

ACTS

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA,

AT THE

SESSION OF 1829-30

RALEIGH:

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1830

examination of the books and accounts of the money-receiving officers of said counties, examine into the state of said jury fund, and particularly report to the County Court of said counties, at the time of making their annual reports, whether the aforesaid rate of taxation be or be not sufficient to pay the jurors aforesaid for one year; and it shall be competent for, and it is hereby made the duty of said County Courts to increase or diminish, after the first year, the rates herein specified, whenever it may be necessary so to do, so as to raise the proper sum required for the purposes aforesaid, always graduating the addition or reduction, which may by them be made, by the rule of proportion, as regards the respective courts, herein laid down; and when any alterations are to be made in the rates of said taxes, the alteration shall be made at the time of laying the county and parish taxes of said counties; and the clerk of the said County Courts shall, immediately after the courts shall have made the order altering the rates of said taxes, set up in some conspicuous place in the court houses of said counties one copy of said order, and shall, under the penalty of five hundred dollars for each and every neglect, within five days after such order shall have been made, deliver to the clerk of the Superior Court one copy thereof, and to the clerk and master in equity one copy; and the rates fixed by the said order of court shall govern all future collections until the same shall be altered by the said County Court; any thing herein contained to the contrary notwithstanding: *Provided* nothing herein contained shall be so construed as to prevent the County Court of Anson from laying a tax, in addition to that contemplated to be raised by this act, sufficient to pay the jurors of said county, which the court as aforesaid is hereby required to do agreeable to the provisions of an act, passed in the year one thousand eight hundred and fifteen, entitled an act to authorise the County Courts of this State, when they may deem it necessary, to lay a tax for the payment of jurors of the Superior and County Courts.

IV. *And be it further enacted*, That nothing in the above recited act shall be so construed as to prevent the collection of taxes as heretofore provided by law for the payment of jurors of the county of Duplin.

CHAPTER LVI.

An act to authorise the forming a fire engine company in the town of Elizabeth City.

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 the free white males of the town of Elizabeth City are hereby authorised to form and enrol themselves into a fire engine company: *Provided* the number of members shall not exceed twenty.

II. *And be it further enacted by the authority of the same*, That the persons so enrolled as members of said fire engine company shall be compelled to serve therein for the space of five years at least; and that any member withdrawing himself from the service and duties of the said company before the expiration of the term of five years from the time of being enrolled, shall forfeit and pay the sum of twenty-five dollars: *Provided* that removing out of the county or disability by sickness shall discharge any member from the said penalty of twenty five dollars.

III. *And be it further enacted by the authority aforesaid*, That it shall be the duty of the captain of the said company to cause to be taken care of and preserved in the house prepared for that purpose, the engine and appar-

tenances thereunto belonging; and when any repairs thereof be deemed necessary by a majority of the officers of said company, the captain shall cause the same to be done; the expenses for which repairs shall be paid by the town treasurer, or for want thereof, by the commissioners of the said town, on the drafts of the captain of said company; which drafts, when paid, shall be considered a good and sufficient voucher in the settlement of the town taxes.

IV. *And be it further enacted by the authority aforesaid.* That for raising a fund for the purpose aforesaid, as well as for the purchase of fire works, ladders and hose, the commissioners of the said town of Elizabeth City, on application of a majority of the fire wardens and officers of the said fire company, are hereby authorised and shall lay an annual tax not exceeding twenty five cents on each taxable poll, nor more than fifteen cents on every hundred dollars value of real estate in the said town; which taxes, when laid, shall be collected and accounted for as the other taxes of the said town.

V. *And be it further enacted by the authority aforesaid,* That the members of the said fire company shall, and are hereby authorised to select three persons, residents and owners of real estate in the said town of Elizabeth City, to compose a board of fire wardens.

VI. *And be it further enacted by the authority aforesaid,* That in case of fire in the said town, it shall and may be lawful for one or more of the fire wardens of the town and two or more officers of the said engine company, when they shall deem it expedient for stopping the further progress of the fire, to order any house or houses to be pulled down, blown up or otherwise destroyed; for which they, or any person acting under them, shall not be responsible in any manner whatsoever; and any person or persons sued for the same may plead this act in bar thereof.

VII. *And be it further enacted by the authority aforesaid,* That the members of the said fire company, while they continue to act as firemen, shall be exempted from the performance of militia duty.

VIII. *And be it further enacted by the authority aforesaid,* That a majority of the members of said company shall have power and authority to make such bye-laws, rules and regulations for their government as to them seem best, not inconsistent with the Constitution of the United States or of this State, and that all fines and penalties incurred by virtue of this act, or by any of the said bye-laws, shall be recoverable before the police magistrate of said town or any justice of the peace for the county of Pasquotank: *Provided nevertheless,* that the right of appeal shall be preserved to either party as is now by law established in trials before a justice.

IX. *And be it further enacted by the authority of the same,* That all laws and clauses of laws coming within the meaning and purview of this act, be, and the same is hereby repealed and made void.

CHAPTER LVII.

An act to authorise the Court of Pleas and Quarter Sessions of Burke county to appoint commissioners to view and lay off a turnpike road from the Lincoln line to Jacob Mull's mill, passing through the Laurel gap of the South mountains, and for other purposes.

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 the Court of Pleas and Quarter Sessions of the county aforesaid, a majority of the justices of the peace of said county being present, may, as soon as they may