THE STAR AND NORTH CABOLINA GAZETTE.

RALEIGH, N. C. WEDNESDAY, APRIL 26, 1837

LAWS OF NORTH CAROLINA. Passed at the Session of 1836--'37.

An Act to incorporate the Raleigh and Columbia Rail Road Company. [Concluded.]

SEC. 35. The President and Directors shall render dis-tinct accounts of their proceedings and disbursements of mo-all intents, as well criminal as civil, a part of the Wilmington ney, to the annual meeting of the stockholders.

Columbia Rail Road Company, shall be executed with dili- have been made, all the rights and privileges acquired under gence; and if they be not commenced within two years alter the passage of this act, and finished within ten years after sand eight hundred and thirty three, entitled "an act to incorpothe first general meeting of the stockholders, then this charter shall be forfeited.

SEC. 37. The President and Directors shall cause to be ever, to all payments due or to become due thereon; and such State.

assignee, having first caused the transfer or assignment to be entered in a book of the company, to be kept for the purpose, shall theuceforth become a member of the company foresaid, and shall be liable to pay all sums due or to be come due upon the stock assigned him: Provided, however, that such assignment shall in no wise exempt the assignor o his representative from their liability to the said company for be, and they are hereby authorised to charge for toll and transthe payment of all such sums, if the assignce or his repre- portation, on all produce, goods, wares and merchandize consentative shall be unable or fail to pay the same,

SEC. 38. If any person of persons shall wilfully, by any means whatever, impede or hinder the construction of, injure, impair, or destroy any part of the rail road to be constructed under this act, or any of the uecessary works, machines, wagons, vehicles, carriages, or other property belonging to the said company, or shall place any obstruction on said road, such person or persons shall be deemed guilty of a misdemeanor, and on conviction thereof in the Court of Pleas and Quarter Sessions, or Superior Court of Law, of the county in which the offence may be committed, shall be fined and imprisoned at the discretion of the court.

SEC. 39. Be it further enacted, That when the General Assembly may be of opinion that the charter hereby granted duce or other commodity at any other than a a regularly estab-shall have been violated, it may be lawful, by joint resolution lished place of deposite on said road; but if the said company of the two Houses, to direct the Attorney General, with such | can, at any time, conveniently take up and put down passen-Assistant Counsel as the Governor or Legislature may think gers at other places than their regular places of deposite, then proper to engage, to issue a writ of scire facias, returnable before the Judges of the Supreme Court, calling upon the fifty cents in each case for so doing in addition to the rates now said corporation to show cause why their charter shall not be forfeited, subject to the same proceedings as are now prescribed by law in case of other corporations. Their books shall at all times be open to the inspection of a committee of the General Assembly appointed for that purpose; and the President of said company shall biennially make a report to the Legislature, on or before the third week of their session, of their receipts and expenditures, and of such other of their

proceedings as he shall deem proper. SEC. 40. Be it further enacted, That any rail road which may hereafter be constructed by the State or by any company incorporated by the Legislature, shall be at liberty to cross the road hereby allowed to be constructed, upon a level or otherwise, as may be advantageous, provided the free passage of the Raleigh and Columbia Rail Road is not thereby, obstructed.

SEC. 41. Be it further enacted, That whenever the rail An Act to amend the charter of the Cape Fear, Yadkin and road shall be so crossed or approached by any other rail road

be owned and possessed by the Wilmington and Raleigh Rail Road Company aforesaid, and be owned and held and possess-ed by the said company in the same manner that all the other property, real and personal, which has been acquired by the said company is owned, held and possessed; and the road which may have been built, or partly built, by the Halifax and Weland Raleigh Road.

SEC. 33. The works hereby required of the Baleigh and SEC. 3. So soon as the subscription hereby authorised shall the before recited act of Assembly, passed in the year one thourate the Halifax and Weldon Rail Road Company," shall cease and the corporate existence of the said company be determined.

SEC. 4. The assent of the said Wilmington and Raleigh Rail Road Company, and Halifax and Weldon Rail Road Comwritten or printed, certificates of the shares of the stock in pany, to the subscription of stock as aforesaid, evidenced by a the said company, and shall deliver one such certificate, sign- paper writing, under the hands and seals of the President and ed by the President and countersigned by the Treasurer, to Directors of the said corporations, shall be made matter of reeach person, for the number of shares subscribed by him, cord, by registering the same in the Register's office of Haliwhich certificate shall be transferable by him, subject how- fix county, and recording it, in the office of the Secretary of

[Ratified 10th January, 1837.]

