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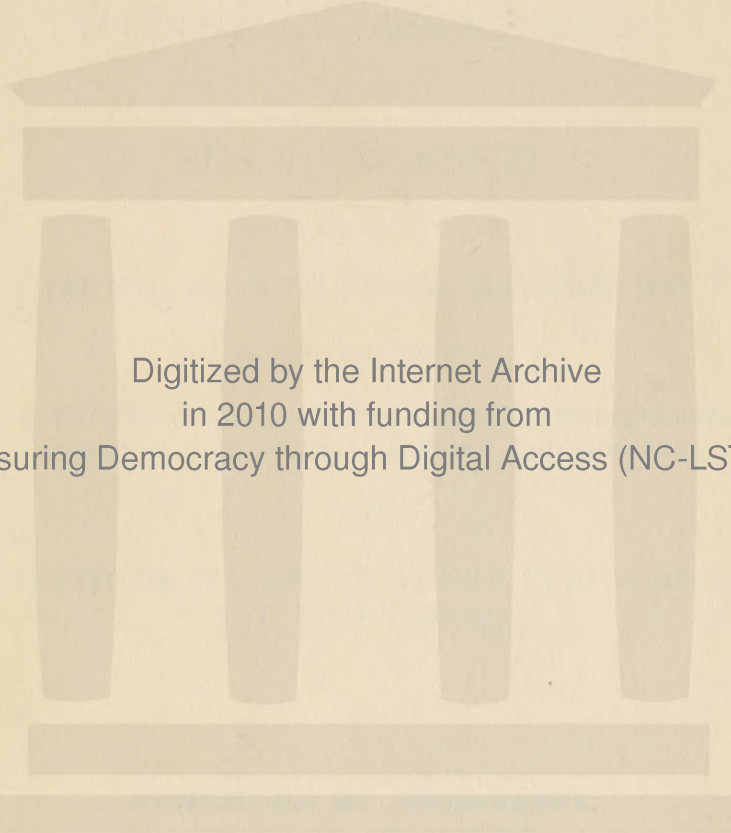
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PUBLIC LAWS
OF THE
STATE OF NORTH CAROLINA,

PASSED BY THE
GENERAL ASSEMBLY

AT ITS
SESSION 1870-'71,

BEGUN AND HELD IN THE
CITY OF RALEIGH ON THE SIXTEENTH OF NOVEMBER, 1870;

TO WHICH ARE PREFIXED

THE CONSTITUTION OF THE STATE AND A REGISTER OF STATE OFFICERS
MEMBERS OF THE GENERAL ASSEMBLY AND JUDICIARY,

WITH

THE AUDITOR'S STATEMENT OF THE PUBLIC REVENUE
AND EXPENDITURE.

PUBLISHED BY AUTHORITY.

RALEIGH:
JAMES H. MOORE, STATE PRINTER AND BINDER.
1871.

1870

STATE OF SOUTH CAROLINA

REGISTER OF THE REVISED MEMBERS

FOR THE YEAR 1870

AND EXPENSES

OF THE HOUSE OF REPRESENTATIVES

FOR THE YEAR 1870

AND EXPENSES

REGISTER OF THE HOUSE

345.1

N87

1870

REGISTER OF STATE OFFICERS,
MEMBERS OF THE GENERAL ASSEMBLY,
AND THE
JUDICIARY,
FOR THE YEAR 1870.

OFFICIAL REGISTER

1880

MEMBERS OF THE GENERAL ASSEMBLY

FOR THE YEAR 1880

BY THE CLERK

OF THE GENERAL ASSEMBLY

OF THE STATE OF NEW YORK

ALBANY

Printed by the State Printer, Albany, N. Y., 1880.

OFFICIAL REGISTER

FOR THE

YEARS 1870-'71.

STATE GOVERNMENT.

TOD R. CALDWELL, Burke County, Governor.
E. J. WARREN, Beaufort County, President of the Senate.
H. J. MENNINGER, Craven County, Secretary of State.
HENDERSON ADAMS, Davidson County, Auditor.
D. A. JENKINS, Gaston County, Treasurer.
C. L. HARRIS, Rutherford County, Sup't. Public Works. ⁴
S. S. ASHLEY, New Hanover County, Supt. Public Instruction.
W. M. SHIPP, Mecklenburg County, Attorney General.

THE JUDICIARY.

SUPREME COURT.

NAMES.

RESIDENCES.

RICHMOND M. PEARSON, Chief Justice,	Richmond Hill, Yadkin Co.,
ED. G. READE, Associate Justice,	Roxboro', Person County,
WM. B. RODMAN, Associate Justice,	Washington, Beaufort Co.,
ROBT. P. DICK, Associate Justice,	Greensboro, Guilford County,
NATHANIEL BOYDEN, Associate Justice,	Salisbury, Rowan County,
J. M. McCORKEE, Reporter,	Salisbury, Rowan County,
WM. H. BAGLEY, Clerk,	Raleigh, Wake County,
DAVID A. WICKER, Marshal,	Raleigh Wake, County.

SUPERIOR COURTS.

DISTRICT.	NAMES.	RESIDENCES.
1	CHARLES C. POOL,	Elizabeth City,
2	W. A. MOORE,	Plymouth,
3	W. J. CLARKE,	Newbern,
4	DANIEL L. RUSSELL,	Wilmington,
5	RALPH P. BUXTON,	Fayetteville,
6	SAMUEL W. WATTS,	Franklinton,
7	ALBION W. TOURGEE,	Greensboro',
8	JOHN M. CLOUD,	Roc ^h ford, Surry county,
9	GEO. W. LOGAN,	Rutherfordton,
10	ANDERSON MITCHELL,	Statesville,
11	JAMES L. HENRY,	Asheville,
12	RILEY H. CANNON,	Franklin, Macon county.

DISTRICT SOLICITORS.

1	J. W. ALBERTSON,	Hertford,
2	JOSEPH J. MARTIN,	Williamston,
3	JOHN V. SHERRARD,	Goldsboro',
4	JOHN A. RICHARDSON,	Elizabethtown,
5	NEILL MCKAY,	Lillington,
6	WILLIAM R. COX,	Raleigh,
7	J. R. BULLA,	Asheboro',
8	A. H. JOYCE,	Danbury,
9	WM. P. BYNUM,	Lincolnton,
10	W. P. CALDWELL,	Statesville,
11	VIRGIL S. LUSK,	Asheville,
12	R. L. HENRY,	Franklin.

GENERAL ASSEMBLY.

Convenes in the City of Raleigh on the third Monday in November.

SENATE.

Hon. E. J. WARREN, President.

DIST.	COUNTIES.	NAMES OF SENATORS.	RESIDENCES.
1	Currituck, Camden, Pasquotank, Perquimans, Chowan and Gates,	Rufus K. Speed, } Jas. C. Skinner, }	Edenton, Chowan County, N. C.
2	Martin, Washington and Tyrrell,	L. C. Latham, }	Plymouth, Washington
3	Beaufort and Hyde,	E. J. Warren, }	Washington, Beaufort
4	Northampton,	Jesse Flythe, }	Jackson, Northampton
5	Bertie and Hertford,	J. W. Beasley, }	Coleraine, Bertie
6	Halifax,	Henry Eppes, }	Halifax C. H., Halifax
7	Edgecombe,	N. B. Bellamy, }	Tarboro', Edgecombe
8	Pitt,	Jacob McCotter, }	Johnson's Mills, Pitt
9	Nash and Wilson,	Lawrence F. Battle, }	Nashville, Nash
10	Craven and Carteret,	L. J. Moore, } R. F. Lehman, }	Newbern, Craven
11	Jones and Lenoir,	R. W. King, }	" " " "
12	Duplin and Onslow,	W. A. Allen, }	Kenansville, Duplin
13	New Hanover and Brunswick,	Chas. McClammy, } G. W. Price, Jr., }	Wilmington, New Hanover Co., N. C.
14	Bladen and Columbus,	J. C. Currie, }	" " " " Brown Marsh, Bladen

SENATE—Continued.

DIS.	COUNTIES.	SENATORS.	RESIDENCES.
15	Robeson,	R. M. Norment,	Lumberton, Robeson County, N. C.
16	Cumberland, Harnett and Sampson,	W. C. Troy, Dr. C. T. Murrphy,	Fayetteville, Cumberland Clinton, Sampson
17	Johnston,	L. R. Waddell,	Smithfield, Johnston
18	Green and Wayne,	C. H. Brogden,	Goldsboro', Wayne
19	Franklin and Wake,	L. P. Olds, P. B. Hawkins,	Raleigh, Wake Louisburg, Franklin
20	Warren,	John A. Hyman,	Warrenton, Warren
21	Granville and Person,	L. C. Edwards,	Oxford, Granville
22	Orange,	S. C. Barnett,	Roxboro' Person
23	Chatham,	John W. Graham,	Hillsboro', Orange
24	Caswell,	Gaston Albright,	Mud Lick, Chatham
25	Rockingham,	L. Brown,	Yanceyville, Caswell
26	Alamance and Guilford,	J. T. Morehead,	Leakesville, Rockingham
27	Randolph and Montgomery,	John A. Gilmer,	Greensboro', Guilford
28	Moore and Richmond,	James A. Graham,	Graham, Alamance
29	Anson and Union,	Dr. J. M. Worth,	Ashboro', Randolph
30	Mecklenburg,	R. S. Ledbetter,	Rockingham, Richmond
31	Cabarrus and Stanly,	A. J. Dargan,	Wadesboro', Anson
32	David and Rowan,	H. C. Jones,	Charlotte, Mecklenburg
33	Davidson,	Valentine Mauney,	Albemarle, Stanly
34	Forsythe and Stokes,	W. M. Robbins,	Salisbury, Rowan
35	Surry and Yadkin,	F. C. Robbins, Sterling Adams, A. C. Cowles,	Lexington, Davidson Yadkinville, Yadkin

36 Alexander and Iredell,	Romulus Z. Linney,	Taylorsville, Alexander	Co., N. C.
37 Catawba, Gaston and Lincoln,	E. Crowell,	Rutherfordton, Rutherford	" "
38 Cleveland, Polk and Rutherford,	G. M. Whitesides,	Wilkesboro', Wilkes	" "
39 Alleghany, Ashe and Wilkes,	C. L. Cook,	Asheville, Buncombe	" "
40 Buncombe, Henderson and Transylvania, ..	James H. Merrimon,	Boone, Watauga	" "
41 Burke, Caldwell and Watauga,	W. B. Council,	Marion, McDowell	" "
42 Madison, Mitchell, McDowell and Yancey, ..	W. W. Fleming,	Franklin, Macon	" "
43 Clay, Cherokee, Haywood, Jackson and	W. L. Love,		
Macon,			

HOUSE OF REPRESENTATIVES.

THOS. J. JARVIS, Tyrrell County, Speaker.

COUNTIES.	NAMES OF MEMBERS.	RESIDENCES.
Alamance,	Col. A. C. McAlister,	Company Shops,
Alleghany,	Robert Gambrel,	Gap Civil,
Ashe,	Dr. J. O. Wilcox,	Jefferson,
Alexander,	J. M. Carson,	Taylorville,
Anson,	Wm. E. Smith,	Morven,
Beaufort,	Thomas Sparrow,	Washington,
Bertie,	P. Robbins,	Windsor,
Bladen,	A. W. Fisher,	Elizabethtown,
Brunswick,	John A. Brooks,	Little River, S. C.
Buncombe,	A. D. Johnston,	Asheville,
Burke,	J. C. Mills,	Morganton,
Cabarrus,	J. L. Henderson,	Concord,
Caldwell,	Ed. Jones,	Patterson,
Camden,	John L. Chamberlain,	Camden, C. H.
Carteret.	L. W. Martin,	Beaufort,
Caswell,	E. A. B. Withers,	Yanceyville,
Catawba,	K. R. B. Houston,	Catawba Station,
Chatham,	R. J. Powell,	Pittsboro',
Cherokee,	John A. Womack,	Pittsboro',
Chowan,	B. K. Dickey,	Murphy,
Clay,	John Page,	Edenton,
Cleveland,	J. S. Anderson,	Fort Hembree,
Cabarrus,	Lee M. McAfee,	Shelby,
	C. C. Gore,	Whiteville,
	Richard Tucker,	Newberne,
Craven,	E. K. Dudley,	Newberne,
	Geo. B. Willis,	Newberne,
Cumberland,	C. W. Broadfoot,	Fayetteville,
	J. H. Carrie,	Fayetteville,
Currituck,	J. Woodhouse,	Poplar Branch,
Davidson,	Jacob Clinard,	Midway Post Office,
	Jacob T. Brown,	Lexington,
Davie,	Jas. Kelly,	Mocksville,

HOUSE OF REPRESENTATIVES.—(Continued.)

COUNTIES.	NAMES OF MEMBERS.	RESIDENCES.
Duplin,	{ John D. Stanford,	Kenansville,
	{ N. E. Armstrong,	Hallsville,
Edgecombe,	{ R. M. Johnson,	Tarboro',
	{ W. Bunn,	Battleboro',
Forsythe,	{ John P. Nisson,	Salem,
Franklin,	{ John H. Williamson,	Louisburg,
	{ James T. Harris,	Pacific,
Gaston,	{ J. G. Gullick,	South Point,
Gates,	{ Riddick Gatling,	Gatesville,
	{ E. B. Lyon,	Franklinton,
Granville,	{ T. L. Hargrove,	Oxford,
	{ W. H. Reavis,	Henderson,
Greene,	{ B. S. Hardy,	Snow Hill,
Guilford,	{ Jonathan Harris,	Westminster,
	{ S. C. Rankin,	McLeansville,
	{ J. J. Goodwyn,	Halifax,
Halifax,	{ John Bryant,	Halifax,
Harnett,	{ Neill S. Stewart,	Aversboro',
Haywood,	{ W. P. Welch,	Waynesville,
Henderson,	{ W. Brownlow Morris,	Hendersonville,
Hertford,	{ W. Newsom,	Winton,
Hyde,	{ W. H. Lucas,	Lake Landing,
	{ J. H. Hill,	Statesville,
Iredell,	{ Thos. A. Nicholson,	Eagle Mills,
Jackson,	{ T. D. Bryson,	Webster,
	{ Jesse Hinnant,	Earpsboro',
Johnston,	{ W. H. Joyner,	Boon Hill,
Jones,	{ B. L. Bryan,	Kinston,
Lenoir,	{ W. F. Loftin,	Kinston,
Lincoln,	{ David Kincaid,	Castania Grove,
Macon,	{ J. L. Robinson,	Franklin,
Madison,	{ Nat. Kelsey,	Ivey,
Martin,	{ Geo. A. Gregory,	Hamilton,
McDowell,	{ J. C. Grayson,	Bridgewater,
	{ R. P. Waring,	Charlotte,
Mecklenburg,	{ J. Sol. Reid,	Providence,
	{ S. M. Collis,	Bakersville,
Mitchell,	{ J. G. Morgan,	Sandersville,
Montgomery,	{ Alexander Kelly,	Carthage,
Moore,	{ J. A. Drake,	Hilliardston,
Nash,		

HOUSE OF REPRESENTATIVES.—(Continued.)

COUNTIES.	NAMES OF MEMBERS.	RESIDENCES.
New Hanover	Samuel A. Ashe,	Wilmington,
	Geo. Z. French,	Wilmington,
	G. L. Mabson,	Wilmington,
Northampton,	Samuel N. Buxton,	Jackson,
	Burton H. Jones,	Jackson,
Onslow,	James G. Scott,	Jacksonville,
Orange,	F. N. Strudwick,	Hillsboro',
	C. C. Atwater,	Snipes' Store,
Pasquotank,	Thos. A. Sykes,	Elizabeth City,
Perquimans,	T. E. Darden,	Belvidere,
Person,	H. T. Jordan,	Roxboro',
Pitt,	B. S. Atkinson,	Greenville,
	C. Joyner,	Marlboro',
Polk,	John Garrison,	Columbus,
	Jonathan Lassiter,	Lassiters Mills,
Randolph,	S. F. Tomlinson,	Bush Hill,
Richmond,	Robert Fletcher,	Rockingham,
	Thos. A. McNeill,	Shoe Heel,
Robeson,	H. B. Regan,	Lumberton,
	A. B. Johns,	Leakesville,
Rockingham,	David Settle,	Wentworth,
	W. H. Crawford,	Salisbury,
Rowan,	F. N. Luckey,	Salisbury,
Rutherford,	J. M. Justice,	Rutherfordton,
Sampson,	J. R. Maxwell,	Dismal,
Stanly,	John Furr,	Albemarle,
Stokes,	J. G. H. Mitchell,	Red Shoals,
Surry,	H. C. Hampton,	Mount Airy,
Transylvania,	J. C. Duckworth,	Brevard,
Tyrrell,	J. J. Jarvis,	Columbia,
Union,	C. M. J. McCauley,	Monroe,
	T. W. Young,	Raleigh,
Wake,	W. W. Morgan,	Raleigh,
	Stewart Ellison,	Raleigh,
	W. M. Cawthorne,	Warrenton,
Warren,	Richard Faulkner,	Warrenton,
Washington,	D. C. Guyther,	Plymouth,
Watauga,	W. F. Shull,	Valley Crucis,
	D. E. Smith,	Dudley Depot,
Wayne,	Edwin G. Copeland,	Goldshoro',

HOUSE OF REPRESENTATIVES.—(Continued.)

COUNTIES.	NAMES OF MEMBERS.	RESIDENCES.
Wilkes, Wilson, Yadkin, Yancey,	Tyre York, J. W. Dunham, J. G. Marler, C. F. Young,	Trap Hill, Wilson, Yadkinville, Burnsville.

LIST
OF
COMMISSIONERS OF AFFIDAVITS
IN THE
SEVERAL STATES AND TERRITORIES
AND IN THE
DISTRICT OF COLUMBIA,
FOR THE
STATE OF NORTH CAROLINA

LIST OF COMMISSIONERS OF AFFIDAVITS.

List of Commissioners of Affidavits in the several States and Territories and in the District of Columbia for the State of North Carolina, appointed since July 4th, 1868, together with residence, dates of commission and qualification of each.

STATE OR TERRITORY.	NAME.	RESIDENCE.	DATE OF APPOINTMENT.	DATE OF QUALIFICATION
Arkansas,	James M. Alexander,	Helena,	February 10, 1871,	March 8, 1871,
California,	C. M. Arnold,	San Diego,	January 18, "	Feb. 6, "
"	N. Proctor Smith,	San Francisco,	June 1, 1869,	November 19, 1869.
"	Frank V. Sessler,	"	August 25, "	" 19, "
Connecticut,	Julius Twiss,	New Haven,	May 23, 1870,	May, 18, 1870.
"	Edward Goodman,	Hartford,	May 23, 1871	May 26, 1871.
District of Columbia,	Jos. T. K. Blant,	Washington,	August, 4, 1869,	November 10, 1869.
"	M. Wallingsford,	"	February 23, 1870,	March 4, 1870.
Georgia,	Frank H. Miller,	Augusta,	June 1, "	November 12, 1869.
"	Allen Fort,	Americus,	May 7, "	" 13, "
"	John W. Burroughs,	Savannah,	March 21, 1871,	March 23, 1871.
"	Ralph J. Moses, jr.,	Columbus,	April 10, "	April 28, "
Illinois,	John B. Hicks,	Metropolis,	March 10, 1870,	April 2, 1869,
"	Simeon W. King,	Chicago,	June 1, "	June 23, "
"	Phillip A. Hoyne,	"	" 1, "	November 15, "
Louisiana,	James Graham,	New Orleans,	" 1, "	" 15, "
"	Edward Barnett,	"	" 1, "	" 30, "
Maine,	James O. Donnell,	Portland,	" 1, "	June 19, "
Maryland,	Herman L. Emmons,	Baltimore,	" 1, "	July 6, "
"	W. M. Lattimer,	"	May 19, "	May 24, "
"	Geo. Philpot,	"	June 1, "	December 14, "
"	H. R. Dulany,	"	" 1, "	" 27, "

LIST OF COMMISSIONERS OF AFFIDAVITS—(Continued.)

STATE OR TERRITORY.	NAME.	RESIDENCE.	DATE OF APPOINTMENT.	DATE OF QUALIFICATION.
Massachusetts,	Chas. B. F. Adams,	Boston,	June 1, 1870,	July 14, 1869,
"	James B. Bell,	"	" 1, "	" 22, "
"	Samuel Jennison,	"	May 13, 1870,	May 21, 1870,
Missouri,	Theodore Papin,	St. Louis,	June 1, 1869,	July 3, 1869,
"	Austin Drake,	St. Louis,	February 16, 1871,	March 4, 1871,
Mississippi,	E. W. Upshaw,	Holly Springs,	January 1, 1870,	February 7, 1870,
Minnesota,	Cyrus Aldrich,	Minneapolis,	March 31, "	"
North Carolina,	Charles Hibbard,	Newbern,	May 7, 1869,	April 7, 1870,
New Jersey,	Garrett B. Adrain,	New Brunswick,	" 1, "	April 27, 1869,
New York,	Nathaniel Gill,	New York City,	June 1, "	August 20, "
"	Charles H. Hatch,	"	"	February 16, "
"	W. E. Osborn,	Brooklyn,	April 16, "	April 19, "
"	Horace Andrews,	New York City,	May 20, "	May 26, "
"	Moses B. Maclay,	"	June 1, "	June 29, "
"	David McAdams,	"	" 1, "	July 16, "
"	James M. Slevin,	"	August 18, "	September 13, "
"	Michael Jacobs,	"	April 6, "	May 15, "
"	Henry C. Banks,	"	"	June 10, "
"	A. C. Anderson,	"	"	November 16, "
"	G. W. Colles,	"	May 20, "	" 11, 1869,
"	Joseph B. Nones,	"	" 20, "	" 14, "
"	Louis Hurst,	"	June 14, "	December 7, "
"	Alex. Ostrander,	"	May 20, "	November 11, "
"	Charles I. Bushnel,	"	June 1, "	December 27, "
"	Sigismund Lasar,	"	" 1, "	" 27, 1869,
"	Sylvester Lay,	"	"	" 25, "
"	Walter S. Poor,	"	March 10, 1871,	March 13, 1871.

New York,	Alfred B. Smith,	Poughkeepsic,	March	20,	1870,	December	23,	1871,
"	Chas. W. Anderson,	New York City,	April	1,	"	April	5,	"
"	Watson J. Hildreth,	"	"	6,	1871,	"	12,	"
"	Edward E. Burr,	"	February	10,	"	May	16,	"
"	Jacob DuBois,	"	May	23,	"	"	25,	"
"	J. Spencer Smith,	"	"	27,	"	June	2,	"
"	John Bizzell,	"	June	5,	1869,	November	12,	1869,
"	Fred R. Anderson,	"	"	15,	"	"	12,	"
"	Rufus K. M. Hay,	"	September	1,	1869,	October	10,	1868,
"	Edwin F. Corey, sr.,	"	April	1,	1870,	June	4,	1870,
"	Daniel P. Bible,	"	September	1,	1869,	April	2,	"
"	Edwin F. Corey,	"	September	1,	1869,	June	4,	"
"	Arthur W. Knapp,	"	February	22,	1870,	February	23,	"
Ohio,	James Wade, jr.,	Cleveland,	April	10,	1869,	November	11,	1869,
"	J. B. Conklin,	Cincinnati,	June	1,	"	December	16,	"
"	A. H. McGuffey,	"	"	1,	"	November	12,	"
"	Samuel S. Carpenter,	"	"	1,	"	December	27,	"
Pennsylvania,	Samuel E. Crawford,	Philadelphia,	October	28,	1868,	May	6,	1870,
"	Kinley J. Turner,	"	June	1,	1869,	June	10,	"
"	Joshua Sperring,	"	"	1,	"	"	18,	"
"	Charles Chauncey,	"	"	1,	"	July	2,	"
"	Edwin Shippin,	"	"	1,	"	September	1,	"
"	Theo. D. Rand,	"	May	20,	"	December	14,	"
"	Samuel S. Taylor,	"	"	20,	"	November	11,	"
"	John McLaren,	Pittsburg,	June	1,	"	"	19,	"
"	F. Herbert Janvier,	Philadelphia,	January	6,	1870,	January	10,	"
"	Henry Phillips, jr.,	"	December	6,	"	December	6,	1869,
"	G. W. Barton,	"	May	20,	"	May	25,	1870,
"	Samuel B. Huey,	"	March	5,	"	March	21,	1870,
"	Joseph Frankish,	"	April	25,	"	April	23,	"
South Carolina,	V. J. Tobias,	Charleston,	June	1,	1869,	November	13,	1869

LIST OF COMMISSIONERS OF AFFIDAVITS—(Continued.)

STATE OR TERRITORY.	NAME.	RESIDENCE.	DATE OF APPOINTMENT.	DATE OF QUALIFICATION
South Carolina.	Thomas Frost,	Charleston,	February 23, 1870,	May 15, 1870,
Tennessee,	Henry P. Woodard,	Memphis,	October 28, 1868,	January 27, 1869,
"	Josiah W. Wescott,	"	March 31, 1871,	April 7, 1871,
"	James E. Temple,	"	August 25, 1869,	November 13, 1869,
"	John C. Reeves,	Summerville,	" 25, "	December 30, "
Texas,	Hudson Carey,	Memphis,	November 12, "	November 6, "
Virginia,	R. D. Johnson,	Galveston County,	June 1, "	" 17, "
"	S. B. Ginn,	Norfolk,	May 20, 1869,	January 5, 1869,
"	Alex. Donnan,	Petersburg,	" 20, "	May 26, "
"	John R. Kilby,	Suffolk,	September 10, "	" 20, "
"	Warren G. Elliot,	Norfolk,	May 20, "	September 20, "
"	Frank A. Wilcox,	"	" 2, "	November 16, "
"	T. R. Borland,	"	June 22, "	May 5, "
"	Gilbert Elliott,	"	September 1, "	November 13, "
"	Thos. W. Upsher,	Richmond,	August 28, "	" 11, "
"	E. R. Hunter,	County of Norfolk,	June 1, "	December 14, "
"	E. M. Garrett,	Richmond,	June 1, "	November 10, "
"	W. B. Martin,	Norfolk,	" 1, "	October 21, 1868,

STATE OF NORTH CAROLINA,

DEPARTMENT OF STATE,

Raleigh, June 10, 1870.

I, HENRY J. MENNINGER, Secretary of the State of North Carolina, hereby certify that the foregoing contains a true list of the appointments of Commissioners of Affidavits and Probate of Deeds, with the dates of their qualification and places of residence, as recorded in this office.

H. J. MENNINGER, *Secretary of State.*

* All appointments previous to July 4th, 1868, revoked by his Excellency Gov. W. W. Holden.

CAPTIONS

OF THE

PUBLIC ACTS OF NORTH CAROLINA.

CAPTIONS
TO THE
PUBLIC ACTS AND RESOLUTIONS
SESSION 1870-71.

41	An act to provide for a special term of the superior court of Davidson county.
42	An act to extend the time for collecting and paying over taxes for equity purposes for county of Cleveland.
43	An act to establish office of state printer and for other purposes.
44	An act to appoint commissioners to take certain depositions relative to senatorial election in counties of Crisp and Troup.
45	An act concerning townships in county of Jackson.
46	An act for relief of John H. Davis, sheriff of Carter county.
47	An act to repeal an act entitled "an act to secure the better protection of life and property," passed Jan. 23rd, 1870.
48	An act in relation to the keeper of the capital.
49	An act to extend the time for collecting and paying over taxes in Alamance and Caswell.
50	An act to appoint two commissioners to take depositions in the matter of the contested election for Wayne county.
51	An act to repeal an act in relation to judges and law does, entitled Nov. 22nd, 1869.

Caption to page

CAPTIONS

TO THE

PUBLIC ACTS AND RESOLUTIONS.

SESSION 1870-'71.

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CONSTITUTION

OF THE

STATE OF NORTH CAROLINA.

STATE OF NORTH CAROLINA

CONSTITUTION

OF THE

STATE OF NORTH CAROLINA,

Ratified by the people April 21st, 22d and 23d, 1868.



PREAMBLE.

We, the people of the State of North Carolina, grateful Preamble.
to Almighty God, the Sovereign Ruler of Nations, for the
preservation of the American Union, and the existence of
our civil, political and religious liberties, and acknowledging
our dependence upon Him, for the continuance of those
blessings to us and our posterity, do, for the more certain
security thereof, and for the better government of this State,
ordain and establish this Constitution.

ARTICLE I.

DECLARATION OF RIGHTS.

That the great, general and essential principles of liberty
and free government, may be recognized and established,
and that the relations of this State to the Union and gov-
ernment of the United States, and those of the people of this
State to the rest of the American people, may be defined
and affirmed, we do declare :

SECTION 1. That we hold it to be self-evident that all men
are created equal ; that they are endowed by their Creator

The equality and
rights of men.

with certain unalienable rights; that among these are life, liberty, the enjoyment of the fruits of their own labor, and the pursuit of happiness.

Political power
and government.

SEC. 2. That all political power is vested in, and derived from, the people; all government of right originates from the people, is founded upon their will only, and is instituted solely for the good of the whole.

Internal govern-
ment of the State.

SEC. 3. That the people of this State have the inherent, sole, and exclusive right of regulating the internal government and police thereof, and of altering and abolishing their Constitution and form of government, whenever it may be necessary to their safety and happiness; but every such right should be exercised in pursuance of law, and consistently with the Constitution of the United States.

That there is no
right to secede.

SEC. 4. That this State shall ever remain a member of the American Union; that the people thereof are part of the American nation; that there is no right on the part of the State to secede, and that all attempts from whatever source or upon whatever pretext, to dissolve said Union, or to sever said nation, ought to be resisted with the whole power of the State.

Of allegiance to
the U. S. govern-
ment.

SEC. 5. That every citizen of said State owes paramount allegiance to the Constitution and Government of the United States, and that no law or ordinance of the State in contravention or subversion thereof, can have any binding force.

Public debt.

SEC. 6. To maintain the honor and good faith of the State untarnished, the public debt, regularly contracted before and since the rebellion, shall be regarded as inviolable and never be questioned; but the State shall never assume or pay, or authorize the collection of, any debt or obligation, express or implied, incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave.

Exclusive emolu-
ments, &c.

SEC. 7. No man or set of men are entitled to exclusive or separate emoluments or privileges from the community but in consideration of public services.

SEC. 8. The Legislative, Executive, and Supreme judicial powers of the government ought to be forever separate and distinct from each other. The Legislative, Executive and Judicial powers distinct.

SEC. 9. All power of suspending laws, or the execution of laws, by any authority, without the consent of the Representatives of the people, is injurious to their rights, and ought not to be exercised. Of the power of suspending laws.

SEC. 10. All elections ought to be free. Elections free.

SEC. 11. In all criminal prosecutions, every man has the right to be informed of the accusation against him and to confront the accusers and witnesses with other testimony, and to have counsel for his defence, and not be compelled to give evidence against himself, or to pay costs, jail fees, or necessary witness fees of the defence, unless found guilty. In criminal prosecutions.

SEC. 12. No person shall be put to answer any criminal charge, except as hereinafter allowed, but by indictment, presentment, or impeachment. Answers to criminal charges.

SEC. 13. No person shall be convicted of any crime but by the unanimous verdict of a jury of good and lawful men in open court. The Legislature may, however, provide other means of trial for petty misdemeanors, with the right of appeal. Right of jury.

SEC. 14. Excessive bail should not be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted. Excessive bail.

SEC. 15. General warrants, whereby any officer or messenger may be commanded to search suspected places, without evidence of the act committed, or to seize any person or persons not named, whose offence is not particularly described and supported by evidence, are dangerous to liberty and ought not to be granted. General warrants.

SEC. 16. There shall be no imprisonment for debt in this State, except in cases of fraud. Imprisonment for debt.

SEC. 17. No person ought to be taken, imprisoned or dis-seized of his freehold, liberties or privileges, or outlawed, or exiled, or in any manner deprived of his life, liberty, or property, but by the law of the land. No person to be taken, &c., but by law of the land

Persons re-
strained of lib-
erty.

SEC. 18. Every person restrained of his liberty is entitled to a remedy to enquire into the lawfulness thereof, and to remove the same, if unlawful; and such remedy ought not to be denied or delayed.

Controversies at
law respecting
property.

SEC. 19. In all controversies at law respecting property, the ancient mode of trial by jury is one of the best securities of the rights of the people, and ought to remain sacred and inviolable.

Freedom of the
press.

SEC. 20. The freedom of the press is one of the great bulwarks of liberty, and therefore ought never to be restrained, but every individual shall be held responsible for the abuse of the same.

Habeas corpus.

SEC. 21. The privilege of the writ of *habeas corpus* shall not be suspended.

Property qualifi-
cation.

SEC. 22. As political rights and privileges are not dependent upon, or modified by property, therefore no property qualification ought to affect the right to vote or hold office.

Representation
and taxation.

SEC. 23. The people of this State ought not to be taxed, or made subject to the payment of any impost or duty, without the consent of themselves, or their representatives in General Assembly, freely given.

Militia, and the
right to bear arms

SEC. 24. A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed; and, as standing armies, in time of peace, are dangerous to liberty, they ought not to be kept up, and the military should be kept under strict subordination to, and governed by, the civil power.

Right of the peo-
ple to assemble
together.

SEC. 25. The people have a right to assemble together to consult for their common good, to instruct their representatives, and to apply to the Legislature for redress of grievances.

Religious liberty.

SEC. 26. All men have a natural and unalienable right to worship Almighty God according to the dictates of their own consciences, and no human authority should, in any case whatever, control or interfere with the rights of conscience.

SEC. 27. The people have a right to the privilege of education, and it is the duty of the State to guard and maintain that right. Education.

SEC. 28. For redress of grievances, and for amending and strengthening the laws, elections should be often held. Elections should be frequent.

SEC. 29. A frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty. Recurrence to fundamental principles.

SEC. 30. No hereditary emoluments, privileges, or honors, ought to be granted or conferred in this State. Hereditary emoluments, &c.

SEC. 31. Perpetuities and monopolies are contrary to the genius of a free State, and ought not to be allowed. Perpetuities, &c.

SEC. 32. Retrospective laws, punishing acts committed before the existence of such laws, and by them only declared criminal, are oppressive, unjust and incompatible with liberty, wherefore no *ex post facto* law ought to be made. No law taxing retrospectively, sales, purchases, or other acts previously done, ought to be passed. Ex post facto laws.

SEC. 33. Slavery and involuntary servitude, otherwise than for crime whereof the parties shall have been duly convicted, shall be, and are hereby forever prohibited within this State. Slavery prohibited.

SEC. 34. The limits and boundaries of the State shall be and remain as they now are. State boundaries.

SEC. 35. All courts shall be open, and every person for an injury done him in his lands, goods, person, or reputation, shall have remedy by due course of law, and right and justice administered without sale, denial, or delay. Courts shall be open, &c.

SEC. 36. No soldier shall in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner prescribed by law. Soldiers in time of peace.

SEC. 37. This enumeration of rights shall not be construed to impair or deny others, retained by the people; and all powers, not herein delegated, remain with the people. Other rights of the people.

ARTICLE II.

LEGISLATIVE DEPARTMENT.

Two branches.

SECTION 1. The Legislative authority shall be vested in two distinct branches, both dependent on the people, to wit: a Senate and House of Representatives.

Time of assembling.

SEC. 2. The Senate and House of Representatives shall meet annually on the third Monday in November, and when assembled, shall be denominated the General Assembly. Neither House shall proceed upon public business, unless a majority of all the members are actually present.

Number of Senators.

SEC. 3. The Senate shall be composed of fifty Senators biennially chosen by ballot.

Senatorial districts.

SEC. 4. Until the first session of the General Assembly which shall be had after the year eighteen hundred and seventy-one, the Senate shall be composed of members elected from districts constituted as follows:

1st District—Perquimans, Chowan, Pasquotank, Currituck, Gates and Camden shall elect two Senators.

2d District—Martin, Washington and Tyrrell shall elect one Senator.

3d District—Beaufort and Hyde shall elect one Senator.

4th District—Northampton shall elect one Senator.

5th District—Bertie and Hertford shall elect one Senator.

6th District—Halifax shall elect one Senator.

7th District—Edgecombe shall elect one Senator.

8th District—Pitt shall elect one Senator.

9th District—Nash and Wilson shall elect one Senator.

10th District—Craven and Carteret shall elect two Senators.

11th District—Jones and Lenoir shall elect one Senator.

12th District—Duplin and Onslow shall elect one Senator.

13th District—Brunswick and New Hanover shall elect two Senators.

14th District—Bladen and Columbus shall elect one Senator.

15th District—Robeson shall elect one Senator.

16th District—Cumberland, Harnett and Sampson shall elect two Senators. Senatorial districts.

17th District—Johnston shall elect one Senator.

18th District—Greene and Wayne shall elect one Senator.

19th District—Franklin and Wake shall elect two Senators.

20th District—Warren shall elect one Senator.

21st District—Granville and Person shall elect two Senators.

22d District—Orange shall elect one Senator.

23d District—Chatham shall elect one Senator.

24th District—Caswell shall elect one Senator.

25th District—Rockingham shall elect one Senator.

26th District—Alamance and Guilford shall elect two Senators.

27th District—Randolph and Montgomery shall elect one Senator.

28th District—Moore and Richmond shall elect one Senator.

29th District—Anson and Union shall elect one Senator.

30th District—Mecklenburg shall elect one Senator.

31st District—Cabarrus and Stanly shall elect one Senator.

32d District—Davie and Rowan shall elect one Senator.

33d District—Davidson shall elect one Senator.

34th District—Forsythe and Stokes shall elect one Senator.

35th District—Surry and Yadkin shall elect one Senator.

36th District—Alexander and Iredell shall elect one Senator.

37th District—Catawba, Gaston and Lincoln shall elect one Senator.

38th District—Cleveland, Polk and Rutherford shall elect one Senator.

39th District—Alleghany, Ashe and Wilkes shall elect one Senator.

40th District—Buncombe, Henderson and Transylvania shall elect one Senator.

Senatorial districts.

41st District—Burke, Caldwell and Watauga shall elect one Senator.

42d District—Madison, Mitchell, McDowell and Yancey shall elect one Senator.

43d District—Clay, Cherokee, Haywood, Jackson and Macon shall elect one Senator.

Regulations in relation to districting the State for Senators.

SEC. 5. An enumeration of the inhabitants of the State shall be taken under the direction of the General Assembly in the year one thousand eight hundred and seventy-five, and at the end of every ten years thereafter; and the said Senate Districts shall be so altered by the General Assembly, at the first session after the return of every enumeration taken as aforesaid, or by order of Congress, that each Senate District shall contain, as nearly as may be, an equal number of inhabitants, excluding aliens and Indians not taxed, and shall remain unaltered until the return of another enumeration, and shall at all times consist of contiguous territory; and no county shall be divided in the formation of a Senate District, unless such county shall be equitably entitled to two or more Senators.

Regulations in relation to apportionment of Representatives.

SEC. 6. The House of Representatives shall be composed of one hundred and twenty Representatives, biennially chosen by ballot, to be elected by the counties respectively, according to their population, and each county shall have at least one Representative in the House of Representatives, although it may not contain the requisite ratio of representation; this apportionment shall be made by the General Assembly at the respective times and periods when the districts for the Senate are hereinbefore directed to be laid off.

Ratio of representation.

SEC. 7. In making the apportionment in the House of Representatives, the ratio of representation shall be ascertained by dividing the amount of the population of the State, exclusive of that comprehended within those counties which do not severally contain the one hundred and twentieth part of the population of the State, by the number of Representatives, less the number assigned to such counties; and in ascertaining the number of the population of the State, aliens and Indians not taxed shall not be included.

