

CHAP. XXI.

An Act to authorise Aaron Albertson to cut a Canal and make a Road thereon.

WHERE AS it has been represented to this General Assembly that a road from the head of Little river in Perquimons county, through the desert in the county of Pasquotank, to or near Pasquotank river bridge, would render a great convenience to travellers and the inhabitants of Chowan, Perquimons, Gates, Pasquotank and Camden counties, and Aaron Albertson, of Pasquotank county, having made application to make said road.

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 it shall be lawful for the county courts of Perquimons and Pasquotank, and the said courts are hereby required (upon application) that they each appoint a jury of twelve men, who shall be possessed of a freehold in the county appointing the same, and it shall be lawful for the said jurors (when appointed) to go on the premises and lay off said road in such direction as to them shall appear most expedient, which jurors are also required to adjudge the damages, if any to them shall appear, that will be sustained by the owner or owners of any tract or tracts of land in consequence of said road and canal passing through the same, and make return thereof, each jury to the court by which said jury was appointed; and it shall be the duty of the person or persons making said road to pay such damages before the said road shall pass through such tract or tracts of land, but shall not be liable until the said canal shall enter the premises.

II. Be it further enacted, That the said Aaron Albertson shall have full power and authority to enter upon the premises, after the said road shall be laid off as aforesaid, with full privileges to cut a canal not to exceed twelve feet in width, to empty into the waters of Little river and Pasquotank river, for the purpose of draining said road, and that he shall also have authority to open the way for said road on the canal not to exceed forty feet in width.

III. Be it further enacted by the authority aforesaid, That it shall be lawful for the said Aaron Albertson to erect a turnpike gate or gates across said road, to ask, demand and receive from all persons passing the same, the following toll, (to wit;) For all carriages of pleasure, seventeen and a half cents for each wheel; for each horse in draught, fifteen cents; for each horse and rider, twenty-five cents; for each horse, mule or jack drove, twelve and one half cents; for each head of cattle drove, ten cents; for each head of sheep and swine, three cents; and for each wagon and cart of burthen, for each wheel, fifteen cents, and for each horse or yoke of cattle in draught of the same, ten cents; and for each foot passenger, six and a quarter cents.

IV. And be it further enacted, That the said Aaron Albertson shall have full power and authority to erect one or more locks on said canal, for the purpose of making the same navigable, and it shall be lawful for him to ask, demand and receive for all commodities passing said canal (by water) the following toll, (viz.) For each thousand pipe staves, one hundred cents; for each thousand hoghead staves or heading, seventy-five cents; for each thousand barrel staves, fifty cents; for each thousand two feet shingles, fifteen cents; for each thousand three feet ditto, twenty-five cents; for each thousand twenty-two inch ditto, ten cents; for each barrel containing goods, wares or merchandise, six and a quarter cents; for each hoghead containing the same, twenty-five cents; for each bushel in bulk, two cents; and for all other goods, wares and merchandise, in bales, boxes or otherwise, in proportion to six and a quarter cents, for each barrel.

V. And be it further enacted, That it shall be lawful for the said Aaron Albertson to erect a mill or mills on the said canal, and that it shall be lawful for the county court in which county they shall propose building such mill or mills, to appoint a jury in manner as is mentioned in the first section of this act, which jury shall go on the premises and adjudge and lay off, for said Aaron Albertson, two acres of land in such manner as they shall deem expedient, and at the same time adjudge the value thereof, which the said Aaron Albertson shall be bound to pay, and in the payment thereof the right of said land shall be vested in him, his heirs and successors for the purpose of erecting such mill or mills upon; and it shall be lawful for him to demand and receive toll in the same manner and at the same rates that other mills in the district of Edenton are entitled to.

VI. And be it further enacted by the authority aforesaid, That the sole right, use and benefit of the said canal and road shall be and the same is hereby declared to be vested in the said Aaron Albertson and his successors for and during the term of ninety-nine years, from and after the passing of this act.

VII. And be it further enacted, That the said jury or juries shall be authorised (and they are required to do the same) to lay off a slip of land on each side of the said river, of twelve feet in width, so as to better secure the said Aaron Albertson in the dirt and timber for the purpose of keeping said road in repair, he paying to the respective owners of said land the amount if any given by the jury or juries.

VIII. And be it further enacted by the authority aforesaid, That it shall be lawful for the said Aaron Albertson, and he is hereby authorised to make one or more lotteries, for the purpose of raising a sum of money, not to exceed eight thousand dollars, to enable him to carry the same into effect.

IX. Be it further enacted, and it is hereby enacted by the authority aforesaid, That an act passed in the year one thousand eight hundred and eight, page eighteenth and chapter thirty-three, authorising Thomas Nicholson, deceased, to cut a canal and make said road, be repealed, and the same is hereby declared to be null and void. *Provided,* That if the said canal shall not be completed agreeably to this act within ten years from the passing thereof, the lands condemned to the use aforesaid shall revert to the original proprietors, their heirs and assigns, upon their repaying to the said Aaron Albertson, his heirs and assigns, the sum paid at the time the lands were condemned.

CHAP. XXII.

An Act for the better government of the city of Raleigh.

