



AND

North-Carolina State Gazette.

Ours are the plans of fair delightful peace, Unwarp'd by party rage, to live like brothers.

MONDAY, MAY 14, 1804

No. 239

VOL. V.

By Authority.

AN ACT

To amend the charter of Alexandria.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the town of Alexandria shall be, and is hereby divided into two districts, by a line running east and west, at an equal distance between King and Prince streets, beginning at the river Potomac and extending to the western boundary of said town, and all that part of the town which is situate north of the said dividing line, shall be called the northern district, and all that part of the town which is situate south of the said dividing line, shall be called the southern district of Alexandria, and where any house or lot shall be situate partly in each district, it shall be considered as laying in that district where the greater part of said house or lot is situate and shall be assessed accordingly, each of the districts aforesaid shall be divided into two electoral wards, by a line passing from north to south through the middle of Pitt street, to be called the first, second, third and fourth ward; none of the taxes on the valuation of real property, which shall hereafter be collected in the northern district, shall be expended in the regulating, or filling up, or paving, or repairing of the streets, or sinking of wells, or building of bridges in the southern district; nor shall the taxes on the valuation of real property which shall hereafter be collected in the southern district, be expended in the regulating, or filling up, or paving, or repairing of the streets, or sinking of wells, or building of bridges in the northern district. But all the moneys to be expended upon the aforesaid improvements in either district, shall be raised by an assessment on the valuation of real property in each district respectively; at the times and in the manner the said common council shall order and direct. It shall be the duty of the assessors and other public officers, to keep the accounts of each district separate and distinct in regard to the assessments for the aforesaid local purposes, and all other taxes, which are now or shall hereafter be assessed or levied, upon the valuation of real property or other subjects, together with the fines and also the rents, issuing from the property belonging to the corporation, and all their other resources, shall constitute a general fund, to be appropriated as the common council shall direct.

Sec. 2. And be it further enacted, That every free white male citizen of full age, who shall be bona fide seized of a free hold estate in the town of Alexandria, or who shall have resided in the town aforesaid for the space of one year, and have been a house-keeper therein for the space of three months next preceding the day of the election, and who shall have been, within that time, charged with any tax upon the public books, and shall have paid such tax, shall be qualified to vote for members to serve in the common council of the said town, and no other person shall exercise the right of suffrage; and the persons qualified as aforesaid to vote shall meet at some convenient place in the ward in which they respectively reside, and elect by ballot four persons for the representatives of such ward in the common council, out of the free white male citizens who shall have arrived to the age of twenty-one years, and shall have resided in the town of Alexandria three years, and in the ward for which he shall be elected, for the space of three months immediately preceding the election, and shall moreover be seized of an estate of freehold in the said ward of the value of five hundred dollars, and be a house-keeper therein. And that the said election shall be held on the first Tuesday of March in every year, by three commissioners to be appointed in each ward for that purpose by the mayor and commonalty for the ensuing election, and afterwards by the common council, when appointments shall be at least ten days before the day of each election, except in regard to the first election to be held under this act. The election for the ensuing year, shall be held at such place in each ward as shall be fixed on by the mayor and commonalty, and thereafter shall be held at such place as shall be appointed by the common council, of which public notice shall be given.

Sec. 3. And be it further enacted, That the members of the common council, elected as aforesaid, or any twelve of them, shall within seven days after their election in each year, assemble themselves at the courthouse, or any other place which shall be hereafter fixed for their meeting, and shall choose one of their body to be president of the said common council, to whom shall be administered by any justice of the peace in the county of Alexandria, an oath or affirmation for the faithful discharge of the duties of his office; whereupon the president of the said common council shall administer the oath of office to the other members of the said council, and shall have while the council is in session, the same power which is at present exercised by the mayor upon the like occasion, and he shall convene the council whenever in the opinion of four of the members expressed to him in writing, or whenever in his opinion the good of the town may require; and the authority of the said common council shall continue one year from the day of their election, and until others are chosen and qualified in their stead, and no longer. That the common council so elected, and those thereafter to be elected, and their successors, shall be and hereby are made a body politic and corporate, by the name of the common council of Alexandria, and by the said name shall have perpetual

succession, with capacity to purchase, possess and enjoy lands and tenements, and estate therein, and the same to give, grant, let, sell, assign or transfer; and to plead and be impleaded, prosecute and defend all causes, complaints, actions real, personal or mixed, and to have one common seal, and perpetual succession. And all the estate, rights and credits now vested in the mayor and commonalty of the town of Alexandria shall be vested in the said common council when elected, and may be recovered in their name for the use of the said town, and in like manner all claims and demands against the mayor and commonalty of Alexandria, prior to the operation of the present act, may be prosecuted and recovered against the aforesaid common council; and process served upon the president of the common council shall be deemed sufficient.