An Act to amend the charter of the Portsmouth and Roanoke Rail Road Company.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the sime, That the Portsmouth and Roanoke Rail Road Company veyed on their road, at a rate not exceeding four cents per ton, per mile, for toll, and eight cents per ton, per mile, for transportation except on specie and bullion; on which articles the said company is hereby authorised to charge double the foregoing rates; for a single small package, twenty-five cents, including the charge for receiving and delivering the same; and for pleasure carriages, such rates as the parties interested may agree upon, so that the rates charged are uniform and equally

apply to all persons. SEC. 2. Be it further enacted, That whenever the said Portsmouth and Roanoke Rail Road Company, shall have established a depot, at some convenient point between Margarettsville and Gareysburg, then it shall not be obligatory on

said company to taky up or put down any passenger or prothe said company shall be authorised and empowered to charge authorised by law.

SEC. 3. Be it further enucted, That as soon as the afore-said depot shall be established, if the said President and Directors shall, by reason of the said rail road being out of repair, or from any other cause, fail or neglect to transport any produce or other commodities, which may be deposited at any established depot on said rail road in this State, and which the said President and Directors, or either of them, shall be required to transport, the toll for the transportation being ten

lered to some acting agent of said road, for such failure or neglect the company shall be liable to the action of the party injured by such failure or neglect. SEC. 4. And be it further enacted, That this amended char-

ter shall take effect and be in force when the President and Directors shall signify their acceptance thereof, and file the same in the office of the Secretary of State. [Ratified 19th January, 1837.]

Yadkin and Pedee Rail Road Company, be hereafter known by

SEC. 2. Be it further enacted, That they are hereby author-

river above the Narrows; thence, by two branches, the one lead-

SEC. 4. Be it further enacted, That when the nett profits

capital stock, with six per centum interest thereon, then the

and shall be entitled to demand and receive freight for trans-

portation on goods, wares, merchandize, produce and passen-

which they by their act would be entitled to receive, if convey-

SEC. 8. Be it further enacted, That so much of the art in-

Company.

Pedee Rail Road Company. Be it enacted by the General assembly of the State of States where the said rail road shall be constructed under this charter.

SEC. 11. It shall be the duty of the said company to transport all produce and other commodities, delivered at any place of deposite established by said company on said road, and to. transport the same in the order of time in which such produce and other commodities shall have been received, so as to do

equal justice to all and give preference to no one. SEC. 12. Be it further enacted. That all the property own ed by the said company shall be deemed and held as personal estate, and shall not be subject to faxation for fifteen years from the passage of this act; after which time, whenever the nett profits of the said company shall exceed six per cent. per annum, the General Assembly of this State may impose a tax,

not exceeding twenty-five cents per share, on each share of the capital stock of the said company. SEC. 13. Be it further enacted. That if the North Carolina Central Rail Road Company shall determine in favor of con-structing their rail road from or near the harbour of Beaufort, to intersect and unite with the rail road authorised to be constructed by this act, it shall be the duty of the said Fayetteville and Western Rail Road Company to give a preference. in the transportation of all produce and other commodities, brought to their rail road by the North Carolina Central Rail Road, so as to occasion no delay thereof; and if the said company shall refuse or neglect to transport the said produce and other commodities, as required by this section, the said company shall be liable to the person or persons aggrieved, for any damage or injury which may result, for such refusal or neglect, to be recovered before any court of record having cognizance. thereof.

Ratified 9th January, 1837.1

An Act to amend the charter of the Louisville, Cincinnati and Charleston Rail Road Company.

Be it enacted by the General Assembly of the Stare of North Carolina, and it is hereby enacted by the authority of the sume, That the charter of the Louisville, Cincinnati and Charleston Rail Road Company be, and the same is hereby amended in the following particulars, that is to say: three of the twenty-four Directors of the said company shall be elected from stockholders residing in each of the States of Kentucky, Tennessee, North Carolina and South Carolina; and twelve of the said Directors may be elected from the stockholders at arge without regard to their place of residence.

SEC. 2. That the said rail road company shall be discharged from all obligations to construct any branches of the said rail road in the State of Kentucky, or to extend the main road n the said State, further than from the Southern line thereof to Lexington, in the said State.

SEC. 3. That whenever it shall be the unanimous vote of the General Directors residing in any State requiring it, the general board of Directors shall apply the amount subscribed by that State or its citizens, in the first place, to the construction of such portion of the said road as may be within the limits of that State.

SEC. 4. In case the State of Kentucky shou'd not agree to the amendments above proposed, the said rail road company shall be, and hereby is constituted a body politic and corporate, in the States of South Carolina, North Carolina and Tennessee with all the powers, rights and privileges granted to it by the acts of the Legislatures of the last mentioned States, incorporating it, discharged from all obligations to construct any road in the State of Kentucky, or to have any Directors therein, or to have more than twenty one General Directors; but nothing herein contained shall be construed to release the said company from the obligations to extend their road to the south boundary of Kentucky.