WHEREAS the citizens of Raleigh have found that the government of the said city by four boards of commissioners is attended with much inconvenience, and believing that the object contemplated by this division of authority can be accomplished by a single board properly organised,

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 government of the city of Raleigh shall in future be vested in an Intendant of Police and seven commissioners, to be elected annually on the third Monday in January, as directed by an act passed in the year one thousand eight hundred and three, entitled "An act for the

¹⁸¹³ government of the city of Raleigh, and for repealing all former acts passed for that purpose," three of which commissioners shall be elected by and from the inhabitants of the middle ward; two by and from the inhabitants of the eastern ward; and two by and from the inhabitants of the western ward: The wards of the city to be and remain as fixed by an act passed in one thousand eight hundred and six, entitled "An act for dividing the city of Raleigh into three wards, and for amending the act of one thousand eight hundred and three," and by an act passed in the year one thousand eight hundred and eleven to explain and amend the said act.

II. *Be it enacted*, That the amount of taxes collected from each ward of the said city, shall if required, be expended on the ward in which the same was collected except so much thereof as shall be necessary for general purposes, to which the several wards shall furnish their due proportions according to their population and the amount of their taxable property.

III. *Be it enacted*, That the said commissioners shall form one board, a majority whereof shall be competent to perform all the duties of commissioners of the city of Raleigh as prescribed in the several acts above recited, and in the by-laws passed from time to time under their authority.

IV. *And be it enacted*, That the Intendant of Police shall have a seat in the board of commissioners, and when present shall preside therein, in his absence the board shall appoint a chairman pro-tempore.

And whereas by the act passed in the year one thousand eight hundred and three for the government of the city of Raleigh, the commissioners of the city are authorised to do what they may deem necessary to extinguish and stop the progress of any fire which may break out in the city;

V. *Be it enacted*, That the commissioners are hereby authorised and directed whenever they shall deem it expedient to procure a fire engine for the use of the city, form a fire company and make such other regulations as they may deem necessary in order effectually to carry into operation the provision of said act in relation to the extinguishment of any fire which may happen in said city.

VI. *Be it enacted*, That all former acts which come within the purview of this act are hereby repealed.

VII. *Be it further enacted*, That the public squares in the said city be under the controul and government of the commissioners of the said city.

CHAP. XXIII.

An Act to establish in future the mode of elections in the county of Halifax.

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 in future all elections for members of the General Assembly to be held in the county of Halifax, shall be holden in each and every year on the second Thursday in August at the following places, (to wit:) At the store-house of Jesse N. Faulcon now occupied by Edward Dromgoole, at Josiah Brinkley's, at Enfield, at James Smith's store in Scotland neck, and at the court-house of said county.

II. *And be it further enacted*, That it shall be the duty of the court of said county, at the court next preceding the day of any election, to appoint one justice of the peace and two free-holders to act as inspectors of the polls at every place heretofore mentioned, except at the court-house, whose duty it shall be to attend at the places for which they are appointed, on the day mentioned in this act for holding said elections, and the court shall also appoint two inspectors to act with the sheriff of said county or his legal deputy at the court-house, for holding said elections, which elections shall be held in the manner and under the same rules, regulations and restrictions as in other cases of elections in this state.

III. *Be it further enacted*, That the inspectors shall immediately after the close of the polls proceed to count the votes, a correct statement of which together with a list of the voters names, shall be by one of them returned at or before two o'clock the next day, to the sheriff of said county or his lawful deputy at the court-house, and it is hereby declared to be the duty of said sheriff or deputy to attend at the court-house the day succeeding the day of elections to receive the returns so made by the inspectors. On the returns being made by the sheriff, he shall in presence of the inspectors, proceed to add the number of votes thus to him returned together, with those received by himself or deputy at the court-house, and the persons having the greatest number of votes shall be declared duly elected, and the sheriff shall immediately at the court-house door make proclamation accordingly.

IV. *And be it further enacted*, That if it should so happen that the court of said county should neglect to appoint inspectors as aforesaid or any of them should die or refuse to act, then and in that case it shall be lawful for any justice of the peace and two free-holders to appoint them, and when so appointed shall have the same powers and be subject to the same restrictions as if they had been appointed by the court.

V. *And be it further enacted*, That it shall be the duty of the clerk of said court to deliver copies of the appointment of inspectors to the sheriff, whose duty it shall be to notice them of the same as soon as possible, and the said sheriff is hereby directed to advertise said election in every district and at the court-house door of said county at least twenty days previous thereto.

VI. *And be it further enacted*, That if any person should vote at more than one election in said county, he shall on conviction before any justice of the peace, forfeit and pay the sum of ten pounds, one half to the use of the person suing for the same and the other half to the use of the county.

VII. *And be it further enacted*, That the election for members of Congress and electors to vote for a President and Vice-President of the United States, shall be held at the same places, under the same rules as have heretofore been observed in similar cases.

VIII. *And be it further enacted*, That all acts and clauses of acts coming within the meaning of this act are hereby repealed and made void.

CHAP. XXIV.

An Act to authorise Samuel Nixon, of Perquimons county, to make a road and cut a canal to drain the same, &c.

WHEREAS it has been represented to this General Assembly that a road leading from Samuel Nixon's float bridge in Perquimons county, nearly a south course so as to intersect Josiah Collins' road in Chowan, would shorten the distance eight miles, and thereby render a great convenience to persons traveling from Edenton to Elizabeth city; and Samuel Nixon of Perquimons county, having made application to make said road, &c.

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 it shall be lawful for the county courts of Perquimons and Chowan,



THE
LAWS

OF
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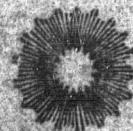
North Carolina,

ENACTED IN THE YEAR

1813.

Transmitted according to Law to

One of the Justices of the Peace for the County of



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