Sec. 4. And be it further enacted, That the jurisdiction of the said common council shall extend to the limits heretofore prescribed by law, and exercised by the mayor and commonalty. The concurrence of a majority of the whole number of members elected into the common council, shall be necessary for the passing of any law, order or resolution, or for repealing, altering or revoking the same.

Sec. 5. And be it further enacted, That the said common council shall have power to erect and repair work-houses, houses of correction, and other public buildings, for the benefit of the said town; to pave, make and repair the streets and highways; to make all laws which they shall conceive requisite for the preservation of the health of the inhabitants, and for the regulation of the morals and police of the said town, and to enforce the observance of their said laws, by reasonable penalties and forfeitures, to be levied upon the goods and chattels of the offender; and they shall have power to raise money by taxes, for the use and benefit of the said town: Provided, That such laws shall not be repugnant to, or inconsistent with the laws and constitution of the United States. The said common council shall, whenever they deem it proper, have power to open, extend, regulate, pave, and improve the streets, within the limits of the said town: Provided, They make to the person or persons who may be injured by such extension, just and adequate compensation out of the funds of the corporation, to be ascertained by the verdict of an impartial jury, in like manner as has been usual in other cases where private property has been condemned for public use. They shall have power to hold and keep within the said town, market days in every week, and from time to time to appoint a clerk of the market, who shall do and perform all things belonging to the office of the clerk of the market, within the said town, according to the rules and regulations which they shall prescribe. They shall have power to pass all laws not inconsistent with the laws of the United States, which they may conceive requisite for the prevention and removal of nuisances, and to appoint a superintendent of police, commissioners and surveyors of the streets, constables, collectors of the taxes, and all other officers who may be deemed necessary for the execution of their laws, who shall be paid for their services a reasonable compensation, and whose duties and powers shall be prescribed in such manner as the common council shall deem fit, for carrying into execution the powers hereby granted.

Sec. 6. And be it further enacted, That the jurisdiction of the said common council shall extend over the harbour of Alexandria, and over vessels of every description, which may arrive, and be in the harbour, or be at anchor in any part of the river Potomac below Pearson's island, and within the district of Columbia, for the purpose of preventing and removing all nuisances, and such other subjects or things being on board of any such vessel, as may be prejudicial to the health of the town, and for no other purpose. And also, their jurisdiction shall extend over the house lately built in the vicinity of the town, for the accommodation of the poor and others, and over the ten acres of ground thereto belonging, and over all persons who may be sent or placed there by the consent or authority of the common council, and on their way to and from the same, until they be regularly discharged: Provided, That paupers and other persons shall not be considered as having thereby gained a residence in the county, so as to become chargeable thereto.

Sec. 7. And be it further enacted, That the common council shall annually, at their first meeting after their election and qualification, choose by ballot, a fit and able man, having the qualifications hereinafter directed, to be mayor of the town, which choice shall be made by a majority of the whole number of members of the said common council, unless the whole number of members be equally divided between two persons, in which case one of those two persons shall be immediately elected. The mayor shall hold his office for one year, from the time of his election, and until a successor is chosen and qualified in his stead. At the expiration of which period he may be re-elected for two years hereafter in succession, and no longer until he shall have been out of office for one year. He shall, before he enters upon the duties of his office, take an oath or affirmation, in the presence of the council, faithfully to execute his said office, which shall be recorded in their book of proceedings. He shall see that the laws of the corporation be duly executed, and shall report the negligence or misconduct of any officer to the common council, who on satisfactory proof thereof, may remove from office the said delinquent, or take such other measures thereupon as shall be just and lawful. He shall have power

to convene the common council, when in his opinion the good of the community may require it, and he shall lay before the council, from time to time, in writing, such alterations in the laws of the corporation, as he shall deem necessary or proper. He shall have, and exercise all the powers of a justice of the peace within the said town, and shall receive for his service, annually, a just and reasonable compensation, to be allowed and fixed by the common council; which shall not be increased or diminished during the period for which he shall have been elected. Any person shall be eligible to the office of mayor, who is a white male citizen of the United States, who shall have attained to the age of thirty years, and who shall have been the bona fide owner of a freehold estate in the said town, and shall have been a resident in the town of Alexandria five years immediately preceding his election, and no other person shall be eligible to the said office.

