

General Assembly.

CAPTIONS OF THE LAWS

Enacted by the General Assembly of N. Carolina, at its session in 1829-30.

PUBLIC ACTS.

1. An act fixing the true construction of the terms liquidated accounts, contained in the act of 1820, extending the jurisdiction of justices of the peace. [Provides that the words liquidated accounts, used in said act, shall be so construed as to comprehend only such accounts and balances of accounts settled as are stated in writing, and signed by the party from whom the same shall be owing.]

2. Amending the act of 1827, prescribing upon what evidence the Public Treasurer shall receive the purchase money for vacant and unappropriated lands. [Provides that the Secretary of State shall issue grants for vacant lands upon a certificate taken from the copy of entry books returned to his office, in the same manner as he now does from warrants and surveys.]

3. Amending the 10th section of the act of 1819, prescribing the mode of surveying and selling the lands acquired by treaty from the Cherokee Indians. [Provides that the certificate of the Public Treasurer, stating that full payment has been made for said lands, shall be taken by the Secretary of State as evidence of payment.]

4. Authorising the Board of Internal Improvement to contract for the re-opening and improving Currituck Inlet. [Directs that an examination shall be made by the Board of Internal Improvement to ascertain the practicability of re-opening said Inlet, and if so, the sum of \$2,000 is appropriated for that purpose.]

5. Amendatory of the law respecting the crime of Bigamy. [Provides that persons convicted of Bigamy shall be entitled to the benefit of clergy for the first offence; and that the Court may sentence the offender to be fined and imprisoned, to receive one or more public whippings, and to be branded on the left cheek with the letter B. If the offender be a female, it shall be discretionary with the Court to inflict all or any of the aforesaid punishments, branding excepted.]

6. Vesting the right of electing Sheriffs in the several counties within the State in the free white men thereof. [Provides that the Sheriffs shall be elected by the free white men who are entitled to vote for members of the House of Commons, every two years, at the same times and places that members of the General Assembly are elected. If two or more persons receive the greatest, and an equal number of the votes, or the person elected fail to enter into bond, &c. the County Court shall choose the Sheriff. No person to be eligible to the office of Sheriff who has not attained the age of 21 years, resided in his county one year immediately preceding the election, and be possessed of a freehold of 100 acres of land. Sheriffs now in office to continue therein until the qualification of those elected under this act.]

7. Directing the removal of certain papers from the office of the Treasurer to that of the Secretary of State. [Provides for the removal of the papers relative to the Tuscarora lands.]

8. Authorising the Governor to grant certain lands to the Baptist Congregation at Franklin, in Macon county. [Grants four acres of land on which their meeting-house has been erected, to include the grave-yard.]

9. Concerning the commissioners of public works. [Provides that all public agents, superintendents and commissioners entrusted with the direction of public works, and the seve-

ral navigation, canal and turnpike companies, in which the State is interested, shall report annually to the Board of Internal Improvement. Those failing to comply with said regulation, to incur a penalty of \$500.]

10. Providing for a division of negroes and other chattel property held in common. [Provides that when two or more persons shall be entitled as tenants in common to negroes and other chattel property, and any one or all shall desire a division of the same, such person or persons may file a petition in the County or Superior Court for that purpose; and when the Court may deem it necessary, it may order a sale of such property, in such a manner as to secure to each tenant in common his or her rateable share; but if such sale shall not be deemed necessary, the Court may appoint three freeholders to divide the property.]

11. To amend and improve the Hickory Nut Gap road. [Appropriates \$1200 for that purpose.]

12. Vesting in the Superior and County Courts jurisdiction of applications for the legitimization of bastard children.

13. Concerning the places where company musters shall be held. [Provides that a majority of the company shall select the place where the musters shall be held.]

14. Amendatory of the laws now in force for the suppression of counterfeiting. [Provides that if any person, for the purpose of gain, shall pass or attempt to pass, or shall receive with intent to pass, any counterfeit bill, note, order, check or draft on the United States Bank or any of its branches, he shall be subject to be whipped, stand in the pillory, to be fined not exceeding \$1,000, and to be imprisoned not exceeding three years—any one or all of these punishments to be inflicted, at the discretion of the Court.]

15. For the relief of certain purchasers of the Cherokee lands. [Provides that where satisfactory proof is produced to the Public Treasurer and Attorney General that any of the Cherokee lands, for the purchase of which bonds were given, were materially interfered with by Indian reservations, the Treasurer shall remit all the interest which may have accrued on such bonds, from their date to the 1st of December, 1829, or so much thereof as may be commensurate with the injury sustained.]

16. Concerning the cross Canal leading from the great Dismal Swamp Canal, near the head of the woods in Camden county, to the White Oak Spring Marsh in Gates county. [Allows a further time of seven years to complete said Canal; authorises the Company to erect locks and collect tolls, and provides that the charter of the Company shall remain in force for 33 years from Jan. 1, 1830.]

17. To prevent fraud in deeds of trust and mortgages. [Provides that no deed of trust or mortgage for real or personal estate, executed after the 4th July next, shall be valid, unless registered in the county where the property is situated. Clerks of the County Courts to have authority to take the probate or acknowledgment of such instruments at any time in as full a manner as their respective Courts can or may do. The Registers to endorse the date of registration on them, and enter them in the order they are presented.]

18. Exempting the members of fire companies from performing military duty.

19. Concerning the Buncombe Turnpike Company. [Provides for the appointment of officers, &c.]

20. Amending the act of 1823, entitled an act to amend the law regulating the inspection of flour in Fayetteville. [Provides for the appointment of an additional Inspector.]