To each county containing the said ratio and not twice the said ratio, there shall be assigned one Representative; to each county containing twice but not three times the said ratio, there shall be assigned two Representatives, and so on progressively, and then the remaining Representatives shall be assigned severally to the counties having the largest fractions.

SEC. 8. Until the General Assembly shall have made the apportionment as hereinbefore provided, the House of Representatives shall be composed of members elected from the counties in the following manner, to-wit:

Apportionment of Representatives.

The County of Wake shall elect four members; the counties of Craven, Granville, Halifax and New Hanover shall elect three members each; the Counties of Caswell, Chatham, Cumberland, Davidson, Duplin, Edgecombe, Franklin, Guilford, Iredell, Johnston, Mecklenburg, Northampton, Orange, Pitt, Randolph, Robeson, Rockingham, Rowan, Warren and Wayne shall elect two members each; the Counties of Alamance, Alexander, Alleghany, Anson, Ashe, Beaufort, Bertie, Bladen, Brunswick, Buncombe, Burke, Cabarrus, Caldwell, Camden, Carteret, Catawba, Cherokee, Chowan, Clay, Cleavland, Columbus, Currituck, Davie, Forsythe, Gaston, Gates, Green, Harnett, Henderson, Haywood, Hertford, Hyde, Jackson, Jones, Lenoir, Lincoln, Macon, Madison, Martin, McDowell, Mitchell, Montgomery, Moore, Nash, Onslow, Pasquotank, Perquimans, Person, Polk, Richmond, Rutherford, Sampson, Stanly, Stokes, Surry, Transsylvania, Tyrrell, Union, Washington, Watauga, Wilkes, Wilson, Yadkin and Yancey shall elect one member each.

SEC. 9. Each member of the Senate shall be not less than twenty-five years of age, shall have resided in the State as a citizen two years, and shall have usually resided in the District for which he is chosen, one year immediately preceding his election.

Qualification of Senators.

SEC. 10. Each member of the House of Representatives shall be a qualified elector of the State, and shall have resi-

Qualification for Representatives.

ded in the county for which he is chosen, for one year immediately preceding his election.

Election of officers.

SEC. 11. In the election of all officers, whose appointment shall be conferred upon the General Assembly by the Constitution, the vote shall be *viva voce*.

Powers in relation to divorce and alimony.

SEC. 12. The General Assembly shall have power to pass general laws regulating divorce and alimony, but shall not have power to grant a divorce or secure alimony in any individual case.

Private laws in relation to names of persons, &c.

SEC. 13. The General Assembly shall not have power to pass any private law to alter the name of any person, or to legitimate any person not born in lawful wedlock, or to restore the rights of citizenship to any person convicted of an infamous crime, but shall have power to pass general laws regulating the same.

Thirty days' notice shall be given anterior to passage of private laws.

SEC. 14. The General Assembly shall not pass any private law, unless it shall be made to appear that thirty days' notice of application to pass such law shall have been given, under such direction, and in such manner as shall be provided by law.

Vacancies.

SEC. 15. If vacancies shall occur in the General Assembly by death, resignation or otherwise, writs of election shall be issued by the Governor under such regulations as may be prescribed by law.

Revenue.

SEC. 16. No law shall be passed to raise money on the credit of the State, or to pledge the faith of the State directly or indirectly for the payment of any debt, or to impose any tax upon the people of the State, or to allow the Counties, Cities or Towns to do so, unless the bill for the purpose shall have been read three several times in each House of the General Assembly, and passed three several readings, which readings shall have been on three different days, and agreed to by each house respectively, and unless the yeas and nays on the second and third readings of the bill shall have been entered on the Journal.

Entails.

SEC. 17. The General Assembly shall regulate entails in such manner as to prevent perpetuities.

SEC. 18. Each House shall keep a Journal of its proceedings, which shall be printed and made public immediately after the adjournment of the General Assembly.

Journals.

SEC. 19. Every member of either House may dissent from, and protest against, any act or resolve, which he may think injurious to the public, or any individual, and have the reasons of his dissent entered on the Journal.

Protest.

SEC. 20. The House of Representatives shall choose their own Speaker and other officers.

Officers of the House.

SEC. 21. The Lieutenant Governor shall preside in the Senate, but shall have no vote, unless it may be equally divided.

President of the Senate.

SEC. 22. The Senate shall choose its other officers and also a Speaker (*pro tempore*) in the absence of the Lieutenant Governor, or when he shall exercise the office of Governor.

Other Senatorial officers.

SEC. 23. The style of the acts shall be, "The General Assembly of North Carolina do enact."

Style of the acts.

SEC. 24. Each House shall be judge of the qualifications and elections of its own members, shall sit upon its own adjournment from day to day, prepare bills to be passed into laws, and the two Houses may also jointly adjourn to any future day, or other place.

Powers of the General Assembly

SEC. 25. All bills and resolutions of a legislative nature shall be read three times in each House, before they pass into laws; and shall be signed by the presiding officers of both Houses.

Bills and resolutions to be read three times, &c.

SEC. 26. Each member of the General Assembly, before taking his seat, shall take an oath or affirmation that he will support the Constitution and laws of the United States, and the Constitution of the State of North Carolina, and will faithfully discharge his duty as a member of the Senate or House of Representatives.

Oath for members

SEC. 27. The terms of office for Senators and members of the House of Representatives shall commence at the time of their election; and the term of office of those elected at the first election held under this Constitution shall terminate at the same time as if they had been elected at the first ensuing regular election.

Terms of office.

Yeas and nays.

SEC. 28. Upon motion made and seconded in either House, by one-fifth of the members present, the yeas and nays upon any question shall be taken and entered upon the Journals.

Election for members of the General Assembly.

SEC. 29. The election for members of the General Assembly shall be held for the respective Districts, and Counties, at the places where they are now held, or may be directed hereafter to be held, in such manner as may be prescribed by law, on the first Thursday in August, in the year one thousand eight hundred and seventy, and every two years thereafter. But the General Assembly may change the time of holding the elections. The first election shall be held when the vote shall be taken on the ratification of this Constitution by the voters of the State, and the General Assembly then elected shall meet on the fifteenth day after the approval thereof by the Congress of the United States, if it fall not on Sunday, but if it shall so fall, then on the next day thereafter; and the members then elected shall hold their seats until their successors are elected at a regular election.

ARTICLE III.

EXECUTIVE DEPARTMENT.

Officers of the Executive Department.

SECTION 1. The Executive Department shall consist of a Governor, (in whom shall be vested the Supreme executive power of the State) a Lieutenant Governor, a Secretary of State, an Auditor, a Treasurer, a Superintendent of Public Works, a Superintendent of Public Instruction, and an Attorney General, who shall be elected for a term of four years by the qualified electors of the State, at the same time and places and in the same manner as members of the General Assembly are elected. Their term of office shall

commence on the first day of January next after their election, and continue until their successors are elected and qualified: *Provided*, That the officers first elected shall assume the duties of their office ten days after the approval of this Constitution by the Congress of the United States, and shall hold their offices four years from and after the first day of January, 1869. Term of office.

SEC. 2. No person shall be eligible as Governor or Lieutenant Governor, unless he shall have attained the age of thirty years, shall have been a citizen of the United States five years, and shall have been a resident of this State for two years next before the election; nor shall the person elected to either of these two offices be eligible to the same office more than four years in any term of eight years unless the office shall have been cast upon him as Lieutenant Governor or President of the Senate. Qualifications of Governor and Lieutenant Governor.

SEC. 3. The return of every election for officers of the Executive Department shall be sealed up and transmitted to the seat of government by the returning officers, directed to the Speaker of the House of Representatives, who shall open and publish the same in the presence of a majority of the members of both Houses of the General Assembly. The persons having the highest number of votes respectively, shall be declared duly elected; but if two or more be equal and highest in votes for the same office, then one of them shall be chosen by joint-ballot of both Houses of the General Assembly. Contested elections shall be determined by a joint vote of both Houses of the General Assembly, in such manner as shall be prescribed by law. Returns of elections.

SEC. 4. The Governor, before entering upon the duties of his office, shall, in the presence of the members of both branches of the General Assembly, or before any Justice of the Supreme Court, take an oath or affirmation, that he will support the Constitution and laws of the United States and of the State of North Carolina, and that he will faithfully perform the duties appertaining to the office of Governor to which he has been elected. Oath of office for Governor.

Duties of the Governor.

SEC. 5. The Governor shall reside at the seat of government of this State, and he shall, from time to time, give the General Assembly information of the affairs of the State, and recommend to their consideration such measures as he shall deem expedient.

Reprieves, commutations and pardons.

SEC. 6. The Governor shall have power to grant reprieves, commutations and pardons, after conviction, for all offences, (except in cases of impeachment,) upon such conditions as he may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons. He shall annually communicate to the General Assembly each case of reprieve, commutation, or pardon granted, stating the name of each convict, the crime for which he was convicted, the sentence and its date, the date of commutation, pardon, or reprieve, and the reasons therefor.

Annual reports from officers of Executive Department and of Public institutions.

SEC. 7. The officers of the Executive Department and of the public institutions of the State shall, at least five days previous to each regular session of the General Assembly, severally report to the Governor, who shall transmit such reports, with his message, to the General Assembly; and the Governor may, at any time, require information in writing from the officers in the Executive Department upon any subject relating to the duties of their respective offices, and shall take care that the laws be faithfully executed.

Commander-in-Chief.

SEC. 8. The Governor shall be Commander-in-Chief of the militia of the State, except when they shall be called into the service of the United States.

Extra sessions of General Assembly

SEC. 9. The Governor shall have power, on extraordinary occasions, by and with the advice of the Council of State, to convene the General Assembly in extra session by his proclamation, stating therein the purpose or purposes for which they are thus convened.

Officers whose appointments are not otherwise provided for.

SEC. 10. The Governor shall nominate, and by and with the advice and consent of a majority of the Senators elect, appoint all officers whose offices are established by this Constitution, or which shall be created by law, and whose appointments are not otherwise provided for, and no such

officer shall be appointed or elected by the General Assembly.

SEC. 11. The Lieutenant Governor shall be President of the Senate, but shall have no vote unless the Senate be equally divided. He shall, whilst acting as President of the Senate, receive for his services the same pay which shall, for the same period, be allowed to the Speaker of the House of Representatives; and he shall receive no other compensation except when he is acting as Governor.

Duties of the
Lieutenant Gov-
ernor.

SEC. 12. In case of the impeachment of the Governor, his failure to qualify, his absence from the State, his inability to discharge the duties of his office, or in case the office of Governor shall in anywise become vacant, the powers, duties and emoluments of the office shall devolve upon the Lieutenant Governor until the disabilities shall cease, or a new Governor shall be elected and qualified. In every case in which the Lieutenant Governor shall be unable to preside over the Senate, the Senators shall elect one of their own number President of their body; and the powers, duties and emoluments of the office of Governor shall devolve upon him whenever the Lieutenant Governor shall, for any reason, be prevented from discharging the duties of such office as above provided, and he shall continue as acting Governor until the disabilities be removed, or a new Governor or Lieutenant Governor shall be elected and qualified. Whenever, during the recess of the General Assembly, it shall become necessary for a President of the Senate to administer the government, the Secretary of State shall convene the Senate, that they may elect such President.

In case of im-
peachment of
Governor, or va-
cancy caused by
death or resigna-
tion.

SEC. 13. The respective duties of the Secretary of State, Auditor, Treasurer, Superintendent of Public Works, Superintendent of Public Instruction and Attorney General shall be prescribed by law. If the office of any of said officers shall be vacated by death, resignation, or otherwise, it shall be the duty of the Governor to appoint another until the disability be removed or his successor be elected and qualified. Every such vacancy shall be filled by election at the first general election that occurs more than thirty days

Duties of other
Executive officers

after the vacancy has taken place, and the person chosen shall hold the office for the remainder of the unexpired term fixed in the first section of this article.

Council of State.

SEC. 14. The Secretary of State, Auditor, Treasurer, Superintendent of Public Works, and Superintendent of Public Instruction, shall constitute, *ex officio*, the Council of State, who shall advise the Governor in the execution of his office, and three of whom shall constitute a quorum: their advice and proceedings in this capacity shall be entered in a journal, to be kept for this purpose exclusively, and signed by the members present, from any part of which any member may enter his dissent; and such journal shall be placed before the General Assembly when called for by either House. The Attorney General shall be, *ex officio*, the legal adviser of the Executive Department.

Compensation of Executive officers

SEC. 15. The officers mentioned in this Article shall, at stated periods, receive for their services a compensation to be established by law, which shall neither be increased nor diminished during the time for which they shall have been elected, and the said officers shall receive no other emolument or allowance whatever.

Seal of State.

SEC. 16. There shall be a seal of the State, which shall be kept by the Governor, and used by him, as occasion may require, and shall be called "the Great Seal of the State of North Carolina." All grants and commissions shall be issued in the name and by the authority of the State of North Carolina, sealed with "the Great Seal of the State," signed by the Governor and countersigned by the Secretary of State.

Bureau of Statistics, Agriculture and Immigration.

SEC. 17. There shall be established in the office of Secretary of State, a Bureau of Statistics, Agriculture and Immigration, under such regulations as the General Assembly may provide

ARTICLE IV.

JUDICIAL DEPARTMENT.

SECTION 1. The distinctions between actions at law and suits in equity, and the forms of all such actions and suits shall be abolished, and there shall be in this State but one form of action, for the enforcement or protection of private rights or the redress of private wrongs, which shall be denominated a civil action; and every action prosecuted by the people of the State as a party, against a person charged with a public offence, for the punishment of the same, shall be termed a criminal action. Feigned issues shall also be abolished, and the fact at issue tried by order of Court before a jury.

Abolishes the distinction between actions at law and suits in equity.

Feigned issues abolished.

SEC. 2. Three Commissioners shall be appointed by this Convention to report to the General Assembly at its first session after this Constitution shall be adopted by the people, rules of practice and procedure in accordance with the provisions of the foregoing section, and the Convention shall provide for the Commissioners a reasonable compensation.

Apportionment and duties of three Commissioners.

SEC. 3. The same Commissioners shall also report to the General Assembly as soon as practicable, a code of the law of North Carolina. The Governor shall have power to fill all vacancies occurring in this Commission.

Code of law.

SEC. 4. The Judicial power of the State shall be vested in a Court for the trial of Impeachments, a Supreme Court, Superior Courts, Courts of Justices of the Peace, and Special Courts.

Division of Judicial powers.

SEC. 5. The Court for the trial of Impeachments shall be the Senate. A majority of the members shall be necessary to a quorum, and the judgement shall not extend beyond removal from, and disqualification to hold office in this State; but the party shall be liable to indictment and punishment according to law.

Trial court of impeachment.

Impeachment.

SEC. 6. The House of Representatives solely shall have the power of impeaching. No person shall be convicted without the concurrence of two-thirds of the Senators present. When the Governor is impeached, the Chief Justice shall preside.

Treason against the State.

SEC. 7. Treason against the State shall consist only in levying war against it or adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court. No conviction of treason or attainder shall work corruption of blood or forfeiture.

Five Supreme Court Justices.

SEC. 8. The Supreme Court shall consist of a Chief Justice and four Associate Justices.

Terms of the Supreme Court.

SEC. 9. There shall be two terms of the Supreme Court held at the seat of government of the State in each year, commencing on the first Monday in January, and first Monday in June, and continuing as long as the public interests may require.

Jurisdiction of Supreme Court.

SEC. 10. The Supreme Court shall have jurisdiction to review, upon appeal, any decision of the Courts below, upon any matter of law or legal inference; but no issue of fact shall be tried before this Court; and the Court shall have power to issue any remedial writs necessary to give it a general supervision and control of the inferior Courts.

Claims against the State.

SEC. 11. The Supreme Court shall have original jurisdiction to hear claims against the State, but its decisions shall be merely recommendatory; no process in the nature of execution shall issue thereon; they shall be reported to the next session of the General Assembly for its action.

Twelve Judicial Districts for Superior Courts.

SEC. 12. The State shall be divided into twelve judicial Districts, for each of which a Judge shall be chosen, who shall hold a Superior Court in each county in said District at least twice in each year, to continue for two weeks, unless the business shall be sooner disposed of.

Apportionment of said districts.

SEC. 13. Until altered by law, the following shall be the Judicial Districts:

First District—Currituck, Camden, Pasquotank, Perquimans, Chowan, Gates, Hertford, Bertie. Apportionment of said districts.

Second District—Tyrrell, Hyde, Washington, Beaufort, Martin, Pitt, Edgecombe.

Third District—Craven, Carteret, Jones, Greene, Onslow, Lenoir, Wayne, Wilson.

Fourth District—Brunswick, New Hanover, Duplin, Columbus, Bladen, Sampson, Robeson.

Fifth District—Cumberland, Harnett, Moore, Richmond, Anson, Montgomery, Stanly, Union.

Sixth District—Northampton, Warren, Halifax, Wake, Nash, Franklin, Johnston, Granville.

Seventh District—Person, Orange, Chatham, Randolph, Guilford, Alamance, Caswell, Rockingham.

Eighth District—Stokes, Forsythe, Davidson, Rowan, Davie, Yadkin, Surry.

Ninth District—Catawba, Cabarrus, Mecklenburg, Lincoln, Gaston, Cleveland, Rutherford, Polk.

Tenth District—Iredell, Wilkes, Burke, Alexander, Caldwell, McDowell.

Eleventh District—Alleghany, Ashe, Watauga, Mitchell, Yancey, Madison, Buncombe.

Twelfth District—Henderson, Transylvania, Haywood, Macon, Jackson, Clay, Cherokee.

SEC. 14. Every Judge of a Superior Court shall reside in his District while holding his office. The Judges may exchange Districts with each other with the consent of the Governor, and the Governor, for good reasons, which he shall report to the Legislature at its current or next session, may require any Judge to hold one or more specified terms of said Courts in lieu of the Judge in whose District they are. Residences of Judges, and special terms of courts.

SEC. 15. The Superior Courts shall have exclusive original jurisdiction of all civil actions, whereof exclusive original jurisdiction is not given to some other Courts; and of all criminal actions in which the punishment may exceed a fine of fifty dollars or imprisonment for one month. Original jurisdiction of the Superior Courts.

SEC. 16. The Superior Courts shall have appellate jurisdiction of all issues of law or fact, determined by a Probate Appellate jurisdiction.

Judge or a Justice of the Peace, where the matter in controversy exceeds twenty-five dollars, and of matters of law in all cases.

Jurisdiction of Superior Court Clerks.

SEC. 17. The Clerks of the Superior Courts shall have jurisdiction of the probate of deeds, the granting of letters testamentary and of administration, the appointment of guardians, the apprenticing of orphans, to audit the accounts of executors, administrators and guardians, and of such other matters as shall be prescribed by law. All issues of fact joined before them shall be transferred to the Superior Courts for trial, and appeals shall lie to the Superior Courts from their judgments in all matters of law.

Right of appeal.

In case of waiver of trial by jury.

SEC. 18. In all issues of fact, joined in any Court, the parties may waive the right to have the same determined by jury, in which case the finding of the Judge upon the facts shall have the force and effect of a verdict of a jury.

Special courts in cities.

SEC. 19. The General Assembly shall provide for the establishment of Special Courts, for the trial of misdemeanors, in Cities and Towns, where the same may be necessary.

Clerk of Supreme Court.

SEC. 20. The Clerk of the Supreme Court shall be appointed by the Court, and shall hold his office for eight years.

Election of Superior Court Clerk.

SEC. 21. A Clerk of the Superior Court for each County shall be elected by the qualified voters thereof, at the time and in the manner prescribed by law for the election of members of the General Assembly.

Term of office.

SEC. 22. Clerks of the Superior Courts shall hold their offices for four years.

Fees, salaries and emoluments.

SEC. 23. The General Assembly shall prescribe and regulate the fees, salaries and emoluments of all officers provided for in this Article; but the salaries of the judges shall not be diminished during their continuance in office.

What laws are and shall be in force.

SEC. 24. The laws of North Carolina, not repugnant to this Constitution, or to the Constitution and laws of the United States, shall be in force until lawfully altered.

SEC. 25. Actions at law, and suits in equity, pending when this Constitution shall go into effect, shall be transferred to the Courts having jurisdiction thereof, without prejudice by reason of the change, and all such actions and suits, commenced before, and pending at, the adoption by the General Assembly, of the rules of practice and procedure herein provided for, shall be heard and determined, according to the practice now in use, unless otherwise provided for by said rules.

Disposition of actions at law and suits in equity pending when this Constitution shall go into effect, &c.

SEC. 26. The Justices of the Supreme Court shall be elected by the qualified voters of the State, as is provided for the election of members of the General Assembly. They shall hold their offices for eight years. The Judges of the Superior Courts shall be elected in like manner, and shall hold their offices for eight years; but the Judges of the Superior Courts elected at the first election under this Constitution shall, after their election, under the superintendence of the Justices of the Supreme Court, be divided by lot into two equal classes, one of which shall hold office for four years, the other for eight years.

Election, terms of office, &c., of Supreme and Superior Court Judges.

SEC. 27. The General Assembly may provide by law that the Judges of the Superior Courts, instead of being elected by the voters of the whole State, as is herein provided for, shall be elected by the voters of their respective Districts.

Provision in relation to election of Superior Court Judges.

SEC. 28. The Superior Courts shall be, at all times, open for the transaction of all business within their jurisdiction, except the trial of issues of fact requiring a jury.

Transaction of business in the Superior Courts.

SEC. 29. A Solicitor shall be elected for each Judicial District by the qualified voters thereof, as is prescribed for members of the General Assembly, who shall hold office for the term of four years, and prosecute on behalf of the State, in all criminal actions in the Superior Courts, and advise the officers of justice in his District.

Solicitors for each Judicial District.

SEC. 30. In each county a Sheriff and Coroner shall be elected by the qualified voters thereof, as is prescribed for members of the General Assembly, and shall hold their offices for two years. In each township there shall be a Constable elected in like manner by the voters thereof, who

Sheriff and Coroners.

shall hold his office for two years. When there is no Coroner in the county, the Clerk of the Superior Court for the County may appoint one for special cases. In case of a vacancy existing for any cause, in any of the offices created by this section, the Commissioners for the County may appoint to such office for the unexpired term.

Vacancies.

SEC. 31. All vacancies occurring in the offices provided for by this Article of this Constitution, shall be filled by the appointment of the Governor, unless otherwise provided for and the appointees shall hold their places until the next regular election.

Terms of office of first officers under this Article.

SEC. 32. The officers elected at the first election held under this Constitution shall hold their offices for the terms prescribed for them respectively, next ensuing after the next regular election for members of the General Assembly. But their terms shall begin upon the approval of this Constitution by the Congress of the United States.

Jurisdiction of Justices of the Peace.

SEC. 33. The several Justices of the Peace shall have exclusive original jurisdiction under such regulations as the General Assembly shall prescribe, of all civil actions, founded on contract, wherein the sum demanded shall not exceed two hundred dollars, and wherein the title to real estate shall not be in controversy; and of all criminal matters arising within their counties, where the punishment cannot exceed a fine of fifty dollars, or imprisonment for one month. When an issue of fact shall be joined before a justice, on demand of either party thereto, he shall cause a jury of six men to be summoned, who shall try the same. The party against whom judgment shall be rendered in any civil action may appeal to the Superior Court from the same, and, if the judgment shall exceed twenty-five dollars, there may be a new trial of the whole matter in the appellate court; but if the judgment shall be for twenty-five dollars or less, then the case shall be heard in the appellate court only upon matters of law. In all cases of a criminal nature, the party against whom judgment is given may appeal to the Superior Court, where the matter shall be heard anew. In all cases brought before a Justice, he shall

make a record of the proceedings, and file the same with the Clerk of the Superior Court for his county.

SEC. 34. When the office of Justice of the Peace shall become vacant, otherwise than by expiration of the term, and in case of a failure by the voters of any District to elect, the Clerk of the Superior Court for the county shall appoint to fill the vacancy for the unexpired term.

Vacancies in office of Justices.

SEC. 35. In case the office of Clerk of a Superior Court for a county shall become vacant otherwise than by the expiration of the term, and in case of a failure by the people to elect, the Judge of the Superior Court for the county shall appoint to fill the vacancy until an election can be regularly held.

Vacancies in office of Superior Court Clerk

ARTICLE V.

REVENUE AND TAXATION.

SECTION 1. The General Assembly shall levy a capitation tax on every male inhabitant of the State over twenty-one and under fifty years of age, which shall be equal on each, to the tax on property value at three hundred dollars in cash. The Commissioners of the several counties may exempt from capitation tax in special cases, on account of poverty and infirmity, and the State and county capitation tax combined shall never exceed two dollars on the head.

Capitation tax.

Exemptions.

SEC. 2. The proceeds of the State and county capitation tax shall be applied to the purposes of education and the support of the poor, but in no one year shall more than twenty-five per cent. thereof be appropriated to the latter purpose.

Application of proceeds of State and county capitation tax.

SEC. 3. Laws shall be passed taxing, by a uniform rule, all moneys, credits, investments in bonds, stocks, joint-stock companies or otherwise; and, also, all real and per-

Taxation shall be by uniform rule and ad valorem.

sonal property, according to its true value in money. The General Assembly may also tax trades, professions, franchises, and incomes, provided that no income shall be taxed when the property, from which the income is derived, is taxed.

Payment of interest on public debt.

SEC. 4. The General Assembly shall, by appropriate legislation and by adequate taxation, provide for the prompt and regular payment of the interest on the public debt, and after the year 1880, it shall lay a specific annual tax upon the real and personal property of the State, and the sum thus realized shall be set apart as a sinking fund, to be devoted to the payment of the public debt.

Restriction upon the increase of the public debt, except in certain contingencies.

SEC. 5. Until the bonds of the State shall be at par, the General Assembly shall have no power to contract any new debt or pecuniary obligation in behalf the State, except to supply a casual deficit, or for suppressing invasion or insurrection, unless it shall in the same bill levy a special tax to pay the interest annually. And the General Assembly shall have no power to give or lend the credit of the State in aid of any person, association or corporation, except to aid in the completion of such railroads as may be unfinished at the time of the adoption of this Constitution, or in which the State has a direct pecuniary interest, unless the subject be submitted to a direct vote of the people of the State, and be approved by a majority of those who shall vote thereon.

Property exemptions from taxation.

SEC. 6. Property belonging to the State, or to municipal corporations, shall be exempt from taxation. The General Assembly may exempt cemeteries, and property held for educational, scientific, literary, charitable, or religious purposes; also, wearing apparel, arms for muster, household and kitchen furniture, the mechanical and agricultural implements of mechanics and farmers, libraries and scientific instruments, to a value not exceeding three hundred dollars.

Taxes levied by County Commissioners.

SEC. 7. The taxes levied by the Commissioners of the several counties for county purposes, shall be levied in like manner with the State taxes, and shall never exceed the double of the State tax, except for a special purpose, and with the special approval of the General Assembly.

SEC. 8. Every act of the General Assembly, levying a tax, shall state the special object to which it is to be applied, and it shall be applied to no other purpose.

Acts levying taxes shall state object, &c.

ARTICLE VI.

SUFFRAGE AND ELIGIBILITY TO OFFICE.

SECTION 1. Every male person born in the United States, and every male person who has been naturalized, twenty-one years old, or upward, who shall have resided in this State twelve months next preceding the election, and thirty days in the county in which he offers to vote, shall be deemed an elector.

Qualification of an elector.

SEC. 2. It shall be the duty of the General Assembly to provide, from time to time, for the registration of all electors, and no person shall be allowed to vote without registration, or to register, without first taking an oath or affirmation to support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina, not inconsistent therewith.

Registration of electors.

SEC. 3. All elections by the people shall be by ballot, and all elections by the General Assembly shall be *viva voce*.

Elections by people and General Assembly.

SEC. 4. Every voter, except as hereinafter provided, shall be eligible to office; but before entering upon the discharge of the duties of his office, he shall take and subscribe the following oath: "I, —, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office. So help me God."

Oath of office.

SEC. 5. The following classes of persons shall be disqualified for office: First, All persons who shall deny the being of Almighty God. Second, All persons who shall have

Disqualifications for office.

been convicted of treason, perjury, or of any other infamous crime, since becoming citizens of the United States, or of corruption, or mal-practice in office, unless such person shall have been legally restored to the rights of citizenship.

ARTICLE VII.

MUNICIPAL CORPORATION.

County officers.

SECTION 1. In each county, there shall be elected, biennially, by the qualified voters thereof, as provided for the election of members of the General Assembly, the following officers: A Treasurer, Register of Deeds, Surveyor and Five Commissioners.

Duty of County Commissioners.

SEC. 2. It shall be the duty of the Commissioners to exercise a general supervision and control of the penal and charitable institutions, schools, roads, bridges, levying of taxes and finances of the county, as may be prescribed by law. The Register of Deeds shall be *ex officio*, Clerk of the Board of Commissioners.

Counties to be divided into districts.

SEC. 3. It shall be the duty of the Commissioners first elected in each county, to divide the same into convenient Districts, to determine the boundaries and prescribe the names of the said Districts, and to report the same to the General Assembly before the first day of January, 1869.

Said districts shall have corporate powers as Townships.

SEC. 4. Upon the approval of the reports provided for in the foregoing section, by the General Assembly, the said Districts shall have corporate powers for the necessary purposes of local government, and shall be known as Townships.

Officers of Townships.

SEC. 5. In each Township there shall be biennially elected, by the qualified voters thereof, a Clerk and two Justices of the Peace, who shall constitute a Board of Trustees, and shall, under the supervision of the County Commissioners,

have control of the taxes and finances, roads and bridges of the Township as may be prescribed by law. The General Assembly may provide for the election of a larger number of Justices of the Peace in Cities and Towns and in those Townships in which cities and towns are situated. In every Township there shall also be biennially elected a School Committee, consisting of three persons, whose duty shall be prescribed [by] law.

SEC. 6. The Township Board of Trustees shall assess the taxable property of their townships and make return to the County Commissioners, for revision, as may be prescribed by law. The Clerk shall also be, *ex officio*, Treasurer of the Township.

Trustees shall assess property.

SEC. 7. No County, City, Town, or other municipal corporation shall contract any debt, pledge its faith, or loan its credit, nor shall any tax be levied, or collected by any officers of the same, except for the necessary expenses thereof, unless by a vote of a majority of the qualified voters therein.

No debt or loan except by a majority of voters.

SEC. 8. No money shall be drawn from any County or Township Treasury, except by authority of law.

Drawing of money

SEC. 9. All taxes levied by any County, City, Town, or Township, shall be uniform and *ad valorem*, upon all property in the same, except property exempted by this Constitution.

Taxes to be ad valorem.

SEC. 10. The county officers first elected under the provisions of this Article shall enter upon their duties ten days after the approval of this Constitution by the Congress of the United States.

When officers enter on duty.

SEC. 11. The Governor shall appoint a sufficient number of Justices of the Peace in each county, who shall hold their places until sections four, five and six of this Article shall have been carried into effect.

Governor to appoint Justices.

SEC. 12. All charters, ordinances and provisions relating to municipal corporations shall remain in force until legally changed, unless inconsistent with the provisions of this Constitution.

Charters to remain in force until legally changed.

SEC. 13. No County, City, Town or other municipal corporation shall assume or pay, nor shall any tax be levied or

Debts in aid of the rebellion not to be paid.

collected for the payment of any debt, or the interest upon any debt, contracted directly or indirectly in aid or support of the rebellion.

ARTICLE VIII.

CORPORATIONS OTHER THAN MUNICIPAL.

Corporations under general laws.

SECTION 1. Corporations may be formed under general laws, but shall not be created by special act, except for municipal purposes, and in cases where, in the judgment of the Legislature, the object of the corporations cannot be attained under general laws. All general laws and special acts passed, pursuant to this section, may be altered from time to time or repealed.

Debts of corporations, how secured.

SEC. 2. Dues from corporations shall be secured by such individual liabilities of the corporations and other means, as may be prescribed by law.

What corporation shall include.

SEC. 3. The term corporation, as used in this Article, shall be construed to include all associations and joint-stock companies, having any of the powers and privileges of corporations, not possessed by individuals or partnerships. And all corporations shall have the right to sue, and shall be subject to be sued in all Courts, in like cases as natural persons.

Legislature to provide for organizing Cities, Towns, &c.

SEC. 4. It shall be the duty of the Legislature to provide for the organization of Cities, Towns and incorporated Villages, and to restrict their power of taxation, assessments, borrowing money, contracting debts, and loaning their credit, so as to prevent abuses in assessments and in contracting debts by such municipal corporation.

ARTICLE IX.

EDUCATION.

SECTION 1. Religion, morality and knowledge being necessary to good government and happiness of mankind, schools and the means of education shall forever be encouraged.

Education shall be encouraged.

SEC. 2. The General Assembly, at its first session under this Constitution, shall provide by taxation and otherwise for a general and uniform system of public schools, wherein tuition shall be free of charge to all the children of the State between the ages of six and twenty-one years.

General Assembly shall provide for schools.

SEC. 3. Each county of the State shall be divided into a convenient number of Districts, in which one or more public schools shall be maintained at least four months in every year; and if the Commissioners of any county shall fail to comply with the aforesaid requirements of this section, they shall be liable to indictment.

Counties to be divided into districts.

SEC. 4. The proceeds of all lands that have been, or hereafter may be granted by the United States to this State and not otherwise specially appropriated by the United States or heretofore by this State; also, all moneys, stocks, bonds, and other property now belonging to any fund for purposes of education; also, the net proceeds that may accrue the State from sales of estrays, or from fines, penalties and forfeitures; also the proceeds of all sales of the swamp lands belonging to the State; also, all money that shall be paid as an equivalent for exemption from military duty; also, all grants, gifts or devises that may hereafter be made to this State, and not otherwise appropriated by the grant, gift or devise, shall be securely invested, and sacredly preserved as an irreducible educational fund, the annual income of which, together with so much of the ordinary revenue of the State as may be necessary, shall be faithfully appropriated for establishing and perfecting in this State a

What property shall be devoted to educational purposes.

system of free public schools, and for no other purposes or uses whatever.

University and Public Schools not to be separated.

SEC. 5. The University of North Carolina, with its lands, emoluments and franchises, is under the control of the State, and shall be held to an inseparable connection with the free public school system of the State.

Benefits of the University.

SEC. 6. The General Assembly shall provide that the benefits of the University, as far as practicable, be extended to the youth of the State free of expense for tuition; also, that all the property which has heretofore accrued to the State, or shall hereafter accrue from escheats, unclaimed dividends, or distributive shares of the estates of deceased persons, shall be appropriated to the use of the University.

Board of Education.

SEC. 7. The Governor, Lieutenant Governor, Secretary of State, Treasurer, Auditor, Superintendent of Public Works, Superintendent of Public Instruction and Attorney General, shall constitute a State Board of Education.

President and Secretary.

SEC. 8. The Governor shall be President, and the Superintendent of Public Instruction shall be Secretary of the Board of Education.

Power of Board.

SEC. 9. The Board of Education shall succeed to all the powers and trusts of the President and Directors of the Literary Fund of North Carolina, and shall have full power to legislate and make all needful rules and regulations in relation to free public schools and the educational fund of the State; but all acts, rules and regulations of said Board may be altered, amended or repealed by the General Assembly, and when so altered amended or repealed, they shall not be re-enacted by the Board.

First session of Board.

SEC. 10. The first session of the Board of Education shall be held at the Capitol of the State, within fifteen days after the organization of the State government under this Constitution; the time of future meeting may be determined by the Board.

Quorum.

SEC. 11. A majority of the Board shall constitute a quorum for the transaction of business.

Expenses.

SEC. 12. The contingent expenses of the Board shall be provided for by the General Assembly.

SEC. 13. The Board of Education shall elect Trustees for the University as follows: One Trustee for each county in the State, whose term of office shall be eight years. The first meeting of the Board shall be held within ten (10) days after their election, and at this and every subsequent meeting ten Trustees shall constitute a quorum. The Trustees, at their first meeting, shall be divided, as equally as may be, into four classes. The seats of the first class shall be vacated at the expiration of two years; of the second class, at the expiration of four years; of the third class, at the expiration of six years; of the fourth class, at the expiration of eight years; so that one-fourth may be chosen every second year.

Trustees for the University.

SEC. 14. The Board of Education and the President of the University shall be *ex officio* members of the Board of Trustees of the University; and shall, with three other Trustees, to be appointed by the Board of Trustees, constitute the Executive Committee of the trustees of the University of North Carolina, and shall be clothed with the powers delegated to the Executive Committee under the existing organization of the Institution. The Governor shall be, *ex officio*, President of the Board of Trustees and Chairman of the Executive Committee of the University. The Board of Education shall provide for the more perfect organization of the Board of Trustees.

Board of Trustees

SEC. 15. All the privileges, rights, franchises and endowments heretofore granted to, or conferred upon, the Board of Trustees of the University of North Carolina by the charter of 1789, or by any subsequent legislation, are hereby vested in the Board of Trustees, authorized by this Constitution, for the perpetual benefit of the University.

Privileges and rights vested in new Board.

SEC. 16. As soon as practicable after the adoption of this Constitution, the General Assembly shall establish and maintain in connection with the University, a Department of Agriculture, of Mechanics, of Mining, and of Normal Instruction.

Agricultural Department.

SEC. 17. The General Assembly is hereby empowered to enact that every child, of sufficient mental and physical ability, shall attend the public schools during the period

Children must attend school.

between the ages of six and eighteen years, for a term of not less than sixteen months, unless educated by other means.

ARTICLE X.

HOMESTEADS AND EXEMPTIONS.

Exemptions. SECTION 1. The personal property of any resident of this State, to the value of five hundred dollars, to be selected by such resident, shall be, and is hereby exempted from sale under execution, or other final process of any Court, issued for the collection of any debt.

Homestead. SEC. 2. Every homestead, and the dwelling and buildings used therewith, not exceeding in value one thousand dollars to be selected by the owner thereof, or in lieu thereof, at the option of the owner, any lot in a City, Town or Village, with the dwelling and buildings used thereon, owned and occupied by any resident of this State, and not exceeding the value of one thousand dollars, shall be exempted from sale under execution, or other final process, obtained on any debt. But no property shall be exempt from sale for taxes, or for payment of obligations contracted for the purchase of said premises.

Homestead exempted from debt. SEC. 3. The homestead, after the death of the owner thereof, shall be exempt from the payment of any debt, during the minority of his children, or any one of them.

Laborer's lien. SEC. 4. The provisions of section one and two of this Article shall not be so construed as to prevent a laborer's lien for work done and performed for the person claiming such exemption, or a mechanic's lien for work done on the premises.

Benefit of widow. SEC. 5. If the owner of a homestead die, leaving a widow, but no children, the same shall be exempt from the debts of

her husband, and the rents and profits thereof shall insure to her benefit during her widowhood, unless she be the owner of a homestead in her own right.

SEC. 6. The real and personal property of any female in this State, acquired before marriage, and all property, real and personal, to which she may, after marriage, become in any manner entitled, shall be and remain the sole and separate estate and property of such female, and shall not be liable for any debts, obligations or engagements of her husband, and may be devised or bequeathed, and, with the written assent of her husband, conveyed by her as if she were unmarried.

Property of a married female secured to her.

SEC. 7. The husband may insure his own life for the sole use and benefit of his wife and children, and in case of the death of the husband the amount thus insured shall be paid over to the wife and children, or the guardian, if under age, for her, or their own use, free from all the claims of the representatives of the husband, or any of his creditors.

Husband may insure his life for the benefit of wife and children.

