such delinquent, or by recourse to law against such stockholder.

Sec. 4. *Be it further enacted,* That there shall be a general meeting of the stockholders of every such company, in person or by proxy, annually; and a majority of the stock being represented, shall then and there elect their President, Secretary, Treasurer, and three, five or seven Directors, for one year, or until their successors shall be chosen; and may do all other acts and things authorised by this act; and in such general meetings each stockholder shall be entitled to give one vote for every share held by him, her or them in such company, up to five; and one vote for every five shares after the first five; and the shares of stock in every such company shall be deemed personal property, and as such shall pass into the hands of administrators or executors, and be assets in their hands.

Sec. 5. *Be it further enacted,* That every such corporation may make contracts, or become bound by instruments, in writing, signed by their President, and countersigned by their Secretary; but the legal estate in the hands of such companies shall not be aliened, except by deed under the corporate seal of such company. Legal process against any such corporation may be served on the President thereof; or, if he cannot be found by the officer, then on any Director. And all the corporate property of every such company, of whatever kind or nature, shall be liable for the payments of the debts of such corporation.

Sec. 6. *Be it further enacted,* That it shall be the duty of every such corporation to keep a full and fair record of all their proceedings, and of their accounts and transactions, in a well bound book, and shall produce said records in any court, when required so to do by such court, as evidence in any matter therein depending for trial. And the secretary of every such corporation, shall enter into bond, with sufficient security, to be judged of by the President and Directors thereof, in the sum of one thousand dollars, payable to the State of North Carolina, for the use of said corporation, for faithfully recording all the proceedings, orders and settlements of the President and Directors, and for the faithful preservation of such records, and the papers of such corporation. And the Treasurer of every such corporation shall, in like manner, before entering upon the duties of his office, enter into bond, with security, to be approved of as aforesaid, in such sum as the President and Directors may judge requisite, for the safety of the funds of such company, committed to his care. And every officer appointed by the President and Directors of any such corporation may, by them, be removed at pleasure, and appoint others in their stead.

[Ratified 20th January, 1837.]

An Act to amend an act, entitled "an act for the more uniform and convenient administration of justice within this State," passed in the year of our Lord one thousand eight hundred and six.

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 in addition to the circuits for holding the Superior Courts of Law and Equity, provided for in the aforesaid act, one other shall be, and is hereby established, denominated the seventh judicial circuit.

Sec. 2. *Be it further enacted,* That the said seventh circuit shall be composed of the counties of Macon, Haywood, Yancey, Buncombe, Rutherford and Burke.

Sec. 3. *Be it further enacted,* That the Superior Courts of Law and Equity in the counties composing said circuit, shall be held on the following times, to wit: Macon, to begin on the fourth Monday of March and September; Haywood, on the first Monday after the fourth Monday of March and September; Yancey, on the second Monday after the fourth Monday of March and September; Buncombe, on the third Monday after the fourth Monday in March and September; Rutherford, on the fifth Monday after the fourth Monday of March and September; and Burke, on the seventh Monday after the fourth Monday of March and September, in each and every year hereafter.

Sec. 4. *Be it further enacted,* That the sixth judicial district shall be composed of the counties of Cabarrus, Mecklenburg, Lincoln, Iredell, Rowan, Surry, Wilkes, and Ashe.

Sec. 5. *Be it further enacted,* That the Superior Courts of Law and Equity, in the counties composing the sixth judicial circuit, shall be held on the following times, viz: Cabarrus, on the second Monday in February and August, in each and every year; Mecklenburg, on the third Monday in February and August, in each and every year; Lincoln, on the second Monday after the third Monday in February and August, in each and every year; Iredell, on the third Monday after the third Monday in February and August, in each and every year; Rowan, on the fourth Monday after the third Monday in February and August, in each and every year; Surry, on the fifth Monday after the third Monday in February and August, in each and every year; Ashe, on the sixth Monday after the third Monday in February and August, in each and every year; Wilkes, on the seventh Monday after the third Monday in February and August, in each and every year, according to the same rules and regulations now prescribed by law.

Sec. 6. *And be it further enacted,* That the terms for

holding said courts shall be continued and held for the same number of days, and in the same manner, as heretofore required by law: *Provided* nevertheless, and it is hereby enacted, that the terms of holding the said several courts of Buncombe, Rutherford, Burke and Mecklenburg shall be two weeks at each term.