21. Amending the militia laws of this State so far as respects the

uniform companies of light infantry, riflemen, grenadiers and artillery. [Authorises the formation of a regiment of uniform volunteers in each brigade of militia, provided such regiment consists of six companies.]

22. To prevent disfiguring the walls of the State House. [Prescribes a penalty of \$5 for writing or scribbling on said walls, or marking them with pictures.]

23. Granting to feme covert the right to sue and be sued in certain cases. [Provides that the Judge, when he makes a decree to secure property afterwards acquired to a feme covert, may make a decree extending to her the provisions of this act.]

24. Amending the charter of the Catawba Navigation Company. [Authorises the President and Directors to call upon the stockholders for such portion of the stock as may be necessary for carrying on the works of the Company; and if they fail to pay such portion, the stock of such delinquents to be sold at auction. Extends the charter five years from the 1st of January, 1836.]

25. Concerning the bonds in the office of the Public Treasurer for the purchase of the Cherokee and Tuscarora lands. [Provides that the Public Treasurer shall prepare a full statement of said bonds, and deliver it to the Comptroller, to be by him filed in his office, who shall raise an account against the Treasurer for the same.]

26. Ceding to the United States jurisdiction over certain lands as sites for light houses. [Provides that the United States shall have jurisdiction over lands at Pamlico Point and Cape Hatteras, for the said purpose.]

27. Regulating the entries of lands in certain cases. [Provides that no lands, now entered, and the entries of which will expire on the 15th December, 1831, shall be re-entered within twelve months after that date by the persons in whose names said entries are now made.]

28. For the relief of securities in certain cases. [Provides that original securities on Justices' judgments shall be absolved from liability in certain cases by causing their dissent to be entered by the Justice.]

29. Securing the collection of fines and amercements from Sheriffs. [Renders the securities of Sheriffs liable for such fines and amercements.]

30. Extending the time for registering grants and mesne conveyances, powers of attorney, bills of sale and deeds of gift. [Extends the time for registering said instruments for the term of two years.]

31. To enable the State Bank to wind up gradually, and to fix a uniform rate of collection. [Grants a restricted extension of the charter until Jan. 1, 1838; and provides that after Dec. 1, 1834, the Bank shall make no new loans, or discount any note, except in renewal of some previously existing debt, nor emit or re-issue any bills or notes except bills obligatory, or other proper evidences of debt, to secure payment of what it may owe; and shall, after Dec. 1, 1832, issue no bill under the denomination of \$5. Provides further, that said Bank shall not collect more than one-twentieth part of the debt now existing, every ninety days, except in cases where a special engagement exists to pay by larger instalments. Stock may be received in payment of debts; and dividend of the capital may be declared after Jan. 1, 1833. Reduces the number of Directors of the Principal Bank to ten, and of the Branches to not more than seven nor less than five. Provides for the discontinuance of the Branches at intervals of not less than nine months. After the 1st September next, not to loan, except on business paper. Allows the Bank until the 1st July to determine whether they will accept this restricted extension of charter.]

32. To enable the Banks of Newbern and Cape Fear to wind up gradually, and to fix a uniform rate of collection. [The provisions of this act nearly correspond with those of the foregoing.]

33. Fixing the fees of the Clerks of the County and Superior Courts, and Sheriffs' fees.

34. Concerning the State road in Macon county. [Places the said road under the jurisdiction of the County Court of Macon.]

PRIVATE ACTS AND RESOLUTIONS.

[The following are all of the Private Acts and Resolutions which we conceive to be interesting to our readers.]

An act repealing so much of the act of 1810, as prevents any person from working seines and nets in Tar river above the mouth of Fishing creek.

A resolution directing the Public Treasurer to call on the several Banks for a statement of the amount due them by Directors, Stockholders, &c.

Concerning Miss Udney M. Blakely. [Discontinues the appropriation for her support and education.]

Instructing our Representatives and Senators in Congress to call the attention of Congress to the subject of selling or attempting to sell counterfeit orders, checks or drafts on the Bank of the United States, for the purpose of providing for the said offences.

Instructing our Senators and requesting our Representatives in Congress to use their endeavors to procure the repeal of the salt tax.

In relation to certain large western grants. [Suspends the further sales of Cherokee lands, covered by the grants to Holdiman and Eselman and to Cathart and Stedman, until the further order of the Legislature; and until which the Treasurer is directed to abstain from collecting money due upon bonds given for certain lands sold by the State in the counties of Macon and Haywood. Authorises the employment, if necessary, of additional counsel in defence of certain suits pending in the Federal Court.]

Concerning the claim of the State against the United States.

Directing the statement prepared by the Comptroller, exhibiting the amount paid on certain species of taxation, to be filed in his office.



Tarborough,

FRIDAY, JANUARY 15, 1830.

General Assembly.—The Legislature of this State adjourned on Friday, 8th inst. having been in session 54 days during which they passed 34 acts of a public nature, 111 private acts, and 37 resolutions. We were obligingly furnished with the Captions of the Laws by Mr. GRAY LITTLE, member from this county. In the preceding columns are captions of all the public acts, and such of the private acts and resolutions as we thought interesting to our readers. We also extract from the last Raleigh papers the following additional items:

Cadwallader Jones, David L. Swain and James Morgan, Esqrs. have been elected members of the Board of Internal Improvement for the present year.

The bill to allow the members of the Legislature an annual salary of \$126, in place of the per-