SEC. 8. Nothing contained in the foregoing sections of this Article shall operate to prevent the owner of a homestead from disposing of the same by deed; but no deed made by the owner of a homestead shall be valid without the voluntary signature and assent of his wife, signified on her private examination according to law.

How deed for Homestead may be made.

ARTICLE XI.

PUNISHMENTS, PENAL INSTITUTIONS AND PUBLIC CHARITIES.

SECTION 1. The following punishments only shall be known to the laws of this State, viz: death, imprisonment, with or without hard labor, fines, removal from office and disqualification to hold and enjoy any office of honor, trust, or profit under this State.

Punishments.

Death punish-
ment.

SEC. 2. The object of punishments, being not only to satisfy justice, but also to reform the offender, and thus prevent crime, murder, arson, burglary, and rape, and these only, may be punishable with death, if the General Assembly shall so enact.

Penitentiary.

SEC. 3. The General Assembly shall, at its first meeting, make provision for the erection and conduct of a State's Prison or Penitentiary at some central and accessible point within the State.

Houses of correc-
tion.

SEC. 4. The General Assembly may provide for the erection of Houses of Correction, where vagrants and persons guilty of misdemeanors shall be restrained and usefully employed.

Houses of refuge.

SEC. 5. A House or Houses of Refuge may be established whenever the public interest may require it, for the correction and instruction of other classes of offenders.

The sexes to be
separated.

SEC. 6. It shall be required by competent legislation, that the structure and superintendence of penal institutions of the State, the County jails, and City police prisons, secure the health and comfort of the prisoners, and that male and female prisoners be never confined in the same room or cell.

Provisions for the
poor and orphans

SEC. 7. Beneficent provision for the poor, the unfortunate and orphan, being one of the first duties of a civilized and a christian state, the General Assembly shall, at its first session, appoint and define the duties of a Board of Public Charities, to whom shall be entrusted the supervision of all charitable and penal State institutions, and who shall annually report to the Governor upon their condition, with suggestions for their improvement.

Orphan houses.

SEC. 8. There shall also, as soon as practicable, be measures devised by the State for the establishment of one or more Orphan Houses, where destitute orphans may be cared for, educated and taught some business or trade.

Inebriates and
idiots.

SEC. 9. It shall be the duty of the Legislature, as soon as practicable, to devise means for the education of idiots and inebriates.

SEC. 10. The General Assembly shall provide that all the deaf mutes, the blind and the insane of the State, shall be cared for at the charge of the State. Deaf mutes and insane.

SEC. 11. It shall be steadily kept in view by the Legislature, and the Board of Public Charities, that all penal and charitable institutions should be made as nearly self-supporting as is consistent with the purposes of their creation. Self-supporting.

ARTICLE XII.

MILITIA.

SECTION 1. All able bodied male citizens of the State of North Carolina, between the ages of twenty-one and forty years, who are citizens of the United States, shall be liable to duty in the militia: *Provided*, That all persons who may be adverse to bearing arms, from religious scruples, shall be exempt therefrom. Who are liable to militia duty.

SEC. 2. The General Assembly shall provide for the organizing, arming, equipping and discipline of the militia, and for paying the same when called into active service. Organizing, &c.

SEC. 3. The Governor shall be Commander-in-Chief, and have power to call out the militia to execute the law, suppress riots or insurrection, and to repel invasion. Governor Commander-in-Chief.

SEC. 4. The General Assembly shall have power to make such exemptions as may be deemed necessary, and to enact laws that may be expedient for the government of the militia. Exemptions.

ARTICLE XIII.

AMENDMENTS.

Convention. how called.

SECTION 1. No Convention of the people shall be called by the General Assembly unless by the concurrence of two-thirds of all the members of each House of the General Assembly.

How the Constitution may be altered.

SEC. 2. No part of the Constitution of this State shall be altered, unless a bill to alter the same shall have been read three times in each House of the General Assembly and agreed to by three-fifths of the whole number of members of each House respectively; nor shall any alteration take place until the bill, so agreed to, shall have been published six months previous to a new election of members to the General Assembly. If, after such publication, the alteration proposed by the preceding General Assembly shall be agreed to, in the first session thereafter, by two-thirds of the whole representation in each House of the General Assembly, after the same shall have been read three times on three several days in each House, then the said General Assembly shall prescribe a mode by which the amendment or amendments may be submitted to the qualified voters of the House of Representatives throughout the State; and if, upon comparing the votes given in the whole State, it shall appear that a majority of the voters voting thereon have approved thereof, then, and not otherwise, the same shall become a part of the Constitution.

ARTICLE XIV.

MISCELLANEOUS.

Indictments.

SECTION 1. All indictments which shall have been found, or may hereafter be found, for any crime or offence committed before this Constitution takes effect, may be proceeded

upon in the proper Courts, but no punishment shall be inflicted, which is forbidden by this Constitution.

SEC. 2. No person who shall hereafter fight a duel, or assist in the same as a second, or send, accept, or knowingly carry a challenge therefor, or agree to go out of this State to fight a duel, shall hold any office in this State. Penalty for fighting duel.

SEC. 3. No money shall be drawn from the Treasury but in consequence of appropriations made by law, and an accurate account of the receipts and expenditures of the public money shall be annually published. Drawing money.

SEC. 4. The General Assembly shall provide, by proper legislation, for giving to mechanics and laborers an adequate lien on the subject matter of their labor. Mechanics' lien.

SEC. 5. In the absence of any contrary provision, all officers in this State, whether heretofore elected, or appointed by the Governor, shall hold their positions only until other appointments are made by the Governor, or, if the officers are elective, until their successors shall have been chosen and duly qualified, according to the provisions of this Constitution. Governor to make appointments.

SEC. 6. The seat of government in this State shall remain at the City of Raleigh. Seat of government.

SEC. 7. No person shall hold more than one lucrative office under the State, at the same time: *Provided*, That officers in the Militia, Justices of the Peace, Commissioners of Public Charities and Commissioners appointed for special purposes, shall not be considered officers within the meaning of this section. Holding office.

Done in Convention at Raleigh, the sixteenth day of March, in the year of our Lord one thousand eight hundred and sixty-eight, and of the Independence of the United States the ninety-second.

PUBLIC LAWS
OF THE
STATE OF NORTH CAROLINA.

PUBLIC LAWS
OF THE
STATE OF NORTH CAROLINA,
SESSION 1870'71.

CHAPTER I.

AN ACT TO PROVIDE FOR A SPECIAL TERM OF THE SUPERIOR
COURT OF DAVIDSON COUNTY.

WHEREAS, Actions are now pending and at issue in the
superior court of Davidson county involving the title to the
offices of sheriff and county commissioners of said county,
and an early determination of said actions is necessary to
prevent the affairs of said county from falling into confusion ;

Preamble.

SECTION 1. *The General Assembly of North Carolina do enact*, That a special term of the superior court shall be held for said county, at the court house in Lexington, to begin on Monday the nineteenth day of December, eighteen hundred and seventy, for the sole purpose of trying the two actions aforesaid, in one of which the state on the relation of Samuel S. Jones and others is plaintiff, and John S. Snider and others defendants ; and in the other, of which the state on the relation of W. M. Shipp, attorney general, and David Loftin is plaintiff, and Jacob A. Sowers is defendant, and said special term shall continue from day to day until both of said actions are disposed of ; said actions shall not be removed nor shall either of them be continued, unless imperatively necessary to the rights of the parties ; and to avoid the necessity of continuance for absence of witnesses, the

Special term to be held Dec. 19th, 1870.

Restriction.

court shall, if needful, compel their attendance by *capias*, returnable without delay.

Coroner to act as sheriff to summon jurors.

SEC. 2. That the acting coronor of said county shall perform the duties of sheriff at said special term, and shall also forthwith summon twenty-four good and lawful men, to be and appear at the court house on the day aforesaid, to serve as jurors at said special term; and if other jurors are needed the court may order *talismen* to be summoned in the usual manner.

Governor to appoint a Judge to hold court.

SEC. 3. That the governor shall appoint one of the judges of the superior court to hold said special term, whose compensation therefor shall be the same as is allowed by law to judges for holding special terms of superior court.

Appeal.

SEC. 4. That in case an appeal is taken to the supreme court in either of said actions, it shall be the duty of the parties to bring up the case or cases without delay, that the supreme court may hear and determine the same at its January term, 1871, as they are requested to do.

Copies of the act to be furnished.

SEC. 5. That copies of this act shall be at once forwarded by the secretary of state to G. W. Pickett, acting coroner, and L. E. Johnson, clerk of the superior court for said county; and said clerk shall give notice thereof forthwith to the respective parties in said actions.

When act to take effect.

SEC. 6. That this act shall take effect from the date of its ratification.

Ratified the 3rd day of December, A. D. 1870.

CHAPTER II.

AN ACT TO EXTEND THE TIME FOR COLLECTING AND PAYING OVER THE TAXES FOR COUNTY PURPOSES FOR THE COUNTY OF CLEVELAND.

To have until February 15th, 1871, to settle with commissioners.

SECTION 1. *The General Assembly of North Carolina do enact*, That J. O. Bridges, tax collector for the county of Cleve

land, shall have until the fifteenth day of February, eighteen hundred and seventy-one, to collect the taxes for county purposes of the county of Cleaveland, and to settle with the county commissioners of said county.

SEC. 2. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 3d day of December, 1870.

CHAPTER III.

AN ACT TO ABOLISH THE OFFICE OF STATE PRINTER AND FOR OTHER PURPOSES.

SECTION 1. *The General Assembly of North Carolina do enact*, That the office of state printer be and the same is hereby abolished, and all laws and parts of laws in conflict with this act are hereby repealed.

Office of State Printer abolished.

SEC. 2. That the joint committee on printing are hereby authorized to let and make contracts for the public printing upon such terms as they may deem reasonable.

Joint Committee to make contracts.

SEC. 3. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 5th day of December, A. D. 1870.

CHAPTER IV.

AN ACT APPOINTING A COMMISSIONER TO TAKE CERTAIN DEPOSITIONS RELATIVE TO THE SENATORIAL ELECTION IN COUNTIES OF GRANVILLE AND PERSON.

SECTION 1. *The General Assembly of North Carolina do enact*, That W. A. Allen be and he is hereby appointed a commissioner to take the depositions of such witnesses as

W. A. Allen appointed Commissioner.

may be produced before him at such times and places as he may designate in the counties of Granville and Person, to be read in evidence as touching the election of Robert W. Lassiter and Samuel C. Barnett as senators in the present general assembly of this state from the twenty-first senatorial district, contested by Leonidas C. Edwards and William A. Bradsher, who claim to be the lawfully elected senators from said district; and that said commissioner shall have all the powers of a judge of the superior court, to compel the attendance before him of such witnesses, and to cause them to testify in that behalf, and superintend and direct their examination, and to decide upon the competency or relevancy of testimony, and to preserve order and decorum on the part of witnesses, counsel and all other persons present at the taking of such depositions, and to enforce his orders in that behalf by process of attachment if need be.

Powers, &c.

Either party to contest may summon witnesses.

SEC. 2. That either of the parties claiming to have been elected from said senatorial district, their attorneys or agents may apply to the clerk of the superior court of Granville county, or to the clerk of the superior court of Person county for a subpoena for such witnesses as they may desire to examine before said commissioner, and such subpoena shall be made returnable before such commissioner at the time and place designated by him, and shall be directed to and executed by either the sheriff of Granville or Person county.

Depositions in writing to be addressed to President of Senate.

SEC. 3. That said commissioner shall take such depositions in writing as soon as may be and enclose the same according to law to the president of the senate.

Depositions to be read.

SEC. 4. That the depositions so taken shall be read in evidence as to the contested right of both the said senators, and but one deposition of any such witness shall be taken.

Commissioners may employ a clerk.

SEC. 5. That said commissioner shall have power to employ a clerk, whose compensation shall not exceed the sum of two dollars (\$2) *per diem*.

Commissioners to give notice.

SEC. 6. That five days notice in writing of the time and place for taking depositions by said commissioner shall be given by him to the respective parties claiming to have been elected from said district, or to their attorneys or agents,

unless the said notice shall be waived by them; such notice to be served by the sheriff of Granville or Person county, or by the Commissioner in person or any one appointed by him in writing, to make such service.

SEC. 7. That any deposition or depositions heretofore lawfully taken, touching the said contested election, may be read in evidence, notwithstanding this act.

Previous depositions to be read in evidence.

SEC. 8. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 6th day of December, A. D. 1870.

CHAPTER V.

AN ACT CONCERNING TOWNSHIPS IN THE COUNTY OF JACKSON.

SECTION 1. *The General Assembly of North Carolina do enact*, That the districts reported by the commissioners of Jackson county to the last session of the general assembly are hereby approved; and said districts, in obedience to article seven, sections three and four of the constitution, in each district shall have corporate powers, and shall be known as townships by the boundaries, and by the names respectively designated in said report, in as full and ample a manner as if said district had come under and within the provisions of "an act concerning townships," being chapter one hundred and eighty-five of the public laws, passed at the session of one thousand eight hundred and sixty-eight, and one thousand eight hundred and sixty-nine, and ratified the tenth day of April, one thousand eight hundred and sixty-nine.

Districts reported by Commissioners approved.

SEC. 2. *Be it further enacted*, That the election for township officers under the said article of the constitution and the act of the general assembly referred to in the first section in the above named county shall take place on the second Monday of January, one thousand eight-hundred and seventy-

Election of township officers.

one; and the provisions of said act shall apply in all respects to the election herein directed.

Officers to qualify within ten days.

SEC. 3. *Be it further enacted*, That the officers elected under the provisions of this act shall qualify within ten days after the second Monday in January, and shall hold their respective offices until the first Thursday in August, one thousand, eight hundred and seventy-three, or until their successors are elected and qualified.

When act to take effect.

SEC. 4. *Be it further enacted*, That this act shall take effect and be in force from and after its ratification.

Ratified the 8th day of December, A. D. 1870.

CHAPTER VI.

AN ACT FOR THE RELIEF OF JNO. D. DAVIS, SHERIFF OF CARTERET COUNTY.

To be allowed until Feb. 1, 1871, to settle with Treasurer.

SECTION 1. *The General Assembly of North Carolina do enact*, That Jno. D. Davis, sheriff of Carteret county, shall be allowed until the first day of February, A. D. 1871, to settle with the treasurer of the state for taxes due the state for the year 1870.

Relief from penalties.

SEC. 2. That all fines, pains and penalties incurred by said sheriff, for not settling with the treasurer at an earlier date be, and the same are hereby repealed; *provided*, that the said sheriff shall on or before the first day of February, 1871, pay to the said treasurer the full amount due as taxes by said county, and also all costs which have or may accrue by virtue of any suit commenced or to be commenced to enforce the penalty incurred by said sheriff for his failure to settle with said treasurer as the law directs.

When act to be in force.

SEC. 3. This act shall be in force from and after its ratification.

Ratified the 13th day of December, A. D. 1870.

CHAPTER VII.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO SECURE THE BETTER PROTECTION OF LIFE AND PROPERTY," RATIFIED THE TWENTY-NINTH DAY OF JANUARY, ONE THOUSAND EIGHT HUNDRED AND SEVENTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That the act of the general assembly entitled "an act to secure the better protection of life and property," ratified the twenty-ninth day of January, one thousand eight hundred and seventy, and which is to be found on pages sixty-four, sixty-five and sixty six, chapter twenty-seven of the public laws of one thousand eight hundred and sixty-nine, and one thousand eight hundred and seventy, be and the same is hereby repealed. Repealing clause.

SEC. 2. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 13th day of December, A. D. 1870.

CHAPTER VIII.

AN ACT IN RELATION TO THE KEEPER OF THE CAPITOL.

SECTION 1. *The General Assembly of North Carolina do enact*, That so much of section three, chapter one hundred and three of the revised code, as authorizes the board created by section two of said chapter, to appoint some suitable and discreet person to take charge of the capitol, be and the same is hereby repealed. Repealing clause.

SEC. 2. The general assembly shall, on the fourth Wednesday of each and every session, elect a keeper of the capitol, public grounds and arsenal, who shall hold his place until his successor is elected, and files bond, as required by section six of the aforesaid chapter. General Assembly to elect a Keeper of the Capitol, Public Grounds and Arsenal.

Duties of Keeper. SEC. 3. The duties of the keeper shall be such as are now prescribed by law.

When act to be in force. SEC. 4. This act shall be in force from and after its ratification.

Ratified the 14th day of December, A. D. 1870.

CHAPTER IX.

AN ACT TO EXTEND THE TIME FOR COLLECTING AND PAYING OVER TAXES IN ALAMANCE AND CASWELL.

Extension of time to collect and settle for taxes. SECTION 1. *The General Assembly of North Carolina do enact*, That Albert Murray, sheriff of the county of Alamance, and the sheriff of Caswell county, shall have until the first day of February, 1871, to collect the taxes for county purposes of their respective counties, and to settle with the county commissioners of their respective counties.

When act to be in force. SEC. 2. That this act shall be in force from its ratification.

Ratified the 15th day of December, A. D. 1870.

CHAPTER X.

AN ACT TO APPOINT TWO COMMISSIONERS TO TAKE DEPOSITIONS IN THE MATTER OF THE CONTESTED ELECTION FOR WAYNE COUNTY.

Commissioners to go to Goldsboro' and take evidence SECTION 1. *The General Assembly of North Carolina do enact*, That two commissioners be appointed by the speaker of the house of representatives to go to Goldsboro' and take written and sworn evidence in relation to alleged illegal votes and other frauds at the Goldsboro' ballot box in

the election for members of the house of representatives of this general assembly at the last election.

SEC. 2. That said commissioners shall have, when acting as such commissioners, all the authority of a judge of the superior court. Authority of Commissioners.

SEC. 3. That said commissioners be allowed five dollars per day for said services while actually and necessarily so engaged, and ten cents per mile for every mile necessarily travelled by them as said commissioners: *Provided*, That said commissioners, if members of this general assembly, shall receive no per diem, as such members, for any day for which he shall receive a per diem under this act. Pay of Commtsioners.

SEC. 4. This act shall be in force from its ratification. When act to be in force.
Ratified the 15th day of December, A. D. 1870.

CHAPTER XI.

AN ACT TO REPEAL AN ACT IN RELATION TO MILEAGE AND PER DIEM, RATIFIED THE 26TH DAY OF NOVEMBER, A. D. 1869.

SECTION 1. *The General Assembly of North Carolina do enact*, That an act entitled an "act in relation to mileage and per diem," being chapter one of the public laws of 1869 and 1870, ratified the 26th day of November, A. D. 1869, be and the same is hereby repealed, and that the mileage and per diem of the officers and members of this general Assembly shall be as may hereafter be prescribed by law. Repeal.

SEC. 2. That this act shall take effect from the beginning of the present session of this General Assembly. When act to be in force.

Ratified the 16th day of December, A. D. 1870.

CHAPTER XII.

AN ACT IN RELATION TO AN ELECTION TO FILL THE VACANCY
IN THE 26TH SENATORIAL DISTRICT.

Election to be
held Dec. 24, 1870.

SECTION 1. *The General Assembly of North Carolina do enact*, That a special election shall be held on the 24th of December, 1870, for the purpose of filling the vacancy now existing in the 26th senatorial district.

Governor to issue
writs.

SEC. 2. The governor shall issue writs of election to the sheriffs of said district, and the said election shall be held at the time above designated, and in such manner as may be prescribed by law.

When act to be in
force.

SEC. 3. This act shall be in force from and after its ratification.

Ratified the 17th day of December, A. D. 1870.

CHAPTER XIII.

AN ACT TO RESTORE TO THE WESTERN RAILROAD COMPANY ITS ORIGINAL CHARTERED PRIVILEGES, TO REGULATE THE APPOINTMENT OF STATE DIRECTORS, AND TO DEFINE THE VOTE OF THE STATE IN THE GENERAL MEETINGS OF THE STOCKHOLDERS OF SAID COMPANY.

President and
number of Direc-
tors.

SECTION 1. *The General Assembly of North Carolina do enact*, That hereafter there shall be a president and nine directors of the Western Railroad Company, as provided in the original charter of said company, ratified 24th day of December, 1852. Four directors shall be appointed by the state, as provided by the fourth section of an act entitled "an act to enable the Western Railroad Company to complete its road from the Coalfields in Chatham county, to some point on the North Carolina Railroad," ratified Dec.

Four Directors
appointed by the
State.

20th, 1866, when the State became a stockholder and co-partner in said company; and the remaining five directors and the president shall be elected by the individual stockholders, as provided in said 4th section of the above recited act, and in no other manner; and that so much of an act entitled "an act to amend an act entitled an act to amend the charter of the Western Railroad Company, ratified 21st of August, 1868," ratified the 2nd day of February, A. D. 1869, as changes the number and manner of appointment of said president and directors, be and the same is hereby repealed; and the provisions of the original charter of the 24th of December, A. D. 1852, and the amendments thereof of December 20th, A. D. 1866, in relation to the appointment of president and directors, are hereby re-enacted.

Five Directors and President elected by stockholders.

Repealing clause.

Acts re-enacted.

SEC. 2. That in all future meetings of the stockholders of the Western Railroad Company, the representative of the state shall only vote a number of shares equal to one-half of the number of individual shares or votes cast upon any question where a vote is called by stock. The state's representative shall not be entitled to vote where the question may be upon the acceptance or rejection of any amendment to the charter of the company.

Representative of the State to vote only one half the votes cast.

State not to vote on amendment to charter.

SEC. 3. That this act shall be submitted to a meeting of the stockholders of said company, to be held in the town of Fayetteville, within twenty days from its ratification, upon call of the president, or of a number of stockholders holding at least two hundred and fifty shares; and upon its being accepted by a majority of the stock present other than the state, the term of the present president and directors shall cease, and determine in ten days thereafter.

This act to be submitted to stockholders.

SEC. 4. Should the meeting of the stockholders, as provided in the above section, accept this act as a part of their charter, they shall immediately notify the governor of the state of their action, and of the time and place of the next meeting of stockholders, which said meeting shall be held within ten days thereafter; at which said meeting of stockholders the president and directors shall be chosen as provided.

Governor to be notified of acceptance by stockholders.

President and Directors to be chosen.

ded in the first section of this act, and shall hold office until the next regular annual meeting of stockholders.

Repealing clause. SEC. 5. All provisions of law, inconsistent with this act,
When act to be in force. are hereby repealed, and this act shall be in force from and after its ratification.

Ratified the 19th day of December, A. D. 1870.

CHAPTER XIV.

AN ACT TO RELIEVE THOMAS F. BAXTER, SHERIFF OF CURRITUCK
FOR FAILURE TO PAY STATE TAXES.

Relieved from penalties and forfeitures for non-settlement. SECTION 1. *The General Assembly of North Carolina do enact.* That Thomas F. Baxter, sheriff of Currituck county, be and is hereby relieved from the payment of all fines, forfeitures and ameracements incurred by him for failing to pay into the public treasury the taxes due by him, as sheriff aforesaid, for the year 1870, at the time prescribed by law; *Provided,* The said Thomas F. Baxter pay into the public treasury all taxes due the state by him as sheriff aforesaid, before the 10th day of December, 1870; and produce, upon his settlement with the treasurer, a receipt for all costs incurred by reason of his failure to pay the taxes within the time required by law.

Proviso.

When act to be in force.

SEC. 2. This act shall take effect from its ratification.
Ratified the 20th day of December, 1870.

CHAPTER XV.

AN ACT TO REPEAL CHAPTER 52, LAWS OF 1868 AND 1869.

SECTION 1. *The General Assembly of North Carolina do enact*, That chapter fifty-two, laws of 1868 and 1869, be and the same is hereby repealed, and that section four of chapter thirty-five of the revised code be re-enacted in the room and stead thereof. Repeal.
Section 4, chapter 35 Revised Code re-enacted.

SEC. 2. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 20th day of December, A. D. 1870.

CHAPTER XVI.

AN ACT TO REPEAL CERTAIN PARTS OF CHAPTER FORTY-ONE (41) OF AN ORDINANCE RATIFIED MARCH 13TH, 1868.

SECTION 1. *The General Assembly of North Carolina do enact*, That section eight of chapter forty-one of an ordinance ratified March 13th, 1868, and so much of section six of said chapter as gives the code commissioner the right to contract with the printer of the state, for printing, be and the same are hereby repealed. Repeal of right of Code Commissioners to contract for printing.

SEC. 2. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 20th day of December, A. D. 1870.

CHAPTER XVII.

AN ACT FOR THE RELIEF OF JAMES CASHWELL, TAX COLLECTOR
OF BLADEN COUNTY.

Allowed until
Jan. 15, 1871, to
collect and settle
his State taxes.

SECTION 1. *The General Assembly of North Carolina do enact*, That James Cashwell, tax collector of Bladen county, be allowed until the 15th day of January, 1871, to collect and settle his state taxes for the year 1870, and that the sheriff of Bladen be, and he is hereby directed to, suspend further proceedings under the execution now in his hands for the taxes aforesaid, until the day in January aforesaid; *Provided*, the said Cashwell shall pay into the treasury forthwith the taxes already collected.

Proviso.

Relief from pen-
alty.

SEC. 2. That the said Cashwell be relieved of the penalty already incurred, provided he shall pay into the treasury by the day in January aforesaid the taxes aforesaid prescribed by law.

When act to take
effect.

SEC. 3. This act shall be in force from and after its ratification.

Ratified the 20th day of December, A. D. 1870.

CHAPTER XVIII.

AN ACT TO FIX THE PER DIEM AND MILEAGE OF MEMBERS
AND OFFICERS OF THE GENERAL ASSEMBLY OF 1870-'71.

Per diem of Presi-
dent and Speaker.

SECTION 1. *The General Assembly of North Carolina do enact*, That the president of the senate and speaker of the house of representatives shall receive seven dollars per day during the session of the general assembly, and twenty cents per mile for every mile traveled to and from their home to the capitol at Raleigh.

Mileage.

SEC. 2. That each and every member of this general assembly shall receive during the session of the same, five dollars per day and mileage as expressed in the first section of this act. Per diem and mileage of members.

SEC. 3. That the principal and assistant clerk shall receive six dollars per day and mileage as expressed in the first section of this act. Principal and Assistant Clerks.

SEC. 4. That the enrolling and engrossing clerks shall receive five dollars per day and mileage as expressed in the first section of this act. Enrolling and Engrossing Clerks.

SEC. 5. That the doorkeepers and assistant doorkeepers shall receive five dollars per day and mileage as stated in the first section of this act. Doorkeepers.

SEC. 6. That this act shall be in force from and after its ratification. When act to be in force.

Ratified the 21st day of December, A. D. 1870.

CHAPTER XIX.

AN ACT IN RELATION TO THE SPECIAL TAX MONEY IN THE TREASURY.

SECTION 1. *The General Assembly of North Carolina do enact*, That the treasurer of state is hereby directed to use two hundred thousand dollars of the money now in the treasury, collected under the several acts of 1868-'69, providing for the payment of interest on special tax bonds, in payment of the ordinary expenses of the state government, the appropriations for the support of the insane asylum, institution for the deaf, and dumb and the blind, and convicts in the penitentiary, for the present fiscal year; said amount to be apportioned as follows: Expenses of state government one hundred and fifty thousand dollars; insane asylum twenty thousand dollars; institution for the deaf, and dumb and the blind fifteen thousand dollars; penitentiary fifteen Treasurer directed to use \$200,000, special tax money to defray ordinary expenses of the government.

Apportionment.

thousand dollars. And he is hereby directed further to apportion seventy-five thousand dollars of the money hereafter to be paid into the treasury under the aforementioned acts, to the said institutions according to his discretion; *Provided*, That this act shall not have the effect of increasing the appropriations made by the general assembly at the present session, to the insane asylum, institution for the deaf and dumb and the blind, and penitentiary.

Proviso.

Treasurer directed to replace money used under sec. 1 of this act.

SEC. 2. That the treasurer of state is hereby authorized and directed to replace the money used under section one of this act out of any monies which may be paid into the treasury on account of dividends from corporations, or any taxes to be levied and collected for general purposes.

Repealing section.

SEC. 3. That so much of sec. 2 of an act of the general assembly of 1869-'70, entitled "an act to repeal certain acts passed at the session of 1868-'69, making appropriations to railroad companies," ratified March 8th, 1870, as directs credits of special taxes to be credited to the respective counties is hereby repealed.

When act to be in force.

SEC. 4. This act shall be in force from and after its ratification.

Ratified the 21st day of December, A. D. 1870.

CHAPTER XX.

AN ACT TO PROVIDE FOR THE REMOVAL OF CERTAIN SUITS, ACTIONS AND CAUSES FROM ONE JUDICIAL DISTRICT TO ANOTHER. ≡

Suit may be removed to adjoining Judicial District by mutual consent of parties.

SECTION 1. *The General Assembly of North Carolina do enact*, That upon the application of any party, plaintiff or defendant, it shall be the duty of the judges of the superior courts of this state, in their respective judicial districts, to order the transfer and removal of any suit, action or cause pending in the courts of their said districts, in which such

judge shall have been at any time interested as party, or employed or otherwise engaged as counsel, to some county in an adjoining judicial district, to be agreed upon by the parties to such suits, action or cause for trial; *Provided*,^{Proviso.} That if the parties cannot agree upon a county to which such suit, action or cause may be transferred or removed, the judge of the court shall order the transfer and removal of such suit, action or cause, to some county adjoining and nearest to his judicial district; *Provided, further*,^{Further proviso.} That if the judge be interested as a party in any such suit, action or case, he shall, upon the application of any other party to the suit, order the transfer and removal of such suit, action or cause, to some county in an adjoining district, where the term of the court will not interfere with the judicial duties of the judge making such order.

SEC. 2. This act shall be in force from and after its ratification.^{When act to be in force.}

Ratified the 21st day of December, A. D. 1870.

CHAPTER XXI.

AN ACT TO EXTEND THE TIME FOR COLLECTING AND PAYING OVER THE TAXES FOR COUNTY PURPOSES FOR THE COUNTY OF MARTIN.

SECTION 1. *The General Assembly of North Carolina do enact*, That R. B. Saulsbury, sheriff of Martin county, shall have until the first day of April, 1871, to collect the taxes for county purposes, of the county of Martin, and to settle with the county commissioners of said county.^{Time for collection extended to April 1, 1871.}

SEC. 2. That this act shall be in force from and after its ratification.^{When act to be in force.}

Ratified the 21st day of December, A. D. 1870.

CHAPTER XXII.

AN ACT FOR THE RELIEF OF JOHN HORTON, SHERIFF OF WATAUGA COUNTY.

Relief from penalties for non-settlement.

SECTION 1. *The General Assembly of North Carolina do enact*, That John Horton, sheriff of Watauga county, be and he is hereby relieved from all the penalties incurred by his failure to pay over to the state treasurer the tax due by said county as the law directs; *Provided*, That on or before the first Monday in January, one thousand eight hundred and seventy-one, (1871,) he shall pay over to the said treasurer the full and entire amount due as taxes from said county, and the costs of the suit imposing the penalty aforesaid.

Proviso.

When act to take effect.

SEC. 2. This act shall be in force from and after its ratification.

Ratified the 21st day of December, A. D. 1870.

CHAPTER XXIII.

AN ACT DECLARATORY OF THE MEANING OF THE ACT ENTITLED "AN ACT TO REPEAL CERTAIN ACTS PASSED AT THE SESSION OF 1868 AND 1869, MAKING APPROPRIATIONS TO RAILROAD COMPANIES, RATIFIED 8TH OF MARCH, 1870," AND FOR OTHER PURPOSES.

Preamble.

WHEREAS, by an act of the general assembly, entitled "an act to amend the charter of the Wilmington, Charlotte and Rutherford Railroad Company, to provide for the completion of said road, and to secure to the state a representation in said company, ratified the 29th day of January 1869," the public treasurer of the state is directed to subscribe in behalf of the state, four millions of dollars to the capital stock of said road, and provision is made in said act for the issue

of bonds of the state for the payment of such subscription on the part of the state, and it is further provided in said act, that by virtue of such subscription on the part of the state, and the issue of bonds aforesaid, the governor of the state is authorized to appoint seven of the directors of said company; and whereas, by an act entitled "an act to repeal certain acts passed at the session of 1868 and 1869, making appropriations to railroad companies, ratified the 8th day of March, 1870," it is declared, "that all acts passed at the last session of this legislature making appropriations to railroad companies, be and the same are hereby repealed, that all bonds of the state which have been issued under the said acts now in the hands of any president or other officer of the corporation, be immediately returned to the treasurer :

SECTION 1. *Now therefore, the General Assembly of North Carolina do enact,* And it is hereby declared to be the proper construction and the true intent and meaning of the act of the general assembly, ratified the 8th day of March, 1870, hereinbefore referred to, that all power and authority vested in the governor, to appoint directors by virtue of the provisions of the act of the general assembly, ratified the 29th day of January, 1869, hereinafter referred to, became void and ceased to exist, immediately upon the ratification of said act of the 8th day of March, 1870.

Power of Governor to appoint Directors declared void.

SEC. 2. That the power of the governor to appoint directors in said Wilmington, Charlotte and Rutherford Railroad Company having so ceased as aforesaid, it shall be the duty of William Sloan, and others claiming to act as directors, by virtue of such appointment from the governor, and they are hereby required to account with, and immediately to transfer all books and papers, money, choses in action, and property and effects of every description of said company now in their hands, to the president and directors elected by the stockholders at their last regular annual meeting, held in the city of Wilmington on the twentieth (20th) day of October, 1870.

Appointees of the Governor directed to transfer property.

SEC. 3. *Be it further enacted,* That a refusal or failure to account or to transfer the books and property of the com-

Penalty for disobedience to this act.

pany as directed by the preceding section, shall be deemed a misdemeanor, and the offender upon conviction in any superior court of the state, shall be fined or imprisoned, or both at the discretion of the court.

Right or interest of the State not affected by this act.

Proviso.

SEC. 4. That nothing in this act contained shall be construed to affect any other right or interest the state may have in the said company, or any claim against the same; *Provided*, That this act shall not prevent the general assembly of North Carolina from hereafter providing for the representation of the interests, whatever they may be, of the state in this corporation; and that no sale or other disposition of her interests shall be valid without the consent of the general assembly of North Carolina.

When act to take effect.

SEC. 5. That this act shall be in force from and after its ratification.

Ratified the 22nd day of December, A. D. 1870.

CHAPTER XXIV.

AN ACT IN RELATION TO MUNICIPAL ELECTIONS.

Qualification of Voters.

SECTION 1. *The General Assembly of North Carolina do enact as follows*, No person shall be entitled to vote for mayor, intendant of police, commissioners, aldermen or other officers of an incorporated city or town, or at any election held therein for any municipal purpose, unless he shall be an elector of the state of North Carolina and shall have resided next preceding the day of election, ninety days within the corporation and ten days within the ward in which he claims to be a voter.

Registration to be made.

SEC. 2. It shall be the duty of the corporate authorities of every city and town to cause a registration to be made of all voters qualified as above mentioned, under the rules and regulations heretofore used.

SEC. 3. No person shall be a mayor, commissioner, intendant of police, alderman or other chief corporate officer of any city or town, unless he shall be a qualified voter therein

Qualification of officers.

SEC. 4. It shall be lawful to challenge the right of any person to vote, either on the day of election when he offers to vote, or on the day of registration when he offers to register, and if it shall appear to the judges of election or a majority thereof, or to the registering officer that such person is disqualified, he shall be excluded from registration, or, if he has been registered, from voting.

Challenging of voters.

SEC. 5. Section two of an act ratified December 16th, 1868, entitled "an act to provide for the holding of municipal elections in North Carolina," and all other acts and ordinances, or parts thereof, in conflict with this act, are hereby repealed.

Exclusion from voting.

Repealing clause.

SEC. 6. That the time for the regular election for municipal officers in the cities, towns and incorporated villages of this state, shall hereafter be the first Monday in May in each year; *Provided*, That this act shall not apply to the town of Washington and Goldsboro' for the year 1871. But nothing in this act shall apply to the town of Fayetteville or the city of Wilmington, and all officers who shall be elected in said towns of Washington and Goldsboro' at the election in January, 1871, shall continue to hold office until the regular election in May, 1872; *Provided, further*, That in all cities and towns not specially excepted in this act all persons now in office by virtue of any election shall continue in office until the first general election in May, 1871.

Time for municipal elections to be first Monday in May.

Proviso.

Further proviso.

SEC. 7. This act shall be in force from its ratification.

Ratified the 22nd day of December, A. D. 1870.

When act to be in force.

CHAPTER XXV.

AN ACT IN RELATION TO BURNT RECORDS OF CLAY COUNTY.

Preamble.

WHEREAS, On the night of the 20th of May, A. D., one thousand eight hundred and seventy, the jail in the town of Hayesville, Clay county, was destroyed by fire; and whereas, the offices of superior court clerk and of the register of deeds of said county were kept in said jail, and in consequence of said burning the records, documents and papers belonging to said offices were destroyed; therefore,

Civil suits may be reinstated.

SECTION 1. *The General Assembly of North Carolina do enact.* That all civil suits that were pending in said superior court at the time of said burning, may be re-instated upon the dockets by the plaintiff or plaintiffs upon petition sworn to according to law, and filed before the judge of the superior court during —— setting forth in substance the facts of the case according to the best of said plaintiff or plaintiffs' information and belief; or if said plaintiff or plaintiffs elect to do so, a new suit may be instituted, and the costs of suit already incurred shall be taxed in the costs of said suit; *Provided,* That in either case the defendant or defendants shall have ten days notice thereof to show cause why said suit shall not be so reinstated.

Proviso.

New bills may be sent to grand jury in State cases.

SEC. 2. In all state cases that were pending in said superior court the solicitor for the state may send new bills and have them passed upon by the grand jury, and if a true bill be found, then the case shall be placed upon the docket and be proceeded upon regularly, and the costs heretofore accrued shall be taxed according to law with the costs of said suit; *Provided,* That if the party against whom the new bill is found be already arrested, a trial shall be had, unless the same be continued at the discretion of the judge.

Proviso.

Bills of costs may be reinstated.

SEC. 3. All bills of costs may be reinstated upon the dockets of said court upon motion, made to the judge of said court at a regular term thereof; *Provided,* That the clerk, or other officer of the court, shall file an affidavit setting

Proviso.

forth in substance the amount of costs due and to whom; *And provided further*, That the party or parties to be charged therewith shall have written notice thereof, at least twenty days before the term at which said motion is made, commanding him or them to appear and show cause, if any they have, why said motion shall not be granted.

Further proviso.

SEC. 4. That any judgment may be reinstated upon the judgment docket upon motion of the plaintiff or plaintiffs at a regular term of said court, upon affidavit setting forth in substance the amount of said judgment and costs, and the time (as near as may be) at which said judgment was docketed; *Provided*, That the plaintiff or plaintiffs, shall have notified the defendant or defendants, or their representatives at least twenty days before said term of the court to appear and show cause why said motion shall not be granted; and the judgment thus restored, shall be a lien on the real property of said defendant or defendants in Clay county, from the time the plaintiff alleges in his affidavit that said judgment was docketed.

Judgments may be reinstated.

Proviso.

SEC. 5. That all persons who have heretofore filed bonds as administrators or guardians in the late county court or the probate court of said county of Clay, shall be forthwith notified in writing by the judge of probate to appear before him within twenty days from the service of said notice upon them, and renew their said bonds, and to render an account or inventory on oath of the amount of property or assets in their hands belonging to the estate or wards of which they may be administrator or guardian, (as the case may be,) and to make return of copies of all reports and accounts heretofore made by them, as near as possible; and all persons failing to appear and file bonds and accounts as aforesaid, after being so notified, shall be deemed guilty of a contempt of the process of the superior court, and punished as in other cases of contempt.