SEc. 5. Be it further enacted, That the said rail road shall, bass up the valley of the French Broad River, and cross the Blue Ridge, into Rutherford county North Carolina.

SEC. 6. Be it further enacted. That it shall be lawful, and power is hereby given to North Carolina, or any company in- E. corporated by her authority, to join the said road, in any of the of

State, of the regulations, no t the United St ordering and when

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ncorporated by this State, the said Raleigh and Columbia Rail Road Company may erect a depot at or near the point of North Carolinu, and it is hereby enacted by the authority of the intersection, where they may receive and deliver passengers same, That the subscribers and stockholders of the Cape Fear, and freight, and take therefor the same rates of compensation, and be subject to the same regulations, as at other de- the name and style of the Fayetteville and Western Bail Road pots-and should they fail or refuse to erect such depots, the State or company owning such intersecting road, may erect one, and the company hereby incorporated shall receive and deliver passengers and freight at such depots, under the same regulations as aforesaid, unless the same shall be rendered impracticable by the situation of the rail road at such place.

across the valley of the Catawba river, so as to intersect the SEC. 42. Be it further enacted, That this act shall take Charleston and Cincinnati Rail Road, at the most eligible point. effect and be in force from and after its ratification, and shall, SEC. S. Be it further enacted, That the capital stock of said entire and continue for the term of ninety years, and no company shall consist of twenty thousand shares, of one hunonger. dred dollars each, amounting to two millions of dollars.

[Ratified 23d January, 1837.]

An Act to increase the capital stock of the Halifax and-Weldon Rail Road Company.

charges for transportation shall be regulated as not to exceed. Be it enacted by the General Assembly of the State of upon the whole capital stock expended, after deducting all North Carolina, and it is hereby enacted by the authority of the charges for keeping said road in repair and for other purposes, same, That the Halifax and Weldon Rail Road Company be. fifteen per centum interest upon the whole capital stock exand they are hereby authorised to increase their capital stock pended, by said corporation. ten thousand dollars in addition to the capital now authorised SEC. 5. Be it further enacted, That if, upon the examinaby law, and for this purpose, to open books of subscription. at tion of that part of the route leading from the point where the

town of Halifax, under the direction of James Holliday, road shall strike the Yadkin river, or any portion thereof, and Thomas Ousby, James Simmons, Michael Ferrell and Redding extending through the valley of said river to the town of J. Hawkins, or any three of them, and at such other places, Wilkesborough, the stockholders of said corporations, in genand under the direction of such other persons, as the said com- eral meeting, (a majority of two thirds being in favor thereof.) missioners at Halifax may appoint, and to keep the same open shall determine upon the expediency of rendering said river or any portion thereof navigable, they shall be, and are hereby until the stock aforesaid shall have been subscribed.

SEC. 2. Be it further enacted, That whenever the said ad-ditional stock shall have been subscribed, or any part thereof, the and may own, possess and employ upon said river, steam buats owners or subscribers for such additional stock shall be vested and pole boats, and all other crafts suitable or necessary to with all the rights, benefits and privileges, and shall be sub- said navigation; and shall possess all the powers and privileges thority of the same, That it shall be lawful to open books in ject to all the duties, obligations, liabilities and restrictions, now possessed and enjoyed by the Cape Fear Navigation and in all respects stand upon an equal footing with the origin- Company, and shall also be subject to all the limitations and al stockholders in the said Halifax and Weldon Rail Road restrictions which are imposed on the said company, so far as Company.

Ratified 21st January, 1837.]

An Act empowering the Halifax and Weldon Rail Road Company to subscribe their stock to the Wilmington and Ra-

North Chrolina, and it is hereby enacted by the authority of the ing such portion of said river as is now open for navigation, same, That it shall be lawful for the stockholders in the rail fax and Weldon Rail Road Company," to subscribe their stock records in any court of justice, whenever required so to do by ing held and considered as so much of the capital stock of this upon the books of the rail road company, incorporated by an order of said court. act of Assembly, passed in the year one thousand eight hundred and thirty three, chapter seventy eight, entitled "an act to incorporate the Wilmington and Raleich Rail Road Comma to incorporate the Wilmington and Raleigh Rail Road Compa- this act, then this act shall be void and of no effect. ny," upon such terms as may be stipulated between the stock-holders in the Halifax and Weldon Rail Road Company, and orporating the Cape Fear, Yadkin and Pedee Rail Road Com-cpany, as comes within the meaning and purview of this act, be the President and Directors of the Wilmington and Raleigh Rail Road Company.

