

V. And whereas doubts have arisen whether the power of the Commissioners extends to laying and collecting a tax on waggons, carts and drays employed in the said town, in conveying articles of commerce and agriculture to and from the public landing: *Be it therefore enacted*, That the said Commissioners shall have power to lay and collect a tax on all waggons, carts and drays which may be so employed, and make such rules and ordinances thereon as to them may seem proper: *Provided*, That nothing herein contained shall be construed to extend to any waggons, carts or drays which are not employed for more than six days successively.

VI. *Be it further enacted*, That the day of election for magistrates of police, and Commissioners for the said town, shall hereafter be on the first Monday in February annually.

VII. *Be it further enacted*, That all clauses and parts of clauses of acts heretofore made and coming within the meaning and purview of this act, be and the same are hereby repealed.

## C H A P. XXXVI.

*An Act to amend an act, entitled, An act to make Cross-Creek navigable.*

**W**HEREAS it has been made appear to this General Assembly that the time allowed for making the said navigation useful, is not sufficient:

I. *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, four years shall be allowed to the Fayetteville canal company for making the said navigation useful.

II. And in order to encourage a work of such public utility, *Be it further enacted by the authority aforesaid*, That the said company are hereby authorized and empowered to levy by way of toll, on all goods, wares and merchandise, and on all rafts, boats and vessels of every denomination, such sums of money as they shall think proper. *Provided nevertheless*, That twenty years after the first collection the toll shall be subject to the controul of the General Assembly, if they shall think proper to interfere.

III. *And be it further enacted*, That whosoever shall wilfully damage any part of the works, locks, houses, machinery belonging to the said company, or throw rubbish, stone, gravel or any other thing, into the said creek or locks, by which the work or navigation may be impeded, except where such materials may be necessary for mill-dams, shall be subject to a fine of ten pounds, and pay such further damages as may be awarded by any jurisdiction having cognizance thereof.

## C H A P. XXXVII.

*An Act to alter the names of certain persons therein mentioned.*

**W**HEREAS Hannah Lloyd, widow of Roderick Lloyd, late of Edgecomb county, now deceased, hath petitioned the General Assembly to alter the names of Nicholas Haynes, Mary Haynes, and Ann Haynes, children of the said Hannah, begotten by the said Roderick before their intermarriage: And whereas Susannah Hampton does petition to alter the names of Nathaniel Hampton and Job Hampton, children of the said Susannah, begotten by Zephaniah Pinkam:

I. *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 forever hereafter the said Nicholas Haynes, Mary Haynes and Ann Haynes, the illegitimate offspring of the said Hannah Lloyd, formerly Hannah Haynes, shall be known, distinguished and called by the names of Nicholas Lloyd, Mary Lloyd and Ann Lloyd; and the said Nathaniel Hampton and Job Hampton shall be called and known by the names of Nathaniel Pinkam and Job Pinkam; and by those names shall respectively take, inherit and claim any estate, either real or personal, which may be devised or may descend to them, in the same manner as if they had been born in wedlock; and they shall also by the said names respectively sue and be sued, plead and be impleaded, and in every respect be considered, to every intent and purpose, in the same situation and condition as if they had been the legitimate issue of the said Roderick and Hannah, or of the said Zephaniah and Susannah.

II. And whereas Joshua Campbell, John Barrott and Wright Barrott, of the county of Robeson, have severally petitioned this General Assembly to have their names altered, Joshua to that of Joshua Pharoah, John Barrott to that of John Flowers, and Wright Barrott to that of Wright Leggett: *Be it therefore enacted by the authority aforesaid*, That forever hereafter they and each of them shall be called and known by the names of Joshua Pharoah, John Flowers and Wright Leggett; and that by the said last mentioned names they may sue and be sued, plead and be impleaded; and in every case, under the names aforesaid, enjoy the same privileges, emoluments and advantages, as if they had been born under the names of Pharoah, Flowers and Leggett.

## C H A P. XXXVIII.

*An Act to incorporate a fire company in the town of Fayetteville.*

**W**HEREAS it hath been made appear to this General Assembly that the forming a company for the better security of buildings and other property in Fayetteville from fire, is highly necessary and expedient: And whereas a number of the inhabitants of the said town having, with a degree of public spirit worthy of imitation, procured an engine and other implements requisite to prevent the calamities attendant thereon:

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 from and after the passing of this act Robert Adam, Robert Donaldson, John Ingram, James Brannon, James Howar, David Anderson, Robert McFarland, David McNeal, Andrew Clark, Peter A. Tarbe, John Willis, John Winton, Kenneth Murcheison, John Eccles, Robinson Munford, William Cochran, Isaac Hawley, Elisha Stedman, John Winslow, Peter Strong, John Burke, James Ritchie, Robert Cochran, Robert H. Norris, James Leonard, James Thorborne, Dolphin Davis, Alexander McIver, Peter Fabree, Peter Perry, Duncan McAnfin, William B. Grove, and James Porterfield, and such others as may hereafter be admitted into their company for the purpose aforesaid, are hereby declared to be a body corporate by the name of the Fayetteville fire company No. 1.

