



AND

North-Carolina State Gazette.

Ours are the plow of fair delighful peace, Unwar'd by party rage, to live like brothers.

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Laws of North-Carolina,

Passed at the Session of Assembly ending on the 21st December, 1805.

An act to amend the third section of an act passed in the year one thousand eight hundred and one, concerning Wrecks.

WHEREAS many disputes and much inconvenience happens by there being no person authorized by law to superintend the sales of such property as may be stranded, on the sea coast within the counties mentioned in the before recited act.

Be it enacted by the General Assembly of the State of North-Carolina, That in future, the Commissioners in each of the counties of Currituck, Carteret, Onslow, New-Hanover and Brunswick, shall be deemed the proper officers to advertise and expose to sale at public auction, any cargo or cargoes which may be stranded or cast on shore in his or their respective districts, except the captain, owner, merchant or consignee shall chuse to superintend such sale himself, or to remove the property without selling it.

II. Be it further enacted, That no person who shall hold any office or deputation under the United States, shall act as a Commissioner in either of said counties.

III. And be it further enacted, That the third section of the before recited act is hereby repealed and made void.

An Act to prevent the masters and owners of vessels and boats, and other persons from trading with Slaves.

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 if, after the passing of this act, any matter or owner of any vessel or boat, or any other person belonging to, or on board of any vessel or boat, lying or being within any river, bay, harbour or creek, within the State, shall buy, sell, or carry on any kind of trade or merchandize to and with any slave or slaves, without permission from the master, mistress or owner of such slave or slaves, such master or owner, or other person, so buying, selling, or carrying on trade or merchandize, shall, for every such offence, forfeit and pay the sum of thirty pounds, to be recovered before any jurisdiction having cognizance of the same; any law, usage or custom to the contrary notwithstanding.

An Act better to regulate and ascertain the Pilotage which shall be allowed the Pilots at Occoek Inlet, in the several sounds and rivers to which they take vessels that do not belong to the State of North-Carolina.

WHEREAS great inconveniencies have arisen to pilots from masters of vessels that do not belong to the State of North-Carolina: For remedy whereof,

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 from and after the passing of this act, all pilots legally authorized to take charge of vessels to bring in over Occoek Bar, or up to either of the ports of Newbern, Wathington, Edenton or Camden, or offering to take such charge, if no other authorized pilot is on board said vessel, shall be entitled to demand and receive from the commander of such vessel or vessels as they may have charge of, the following pilotage, to-wit: For every vessel or vessels not belonging to the State of North Carolina, provided such vessel or vessels be above forty tons burthen, from the outside of the bar, at any distance within the limits of pilot ground to Beacon Island Road or Wallace's Channel, if drawing less than eight feet water, seven dollars; and for all vessels drawing eight feet water, and less than ten feet, one dollar for every foot; and for all vessels drawing ten feet and upwards, one dollar and fifty cents per foot; and two dollars for each vessel over either of the Swalhes; and from the Swath Straddle to either of the ports of Newbern or Wathington, one dollar and fifty cents per foot, and from the Swath Straddle to Edenton, fifteen dollars, and to Camden, twelve dollars and fifty cents, and the same allowances down and out, as in and up; any laws, usage or custom to the contrary notwithstanding.

An Act to repeal all laws and clauses of laws heretofore passed, authorising the Secretary of State to issue land warrants for military services.

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 all laws and clauses of laws heretofore passed, authorising the Secretary of State to issue land warrants for military services, be, and the same are hereby repealed and made void; any law to the contrary notwithstanding.

An Act to repeal so much of the second section of an act passed in the year 1786, entitled "An act to direct the method of appointing Jurors and Surveyors to run out disputed lands" so far as requires juries of view.

WHEREAS by the above recited act, great inconvenience hath been experienced, mis-trials frequently made in consequence of the disagreement of jurors of view, by said act recited: For remedy whereof,

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 so-much of the above recited act as requires a jury of view on the premises or lands in dispute, is hereby repealed and made void.

An Act to prevent Vice and Immorality, by declaring the offences therein contained to be the subject of Indictment.

WHEREAS the policy of all well regulated Governments require the criminal law to be positive and certain; and as doubts have arisen as to the power of punishing by indictment, those who commit the crimes of fornication or adultery,

Be it enacted by the General Assembly of the State of North-Carolina, That from and after the passing of this act, the aforesaid crimes of fornication and adultery, where a man shall take a woman into his house, or a woman a man, and they shall have one or more children without parting or an entire separation, or where it shall be proved to the satisfaction of the court and jury before whom it shall be tried, that they bed or cohabit together, shall be deemed and held indictable offences, and cognizable before any of the superior or county courts in this State. And any person legally convicted of either of the aforesaid offences, shall be confined at the discretion of the court before whom he or she may be tried, in any sum not exceeding one hundred pounds: Provided always, that the evidence of the person who may be particeps criminis shall not be admitted to charge any defendapt under this act.

