



L A W S  
OF  
THE STATE  
OF  
*North-Carolina,*

ENACTED IN THE YEAR

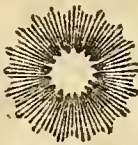
1815.

*Transmitted according to law to*

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*One of the Justices of the Peace for the County of*

*Perquimans*



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1816.

1815 III. *Be it further enacted*, That nothing herein contained shall be so construed as to hinder any Sheriff, constable, collector or tax gatherer from collecting his or their taxes that are now or may be due to the county of Iredell, on any execution that may have issued from the County or Superior Courts of Iredell county, or from any Justice of the Peace, in the same manner as if this act had never been passed.

IV. *Be it further enacted*, That the aforesaid commissioners shall have power, and they are hereby authorised to employ a surveyor and other assistance, if they think necessary, and the County Court of Wilkes shall make the said commissioners such compensation as they may deem sufficient to remunerate them for any expenses and trouble they may be at; which said allowance when made shall be paid out of the county tax or any other money that may be in the hands of the trustee of said county, not otherwise appropriated.

V. *Be it further enacted*, That whereas it may be that some of the inhabitants of that part of Iredell county, that by this act is annexed to the county of Wilkes, may have made entry of land in the entry office of the county of Iredell, it is hereby declared to be the duty of the entry taker of said county to make out warrants directed to the surveyor of Wilkes county, whose duty it shall be to survey the same and make the return in the same manner as other surveys in the county of Wilkes, and be allowed the same fees for the same, any thing to the contrary notwithstanding.

## CHAP. XIX.

An act to amend an act passed in the year one thousand eight hundred and ten, entitled, "an act to amend several acts heretofore passed relative to the removal of obstructions to the passage of fish up Cape-Fear river.

*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 Joseph Minter, William Drake and George Luther, of the county of Chatham, and Malcom Shaw, jr. Alexander M'Alester, jr. and John Bethail, of the county of Cumberland, be and they are hereby appointed commissioners for the purpose of staking off, and designating one third part of the main channel of Cape-Fear river from Averasborough to the confluence of Haw and Deep rivers, or so far as a majority of them may think proper, for the purpose of admitting the free passage of fish up the same.

II. *And be it further enacted*, That it shall be the duty of the said commissioners or a majority of them, to meet together on or before the first day of March next, at such place as they may think proper to appoint, and proceed to discharge the duties herein enjoined, in marking out and designating the third part of the main channel of said river, within the bounds specified in the first section this act, and when the duties aforesaid shall be performed by the said commissioners or a majority of them, they shall give notice thereof, for the space of ten days, in three or more public places within four miles of said river, in the respective counties aforesaid, and after the expiration of the said ten days, all owners of dams, hedges, stops or traps, where they extend to or across the main channel of Cape-Fear river, within the boundaries aforesaid, shall cause the said obstructions to be removed, leaving the said one third part of the main channel open as staked out by the said commissioners or a majority of them, and they shall continue the same open at all times thereafter for the free passage of fish up the same; and every person failing to remove the said obstructions in the manner and time herein specified, shall forfeit and pay the sum of fifty pounds for every forty-eight hours, he, she or they may continue the same, to be recovered before any jurisdiction having cognizance thereof, one half to the use of the person suing for the same, and the other half to the use of the county wherein the same was recovered.

III. *And be it further enacted*, That the said commissioners shall receive the sum of twenty shillings each, for every day they are engaged in discharging the aforesaid duties, *Provided*, the same shall not exceed six days, which allowance shall be paid by the county in which the commissioners claiming the same shall reside: and to be paid as other county claims.

IV. *And be it further enacted*, That in case of death, resignation, removal or refusal to act of any of the aforesaid commissioners, the court of pleas and quarter sessions for the county in which such death, resignation, removal or refusal to act happened, is hereby authorised to appoint others and fill such vacancies, who when so appointed, shall be, and is hereby vested with the same powers and authority as those appointed by this act.

## CHAP. XX.

An act to enable the Intendant of Police and Commissioners of Raleigh to supply the city with water, and for other purposes.

WHEREAS a regular supply of good water in the city of Raleigh, (so necessary for its safety, and so desirable for the convenience and comfort of its inhabitants,) is contemplated by the Intendant and Commissioners of said city: and whereas, the expence of conducting water to the city by the means of pipes or aqueducts, will greatly exceed the utmost sum which can be raised by taxation in one year: and as the said Intendant of Police and Commissioners are elected for one year only, and have no power to bind their successors, or to borrow money upon the credit of future taxes.

*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 Intendant of Police and Commissioners of the city of Raleigh, for the time being, shall have power to form all contracts and engagements necessary or proper for having the city supplied with water, through pipes or aqueducts; to use all proper means to that end, to accept and hold all grants of rights and privileges for such object, and to obtain by loan such sum or sums of money, beyond the unappropriated monies in their hands, as may be required from time to time to fulfil their said contracts and engagements, and enable them to effect the purpose aforesaid.

II. *Be it further enacted by the authority aforesaid*, That all sums of money which shall be borrowed in pursuance of the preceding section, and all arrearages that may be due from said Intendant and Commissioners on such contracts, shall be paid by the Intendant and Commissioners for the time being, as the same shall become due, and shall be a charge upon them, and all future commissioners until the same shall be discharged. And all future taxes for the city are hereby declared to be liable for the same.