Sec. 8. And be it further enacted, That in case of the refusal of any person to accept the office of mayor upon his election thereto, or of his death, resignation, inability or removal, the common council shall elect another in his place to serve the remainder of the year. The common council shall have power to supply vacancies in their own body, by causing elections to be made, in manner herein before directed out of the citizens qualified to fill the said office in the ward in which such vacancies shall have happened; and may in the absence of the president, elect a president pro-tempore. In case of the temporary inability or absence of the mayor, the president of the common council shall perform all the duties of the mayor that may be required to be performed during his absence or inability, and in case of vacancy in the said office he shall perform the duties thereof until a new election shall be made.

Sec. 9. And be it further enacted, That the acts of the common council shall be signed by the president of the common council, and shall be presented to the mayor for his approbation, who, if he objects thereto, shall within three days after it shall be presented to him for his assent, return it to the common council with his objections in writing, and if a majority of the whole council shall be of opinion that the law ought to be passed, it shall, notwithstanding the objections of the mayor, become a law and he shall sign the same; but if the mayor shall not return his objections to the same within three days to the said council, it shall become a law and shall be signed by him. The clerk of the council shall record in a book to be kept by him for that purpose, all the laws, orders and resolutions which shall be passed as aforesaid, and deliver a copy of them to the public printer to be printed for the information of the people.

Sec. 10. And be it further enacted, That the commissioners to superintend the election in each ward, shall before they receive any vote, take severally the following oath or affirmation, to be administered by the mayor or any justice of the peace, "I, A. B. do solemnly swear or affirm (as the case may be) that I will truly and faithfully receive and return the votes of such persons as are by law entitled to vote for members of council in ward No. and that I will not knowingly receive or return the vote of any who is not legally entitled to the same, so help me God:" the said election shall be closed on the day it is begun, and the poll shall be kept open until sun set and no longer. The said commissioners in each ward or a majority of them shall, on the next day after the election, make a list of all the votes received at said election; and the four persons having the greatest number of votes, shall be duly elected; and in all cases of an equality of votes the commissioners shall decide, and shall make a return of the persons so elected, under their hands and seals, to the mayor, who shall cause the same to be published in the newspapers of the town; the said commissioners shall also send a duplicate return, under their hands and seals, of the persons elected, to the clerk of the common council, who shall preserve and record the same: the said common council shall judge of the legality of the election of any person who shall be returned as a member thereof, and shall have full power to pass all laws to enable them to come to a just decision upon a contested election. They shall have power to compel the attendance of the members of the council by reasonable penalties, and to pass all laws for the orderly and regular conduct of business. They may punish any member for disorderly behaviour; and with consent of three fourths of the whole council expel a member.

Sec. 11. And be it further enacted, That whenever taxes upon real property, or other claims charged upon real property within the town, shall be due, and owing to the common council, and the proprietor shall fail to discharge the same, the said common council, after giving the party reasonable notice when he resides in the town, sixty days notice when he resides out of the town, and in the United States, and after six months publication in the newspapers, when he resides out of the United States, shall be empowered to recover said taxes or debts, by motion in the court of Alexandria county: And provided, it shall appear to the satisfaction of the court, that such taxes or claims are justly due, judgement shall be granted, and an execution shall issue thereupon, with the costs of suit, against the goods and chattels of the defaulter, if any can be found within the town; if not that the whole property upon which the tax or claim is due shall by order of the court, be leased out at public auction for the shortest term of years that may be offered, on condition that the lessee pay the arrearages, and also the future taxes accruing during the term, and be at liberty to remove all his improvements at the expiration of the lease; Provided always,

That the common council may prosecute any other remedy, by action, for the recovery of the said taxes and claims which is now possessed or allowed.