Administrators and guardians to renew their bonds.

SEC. 6. That if the said administrator or administrators, guardian or guardians shall not be able to renew their said bonds as required in the preceding section, then the judge of probate shall remove said administrator or administrators,

Administrators failing to renew bonds to be removed by Judge of Probate.

guardian or guardians, and appoint some other suitable person or persons in their steads as provided by law, and the person or persons so appointed shall proceed at once by suit or otherwise, to collect the property or amount due from his or their predecessor or other persons under the rules now prescribed by law.

New appointee to collect property.

Penalty for neglect by Judge of Probate.

SEC. 7. That if the judge of probate shall fail to perform any of the duties required of him by the two preceding sections, he shall be deemed guilty of a misdemeanor, and upon conviction, shall be punished by fine or otherwise, in the discretion of the judge.

Dowers and year's provisions legalized.

SEC. 8. That all dowers and years provision which have heretofore been set apart and allotted to any widow by order of the late county court or the court of probate, be, and the same are in all things legalized and confirmed, and that in all cases where dower or years allowance has been set apart and allowed to any widow, and no report made thereof, the probate judge shall, upon petition of the widow, and upon notice of twenty days to the heirs or other parties interested, issue a summons to the parties appointed to allot or set apart said dower or years allowance, to make a report of the same, and upon report being made, then all subsequent proceedings shall be as now.

Acts heretofore done to re-establish records declared valid.

SEC. 9. That all acts and things heretofore done in reference to the re-establishing of any record in said court, shall be deemed valid and binding as to all parties who have had due notice thereof.

When act to be in force.

SEC. 10. This act shall be in force from and after its ratification.

Ratified the 23rd day of December, A. D. 1870.

CHAPTER XXVI.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF RANDOLPH COUNTY TO APPOINT A TAX COLLECTOR.

SECTION 1. *The General Assembly of North Carolina do enact,* That the county commissioners of Randolph county have full power and authority in their discretion, to appoint a tax collector for said county.

Commissioners may appoint tax collectors.

SEC. 2. That any person appointed tax collector by virtue of this act shall be required to give bond, with good securities, for the faithful collecting and paying over of all the public taxes, both state and county, for the period for which he shall be so appointed; the penalty of the said bonds and the justifying by the securities thereto, to be the same in all respects as is now required of sheriffs for the faithful collecting and accounting for the taxes by them collected; *Provided,* The said board of county commissioners may make such appointment and take such bonds as well at any other of their meetings as at the annual meeting on the first Monday in September.

Collector to give bond.

SEC. 3. That any person appointed tax collector as aforesaid upon giving bond as aforesaid, shall be tax collector for said county for the period of one year from his appointment.

Term of appointment.

SEC. 4. That upon the appointment of a tax collector for said county as aforesaid, it shall be the duty of the clerk of the board of commissioners to deliver to such tax collector the tax books for the current year of his appointment, and perform all other duties required by law in relation to the taxes of said county, as if the tax collector were the sheriff of the county, under the penalties now prescribed by law for failure to perform such duties.

Clerk of Commissioners to deliver tax books.

SEC. 5. That such tax collector shall receive the same commissions, perform the same duties, have the same powers, and he and his sureties on his bond be liable to the same penalties and forfeitures for any and all failures to collect

Remuneration, powers and duties of collector.

and properly pay over and account for the taxes, both state and county, as a sheriff is now by law.

SEC. 6. That this act shall be in force from and after its ratification.

Ratified the 23rd day of December, A. D. 1870.

CHAPTER XXVII.

AN ACT TO REPEAL CHAPTER FORTY-TWO (42) OF THE PUBLIC LAWS OF 1869-'70, AND FOR OTHER PURPOSES.

SECTION 1. *The General Assembly of North Carolina do enact*, That chapter forty-two, (42) of the laws of 1869-'70, being an act for the better protection of the fowling interests in the waters of Currituck county, be and the same is hereby repealed.

SEC. 2. It shall not be lawful for any person to hunt or shoot wild fowl in the county of Currituck on the Sabbath day, or hunt or shoot them on any day of the week after the hour of sunset, and before the hour of daylight in the morning with gun or fire, or use any gun other than can be fired from the shoulder.

SEC. 3. It shall not be lawful for any non-resident of this state to build or use any blinds, boxer, batteries or floats or use any wood decoys, ducks or geese, or live ducks or geese for decoys in any of the waters of said county for the purpose of killing or taking wild fowl.

SEC. 4. Any person violating the provisions of the second and third sections of this act shall be guilty of a misdemeanor, and upon conviction in the superior court of Currituck county, shall be fined not less than one hundred dollars, or imprisoned not less than thirty days, at the discretion of the court.

SEC. 5. That all fines collected or imposed under the provisions of this act, shall go to the common school fund of Currituck county; *Provided*, Any person giving informa-

When act to be in force.

Repeal.

Restrictions on hunting in Currituck county.

Non-residents of State not to kill or take wild fowl by blinds, etc.

Penalty for violation of this act.

Fines to go to school fund of county.
Proviso.

tion of the violation of this act to the proper persons, shall, upon conviction of the parties, be entitled to receive one half of said fine.

SEC. 6. It shall be the duty of the justices of the peace in said county of Currituck, upon information of the violation of this act, to issue his warrant for the arrest of the offender, and if found guilty by him, he shall bind them over in such sums as he thinks proper; *Provided*, That such amount shall not exceed two hundred and fifty dollars, to the next term of the superior court for the county of Currituck.

Justices of the Peace to issue warrants of arrest for offenders.

SEC. 7. That all laws and parts of laws coming in conflict with this act are hereby repealed in so far as they refer to the county of Currituck.

Repealing clause.

SEC. 8. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 23d day of December, A. D. 1870.

CHAPTER XXVIII.

ARTICLES EXHIBITED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH CAROLINA, IN THE NAME OF THEMSELVES AND ALL THE PEOPLE OF THE STATE OF NORTH CAROLINA, AGAINST WILLIAM W. HOLDEN, GOVERNOR OF THE STATE OF NORTH CAROLINA, IN MAINTENANCE AND SUPPORT OF THEIR IMPEACHMENT AGAINST HIM, FOR HIGH CRIMES AND MISDEMEANORS IN HIS SAID OFFICE.

ARTICLE I.

That by the constitution of the state of North Carolina, the governor of said state has power to call out the militia thereof to execute the laws, suppress riots or insurrection, and repel invasion, whenever the execution of the law shall be resisted, or there shall exist any riot, insurrection or invasion, but not otherwise; that William W. Holden, Gov-

Article 1.

ernor of said state, unmindful of the high duties of his office the obligation of his solemn oath of office, and the constitution and laws of said state, and intending to stir up civil war, and subvert personal and public liberty, and the constitution and laws of said state, and of the United States, and contriving and intending to humiliate and degrade the said state and the people thereof, and especially the people of the county of Alamance, and to provoke the people to wrath and violence, did under color of his said office, on the seventh day of March, in the year of our Lord one thousand eight hundred and seventy, in said state, of his own false, corrupt and wicked mind and purpose, proclaim and declare that the county of Alamance, in said state, was in insurrection, and did, after the days and times last aforesaid, send bodies of armed, desperate and lawless men, organized and set on foot without authority of law, into said county, and occupy the same by military force, and suspend civil authority, and the constitution and laws of the state; and did, after the days and times last aforesaid, and before the time of impeachment in this behalf, through and by means of such armed, desperate and lawless men, arrest many peaceable and law-abiding citizens of said county of Alamance, then and there about their lawful business; and did detain, hold, imprison, hang, beat and otherwise maltreat and injure many of them, to-wit: Lucien H. Murray, George S. Rogers, William Bingham, Alexander Wilson, Walter Thornton, Wilham Redding, Thomas M. Holt, George Andrews, John Andrews, Frederick Blanchard, Adolphus G. Moore, John Roberson, James N. Holt, William Tate, Alexander Patton, Jesse Grant, Lemuel Whitsett, Josiah Thompson, Sidney Steel, George Johnson, William Patton, Joseph Wright, Benjamin McAdams, Ruffin Andrews, Thomas Ray, Joseph Prichard, Loftin Tear, Joseph Thompson, Henry Cooke, William Andrews, M. N. Shaw, John Long, James H. Anderson, Joseph Gibson, Henry Prichard, Joseph Nelson, James R. Murphy, Jr., William Kirkpatrick, Thomas Gray, Jefferson Younger, Frank Mebane, Clement Curtis, John W. McAdams, William, Moore, William Clendenen, D.

The county of Alamance declared in insurrection.

Suspension of civil authority.

Persons imprisoned.

W. Wheeden, Daniel Moses, P. Thompson, David Moore, Monroe Fowler, Henry, C. Hurdle, William Whitsett, Albert Murray, J. G. Moore, Joseph Kirkpatrick, W. V. Montgomery, John Trollinger, Jerry Whitsett, Calvin Gibson, John G. Albright, Robert Hannah, William Johnson, Henderson Scott, William Stockard, James Dickson, K. A. Albright, Thomas Lutterloh, John Grant, James Foust, John Curtis, A. Thompson, Robert Stockard, J. A. Moore, James T. Hunter, James S. Scott, John Smith, George Andrews, Milton Pickard, Henry Robertson, John R. Stockard, John Curtis and Joseph Stockard, when in fact and truth there was no such or any insurrection in said county of Alamance. And he, the said William W. Holden, governor as aforesaid, well knew that such and said proclamation was utterly groundless and false, and that there was no insurrection in said county, and that all civil authorities, both state and county, in said county, were peacefully and regularly in the full, free and unrestrained exercise in all respects of the functions of their offices, and the courts were all open and the due administration of the law was unimpeded by any resistance whatsoever, whereby the said William W. Holden, governor as aforesaid, did then and there, and in the way and manner, and by the means aforesaid, commit and was guilty of a high crime in office against the constitution and laws of said state, and the peace, interests and dignity thereof.

Charge.

ARTICLE II.

That by the constitution of the state of North Carolina the governor of said state has power to call out the militia thereof to execute the law, suppress riots or insurrection whenever the execution of the law shall be resisted, or there shall exist any riot, insurrection or invasion, but not otherwise. That William W. Holden, governor of said state, unmindful of the high duties of his office, the obligations of his solemn oath of office and the constitution and laws of said state, and intending to stir up civil war, and subvert

Article II.

Specifications.

personal and public liberty, and the Constitution and laws of said State and of the United States, and contriving and intending to humiliate and degrade the said State and the people thereof, and especially the people of the County of Caswell in said State, and to provoke the people to wrath and violence, did under the color of his said office, on the eighth day of July, in the year of our Lord one thousand eight hundred and seventy, in said State, of his own false, corrupt and wicked mind and purpose, proclaim and declare the County of Caswell in said State in insurrection, and did after the days and times last aforesaid, send bodies of armed, desperate and lawless men, organize and set on foot without authority of law, into the said County and occupy the same by military force and suspend the civil authority and the Constitution and laws of the State, and did, after the days and times last aforesaid, and before the time of impeachment in this behalf, through and by means of such armed, desperate and lawless men, arrest many peaceable and law-abiding citizens of said County of Caswell, then and there about their lawful business, and did detain, hold, imprison and otherwise maltreat and injure many of them, to wit: John Kerr, Samuel P. Hill, William B. Bowe, Nathaniel M. Roane, Frank A. Wiley, Jesse C. Griffith, J. T. Mitchell, Thomas J. Womack, A. G. Young, John M. Kee, A. A. Mitchell, Yancey Jones, J. M. Neal, Barzillai Graves, Robert Roane, James P. Fowler, M. Z. Hooper, James C. Williamson and Peter H. Williamson, when, in fact and truth, there was no such or any insurrection in said county of Caswell, and he, the said William W. Holden, governor as aforesaid, well knew that such and said proclamation was utterly groundless and false, and that there was no insurrection in said County of Caswell, and that all the civil authorities, both State and County in said County, were peaceably and regularly, in the full, free and unrestrained exercise in all respects of the functions of their offices, and the courts were all open and the due administration of the law was unimpeded by any resistance whatsoever, whereby the said William W. Holden, governor as aforesaid, did then and there, and in the way

Persons imprisoned.

Charge.

and manner, and by the means aforesaid, commit and was guilty of a high crime in office against the constitution and laws of said state, and the peace, interest and dignity thereof.

ARTICLE III.

That the said William W. Holden, governor of the state of North Carolina, on the fifth day of August, in the year of our Lord one thousand eight hundred and seventy, in the county of Orange, in said state, did then and there unlawfully, and without any lawful warrant and authority, and in defiance and subversion of the constitution and laws of said state, and in violation of his oath of office, and under color of his said office, incite, procure, order and command one John Hunnicutt and other evil disposed persons to assault, seize, detain and imprison and deprive of his liberty and privileges as a freeman and citizen of said state, Josiah Turner, Junior, a citizen and resident of the county of Orange in the state aforesaid, and in pursuance of said incitement, procurement, order and command the said John Hunnicutt and the evil disposed persons aforesaid did assault, seize, detain, imprison and deprive of his liberty and privileges as a freeman and citizen of said county and state for a long time, to-wit: For the time of ten days and more, the said Josiah Turner, Junior, whereby the said William W. Holden, governor as aforesaid, did then and there commit a high misdemeanor in office against the constitution and laws of said state, and the peace, interests and dignity thereof.

Article III.

Specification.

Charge.

ARTICLE IV.

That the said William W. Holden, governor of the state of North Carolina, on the first day of August, in the year of our Lord one thousand eight hundred and seventy, in the county of Caswell in said state, did then and there unlawfully and without any lawful warrant and authority, and in defiance and subversion of the constitution and laws of said state, and in violation of his oath of office, and under color of

Article IV.

Specification.

Article IV

his said office, incite, procure, order and command one George W. Kirk, and one B. G. Burgen and other evil disposed persons, to assault, seize, detain and imprison and deprive of their liberty and privileges as freemen and citizens of said state, John Kerr, Samuel P. Hill, William B. Bowe and Nathaniel M. Roane, citizens and residents of the county of Caswell in the state aforesaid; and in pursuance of said incitement, procurement, order and command the said George W. Kirk and the said B. G. Burgen, and the evil disposed persons aforesaid, did assault, seize, detain, imprison and deprive of their liberty and privileges as freemen and citizens of said county and state for a long time, to-wit: For the time of one month and more, the said John Kerr, Samuel P. Hill, William B. Bowe and Nathaniel M. Roane, whereby the said William W. Holden, governor as aforesaid, did then and there commit and was guilty of a high misdemeanor in office against the constitution and laws of said state and the peace, interests and dignity thereof.

Charge.

ARTICLE V.

Article V.

That the said William W. Holden, Governor of the state of North Carolina, heretofore, to-wit: in the months of June, July and August in the year of our Lord one thousand eight hundred and seventy, under color of his said office, unlawfully recruited, armed and equipped as soldiers, a large number of men to-wit: five hundred men and more, and organized them as an army, and appointed officers to command, and use such armed men as he, the said William W. Holden, governor, under color of his said office, might from time to time order and direct; that during the said months of June, July and August, he, the said William W. Holden, governor as aforesaid, under color of his said office, placed a large number of said armed men under the immediate command and control of one George W. Kirk, as colonel, aided by one B. G. Burgen, as lieutenant colonel, one H. C. Yates, as major, and sundry other persons as captains and lieutenants, and sent such last mentioned armed men under

Specifications.

the immediate command of George W. Kirk, as colonel, B. Article V.
G. Burgen, as lieutenant colonel, H. C. Yates, as major, and
said sundry other persons as captains and lieutenants, into
the county of Alamance, and by the procurement, order and
command of him, the said William W. Holden, governor,
as aforesaid, under color of his said office, the said armed
men last aforesaid, seized, held detained, and imprisoned, in
said county of Alamance, one Adolphus G. Moore, a peace-
able and law-abiding citizen of said county, then and there
engaged about his lawful business; that the said Adolphus
G. Moore, being so seized, held, detained and imprisoned and
deprived of his liberty, was then and there in the custody of
the said George W. Kirk, acting as colonel, and commanding
the armed body of men, last aforesaid, by the order, command
and procurement of the said William W. Holden; that the
said Adolphus G. Moore being so seized, held and imprisoned
and deprived of his liberty, made due application to the
Honorable Richmond M. Pearson, chief justice of the
supreme court of said state, as by law he might do, for the
writ of *habeas corpus*, to the end that he, the said chief jus-
tice, might duly enquire the cause of said seizure, detention
and imprisonment, and deliver him from the same according
to law. That the said chief justice issued the writ of *habeas
corpus* at the instance of the said Adolphus G. Moore,
directed to the said George W. Kirk, commanding him
forthwith to produce the body of the said Adolphus G.
Moore, before him, the said chief justice, at the chamber of
the supreme court in the city of Raleigh, in said state; that
said George W. Kirk was, on the seventeenth day of
July, in the year of our Lord one thousand eight hundred
and seventy, in the county of Alomance, duly served with
the said writ of *habeas corpus*; that he made no return of
or to the same, as required by law, and refused to produce
the body of the said Adolphus G. Moore, before the said chief
justice according to the exigency of said writ, avowing and
declaring that he had made such seizure and detained and
imprisoned the said Adolphus G. Moore, at the instance of
and by the procurement, command and order of the said

Article V.

William W. Holden, governor as aforesaid, and would not produce the body of him, the said Adolphus G. Moore, before the said chief justice according to the exigency of said writ, unless compelled so to do by superior armed force, or by the express order and command of the said William W. Holden, governor as aforesaid; that such refusal of the said George W. Kirk to obey the said writ, was made duly to appear before the said chief justice, whereupon the said chief justice made enquiry of the said William W. Holden, governor as aforesaid, if he had so ordered the said George W. Kirk to so seize, detain and imprison the said Adolphus G. Moore; that the said William W. Holden, governor as aforesaid, made answer in substance, and to the effect, to said enquiry of said chief justice, that he had theretofore ordered and commanded the said George W. Kirk to so seize, detain and imprison and deprive of his liberty, the said Adolphus G. Moore, and that such seizure and detention was made by his order and command, whereupon the said chief justice, upon due consideration, solemnly adjudged in substance and effect that according to the constitution and laws of said state, the privilege of the writ of *habeas corpus* was not suspended, and that the said George W. Kirk and the said William W. Holden, governor as aforesaid, were in duty bound to bring and produce the body of the said Adolphus G. Moore, before him the said chief justice according to the exigency of the said writ; yet the said William W. Holden, governor as aforesaid, unmindful of his most solemn oath of office, and his high duties as the executive of said state, and contriving, and then and there intending to deprive the said Adolphus G. Moore of his liberty as a free citizen of said state, and to defy and subvert the constitution and laws of said state, declared that he had so ordered, and did still so order and command the said George W. Kirk not to obey the said writ so issued by the said chief justice, and then and there declared to the said chief justice, that he, the said William W. Holden, governor as aforesaid, would not obey the said writ, or the command of the said chief justice in that behalf, and that he would not

Article V.

allow the said George W. Kirk to obey the same and produce the body of the said Adolphus G. Moore, before the said chief justice, according to the exigency of said writ, until such time as in his discretion he might think proper so to do; that while the said William W. Holden, Governor as aforesaid, so seized, held, detained, imprisoned and deprived of his liberty, said Adolphus G. Moore, and so refused to obey the said writ, and to command the said George W. Kirk so to do, and so restricted the laws and the lawful authority of the said chief justice, he was by his own procurement, order and command supported in that behalf by the means and use of said armed men, so commanded and controlled as aforesaid, and so the said William W. Holden, governor as aforesaid, did in the way and manner, and by the means aforesaid, procure, order and command the said George W. Kirk, so charged by said writ of *habeas corpus*, to refuse to make due return of or to the same, and produce the body of the said Adolphus G. Moore, before the said chief justice, according to the exigency of the said writ, and to resist the same and the lawful authority of the said chief justice, and did himself, then and there, in the way and manner and by the means aforesaid, resist the due execution of the said writ, and the lawful authority of the said chief justice, and did then and there, in the way and manner, and by the means and armed force aforesaid, suspend the privilege of the writ of *habeas corpus*, and did unlawfully and violently seize, detain, hold, imprison and deprive of his liberty, the said Adolphus G. Moore, and for a long time, to-wit: for the space of one calendar month, after the said chief justice had adjudged such detention illegal, did continue to hold and detain and caused to be held and detained said Adolphus G. Moore, and did in the way and manner and by the means aforesaid, make the military supersede and prevail over the lawful civil power of the state, all which acts, matters and things, he, the said William W. Holden, governor as aforesaid, did as aforesaid, in violation of his solemn oath of office, and whereby he the said William W. Holden, governor as aforesaid, did then Charge.

and there commit high crimes and misdemeanors in office, against the constitution and laws of said state, and the peace, dignity and interests thereof.

ARTICLE VI.

Article VI.

Specification.

That the said William W. Holden, governor of state of North Carolina, heretofore to-wit: In the months of June, July and August, in the year of our Lord one thousand eight hundred and seventy, under color of his said office, unlawfully recruited, armed and equipped as soldiers a large number of men, to-wit: Five hundred men and more, and organized them as an army, and appointed officers to command and use such armed men as he, the said William W. Holden, governor as aforesaid, under color of his said office, might from time to time order and direct; that during the said months of June, July and August, he, the said William W. Holden, governor as aforesaid, under color of his said office, placed a large number of said armed men under the immediate command and control of one George W. Kirk, as colonel, aided by one B. G. Burgen, as lieutenant colonel, one H. C. Yates, as major, and sundry other persons as captains and lieutenants, and sent such last mentioned armed men under the immediate command of George W. Kirk, as colonel, B. G. Burgen, as lieutenant colonel, H. C. Yates, as major, and said sundry other persons as captains and lieutenants, in the county of Caswell, and by the procurement, order and command of him, the said William W. Holden, governor as aforesaid, under color of his said office, the said armed men last aforesaid seized, held, detained and imprisoned in said county of Caswell, John Kerr, Samuel P. Hill, Jesse C. Griffith, Frank A. Wiley, J. T. Mitchell, Thomas J. Womack, A. G. Yancey, John McKee, A. A. Mitchell, Yancey Jones, J. M. Neal, William B. Bowe, Barzillai Graves, Nathaniel M. Roane, Robert Roane, James R. Fowler, M. Z. Hooper, James C. Williamson and Peter H. Williamson, peaceable and law-abiding citizens of said county, then and there engaged about their lawful business;

that the said John Kerr, Samuel P. Hill, Jesse C. Griffith, Frank A. Wiley, J. T. Mitchell, Thomas J. Womack, A. G. Yancey, John McKee, A. A. Mitchell, Yancey Jones, J. M. Neal, William B. Bowe, Barzillai Graves, Nathaniel M. Roane, Robert Roane, James R. Fowler, M. Z. Hooper, James C. Williamson and Peter H. Williamson, being so seized, held, detained and imprisoned and deprived of their liberty, were then and there in the custody of the said George W. Kirk, acting as colonel and commanding the armed body of men last aforesaid, by the order, command and procurement of the said William W. Holden, governor as aforesaid; that the said John Kerr, Samuel P. Hill, Jesse C. Griffith, Frank A. Wiley, J. T. Mitchell, Thomas J. Womack, A. G. Yancey, John McKee, A. A. Mitchell, Yancey Jones, J. M. Neal, William B. Bowe, Barzillai Graves, Nathaniel M. Roane, Robert Roane, James R. Fowler, M. Z. Hooper, James C. Williamson and Peter H. Williamson being so seized, held and imprisoned and deprived of their liberty, made due application to the Honorable Richmond M. Pearson, chief justice of the supreme court of said state, as by law they might do, for the writ of *habeas corpus* to the end that he, the said chief justice, might duly enquire the cause of said seizure, detention and imprisonment, and deliver them from the same according to law; that the said chief justice issued the writ of *habeas corpus* at the instance of the said John Kerr, Samuel P. Hill, Jesse C. Griffith, Frank A. Wiley, J. T. Mitchell, Thomas J. Womack, A. G. Yancey, John McKee, A. A. Mitchell, Yancey Jones, J. M. Neal, William B. Bowe, Barzillai Graves, Nathaniel M. Roane, Robert Roane, James R. Fowler, M. Z. Hooper, James C. Williamson and Peter H. Williamson, on the twenty-sixth day of July, in the year of our Lord one thousand eight hundred and seventy, directed to the said George W. Kirk, commanding him forthwith to produce the bodies of the said John Kerr, Samuel P. Hill, Jesse C. Griffith, Frank A. Wiley, J. T. Mitchell, Thomas J. Womack, A. G. Yancey, John McKee, A. A. Mitchell, Yancey Jones, J. M. Neal, William B. Bowe, Barzillai

Article VI.

Article VI.

Graves, Nathaniel M. Roane, Robert Roane, James R. Fowler, M. Z. Hooper, James C. Williamson and Peter H. Williamson, before him, the said chief justice, at the chamber of the supreme court in the city of Raleigh, in said state; that the said George W. Kirk was, on the first day of August, in the year of our Lord one thousand eight hundred and seventy, in the county of Caswell, duly served with the said writ of *habeas corpus*; but instead of making due return to the said writ stated that "I hold the said prisoners under orders from W. W. Holden, governor and commander-in-chief of militia," and refused to produce the bodies of the said John Kerr, Samuel P. Hill, Jesse C. Griffith, Frank A. Wiley, J. T. Mitchell, Thomas J. Womack, A. G. Yancey, John McKee, A. A. Mitchell, Yancey Jones, J. M. Neal, William B. Bowe, Barzillai Graves, Nathaniel M. Roane, Robert Roane, James R. Fowler, M. Z. Hooper, James C. Williamson and Peter H. Williamson before the said chief justice, according to the exigencies of the said writ; and thereafter the said George W. Kirk continued to hold and detain and deprive of their liberty, the said John Kerr, Samuel P. Hill, Jesse C. Griffith, Frank A. Wiley, J. T. Mitchell, Thomas J. Womack, A. G. Yancey, John McKee, A. A. Mitchell, Yancey Jones, J. M. Neal, William B. Bowe, Barzillai Graves, Nathaniel M. Roane, Robert Roane, James R. Fowler, M. Z. Hooper, James C. Williamson and Peter H. Williamson for a long time, to-wit: For the space of one calendar month, the said seizure and detention of the said John Kerr, Samuel P. Hill, Jesse C. Griffith, Frank A. Wiley, J. T. Mitchell, Thomas J. Womack, A. G. Yancey, John McKee, A. A. Mitchell, Yancey Jones, J. M. Neal, William B. Bowe, Barzillai Graves, Nathaniel M. Roane, Robert Roane, James R. Fowler, M. Z. Hooper, James C. Williamson and Peter H. Williamson by the said George W. Kirk and the military force under his command as aforesaid, having been made and continued as aforesaid by the orders of the said William W. Holden, governor of the state aforesaid, he, the said William W. Holden, governor as aforesaid, well knowing

that the privilege of the writ of *habeas corpus* was not suspended, and that the said John Kerr, Samuel P. Hill, Jesse C. Griffith, Frank A. Wiley, J. T. Mitchell, Thomas J. Womack, A. G. Yancey, John McKee, A. A. Mitchell, Yancey Jones, J. M. Neal, William B. Bowe, Barzillai Graves, Nathaniel M. Roane, Robert Roane, James R. Fowler, M. Z. Hooper, James C. Williamson and Peter H. Williamson were so detained without authority of law, whereby he, the said William W. Holden, governor as afore- Charge.
said, did then and there commit high crimes and misdemeanors in office against the constitution and laws of said state, and peace, dignity and interests thereof.

ARTICLE VII.

That the said William W. Holden, governor of North Article VII
Carolina, unmindful of his high duty to uphold and protect the constitution and laws of said state, and the good name, dignity and honor of the people thereof, and unmindful of the obligation of his solemn oath of office, under color of his said office, did, in the months of June, July and August, in the year of our Lord one thousand eight hundred and seventy, in said state, without any authority of law, but in contravention and subversion of the constitution and laws of said state Specifications.
and the United States, and intending to provoke and stir up civil strife and war, recruit and call together from this state and the state of Tennessee a large number of men, to-wit: Five hundred men and more, many of them of the most reckless, desperate, ruffianly and lawless characters, and did then and there organize, arm and equip them as an army of soldiers, and place the same under the chief command of a notorious desperado from the state of Tennessee, by the name of George W. Kirk, having falsely proclaimed the counties of Alamance and Caswell in said state in a state of insurrection, and did send large numbers of such armed desperate men into said counties, under the immediate command of the said George W. Kirk and two other desperadoes from the state of Tennessee, to-wit; One B. G. Burgen and one

H. C. Yates, and did there and then without any warrant or authority, seize, hold, imprison and deprive of their liberty for a long time, to-wit: for the time of twenty days and more, many of the peaceable and law-abiding citizens of said counties, to-wit: John Kerr, Samuel P. Hill, ——— Scott, John R. Ireland and many others, and seize, hold, imprison and deprive of their liberty, and hung by the neck William Patton, Lucien H. Murray and others, and did thrust into a loathsome dungeon Josiah Turner, junior, and F. A. Wiley; and to maintain, support and aid the lawless armed men so organized, armed and equipped, did, under color of his said office from time to time during the said months of June, July and August, without any lawful authority, make his warrant upon David A. Jenkins, treasurer of the state, for large sums of money, to-wit: for the sum of seventy thousand dollars and more, and cause and procure the said David A. Jenkins, the treasurer of the state, to recognize such unlawful warrant, and pay out of the treasury such said large sums of money to the agent or paymaster of the said William W. Holden, governor as aforesaid, for the unlawful uses and purposes aforesaid, whereby the said William W. Holden, governor as aforesaid, did then and there and by the means and in the manner aforesaid, commit a high misdemeanor in office, in violation of the constitution and laws of the state, and of the peace and interests and dignity thereof.

Charge.

ARTICLE VIII.

Article VIII.

That the said William W. Holden, governor of the said state, unmindful of the high duties of his said office, and the obligations of his solemn oath of office, and contriving and intending, and with a view and for the purpose of supporting and maintaining an armed military force in said state, which he had then and there recruited, organized and formed for illegal purposes, without the sanction of the constitution and laws of the said state, but in contravention of the same, did from time to time in the months of June,

Specifications.

July and August, in the year of our Lord one thousand eight hundred and seventy, under color of his said office, in said state, without the sanction of the constitution and laws of said state, and in violation of the same, make his warrants as such governor upon the treasurer of the said state, for large sums of money, to-wit: for the sum of eighty thousand (\$80,000) dollars and more, to be used for the unlawful purposes aforesaid; that the said William W. Holden, governor as aforesaid, under color of his said office, then and there persuaded, commanded, incited and procured David A. Jenkins, treasurer of said state, to recognize such and said unlawful warrants on the treasury of said state, and to deliver such and said sums of money to such agents of the said William W. Holden, governor as aforesaid, as he, the said William W. Holden, governor as aforesaid, might from time to time designate and appoint; that in pursuance of such warrants and orders of the said William W. Holden, governor as aforesaid, the said David A. Jenkins, treasurer as aforesaid, delivered to one A. D. Jenkins, called the paymaster, appointed by the said William W. Holden, governor as aforesaid, for such purpose, large sums of money from said treasury, to-wit: the sum of forty thousand dollars or more; that thereafter, to-wit: in the month of August, in the year of our Lord one thousand eight hundred and seventy, one Richard M. Allison, a citizen of the county of Iredell, in said state, brought his suit in the superior court of the last named county, in his own behalf, and in the behalf of all the tax payers of said state, praying that a writ of injunction might then and there be granted, and issued according to law, restraining the said David A. Jenkins, treasurer as aforesaid, from delivering any sum or sums of money to the said William W. Holden, governor as aforesaid, or any other persons in obedience to such orders and for such purposes, and also restraining the said A. D. Jenkins, as such paymaster, or in any other respect or capacity from disbursing or disposing of said sum of money so in his said hands or any part thereof, for the purposes thereof. That the Honorable Anderson Mitchell, judge of said superior

Article VIII.

Article VIII.

court, then and there granted the writ of injunction so prayed for, enjoining and forbidding the said David A. Jenkins, treasurer as aforesaid, from delivering any money from said treasury, in obedience to any such warrant or order, so made by the said William W. Holden, governor as aforesaid, and enjoining and forbidding the said A. D. Jenkins, as such paymaster or agent, from using or disbursing the said money or any part of it, so in his hands, to or for the use of said armed body of men for any of the purposes aforesaid; that the said David A. Jenkins, treasurer, and the said A. D. Jenkins, were each duly served with said writ of injunction, but nevertheless, the said William W. Holden, governor as aforesaid, wickedly intending to suspend and subvert the laws of said state, and to defy and disregard the lawful authority of said court, did afterwards, to-wit: after the month last aforesaid, persuade, incite, order, procure and command the said A. D. Jenkins to defy and disregard the said writ of injunction, and to deliver the said money so in his custody to another agent of the said William W. Holden, governor as aforesaid, to be used for the unlawful purposes aforesaid: that the said A. D. Jenkins, in obedience to such last mentioned order, command and procurement of the said William W. Holden, governor as aforesaid, and in disregard of such writ of injunction and the lawful authority of said judge, did deliver the said money so in his hands to another agent of the said William W. Holden, governor as aforesaid, to-wit: To one Richard T. Berry, to be used for the unlawful purpose aforesaid, and the said William W. Holden, governor as aforesaid, did then and there in the way and manner, and by the means and for the purpose aforesaid, procure, order and command the said A. D. Jenkins so to disregard and disobey the said writ of injunction and the lawful authority of said judge, and did then and there, and in the way and manner and by the means and for the unlawful purpose aforesaid, defy, disregard, ignore, contravene, suspend and defeat the lawful purpose and effect of the writ of injunction so granted and issued by the said judge; and thereupon and thereafter the said William W.

Holden, governor as aforesaid, the said sum of public money thus transferred as aforesaid to the hands of the said Richard T. Berry, did order and cause to be paid out and disbursed by him, the said Richard T. Berry, to, for and about the illegal purposes aforesaid, to-wit: The payment of the expenses in keeping on foot, sustaining and maintaining the said illegal military force as aforesaid; whereby the said William W. Holden, governor as aforesaid, was then and there guilty of a high misdemeanor in his said office in violation of his oath of office, and in subversion of the laws of said state, and the peace, interests and dignity thereof.

Charge.

THOS. J. JARVIS,

Speaker of the House of Representatives.

W. W. GATHER, *Clerk*

Passed the 23rd day of December, A. D. 1870.

CHAPTER XXIX.

AN ACT TO AUTHORIZE THE CONSTRUCTION OF A TURNPIKE ROAD FROM MALONE AND WILSON'S STORE, IN M'DOWELL COUNTY, TO FLAT CREEK, IN THE COUNTY OF BUNCOMBE.

SECTION 1. *The General Assembly of North Carolina do enact*, That John E. Patton, of the county of Buncombe, his associates, successors and assigns be and they are hereby authorized and empowered to construct a turnpike road to be known as the Swannanoa Gap Turnpike, from Malone and Wilson's store, in McDowell county, to Flat Creek in Buncombe county, as nearly as may be expedient upon the road now leading from Marion, in the county of McDowell, to Asheville in the county of Buncombe.

Authority granted to John E. Patton and others.

Location of Road.

SEC. 2. That when the said John E. Patton, or his associates, successors or assigns shall have completed the construction of said road, it shall be reviewed by Fletcher Forttne, Elijah Kerle, Silas Dougherty, James Wilson and

Road to be reviewed when completed.

Robert Burgin, or a majority of them, and if they or a majority of them shall give to the said John E. Patton, his associates, successors or assigns, a certificate under their hands that said road is well constructed upon a grade to be determined upon and required by the commissioners herein appointed or a majority of them, and that it is in as good condition as it can reasonably be made, he, the said John E. Patton, his associates, successors or assigns shall have power to erect a gate on any part of said Swannanoa Gap Turnpike and to collect such tolls as he may fix for passage over said road, not to exceed the following sums, to-wit :

For hogs or cattle, each	02 cents.
Loose Horses,	03 cents.
Single horseman,	10 cents.
One horse wagon,	25 cents.
Two horse wagon,	50 cents.
Three horse wagon,	75 cents.
Four, five or six horse wagon,	\$1.00
One horse buggy	50 cents.
Two horse buggy or carriage,	75 cents.

Provided, That the said John E. Patton, his associates, successors or assigns shall at all times keep said road in good condition; *And provided further*, That no tolls shall be collected on said road from any person passing over said road to any church or public mill within three miles of the same, nor shall any person residing within two miles of said road be charged exceeding one-half of the tolls fixed upon.

Exemption from toll.

Powers granted for three years.

Penalties.

SEC. 3. That said John E. Patton, his associates, successors or assigns shall have the powers and authority herein granted for the term of three years, and shall be subject to indictment and liable to all the pains and penalties for failing or neglecting to keep said road in proper repair and condition, as is affixed by law to such failure or neglect on the part of the "Buncombe Turnpike Company," in relation to their said road.

When act to be in force.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified the 24th day of December, A. D. 1870.

CHAPTER XXX.

AN ACT FOR THE RELIEF OF THE SHERIFF OF CHATHAM
COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That G. J. Williams, sheriff of Chatham county, be and is hereby relieved from any and all the penalties which he may have incurred by failing to settle with the state treasurer as the law directs, except the costs incurred; *Provided*, He makes said settlement with the treasurer by the first day of January, one thousand eight hundred and seventy-one.

Relieved from penalties.

Proviso.

SEC. 2. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 24th day of December, A. D. 1870.

CHAPTER XXXI.

AN ACT FOR THE RELIEF OF JOHN S. JOHNSTON, SHERIFF OF
ROCKINGHAM COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That John S. Johnston, sheriff of Rockingham county, be and he is hereby relieved from the payment of all penalties, except costs incurred, by reason of his failure to settle with the treasurer of the state as required by law; *Provided nevertheless*, That said John S. Johnston do make a settlement of his taxes according to law with the treasurer by the first day of February, one thousand eight hundred and seventy-one.

Relief from penalties.

Proviso.

SEC. 2. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 18th day of January, A. D. 1871.

CHAPTER XXXII.

AN ACT FOR THE RELIEF OF F. W. BELL, SHERIFF OF BERTIE COUNTY.

Relieved from fine and penalties.

SECTION 1. *The General Assembly of North Carolina do enact*, That F. W. Bell, sheriff of Bertie county, be, and he is hereby released from all fines and penalties incurred by reason of failure to settle with the state and county treasurer within the time prescribed by law.

Treasurer authorized to settle.

SEC. 2. That the treasurer of the State, and of Bertie county are hereby authorized to settle with F. W. Bell, sheriff aforesaid, in the same manner as if he had offered to settle within the time prescribed by law: *Provided*, The said sheriff shall pay all costs heretofore incurred, and make his settlement within five days after the ratification of this act.

Proviso.

Ratified the 19th day of January, A. D. 1871.

CHAPTER XXXIII.

AN ACT FOR THE RELIEF OF RODERIC M'MILLAN, SHERIFF OF ROBESON COUNTY.

Relieved from payment of certain sum to Public Treasurer.

SECTION 1. *The General Assembly of North Carolina do enact*, That Roderic McMillan, the present sheriff of Robeson county, be relieved from the payment to the public treasurer of North Carolina the sum of one thousand five hundred and fifty-two dollars and thirty-five cents, charged against him for public taxes due the state of North Carolina; that amount of the public taxes having been collected by his predecessor in office, and never turned over to the said Roderic McMillan, as the successor to the former sheriff, and that the public treasurer of North Carolina allow the said Roderic McMillan, sheriff of Robeson county, the said sum of one thousand five

hundred and fifty-two dollars and thirty-five cents, credited on the amount of public taxes charged against said Roderic McMillan as said sheriff.