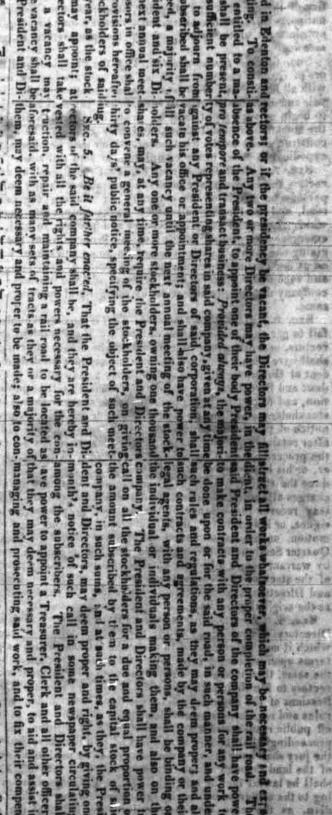
ail Road Company. SEC. 2. Upon the subscription of the stock held by the SEC. 9. Be il further enacted, That this corporation shall olders in the Halifax and Weldon Rail Road Company, exist for the term of ninety years, and no longer, unless rein the books of the Wilmington and Raleigh Rail Road Com- newed by the Legislature. pany, all the property, real and personal, owned and held by Szo. 10. Be it further enacted, That this act shall be in the Halifax and Weldon Rail Road Company, shall vest in and force from and after the ratification thereof. [Ratified 19th January, 1857.]

An Act to incorporate the Norfo k and Edenton Rail Read Company.

WHEREAS, an act of incorporation was passed by the Legis'ature of this State, at its session in one thousand eight hunised and empowered to construct and finally complete a rail dred and thirty four, entitled "an act to incorporate the A beroad from the town of Fayetteville to some point on the Yadkin marle Rail Road Company," which act was confirmed by the Legislature of Virginia, on the twelfth day of February, one ing directly to the town of Wilksborough, the other running thousand eight hundred and thirty-five, upon condition that the said Albemarle Rail Road should intersect "the Portsmouth" and Roanoke Rais Road." at such point thereof, at or near Suflolk, as should be selected by the President and Directors of the Portsmouth and Roanoke Rail Road Company, and upon such terms as they should deem expedients which location or conditions defeated the intentions of the said act, and preventof said company shall have amounted to a sum equal to the ed any further progress therein, than that of opening books of subscription at Edenton, Suffalk and Nortolk, for one landred days, as required by the act, but at which places not a share was subscribed. And whereas it is further represented to this Assembly that a number of the citizens of the counties of Chowan, Perquimons, Pasquotank and Camden, in this State, and of the Borough of Norlotk, in the State of Virginia, are still desirous to construct a similar rai road, provided it st all pass through the said counties, and terminate in the Borough of Norfolk; and, for the accomplishment of so desirable an object. have pledged themselves by subscribing for large sums of money, have already had the route of the road surveyed, and will immediately commence its construction on being invested with the same powers and privileges which were granted to the Albemarle Rail Road Company, or with others of similar import:

Be it therefore enacted by the General Assembly of the State of North Corolina, and it is hereby enacted by the authe town of Edenton, under the direction of James C. Johnston, Joseph B. Skinner, Joseph H. Skinner, Joshua Skinner, Cha's W. Mixon, James Norcom, Sen. or a majority of them; and they may be applicable to the navigation of the Yadkin river; in the Borough of Norfolk, under the direction of Marshall Parks, George McIntosh, John N. Tazewell, Richard H. Chamberlaine, John Cowper, Henry Woodis and Walter Herron, gers conveyed on their boats, at a rate not exceeding the rate or any three of them; and at such other places, and under the direction of such other persons as the commissioners herein leigh Rail Road Company. Be it enacted by the General Assembly of the State of act shall be so construed as to prevent individuals from navigat-the purpose of receiving subscriptions to the amount of four named, or any three of them, shall designate and appoint, for hundred and fifty thousand dollars, to be divided into shares Tame, That it shall be had duty of purpose of making a rail road from the town of Education in the state of Virginias the year one thousand eight hundred and thirty three, chap- said corporation to keep a full and fair record of their proceed-ter seventy-five, entitled "an act to incorporate the Hali- ings, in books provided for that purpose, and shall produce said in the subscriptions already made for the purposes aforesaid, beof fifty dollars each, to constitute a joint capital stock for the company, to construct the rail road from Edenton to Norfolk,

SEC. 2. The time and places of receiving such further subscriptions, shall be advertised in such manner as the commissioners before named may direct, and the books for receiving the same shall be kept open thirty days; and should it ap pear at the expiration of the thirty days, that more than the requisite sum shall have been subscribed for upon the books, including the subscription already made for this object, it shall be the duty of the commissioners, or any three of them, to re-duce the number of shares subscribed for by each individual or body corporate, in fair and equal proportions, uptil the whole,



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