

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 the county of Currituck shall have two annual elections, one at the court-house as usual, and the other to be held on Roanoke island at the house of Mr. Stephen Wetkett, on the first Friday and Saturday in August annually, for the purpose of electing members of the General Assembly.

II. *And be it further enacted by the authority aforesaid,* That the Sheriff of said county shall cause the said election to be advertised at six different places at least, one month before the said election, to wit, at the court-house at Indian Ridge, Moyock, Powell's Point, Roanoke Island and Hatteras Banks.

III. *And be it further enacted by the authority aforesaid,* That the Sheriff of said county by himself or Deputy, shall attend at the house of Mr. Stephen Wetkett, on Roanoke island, on the aforesaid first Friday and Saturday in August annually, and after the Inspectors are appointed and sworn in the usual manner, shall open the poll at twelve o'clock on the aforesaid day, and shall keep the poll open until sun-set the first day, and as the law directs on the second day; and in the presence of the Inspectors shall seal up the boxes in which the tickets are, and the same safely keep until the poll is closed on the last day of the election at the court-house; when the boxes shall be opened in presence of the Inspectors of the election held at the court-house, which votes shall be counted and added to the votes which the different candidates may have got at the last election; and the persons having the greatest number of votes, shall be the members to represent the said county in General Assembly or Convention as the case may be.

IV. *And be it further enacted by the authority aforesaid,* That if any person after voting at the election on Roanoke island, shall vote at the election held at the court-house, he shall forfeit and pay as the law directs in similar cases in other elections.

C H A P. XXXI.

An Act for the further Regulation of the Town of Newbern.

WHEREAS the laws heretofore made for the regulation of the town of Newbern have not been sufficient for the good purposes intended:

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, the Commissioners of the town of Newbern, or a majority of them, shall have full power and authority to levy a tax annually on the inhabitants of the said town, and the landed property within the limits thereof, sufficient for keeping the streets in good repair, supplying the people with plenty of water, establishing a fire-company, providing a fire engine and buckets, for the use and benefit of the town, and for such other good purposes as they the said Commissioners may judge necessary: *Provided,* the said tax doth not exceed the sum of ten shillings on each of the taxable inhabitants, nor the sum of ten shillings on each hundred pounds value of landed property, in any one year. And the Commissioners of the said town of Newbern shall appoint annually one or more collectors of taxes, who shall have authority to serve warrants and other notices or orders, issued by the Commissioners, or any Justice of the Peace, at their instance or request, for fines, penalties and taxes, levy executions, and do all and every necessary duty in order to collect and receive all such fines, penalties and taxes; and shall be entitled to take and receive for every warrant, including the execution, the sum of three shillings; and for every distress and sale, where there is no warrant, the like sum of three shillings, for his services, and no more; any thing in law to the contrary notwithstanding.

II. *And be it further enacted by the authority aforesaid,* That all lawful fines, penalties and taxes, laid and ordered by the Commissioners of Newbern, if not paid or discharged in due time, shall be recoverable by warrant before any Justice of the Peace, who if the penalty hath been incurred, or the tax shall appear to be due, shall give judgment and execution accordingly, either against the person or property of the delinquent, at the option of the Commissioners; and no appeal shall be granted on any such trial, nor any stay of execution, unless the judgment shall exceed the sum of forty shillings, in which case stay of execution may be granted on security, for any time not exceeding ten days; and the security shall be liable to the judgment, and execution may issue against his person or property, if required; any thing in any law mentioned to the contrary notwithstanding.

III. *And be it further enacted by the authority aforesaid,* That in case any vessel shall hereafter arrive within the county of Craven, having the small-pox, or any other dangerous or infectious distempers on board, the Justices of the Peace, and also the Commissioners of the town of Newbern, shall and may have and exercise all and singular the powers and authorities heretofore in such case given to the Commissioners of navigation, by an act of the General Assembly, passed in the year one thousand seven hundred and seventy-seven, entitled, "An act to regulate the pilotage of Cape Fear and Ocracoke bars, and the rivers leading from the same to Brunswick, Wilmington, Newbern, Bath and Edenton;" and the pilot and master of every such vessel, shall give notice of such infectious distemper being on board to some two of the Justices of Peace, or to the Commissioners aforesaid, in due time, and shall strictly do and perform quarantine in such manner as they may direct respecting such distemper, the vessel, and persons on board or belonging thereto, under the penalties and forfeitures mentioned in the aforesaid act, to be recovered in any court of record, and applied one half to the person suing for the same, and the other half to the Commissioners, for the use and benefit of the town.

IV. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the Commissioners of the town of Newbern, for the time being, to cause the taxes of the said town; and all arrearages of taxes, to be collected either in the manner herein before mentioned, or as the law directs for the collection of public taxes; and nothing in this act shall prevent the Commissioners from making such further allowance to the town collector, out of the public monies in their hands, for extraordinary services, as they may deem just and reasonable.

C H A P. XXXII.

An Act to establish a seminary of learning in the town of Wadesborough in Anson county.

WHEREAS the establishing a seminary of learning in the town of Wadesborough in the said county, for the education of youth, will be attended with great productions to the state in general and the county of Anson in particular:

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 Honourable Samuel Spencers, Esq. John Auld, Holden Wade, James Pickett, Patrick Boggan, William Johnson, Burwell Lanier, James Marshall, William Pegues, Calvin Spencer, Morgan Brown, jun. and William Thomas, be and they are hereby constituted and appointed Trustees, with full power and authority to receive all donations, gifts or gratuities into their hands and possession, and money and other property which may be subscribed for the purpose of erecting and supporting the said seminary of learning in the county of Anson, by the name of Stokes: And the said Trustees and their successors shall be able and capable in law, to ask for, demand, recover, receive and possess of the several subscribers, all sums by them respectively subscribed, and in case of refusal of any of them to pay the same, to sue for and recover by action of debt or otherwise, in the name of the Trustees, the sum which such person so refusing shall have subscribed, in any jurisdiction having cognizance thereof; and the monies when collected and received to be applied by the said Trustees, or a majority of them, towards defraying the expence of employing a Tutor or Tutors, and building a house for that purpose in said town, and to perform every act or thing which they, or a majority of them, shall think necessary and expedient for the advancement of said seminary and the promotion of learning therein.

II. *And be it further enacted by the authority aforesaid,* That the Trustees herein before mentioned shall, previous to their entering on the execution of the trust reposed in them by this act, give bond to the court of the county, payable to the Chairman or his successor, in the sum of one thousand pounds specie each, with condition that they shall well and faithfully account for and apply all gifts, gratuities, donations, bequests and monies, which they may receive of and by virtue of this act for the purposes aforesaid.

III. *And be it further enacted by the authority aforesaid,* That if any of the Trustees by this act appointed, shall die, refuse to act or remove that he or they cannot attend the duties of their appointment, a majority of the remaining Trustees may appoint another or others in his or their room and stead, who shall exercise the same powers as Trustees appointed by this act; and when met



L A W S

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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.

WHEREAS 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.

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 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