SEC. 2. That this act shall be in force from and after its ratification. When act to be in force.

Ratified the 20th day of January, A. D. 1871.

CHAPTER XXXIV.

AN ACT TO ALLOW THE LEGAL REPRESENTATIVES OF JOHN TURNER, LATE SHERIFF OF ORANGE COUNTY, AND OF LOGAN H. LORANS, LATE SHERIFF OF LINCOLN COUNTY, TO COLLECT ARREARS OF TAXES IN ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT, ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE AND ONE THOUSAND EIGHT HUNDRED AND SEVENTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That the legal representatives of John Turner, deceased, late sheriff of Orange county, and of Logan H. Lorans, late sheriff of Lincoln county, be and are hereby authorized and empowered to collect all arrears of taxes due for the years one thousand eight hundred and sixty-eight, one thousand eight hundred and sixty-nine and one thousand eight hundred and seventy, which collection shall be made under the same rules, regulations and restrictions as other collections of taxes under the laws of the state. Authority to collect arrears of taxes.

SEC. 2. That the power and authority hereby granted shall cease and determine with the year one thousand eight hundred and seventy one; *Provided*, That no person shall be compelled to pay such taxes, who will make oath that he believes such taxes to have been paid; *Provided further*, That the representatives of the estates of decedent persons shall not be compelled to pay such arrears of taxes. Authority to cease with the year 1871.
Proviso.
Further Proviso.

SEC. 3. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 21st day of January, 1871.

CHAPTER XXXV.

AN ACT TO ALTER CHAPTER SIX OF THE REVISED CODE, CONCERNING THE NORTH CAROLINA INSTITUTION FOR THE DEAF AND DUMB AND THE BLIND.

Board of Directors abolished.

SECTION 1. *The General Assembly of North Carolina do enact*, That chapter six of the revised code is hereby so altered and amended as to abolish the board of directors of said institution, and the powers, rights and duties heretofore prescribed by law to said board shall hereafter be granted to and imposed upon a board of trustees consisting of seven persons, who shall have the management and control of said institution as fully as has been heretofore given by law to the board of directors.

Board of Trustees created.

Trustees.

SEC. 2. That W. H. McKee, J. R. Williams, W. W. Vass, John C. Palmer, R. S. Tucker, L. E. Heartt, and Chas. M. Busbee, are hereby constituted and appointed said board of trustees. They shall organize by choosing one of their number as president of the board. The principal of the institution shall be *ex officio* secretary of the board, with the same duties heretofore pertaining to him as secretary of the board of directors. Vacancies in the board may be filled by appointment of the governor, subject to the approval of the general assembly who shall themselves fill the vacancy if they disapprove the appointment made by the governor; *Provided*, That said board of trustees shall hold their appointments until the first day of January, one thousand eight hundred and seventy-three, and until their successors are chosen.

President.

Secretary.

Vacancies.

Proviso.

Repeals.

SEC. 3. That all laws and parts of laws coming in conflict with this act, be and are hereby repealed.

When act to take effect.

SEC. 4. That this act shall take effect from and after the date of its ratification.

Ratified the 21st day of January, A. D. 1871.

CHAPTER XXXVI.

AN ACT TO ALLOW ENTERERS OF VACANT LAND FURTHER TIME TO OBTAIN GRANTS FROM THE STATE.

SECTION 1. *The General Assembly of North Carolina do enact*, That all enterers of vacant lands in the several counties of this state who have not obtained grants from the state shall have the further period of one year from the first of December, one thousand eight hundred and seventy, in which to have surveys made and to obtain grants from the state thereon.

Enterers of land granted one year from 1st day December, 1870.

SEC. 2. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 21st day of January, A. D. 1871.

CHAPTER XXXVII.

AN ACT TO EMPOWER THE COUNTY COMMISSIONERS OF DAVIDSON COUNTY TO APPOINT A TAX COLLECTOR.

SECTION 1. *The General Assembly of North Carolina do enact*, That the board of commissioners of Davidson county are authorized and empowered to appoint a tax collector for said county for the year 1871.

Board of Commissioners to appoint tax collector.

SEC. 2. That such tax collector shall give bonds as now required of officers collecting taxes, conditioned faithfully to collect and account for the state and county taxes of said county for the year one thousand eight hundred and seventy-one, according to law; and shall have all the powers, perform all the duties, be subjected to all the penalties and receive all the emoluments of officers collecting taxes; and the tax lists of said county when made out shall be turned over to said tax collector.

Collector to give bond.

Powers and duties.

When act to be in force.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified the 21st day of January, A. D. 1871.

CHAPTER XXXVIII.

AN ACT TO ALLOW THE COMMISSIONERS OR OTHER MUNICIPAL AUTHORITY OF ANY CITY OR TOWN, OR INCORPORATED VILLAGE, TO BUY AND HOLD REAL ESTATE FOR THE PURPOSE OF A CEMETERY.

Municipal authorities may purchase land for cemeteries.

SECTION 1. *The General Assembly of North Carolina do enact*, That it shall be lawful for the commissioners or other municipal authority of any city, town or incorporated village in the state of North Carolina, to buy and hold either within or without such corporation, as much land as in the opinion of such commissioners or other municipal authority, may be sufficient for the purpose of a cemetery, not exceeding twenty-five acres.

Repeals.

SEC. 2. All laws and clauses of laws inconsistent with this act are hereby repealed.

When act to be in force.

SEC. 3. This act shall be in force from and after its ratification.

Ratified the 21st day of January, A. D. 1871.

CHAPTER XXXIX.

AN ACT TO SUPPLY A TEMPORARY DEFICIENCY IN THE TREASURY.

Treasurer instructed to borrow \$180,000 from N. C. R. R. Co.

SECTION 1. *The General Assembly of North Carolina do enact*, That the treasurer of the state, be and he is hereby instructed to borrow from the North Carolina railroad com-

pany, if practicable, the sum of one hundred and eighty thousand dollars, to meet the present wants of the government.

SEC. 2. That it shall be lawful, and it is hereby enacted, that this amount be deducted from the first dividend declared in favor of the state upon its interest in said company.

Amount to be deducted from dividend.

Ratified the 21st day of January, A. D. 1871.

CHAPTER XL.

AN ACT FOR THE RELIEF OF THE SHERIFF OF ALEXANDER COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That Hiram W. Mayse, sheriff of Alexander county, be allowed until the first day of May, anno domini one thousand eight hundred and seventy-one to settle with the county treasurer for the county taxes for the year one thousand eight hundred and seventy, and that he be and is hereby relieved from all the penalties incurred by reason of his failure to settle with the county treasurer according to law: *Provided*, That he shall at no time retain in his hands more than three hundred dollars for a longer time than ten days under the penalties prescribed by law.

Time extended.

Relief from penalties.

SEC. 2. This act is to take effect from its ratification.

Ratified the 21st day of January, A. D. 1871.

When act to take effect.

CHAPTER XLI.

AN ACT FOR THE RELIEF OF THE PENITENTIARY.

WHEREAS, It is indispensable that a payment of fifteen thousand dollars should be immediately made to the com-

Preamble.

missioners of the penitentiary, to secure the further services of an adequate guard for that institution; and whereas, it has heretofore been the practice of the executive department to require only the personal obligation of said commissioners as security for the faithful application of moneys drawn from the public treasury on account of the appropriation to said penitentiary; therefore:

Governor to issue warrant upon Treasurer.

SECTION 1. *The General Assembly of North Carolina do enact*, That the governor be requested, and is hereby authorized to issue his warrant upon the treasurer for fifteen thousand dollars of an appropriation heretofore made for the use of the penitentiary, to be paid to the commissioners thereof, requiring as heretofore, their personal obligation for the faithful application of the same as hereinafter provided.

Amounts drawn by Commissioners—how applied.

SEC. 2. That the amounts so drawn by said commissioners of the penitentiary shall be applied to the payment of guard and officers of the penitentiary, sustenance of guard and convicts, and any outstanding claims for provisions or clothing furnished convicts.

Repealing clause.

SEC. 3. That all laws and clauses of laws in conflict with this act, be and the same are hereby repealed.

When act to be in force.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified the 23d day of January, A. D. 1871.

CHAPTER XLII.

AN ACT TO SUSPEND THE CODE OF CIVIL PROCEDURE IN CERTAIN CASES.

How civil actions commenced.

SECTION 1. *The General Assembly of North Carolina do enact*, That all civil actions shall be commenced by the issuing a summons.

Form of summons

SEC. 2. The summons shall run in the name of the state, be signed by the clerk of the superior court having jurisdiction

to try the action, and under the seal of the court, and shall be directed to the sheriff of the county in which the defendant resides or may be found. It shall be returnable to the regular term of the superior court of the county where the plaintiff, or one or more of them, or the defendants reside; and shall command the sheriff or other proper officer, to summon the defendant to appear at the next ensuing term of the superior court, and answer the complaint of the plaintiff, and shall be dated on the day of its issue. The officer to whom the summons is addressed shall note on it the day of its delivery to him, and shall execute it at least ten days before the beginning of the term to which it shall be returnable, and shall return it on the first day of the term.

SEC. 3. The plaintiff shall file his complaint in the clerk's office on or before the third day of the term to which the action is brought, otherwise the suit shall, on motion, be dismissed by the court at the cost of the plaintiff.

Filing of complaint.

SEC. 4. The defendant shall appear and demur, plead or answer at the same term to which the summons shall be returnable, otherwise the plaintiff may have judgment by default, as is now allowed by law.

Answer of Defendant.

SEC. 5. The plaintiff shall join in the demurrer or reply to the answer at the same term to which such demurrer or answer may be filed; and that the issues, whether of law or fact, shall stand for trial at the next term succeeding the term at which the pleadings are completed.

Reply to answer.

Trial.

SEC. 6. That all writs of summons in civil actions now in the hands of the sheriff or clerk, shall be returned by said officers to the next term of the superior court, and such writs, together with all writs of summons in civil actions heretofore returned, in which no final judgment has been rendered, shall be placed by the clerk on the docket of the superior court at the next ensuing term, and the pleadings in such actions shall be conducted according to the rules prescribed in this act: *Provided*, That all such civil actions in which

Writs now in hands of sheriff or clerk.

Proviso.

Executions issued, how tested and returned.

SEC. 7. All executions issued or judgments in civil actions shall be tested as of the term next before the day on which they issued, and shall be returnable to the term of the court next after that from which they bear test; and all executions now in the hands of any sheriff, issued from any superior court, shall be returned to the next term of said court.

Proceedings by attachment.

SEC. 8. The provisions of this act shall not apply to proceedings by attachment.

Exemptions from repeal.

SEC. 9. Nothing in this act shall operate to repeal the provisions of the code of civil procedure, which allow defendants to be arrested and held to bail in certain cases.

Suspension of laws.

SEC. 10. All laws and clauses of laws inconsistent with the provisions of this act are suspended until the first day of January, anno domini eighteen hundred and seventy-three, and this act shall be in force from and after its ratification, and shall continue in force until the first day of January, eighteen hundred and seventy-three.

How long act to remain in force.

Ratified the 25th day of January, A. D. 1871.

CHAPTER XLIII.

AN ACT TO REPEAL SECTIONS SEVEN AND EIGHT OF AN ACT IN RELATION TO PUNISHMENT, CHAPTER ONE HUNDRED AND SIXTY-SEVEN, PUBLIC LAWS OF NORTH CAROLINA, ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT, AND ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE.

Repeal.

SECTION 1. *The General Assembly of North Carolina do enact*, That sections seventh and eighth of chapter one hundred and sixty-seven, of laws of one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, be and the same are hereby repealed.

Punishment for assault.

SEC. 2. That in all cases of an assault with or without intent to kill or injure, the person convicted shall be punished by fine or imprisonment, or both at the discretion of the court.

SEC. 3. That this act shall be in force from and after its ratification. When act to be in force.

Ratified the 25th day of January, A. D. 1871.

CHAPTER XLIV.

AN ACT TO AUTHORIZE AND EMPOWER THE GOVERNMENT OF THE UNITED STATES TO PURCHASE AND HOLD LANDS IN NORTH CAROLINA FOR THE PURPOSE OF ERECTING LIGHT-HOUSES THEREON.

SECTION 1. *The General Assembly of North Carolina do enact*, That it shall be lawful for the government of the United States or any person under authority of the same to purchase any tract, piece or parcel of land from any individual or individuals, bodies politic or corporate within the boundaries or limits of this state, and hold the same for the purpose of erecting thereon light-houses; *Provided*, That no one tract, piece or parcel shall contain more than twenty acres. U. S. may purchase lands to erect light house.

Proviso.

SEC. 2. That all deeds, conveyances or other title papers for the same shall be recorded, as in other cases, in the office of the register of deeds in which the lands so conveyed may lie, in the same manner and under the same regulations as other deeds and conveyances are now recorded, and in like manner may be recorded a sufficient description by metes and bounds, courses and distances, of any tract or tracts, or legal division of any public land belonging to the United States, which may be set apart by the general government for the purpose before mentioned, by an order patent or other official document or papers so describing such land. Deeds to be recorded.

SEC. 3. That the lots, parcels or tracts of land so selected, together with the tenements and appurtenances for the purpose before mentioned, shall be exempt from taxation by the state of North Carolina. Exemption from taxation.

Officers of the State may execute process on such land.

SEC. 4. That nothing herein contained shall be so construed as to debar or hinder any of the officers of this state from executing any process, or levying any execution within the limits of any tract or parcel of land so held and purchased by the government of the United States in the same manner as if this act had never been passed.

Conditions of consent.

SEC. 5. That the consent herein and hereby given is in accordance with the seventeenth clause of the eighth section of the first article of the constitution of the United States, and with the acts of congress in such cases made and provided, and in consideration of the United States building light-houses on the tracts or parcels of land so purchased, or that may be purchased; *And provided also*, That the title to said land so conveyed to the United States shall escheat to the state unless the construction of a light-house be completed thereon within ten years from the date of the conveyance from said grantor.

Proviso.

When act to be in force.

SEC. 6. That this act shall be in force from and after its ratification.

Ratified the 25th day of January, A. D. 1871.

CHAPTER XLV.

AN ACT TO AUTHORIZE J. C. GRIFFITH, SHERIFF OF CASWELL COUNTY, TO COLLECT ARREARS OF TAXES.

May collect arrears of taxes.

SECTION 1. *The General Assembly of North Carolina do enact*, That Jesse C. Griffith, sheriff of Caswell county, is empowered to collect all arrears of taxes due him upon the assessment for the years eighteen hundred and sixty-seven, eight and nine (1867-'8-'9) under the same restrictions and with the same rights and remedies as are provided by law for the collection of other taxes.

SEC. 2. That the power hereby granted shall cease January first, eighteen hundred and seventy-two; *Provided*,

That no person shall hereby be made liable for such taxes who shall make affidavit before a justice of the peace of said county that he has paid said taxes and lost the receipt for the same.

SEC. 3. This act shall be in force from its ratification.

Ratified the 25th day of January, A. D. 1871.

CHAPTER XLVI.

AN ACT FOR THE GENERAL RELIEF OF SHERIFFS AND TAX COLLECTORS.

WHEREAS, numerous applications have been made to this body by sheriffs and tax collectors for them to collect arrears of taxes due them in their respective counties; and whereas, their applications may be provided for and comprised within the scope of general law, thereby economising time and money; now, therefore, Preamble.

SECTION 1. *The General Assembly of North Carolina do enact,* That all persons who are, or have been, sheriffs and tax collectors, or their legal representatives, of the several counties for the years one thousand eight hundred and sixty-eight, one thousand eight hundred and sixty-nine and one thousand eight hundred and seventy, and who have settled and accounted with the public treasurer of the state, and with the county treasurer of their respective counties according to law, be and the same are hereby authorized and empowered to collect arrears of taxes due them in their respective counties for the years one thousand eight hundred and sixty-eight, one thousand eight hundred and sixty-nine and one thousand eight hundred and seventy, under such rules and regulations as are now prescribed by law for the regular collection of taxes; and the power and authority hereby granted shall cease on the first day of January, anno domini, one thousand eight Certain sheriffs and tax collectors authorized to collect arrears.

Powers to cease
January 1, 1872.

Proviso. hundred and seventy-two; *Provided*, That no person in any county shall be compelled to pay tax under the provisions of this act, who will make oath according to law that he has paid the same, or believes the same to have been paid; *And provided further*, That no executor or administrator shall be compelled to pay such arrears of taxes.

Further proviso. SEC. 2. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 10th day of February, A. D. 1871.

CHAPTER XLVII.

AN ACT TO INCORPORATE THE WILMINGTON AND ONSLOW RAILROAD COMPANY.

SECTION 1. *The General Assembly of North Carolina do enact*, That for the purpose of constructing a railroad, to be used and operated by steam, horse or any other motive power, and of any guage whatever, not to exceed four feet eight and one-half inches, extending from the city of Wilmington, in the county of New Hanover, to Jacksonville, or such point or points on New river in the county of Onslow, and to such other places in said county as the corporation by this act may determine.

SECTION 2. That O. G. Parsley, Jr., Roger Moore, F. W. Kerchner, R. H. Cowan, S. L. Fremont, Jas. B. Huggins, W. L. DeRossett, M. Cronly, J. A. Englehard, S. N. Martin, R. K. Bryan, C. W. McClammey, R. J. Nixon, G. N. Emutt, Dr. E. W. Ward, C. Stephens, B. F. Pelltier, J. W. Spicer, Wm. McRae, Sol Haas and S. A. Ashe, and such persons or corporations as may be associated with them as is hereinafter provided, are hereby constituted and declared to be a body politic and corporate, by the name of the Wilmington and Onslow railroad company, with all the rights, powers, privileges and franchises incident or belonging to corporations as set forth in the first, second, third and

Guage of Road.

Location.

Corporators.

Rights and powers.

fourth sections of the 26th chapter of the revised code of North Carolina, entitled "corporations;" and for the purpose of locating and constructing the contemplated railroad, shall have, enjoy and exercise all the rights, powers and franchises, and be subject to the limitations and restrictions set forth in the sections from nine to thirty-three, both inclusive, of the sixty-first chapter of said revised code, entitled "internal improvements."

SEC. 3. That the capital stock of said corporation shall be three hundred thousand dollars, which may be increased to any sum not exceeding one million of dollars, as said corporation may from time to time determine, and the same shall be divided into shares of fifty dollars each.

Capital stock.

SEC. 4. For the purpose of creating capital of said company, a majority of the corporators named in the second section of this act, may appoint commissioners at such places as they may from time to time determine, to open books of subscription to such capital stock, and keep the same open for such time or times as they may deem expedient, under such rules and regulations as they may prescribe.

Shares.

Books of subscription.

SEC. 5. Subscriptions to the capital stock of said company shall only be payable, so far as individual subscribers are concerned, in the currency of the United States; and five per cent. of the amount of each subscription to such capital stock shall be paid by the subscriber at the time of making such subscription.

Subscription, how payable.

SEC. 6. The county of New Hanover, the county of Onslow, the city of Wilmington and the several townships in said counties respectively are hereby severally and respectively allowed and authorized to subscribe to the capital stock of said company; *Provided however*, That neither of said counties or said city of Wilmington, shall severally subscribe for more than two thousand shares of said capital stock, nor shall any one township, in either of said counties, subscribe for more than four hundred of such shares; *And provided further*, That the powers and authority hereinbefore or hereinafter by this section granted, shall be exercised and acted on in accordance with and subject to the provis-

Counties of New Hanover and Onslow, City of Wilmington and Townships authorized to subscribe for stock.

Proviso.

Further proviso.

Elections authorized to carry subscription into effect.

ions of section seven of article seven of the constitution of this state. The board of commissioners of said counties respectively, the board of aldermen of said city of Wilmington, and the several boards of trustees of the different townships in said counties respectively, each within and for the county, city or township in which its jurisdiction and corporate powers may severally and respectively be lawfully exercised, are hereby authorized to cause to be held the necessary election or elections required to carry into effect or comply with the concluding provision of said section of said article of the constitution, in relation to any such subscription, and in relation to the levy and collection of the amount of taxes necessary for the payment of any such subscription, or in relation to the issuing of bonds or other evidences of indebtedness to secure the payment of such subscription. For the payment of any such subscription to the capital stock of this company or to provide for the payment of the bonds or other evidences of indebtedness, (and the interests which may accrue thereon) which may be issued as hereinafter provided, said boards are hereby severally and respectively authorized and empowered to levy and collect within their several and respective jurisdictions, the necessary amount of taxes, and to issue bonds or other evidences of indebtedness in such sums, payable at such time or times, and at such rate of interest not exceeding ten per cent per annum, payable annually or semi-annually, as they may severally and respectively deem best, for an amount in the aggregate not exceeding the amount authorized to be subscribed to said capital stock at any election or elections held for the purposes aforesaid. And any one of said boards, if it shall deem it expedient so to do, is hereby authorized and empowered to sell and dispose of its bonds or any number of its bonds duly made for the purposes aforesaid, and apply the proceeds of any such sale towards the payment of any subscription made by such board to the capital stock of said company; and in the event any subscriptions to said capital stock shall be duly made and authorized as aforesaid, it shall be obligatory on the several and respective boards

Boards may collect taxes, issue bonds, etc.

May sell or dispose of bonds.

aforesaid making the same to provide for the payment of the several subscriptions by them respectively so made, by-annually from year to year, levying and collecting from the different subjects of taxation at their command respectively, a sufficient amount for that purpose, and such interest as may accrue thereon, whether the same be due by bonds or in any other way, and whether the indebtedness so created is due and owing to said company or to any other corporation or person whatsoever.

Security for the payment of the subscription.

SEC. 7. It shall be the duty of the corporators herein named, so soon as the sum of one hundred thousand dollars shall have been subscribed to the capital stock of said corporation, and five per cent. of said amount shall have been paid as hereinbefore required, to call a general meeting of the subscribers to said capital stock to be held in the city of Wilmington, and of the time and place of said meeting twenty days notice shall be given by advertisement in two or more of the daily newspapers published in said city.

General meeting of subscribers.

SEC. 8. That at the general meeting of the subscribers to the capital stock of said company to be called as aforesaid, a board of directors, consisting of not less than five nor more than nine of such subscribers, shall be elected for the general direction and management of the affairs and business of said company, who shall hold their offices as such directors for one year and until their successors are elected, and there shall be annual meetings of the stockholders of said company to be held at such time and place as may be prescribed by the by-laws of said company, or as may be determined at any general meeting of such stockholders, at which said annual meetings a board of directors as aforesaid shall be elected at all such annual meetings and at all called meetings of the stockholders of said company, each share of the stock of said company, whether represented in person or by proxy, shall entitle the holder to one vote; and one or more stockholders owning or representing one hundred shares of said stock, may on any subject matter to be divided at any such meeting, require that the vote shall be taken according to the stock held or represented by the persons present. The

Election of Board of Directors

Term of office.

Annual meetings,

Each share entitled to one vote.

Stock-vote.

Elections.

election of directors shall in all cases be made by ballot, and by votes given according to the shares of stock held or represented by the persons present; and the person or persons having a majority of the votes given, shall be considered as duly elected as directors of said company. The directors so chosen shall elect one of their body the president of the company, whose term of office shall continue for one year, and until his successor shall be elected; subject however to such by-laws in regard to his removal, death, absence or other incapacity to serve as may be adopted by said company.

Directors to elect a President.

Company may purchase lands and locate town.

SEC. 9. That in addition to the lands which said company may acquire by contract with the owners, or by condemnation, under any of the sections of the chapter of the revised code entitled internal improvement, said company is hereby authorized and empowered to purchase and hold such piece or parcel of land not exceeding five hundred acres, situate on or near New river, in the county of Onslow, which said company may consider as advantageously located as the site for a town; and may at such time or times as may be deemed expedient, sell and dispose of such piece or parcel of land in such lots and upon such terms as may be considered most beneficial to the interest of said company; and said company is further authorized and empowered to purchase and hold such vessels, steamboats or other boats as may be desired to be run and used on the Cape Fear river, or on New river aforesaid, or elsewhere, in connection with the road to be constructed by said company.

May own steamboats and vessels.

Public carriers.

SEC. 10. That said company shall have the right to carry persons, goods, wares, merchandise or any thing whatsoever on the railroad to be constructed by said company, or on any vessels, steamboats or other boats which may be held by said company as aforesaid, and at such rates and charges as may be fixed by the directors of said company, or said company may lease and farm out such right, in whole or in part, to any other corporation or person, as may be considered most advantageous to the interest of said company.

Company may lease its rights.

Further rights and privileges.

SEC. 11. That this company shall have all the rights, powers, privileges and exemptions granted to the Wilming-

ton and Weldon railroad company by its original charter and all amendments of the same in every respect as is granted and exercised by the aforesaid corporation.

SEC. 12. That the corporation hereby created shall continue and exist for the term of ninety-nine years, and all laws and clauses of laws in conflict with the meaning and purview of this act are hereby repealed.

Limit of time.

Repealing clause.

SEC. 13. That this act shall take effect and be in force from and after the 21st day of November, A. D. 1870.

When act to take effect.

Ratified the 25th day of January, A. D. 1871.

CHAPTER XLVIII.

REPLICATION BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH CAROLINA, TO THE ANSWER OF WILLIAM W. HOLDEN, GOVERNOR OF THE STATE OF NORTH CAROLINA, TO THE ARTICLES OF IMPEACHMENT, EXHIBITED AGAINST HIM BY THE HOUSE OF REPRESENTATIVES.

The house of representatives of the state of North Carolina have considered the several answers of William W. Holden, governor of North Carolina, to the several articles of impeachment against him by them exhibited, in the name of themselves and all the people of said state, and reserving to themselves all advantage of exception to the insufficiency and irrelevancy of his answer to each and all of the several articles of impeachment exhibited against the said William W. Holden, governor of said state, do deny each and every averment in said several answers, or either of them, which denies or traverses the acts, intents, crimes, misdemeanors, offences or misconduct charged against said William W. Holden, in said articles of impeachment, or either of them; and for replication to said answer do say that said William W. Holden, governor of said state, is guilty of the high

crimes, misdemeanors and offences mentioned in said articles, and that the house of representatives are ready to prove the same.

Adopted the 24th day of January, A. D. 1871.

CHAPTER XLIX.

AN ACT TO INCORPORATE THE WARRENTON RAILROAD COMPANY.

Corporators.

SECTION 1. *The General Assembly of North Carolina do enact*, That it shall be lawful for Jacob Parker, John White, Wiley P. Massenburg, John M. Waddill, William J. White, William J. Norwood, John C. McCraw, George R. Sledge, Walter G. Plummer, James A. Egerton, and William P. Bugg, or any three of them, to open books of subscription at Warrenton, and such other places as they may select, for the purpose of receiving subscriptions to an amount not exceeding fifteen thousand dollars, in shares of fifty dollars each, for the purpose of effecting a communication by railroad from some point in or near to the town of Warrenton, to some point at or near to the Warrenton depot on the Raleigh and Gaston Railroad in the county of Warren, and for providing everything necessary and convenient for transportation on the same.

Capital stock.

Location of road.

SEC. 2. When the sum of six thousand dollars shall be subscribed, the subscribers, their executors, administrators and assigns shall be and they are hereby incorporated into a company, by the name and style of the Warrenton Railroad Company, and by that name shall be capable of purchasing, holding, selling, leasing and conveying estate, real, personal and mixed, so far as shall be necessary for the purposes specified in this charter, and no further, and shall have perpetual succession, and by said corporate name may sue and be sued, and may have and use a common seal, and

Corporate name.

shall have all of the powers rights and privileges which other corporate bodies lawfully have for the purposes herein mentioned, and may make all such by-laws, rules and regulations, not inconsistent with the constitution and laws of this state or those of the United States, as shall be necessary for the well ordering and conducting of the affairs of the company.

Rights and privileges.

SEC. 3. When the said sum of six thousand dollars shall have been subscribed, public notice of the fact shall be given by three or more of said commissioners, at Warrenton, who shall have power at the same time, to call a general meeting of the subscribers at Warrenton. To constitute such meeting, a number of persons entitled to a majority of the votes shall be present either in person or by proxy, and if a sufficient number do not attend on that day, then those who do attend shall have power to adjourn from time to time, until a meeting shall be formed.

Meeting of subscribers.

SEC. 4. The subscribers at their general meeting before directed, and the stockholders at every annual meeting thereafter, shall elect a president and five directors, who shall continue in office, unless sooner removed, until the next annual meeting, and until their successors shall be elected; but the president or any of the directors may at any time be removed, and the vacancy thereby occasioned be filled by a majority of the votes given at any general meeting. The president, with any two or more of the directors, or, in the event of the sickness, absence or inability of the president, any three or more of the directors, who shall appoint one of their own body president *pro tempore*, shall constitute a board for the transaction of business. In the case of vacancy in the office of president, or any director, happening from death, resignation, removal or inability, such vacancy may be supplied by the appointment of the board until the next annual meeting.

Election of a President and five Directors.

Term of office.

Quorum.

Vacancies.

SEC. 5. The said corporation shall be invested with all of the powers, rights and privileges conferred upon the Raleigh and Gaston railroad company, by its charter granted in the year one thousand eight hundred and thirty-five, and shall

Further rights.

be subject to all the rules, regulations and restrictions therein contained, so far as the same are applicable to the railroad between the points above designated, and are consistent with this act; *Provided, nevertheless,* That the judge of the court of probate of Warren county shall exercise the powers conferred by said charter on the court of pleas and quarter sessions, so far as the condemnation of land is concerned, for the use of said company.

Proviso.

Commissioners of Warren county may subscribe to stock.

Number of shares to be subscribed by town.

Election to be held. Sheriff to advertise.

Election.

Qualification of voters.

Manner of voting.

Result to be recorded.

Commissioners may issue bonds.

SEC. 6. The board of commissioners of the town of Warrenton shall have power to subscribe for any number of the shares of the capital stock of said company a sum not exceeding in amount double the sum subscribed by individuals, and in no event whatever exceeding the sum of ten thousand dollars. A majority of said commissioners shall, at any time within one year after the ratification of this act, determine the number of shares for which they propose that the town shall subscribe, and appoint a day for holding an election in relation thereto, and cause the same to be entered upon their minutes; and it shall be the duty of the sheriff of said county, at the court house in Warrenton, to advertise the object and the day of the election, for at least twenty days prior thereto; and on said day to open and keep open the polls agreeably to the acts regulating the election of members of the general assembly, and all qualified voters for the house of representatives of this state in said town of Warrenton, who shall have resided therein for ninety days before the election, favoring the subscription, may vote "subscription," and those opposing the same may vote "no subscription," and the result of the election shall be made known to the board of commissioners at their first meeting after said election, and shall be made a matter of record. If the result shall be favorable to the subscription, then it shall be the duty of said board of commissioners to authorize the mayor of the town of Warrenton to make the subscription, in the name of the town of Warrenton. To enable said board to meet the installments that may be required upon such subscription, or otherwise pay the same, they are hereby invested with authority to issue bonds of the said town redeemable in

a period not exceeding twenty years from the date thereof, bearing interest, payable semi-annually at a rate not exceeding eight per cent. per annum; and it shall be the duty of said board regularly to provide the means for meeting the interest on said bonds, as the same shall become due, by laying such taxes annually upon persons, lands and other property within the said town as shall be sufficient for that purpose. And the said board shall have power to appoint one of their number to negotiate any loan or loans that may be necessary, to sell and dispose of the bonds, to receive the tax imposed to meet the interest, and apply the same to its payment, and to represent the said town in all meetings of the stockholders of said company, and to receive the dividends that may become due upon the town stock, and apply the same either to the interest, or to a sinking fund for the extinguishment of the principal, as the said board may direct; and it shall be likewise the duty of said board to make provision by taxation or otherwise for the prompt payment of the principal of said bonds, when they shall become due.

Taxation.

Negotiation of loans.

SEC. 7. The capital stock of the said company shall consist of fifteen thousand dollars, but shall be lawful for a majority of the stockholders at any general meeting to raise the same to twenty-five thousand dollars, by the addition of as many shares as may be necessary.

Capital stock.

SEC. 8. In counting the votes of said company, each member shall be allowed one vote for each share of stock not exceeding two, one for every two shares above two, and not exceeding ten, and one for every five shares above ten, held by him in the stock of said company.

Representation.

SEC. 9. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 28th day of January, A. D. 1871.

CHAPTER L.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO CHANGE PART OF THE LINE THAT DIVIDES BURKE AND M'DOWELL COUNTIES.

Repeal.

SECTION 1. *The General Assembly of North Carolina do enact*, That an act entitled "an act to change part of the line that divides Burke and McDowell counties," in the laws of one thousand eight hundred and sixty-nine and one thousand eight hundred and seventy, and the provisions of the same, are hereby repealed.

SEC. 2. That the dividing line of Burke and McDowell counties shall be and remain the same as before said act.

When act to be in force.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified the 28th day of January, A. D. 1871.

CHAPTER LI.

AN ACT TO SUPERSEDE THE SPECIAL TERMS OF THE SUPERIOR COURTS OF CRAVEN AND LENOIR COUNTIES.

Preamble.

WHEREAS, it has been represented to the present general assembly that the special term appointed to be held for the county of Craven on the first Monday of February, anno domini one thousand eight hundred and seventy-one, and that the special term of the superior court of Lenoir county, to be held on the third Monday in February, anno domini one thousand eight hundred and seventy-one, are unnecessary, inconvenient and oppressive; therefore:

Special terms of Court superseded.

SECTION 1. *The General Assembly of North Carolina do enact*, That the special term of the superior court of Craven county, appointed to be held on the first Monday in February,

anno domini one thousand eight hundred and seventy-one, and that the special term of the superior court of Lenoir county to be held on the third Monday in February, anno domini one thousand eight hundred and seventy-one, be and the same are hereby superseded.

SEC. 2. That the secretary of state is hereby requested to furnish at once a copy of this act to the chairman of the board of commissioners of Craven county, and to the chairman of the board of commissioners of Lenoir county, to the end that the same may be published for general information in said counties.

Secretary of State to furnish copies of act.

SEC. 3. That this act shall be in force from its ratification. Ratified the 28th day of January, A. D. 1871.

When act to be in force.

CHAPTER LII.

AN ACT FOR THE RELIEF OF THE SURETIES OF J. W. C. PEARCY, DECEASED, LATE TAX COLLECTOR OF CHEROKEE COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That the sureties of the late J. W. C. Percy, tax collector for the county of Cherokee, be and they are hereby invested with all the rights and privileges conferred on the said Percy by an act of this general assembly, ratified the twelfth day of April, one thousand eight hundred and sixty-nine.

Sureties invested with rights.

SEC. 2. That their privileges shall be continued until September first, one thousand eight hundred and seventy-one; *Provided*, No person shall be required to pay any of said taxes who will swear that he or she has paid his or her taxes or believes the same to have been paid; *Provided further*, That the representatives of the estates of deceased persons shall not be required to pay any such arrears of taxes.

Privileges continued.

Proviso.

SEC. 3. That the county commissioners of Cherokee county shall, upon the application of a majority of said sureties, appoint such person as such majority may receive, to collect

County Commissioners may appoint receiver.

the taxes due and unpaid for the years one thousand eight hundred and sixty-six and one thousand eight hundred and sixty-seven.

When act to be in force.

SEC. 4. This act shall be in force from and after its ratification.

Ratified the 31st day of January, A. D. 1871.

CHAPTER LIII.

ORDER OF THE HOUSE OF REPRESENTATIVES RELATIVE TO AMENDMENT OF ARTICLE EIGHT OF IMPEACHMENT OF WILLIAM W. HOLDEN, GOVERNOR OF NORTH CAROLINA.

It is ordered by the house of representatives that the board of managers of the impeachment of William W. Holden, governor of the state of North Carolina, ask leave of the senate, sitting as a court of impeachment, to allow the house of representatives to amend article eight of impeachment heretofore exhibited by them against the said William W. Holden, governor as aforesaid, and now pending before the senate sitting as said court, by striking out the name of "Richard T. Berry," wherever the same may occur in said article, and inserting instead thereof the name "John B. Neathery," and that the said managers be, and they are hereby authorized to make such amendment if the senate sitting as such court shall so allow.

Adopted the 26th day of January, A. D. 1871.

Amendment to Article VIII of Impeachment.

CHAPTER LIV.

AN ACT TO ALLOW THE COMMISSIONERS OF ORANGE COUNTY
TO LEVY A SPECIAL TAX.

SECTION 1. *The General Assembly of North Carolina do enact*, That the commissioners of Orange county are hereby authorized to levy a special tax not to exceed thirty-three and a third cents on the one hundred dollars worth of real and personal property, and one dollar on each poll, for the purpose of paying the indebtedness of said county; the said tax to be levied at such time as the commissioners may deem proper.

Limit of special tax.

SEC. 2. This act shall be in force from and after its ratification; *Provided*, This act shall have no force or effect until submitted to, and ratified by a majority of the electors of said county at an election to be held hereafter, under the direction of the county commissioners.

When act to be in force.
Proviso.

Ratified the 2d day of February, A. D. 1871.

CHAPTER LV.

AN ACT CONCERNING THE POOR HOUSE OF LINCOLN COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That the action of the commissioners of Lincoln county in purchasing one hundred acres of land for a new poor house site in said county, be and the same is hereby in all things confirmed.

Action of County Commissioners confirmed.

SEC. 2. That the commissioners of said county are hereby authorized and empowered to sell the old site and lands on which the old poor house was formerly situated, on such terms as may seem proper to the said commissioners.

Authority to sell old poor house site.

SEC. 3. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 2d day of February, A. D. 1871.

CHAPTER LVI.

AN ACT IN RELATION TO ELECTION OF KEEPER OF THE CAPITOL.

Preamble.

WHEREAS, the day provided for the election of a keeper of the capitol, by an act ratified on the fourteenth day of December, eighteen hundred and seventy, having passed without an election; therefore,

Day of election.

SECTION 1. *The General Assembly of North Carolina do enact*, That the general assembly shall, on Saturday, the fourth day of February, eighteen hundred and seventy one,

Term of office.

proceed to elect a keeper of the capitol for the ensuing year, as provided for in an act entitled "an act in relation to the keeper of the capitol," ratified the fourteenth day of December, one thousand eight hundred and seventy.

Vacancy.

SEC. 2. That if said office shall at any time, except during the session of the general assembly, become vacant by death, resignation or otherwise, the governor shall appoint a suitable person to fill said vacancy until the next ensuing regular election therefor.

When act to be in force.

SEC. 3. This act shall be in force from and after its ratification.

Ratified the 2d day of February, A. D. 1871.

CHAPTER LVII.

AN ACT TO PROVIDE FOR THE ELECTION OF A TAX COLLECTOR FOR LINCOLN COUNTY.

County Commissioners may elect tax collector.

SECTION 1. *The General Assembly of North Carolina do enact*, That the board of commissioners for Lincoln county may, in their discretion, annually elect a tax collector for said county; said election to be held before the first day of April in each year.

SEC. 2. That the tax collector, so elected, shall execute his official bonds, payable to the state of North Carolina in double the estimated sum of the state and county taxes to be collected in said county with two or more solvent securities, to be approved by the said board. Said bond shall be registered and the original deposited in the office of the superior court of said county. Bond.

SEC. 3. That it shall be the duty of said tax collector to collect all the state and county taxes levied in said county; that he shall have all the powers vested in the sheriff for that purpose, and be governed by the same rules, regulations and provisions which apply to sheriffs in the collection of taxes, and be subject to like penalties and prosecutions for failure in the performance of his official duties. Duties and powers.

SEC. 4. That said tax collector shall receive the same compensation for his services as may be allowed to sheriffs for similar purposes. Compensation.

SEC. 5. That this act shall be in force from and after its ratification. When act to be in force.

