

1804. *III. And be it further enacted,* That for all entries of claim for lands which may be made with any of the entry-takers in this State, from and including the first day of January, one thousand eight hundred and five, to and including the first day of December next following, the entries shall have until the first day of November, which shall happen in the year one thousand eight hundred and seven, to pay the purchase money into the public treasury.

IV. And be it further enacted by the authority aforesaid, That the fixed and standing law in future shall be, that all entries of land made in the course of any one year, shall, in every event, be paid for on or before the first day of November, which shall happen in the second year thereafter; otherwise all entries of claim for lands so made, as aforesaid, and not paid for on or before the first day of November, which shall happen in the second year after making the same, shall lapse, and the lands so entered shall revert to the State, and shall be free, as shall all other entries which become lapsed by and under this act, for any person or persons to enter as vacant and unappropriated, any law to the contrary notwithstanding.

CHAP. XII.

An Act to amend an act, entitled "An act appointing Commissioners to extend the boundary-line of this State, and the State of South-Carolina," passed at Raleigh, in the year one thousand eight hundred and three.

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 Governor for the time being, and his successor, shall be and he is hereby vested with full power and authority to enter into any compact or agreement, that he may deem most advisable for the interest of this State, with the Legislative or Executive powers of the States of South-Carolina and Georgia, relative to the establishing permanently, the boundary-line between this State and the said States of South-Carolina and Georgia, and for the extension of the same: *Provided nevertheless,* that nothing herein contained shall be so construed as to affect any part or clause of the above-recited act.

CHAP. XIII

An Act to amend an act, entitled "An act empowering the County Court of Pleas and Quarter Sessions to direct the Secretary of State to correct certain patents or grants therein described, when there have been errors by the Surveyor in the return, or by the Secretary in issuing the same."

Preamble. WHEREAS doubts have arisen whether from the wording of the said act, the benefits therein given can be extended to any other persons than the patentee or claimant in whose name grants are or have been issued,

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 benefits granted by said act to the patentees of land, shall be extended in all cases to every person claiming by, from or under their grant or grants, either by descent, devise or purchase.

II. And be it further enacted, That when any error is ordered to be rectified, and the same has been carried through from the grant into the mesne conveyances, the court making such order, shall direct that a copy thereof be recorded in the register's books of the county, for which service the register may demand and receive the sum of two shillings.

CHAP. XIV.

An Act to amend an act passed by the last General Assembly, entitled, "An Act for establishing a Mutual Insurance Society against fire on buildings goods and furniture in this State."

Preamble. WHEREAS doubts have arisen in the minds of some persons whether it was the intention of the Legislature in the above recited act, to fix the board of direction of the said Mutual Insurance Society in the city of Raleigh, notwithstanding by the act aforesaid provision is made for holding the general meetings of said Society in said city, and all suits against said Society are required to be brought in the county court of Wake, and the Mutual Insurance Plan being intended for the equal convenience of the State at large, it is requisite that the concerns of the Society be managed at the seat of government, which is most central and convenient,

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 board of direction of the

1804.

Board of Directors to be in Raleigh.

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aforsaid Society shall be held in the city of Raleigh, in which place shall be kept the offices of the principal agent and cashier general, and in and near which shall reside the aforsaid officers and the president and a majority of the directors.

And whereas doubts are entertained whether the property insured according to the direction of the act aforsaid will remain as a pledge and security for the payment of any quota, demanded after the insured has withdrawn his insurance, or whether any member of said society has the privilege of withdrawing therefrom,

II. *Be it therefore enacted*, That any member of said Insurance Society may withdraw his insurance at any time after the payment of his premium, and such quota or quota's as may of right be demandable of him at the time of delivering his declaration to withdraw: *Provided*, such declaration be in writing and signed by the party so declaring and acknowledged by him before some justice of the peace of this State, with the certificate of said justice that the same was duly acknowledged before him by the person whose signature appears thereto; which declaration shall be delivered to the board of directors, and by them received as evidence of such withdrawing, and shall discharge such member and his insured property as mentioned in said declaration from all further pledge and liability: *Provided however*, such insured property shall be considered and remain liable as a pledge and security for the payment of any quota which may at any time be imposed for the retribution of a loss or losses sustained previous to such discharge.

Members may withdraw from the Society.

CHAP. XV.

An Act to cede to the United States the jurisdiction of the land therein mentioned.

WHEREAS the Congress of the United States, at their last session, passed an act providing among other things, for the erection of a light-house on or near the pitch of Cape Look-out, in this State, and it is expedient that the United States should have exclusive jurisdiction of the land whereon the same is to stand,

Preamble.

