



AND North-Carolina Gazette.

"Ours is the plan of fair, delightful Peace,
"Unwar'd by party rage, to live like Brothers."

Vol. XIII.

FRIDAY, DECEMBER 27, 1811.

No. 640.

An Act in addition to the Act entitled "An Act to redeem the Paper Currency now in circulation, and to establish a Bank by the name and title of the State Bank of North-Carolina," passed in the year 1810.

WHEREAS the subscriptions to the capital stock of the State Bank of North Carolina have fallen short of the sum authorized to be subscribed thereto by the above recited act; and it became necessary in consequence thereof, to modify the conditions upon which, by the said act, the charter of incorporation was granted, in order to enable the State, through the agency of the Bank, to effect one of the principal objects had in view in its establishment—the redemption of the Paper Currency:

I. *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 the President and Directors of the State Bank of North Carolina shall not be bound to pay to the State full dividends upon the whole sum of two hundred and fifty thousand dollars of the stock of the said Bank reserved by the above recited act to the use of the State, and upon which, by the said act, the State is entitled to full dividends; but it is hereby declared to be lawful for the said President and Directors, out of the full dividends to be declared on the said sum of two hundred and fifty thousand dollars, held by the State in their Stock, to retain at the end of each year, for the general benefit of the stockholders, including the State, a sum equal to four per centum upon such part of the said stock as shall not have been actually paid for by the State on the day when the dividend is declared out of which the retainer is made.

And as an additional consideration on which to engage the agency of the Bank in the redemption of the paper money of the State,

II. *Be it further enacted,* That on condition the President & Directors of the said Bank shall take up and entirely withdraw from circulation, in the manner hereinafter prescribed, the whole of the paper money issued by the State by virtue of the acts passed for the purpose, in the years 1783 and 1785, on or before the 18th day of December, 1817, and not permit the same, nor any part thereof to return again into circulation after having once been in their possession, either by payments made or to be made on account of the fourth instalment of the capital stock of the said Bank, or in any other manner whatever, it is hereby declared, that the charter of incorporation of the said Bank shall be extended until the first day of January, which shall happen in the year one thousand eight hundred and thirty five, upon the same terms as the said charter is now held, and with the same engagement on the part of the State that no other Bank shall be established by any future law of the State during the term of this extension; and the faith of the State is hereby pledged, as a further consideration for the said redemption, that no tax or imposition shall be laid on the capital stock of the said Bank, nor on the dividends to be declared thereon.

III. *And be it further enacted,* That in order to the complete performance of the condition on which the grant and exemption in the next preceding section are made in favour of the Stockholders of the said Bank, it shall be the duty of the President and Directors of the said Bank, to cause public notice to be given, by advertisement in all the papers published at the city of Raleigh, for six weeks next immediately preceding the 18th day of December, in the year one thousand eight hundred and sixteen, that they will, for the term of one year, commencing on that day and following next thereafter, take up and exchange all the paper currency of the State, which shall be presented for the purpose of being taken up and exchanged, at the Principal Bank or any of its Branches, by giving in exchange therefor in the notes of the said Bank, or gold or silver, at the option of the holder of the paper money, the full sum to which the paper so to be presented for exchange shall amount, after the rate of one dollar for ten shillings of the said paper money. And it shall further be the duty of the said President and Directors actually to take up all the paper money of the State, which shall within the said term of one year be presented for exchange as aforesaid, and to give in exchange therefor in the notes of the said Bank, or in gold or silver, at the option of the holder of the paper money, after the rate of one dollar for ten shillings of the money to be presented for exchange as aforesaid. And upon its being made to appear to the satisfaction of the Governor of the State, by the said President and Directors, at any time within six months after the 18th day of December, which shall happen in the year 1817, that the said President and Directors have faithfully complied with the preceding terms, and have given the required notices at the times and in the manner above prescribed, and have actually exchanged for and taken in all the paper money of the State, which shall have been presented to the said Bank or any of its Branches, in pursuance of the notices above prescribed, and faithfully paid therefor, in the manner and after the rate also above prescribed, it shall be lawful for the Governor of the State to make known the same by proclamation, and in the said proclamation to declare that the said paper money shall thenceforward cease to be a tender: And it is hereby further declared that on the date of the said proclamation the said paper money shall cease to be a tender in all cases whatever, except in payments to be thereafter made to the said State Bank of North Carolina, in all which payments to the said Bank, it is hereby declared it shall thereafter be a tender; and when received by the Bank, shall not again return into circulation by any means whatever, but remain in its vaults until redeemed and destroyed, in the manner hereinafter prescribed: *Provided always,* that if the fund established for the redemption of the said paper money, shall not effect the entire redemption thereof before the charter of the said Bank shall expire, or by common consent of the Stockholders, or otherwise, be dissolved, then and in that case, the said paper money shall again be considered as a tender in all payments whatever as heretofore.