II. *And be it further enacted by the authority aforesaid*, That the said company shall be capable to sue and be sued, plead and be impleaded, before any jurisdiction in this state having cognizance thereof; and that they may elect and appoint all necessary officers, and from time to time form such rules, regulations and bye-laws as they may think proper for the good government of said company. *Provided* such rules, regulations and bye-laws shall not be repugnant to or inconsistent with the laws and constitution of this state.

III. *And be it further enacted by the authority aforesaid*, That in case of a fire breaking out and spreading, so as imminently to endanger and threaten the destruction of the adjoining houses, two of the officers of the said company, together with two or more of the Commissioners of said town, shall, and they are hereby declared to be vested with full and complete power and authority to direct and cause such house or building, or any adjoining one, to be blown up with powder, or otherwise destroyed to prevent the flames from spreading; and shall not be held or deemed responsible for any loss or damage that may be sustained by the owner or owners of any such house or building; any law, usage or custom to the contrary notwithstanding.

## C H A P. XXXIX.

*An Act to annex part of Robeson to Cumberland county.*

**W**HEREAS the annexing part of the county of Robeson to Cumberland, would tend to the ease and convenience of those who inhabit the same:

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 from and after the passing of this act, all that part of Robeson county included in the following bounds, *to wit*, Beginning at the mouth of the Colecamp branch, thence up said branch to the main road from Lumberton to Fayetteville, thence a direct line to the bridge across Great-Rockfish, below Leggit's plantation, thence up said Rockfish to the line of Cumberland county,



# L A W S

O R

## NORTH-CAROLINA.

At a GENERAL ASSEMBLY, begun and held at Newbern, on the Fifth Day of December, in the Year of our Lord One Thousand Seven Hundred and Ninety-One, and in the Sixteenth Year of the Independence of the said State: Being the First Session of the said Assembly.

1791.

ALEXANDER.  
MARTIN, Esq.  
Governor.

### C H A P. I.

*An Act to confirm the Revival of the Laws of this State, made by James Iredell, Esquire, Commissioner appointed by an act of the General Assembly, entitled, An Act for revising and collecting the Acts of the General Assembly of the State of North-Carolina.*

**W**HEREAS the whole body of the laws of this state, to the fifteenth day of December, in the year of our Lord one thousand seven hundred and ninety, have, in pursuance of the above act for appointing a commissioner to revise and collect the same, been carefully compiled and revised, and the said revival laid before both houses of this present Assembly, and approved of by the said houses:

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 said revival of the laws of the state, made by James Iredell, together with all the acts, parts of acts, and every clause and section of them and each of them, as inserted and retained in his compilation as commissioner, and not by him expressly declared to be repealed or obsolete, or not in force, are hereby confirmed, (except so far as may be repealed, altered or amended by any law passed this present session of Assembly) and shall be held, deemed and taken to be and remain in full force, and allowed to be given in evidence, and received as such, in all the courts of law and equity within this state.

Iredell's Revival of the laws of this state confirmed.

II. And be it further enacted by the authority aforesaid, That all and every act and acts, clause and clauses, section and sections of all and every act and acts of the General Assembly of the state in the said revised laws mentioned to be obsolete, expired and repealed, are hereby declared to be obsolete, expired and repealed.

All acts, &c. mentioned in the Revival to be obsolete, &c. declared to be so.

III. Provided always nevertheless, and it is hereby enacted, That all and every judgment, order, decree or sentence of any court heretofore given or passed and all and every matter or thing heretofore done and performed by any officer or officers judicial or ministerial, or by any other person or persons whatsoever, in virtue and by force of any act or acts, clause or clauses, of any act or acts of the General Assembly of this state, in the said revised laws mentioned to be obsolete, expired or repealed, shall be deemed, held and taken to be good and valid in law, to all intents and purposes, as if the said acts were continued and in full force, any thing heretofore contained to the contrary, in any wise, notwithstanding.

Former proceedings in acts mentioned in the Revival to be repealed, &c. declared valid.

IV. And be it further enacted by the authority aforesaid, That all the laws in the said compilation, in which the compiler hath subjoined a note doubting how far the same or any part or section thereof may be in force, be, and the same, and every part and section thereof, shall be, and the same is hereby suspended until otherwise directed by the General Assembly.

Laws in the Revival said to be doubtful, suspended.

### C H A P. II.

*An Act to amend the Revenue Laws of the State.*

**B**E it enacted by the General Assembly of the state of North-Carolina, and it is hereby enacted by the authority of the same, That for the year seventeen hundred and ninety-two, and each succeeding year, it shall be considered a part of the duty of the Sheriff of every county in the state, to collect the public taxes due from the inhabitants thereof: and every Sheriff, as a compensation for his services in collecting and paying into the treasury, in due

Sheriffs to collect public taxes.

Their allowance,

A

time