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 exclusive jurisdiction of four acres of land lying near the pitch of Cape Look-out, in the county of Carteret, in this State, beginning at a cedar and running north eighty three degrees, east twenty five poles and four tenths of a pole to a live oak, then south seven degrees, east twenty five poles and four tenths of a pole to a post, then south eighty three degrees, west twenty five poles and four tenths of a pole to a post, and thence to the beginning, shall be, and is hereby ceded to the United States, as soon as they shall obtain the title thereof from the proprietor or proprietors.

Jurisdiction ceded.

II. *And be it further enacted*, That the said jurisdiction is ceded to the United States upon the express condition that a light-house shall be erected thereon within five years, and be continued and kept up forever thereafter, for the public use.

Condition of the session.

III. *And be it further enacted*, That nothing herein contained shall be construed to debar or hinder any of the officers of this State from serving any process or levying executions within the limits of which the jurisdiction is by this act ceded to the United States, in the same manner and to the same effect as if this act had never been made.

Not to debar the serving of State process.

CHAP. XVI.

An Act directing in what cases bail shall be given in actions of Ejectment.

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 upon the return of any writ of ejectment to any court having cognizance thereof, the real plaintiff in said writ, his agent or attorney, at the return court of said writ, shall enter into bond with the clerk of the court to which said writ shall be returned, with good and sufficient security, to prosecute the same with effect, or otherwise to pay all such costs and damages as shall be awarded on failure thereof.

Plaintiff in a writ to enter into bond at the return court.

II. *And be it further enacted*, That in all actions of ejectment, the person or persons who shall make themselves defendants in said suits shall, on doing the same, either by themselves, their agent or attorney, enter into bond, with good and sufficient security, to answer such writ or writs of ejectment in the court to which they may be made returnable; and abide by the determination of the same; which defendant or defendants shall be under the same rules and regulations, and liable to the same judicial proceedings, as to all costs and damages that may be awarded against him or them, as principal and bail are subjected to in other civil actions of law in said court; any law to the contrary notwithstanding.

Defendants to enter into bond to answer such writ.

V. *And be it further enacted*, That whenever any plaintiff or plaintiffs shall fail to give his bond for prosecuting, as before directed, the court shall, on motion,

On failure of giving bond the suit to be dismissed.

APR 12 1917

LAWS

OF

NORTH-CAROLINA.

STATE HOUSE, BOSTON

At a General Assembly, begun and held at Raleigh, on the Nineteenth Day of November, in the Year of our Lord One Thousand Eight Hundred and Four, and in the Twenty-ninth Year of the Independence of the said State.

JAMES TURNER, ESQ. GOVERNOR.

CHAP. I.

An Act to confirm a revival of certain Acts of Assembly.

WHEREAS the General Assembly of this State, at their last Session passed a resolution in the following words: "*Resolved*, that Francis Xavier Martin collect and revise the public acts passed since the publication of Judge Iredell's Revival, to the end of the present session, inclusive; which said Revival shall connect the acts passed since Judge Iredell's, by notes and remarks adverting to such as appear to have been virtually repealed, and retaining such as are not expressly so, and cause his said Revival to be printed." And whereas in pursuance of said resolution, the said Francis Xavier Martin has collected and revised the said acts, caused them to be printed, and his Revival has been submitted to, and examined by, a committee of this General Assembly, and found correct,

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 said Revival be, and is hereby approved.

Read three times and ratified in General Assembly, Dec. 12th, A. D. 1804.

JO: RIDDICK, S. S.
S. CABARRUS, S. H. C.

CHAP. II.

An Act to raise a Revenue for the payment of the Civil List, and contingent Charges of Government, for the Year One Thousand Eight Hundred and Five.

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 one thousand eight hundred and five, a tax of eight-pence on every hundred acres of land within this State, and a tax of two shillings on every hundred pounds value of town lots with their improvements, and a tax of two shillings on every poll, shall be levied, collected and accounted for in the same manner as such taxes hath heretofore been levied, collected and accounted for.

II. *And be it further enacted,* That a tax on all stud-horses and jack-asses within this State, of the full sum which the owner or keeper of such stud-horse or jack-ass shall ask, demand or receive for the season of one mare, shall be levied and collected as above.

III. *And be it further enacted,* That all free males, between the ages of twenty-one years and fifty, and all slaves between the ages of twelve and fifty years, shall be subject to a poll tax.

IV. *And be it further enacted,* That each and every person who shall hereafter peddle or hawk goods in any of the counties of this State, shall first obtain a licence from the clerk of some county in this State, under his seal of office; and the person so peddling and hawking, shall pay to the clerk before obtaining said licence, the sum of ten pounds, to the use of the State, to be accounted for by the clerk in the same manner as tax fees are accounted for; and any licence so obtained, shall authorize said pedlar to peddle and hawk goods in any and every