IV. *And be it further enacted,* That the dividends accruing upon the whole sum reserved and held by the State in the stock of the said Bank, after deducting therefrom four per centum per annum on the amount of the said stock, not paid for by the State (in the manner prescribed in the first section of this act) shall invariably and from time to time as the said dividend shall be declared and paid, be applied to the redemption of the paper money remaining in the vaults of the Bank; which paper money when so redeemed and actually paid over to the State, or its agent the Public Treasurer, shall by the said Treasurer, in the presence of the Comptroller and Secretary of State, and also in the presence of the President of the Bank, be burnt and destroyed.

V. *And be it further enacted by the authority of the same,* That the President and Directors of the State Bank of North Carolina, at such time or times as shall be convenient to them, and under the direction of such persons as they may appoint, shall cause books to be opened at all or any of the places where by the act of incorporation, books were directed to be opened for the purpose of receiving further subscriptions to the capital stock of the said Bank: And if subscriptions shall not have been made to the full amount of said capital stock, previous to the first day of January, 1820 then, and in that case, it shall be the duty of the said President and Directors forthwith to cause books to be again opened as aforesaid, for the purpose of receiving subscriptions to the capital stock of the said Bank, to the full amount authorized by their charter, which books shall be kept open six months or until the whole of the said stock shall be subscribed: And if it shall happen when the books shall be opened as aforesaid, that a greater sum shall be subscribed at any place than is permitted by the charter to be employed at such place, it shall be lawful for the President and Directors to reduce such subscriptions according to a scale by them to be established for the purpose.

VI. *And be it further enacted,* That it shall be lawful for the Public Treasurer to cause to be deposited in the Bank, the money which may at any time be in the Treasury of the State, and when deposits shall be made in the notes of the Newbern or the Cape Fear Banks, or of any other Bank, it shall be lawful for the State Bank to answer the checks or drafts to be made upon such deposits, by repaying the notes actually deposited, or by notes of the State Bank at the option of the Directors.

VII. *And be it further enacted,* That in addition to the number of Directors required for the Principal Bank by the act to which this is an addition, the Public Treasurer of the State shall ex officio be a Director of the Principal Bank.

VIII. *And be it further enacted by the authority aforesaid,* That if any person shall falsely make, forge or counterfeit, or cause or procure to be falsely made, or forged or counterfeited, or willingly aid or assist in falsely making, forging or counterfeiting any bill or note in imitation of, or purporting to be a bill or note issued by order of the President and Directors of the State Bank of North Carolina, or any order or check on the said Bank or Corporation, or any Cashier thereof, or shall falsely alter, or cause or procure to be falsely altered, or willingly aid or assist in falsely altering any bill or note issued by order of the President and Directors of the State Bank of North Carolina, or any order or check on the said Bank or Corporation, or any Cashier thereof, or shall pass, utter or publish, or attempt to pass, utter or publish, as true, any false, forged or counterfeited bill or note, purporting to be a bill or note issued by order of the President and Directors of the State Bank of North Carolina, or any false, forged, or counterfeited order or check upon the said Bank or Corporation, or any Cashier thereof, knowing the same to be falsely

forged or counterfeited, or shall pass, utter or publish, or attempt to pass, utter or publish as true, any falsely altered bill or note issued by order of the President and Directors of the State Bank of North Carolina, or any falsely altered order or check on the said Bank or Corporation, or any Cashier thereof, knowing the same to be falsely altered with intention to defraud the said Corporation, or any other body politic or person; every such person shall be deemed and adjudged guilty of Felony, and being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept to hard labour, for a period not less than three years, nor more than ten years, or shall be imprisoned not exceeding ten years, and fined not exceeding five thousand dollars, and the operation of this section shall be without limitation of time.