III. *And be it further enacted*, That this act shall take effect immediately after the third Monday of January next.

IV. *Be it further enacted*, That in every sale of a lot or part of a lot for taxes, within the city of Raleigh, by order of the Commissioners, such lot or part of lot shall be sold subject to redemption within two years from the day of sale, on the owners repaying the purchase money, with an advance of twenty-five per cent. thereon.

V. *Be it enacted*, That it shall be the duty of the constable of said city, from time to time, diligently to enquire after slaves who hire their own time within the limits of the said city, and to render an account of all such to the prosecuting officer of the county, at every court of pleas and quarter sessions held for the county of Wake, whose duty it shall be to cause the said slaves to be apprehended and dealt with according to law. And the said constable shall be entitled for his services herein, to one fourth part of the hire of all such slaves as shall be convicted of said offence, for the time for which they shall be hired out by direction of said court, any law to the contrary notwithstanding.

## CHAP. XXI.

An act to appoint commissioners to fix on a suitable and central place in the county of Nash, for erecting the Court-House and other public buildings, and for other purposes therein mentioned.

*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 Jesse Bass, Littleberry White, Curtis Joyner, John Vick, Samuel Westray, David Ricks, Alexander Sorsby, Isaac Watkins, Joseph Arrington, (Sheriff) Robert C. Hilliard, Michael Collins, George Boddie, John Rice, sen. John Taylor, Bartlett Deans, William Horn, Dempsey Harrison and Pilgrim Williams, be appointed commissioners to fix on a proper place at or near the centre of said county, where the court-house, gaol and other public buildings shall be erected, and the said commissioners or a majority of them, shall be authorised to purchase not less than fifty acres of land, at such place as shall be fixed on by said commissioners for erecting the public buildings as aforesaid, in said county of Nash.

II. *And be it further enacted*, That Joseph Hopkins, Wiley Buntain, David Rix, Samuel Smith, Robert C. Hilliard, Michael Collins, Archibald Lemon, Thomas Horn and Wilson Taylor, junior, be and they are hereby appointed commissioners, with full power and authority to lay off the said ground purchased by the above commissioners, in lots of convenient size, and sell the same (except so much as is necessary for the public buildings) to the highest bidder, on a credit of nine or twelve months, and faithfully appropriate the money arising from such sale towards discharging the payments agreed on by the above named commissioners for said lands, also to discharge the expense of building a new court-house and gaol and other public buildings.

III. *And be it further enacted*, That the last named commissioners or a majority of them, shall have power to sell the old court-house, gaol and the public lands whereon the court-house now stands, on the same regulations as the lots above are to be disposed of, and the monies arising from the sales of said public lands and buildings, shall be appropriated in the same manner as the monies arising from the sales of lots first above mentioned.

IV. *And be it further enacted, by the authority of the same*, That the said commissioners or a majority of them, shall have full power and authority, for and in behalf of the said county of Nash, to execute conveyances in fee simple for all such lots or public ground as they are authorised to sell by this act.

V. *And be it further enacted*, whenever the said commissioners shall have laid off the above mentioned land into lots and erected the court-house on the public square, (that shall be left for that purpose) shall be incorporated into a town to be known by the name of Nashville.

VI. *Be it further enacted*, That until a new court-house be erected by the said commissioners, the court shall continue to be called and held at the old court-house in the county of Nash, and then it shall be adjourned from thence to the place where the commissioners appointed as aforesaid shall erect the new court-house in the town of Nashville, and ever after continue there to be held, called and adjourned from time to time.

VII. *And be it further enacted*, That should the sales above mentioned not raise money sufficient to build a court-house, gaol and stocks, the county court shall have power, a majority of the acting justices being present, to lay a tax of not more than five cents on every poll, and not more than five cents on every hundred dollars worth of lands in said county, to be levied and collected in the same manner as other taxes in said county, this last mentioned clause to continue in force until a sufficiency of money shall be raised for the above purposes and no longer.

VIII. *And be it further enacted*, That the county court of Nash shall have power to allow the commissioners aforesaid, such compensation as they may think adequate to their services, any law to the contrary notwithstanding.

IX. *And be it further enacted*, That the commissioners first named to contract for the land where the town of Nashville is to be laid out, they shall give Mr. John Alston the preference of fixing where the court-house now stands, *Provided*, he will sell his land to them upon such terms as they shall deem to be reasonable, and provided they cannot agree, they shall have liberty to purchase where the said commissioners shall think proper.

## CHAP. XXII.

An act to amend the fifth section of an act, passed in the year eighteen hundred and four, entitled "an act to open and make navigable Fishing creek from the mouth thereof to Wiatt's bridge on said creek."

WHEREAS the fifth section of the above recited act, only allows the Fishing creek navigation company ten years to make navigable the said creek; therefore,

*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 Fishing creek company are hereby allowed until the thirty-first day of December, one thousand eight hundred and seventeen, to complete the navigation of the said creek: any law to the contrary notwithstanding.

## CHAP. XXIII.

An act to facilitate the navigation of Upper Little river, in Cumberland county.

*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 all persons who now have or who shall hereafter have Saw or Grist mills erected on Upper Little river, in the county aforesaid, shall make or cause to be made, at their respective mills, good and sufficient slips, which will permit the free and safe passage of all rafts which may be passing down the said river, and the said slips when erected or made, shall by the owners of the several mills on said river, be at all times kept and upheld in good and sufficient repair for the purposes aforesaid.

II. *And be it further enacted*, That if any person shall fail to make such slip as herein directed, or