Ratified the 2d day of February, A. D. 1871.

CHAPTER LVIII.

AN ACT TO RETURN TO THE WILMINGTON, CHARLOTTE AND RUTHERFORD RAILROAD COMPANY ITS FIRST MORTGAGE BONDS IN EXCHANGE FOR OTHER BONDS OF THE COMPANY.

SECTION 1. *The General Assembly of North Carolina do enact*, That whenever the president and directors of the Wilmington, Charlotte and Rutherford railroad company shall deposit with the public treasurer of the state five hundred thousand dollars of the mortgage bonds of the company authorized to be issued by an act entitled "an act to enable the Wilmington, Charlotte and Rutherford railroad company to complete their road and to authorize the return of state When and how bond may be exchanged.

bonds to the treasury," ratified the twelfth day of March, one thousand eight hundred and seventy; or a sufficient number of said bonds to cover at par the hereinafter mentioned five hundred thousand dollars first mortgage bonds with the accrued interest upon them, the said treasurer is hereby authorized and directed to deliver the said president and directors five hundred thousand dollars of the first mortgage bonds of the company with the coupons that were upon them when deposited in state treasury, heretofore deposited in the state treasury under the provisions of an ordinance of the state convention, entitled "an ordinance reducing the amount of bonds authorized to be issued by the Wilmington, Charlotte and Rutherford railroad company," ratified the fifth day of February, one thousand eight hundred and sixty-eight. And the said president and directors shall receive the same and apply them to the construction and completion of the said road and to no other purpose.

Bonds to be held as collateral security.

SEC. 2. That the bonds so authorized to be deposited by the said president and directors shall be received by the said treasurer in exchange for the said first mortgage bonds, and shall be held as collateral security as provided for in the said ordinance of the convention, of the fifth of February, one thousand eight hundred and sixty-eight, hereinbefore referred to.

Treasurer to deliver first mortgage bonds.

SEC. 3. That upon the said president and directors executing and delivering to the said treasurer their bond with sureties to be approved by him in the sum of fifty thousand dollars, payable to the state of North Carolina, conditioned for the delivery to the said treasurer within sixty days from the date thereof the said mortgage bonds authorized to be deposited by the first section of this act, it shall be the duty of treasurer, and he is hereby directed immediately to deliver to the said president and directors the said five hundred thousand dollars of the first mortgage bonds.

To whom bonds to be delivered.

SEC. 4. That the treasurer is hereby directed to deliver the said first mortgage bonds to the president and directors of said company elected as such at the meeting of the stock-

holders of said company, held at Wilmington, twentieth of October, one thousand eight hundred and seventy.

SEC. 5. That a sufficient amount of the proceeds of the said first mortgage bonds shall be used on the western division of said road to complete it to the town of Shelby in the county of Cleveland.

Part of proceeds to be used on Western Division.

SEC. 6. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 6th day of February, A. D. 1871.

CHAPTER LIX.

AN ACT TO AUTHORIZE THE LEVY OF A SPECIAL TAX FOR THE COUNTY OF PERSON.

SECTION 1. *The General Assembly of North Carolina do enact*, That the county commissioners of Person county shall have power to levy a special tax not to exceed five thousand dollars, to be levied on all real and personal property in said county, for the purpose of relieving the poor, and for other necessary expenses that have been or shall be incurred ; *Provided*, That the said commissioners in levying said tax on property, shall at the same time levy a tax on the polls which shall be equal to the tax on property valued at three hundred dollars in cash, to be applied for the purposes specified in this act.

Limits of tax.

Object.

Proviso.

SEC. 2. This act shall have no force or effect until submitted to the vote of the people of Person county at an election to be held under the direction of the county commissioners and approved by a majority of the votes cast.

Act to be submitted to people.

SEC. 3. This act shall be in force from its ratification.

When act to be in force.

Ratified the 7th day of February, A. D. 1871.

CHAPTER LX.

AN ACT IN RELATION TO THE PAY OF WITNESSES ATTENDING
THE COURT OF IMPEACHMENT.

Compensation.

SECTION 1. *The General Assembly of North Carolina do enact*, That the witnesses summoned to attend the court of impeachment on the trial of Governor William W. Holden, shall receive one dollar and fifty cents per day, and ten cents per mile by the most usual route from their respective homes to Raleigh and returning.

To whom act shall apply.

SEC. 2. The above shall apply to witnesses for the respondent as well as for the prosecution; *Provided*, The respondent shall not be allowed pay for more than two witnesses to prove the same fact, unless permitted by the senate.

Clerk of the Senate to give certificate.

SEC. 3. That the clerk of the senate shall certify the number of days each witness shall attend upon said trial, and the number of miles travelled; and the governor thereupon shall issue warrants upon the treasurer of the state who shall pay the same.

When act to take effect.

SEC. 4. This act shall take effect from its ratification.

Ratified the 7th day of February, A. D. 1871.

CHAPTER LXI.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE
THE MANNER OF APPLYING FOR PARDONS," CHAPTER ONE
HUNDRED AND SEVENTY-ONE, RATIFIED MARCH TWENTY-EIGHT,
ONE THOUSAND EIGHT HUNDRED AND SEVENTY.

Amendment.

SECTION 1. *The General Assembly of North Carolina do enact*, That section two be so amended as to strike out all in said section after the word "thereon," in the fifth line,

and to read as follows: Every such application shall contain the grounds and reasons upon which the executive pardon is asked, and shall be in every case accompanied by a certified copy of the indictment, and the verdict and judgement of the court thereon.

SEC. 2. That sections three, four and five of said act are hereby repealed. Repeal.

SEC. 3. This act shall be in force from its ratification. When act to be in force.

Ratified the 8th day of February, A. D. 1871.

CHAPTER LXII.

AN ACT CREATING A COMMISSION TO INQUIRE INTO CHARGES OF CORRUPTION AND FRAUD.

WHEREAS, the last general assembly authorized the issue of sundry railroad companies of many millions of dollars in the bonds of the state for alleged purposes of internal improvement, and said bonds were issued to the officers of said companies; Preamble.

And whereas, this general assembly have reason to believe that no adequate results have accrued therefrom, but that a large proportion of said bonds have been corruptly and fraudulently diverted from any purposes of internal improvement to the personal ends of certain individuals, and have been fraudulently and dishonestly disposed of, to the great detriment of the state, in the impairing of her credit abroad and the criminal disregard of her material interest at home;

And whereas, it has been commonly charged that a portion of said bonds or of the proceeds thereof, have been used for purposes of bribery in and out of the state of North Carolina;

And whereas, there have been many charges of official venality and corruption since the passage authorizing the issue of the said bonds;

And whereas, it has been charged that certain officers of some of the said railroad companies have let contracts for the construction of said railroads or of parts thereof at fraudulent and exorbitant prices, and have shared or are yet to share in the profits of said contracts, or have been or are to be given money or other things on account of such fraudulent contracts ;

And whereas, right and justice demand that the truth or falsity of all such charges should be inquired into and ascertained to the end that if true, the guilty may be punished and the honor of the state vindicated,

Commissioners to be appointed.

SECTION 1. *The General Assembly of North Carolina do enact*, That the president of the senate and the speaker of the house of representatives appoint three persons who shall constitute a commission to investigate and inquire into the matters hereinbefore referred to. They shall ascertain what disposition was made of all or any of said bonds, or of the proceeds of the same, or of any part thereof. They shall furthermore make diligent inquiry into every charge of bribery and corruption against any and every official of the state, and against any and every officer or member of any corporation wherein the state has had or has any interest. And any one of said commission, by the appointment of said commission, is authorized and empowered to examine witnesses, take deposition, administer oaths, issue process, and do whatever may tend to facilitate the business of said commission.

Duties of commission.

Authority.

Re-enactment of part of chapter 48, laws 1869-'70.

SEC. 2. That in furtherance of the objects of the said commissions, chapter five and chapter forty-eight except the preamble, and section four of the act of one thousand eight hundred and sixty-nine and one thousand eight hundred and seventy, are hereby re-enacted and made a part of this act as fully as if the same were herein set forth.

Commission may appoint persons to take depositions.

SEC. 3. That said commission shall have power in their discretion to commission one or more persons in or out of the state, to take the deposition of any person under such rules as they may prescribe touching any matter within the compass of their duties as prescribed by this act.

SEC. 4. That said commissioners be allowed the same per diem as the members of this general assembly for every day actually and necessarily employed by them in the discharge of the duties required by this act, and their travelling expenses necessarily incurred in the performance of the same. And all witnesses appearing before them under their summons shall be allowed the same *per diem* and mileage as is now allowed by law to witnesses in the superior courts.

Compensation.

Pay of witnesses.

SEC. 5. That the treasurer is directed to pay upon the warrant of the chairman of said commission, countersigned by the auditor, all sums which shall become due under this act for *per diem* and travelling expenses of the members of the commission, and for sheriffs and witness fees.

Treasurer to pay upon warrant of chairman of commission.

SEC. 6. This act shall be in force from its ratification. Ratified the 8th day of February, A. D. 1871.

When act to be in force.

CHAPTER LXIII.

AN ACT CONCERNING A CONVENTION OF THE PEOPLE.

WHEREAS, the present constitution of North Carolina is in many respects burdensome and oppressive to the people of the state, and some of the provisions ill-adapted to the wants and condition of the people; and whereas, the taxes required by said constitution to be levied upon the citizens of the state by this general assembly, are, in the judgment of this general assembly, too burdensome to be borne by the tax payers of the state, and cannot be collected without effecting the ruin of the best interests of all our people; and whereas, for the reasons here set forth, and many others in the judgment of this general assembly, said constitution requires such amendments and alterations as will give to our people the relief demanded by them from their present heavy burdens, which can only be immediately and judiciously effected by a convention of the people; and whereas,

Preamble.

this general assembly, in matters of such grave import, is reluctant to undertake any change in the fundamental law of the state, without the sense of the people in whom, under our government, all sovereignty resides, being first ascertained; therefore,

Governor to issue proclamation.

SECTION 1. *The General Assembly of North Carolina do enact*, That upon the passage of this act, the governor of the state be and he is hereby required to issue a proclamation commanding the sheriffs of the respective counties in the state to open polls at the several places of holding elections in said counties on Thursday, the thirteenth of April, anno domini one thousand eight hundred and seventy-one, where and when all persons qualified to vote for members of the general assembly may vote for or against a state convention, under the restrictions hereinafter provided for; those who wish convention voting with a printed or written ticket, "convention," and those who do not wish such convention voting in the same way, "no convention;" also to open separate polls at the said time and places for the election of delegates to the convention to be assembled in the city of Raleigh at such time as is hereinafter provided for, said polls to be superintended by two judges or inspectors, at each of said places of holding the election, to be appointed by the commissioners of said counties respectively, and an officer appointed by the sheriff of the county, each of whom shall be sworn faithfully and impartially to conduct said election according to law.

Date of election.

Manner of voting.

Delegates.

Judges of election.

Judges to count ballots.

Return to be made.

Proviso.

SEC. 2. That it shall be the duty of said judges or inspectors, immediately after the closing of the polls, to count the ballots in the presence of such electors as may desire to be present, and make out a correct statement under their hands of the polls at their respective places of holding said election which shall be sealed up and returned to the commissioners of their respective counties, by 12 o'clock on Saturday after said day of election; *Provided*, the counties of Carteret, Dare and Hyde, shall be allowed until Tuesday after the election to make their returns; and said commissioners, (or any two of them in the presence of five or more of the citi-

zens of said county,) shall compare said returns at the courthouse, or other place of holding court in their respective counties, and make duplicate statements of said returns, sworn to before some person authorized to administer oaths, one copy of which shall be deposited in the office of the register of deeds of the county, and the other copy transmitted to the governor of the state, at Raleigh, under the same rules and regulations, and under the same penalties, as are prescribed in the case of the returns of the vote for electors of president and vice-president, as now provided by law, immediately after said election.

County Commissioners to make returns.

SEC. 3. That it shall be the duty of the governor, as soon as he shall have received said returns, not later than the fourth day of May, anno domini one thousand eight hundred and seventy-one, in the presence of the secretary of state, public treasurer and attorney general of the state, to compare the number of votes for and against a convention; and if it shall appear that a majority of the votes polled are in favor of a convention, he shall forthwith issue a proclamation, in such manner as he may think proper, summoning the delegates elected to said convention as aforesaid, to convene in Raleigh on the fourth Monday in May, anno domini one thousand eight hundred and seventy-one, but if a majority of the votes polled are against convention, the governor shall in like manner issue a proclamation of that fact.

Governor to compare vote in presence of certain officers.

Governor to issue proclamation of result.

SEC. 4. That the election aforesaid, shall be held with open doors, in the presence of the electors assembled, and conducted in the same manner as elections for members of the general assembly, and the vote shall be counted, the scrolls compared, the result proclaimed, and certificates issued, in the same manner, as now prescribed by law for members of the house of representatives.

Manner of holding election.

SEC. 5. That the inspectors of election mentioned in section first of this act, shall be appointed by the commissioners of each county respectively, at a meeting to be held on the first Monday in March, one thousand eight hundred and seventy-one, or as soon thereafter as practicable, and said

Inspectors of election.

Registrar of voters.

commissioners shall, at the same time, appoint a registrar of voters for each voting precinct or township, whose duty it shall be to revise the existing registration books of his precinct or township, in such manner that said books shall show an accurate list of all electors previously registered in such precinct or township, and still residing therein, without requiring such electors to be registered anew; and such registrar shall also, at all times after his appointment, up to and on the day of election aforesaid, keep open said books, and shall be at the polls on said day with said books for the registration of any electors residing in such precinct or township, and entitled to registration, whose names have never before been registered in such precinct or township, or do not appear on the revised list; no certificates of registration shall be given, and no elector shall be entitled to register or to vote in any other precinct or township than the one in which he is an actual and bonafide resident on the day of election. Any person offering to vote, although his name may be on the registration books, may be challenged as to his right to vote on the day of election, and the question shall be decided by the inspectors of the box and the registrar of the precinct or township, before the ballot is received.

Duties of Registrar.

Qualification of voters.

Challenge.

Vacancies, how filled.

SEC. 6. That if a vacancy shall occur by death or otherwise, of any person elected delegate as aforesaid, the presiding officer of the convention shall issue his writ to the sheriff of the county, in which such vacancy may have occurred, after such notice as the convention may order, to open polls to fill such vacancy, under the same rules and regulations as hereinbefore prescribed for the election of delegates.

Number of delegates.

SEC. 7. That said convention shall consist of one hundred and twenty-one delegates, and each county shall be entitled to the same number of delegates as members of the house of representatives, under the present apportionment, and the county of Dare shall be entitled to one delegate.

Convention to fix its pay, &c.

SEC. 8. That said convention shall have power to fix the pay of all its officers and members, and shall provide for

other expenses to be paid out of the treasury as it may direct.

SEC. 9. That said convention shall have power to elect its officers, and shall be the judge of the qualifications and election of its members, who shall be electors of the state of North Carolina.

Officers of Convention.

SEC. 10. That said convention shall have power to consider and propose all necessary amendments and alterations to the constitution of the state, (excepting the restrictions hereinafter mentioned,) not inconsistent with the constitution of the United States. But said convention shall have no power or authority whatever to offer or propose any amendment or alteration of, or in anywise interfere with, repeal, or modify the homestead and personal property exemptions, as provided for in article 10 of the constitution of the state, and said convention shall insert a clause in said constitution depriving any court of the state of all power or jurisdiction whatever to reverse, modify or change in any way the decision which has been made by the present supreme court on the homestead clause of the present constitution, nor shall said convention in any way interfere with, modify, repeal or do any other act to restrict or impair the rights, privileges, or immunities, of any person in the state, on account of race, color or previous condition, which are now guaranteed to him by the thirteenth, fourteenth and fifteenth amendments to the constitution of the United States; nor shall they propose any amendment to the constitution of the state, in any way impairing or restricting said rights, privileges or immunities; nor shall said convention pass any ordinance, or propose any amendment to the constitution of this state which shall in any wise provide for payment to the late slaveholders of the state or any other person, for the loss sustained by them by reason of the emancipation of said slaves; nor shall said convention pass any ordinance, or offer any amendment, which shall in anywise provide for the payment of any debt or debts, contracted in aid of the late war; nor shall said convention pass any ordinance, or offer any amendment which shall in anywise pro-

Powers of Convention.

Restrictions of Power.

vide for the infliction of corporeal punishment for criminal offences; nor shall said convention have power to abolish the present system of public instruction, but to make such alterations to said system as said convention may deem necessary and proper; nor shall said convention propose any amendment or alteration requiring any property or educational qualification for voters or officers; nor shall said convention change the present ratio between the poll and property tax, or provide for raising the poll tax on one poll above two dollars for all (ordinary state and county) purposes; nor shall said convention be allowed to pass any ordinance or ordinances legislative in their character, except such as are necessary to submit the constitution as amended to the people of the state for their ratification or rejection, and provide for filling such vacancies as may occur by reason of any amendment or amendments made by said convention to the constitution of the state; and except ordinances in relation to the public debt; nor shall said convention have any power to modify or repeal that clause in the present constitution which provides for a mechanics and laborers' lien law; nor shall said convention have any power to modify or repeal those clauses in the present constitution which provide that there is no right to secede, and that every citizen owes paramount allegiance to the constitution and government of the United States. (Article I, sections 4 and 5.)

Further powers of
Convention.

SEC. 11. That said convention may revise the constitution of the state, embodying in it such alterations and amendments as may be agreed upon, not inconsistent with the provisions of this act; but no such revised constitution shall have any force or validity until the same shall have been ratified by a majority of the qualified voters of the state, to whom the same shall be submitted according to the mode to be prescribed by ordinance of said convention.

Constitution to
be submitted to
people.

Delegates to take
oath.

SEC. 12. That no delegate to said convention shall be permitted to take his seat in said convention until he shall have taken and subscribed the following oath or affirmation before any judge of the supreme or superior courts, or any justice

of the peace of Wake county, to wit: I, A. B., do solemnly swear (or affirm, as the case may be,) that I will faithfully maintain and support the constitution of the United States, and will not either directly or indirectly evade or disregard the duties enjoined, or the limits fixed, to this convention by the people of North Carolina as set forth in the act of the general assembly, passed in one thousand eight hundred and seventy-one, entitled an act concerning a convention of the people; which act was ratified by the people: so help me God.

Oath.

SEC. 13. That any judge or judges of elections appointed under the provisions of this act, or any county commissioner or sheriff failing or neglecting to make the returns and perform the duties required of him by this act, shall be deemed guilty of a misdemeanor, and on conviction, shall be fined not less than five hundred nor more than one thousand dollars, or imprisoned not more than six nor less than two months, at the discretion of the court.

Penalties for neglect by County Commissioners and others.

SEC. 14. Any person who shall knowingly and fraudulently register or vote or induce another to do so contrary to the provisions of this act, shall be deemed guilty of a misdemeanor, and on conviction, shall be imprisoned not less than six nor more than twelve months, or fined not less than one hundred nor more than five hundred dollars; and any registrar of voters who shall make or cause or suffer to be made, any entry with intent to commit a fraud shall be subject to indictment and liable to the same penalty.

Fraudulent voting.

Penalty.

SEC. 15. That the joint committee on printing shall immediately have printed ten copies of this act for each senator and member of the house of representatives, and shall have printed and transmitted by mail one hundred copies to the board of commissioners for each county, whose duty it shall be to furnish one copy to each registrar in their respective counties, and one copy to the inspectors of election at each precinct before the day of election.

Act to be printed.

SEC. 16. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 8th day of February, A. D. 1871.

CHAPTER LXIV.

AN ACT TO INCORPORATE THE NORTH CAROLINA RAILROAD
AND MANUFACTURING COMPANY.

Corporators.

SECTION 1. *The General Assembly of North Carolina do enact*, That E. M. Davis, Henry C. Davis, Shreve Ackley, Harvey Shaw, Calvin Phillips, Tod R. Caldwell, Edmond W. Jones, James C. Harper and G. W. F. Harper, and such other persons as may be associated with them, and their successors, be and they are created a corporation and body politic, under the name, style and title of the "North Carolina Railroad and Manufacturing Company," with a capital of five hundred thousand dollars, with the power of increasing the same to any sum not exceeding one million dollars whenever the directors may deem it expedient, to be divided into shares of one hundred dollars each, for the purpose of constructing a railroad from any point on the line of the Charlotte, Wilmington and Rutherford railroad, between the towns of Lincolnton and Shelby, or from any point on the line of the Western North Carolina railroad, between the towns of Hickory Tavern and Marion, to any point in the state line between the state of North Carolina and the states of Virginia or Tennessee.

Capital.

Shares.

Location of railroad.

Powers of company.

SEC. 2. That the said company shall have power to purchase, hold and improve lands along and near the line of said railroad; to obtain therefrom any and all timbers, ores, or other valuable substances; and to construct such houses, works, mills or factories as may be necessary to effect such purposes, or to develop or to bring into market the resources of the region through which said railroad shall pass.

Further powers.

SEC. 3. That the said company shall have power to sell, lease or mortgage the lands so acquired, and to construct railroads from any point on the main trunk line to such other points situated within the boundaries of the lands so acquired by them as the said company may deem necessary.

May issue bonds.

SEC. 4. That the said company shall have power to issue

bonds to an amount not exceeding its capital stock, at the legal rate of interest, redeemable at any time not less than ten (10) years from the date of their issue; said bonds to be secured by mortgage on the railroad, lands, and other property acquired by said corporation.

SEC. 5. That all railroads constructed by said company shall have a guage of not less than two (2) feet, and not more than the guage of the North Carolina railroad. Guage.

SEC. 6. That the said company shall have the privilege of suing, shall be liable by its corporate name, may have a common seal, and may make such laws, rules and regulations not inconsistent with the constitution and laws of this state and of the United States, as may be needful for the well ordering of its affairs.

SEC. 7. This act shall go into effect from and after its ratification. When act to take effect.

Ratified the 10th day of February, A. D. 1871.

CHAPTER LXV.

AN ACT IN RELATION TO PRINTING THE GENERAL STATUTES.

SECTION 1. *The General Assembly of North Carolina do enact*, That the secretary of state be, and he is hereby authorized and directed, immediately after the ratification of any act, to have the requisite number thereof printed, as now required by law, to the end that the same may be bound for distribution, as the law requires. Secretary of State directed to have laws printed.

SEC. 2. That this act shall be in force from and after its ratification. When act to be in force.

Ratified the 11th day of February, A. D. 1871.

CHAPTER LXVI.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF CLAY COUNTY
TO LEVY A SPECIAL TAX FOR CERTAIN PURPOSES.Objects of taxa-
tion.

SECTION 1. *The General Assembly of North Carolina do enact*, That the commissioners of Clay county are hereby empowered to levy a special tax upon all subjects of taxation within said county, for the special purpose of defraying the expenses of building a courthouse in the town of Hayesville, Clay county; *Provided*, Said amount of taxes so levied shall not exceed twenty-five hundred dollars; *And provided*, That not more than one-half of the said tax levied under authority of this act shall be levied and collected in the year one thousand eight hundred and seventy-one.

Proviso.

Further provisa.

When act to be in
force.

SEC. 2. This act shall be in force from and after its ratification.

Ratified the 13th day of February, A. D. 1871.

CHAPTER LXVII.

AN ACT FOR THE BENEFIT OF THE WESTERN NORTH CAROLINA
RAILROAD COMPANY.Meeting of stock-
holders.

SECTION 1. *The General Assembly of North Carolina do enact*, That the stockholders of the Western North Carolina Railroad Company (eastern division) may meet in the town of Salisbury, in the county of Rowan, after thirty days notice, which notice any three stockholders of said company may give, by publishing the same in a daily newspaper published in the city of Raleigh, and in the weekly newspapers published in the towns of Salisbury, Statesville and Asheville, and if a quorum of such stockholders and the state's proxy, representing the stock of the state in said company

How meeting may
be called.

shall be present at such meeting, it shall be competent for the stockholders of the said company for cause satisfactory to them, to remove the present board of directors, and any of the officers or agents of said company and elect and appoint others in their stead; *Provided, however,* that the representatives of stock subscribed by contractors who have not finished up their contracts, be only entitled to vote upon the amount of stock to which they are entitled on work actually done, and in the event the said present board of directors shall be removed, then, and in that case, F. N. Luckey, A. C. Cowles, Hugh Reynolds, Joseph C. Mills, Lock McCorkle, C. L. S. Corpening, E. J. Aston and David Coleman, shall be directors of said company, representing and in behalf of the state as now provided by law, until the next annual meeting of the stockholders of said company, and at the special meeting herein provided for, and until the next annual meeting, C. A. Henderson shall be the proxy for the state.

Removal of directors and officers.

Proviso.

State directors.

State proxy.

SEC. 2. That hereafter the speaker of the house of representatives shall, by a paper writing to that effect, appoint the directors and proxy to represent the stock and interest of the state in said company.

State proxy and directors how appointed hereafter.

SEC. 3. That if the stockholders of said company shall remove the present board of directors, or any of their officers or agents as provided by this act, and any such director, officer or agent so removed shall fail or refuse forthwith to surrender and duly account for all moneys, bonds, papers, property and effects of every kind of said company in the possession or control of such director, officer or agent, such director, officer or agent so failing and refusing shall be deemed guilty of a misdemeanor, and on conviction in the superior court of the county of Catawba, shall be imprisoned not less than one month nor more than six months, and fined not less than one hundred dollars, nor more than five hundred dollars.

Penalty for failure of removed officer to transfer property.

SEC. 4. That if any director or officer or agent of said company shall pay, use or apply, or dispose of in any way directly or indirectly, any of the money, bonds, property or

Moneys of the company not to be used to delay or affect provisions of this act.

effects of said company in the institution or prosecution of any suit or other legal proceedings to delay, affect or defeat the provisions of this act, such director, officer or agent so offending, shall be deemed guilty of embezzlement, and on conviction in the superior court of Catawba county, shall be imprisoned not less than six months nor more than twelve months, and fined not less than one hundred dollars nor more than five hundred dollars.

President and
Treasurer.

SEC. 5. That the president and treasurer elected by said board of directors shall give bond and sufficient security to be adjudged by the board of directors, two-thirds concurring, and that at no time shall the treasurer deliver to the president more than one hundred thousand dollars in mortgage or other bonds, until the same be disposed of to aid in the completion of the road.

Depot near Ashe-
ville.

SEC. 6. That the depot near Asheville shall be located within the corporate limits of said town if practicable.

When act to be in
force.

SEC. 7. That this act shall be in force from and after its ratification.

Ratified the 13th day of February, A. D. 1871.

CHAPTER LXVIII.

AN ACT AUTHORIZING THE GOVERNOR TO OFFER A REWARD
FOR THE ARREST OF HENRY B. LOWERY AND OTHERS.

Preamble.

WHEREAS, this general assembly has reliable information of the existence of a band of outlaws and desperadoes in Robeson county who have committed murder and other outrages upon the peaceful and law-abiding citizens of Robeson and the adjoining counties; and whereas, the said band of outlaws and desperadoes have openly defied the civil authorities of this state, and have evaded and so concealed themselves that the usual process of law cannot be served upon them; and whereas, the judicial officers of Robeson county

have, by public proclamation, made in pursuance of chapter sixty-two, laws of one thousand eight hundred and sixty-five and one thousand eight hundred and sixty-six, required said outlaws forthwith to surrender themselves, which proclamation has been disregarded and defied.

Resolved, That his excellency Governor Tod R. Caldwell, be and he is hereby authorized and empowered by public proclamation, to offer a reward of two thousand (\$2,000) dollars for the arrest and delivery, dead or alive, of the body of Henry B. Lowery, to the proper authorities of the state, and a reward of one thousand dollars for the delivery of each of the bodies, dead or alive, of Boss Strong, Stephen Lowery, Thomas Lowery, Henderson Oxendine and George Applewhite, to the proper authorities of this state; *Provided*, That this act shall only apply to such of said persons as have been or may hereafter be regularly outlawed by due course of law.

Governor to offer reward.

Resolved further, That any and all rewards heretofore offered for the arrest and delivery of all or any of the above named parties by the governor of this state are hereby revoked.

Previous offers of reward revoked.

Resolved, That this act shall take effect from and after its ratification.

Ratified the 13th day of February, A. D. 1871.

CHAPTER LXIX.

AN ACT TO CHARTER THE TENNESSEE RIVER TURNPIKE COMPANY.

SECTION 1. *The General Assembly of North Carolina do* Corporators.
enact, That J. J. Calhoun, A. B. Welch, Pendleton Crisp, Benson Cook and Phillip Calhoun, or a majority of them, are hereby appointed commissioners, and authorized and empowered by themselves, and under the directions of such Subscriptions to stock.
agents as they may select, to open books for subscription of

Shares. stock, in shares of twenty dollars each, to build a turnpike
 Location of road. road from the first ford on the Tuckasegee river above its
 mouth, down the Tennessee river to Stephen Whitaker's
 road near Rocky Point, in Macon county.

Organization of company. SEC. 2. That as soon as the sum of one thousand dollars
 shall have been subscribed, the said commissioners or a
 majority of them, shall, by public notice of ten days, notify
 the stockholders to meet at some convenient point on the
 line of said road to organize the company, and as soon as
 convenient to commence work.

Grade. SEC. 3. That the company when formed, shall have the
 right to use the old turnpike road, or so much of it as they
 may desire, and at no place shall the road have a steeper
 grade than one foot in twelve, or a less width than twelve
 feet.

Corporate name. SEC. 4. That the company when formed shall have a
 corporate existence, under the name and style of the Ten-
 nessee River Turnpike Company for the term of twenty
 years, and that in the organization of the company and the
 transaction of its business, each stockholder shall have as
 many votes as he has shares of stock in said company.

Proportion of votes. SEC. 5. That when said road shall have been completed
 the commissioners of Macon county shall appoint three dis-
 creet persons as commissioners to examine said road, and
 upon the certificate of said commissioners that the road has
 been completed according to the provisions of this act, the

Commissioners to examine road. SEC. 5. That when said road shall have been completed
 the commissioners of Macon county shall appoint three dis-
 creet persons as commissioners to examine said road, and
 upon the certificate of said commissioners that the road has
 been completed according to the provisions of this act, the
 company shall have the right to erect a toll gate at some
 point on the road, which they may move at will, and shall
 have the right to establish and collect tolls from all persons
 travelling over said road with the following exceptions, viz :
 first, all persons living in Welch's township, subject by law
 to work on said road, and their families ; secondly, any per-
 son going to or returning from church, or going to or return-
 ing from a public mill ; *Provided*, That nothing in this
 section shall be construed to relieve or release any person,
 subject by law, from performing six days labor annually on
 said road, under such overseer or overseers as may be
 appointed by the commissioners of Macon county.

Toll gate.
 Exemption from toll.

SEC. 6. The company shall have the right to collect the following tolls, viz: for two horse carriage or peddlers wagon, one dollar; for one horse carriage or buggy, fifty cents; for six horse wagon, seventy cents; for five horse wagon, sixty cents; for four horse wagon, fifty cents; for three horse wagon, forty cents; for two horse wagon, thirty cents; for one horse wagon or cart, twenty-five cents; for each horse or mule with rider, ten cents; for each horse, mule or ass without rider, five cents; for each head of cattle, two cents.

Rates of toll.

SEC. 7. That any person passing over said road who shall fail or refuse to pay the toll prescribed by law, shall be subject to a penalty of five dollars, which may be sued for in the name of the company and recovered before any acting justice of the peace; *Provided*, That the company shall, at all times when demanding and collecting tolls, be required to keep said road in about such condition as when examined by the commissioners authorized by the fifth section of this act.

Penalty for non-payment of toll.

Proviso.

SEC. 8. That this act shall be in force from the date of its ratification.

When act to be in force.

Ratified the 15th day of February, A. D. 1871.

CHAPTER LXX.

AN ACT IN RELATION TO THE PUBLIC LIBRARY.

SECTION 1. *The General Assembly of North Carolina do enact*, That the governor and judges of the supreme court, and their respective successors in office, are appointed trustees of the state library, and all moneys appropriated for its increase shall be laid out under their direction and supervision. The judges of the supreme court in the absence of the governor, or the governor and any of the judges in the absence of the others shall be a quorum with all the authority

Trustees of Library.

Rules and regulations for Library. vested in said trustees. The trustees may make such rules and regulations in regard to the library and the use of the books as they may deem best. That a librarian shall be biennially elected by the joint vote of the two houses of the general assembly at a salary not exceeding five hundred dollars a year, who shall give bond with security in such sum as the governor may determine, payable to the state of North Carolina, conditioned for the safe keeping of the books and the faithful discharge of his duties, and shall hold his place until his successor shall be elected and qualified; *Provided, however,* That in case the office of librarian shall become vacant otherwise than by the expiration of the term, the governor is authorized to appoint some suitable person to discharge the duties thereof until the next succeeding session of the general assembly.

Library hours. SEC. 2. The library shall be kept open on all days, Sundays and holidays excepted, from nine a. m. to twelve m. except during the sitting of the general assembly and terms of the supreme court when the library shall be kept open in addition to the above stated time, from two p. m. until five p. m.; that the librarian shall also keep the libraries in the senate chamber and house of representatives locked except during the sessions of the general assembly.

Supreme Court Library. SEC. 3. That it shall be the duty of the clerk of the supreme court to take charge of the law library of the supreme court, under such rules and regulations as the justices of said court may prescribe.

When act to be in force. SEC. 4. That this act shall be in force from and after its ratification.

Ratified the 15th day of February, A. D. 1871.

CHAPTER LXXI.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF ONSLOW COUNTY TO ADJUST THE TAX LISTS NOW IN THE HANDS OF THE SHERIFF.

SECTION 1. *The General Assembly of North Carolina do enact*, That the commissioners of Onslow county are hereby authorized to hear complaints of tax payers in regard to the valuations of their land or other cause of complaints, and to act upon such complaints in the same manner, in every respect as they are required to do by law at the June meeting of the board.

Commissioners to hear complaints.

SEC. 2. That no complaint shall be heard under this act unless the complainant shall set forth in writing the cause of his complaint and the cause of his failure to apply to the board at the time prescribed by law, such complaint to be sworn to by the complainant or his authorized agent.

What complaints may be heard.

SEC. 3. That whenever the county commissioners shall make an alteration in the tax lists, the same shall be certified by the clerk of the board to the sheriff of the county, and the sheriff shall be governed by the same, and shall be allowed for it in his settlement with the auditor.

Alterations in tax lists.

SEC. 4. That in all cases when appeals have been taken under section seventeen, of chapter two hundred and twenty-five of the acts of one thousand eight hundred and sixty-nine and one thousand eight hundred and seventy, and judgment rendered for five per cent. in addition to the tax, the said sum may be refunded by the board upon the payment of the costs by the party.

Where judgments have been rendered.

SEC. 5. That the operation of this act shall be confined to the county of Onslow, and shall expire at the end of forty days from the ratification of this act.

Limitation of this act.

SEC. 6. That there shall be the same right of appeal under this act as is now given by law.

Right of appeal.

SEC. 7. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 15th day of February, A. D. 1871.

CHAPTER LXXII.

AN ACT TO COMPEL THE PRESIDENT AND DIRECTORS OF THE SEVERAL RAIL ROADS IN THIS STATE TO ACCOUNT WITH THEIR SUCCESSORS IN OFFICE FOR THE PROPERTY AND EFFECTS OF SAID COMPANIES.

Officers of railroads to account to their successors.

SECTION 1. *The General Assembly of North Carolina do enact*, That the president and directors of the several railroads of this state, and all persons acting under them, are hereby required upon demand to account with the president and directors elected or appointed to succeed them, and shall transfer to them forthwith all the money, books, papers, choses in action, property and effects of every kind and description belonging to such company, and that a refusal or failure to account for and transfer all the money, books, papers chosen in action, property and effects, as herein required, shall be deemed a misdemeanor, and upon conviction in any superior court of this state, shall be punished by imprisonment in the penitentiary of this state for not less than one nor more than five years, and by fine at the discretion of the court.

Penalty for refusal or failure.

Governor may make requisition upon other States.

SEC. 2. That the governor of this state be and he is hereby authorized, at the request of the president, directors or other officer of any railroad company, to make requisition upon the governor of any other state for the apprehension of any such president failing to comply with the provisions of the first section of this act.

Penalty for delaying or defeating the execution of this act.

SEC. 3. That all persons conspiring with any such president, directors or their agents to defeat, delay or hinder the execution of this act, shall be deemed guilty of a misdemeanor, and on conviction in any superior court of this state, shall be subject to the penalties provided in the first section of this act.

To whom provisions of this act are applicable.

SEC. 4. The provisions of this act shall apply to all presidents and directors and their agents, who have not settled

in full with their successors in office prior to the ratification of this act.

SEC. 5. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 16th day of February, A. D. 1871.

CHAPTER LXXIII.

AN ACT FOR THE RELIEF OF G. B. THREADGILL AND J. L. MOORE,
FORMER SHERIFFS OF ANSON AND MACON COUNTIES.

SECTION 1. *The General Assembly of North Carolina do enact*, That Gideon B. Threadgill former sheriff of Anson county and J. L. Moore of Macon county, have full power and authority until January first, one thousand eight hundred and seventy-two, to collect the arrearages of taxes due him for the years one thousand eight hundred and sixty-six and one thousand eight hundred and sixty-seven. May collect ar rears of taxes.

SEC. 2. That if any persons shall make affidavit before any justice of the peace in and for said county that he or she has paid the said taxes, or believes the same to have been paid for the years one thousand eight hundred and sixty-six or one thousand eight hundred and sixty-seven, the same shall be a bar to the collection of the same; *Provided*, The representatives of estates of deceased persons shall not be compelled to pay such arrears of taxes. Persons may make affidavit that they have paid taxes.
Proviso.

SEC. 3. That this act shall be in force from and after its ratification. When act to be in force.

Ratified the 16th day of February, A. D. 1871.

CHAPTER LXXIV.

AN ACT TO MAKE A FAILURE TO WORK ON PUBLIC ROADS A MISDEMEANOR.

Penalty for failure to work on public roads.

SECTION 1. *The General Assembly of North Carolina do enact*, That if any person liable under existing laws, to work upon the public roads, shall wilfully refuse to work upon said roads, after being legally summoned for that purpose, or if said person or persons so liable to work as aforesaid shall attend at the place and time designated in the notice or summon from the overseer, and wilfully refuse or neglect to work on said road, the person or persons so offending shall, for every such offence, be deemed guilty of a misdemeanor, and upon conviction before a justice of the peace, shall be fined not less than two nor more than five dollars; *Provided, however*, That this act shall not be construed to effect any person liable to work as aforesaid, who shall furnish a good hand to work in his stead, or who for each day notified to attend, shall pay to the overseer the sum of one dollar, to be expended for labor on the road.

Proviso.

When act to be in force.

SEC. 2. This act shall be in force from and after its ratification.

Ratified the 16th day of February, A. D. 1871.

CHAPTER LXXV.

AN ACT MAKING THE SOUTH YADKIN RIVER IN THE COUNTIES OF ROWAN AND DAVIE A LAWFUL FENCE.

South Yadkin river to be a lawful fence.

SECTION 1. *The General Assembly of North Carolina do enact*, That the South Yadkin river in the counties of Rowan and Davie, shall be regarded as a lawful fence from

Peter W. Harston's mill dam to the mouth of Beaver Dam branch in Rowan county.

SEC. 2. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 17th day of February, A. D. 1871.

CHAPTER LXXVI.

AN ACT IN RELATION TO VACANCIES OCCURRING IN COUNTY OFFICES.