IX. *And be it further enacted,* That the twelfth section of the above recited act shall be, and the same is hereby repealed.

X. *And be it further enacted,* That this act shall take effect, and be in force from and after the passing thereof.

State Bank of North-Carolina.

At a general meeting of the Stockholders, held in the City of Raleigh, on Monday the 2d December, the following regulation was adopted:—

If any Stockholder or Stockholders shall fail to pay, in full, the amount, with interest on the delayed payments, due for the first, second and third instalments, on his, her or their shares on or before the 18th of January next, (except in case of the death of such Stockholder) each and every share or shares of said Stockholders, shall vest in the President and Directors of the said Bank; and such shares, or so many as may be necessary, shall be sold by them or their order, at a public auction, for gold or silver coin; and transferred to the purchaser or purchasers thereof; the proceeds of such sale shall first be applied to the payment or payments which shall appear to be due to the Bank upon such share or shares, together with the interest thereon, and the costs and charges of sale, and the surplus, if any there be shall be paid to such Stockholder or his representatives, and in case of failure to pay the fourth instalment on such shares, within twenty days after the same shall be required to be paid, the same forfeiture shall be incurred and sale made as above directed.

Resolved, That a copy of this resolution be printed in all the papers printed in this city.
THOS. WYNNS, Chairman.
M. STOKES, Clerk.

WILL BE SOLD,

On Tuesday, the 7th of January next, at the late Dwelling House of Winny Newsum, deceased, in Wake County

ALL her Household and Kitchen Furniture, consisting of Beds and Furniture of the best quality; a stock of Horses, Cattle, Hogs and Sheep, one yoke of Oxen and Cart, a parcel of fat Hogs, a quantity of Corn & Fodder. Credit will be given until the 25th of December, 1812. Bonds with approved security will be required before the property is changed. The sale will continue from day to day till all are sold. Those who wish to purchase valuable Stock would do well to attend.
DURRILL ROGERS, Adm'r.
December 13, 1811. 38.

LANDS FOR SALE.

WHEREAS Alexander Macomb, Esq. of New-York, by an act, deed or indenture, bearing date 1st of January, 1810, in due form, and recorded within the time prescribed by law, in Lincoln County, N. C. has mortgaged to William Du Bourg, President of St. Mary's College of Baltimore (Maryland) certain tracts of land, amounting to 19 or 20,000 acres, situate in said county, for a sum of money due by him to said Wm. Du Bourg, authorizing the said creditor to sell the above tracts at public auction, on or after the first day of January, 1811, in case the payment of the sum due be not effected against that term. And whereas the said Alexander Macomb has not yet paid the said sum, nor any part thereof, Public Notice is hereby given, that on the 23d, 24th or 25th day of January next, the above mentioned Lands shall be put up at Public Auction, in Lincoln County, between the hours of 10 and 2 o'clock.
At the request of Lawson Henderson, agent of Macomb.
Nov 11, 1811.

FOR SALE,

A TRACT OF LAND lying on Crabtree Creek, near the city of Raleigh, containing 341 acres, 50 acres of which are cleared. There is a good Peach Orchard, and the Houses are tolerably good. The land is well watered, there being several good Springs upon it. A credit of two years or more may be had for part of the purchase, provided a part be paid down; or a trade of almost any kind will be taken.
Any person wishing to purchase, will call upon the subscriber.
MERRITT DILLIARD.
Dec. 11, 1811. 38

CASH OR BOOKS
Given at this Office for clean Linnen or Cotton
R A G S.

Sheriff's Sales.

WILL BE SOLD
For Cash at the Court House in Whiteville, Columbus County, on the 3d day of March next,

THE following Tracts of Land, or so much thereof as will pay the taxes and cost of advertising for the year 1810:

640 Acres lying on Grissett Lake in said county, between the boundary line and Waggamaw river, patented by Ephraim Mitchell and supposed to belong in part to Benjamin Smith late Governor

And thirty-one other Tracts, each containing 640 acres, lying on the west side of the Waggamaw River, patented also by the said Ephraim Mitchell, and supposed to be in part the property of the said Benj. Smith.

