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BY GEORGE HOWARD,

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General Assembly.

CAPTIONS OF THE LAWS

Enacted by the General Assembly of N. Carolina at its session in 1832—33.

PUBLIC ACTS.

1. An Act declaratory of the law now in force, giving to the County Courts of the several counties within this State, the power to alter and fix separate places of election. [Declaring that the County Courts, a majority of the acting Justices being present, have the power to alter, fix, establish, discontinue or create anew, separate places of election.]

2. Vesting the right of electing the Clerks of the County and Superior Courts in the several counties within this State, in the free white men thereof. [Provides that the Sheriffs, and all other persons appointed to hold elections for members of the General Assembly, shall be required, at the next annual election, to open polls for County and Superior Court Clerks, and conduct the election of the same in like manner as for members of the General Assembly; that the Clerks, when so elected, shall give such bonds and take such oaths as are now prescribed by law, at the first Court for which they were appointed that shall happen in their county after their election, and shall continue in office for four years; and that no person shall be eligible for the appointment of Clerk of either Court, unless he has attained the age of 21 years, and resided within the county 12 months immediately preceding the election.]

3. Vesting in the County Courts the right of establishing additional places of public sale in their respective counties.

4. Providing for the registration of copies of the grants for land. [Provides that certified copies of grants, where the originals have been lost or destroyed, registered in due form, shall have the same force and effect as the original grants.]

5. Making an appropriation and appointing Commissioners for the rebuilding of the Capitol in the city of Raleigh. [Appropriates \$50,000, and appoints five Commissioners to contract for the work.]

6. Concerning charities. [Provides that when any property, real or personal, has been granted for charitable purposes, it shall be the duty of the trustee of such charity to deliver in writing a full account thereof to the Clerk of the County Court at the first Court after the 1st January, to be filed among the records of said Court; and that it shall be the duty of the Chairman of the Court, where such requisition has not been complied with, or where there has been mismanagement of the property through negligence or fraud, to give notice thereof to the Solicitor of such district, who shall file a bill in equity against such grantee, executor or trustee, and compel them to render a full account of such charity, and the Court may make such order or decree as may best secure the performance of the trust.]

7. Repealing the act of 1830, entitled an act to repeal part of the second section of an act, passed in 1806, chapter 703, entitled an act to revise the militia laws of this State. [Provides that persons conscientiously averse to bearing arms, may be exempted from the performance of militia duty by procuring certificates of the Clerks of the church of their being regular members thereof, and

taking an oath of affirmation before the company court martial that they are conscientiously averse to bearing arms—except in time of insurrection or invasion; then they shall furnish their quota of men or pay an equivalent.]

8. Incorporating the North Carolina Historical Society. [Authorises the Society to hold property not exceeding at any one time \$10,000; and to have free access to all the public records of the State.]

9. Extending the time for paying in entry money, and obtaining grants on all entries made in the years 1829 and 1830. [Extends the time of payment 12 months.]

10. Amending the act of 1831, to increase the liability of sheriffs, and to provide more effectually for the collection of taxes. Provides that Sheriffs may file their lists in the office of the County Court happening next before the time prescribed for the settlement of their public accounts with the Comptroller.]

11. To render the land of a deceased debtor liable for costs, where the plea of fully administered has been found in favor of his executor or administrator. [Provides that where the plaintiff in such cases resorts to a scire facias to subject the lands of the deceased debtor, he shall recover the costs of the former suit against the executor or administrator.]

12. For the better organization of the militia of this State. [Requires that captains and commandants of companies shall enrol and keep enrolled all the exempts in their respective companies, and return them to the commandants of regiments, who are to return the same annually to the brigadier and adjutant generals.]

13. For the better regulation of volunteers. [Reduces the number necessary to constitute companies of Light Infantry, Grenadiers, Riflemen or Artillery to forty-four, inclusive of commissioned and non-commissioned officers, musicians and privates.]

14. To allow the taking of depositions in cases of removal. [Provides that in cases of removal of any cause from the Superior Court of one county to another, after the order of removal depositions may be taken in the cause, and that commissions may issue from either of said Courts, under the same rules as if the cause had been originally commenced in the Court from which the commission issues.]

15. Making compensation to the Secretary of State for services required of him by an act of 1827. [Allows him 10 cents for each certificate by him made under said act, and 10 cents for each certificate he shall make previous to the 1st March next; that after that date he shall be allowed as his fee for each grant, made out, recorded and delivered, 75 cents; and that for copying large grants obtained for speculation, or the surveys on which such grants were made, 50 cents for each warrant of 640 acres.]

16. Amending the militia laws. [Provides that the Major General shall review his division once in three years, and a Brigadier General once in two years; and in case either should fail to review, or to equip himself, or to make an annual return of his division or brigade, the Governor shall cause the Adjutant General to give such delinquent officer thirty days notice of such neglect, and if such delinquent officer does not within forty days thereafter render a satisfactory excuse, the Governor shall strike his name from the lists of officers; that captains shall not muster their companies more than twice in a year—volunteer companies excepted; that the exercise of a regiment, battalion or a company, shall be at least two hours; that each company shall have a second and third lieutenant; that the Adjutant General shall revise and distribute the militia laws.]

[The remainder of the Public Acts will be found under the editorial head of this paper.]

PRIVATE ACTS.