Sec. 12. And be it further enacted, That so much of any act or acts of the general assembly of Virginia, as comes within the purview of this act shall be and the same is hereby repealed: Provided, That nothing herein contained shall be construed to impair or destroy any right or remedy which the mayor and commonalty of Alexandria now possess or enjoy to or concerning any debts, claims or demands against any person or persons whatsoever, or to repeal any of the laws and ordinances of the mayor and commonalty of the said town in force, which are not inconsistent with this act.

NATH. MACON, Speaker of the House of Representatives. JOHN BROWN, President of the Senate, pro tempore. Approved Feb. 23, 1804. TH: JEFFERSON.

PROPOSALS

For carrying the Mails of the United States on the following Post-Roads, will be received at the General Post-Office in Washington, until the 15th day of June next, inclusive.

IN NORTH-CAROLINA.

- 49. From Danville, Va. to Lenox-Castle N. C. once a week. Leave Danville every Monday at 6 a.m. and arrive at Lenox-Castle by 6 p.m. Leave Lenox-Castle on Tuesday by 6 a.m. and arrive at Danville by 6 p.m. 50. From Scotland Neck by Greensborough X Roads to Windsor once a week. Leave Scotland Neck every Thursday at 9 a.m. and arrive at Windsor by 7 p.m. Leave Windsor every Friday at 5 a.m. and arrive at Scotland Neck by 6 p.m. 51. From Newbern to Beaufort once in two weeks. Leave Newbern every other Friday at 6 m. and arrive at Beaufort by 6 p.m. Leave Beaufort every other Saturday at 6 am. and arrive at Newbern by 6 p.m. 52. From Halifax to Enfield once a week. Leave Halifax every Thursday at 6 a.m. and arrive at Enfield by 11 a.m. Leave Enfield every Friday at 6 a.m. and arrive at Halifax by 6 p.m.

The contracts for the routes numbered from 27 to 43 inclusive and from 55 to 6 inclusive, are to be in operation on the 1st day of October next, and continue in force for one year. The contracts for the routes numbered from 44 to 54 inclusive are to be in operation on the 1st of October next and are to continue until the 31st day of March, 1805.

NOTES.

- 1. The Postmaster-General may expedite the mails and alter the times of arrival and departure at any time during the continuance of the contracts, he stipulating an adequate compensation for any extra expence that may be occasioned thereby. 2. Fifteen minutes shall be allowed for opening and closing the mails at all offices where no particular time is specified. 3. For every thirty minutes delay (unavoidable accidents excepted) in arriving after the time prescribed in any contract, the contractor shall forfeit one dollar; and if the delay continues until the departure of any depending mail, whereby the mails destined for such depending mail lose a trip, an additional forfeiture of five dollars shall be incurred. 4. Newspapers as well as letters are to be sent in the mail; and if any person making proposals, desires to carry newspapers, other than those conveyed in the mail, for his own emolument, he must state in his proposals for what sum he will carry with the emolument, and for what sum without that emolument. 5. Should any person making proposals desire an alteration of the times of arrival and departure above specified, he must state in his proposals the alteration desired, and the difference they will make in the terms of the contract. 6. Persons making proposals are desired to state their prices by the year. Those who contract will receive their pay quarterly, in the months of August, November, February and May, in one month after the expiration of each quarter. 7. No other than a free white person shall be employed to convey the mail. 8. Where the proposer intends to convey the mail in the body of a stage carriage, he is desired to state it in his proposals. 9. The Postmaster-General reserves to himself the right of declaring any contract at an end whenever three failures happen which amount to the loss of a trip each. 10. The contracts for the above routes are to be in operation on the first day of October next, and are to continue in force for two years. GIDEON GRANGER, Post-Master-General. General Post-Office, Washington City, February 23, 1804.

Lumberton Academy Lottery

THE Trustees of the Lumberton Academy inform the Public, that, owing to a Number of their Lottery Tickets remaining unsold, they have been under the Necessity of postponing the Drawing of their Lottery until the 4th of July next. Jan. 20.

ADVERTISEMENT.

THE Subscriber takes this Method to inform his Friends and the Public, that he still keeps

A Public House of Entertainment

For decent Travellers and others who may be pleased to call on him in that Line. He has always Plenty of Fodder, Oats, and Corn, with a Stable equal to, if not better than any in the State, and the best Liquors that the Country can afford. He returns his sincere Thanks for the Patronage he has received, and hopes, by his assiduous Attention, to merit a Continuance thereof. With these Sentiments, he is respectfully.