200 acres lying on the east side of the White Marsh, the property of William H. Beaty, joining the lands of James Barfoot.

500 acres lying on Lumber River, supposed to be the property of T. N. Gaatier, joinings or near Fair Bluff.

200 acres lying on Gapway.
50 acres on Uncle's Branch, supposed to be the property of Curtis Ivey and M'Cre.

50 acres, the property of David Godwin sen'r, lying on the Beaver Dam.

100 acres, the property of Matt. R. White, joining the lands of George Parker.

50 acres, joining the lands of John Parkes, supposed to be the property of J. Wheeler.

100 acres on Pine Log, supposed to be the property of M. H. Johnson.

150 acres, joining David Godwin's, supposed to be the property of Curtis Ivey.

100 acres lying on the south side of Gapway, joining Willis Journagan's, supposed to be the property of John Johnston.
Joshua Williamson, Sh'ff.
Columbus County, Dec. 20, 1811. 36

WILL BE SOLD,
At the Court House in Salisbury, on the second Monday in February next,

THE following Tracts of Land, or so much thereof as will pay the taxes and costs of advertising, for the year 1810:

200 acres in Captain Graham's Company, of William Thompson.

174 do in Captain Graham's Company, of William Veaches.

200 do in Morrow's Company, given in by John Forsith.

595 do in Gillespie's Company, given in by Alexander Cook.

150 do in Hide's Company, given in by David Baxter.

207 do in Capt. Howard's Company, given in by Jno. Lunster.

450 do in Captain Withborn's Company, given in by Abner Smith.

114 do in Capt. Jones's Company, given in by Isaac Hadly.

150 do in Capt. Jones's Company, given in by Willam Williams.

900 do in Capt. Snider's Company, given in by Leonard Eller.
JOHN SMITH, Sh'ff.
Rowan County, Dec. 7, 1811. 38

TO BE EXPOSED FOR SALE,
At the Court House in Raleigh, on the fourth day of January next.

A TRACT OF LAND, lying in Wake county, adjoining the lands of Jno. Bledsoe and George Russ, between 800 and 1000 acres of land, supposed to belong to the heirs of Jno. Hunt, dec'd or so much thereof as will satisfy the taxes due thereon for the year 1810:
JNO. G. KENCHER, Sh'ff.
Nov. 30, 1811. 35

WILL BE SOLD,

At the Court-House in Concord, Cabarrus County, on the fourth day of January next,

THE following tracts of Land, or so much thereof as will pay the taxes and costs of advertising, for the year 1809 and 1810

100 acres of Land in tract No. 2, adjoining the Lands of Archibald M'Clarty and Samuel Black, on the waters of Anderson's Creek, given in by Archibald M'Clarty.

100 acres of Land in tract No. 2, adjoining the Lands of Aaron Wallace and John Long, Esq. on the waters of Anderson's Creek, given in by Dempsey Reed.
35 R. McMURRAY, Sh'ff.

State of North-Carolina,

BERTIE COUNTY COURT,
November Term, 1811.

JAMES JONES, vs. JOHN OUTLAW, } Original Attachment.

Returned, & Levied on one hundred acres of Land, and Joshua Rayner summoned as a Garnishee.

IT being represented to the Court, that the Defendant John Outlaw, is not an Inhabitant of this State; it is Ordered, that notice be given the said Defendant by advertisement in the Raleigh Register, for six weeks successively, that unless he appear at the next Term of this Court, to be held on the second Monday in February next, replevy his property and plead to issue, final judgment will be entered up against him.

A Copy from the Minutes,
38 Teste, JOS. BLOUNT, D. C.

WILL BE SOLD,

ON the 10th of February next, for the Taxe due thereon, part of Lot No. 318 lying upon George Street in the Town of Newbern, it being the property of the late Abner Neale, deceased.—The equitable title is claimed by John S. West
R. P. JONES, Sh'ff.
Newbern, Dec. 13, 1811. 38

May be had at J. Gales's Store—Price 87
PRICE & STROTHER'S

MAP OF NORTH-CAROLINA
On Canvass and Rollers,