Sec. 7. *And be it further enacted,* That there shall be appointed, by the General Assembly, one Judge in addition to those who are now Judges of the Superior Courts of Law and Equity of this State, who shall have and exercise the same powers and authorities as the Judges of the present Superior Courts of Law and Equity have hitherto had and exercised.

Sec. 8. *And be it further enacted,* That there shall be appointed, by the General Assembly, one Solicitor for the seventh circuit, whose duty it shall be to attend the said several courts therein, and prosecute in behalf of the State; and who shall perform the like duties of the Solicitors already appointed by law, and have the same amount of salary and fees as by law are allowed to the other Solicitors of Superior Court Circuits within this State.

Sec. 9. *Be it further enacted,* That all and every of the proceedings now pending in the courts composing the said sixth and seventh circuits, and all processes returnable thereto, including all matters of which the said courts have entertained jurisdiction before the passing of this act, whether criminal or civil, at law or in Equity, shall be continued and stand over to the terms of the said several courts as prescribed by this act, and have the same binding effect that appertained to them or any of them at and before the passing thereof.

Sec. 10. *Be it further enacted,* That any and every kind of process, legally issuing from either of said courts, returnable to the first terms thereof, now prescribed by law, shall be good and available in the said courts, held under the provisions of this act.

Sec. 11. *Be it further enacted,* That the Judges of the Superior Courts of Law and Equity shall each have an annual salary of one thousand nine hundred and fifty dollars, in full compensation for all judicial duties which are now, or may hereafter be assigned to them by the General Assembly, payable semi-annually: *Provided* nevertheless, that if any of the Judges aforesaid shall fail to produce to the Treasurer the certificate or certificates of any of the clerks of the several Superior Courts of the districts assigned them, it shall be the duty of the Treasurer, for any certificate they shall so fail to produce, to deduct one hundred dollars.

Sec. 12. *Be it further enacted,* That all laws and clauses of laws, that come within the purview and meaning of this act, be, and the same are hereby repealed and made void.

Sec. 13. *And be it further enacted,* That this act shall be, and the same is hereby declared to be, in force from and after the passage thereof.

[Ratified 3rd January, 1837.]

An Act restricting the term of Cumberland Superior Court to one week.

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 the Superior Courts of Law and Equity for the county of Cumberland, shall be held on the sixth Monday after the fourth Monday of March, and on the seventh Monday after the fourth Monday in September, in each and every year; and shall continue for one week, and no longer; any law to the contrary notwithstanding.

[Ratified 14th December, 1836.]

An Act empowering Courts of Record to change names.

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 whenever any person shall be desirous to change his or her name, it shall be lawful for him or her to file a petition in any Superior Court, praying that the same may be done; and thereupon the court, at the same term of filing the petition, may decree for the petitioner according to his prayer; and the person whose name is thus changed, may sue and be sued in his or her new name.

Sec. 2. *And be it further enacted,* That all laws and clauses of laws, coming within the meaning and purview of this act, be, and the same are hereby repealed.

[Ratified 3rd January, 1837.]

An Act concerning the Superior Courts of Law and Equity in and for the counties of Moore, Montgomery and Anson.

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 provisions of the act, passed in the year one thousand eight hundred and thirty, chapter forty-seven, concerning the Superior Courts of Law and Equity in the counties aforesaid, and the provisions of an act, passed in the year one thousand eight hundred and thirty-one, chapter ninety, supplemental to the former, and upon the same subject matter, be, and the same are hereby extended for the space of three years from and after the ratification of this act; any thing contained in the said acts to the contrary notwithstanding.

[Ratified 2nd January, 1837.]

An Act to alter the time of holding the Superior Courts of Law and Equity for the counties of Stokes and Guilford.

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 Superior Courts of Law and Equity for the county of Stokes, shall be held in the town of Germanton, on the second Monday after the fourth Monday in March and September; and for the county of Guilford, in the town of Greensborough, on the third Monday after the fourth Monday in March and September; and that the term of said court for the county of Guilford shall continue for two weeks successively, whenever the business of said court requires it.

Sec. 2. *Be it further enacted,* That all process which has been, or hereafter shall or may be issued from the Superior Courts of Law and Equity aforesaid, shall be returnable at the times of holding said courts respectively as herein prescribed.

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

[Ratified 21st January, 1837.]

An Act to repeal an act, entitled "an act for the better administration of justice in the county of Haywood, passed in the year one thousand eight hundred and thirty three, chapter forty one, 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 before recited act be, and the same is hereby repealed.