An Act granting further time for proving and registering bills of sale and deeds of gift. 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 all bills of sale taken, and deeds of gift made and not already recorded in manner required by law, shall have until the first day of January, in the year one thousand eight hundred and eight, allowed for probate and registration, and shall, when thus authenticated and perpetuated, be held and deemed as valid to all intents and purposes, as if they had been proved and registered within the time required by an act passed at Fayetteville in the year one thousand seven hundred and eighty nine; any law to the contrary notwithstanding.

An Act to amend an act passed in one thousand eight hundred and four, entitled "An act to amend an act, entitled "An act concerning proving of Wills and granting Letters of Administration, and to prevent frauds in the management of Intestates estates," passed in the year one thousand seven hundred and eighty nine.

WHEREAS by the before recited act, no mode is provided by which executors or administrators, who, prior to the said act, have advertised agreeable to the act of one thousand seven hundred and eighty nine, may perpetuate the evidence of such advertisement:

Be it therefore enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That every executor or administrator who shall have advertised agreeable to the act of one thousand seven hundred and eighty nine, may, within nine months from the passing of this act, establish the same in the manner prescribed by the act of one thousand eight hundred and four, and such notice so proved shall be admitted as evidence in any court of law or equity, or before any jurisdiction.

An Act to amend an act, passed at Newbern in the year one thousand seven hundred and ninety one, entitled, "An act to amend an act concerning proving of Wills and granting Letters of Administration, and to prevent frauds in the management of Intestates Estates."

WHEREAS by the above recited act, all administration bonds that should be taken after the twentieth day of May the next following, should be taken and made payable to the Chairman of the Court for the time being, and his successors in office, yet for a want of a more special knowledge of the said act, and the provisions and directions therein contained, many administration bonds were therefore taken and made payable to the Governor for the time being, and his successors, whereby doubts have arisen whether any action at law can be maintained on such bonds: For remedy whereof,

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 all administration bonds taken and made payable to the Governor and his successors, after the aforesaid twentieth day of May, in the year one thousand seven hundred and ninety two, may be put in suit in the name of the Governor for the time being, by any person injured without any assignment, and judgment shall and may be recovered thereon in any of the Courts of record in this state, any thing in said act to the contrary notwithstanding.

Defence of our Ports and Harbours.

As the following debate on the report of a select committee on that part of the President's message which relates to aggressions committed on our coast by foreign armed vessels; to the defence of our ports and harbours; to the building of seventy-four gun ships, and to the preventing the exportation of arms and ammunition, throws more light upon the present critical situation of the United States, with respect to Peace and War, than any thing which we have yet seen from Congress, we hasten to lay it before our readers:

In committee of the whole—Mr. Gregg in the chair. The first resolution was read as follows: Resolved, That a sum of money, not exceeding one hundred and fifty thousand dollars be appropriated to enable the President of the United States, to cause our ports and harbours to be better fortified and protected against any insult or injury.

Mr. Dawson. At the commencement of the present session, the President of the United States, in obedience to his duty, made known to us the state of the nation—he then informed us, that "Our coasts have been infested, and our harbours watched by private armed vessels, some of them without commissions, some with illegal commissions, others with those of legal form, but committing piratical acts beyond the authority of their commissions. They have captured in the very entrance of our harbours, as well as on the high seas, not only the vessels of our friends coming to trade with us, but our own also. They have carried them off under pretence of legal adjudication, but not daring to approach a court of justice, they have plundered and sunk them by the way, or in obscure places, where no evidence could arise against them, maltreated the crews, and abandoned them in boats in the open sea, or on desert shores, without food or covering. These enormities appearing to be unreachd by any control of their sovereigns, I found it necessary to equip a force, to cruise within our own seas, to arrest all vessels of these descriptions found hovering on our coasts, within the limits of the Gulf Stream, and to bring the offenders in for trial as pirates.

"The same system of hovering on our coasts and harbours, under color of seeking enemies, has been also carried on by public armed ships, to the great annoyance and oppression of our commerce.

"With Spain our negotiations for a settlement of differences have not had a satisfactory issue. Spoiliations during the former war, for which she had formally acknowledged herself responsible, have been refused to be compensated but on conditions affecting other claims in no wise connected with them. Yet the same practices are renewed in the present war, and are

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