SECTION 1. *The General Assembly of North Carolina do enact*, That the proviso to section one of an act to provide for filling vacancies occurring in the offices provided for in article seven of the constitution of North Carolina, ratified the twenty-seventh day of July, one thousand eight hundred and sixty-eight, be and the same is hereby repealed, and any vacancy which now exists or may hereafter occur in any board of county commissioners shall be filled by a majority of said board. Repeal.

SEC. 2. This act shall be in force from and after its ratification. Vacancies, how filled.
When act to be in force.

Ratified the 17th day of February, A. D. 1871.

CHAPTER LXXVII.

AN ACT RELATIVE TO SALE OF LAND BY THE COMMISSIONERS OF THE TOWN OF MARION, IN M'DOWELL COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That whereas, J. H. Gilkey and others were commissioners of the town of Marion, in the year one thousand Preamble.

eight hundred and sixty-nine; that during said year the said commissioners did advertize and sell a portion of Logan street; that at such sale Joseph G. Neal became the last and highest bidder, and upon the payment of the amount bid, the said J. H. Gilkey and others proceeded to execute and deliver a deed for the same; and as same doubt has arisen as to power of vendors to execute good title, it is enacted by the general assembly; that this sale be made valid, and that the said Joseph G. Neal hold the same according to bounds set forth in said deed of conveyance from said J. H. Gilkey and others, against all party or parties whatever, county or counties, and even the state of North Carolina. The title made to M. M. Teague for a part of Henderson street be included in the provisions of this act.

Title of Joseph G. Neal made valid.

Title of M. M. Teague.

When act to be in force.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified the 17th day of February, A. D. 1871.

CHAPTER LXXVIII.

AN ACT TO AUTHORIZE THE CONSTRUCTION OF A TOLL BRIDGE ACROSS THE YADKIN RIVER AT OR NEAR ELKIN.

Corporators,;

SECTION 1. *The General Assembly of North Carolina do enact*, That R. R. Gwyn, R. W. Ford, William H. Reavis and such other persons as they may associate with them and their successors, be and they are hereby constituted a body politic with corporate privileges under the name and style of "the Elkin and Jonesville Bridge Company," and in that name to have succession, sue and be sued, plead and be empleaded, and to make such rules and regulations as they may deem necessary for the construction of and keeping up a public bridge across the Yadkin river at or near the ford of said river between Jonesville in Yadkin county, and Elkin in Surry county.

Location of bridge.

SEC. 2. That the amount of tolls to be charged and received by the said "Elkin and Jonesville Bridge Company," shall be determined by the board of county commissioners of Surry county, whose duty it shall be to establish the rate of tolls to be charged for crossing said bridge, and cause the same to be entered on record.

Rates of toll.

SEC. 3. That if any person or persons after the completion of the said bridge shall pass over the same and refuse to pay the tolls as fixed by law, that every such person or persons shall forfeit and pay the sum of five dollars, to be recovered by the said company by warrant before a justice of the peace.

Fine for nonpayment of toll.

SEC. 4. That in case of the failure on the part of said company to keep the said bridge in good repair so that the public may cross in safety, the said owners shall be subject to indictment in the superior court of Surry county, and be fined at the discretion at the court.

Owners to keep bridge in good condition.

SEC. 5. That this grant shall continue for the space of fifty years.

Limitation of act.

SEC. 6. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 17th day of February, A. D. 1871.

CHAPTER LXXIX.

AN ACT IN FAVOR OF NATHANIEL R. JONES, SHERIFF OF WARREN COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact,* That Nathaniel R. Jones, sheriff of Warren county, be allowed until the first day of April, one thousand eight hundred and seventy-one, to make his final settlement with the county treasurer of said county for the county taxes, except the special county taxes levied for the year one thousand eight hundred and seventy.

Extension of time for settlement.

When act to be in force.

SEC. 2. This act shall be in force from and after its ratification.

Ratified the 17th day of February, A. D. 1871.

CHAPTER LXXX.

AN ACT IN RELATION TO THE CAPITOL SQUARE AND PUBLIC GROUNDS IN THE CITY OF RALEIGH, AND FOR OTHER PURPOSES.

Amount appropriated.

SECTION 1. *The General Assembly of North Carolina do enact*, That a sum not exceeding six hundred dollars be and the same is hereby set apart annually, out of any money in the treasury not otherwise appropriated, which may be used in caring for the capitol square and public grounds in the city of Raleigh.

All accounts for labor to be sworn to.

SEC. 2. No account for work or labor done on the capitol square or public grounds in the city of Raleigh, or in the senate chamber, or house of representatives, or in any room or office in the capitol, or in any building connected with the square or grounds aforesaid, shall be audited or paid, until the same is sworn to before the secretary of state, to be just and true, and so certified by that officer. Nor shall the secretary of state certify the account of any laborer for work done or services rendered in any of said buildings or on any of said grounds, unless it be made to appear that said laborer or employee has been employed by the keeper of the capitol.

Secretary of State to certify account only of persons employed by the Keeper of the Capitol.

All accounts for fuel to be sworn to.

SEC. 3. No account for wood, or fuel or for coal shall be audited or paid until the claimant make oath as above, that the account is just and true, and that the number of cords of woods, or tons of coal charged for, have been delivered within the enclosure of the capitol square.

SEC. 4. All laws and parts of laws in conflict with this act be and the same are hereby repealed. Repealing clause.

SEC. 5. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 18th day of February, A. D. 1871.

CHAPTER LXXXI.

AN ACT IN RELATION TO SALARIES AND FEES OF STATE OFFICERS.

SECTION 1. *The General Assembly of North Carolina do enact*, That the following salaries and fees shall be established for the officers herein named: The governor shall be allowed a private secretary at a salary of seven hundred and fifty dollars per year, who may receive the fees of said office as prescribed in section twelve, chapter one hundred and two, revised code, and no others. Salaries.
Private Secretary of the Governor.

SEC. 2. The treasurer shall be allowed a chief clerk with a salary of fifteen hundred dollars per year. He shall also be allowed an assistant clerk with an annual salary of seven hundred and fifty dollars. Chief Clerk of Treasurer.
Assistant Clerk.

SEC. 3. The secretary of state shall have an annual salary of one thousand dollars. He shall be entitled to the fees of his office as prescribed in section thirteen, chapter one hundred and two of the revised code, and no others. He shall also be allowed one clerk with an annual salary of one thousand dollars. Secretary of State.
Clerk of Secretary State.

SEC. 4. The annual salary of the auditor shall be twelve hundred and fifty dollars. He shall be allowed one clerk at nine hundred dollars. He shall also be allowed the fees of his office as prescribed by law. Auditor.
Auditor's Clerk.

SEC. 5. The annual salary of the superintendent of public works shall be three hundred dollars. He shall not be Superintendent of Public Works.

allowed any sum for travelling expenses, or clerical assistance.

Superintendent of Public Instruction. SEC. 6. The annual salary of the superintendent of public instruction shall be fifteen hundred dollars; but he shall not be allowed any sum for travelling expenses, nor shall he be allowed to appoint any assistant, neither shall any other person make any such appointment, the appointee to be paid out of the treasury or educational fund.

Attorney General. SEC. 7. The annual salary of the attorney general shall be fifteen hundred dollars, and allowance for attendance on the supreme court, and the fees as prescribed by law.

Adjutant General. SEC. 8. The salary of the adjutant general shall be three hundred dollars per annum. He shall not be allowed any travelling or other expenses, or any clerical assistance at the expense of the state.

Reporter for Supreme Court. SEC. 9. The reporter of the decisions of the supreme court shall receive the same pay and have the same rights as are given by section six, chapter one hundred and two of the revised code. He shall receive no other or further remuneration.

Salaries payable quarterly. SEC. 10. All annual salaries allowed by this act shall be paid quarterly, out of any money in the treasury not otherwise appropriated.

Solicitors. SEC. 11. The solicitors of the several judicial districts shall receive twenty dollars for each term of the superior court they shall attend, to be paid by the public treasurer upon a certificate of such attendance from the clerk of the court, and the fees as prescribed in section thirteen, chapter one hundred and two of the revised code, and no others.

Repealing clause. SEC. 12. That an act entitled "an act in relation to salaries and fees," ratified August twenty-second, one thousand eight hundred and sixty-eight, except so much of section six of said act as fixes the annual salaries of the superior court judges, and section seven of the same act in relation to the certificates of judges, and all laws and parts of laws in conflict with this act, or giving or allowing any other compensation to officers named in this act, be and the same are hereby repealed.

SEC. 13. That this act be in force from its ratification. When act to take effect.
 That all sums received for the month of January shall be Deductions.
 deducted from the salary for the present year.

Ratified the 18th day of February, A. D. 1871.

CHAPTER LXXXII.

AN ACT TO PROVIDE FOR THE PAYMENT OF THE NECESSARY
 EXPENSES, ON REQUISITIONS OF THE GOVERNOR, FOR FUGI-
 TIVES FROM JUSTICE IN OTHER STATES.

SECTION 1. *The General Assembly of North Carolina do* Expenses of re-
 ceiving or arrest-
 ing fugitives from
 justice to be paid.
enact, That in all cases where the governor of the state has
 made a requisition on the governor of another state for any
 fugitive from justice and has sent an agent to receive said
 fugitive, it shall be lawful for the governor to issue a warrant
 on the public treasurer for the amount of money necessary
 to pay the expenses of said agent and other costs in the
 arresting of said fugitives from justice, to be paid by the
 public treasurer of the state.

SEC. 2. That the first section of this act shall apply to all Further applica-
 tion of this act.
 cases in which requisitions have been made and agents sent,
 and failed to obtain the fugitive because of the refusal of the
 governor of any state to give up such fugitive from justice.

SEC. 3. This act shall be in force from and after the date When act to be in
 force.
 of its ratification.

Ratified the 18th day of February, A. D. 1871.

CHAPTER LXXXIII.

AN ACT TO AUTHORIZE THE PUBLIC TREASURER TO PAY MONEY
TO ERECT THE PENITENTIARY.

Appropriation for
Penitentiary.

SECTION 1. *The General Assembly of North Carolina do enact*, That the public treasurer, on the warrant of the governor, is hereby authorized and directed to pay to the chairman of the commission to erect a penitentiary, a sum out of the treasury not exceeding fifteen thousand dollars, to be applied to the payment of claims due Coleman Brothers for work done under their contract for stone work done to the penitentiary.

Governor to issue
warrant.

SEC. 2. That the governor be and is hereby authorized to issue such warrant without requiring the said commission to give security to their bond for the faithful appropriation of the money as provided in the first section of this act.

When act to be in
force.

SEC. 3. This act shall be in force from and after its ratification.

Ratified the 21st day of February, A. D. 1871.

CHAPTER LXXXIV.

AN ACT DECLARATORY OF THE MEANING OF SECTION THIRTY-FOUR, CHAPTER TWO HUNDRED AND TWENTY-FIVE OF THE LAWS OF ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE AND ONE THOUSAND EIGHT HUNDRED AND SEVENTY, AND FOR OTHER PURPOSES.

SECTION 1. *The General Assembly of North Carolina do enact*, It is declared to be the true intent and meaning of section thirty-four, chapter two hundred and twenty-five, of the act of the general assembly of North Carolina, entitled "an act to provide for the collection of taxes by the state and

Meaning of sec.
34, chap. 225 laws
1870.

by the several counties of the state on property, polls and income," ratified March twenty-eight, one thousand eight hundred and seventy, that the judgment therein authorized should be against the delinquent sheriff and his sureties to his official bond; and all judgments taken against delinquent sheriffs and their sureties by virtue of the provisions of said section are declared to be valid.

SEC. 2. If from any cause judgment shall not be moved for at the first term after the taxes shall be payable into the treasury against the delinquent sheriff and his sureties, the motion may be made and judgment had at any subsequent term, and as if the motion had been made at said first term and regularly continued; *Provided*, That nothing herein contained shall be construed to relieve any officers from their respective duties as required by the aforesaid thirty-fourth section.

Where judgement has not been moved.

SEC. 3. This act shall be in force from its ratification.

Ratified the 21st day of February, A. D. 1871.

When act to be in force.

CHAPTER LXXXV.

AN ACT TO AMEND AN ACT ENTITLED AN ACT RELATIVE TO THE WESTERN TURNPIKE ROAD, LEADING FROM ASHEVILLE WESTWARD.

SECTION 1. *The General Assembly of North Carolina do enact*, That section eight of an act entitled an act relative to the Western Turnpike road leading from Asheville westward to Murphy, and thence by separate routes to the Georgia and Tennessee lines, passed at the session of one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, and ratified seventeenth March, one thousand eight hundred and sixty-nine, be amended by inserting in line three of said section after the word "Macon," the word "Haywood," and the section shall be further amended by adding at the end of said section the words, "and also to the

Act of 1869 amended.

payment of any claims for work done on said road in the county of Haywood before the transfer of the control of said road from the state to the commissioners of the several counties through which the road passes.

SEC. 2. That this act shall take effect and be in force from and after its ratification.

Ratified the 22d day of February, A. D. 1871.

When act to take effect.

CHAPTER LXXXVI.

AN ACT TO RESTORE AND REINSTATE RECORDS OF THE SEVERAL COURTS IN THE STATE DESTROYED BY FIRE AND OTHERWISE DURING THE LATE WAR.

Preamble.

WHEREAS, in several counties of the state the records of the several courts of law and equity were destroyed by the burning of the courthouse and by other causes during the late war; and whereas, a large number of the titles to real estate in the state depended and are founded upon the decrees, orders, judgments and other records of the several courts of equity and courts of law of the counties wherein the same have been destroyed as before mentioned, which said records, decrees, orders, judgments, &c., it is impossible from lapse of time, the death or removal from the state of the parties thereto, and from other causes, to completely and perfectly reinstate and restore as now provided by law; therefore, to restore and reinstate said records,

SECTION 1. *The General Assembly of North Carolina do enact*, That the recitals, reference to, or mention of any decree, order, judgment or other record of any court of record of any county in which the courthouse, or records of said courts, or both, have been destroyed by fire or otherwise, contained, recited or set forth in any deed of conveyance, paper, writing or other *bona fide* written evidence of title, executed prior to the first day of May, one thousand eight

Written evidence executed prior to May 1st, 1865, to be deemed sufficient title.

hundred and sixty-five, by any clerk and master, superior court clerk, county court clerk, sheriff or other officer, or commissioners appointed by either of said courts, and authorized by law to execute said deed or other paper writing, shall be deemed, taken and recognized as true in fact, and shall be *prima facie* evidence of the existence, validity and binding force of said decree, order, judgment or other record so referred to or recited in said deed or paper writing, and shall be to all intents and purposes binding and valid against all persons mentioned or described in said instrument of writing, deed, &c., as purporting to be parties thereto, and against all persons who were parties to said decree, judgment, order or other record so referred to or recited, and against all persons claiming by, through or under them or either of them.

SEC. 2. That said deed of conveyance, or other paper writing, executed as aforesaid, and registered according to law, shall be allowed to be read in any suit now pending or which may hereafter be instituted in any court of this state, as *prima facie* evidence of the existence and validity of the decree, judgment, order or other record upon which the same purports to be founded, without any other or further restoration or reinstatement of said decree, order, judgment or record than is contained in the provisions of this act.

Deeds of conveyance to be received as evidence.

SEC. 3. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 22d day of February, A. D. 1871.

CHAPTER LXXXVII.

AN ACT TO LEGALIZE THE ACTS OF THE JUSTICES OF THE PEACE OF BRUNSWICK COUNTY.

WHEREAS, the justices of the peace of the county of Brunswick, elected in August, one thousand eight hundred and sixty-nine, and those appointed to fill vacancies that have

Preamble.

occurred since said election, failed to qualify in accordance with the provisions of section five hundred and forty-six, code of civil procedure, but under a misapprehension qualified before the board of county commissioners, and have, since their supposed qualification, exercised the functions of their office, and doubts having arisen as to the legality of their acts.

Acts of justices declared legal.

SECTION 1. *The General Assembly of North Carolina do enact*, That the acts of said justices of the peace are hereby declared legal, except so far as their acts are concerned that would not have been in conformity to the law, had they qualified in accordance with the provisions of the code of civil procedure.

When act to be in force

SEC. 2. This act shall be in force from and after its ratification.

Ratified the 23d day of February, A. D. 1871.

CHAPTER LXXXVIII.

AN ACT TO AMEND AN ACT ENTITLED AN ACT ACT TO INCORPORATE THE ATLANTIC, TENNESSEE AND OHIO RAILROAD COMPANY.

Amendment] to act of 15th Feb., 1855.

SECTION 1. *The General Assembly of North Carolina do enact*, That an act entitled an act to incorporate the Atlantic, Tennessee and Ohio Railroad company, ratified on the fifteenth day of February, one thousand eight hundred and fifty-five, be and the same hereby amended, by striking out the word "six" in the sixth line of the forty-first section thereof, and inserting in lieu thereof the word "eight," and by striking out all after the word "per annum," in the seventh line of said section down to the word "and" in the eighth line.

When act to be in force.

SEC. 2. This act shall be in force from and after its ratification.

Ratified the 23d day of February, A. D. 1871.

CHAPTER LXXXIX.

AN ACT DEFINING THE AUTHORITY OF TAX COLLECTORS.

WHEREAS, difficulties have arisen relative to the true intent and meaning of the act of one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, chapter two hundred and forty-five, authorizing the appointment in certain cases of tax collectors, for remedy whereof, therefore,

Preamble.

SECTION 1. *The General Assembly of North Carolina do enact*, That the true intent and meaning of the act of one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, chapter two hundred and forty-five, is this, that any tax collector appointed or elected according to the provisions and requirements of said act shall have all the rights, powers and privileges, and shall be subject to all the pains and penalties and obligations of sheriffs with reference to the issuing of licenses, collecting and disbursing and accounting for all the state and county taxes for the county in which he is appointed, and such tax collector shall have power and authority to collect all the state and county taxes of every kind and character whatever, due or that may become due from the citizens of the county in which any such tax collector is appointed, which office shall continue until the first day of April immediately succeeding the year in which any tax collector was or may be appointed or elected.

Powers of tax collectors.

SEC. 2. That if any sheriff or other person during the period as aforesaid, for which any tax collector has been or may be hereafter appointed or elected shall collect, demand, (or in any manner interfere in the collection of) the taxes of any kind whatever, it shall be deemed a misdemeanor, and any person so offending shall be liable to indictment therefor, and on conviction, shall be fined by the court before whom the case is tried, not less than two hundred nor more than one thousand dollars, according to the circumstances of each case.

Penalty for interference with collector by sheriff.

Further remedy
to tax collector
who may be inter-
rupted.

SEC. 3. That any tax collector who shall be interfered with or interrupted by any person in the collection of taxes after such tax collector shall have given bond and been appointed or elected according to law, may have a remedy in addition to any other now provided, by injunction, to restrain any sheriff or other person claiming the right to collect the taxes as aforesaid.

When act to be in
force.

SEC. 4. That this act shall be in force from its ratification. Ratified the 24th day of February, A. D. 1871.

CHAPTER XC.

AN ACT TO PROHIBIT JUSTICES OF THE PEACE FROM PRACTISING AS ATTORNEYS AT LAW IN CERTAIN CASES.

Justices of the
peace not to prac-
tice as attorneys
in certain cases.

SECTION 1. *The General Assembly of North Carolina do enact*, That it shall not be lawful for a justice of the peace to practice law as an attorney in any of the judicial courts held for the county wherein he holds the office of justice of the peace. And any person offending against the provisions of this act shall, upon conviction, be fined at the discretion of the court not less than two hundred dollars, and be removed by judgment of the court from the office of justice of the peace.

When act to take
effect.

SEC. 2. This act shall take effect from its ratification. Ratified the 24th day of February, A. D. 1871.

CHAPTER XCI.

AN ACT TO AUTHORIZE ROBERT M. STAFFORD, SHERIFF OF GUILFORD COUNTY TO COLLECT ARREARS OF TAXES.

SECTION 1. *The General Assembly of North Carolina do enact*, That Robert M. Stafford, sheriff of Guilford county, be and he is hereby authorized and empowered to collect all arrears of taxes due him for the year one thousand eight hundred and sixty-seven, one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, under the same rules and restrictions as other collectors of taxes by virtue of the laws of the state; *Provided*, That no person shall be compelled to pay such taxes, who makes oath that he or she hath paid the same; *Provided further*, That the representatives of deceased persons shall not be required to pay arrears of taxes.

May collect arrears of taxes.

Proviso.

SEC. 2. That the power and authority hereby granted shall cease and determine with the year one thousand eight hundred and seventy one.

SEC. 3. That this act shall be in force from its ratification. Ratified the 24th day of February, A. D. 1871.

When act to be in force.

CHAPTER XCII.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF ALAMANCE AND DAVIDSON TO REVISE THE JURY LISTS OF SAID COUNTIES.

WHEREAS, the commissioners of Alamance and Davidson counties were unable at their regular meeting on the first Monday of September, one thousand eight hundred and seventy to properly revise the jury lists of said counties; therefore,

Preamble.

Commissioners
may revise jury
lists.

SECTION 1. *The General Assembly of North Carolina do enact*, That the board of county commissioners for the county of Alamance and county commissioners of Davidson county, be and they hereby are authorized and empowered at their first meeting to be held in the month of April, anno domini one thousand eight hundred and seventy-one, to revise the jury lists of said counties, and said revision so made shall be as valid and binding as if it had been made at the first meeting held in September, one thousand eight hundred and seventy.

When act to be in
force.

SEC. 3. This act shall be in force from and after its ratification.

Ratified the 24th day of February, A. D. 1871.

CHAPTER XCIII.

AN ACT IN RELATION TO BONDS TO BE GIVEN BY ADMINISTRATORS EXECUTORS AND COLLECTORS.

Amendments to
section 468, Code
of Civil Pro-
cedure.

SECTION 1. *The General Assembly of North Carolina do enact*, That section four hundred and sixty-eight of the code of civil procedure, be amended so as to read as follows: every executor from whom a bond is now required by law, and every administrator and collector, before letters are issued, must give a bond payable to the state, with two or more sufficient sureties, to be approved by the probate judge, conditioned that such executor, administrator, or collector shall faithfully execute the trust reposed in him, and obey all lawful orders of the probate judge, or other court touching the administration of the estate committed to him, the penalty of such bond must be at least double the value of all the personal property of the deceased, such value to be ascertained by the probate judge, by the examination on oath of the applicant, or of some other competent person; *Provided*, That if the personal property of any decedent

Proviso.

shall be insufficient to pay his debts, and the charges of administration, and it shall become necessary for his executor or administrator to apply for the sale of real estate for assets and the bond previously given is not double the value of both the real and personal estate of the deceased, such executor (if bond is required of him by law) or administrator, shall, before or at the time of filing his petition for such sale, give another bond payable and conditioned as the one above prescribed and with like security, in double the value of the real estate for the sale of which application shall be made.

SEC. 2. This act shall take effect from and after its ratification.

When act to take effect.

Ratified the 24th day of February, A. D. 1871.

CHAPTER XCIV.

AN ACT TO ESTABLISH A NEW COUNTY BY THE NAME OF SWAIN.

SECTION 1. *The General Assembly of North Carolina do enact*, That all that part of the counties of Jackson and Macon, included within the following bounds, to-wit: beginning on the line of the state of Tennessee, where the Tennessee river crosses said line; thence up said river to where the Cherokee county line leaves the same; thence with the line of said county to the point at which the road leading from the waters of Nantahala river to the waters of Cheowee river across said line; thence with said road to within one-fourth mile of Captain N. S. Jarrett's mill nearest his present residence; thence crossing Nantahala river on a straight line to the Shallow ford on Tennessee river; thence crossing the said river last named and running with the dividing ridge to the Jackson county line on the top of Cowee mountain, so as to include the waters of Tabors creek and Alarka creek in the new county hereby created;

Boundaries of the county of Swain.

thence with the line of the said county of Jackson to a spur of the said Cowee mountain and running thence with said spur to the Tuckasegee river so as to include the waters of Conley's creek in the county created by this act; thence crossing said river on a direct line, and running thence on the same to the Oconeeluffy river to a point opposite the mouth of Adam's creek; thence up the last named river to the mouth of Soco creek; thence with the dividing ridge between said Oconeeluffy river and Soco creek and following said main dividing ridge to the Tennessee line on the top of Smoky mountain; thence with said Tennessee line to the beginning; be and the same is hereby created into a separate and distinct county, by the name of Swain, with all the rights, privileges and immunities incident and belonging to the other counties in this state.

New county created.

When act to be in force.

SEC. 2. This act shall be in force from and after its ratification.

Ratified the 24th day of February, A. D. 1871.

CHAPTER XCV.

AN ACT TO INCORPORATE THE ROANOKE AND TAR RIVER RAILROAD COMPANY.

Location of road.

SECTION 1. *The General Assembly of North Carolina do enact as follows:* For the purpose of constructing a railroad with one or more tracks, from some point at or near Margarettsville, in the state of North Carolina, to Kinston or Goldsboro', (as the president and directors may determine,) in North Carolina, by way of Tarboro', and to such intermediate points, and upon such lines as the directors of said road shall determine, Matt. W. Ransom, Peter E. Smith, Walter Clark, Wm S. Battle, J. B. Coffield, Henry F. Bond, Elias Carr, Wm A. Blount, Edward Wood, David A. Barnes, J. M. S. Rogers, Edmund Jacobs, Richard H. Smith, W. R.

Corporators.

Leggett, Jesse H. Powell, C. B. Killebrew, W. T. Dortch, J. C. Jones, W. H. Best and George Grice, their associates, successors and assigns, are hereby constituted a body politic and corporate, under the name and style of "The Roanoke and Tar River Railroad Company," with a capital stock of one million five hundred thousand dollars, with the powers and incidents of the North Carolina Railroad Company and other corporations of like nature, created by the laws of this state, such corporate existence to continue for ninety-nine years.

Capital stock.

Powers.

SEC. 2. The capital stock of said company may be created by subscription on the part of individuals, municipal or other corporations, in shares of one hundred dollars each, which may be made in land, timber, labor or money, as may be stipulated and agreed to by the corporators aforesaid or the directors of the company.

Subscription to stock.

Shares.

SEC. 3. Books of subscription may be opened by such corporators, or by the directors, at such times and places, and under such rules and regulations as a majority may determine.

Books of subscription.

SEC. 4. When fifty thousand dollars shall be subscribed to the capital stock of said company, by solvent subscribers, a general meeting of the stockholders shall be held, after ten days notice by advertisement in the *Roanoke News* and *Tarboro' Southerner*, and such meeting, a majority in interest of the stockholders being present in person or by proxy, shall elect a board of directors of not less than five, and said directors shall elect one of their number president. And said meeting may do all other acts necessary to carry into effect the object of this charter, and the complete organization of the company.

General meeting of stockholders.

Election of Directors and President.

SEC. 5. Whenever any lands shall be required for the construction of the road, or for warehouses, water-stations, turn-outs, workshops or for other buildings or purpose, and for any cause the same cannot be purchased from the owner, the same may be taken by the directors at a valuation to be ascertained as follows: The sheriff of the county in which said land may lie, shall, at the request of the president of

Lands may be taken by the company.

Manner of valuation.

said company, summon five disinterested free-holders of the county, who shall ascertain the value, under oath, to be administered by the sheriff or any justice of the peace, first deducting the enhanced value of the land caused by the railroad, and adding any particular loss or damage, and upon the payment or tender of the amount so assessed, the title of the property so seized and appraised shall vest in the corporation, as long as it shall be used for the objects of this charter; *Provided*, That either party may appeal to the superior court of the county upon the question of the amount so assessed; *And further*, That the condemnation for right of way shall not extend beyond one hundred feet on each side from the centre of the road, and for other purposes not more than three acres in one tract.

Proviso.

Directors may borrow money.

SEC. 6. The directors shall have power to borrow money upon the bonds of the company, and to secure the same by mortgage or other legal assurance on such terms as they may deem best.

Exclusive rights.

SEC. 7. Said company shall have the exclusive right to convey and transport freight and passengers over and along [said] railroad at such rates as the directors shall prescribe, and the company may purchase and hold stock in other railroad or in navigation companies, and shall have power to buy or lease the same, or to contract for the transportation of passengers or freight over their line.

May hold stock in other companies.

May cross tracks of other railroads.

SEC. 8. The railroad company shall have power to cross the tracks of other railroads, to build branches to the main stem in any direction not exceeding twenty-five miles long. The gauge of said road shall be as the stockholders may determine, not exceeding four feet eight and one-half inches.

Gauge of road.

When act to be in force.

SEC. 9. This act shall be in force from its ratification, and the privilege of forming a company under the same shall continue for forty years.

Ratified the 25th day of February, A. D. 1871.

CHAPTER XCVI.

AN ACT TO REPEAL SECTION FIVE, OF CHAPTER EIGHTY-SIX, OF THE LAWS OF ONE THOUSAND EIGHT HUNDRED AND FIFTY-SIX AND ONE THOUSAND EIGHT HUNDRED AND FIFTY-SEVEN.

SECTION 1. *The General Assembly of North Carolina do enact*, That section five of chapter eighty-six of the public laws of North Carolina, passed in the year one thousand eight hundred and fifty-six and the year one thousand eight hundred and fifty-seven, entitled an act to incorporate the trustees of Columbus Normal School, in the county of Polk, be and the same is hereby repealed. Repeal.

SEC. 2. That the county commissioners of Polk county shall have full power to sell and convey all town lots and other real property that is now the property of Polk county, and to appropriate the moneys, derived by said sales, to the payment of the lawful indebtedness of said county. Commissioners of Polk county may sell county property.

SEC. 3. That this act shall be in force from and after its ratification. When act to be in force.

Ratified the 25th day of February, A. D. 1871.

CHAPTER XCVII.

AN ACT TO ESTABLISH THE WHITESIDE MOUNTAIN TURNPIKE IN MACON AND JACKSON.

SECTION 1. *The General Assembly of North Carolina do enact*, That Joseph W. Dobson, W. H. Higdon, and James Wright, all of Macon county, and their associates, shall have the right to make, build and establish a turnpike road from some point the Macon Turnpike road near Dobson's Mill, by or near the house of James Wright, then crossing Cowee Corporators.
Location of road.

mountain near its junction with the Blue Ridge, thence to the Keowee and Tuckaseegee Turnpike road, where it crosses the ridge aforesaid. They shall also have the right to construct an arm or branch to said road beginning at some point on the line of the same, and extending to the foot of Whiteside mountain.

Grade and width of road.

SEC. 2. That said road shall no where have a steeper grade than one foot in twelve, shall be of the width of ten feet, and points on said road always in sight of each other, shall be of sufficient length and width to allow vehicles and wagons to pass each other.

Commissioners to appoint persons to examine road when completed.

SEC. 3. When said road shall be reported to the commissioners of Macon county as being built and finished according to section two of this act, they shall appoint three discreet persons to examine said road, and if they shall find the same built and finished as aforesaid, they shall certify the same in writing to the said parties hereinbefore named, who shall then have the right to erect gates and receive tolls as hereinafter provided for.

Gates and tolls.

SEC. 4. The parties aforesaid are hereby authorized at any time after receiving the certificate aforesaid, to erect two gates on said road at such points as they may elect; *Provided*, That no person shall be required to pay toll at both gates within the compass of twenty-four hours, or within the same time at the same gate.

Proviso.

Right of way.

SEC. 5. The right of way over private lands must be obtained of individuals by contract, but the right of way over now granted lands is hereby given to the parties named in section one of this act.

Rates of toll.

SEC. 6. The tolls on said road shall be as follows: on two wheeled pleasure carriages, twenty-five cents; on four-wheeled pleasure carriages, one horse, forty cents; on two horse pleasure carriages, sixty cents; for each additional horse, fifteen cents; for one horse wagon or cart, twenty cents; for two horse wagon, thirty cents; for three horse wagon, forty cents; for four horse wagon, sixty cents; for five horse wagon, seventy cents; for six horse wagon one dollar; for man and

horse, fifteen cents ; for each loose mule or horse, five cents ; for cattle, three cents each.

SEC. 7. The said J. W. Dobson, W. H. Higdon, James Wright, and their associates, may change the aforesaid rates of toll from time to time, but shall never increase them.

tolls may be changed.

SEC. 8. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 25th day of February, A. D. 1871.

CHAPTER XCVIII.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF YANCEY COUNTY TO LEVY A SPECIAL TAX.

SECTION 1. *The General Assembly of North Carolina do enact*, That the county commissioners of Yancey county be and they are hereby authorized to levy a special tax for the purpose of paying the outstanding debts against the said county of Yancey ; *Provided*, That said commissioners shall not levy for the purposes aforesaid a greater sum in any one year than thirty-three and one-third cents on each hundred dollars worth of property, nor more than one dollar on the poll ; *Provided further*, That the proposition to levy said tax shall first be submitted by said commissioners to the qualified voters of said county at an election to be held under the order, direction and regulation of the said county.

Object of special tax.

Proviso.

SEC. 2. *Be it further enacted*, That in lieu of the levy of a special tax as provided for in the first section of this act, the said commissioners are hereby authorized to issue county bonds in a sum not less than one hundred dollars each, to an amount not exceeding five thousand dollars, payable ten years after date, bearing the rate of six per cent. interest, to be paid semi-annually at such place as the chairman of the board of commissioners may designate, said bonds to be signed by the chairman of the board of commissioners, and

Commissioners may issue bonds.

countersigned by the register of deeds for the county, with his seal of office.

When act to be in force.

SEC. 3. This act shall be in force from and after its ratification.

Ratified the 25th day of February, A. D. 1871.

CHAPTER XCIX.

AN ACT CONCERNING DEBTS CONTRACTED BY MUNICIPAL CORPORATIONS.

How debts of municipal corporations shall be paid.

SECTION 1. *The General Assembly of North Carolina do enact.* That debts contracted by a municipal corporation in pursuance of authority vested in it, shall not be levied out of any property belonging to such corporation and used by it in the discharge and execution of its corporate duties and trusts, nor out of the property or estate of any individual who may be a member of such corporation or may have property within the limits thereof. But all such debts shall be paid alone by taxation upon subjects properly taxable by such corporation; *Provided, however,* That whenever any individual by his contract shall become bound for such debt, or any person may become liable therefor by reason of fraud, such person may be subjected to pay said debts according to the course of the law in other cases.

When act to take effect.

SEC. 2. That this act shall take effect from and after its ratification.

Ratified the 25th day of February, A. D. 1871.

CHAPTER C.

AN ACT SUPPLEMENTAL TO AN ACT IN RELATION TO THE FOWLING INTERESTS IN THE WATERS OF CURRITUCK SOUND, RATIFIED ON THE TWENTY-THIRD OF DECEMBER, ANNO DOMINI ONE THOUSAND EIGHT HUNDRED AND SEVENTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That the terms of an act ratified on the twenty-third day of December, anno domini one thousand eight hundred and seventy, in relation to the fowling interests in the waters of Currituck, shall not apply to such non-residents who resort to the waters of Currituck sound for the sole purpose of shooting game as sportsmen, and who shoot over or on land or marshes owned or leased by them, and who do not kill game for a foreign market.

Act of 1870 not to apply to non-residents.

SEC. 2. That the third section of the act ratified on the twenty-third of December, one thousand eight hundred and seventy, in relation to wild fowl in the waters of Currituck shall not be construed to limit, abridge, or impair the rights or privileges of any bona fide owner or lessee of marshes or lands in the county of Currituck, or of such persons as shall obtain the consent or permission of such owners or lessees to occupy their grounds for gaming purposes whether actual residents of the state or otherwise.

Act of 1870 not to apply to owners or lessees of marshes.

SEC. 3. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 25th day of February, A. D. 1871.

CHAPTER CI.

AN ACT TO PROVIDE FOR THE LEVYING OF A SPECIAL TAX IN
THE COUNTY OF BERTIE.

Limit of special
tax.

SECTION 1. *The General Assembly of North Carolina do enact*, That the commissioners of the county of Bertie are hereby authorized to levy a special tax to be collected under the same rules, regulations and penalties as are other taxes, not to exceed six thousand dollars, for the special purpose of paying the outstanding debt of said county.

Tax upon polls.

SEC. 2. That this act authorizes and requires the said commissioners to levy a special tax upon all polls in said county, in ratio as provided in the constitution.

Act to be submit-
ted to voters.

SEC. 3. That the provisions of this act shall be submitted to the qualified voters of Bertie county, at the next election held in that county, and this act shall have no force or effect till ratified by a majority of the qualified voters voting thereon. Those approving of this act shall deposit a ballot in the ballot box containing the words "To levy tax." Those opposing, a ballot containing the words "Not to levy tax."

When act to be in
force.

SEC. 4. This act shall be in force from and after its ratification by a majority of the qualified voters of Bertie county.

Ratified the 25th day of February, A. D. 1871.

CHAPTER CII.

AN ACT IN RELATION TO TAKING FISH FROM THE NORTH-EAST
BRANCH OF CAPE FEAR AND FOR OTHER PURPOSES.

Restrictions upon
fishing with seines.

SECTION 1. *The General Assembly of North Carolina do enact*, That from and after the first day of February, in the year of our Lord one thousand eight hundred and seventy-

one, during the month of February, March and April, there shall be no seine, drift net, set net or pod net or any other net or snare set or placed in the waters of the north-east branch of the Cape Fear river, from its mouth to where Goshen empties into said river, for the purpose of taking shad or other fish from said river on the following days, to-wit: from Wednesday morning sunrise until Thursday morning sunrise in each week; and it shall not be lawful for any person from the first day of February to the first day of May, and from the first day of September until the first day of December to obstruct by setting seines or nets across the channel of the river or by running more than one seine or net at one landing or beach, or in any other way obstructing the passage of fish in the waters of said river.

SEC. 2. Any one violating the provisions of this act shall be guilty of misdemeanor, and on conviction shall be fined not more than one hundred dollars, or imprisoned not more than sixty days at the discretion of the court.

Penalty for violation of this act.

SEC. 3. That an act entitled an act in relation to taking fish from the north-east branch of the Cape Fear river, ratified the sixteenth day of February, one thousand eight hundred and seventy, be and the same is hereby repealed, and this act shall be in force from and after its ratification.

Repeal.

When act to be in force.

Ratified the 27th day of February, A. D. 1871.

CHAPTER CIII.

AN ACT TO PUNISH OFFICERS AND AGENTS OF RAILROAD COMPANIES AND OTHER PERSONS FOR EMBEZZLEMENT AND OTHER OFFENCES.

SECTION 1. *The General Assembly of North Carolina do enact*, That if the president or treasurer or any director, or any engineer, or any other officer or agent of any railroad company incorporated by law or laws of this state, and a

Any agent or officer of a railroad company who shall embezzle corporate funds guilty of a felony.

law or laws of any other state or states, already in existence, or which shall hereafter come into existence by virtue of any such law or laws already passed, or which may hereafter be passed, shall embezzle any money with which such president, treasurer, director, engineer, officer or agent, shall be charged by virtue of his said office or agency, or shall in any way directly or indirectly apply or in any way dispose of to his own use or benefit, or for the use or benefit of himself or any other person, state or corporation, other than the company of which he is or may be such president, director, engineer or agent, any money, bonds of any kind, or other thing or things, such president, treasurer, director, engineer, or agent so offending shall, for every such offence, be deemed guilty of a felony, and on conviction in any superior court of any county through which the railroad or any part thereof of any such railroad company shall pass, shall be imprisoned at hard labor in the penitentiary, not less than three nor more than ten years, and fined not less than one thousand nor more than ten thousand dollars.

Penalty.

Person conspiring with offending agent or officer guilty of a felony.