The Public's most humble, obedient Servant PETER CASSO. Raleigh, April 17, 1804.

For the better Information of Strangers, they are informed that Casso's Tavern is situated on the north-east Corner of Fayetteville street, adjoining the State-House Square.

WILL BE SOLD,

To the highest bidder, at the Court House in Smithfield, on Monday the 23d day of July next, for prison and other charges,

A likely Negro Man named PHILL, who has for some time been confined in Smithfield goal, and has been advertised in Mr. Boylan's paper. He is about 23 Years of Age, 5 Feet 9 Inches high, and says he belongs to John Haynes of the State of Georgia. Terms of Sale, cash before delivery.

NEEDHAM DAVIS, Sheriff's Deputy.

Johnston County, April 19th, 1804.

JONES COUNTY COURT,

FEBRUARY TERM, 1804

Edward Pritchard, John Maclear Pritchard, Zebulon Pritchard, Sampson Lane, George Lane, John Beaton, Zachariah Pritchard, Ezekiel Pritchard, John Gullick and wife, John Jetter and wife, John Pritchard, Isaac Pritchard, Zebulon Pritchard, Elizabeth Pritchard, Mary Edgar, and the heirs of Robert White, — v. — The heirs of John Pritchard, — Saunders and Sally his wife, Keziah Pritchard (which said Keziah and Sally are two of the heirs of Edward Pritchard, deceased) and the heirs of Rachel Wingate: —

PETITION FOR PARTITION.

THE petitioners state, that Clement Pritchard, late of Jones county, having an estate of inheritance of and in several tracts of land in Jones county, died intestate, and without issue, and not having a brother or sister, or the issue of any such living, or either father or mother, whereby the estate of inheritance in said lands vested in the relations of the said Clement, on the part of the father; that Jeremiah Pritchard, father of the said Clement; had the following brothers and sisters, viz. John Pritchard, Edward Pritchard, William Pritchard, Ezekiel Pritchard, Rachel Pritchard, Mary Pritchard and Elizabeth Pritchard; that the petitioners are by purchase and descent entitled to, and stand seized in fee, of and in the lands of the said Clement Pritchard, with the descendants as tenants in common; that the defendants are absent out of this State, and inhabitants of parts unknown; that the petitioners are desirous that partition of the land so held in common should be made, and pray that Commissioners may be appointed to divide the same agreeably to law, and according to the rights of the respective parties therein. It is ordered by the Court, that publication be made in the State Gazette of the filing of this Petition, and of the prayer thereof agreeably to law, Attest, WM. ORME, Clerk of Jones County Court.

Belfield Academy Lottery.

SCHEME OF A LOTTERY, authorized by an act of the General Assembly of Virginia. Authorizing the undersigned Trustees to raise a Sum of Money, to be applied for the use and benefit of the Belfield Academy.

Table with 2 columns: Prize amount and number of tickets. 1 Prize of 4000 dollars, is dolls. 4000; 2 ditto 1000, is dolls. 2000; 10 ditto 100, is dolls. 1000; 20 ditto 50, is dolls. 1000; 50 ditto 20, is dolls. 1000; 1250 ditto 8, is dolls. 10,000.

First drawn blank on the seventh day 500; Last drawn blank, entitled to 500.

1335 PRIZES, 266; BLANKS, 4000 Tickets, at five Dollars each, is 20,000. The fortunate Adventurers in the above Lottery, shall receive the Money to which they may be entitled, in thirty days after the drawing is closed, subject, however, to a discount of 12 1/2 per centum, which will be applied for the benefit of the Belfield Academy, and the expences that may be incurred in conducting the Lottery. Prizes not demanded in six months after the drawing is finished, will be considered as relinquished for the benefit of the Academy. The drawing will be commenced on the first day of June next, or sooner, if the Tickets are disposed of. The equality of chance afforded by this scheme, is not having two Blanks to a Prize, the small discount retained from the fortunate adventurer, the purpose for which the Lottery is established, warrant a conclusion, that an immediate sale of the Tickets will be effected.

Lewis Dupree, Edmunds Mafon, Belfield Stanke, William Purnell, Alexander Madill. February 23, 1804.