Sec. 2. *Be it further enacted,* That the Justices of the Court of Pleas and Quarter Sessions, for the county of

holding said courts shall be continued and held for the same number of days, and in the same manner, as heretofore required by law: *Provided* nevertheless, and it is hereby enacted, that the terms of holding the said several courts of Buncombe, Rutherford, Burke and Mecklenburg shall be two weeks at each term.

Sec. 7. *And be it further enacted,* That there shall be appointed, by the General Assembly, one Judge in addition to those who are now Judges of the Superior Courts of Law and Equity of this State, who shall have and exercise the same powers and authorities as the Judges of the present Superior Courts of Law and Equity have hitherto had and exercised.

Sec. 8. *And be it further enacted,* That there shall be appointed, by the General Assembly, one Solicitor for the seventh circuit, whose duty it shall be to attend the said several courts therein, and prosecute in behalf of the State; and who shall perform the like duties of the Solicitors already appointed by law, and have the same amount of salary and fees as by law are allowed to the other Solicitors of Superior Court Circuits within this State.

Sec. 9. *Be it further enacted,* That all and every of the proceedings now pending in the courts composing the said sixth and seventh circuits, and all processes returnable thereto, including all matters of which the said courts have entertained jurisdiction before the passing of this act, whether criminal or civil, at law or in Equity, shall be continued and stand over to the terms of the said several courts as prescribed by this act, and have the same binding effect that appertained to them or any of them at and before the passing thereof.

Sec. 10. *Be it further enacted,* That any and every kind of process, legally issuing from either of said courts, returnable to the first terms thereof, now prescribed by law, shall be good and available in the said courts, held under the provisions of this act.

Sec. 11. *Be it further enacted,* That the Judges of the Superior Courts of Law and Equity shall each have an annual salary of one thousand nine hundred and fifty dollars, in full compensation for all judicial duties which are now, or may hereafter be assigned to them by the General Assembly, payable semi-annually: *Provided* nevertheless, that if any of the Judges aforesaid shall fail to produce to the Treasurer the certificate or certificates of any of the clerks of the several Superior Courts of the districts assigned them, it shall be the duty of the Treasurer, for any certificate they shall so fail to produce, to deduct one hundred dollars.

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Sec. 2. *Be it further enacted,* That all process which has been, or hereafter shall or may be issued from the Superior Courts of Law and Equity aforesaid, shall be returnable at the times of holding said courts respectively as herein prescribed.

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holding said courts shall be continued and held for the same number of days, and in the same manner, as heretofore required by law: *Provided* nevertheless, and it is hereby enacted, that the terms of holding the said several courts of Buncombe, Rutherford, Burke and Mecklenburg shall be two weeks at each term.

"PERPETUAL MOTION."
Our notice a few weeks since, of the self-moving machine invented by Dr. String fellow of this city, excited considerable comment, both home and abroad; and of course, were generally deemed quite "credulous," for our remarks. Within a few days it has been exhibited to a great number of citizens, and all agree; and we believe, that with a single exception, all have pronounced it to be a self-moving machine. All watchmakers and mechanics have given it a critical examination, and are fully satisfied that there is no secret agency connected with it—and indeed to all common observers, it appears, from its simple construction, to be impossible. The doubting gentlemen, think possible that there be a "secret power," but every individual, who has seen it taken to pieces, and tested in various ways, believe decmsuch an idea preposterous. We regret that it has not been fully examined by a committee of our mechanics, that all cavilling might be put to rest. We now consider it a pledge to the public redeemed; if we have been too credulous, we are in midst of a community equally duped.

The machine, we understand, leave the city to-day for exhibition at other places.—Macon Mess.

FROM TEXAS.
From the Texas Telegraph, Feb. 18. We understand that General Taylor has resigned the appointment of Secretary of State, to which he was appointed after the decease of Gen. S. Austin.
La's Appointments by the President.
Gen. J. PINKNEY HENDERSON, Secretary of State.
Colonel PERRY W. GRAYSON, Attorney General.
We learn from a gentleman who has just arrived from Beaufort, that Mr. Navarro had reached that place a few days before he left. Mr. Navarro represented as being decidedly friendly to our cause, and one whose state were entitled to credit. He stated that the Mexican forces destined for Monterey, consisted of one thousand troops, two thousand at Matamoros, and one hundred at Laredo; that they were in a state of insubordination, clothed, and worse fed, many of them in irons, and the remainder will stay there and fight the Texas