1. An Act to amend the law respecting the appointment of Sheriffs, so far as relates to Surry county.

2. Amending the act of 1829, to authorise the forming a fire engine company in Elizabeth City.

3. Vesting in the County Courts of Macon, Burke and Rutherford, power to appoint places of public sale in said counties.

4. Amending the act of 1831, to appoint one additional place of sale in Hyde county.

5. Incorporating the Gatesville Troopers.

6. Incorporating a cavalry company in Hertford county.

7. Incorporating the Franklin Guards.

8. Amending the act of 1821, to incorporate the Roanoke Inlet Company, and the act of 1823, amendatory of the same.

9. To prevent disputes in consequence of a late survey of the line dividing the counties of Anson and Mecklenburg.

10. Incorporating the Scotland Neck Guards.

11. Incorporating the Haywood Boat- ing Company.

12. Compelling the Register of Buncombe county to keep his office in Asheville.

13. Repealing the act of last session, to authorise the County Court of Guilford to appoint overseers and hands to clear out the channel of Reedy Fork of Haw River in said county.

14. Restoring to credit Thomas Daves, of Macon county.

15. Repealing the act of 1823, entitled an act repealing the several acts establishing and regulating the special courts of Burke county.

16. Concerning the upper regiment of Chatham county.

17. Incorporating the Anson Dragoons.

18. Providing compensation for jurors in Cabarrus county.

19. Authorising David W. Borden, of Carteret, to erect a gate across the road leading from the cross roads on White Oak river to Borden's ferry.

20. Amendatory of the act of 1831, authorising the Governor to grant certain lands to Franklin Academy, in Macon county.

21. Altering the time of electing, and renewing the bonds of certain officers in Mecklenburg county.

22. Amending the patrol laws so far as relates to the counties of Camden, Pasquotank, Chowan and Gates.

23. Authorising the altering and amending the State road running through Haywood county.

24. Incorporating two volunteer companies in Pasquotank county.

25. Altering and amending the act of 1829, for the improvement of the road from the Old Fort, in Burke, to Asheville, in Buncombe.

26. Amending the several acts incorporating the Roanoke and Cape Fear Navigation Companies, & prescribing the mode of enforcing the collection of tolls.

27. Appointing an additional place of public sale in Beaufort county.

28. Providing for the more prompt administration of justice in the counties of Burke, Buncombe, Lincoln & Rutherford.

29. To prevent the falling of timber in, or otherwise obstructing the channel of either branch of the North East branch of New river in Onslow county.

30. Supplementary to the act of 1830, entitled "an act to enact, with sundry alterations and additions, an act, entitled 'an act to incorporate the Petersburg Rail Road Company, passed by the Legislature of Virginia on the 10th Feb. 1830."

31. Establishing the boundary line between the counties of Washington and Beaufort.

32. To prevent the felling of timber in, or otherwise obstructing the navigation of Goshen between Hurs's bridge and the North East river.

33. Incorporating the town of Whiteville, in Columbus county.

34. Appointing Commissioners for the town of Haywood, in Chatham county.

35. Incorporating the Experimental Rail Road Company, in Raleigh.

36. More effectually to provide for the payment of jurors in Anson county.

37. Incorporating a cavalry company in Duplin county.

38. For the better regulation of the town of Jameston, in Martin county.

39. Regulating the collection of State witness tickets so far as respects the county of Guilford.

40. Repealing in part the act of 1826, entitled an act to repeal an act, passed in 1820, entitled an act directing the County Court to pay fees to certain officers therein named in certain cases, so far as relates to the counties mentioned in this act.

41. Exempting the militia residing on Knott's Island from attending at the Court House of Currituck on general, regimental or battalion musters.

42. Exempting Powell's Point and Poplar Branch companies of militia in Currituck county from attending regimental musters at the Court House.

43. To prevent the felling of timber in, or otherwise obstructing the channel of Little river, from Bumper's Fork to the county line in Montgomery county.

44. Incorporating the Northampton troop of cavalry.

45. Incorporating the Onslow Troopers, the Johnston Dragoons, and the Lenoir Troopers.

46. Incorporating Silver Run Academy.

47. Concerning the hands working on roads in Burke.

48. To prevent the felling of timber in, or otherwise obstructing the run of Bear creek and its branches, in the counties of Lenoir and Wayne.

49. Incorporating Rolesville Academy.

50. Authorising the County Court of Wake to lay a tax for building a substantial fire proof Court House, or a substantial fire proof office for the safe keeping of the public records of the county.

51. Authorising the County Court of Gates to have the records of said county transcribed, and to make copies of such transcribed records evidence in all suits at law and equity in this State.

52. Incorporating Haywood Academy, in Chatham county.

53. Altering the line separating the north & south regiments in Surry county.

54. Incorporating Stony Hill Academy, in Nash county.

55. For the relief of Brittain Jones, of Bertie county.

56. Amending the act of 1821, to prevent fire hunting of fowl in Carteret county.

57. To re-mark and renew the dividing line between Richmond and Robeson counties.

58. Regulating the County Courts of Davidson.

59. Restoring Joshua Pennel, of Wilkes, to credit.

60. Incorporating Good Spring Grammar School, in Stokes county.

61. Amending the act of 1827, to keep open the Tuckaseagy and Tennessee rivers, in Haywood county.

62. Creating one additional wreck district in Hyde county.

63. Altering the time of holding one of the terms of the County Court of Buncombe.

64. Incorporating the Lafayette Hotel Company, in Fayetteville.

65. Re-appointing commissioners for the town of Waynesville, in Haywood county.

66. Compensating jurors of the original pannel in Beaufort county.

67. Amending the act of 1829, to provide for the compensation of the jurors of the counties of Beaufort, Onslow, Hyde, Anson and Duplin.

68. Repealing part of the act of 1830, to appoint commissioners to superintend the building a Court House in Burke co'y.