SEC. 2. That if any person or persons shall agree, combine, collude, or conspire with the president, treasurer, director, engineer or agent, or any one or more of them of any such railroad company, to commit any offence specified in the first section of this act, every person so offending shall be deemed guilty of felony, and on conviction in any superior court of a county through which the railroad or any part thereof of any railroad company against which such offence may be perpetrated passes, shall be imprisoned at hard labor in the penitentiary for not less than three nor more than ten years, and fined not less than one thousand nor more than ten thousand dollars.

Penalty.

When act to be in force.

SEC. 3. This act shall be in force from and after its ratification.

Ratified the 27th day of February, A. D. 1871.

CHAPTER CIV.

AN ACT TO REPEAL AN ACT AUTHORIZING THE COMMISSIONERS OF JONES COUNTY TO LEVY A SPECIAL TAX, AND ALSO AN ACT TO ALLOW THE COUNTY COMMISSIONERS OF JONES COUNTY TO LEVY A SPECIAL TAX.

SECTION 1. *The General Assembly of North Carolina do* Repeal.
enact, That an act authorizing the commissioners of Jones county to levy a special tax, passed by the general assembly of North Carolina, and ratified the ninth day of April, anno domini one thousand eight hundred and sixty-nine, and also an act to allow the county commissioners of Jones to levy a special tax, passed by the general assembly of North Carolina, and ratified the first day of March, anno domini, one thousand eight hundred and seventy, be and the same are hereby repealed, and every part or parts thereof.

SEC. 2. That this act shall be in force from and after its ratification. When act to be in force.

Ratified the 4th day of March A. D. 1871.

CHAPTER CV.

AN ACT IN RELATION TO COPYING THE LAWS FOR THE PUBLIC PRINTER.

SECTION 1. *The General Assembly of North Carolina do* Secretary of State
enact, That it shall be the duty of the secretary of state to furnish copy of laws to Public
 employ his clerk continuously and from day to day in copy- Printer.
 ing the several acts which have been ratified during the present session of the general assembly, or may be ratified from day to day and sent to his office, until the whole are copied and ready to be delivered to the public printer.

SEC. 2. It shall be the duty of the secretary of state, ever after complying with the above section, immediately upon the receipt of any ratified act or resolution, which it is his duty to have printed and bound for distribution, to copy or cause to be copied forthwith, to the end that the copy may be held in readiness for the public printer.

SEC. 3. The secretary of state shall not be allowed to employ any one at the expense of the state to do any of the aforesaid copying.

When act to be in force.

SEC. 4. This act shall be in force from and after its ratification.

Ratified the 4th day of March, A. D. 1871.

CHAPTER CVI.

AN ACT TO REPEAL CERTAIN PARTS OF CHAPTER ONE HUNDRED AND SEVENTY, ACTS OF ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT AND ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE.

Repeal.

SECTION 1. *The General Assembly of North Carolina do enact*, That so much of section two, chapter one hundred and seventy, laws of one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, as follows the word "administration" in line ten, be and the same is hereby repealed; *Provided*, That the said board shall be allowed their travelling expenses for attending one annual meeting.

Proviso.

Further repeal.

SEC. 2. That so much of section eight of said chapter as follows the word "pertinent" in the sixth line, be and the same is hereby repealed.

When act to be in force.

SEC. 3. This act shall be in force from and after its ratification.

Ratified the 28th day of February, A. D. 1871.

CHAPTER CVII.

AN ACT TO EXTEND THE TIME OF J. M. ROANE, SHERIFF OF
 MACON COUNTY FOR MAKING SETTLEMENT WITH THE COUNTY
 TREASURER.

SECTION 1. *The General Assembly of North Carolina do enact*, That J. M. Roane, sheriff of Macon county, shall have until the first day of April next to make settlement with the treasurer of that county for taxes due for the year one thousand eight hundred and seventy. Extension of time to sheriff.

SEC. 2. That said sheriff is hereby relieved of any penalties or forfeitures he may have incurred by failure to settle according to law. Relief from penalties.

SEC. 3. That this act shall be in force from and after its ratification. When act to be in force.

Ratified the 2nd day of March, A. D. 1871.

CHAPTER CVIII.

AN ACT TO CURE CERTAIN IRREGULAR PROCEEDINGS IN THE
 JURISDICTION OF THE COURTS IN SPECIAL PROCEEDINGS.

WHEREAS, In consequence of the great uncertainty as to the proper jurisdiction of superior courts before judges, and superior courts before the probate judges and clerks of the superior courts, many proceedings have been in good faith erroneously instituted in one of said courts, when they should have been instituted in another of said courts, and in virtue of such proceedings in those cases in which judgments and decrees have been made, valuable rights have been acquired by purchasers or others, and in those cases in which judgments and decrees have not been made, much costs have already accrued; now for the purpose of remedying the evils and wrongs resulting from such mistake of jurisdiction, Preamble.

Certain irregular proceedings in Superior Courts made legal.

SECTION 1. *The General Assembly of North Carolina do enact*, That all proceedings heretofore had in the superior courts of this state in any action, petition special proceeding in dower for partition of real estate, widows year's allowance by administrators to sell real estate to pay debts, which may have been improperly or irregularly instituted and begun in said courts, be and are hereby in all things confirmed and made valid, so far as regards the question of jurisdiction in such cases, to the same extent as if such proceedings had been originally begun in the proper court.

Cases begun in such courts to be carried to final judgments.

SEC. 2. That all such cases heretofore begun and instituted, and not yet determined, may be prosecuted to final judgment or decree in such courts and before the judges thereof, and jurisdiction is hereby conferred upon said courts or the judges thereof, to hear, try and determine such causes as fully as if they had been originally instituted in said courts according to the act of the general assembly in such cases made and provided.

When act to take effect.

SEC. 3. This act shall take effect from its ratification.

Ratified the 2nd day of March, A. D. 1871.

CHAPTER CIX.

AN ACT IN REGARD TO RODERICK M'MILLAN, SHERIFF OF ROBESON COUNTY.

Preamble.

WHEREAS, Roderick McMillan, sheriff of the county of Robeson, has been amerced and judgment granted against him from fall term of Wake superior court for penalty and costs as a delinquent for the non-payment of taxes; and whereas, the said McMillan is not in fault for the non-payment above mentioned,

Judgment remitted.

SECTION 1. *The General Assembly of North Carolina do enact*, That the judgment and penalty incurred by said McMillan, sheriff of Robeson, are hereby remitted, except

the costs of said suit; *Provided*, he pay or cause to be paid into the public treasury the state taxes for the year one thousand eight hundred and seventy, on or before January fifteenth, one thousand eight hundred and seventy-one. Proviso.

SEC. 2. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 2nd day of March, A. D. 1871.

CHAPTER CX.

AN ACT TO ENCOURAGE IMMIGRATION INTO NORTH CAROLINA
AND TO INCREASE THE CAPITAL OF THE STATE.

WHEREAS, The North Carolina Land Company was chartered by a special act of the general assembly on the eighth day of February, anno domini one thousand eight hundred and sixty-nine, for the purpose of developing the resources of the state; and whereas, said company have materially aided in securing considerable immigration to this state, and in the investment of a large amount of capital; and whereas, the people of North Carolina are deeply interested in having these objects more fully attained, and are desirous of manifesting to all people, whether native or foreign, a willingness to offer them a secure and safe asylum within its borders, and this general assembly desiring to aid these objects without increasing the burthens of the state; Preamble.

SECTION 1. *The General Assembly of North Carolina do enact*, That George Little, president of the North Carolina Land Company, be and he is hereby appointed commissioner of immigration for North Carolina, (without any salary) to carry out the provision of the act of incorporation aforesaid; and the said commissioner shall have power, with the advice of the governor to appoint one or more persons to act as assistant commissioner (without salary) resident in Great Britain, France and Germany. President of North Carolina Land Company made Commissioner of Immigration.

Secretary of State
to supply printed
copies of act.

SEC. 2. That the secretary of state be required to supply such number of printed copies of this act as may be necessary to furnish our consular agents in Europe, and the agents of the company.

Capital stock of
N. C. Land Com-
pany.

SEC. 3. That the capital stock of said company (should the stockholders deem it advisable) may be increased to a sum not exceeding one million of dollars.

When act to be in
force.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified the 2d day of March, A. D. 1871.

CHAPTER CXI.

AN ACT TO REPEAL CERTAIN SECTIONS AND PARTS OF SECTIONS AND TO AMEND OTHERS IN CHAPTER TWO HUNDRED AND SEVENTY, LAWS OF ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT AND ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE.

Amendments and
repeal.

SECTION 1. *The General Assembly of North Carolina do enact*, That sub-division seven, section twenty seven; sub-divisions two, section twenty-nine; section seventy-five; sub-divisions four, five and eight, of section eighty-two; sections eighty-three and eighty-four, section one hundred and five, and all after the word "time" in line one, section twenty-three, all after the word "excepted" in line four, section forty-four, all after the word "officer" in line four, sub-division six, section eighty-two, all after the word "legislature" in line three, section eighty-eight, all after the word "therewith" in line six, section ninety-three, all after the words "his office" in line three, section ninety-four, all after the words "orphan asylum" in line four, section ninety-five and all after the word "government" in line two, section one hundred and seven, of chapter two hundred and seventy, laws of one thousand eight hundred and sixty-eight and one

thousand eight hundred and sixty-nine, ratified April twelfth, one thousand eight hundred and sixty-nine, be and the same are hereby repealed.

SEC. 2. That sub-division three, section forty-seven of the aforesaid chapter, shall be amended so as to read as follows :

Further amend-
ments.

To the governor for the use of the executive office, to the lieutenant governor, to each member of the general assembly one copy each of the statutes, journals and documents ; and to the librarian of the state library, for the use of the library, ten copies of the statutes, journals and documents ; to the justices of the supreme court, the judges of superior courts, the treasurer, the secretary of state, the auditor, the attorney general, the superintendent of public instruction, the superintendent of public works, and to each clerk of the superior court, for the use of their offices, one copy each of the statutes and documents ; to the principal and assistant clerk of each house, one copy each of the statutes and journals, and to the enrolling and engrossing clerks, each one copy of the statutes.

Distribution of
Laws and Docu-
ments.

SEC. 3. That sections seventy, eighty-one and eighty-five, (which should be eighty-six,) of the aforesaid chapter shall each read as follows : He shall be allowed such office room as may be necessary.

SEC. 4. This act shall be in force from and after its ratification.

When act to be in
force.

Ratified the 2d day of March, A. D. 1871.

CHAPTER CXII.

AN ACT CONCERNING ELECTIONS IN THIS STATE.

SECTION 1. *The General Assembly of North Carolina do enact,* That in all general and special elections held after the ratification of this act in this state, or in any county in this state, no voter shall be allowed to vote at any precinct in his

Qualification of
Voters.

county except at a precinct of the township in which he resides.

Right to challenge voter.

SEC. 2. That the fact that any person offering to vote at any such election is a registered voter in his county or in the township in which he resides, shall be only *prima facie* evidence of his right to vote, and it shall be lawful for any other qualified elector, not only at the time of registration, but also on the day of election, to challenge the right of any registered voter to vote, and it shall be the duty of the judges of the election, before whom such challenge is made, to hear and determine such challenged voter's right to vote, before receiving his ballot.

Repeal.

SEC. 3. That all laws and clauses of laws coming in conflict with this act are hereby repealed.

When act to be in force.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified the 3d day of March, A. D. 1871.

CHAPTER CXIII.

AN ACT TO AMEND SECTION TWENTY-ONE OF AN ORDINANCE OF THE CONVENTION OF ONE THOUSAND EIGHT HUNDRED AND SIXTY-FIVE AND ONE THOUSAND EIGHT HUNDRED AND SIXTY-SIX, ENTITLED "AN ORDINANCE RESPECTING THE JURISDICTION OF THE COURTS OF THIS STATE," RATIFIED JUNE TWENTY-THIRD, ONE THOUSAND EIGHT HUNDRED AND SIXTY-SIX, AMENDED AND RE-RATIFIED BY THE CONVENTION OF ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT, MARCH FOURTEENTH, ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT.

Amendment.

SECTION 1. *The General Assembly of North Carolina do enact*, That the twenty-first section of an ordinance of the convention of one thousand eight hundred and sixty-five, and one thousand eight hundred and sixty-six, entitled an ordinance respecting the jurisdiction of the courts of this

state, ratified June twenty-third, one thousand eight hundred and sixty-six, amended and re-ratified by the convention of one thousand eight hundred and sixty-eight, March fourteenth, one thousand eight hundred and sixty-eight, be amended as follows, viz: insert the words "or receiver" between the words "indorsee" and "or" in the third line from the beginning of said section, and also insert the words "and whether or not the same was in the possession of the defendant at the time of suit brought," between "not" and "any" in the eight line from the bottom of said section, and strike out all in said section after and including the word "provided" in lines four and five from the bottom of said section, as printed in the code of civil procedure; so that said twenty-first section of said ordinance as amended shall read as follows, viz: That in all actions brought by any bank or other corporation having exercised banking privileges, or by any assignee or endorsee or receiver or officer of said county or corporation, it shall and may be lawful for the defendant to set off by plea or on trial any note or certificate of deposit issued by said bank or its branches or other corporation, whether the same has been presented for payment or not, and whether or not the same was in the possession of the defendant at the time of suit brought, any law or usage to the contrary notwithstanding; but said plea of set off or set off on trial shall not avail to carry costs against the plaintiff unless there has been a tender of such payment before suit brought.

SEC. 2. That this act shall be in force from and after its ratification. When act to be in force.

Ratified the 4th day of March, A. D. 1871.

CHAPTER CXIV.

AN ACT AUTHORIZING THE COMMISSIONERS OF CHATHAM COUNTY
TO ISSUE BONDS.

Amount of bonds to be issued. SECTION 1. *The General Assembly of North Carolina do enact,* The commissioners of Chatham county are hereby authorized to issue coupon bonds, not exceeding in amount twelve thousand dollars, in denominations of not less than twenty dollars and not more than five hundred dollars.

No new debt to be created. SEC. 2. That the said bonds shall not be issued to contract any new debts against the county, but to fund such liabilities of the county as are outstanding at the time of the ratification of this act.

Bonds to bear interest, and receivable for taxes. SEC. 3. These bonds shall bear interest at the rate of six per cent. per year, payable annually, and that the coupons calling for such interest, shall be received by the sheriff in payment of county taxes.

How bonds to be paid. SEC. 4. The principal of bonds so issued shall be payable as follows: The first one-fourth of the principal of said bonds at the expiration of one year from the first day of September, one thousand eight hundred and seventy-one, and each succeeding like amount shall be payable in like manner at intervals of one year from the time of payment of the issue immediately preceding it.

Special tax to pay principal and interest. SEC. 5. That for the payment of the principal and interest of said bonds the commissioners of Chatham county are authorized to levy the necessary taxes as occasion may require from time to time, but they are forbidden to levy or collect any other tax except for the accruing current expenses of the county.

When act to be in force. SEC. 6. This act shall be in force from and after its ratification.

Ratified the 7th day of March, A. D. 1871.

CHAPTER CXV.

AN ACT TO INCORPORATE THE YANCEYVILLE, DANVILLE AND
COALFIELD RAILROAD.

- SECTION 1. *The General Assembly of North Carolina do enact,* Tha a company by the name and style of the Yanceyville, Danville and Coalfield Railroad, be and the same is hereby incorporated, with a capital stock of five hundred thousand dollars, to be divided into shares of one hundred dollars each, for the purpose of constructing a railroad from some point on the Virginia and North Carolina line near Danville, to Yanceyville, thence to intersect with the North Carolina Railroad, between Hillsboro and Company Shops, and connect with the Coalfields in the county of Chatham, the termini to be fixed by the president and directors of the said company, and when formed in compliance with the conditions hereinafter prescribed, to have a corporate existence as a body politic for the term of ninety-nine years.
- SEC. 2. That for the purpose of creating the capital stock of said company, the following persons be and they are hereby appointed general commissioners: Hon. John Kerr, Hon. Sannel P. Hill, Brice Harrelson, William B. Bowe, Col. E. B. Withers, Doc. A. Gum, C. D. Vernon, James M. Neal, Livingston Brown and N. M. Roane, at Yanceyville, and at such other places and under the direction of such other persons as a majority of the commissioners above named may deem proper, for the purpose of receiving subscriptions to the stock of said company, books of subscription to be opened by the commissioners above named and all persons who may be hereafter authorized as aforesaid, at such time and place as may be designated, at any time after the ratification of this act, first giving twenty days notice thereof. And the said books when opened shall be kept open for the space of sixty days at least, and as long thereafter as the commissioners above named shall deem proper, and the said first named commissioners shall have power to call on and
- Corporate name.
- Capital stock.
- Shares.
- Location of road.
- Corporate term.
- Commissioners to receive subscriptions.
- Books of subscription.

require all persons empowered to receive subscriptions of stock, at any time and from time to time as a majority of them may think proper, and to make return of subscriptions of stock by them respectively received.

Conditions of incorporation.

SEC. 3. That whenever the sum of twenty-five thousand dollars shall have been subscribed in manner and form aforesaid, the subscribers, their executors, administrators and assignees, shall be and they are hereby declared incorporated into a company by the name and style of the Yanceyville, Danville and Coalfield Railroad Company, and by that name shall be capable in law and equity, of purchasing, holding, selling, leasing and conveying estates real, personal and mixed and acquiring the same by gift or demise, so far as may be necessary for the purposes embraced within the object and intent of their charter; and shall have succession and by their corporate name may sue and be sued plead and be impleaded in any court of law and equity in this state, and may have and use a common seal, and shall have and enjoy all other rights and immunities which other corporate bodies may and of right do enjoy, and exercise and make all by-laws, rules and regulations as are necessary for the government of the corporation or effecting the object for which it was created, not inconsistent with the constitution and laws of the state.

Powers and privileges of corporation.

Meeting of stockholders.

SEC. 4. That it shall be the duty of the commissioners named in this act, for receiving subscriptions or a majority of them, as soon as the sum of twenty-five thousand dollars shall have been subscribed in manner as aforesaid, and five per cent. paid to the commissioners aforesaid, to give public notice thereof, and at the same time to call a general meeting of the stockholders, giving at least twenty days' notice of the time and place of meeting, a majority of the stockholders being represented, in person or by proxy, shall proceed to elect a president, treasurer and seven directors out of the number of stockholders, and enact such by-laws as they may deem necessary for their government, and the said president and directors shall have power to perform all the duties necessary in the government of the corporation and

Election of President, Treasurer and Directors.

the transaction of the business of the company, and at that meeting the stockholders shall fix on the day and place when the annual election shall be held for president, treasurer and directors, who shall hold their office for one year only; but if the day of annual election of officers should under any circumstances pass without an election, the corporation shall not thereby be dissolved, but the officers formerly elected shall continue in office until a new election take place.

Date of annual election.

SEC. 5. That the board of directors may fill any vacancies which may occur in it during the period for which they have been elected, and in the absence of the president, may appoint one *pro tempore* to fill his place.

Vacancies.

SEC. 6. That the board of directors may call for the sums subscribed as stock in said company in such installments as the interests of the company may, in their opinion, require; due notice of such call shall be given at least one month before the day of payment; and on failure of any stockholder to pay each installment, as thus required, the directors may sell at public auction, on a previous notice of ten days, for cash, all the stock subscribed for in said company by such stockholders, and convey the same to the purchaser at said sale; and if the sale of stock do not produce a sum sufficient to pay off the incidental expenses of the sale and the entire amount owing by such stockholders in the company, then and in that case, the whole of such balance shall be held as due at once to the company, and may be recovered of such stockholder or his executor, administrator or assigns at the suit of said company, or by action of assumpsit in any court of competent jurisdiction, or by warrant before a justice of the peace, where the sum is within the jurisdiction of a justice of the peace; and all cases of assignment of stock before the whole amount has been paid to the company, then for all sums due on said stock, both the original subscriber and the first and all subsequent assigns shall be liable to the company, and the same may be recovered as before described.

Payment of subscriptions regulated by directors.

SEC. 7. That the said company shall issue certificates of stock to its members, and said stock may be transferred in

Certificates of stock.

such manner and form as may be directed by the by-laws of the company.

Contracts.

SEC. 8. That all contracts or agreements authenticated by the president and secretary of the board, shall be binding on the company, with or without a seal; such mode of authentication shall be used by the company as may be prescribed by their by-laws.

Increase of capital stock.

SEC. 9. That for the purpose of constructing said road, the company are hereby authorized and empowered by a vote of the stockholders in general meetings assembled, to increase their capital stock to an amount, sufficient in their opinion, to effect the object and to raise money by loan or otherwise, sufficient to complete and equip said road upon such securities and in such manner as the stockholders may direct.

Lands, &c., may be taken

SEC. 10. That when any lands or right of way be required by the said company for the purpose of constructing their roads, buildings, warehouses, water-stations, workshops, depositories, and for want of agreement as to the value thereof, or from any other cause, the same cannot be purchased from the owner or owners, the same may be taken at a valuation to be made by five good and lawful freeholders, to be summoned by the sheriff of the county in which the land required by the company may lie; and in making the said valuation the said jury shall take into consideration the loss or damages which may accrue to the owner or owners in consequence of the land or right of way being surrendered, and the benefits or advantage he, she, or they may receive from the construction of the said road, and shall state particularly the value and amount of each; and the excess of loss or damages, if any, over and above the advantage and benefit, shall form the measure of valuation of said land or right of way: *Provided, nevertheless*, that if any person or persons, over whose land said road may pass, or the company may be dissatisfied with the valuation thus made, then and in that case either party may appeal to the next court having jurisdiction thereof to be held thereafter; and the sheriff shall return to the said court the verdict of the jury with all the proceedings thereon, and the lands or right of way so valued by the

Manner of valuation.

jury, shall vest in the said company so long as the same shall be needed for the purposes of said railroad, so soon as the valuation may be paid or tendered to the owner or owners of said land: *Provided, further,* that the right of said company shall not authorize the condemnation of any lands which may invade the dwelling house, yard, garden or graveyard of any individual without his consent.

SEC. 11. That the right of said company to condemn land in the manner described in the above section shall extend to the condemnation only of one hundred feet on each side of the main track of the road from the centre of the same, and for the purpose of ascertaining the best route for the said road and to locate the same, it shall be lawful for the said company, by its engineers and agents, to enter upon, examine and survey any lands that they may wish to examine for such purpose free from any liability.

SEC. 12. That the said company shall have the exclusive right of conveyance or transportation of persons, goods, merchandise, coal, produce &c., over said road at just charges as may be fixed on by a majority of the directors; and that the profits of the said company or so much thereof, as the board of directors may deem advisable, shall, when the finances of the company will permit, be annually or semi-annually divided among the stockholders in proportion to the stock each may own.

SEC. 13. That notice of process upon the president or any of the directors thereof shall be deemed and taken to be due and lawful notice of service of process upon the company.

SEC. 14. That it may be lawful for the said Yanceyville, Danville and Coalfield railroad company to make and issue bonds to an amount not to exceed two hundred and fifty thousand dollars, to be signed by the president of said company under the common seal of the same, in such sums as may be designated by the president and board of directors bearing interest to be paid semi-annually and redeemable at such time as may be fixed upon by the president and board of directors, that to secure the faithful payment of the said bonds it may be lawful for the president and directors of the

Proviso.

Exclusive right of conveyance.

Division of profits

Notice or service of process.

Company may issue bonds.

said company to make, execute and deliver to such persons as the said company may select and appoint, a deed of trust or mortgage under the common seal of said company whenever shall be conveyed to the persons they may appoint trusts. The road, property, income and franchises of said company, acquired or to be acquired conditional for the payment of the interest and final redemption of said bonds.

SEC. 15. That the said company may purchase, have and hold in fee simple or for a term of years any lands, tenements or hereditaments, which may be necessary for the said road or the appurtenances thereof or for the erection of depositories, store houses, houses for the officers, servants or agents of the company, or for workshops or foundaries, to be used for said company, or for procuring stone or other materials necessary to the construction of the road or for effecting transportation thereon.

SEC. 16. That if any person or persons shall intrude upon said railroad by any manner of use thereof, or of the rights and privileges connected therewith without permission, or contrary to the will of the said company, he, she or they may be indicted for misdemeanor, and upon conviction, shall be fined and imprisoned by any court of competent jurisdiction, and that if any person shall wilfully and maliciously destroy, damage or obstruct the said road or any of its appurtenances or cause the same to be done, the person or persons so offending, shall be indicted therefor, and on conviction, shall be fined and imprisoned at the discretion of any court having jurisdiction thereof, and shall pay all expenses for repairing the same.

SEC. 17. That all the officers of the company and servants and persons in the actual employment of the company, be and they are hereby exempt from performing ordinary militia duty, working on public roads and serving as jurors.

SEC. 18. That with a view of forming a railroad connection with Danville as early as practicable, the construction of the said road shall be commenced on that end of road next to Danville.

Company may purchase and hold properties.

Persons intruding upon road to be deemed guilty of a misdemeanor.

Penalty for destroying or injuring property.

Employees of road exempt from certain civil obligations.

Construction to commence at Danville.

SEC. 19. The said railroad company may receive subscriptions in real estate or stocks at such valuation as the president and directors may accept. Company may receive subscriptions of real estate, &c.

SEC. 20. That the salary of the president shall be fixed by the stockholders in general meeting. Salary of President.

SEC. 21. That it shall be lawful for any corporation in their corporate capacity to subscribe stock in the said company. Subscriptions of stock by corporations.

SEC. 22. That this act shall be in force from and after its ratification and shall be regarded as a public act. When act to be in force.

Ratified the 7th day of March, A. D. 1871.

CHAPTER CXVI.

AN ACT TO AMEND SECTION ONE, CHAPTER ONE HUNDRED AND TWENTY-TWO, LAWS OF ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE AND ONE THOUSAND EIGHT HUNDRED AND SEVENTY, RELATIVE TO ENTRIES OF LAND IN JACKSON COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That section one, an act entitled an act to extend the time for perfecting entries in the county of Jackson, ratified March twenty-fifth, anno domini one thousand eight hundred and seventy-one, shall read as follows: That every entry of land made in the county of Jackson, be and the same is hereby rendered valid in all respects and the time for perfecting entries made prior to the twenty-fifth day of March, one thousand eight hundred and seventy, and obtaining grants for the same, shall be extended until the first day of January, one thousand eight hundred and seventy-three; *Provided*, That nothing contained in this section be so construed as to affect the titles of persons who have heretofore obtained grants to said lands or the rights of junior entries. Entries of land in Jackson county.

SEC. 2. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 9th day of March, A. D. 1871.

CHAPTER CXVII.

AN ACT TO INCORPORATE THE PETERSBURG AND GREENSBORO'
RAILROAD COMPANY.

- Location of road. SECTION 1. *The General Assembly of North Carolina do enact*: That for the purpose of constructing a railroad communication between the town of Greensboro', in the state of North Carolina, and the city of Petersburg, in the state of Virginia, a company is hereby incorporated by the name and style of the Petersburg and Greensboro' Railroad Company, which shall have a corporate existence as a body politic for the space of ninety-nine years, and by that name may sue and be sued, plead and be impleaded, in any court of the state of North Carolina, and may have and use a common seal, and shall be capable of purchasing, holding, leasing and conveying estates, real, personal and mixed, and of acquiring the same by gift or devise, so far as may be necessary for the objects herein contemplated; and said company may enjoy all the rights which other corporate bodies may lawfully exercise, and may make all necessary regulations for its government not inconsistent with the constitution or laws of the state.
- Corporate name.
- Rights and privileges. SEC. 2. That the capitol stock of said company may be created by subscription on the part of individuals, counties, towns and incorporated companies, in shares of one hundred dollars each, not to exceed in the aggregate five million dollars.
- Capital stock.
- Shares.
- Corporators. SEC. 3. That L. Brown, J. W. Williamson, N. M. Roane, E. B. Withers, William Long and William Paylor, junior, of the county of Caswell, and Henry T. Jordan, C. S. Winstead, S. C. Barnett, Alexander Walker, Chesley Hamlin and G. D. Satterfield, of the county of Person, are appointed commissioners to receive subscriptions to the capital stock of the company, any three of whom may have power to act, and for the purpose of receiving subscriptions to the capital stock of the said company, books may be opened at stated
- Commissioners to receive subscriptions.

times and places under the directions of said commissioners or any three of them, or such other persons as may be selected for that purpose by the said commissioners, and said commissioners, or any three of them, may at any time after said books have been kept open for the space of at least twenty days, have power to call together the subscribers to the capital stock of said company, for the purpose of completing the organization thereof; and after its organization the said company may from time to time receive further subscriptions to its capital stock as it may deem proper.

Subscription books.

Meeting of subscribers.

SEC. 4. That said company may hold annual meetings of its stockholders, and oftener if deemed necessary, and at its said annual meetings seven directors shall be elected to hold office for the term of one year or until their successors are appointed, and any of said meetings shall have power to make or alter the by-laws of said company; *Provided*, That in all such meetings of the stockholders, a majority of all the stock subscribed shall be represented in person or by proxy, which proxies shall be verified in the manner prescribed by the by-laws of the company; and each share thus represented shall be entitled to one vote on all questions.

Annual meeting.

Directors and term of office.

By-Laws.

SEC. 5. That it shall be the duties of the directors of the company to select one of their number as president of said company, and to fill all vacancies which may occur in their board; to have constructed as speedily as practicable a railway from Greensboro' through the counties of Guilford, Caswell and Person, in the state of North Carolina, to the Virginia state line, thence to Petersburg, in the state of Virginia, and to manage all the affairs of said company, both before and after the completion of said road.

President.

Location of road.

SEC. 6. That said company shall have the same power to call for and enforce the payment of stock subscribed as was heretofore granted to the North Carolina Railroad Company by their charter of incorporation, and shall have power to condemn land for the use of the company when a contract for purchase cannot be made with the owner thereof, to the same extent and in the same manner and under the same rules, regulations and restrictions as the said North Carolina

Power to enforce stock subscription.

Condemn land.

Railroad was authorized to do by their act of incorporation.

Certificates of stock.

SEC. 7. That the president of said company, under instructions of the board of directors, shall issue certificates of stock to the stockholders, which may be transferable in the manner prescribed by the by-laws of the company.

May borrow money and issue bonds.

SEC. 8. The said company shall have power to borrow money for the completion of said road and issue their bonds for the payment of the same, bearing such rate of interest as may be agreed upon by the board of directors, and may secure the payment of said bonds by securing personal endorsers or executing mortgages on their road or other property.

Exclusive rights of transportation.

SEC. 9. That said company may have the exclusive right of transporting persons and freight upon said road at such rates of charges as the board of directors may fix.

Municipal subscriptions.

SEC. 10. That all the counties and towns subscribing stock to said company shall do so in the same manner and under the same rules, regulations and restrictions as are set forth and prescribed in the act incorporating the North Carolina Railroad Company.

Subscriptions in land, money, bonds or stock.

SEC. 11. That the said commissioners above named, or any three of them, shall have power to receive subscriptions to the stock of said company in lands, money, bonds or stock, and in case lands be offered and received in payment of stock in said company, the commissioners may provide the mode in which the value of the same may be ascertained and conveyances therefor executed, and they shall also have power to receive mortgages of real and personal estate subscribed to the capital stock.

Repealing clause. When act to be in force.

SEC. 12. All laws in conflict with this act are hereby repealed, and this act shall be in force from its ratification.

Ratified the 9th day of March, A. D. 1871.

CHAPTER CXVIII.

AN ACT TO AMEND SECTION EIGHTEEN, CHAPTER TWO HUNDRED AND TWENTY-NINE, LAWS OF ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE AND ONE THOUSAND EIGHT HUNDRED AND SEVENTY, ENTITLED AN ACT TO RAISE REVENUE.

SECTION 1. *The General Assembly of North Carolina do* Amendment.
enact, That section eighteen (18) of chapter two hundred and twenty-nine (229) entitled "an act to raise revenue," be amended by adding thereto the following: *Provided, however*, That the tax herein imposed shall not apply to tobacco warehousemen who may sell tobacco at auction in their warehouses, but such warehousemen shall, instead thereof, pay a specific license tax of thirty dollars per annum.

SEC. 2. That all acts and parts of acts in conflict with this Repealing clause.
act are repealed, and this act shall be in force from and When act to be in
after its ratification. force.

Ratified the 9th day of March, A. D. 1871.

CHAPTER CXIX.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF GUILFORD COUNTY TO ISSUE BONDS.

SECTION 1. *The General Assembly of North Carolina do* Commissioners
enact, That in order to liquidate the just debts of the county may issue bonds.
Guilford, the commissioners of said county are hereby authorized to issue coupon bonds, not exceeding in amount the sum of thirty thousand dollars in denominations of not more than one thousand dollars, nor less than twenty dollars; *Provided, however*, That the said county commissioners shall fund no claims against the county about which doubts may be entertained relative to their validity on account of their connection with the rebellion.

Bonds to run for ten years.

SEC. 2. That said bonds shall run for ten (10) years with interest at the rate of six per centum per annum, payable semi-annually; and the coupons on said bonds shall be receivable in payment of the county taxes for any fiscal year in which they may fall due.

How bonds to be issued.

SEC. 3. That said bonds and the coupons thereof shall be signed by the chairman of the board of commissioners, and countersigned by the clerk of the board, which latter officer shall keep a book suitable for the purpose, in which he shall keep an accurate account of the number of the bonds issued, their amounts and to whom issued, the amount of bonds and coupons received and cancelled, so that upon an inspection of his said book, the true state of the county debt may be seen, for which services he may receive a reasonable compensation, to be fixed by the board.

Bonds may be redeemed at any time.

SEC. 4. That said county commissioners shall have the privilege to redeem said bonds at any time after the expiration of one year, and it shall be the duty of the county treasurer, each year to purchase one-tenth of said bonds then outstanding, or by order of said county commissioners, set apart as a sinking fund, one-tenth of the amount sufficient to redeem said bonds when they shall fall due.

Additional bond of County Treasurer.

SEC. 5. That it shall be lawful for said county commissioners, if in their discretion the official bond of the county treasurer shall be insufficient to protect the county in the discharge of his duties hereby enjoined, to require him to give further and sufficient security.

Special tax.

SEC. 6. That said commissioners of Guilford county are hereby authorized to levy a tax of one-tenth of one per cent. on the real and personal property of said county and thirty cents on each poll, for the special purpose of redeeming said bonds.

When act to be in force.

SEC. 7. That this act shall be in force from and after its ratification.

Ratified the 10th day of March, A. D. 1871.

CHAPTER CXX.

AN ACT TO REPEAL CHAPTER FORTY-SIX, LAWS OF ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT AND ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE, AND CHAPTER ONE HUNDRED AND THIRTY-ONE, LAWS OF ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE AND ONE THOUSAND EIGHT HUNDRED AND SEVENTY, AND TO RE-ENACT CHAPTER NINE OF REVISED CODE, ENTITLED ATTORNEY'S AT LAW.

SECTION 1. *The General Assembly of North Carolina do* Repeal.
enact, That chapter forty-six of the laws of one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, and chapter one hundred and thirty-one of the laws of one thousand eight hundred and sixty-nine and one thousand eight hundred and seventy, are repealed.

SEC. 2. That chapter nine (9) of the revised code, entitled Re-enactment of
 "attorneys at law," is hereby re-enacted in all respects ex- chap. IX, Revised
 cepting wherein the same may be inapplicable to the present Code.
 judicial system.

SEC. 3. This act shall be in force from its ratification. When act to be in
 Ratified the 11th day of March, A. D. 1871. force.

CHAPTER CXXI.

AN ACT TO AMEND SECTION FORTY-SEVEN, CHAPTER NINETY-THREE, LAWS OF ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT AND ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE.

SECTION 1. *The General Assembly of North Carolina do* Amendment.
enact, That section forty-seven of chapter ninety-three of the laws of one thousand eight hundred and sixty-eight and one

thousand eight hundred and sixty-nine, be amended by striking out in lines five, six and seven, of said section, the words "or upon reference as is provided in chapter five, title ten, of the code of procedure" so that said section shall hereafter read as if said words had never been inserted therein.

When act to take effect.

SEC. 2. This act shall take effect from its ratification.

Ratified the 11th day of March, A. D. 1871.

CHAPTER CXXII.

AN ACT PROVIDING FOR THE SUPPORT OF THE INSANE ASYLUM FOR THE NEXT FISCAL YEAR.

Appropriation.

SECTION 1. *The General Assembly of North Carolina do enact*, That the sum of forty thousand dollars be and the same is hereby appropriated out of any money in the public treasury, to the insane asylum for the support of the same until the close of the fiscal year one thousand eight hundred and seventy-one, and the board of supervisors of the said insane asylum are hereby authorized and empowered to draw upon bi-monthly estimates of the superintendent of said asylum, for an amount not exceeding one-fourth part of said forty thousand dollars; *Provided, however*, That if the number of the patients treated in said asylum shall exceed in number the annual average of one hundred and sixty, then and in that case the governor, *ex officio* chairman, by and with the advice and consent of said board, may, and is hereby authorized to draw from the state treasury, a sum equal to three hundred dollars for each and every patient treated in said asylum above the annual average of one hundred and sixty, for the aforementioned period.

Proviso.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified the 11th day of March, A. D. 1871.

When act to be in force.

CHAPTER CXXIII.

AN ACT TO AUTHORIZE TAX COLLECTORS TO COLLECT TAXES WHICH SHALL BE DUE AND UNPAID.

WHEREAS, In many counties the respective sheriffs failed to produce receipts of the state and county treasurer, that they had settled in full for the taxes of the previous year to the clerk of the board of commissioners, or failed to give sufficient bond as required by law; and whereas, the said commissioners in cases in which such sheriffs failed to produce such receipts or give such bonds, appointed tax collectors to faithfully collect and pay over the taxes according to law; therefore,

Preamble.

SECTION 1. *The General Assembly of North Carolina do enact*, That all tax collectors appointed by authority of law are hereby authorized, whenever taxes shall be due and unpaid, to proceed to collect them in the manner prescribed for the collection of taxes by the sheriffs in chapter two hundred and twenty-five, laws of one thousand eight hundred and sixty-nine and one thousand eight hundred and seventy, entitled an act to provide for the collection of taxes by the state and by the several counties of the state on property, polls and income.

Powers of sheriffs conferred on tax collectors.

SEC. 4. That this act shall be in force from its ratification. Ratified the 11th day of March, A. D. 1871.

When act to be in force.

CHAPTER CXXIV.

AN ACT IN RELATION TO CONVICTS.

SECTION 1. *The General Assembly of North Carolina do enact*, That all convicts who are sentenced to imprisonment for the term of two years or any longer term, shall be re-

Certain convicts to be received into Penitentiary.

ceived into the Penitentiary, and the commissioners of such penitentiary shall have no power to make any order in contravention of this provision, or exercise any discretion in the matter.

SEC. 2. That convicts sentenced to imprisonment for the term of one year or any longer term less than two years, shall be received as soon as practicable into the penitentiary, and the commissioners are allowed to exercise their discretion as to the reception of such convicts until further action by the legislature.

State not liable for expense until convicts are in Penitentiary.

SEC. 3. That the state shall not be held liable for the expense of maintaining convicts until they shall have been received at the penitentiary, nor shall any moneys be paid out of the treasury for support of convicts prior to such reception.

County Commissioners may employ convicts.

SEC. 4. That the county commissioners of any county may provide for the employment of all convicts who have heretofore been sentenced to the penitentiary for a term less than two years, now remaining in county jails, work-houses and prisons, or that may hereafter be sentenced to imprisonment with hard labor for any term less than two years, as prescribed in chapter thirty-five of public laws of one thousand eight hundred and sixty-six, ratified the second day of March, one thousand eight hundred and sixty-six, and all powers given to the justices of the court of pleas and quarter sessions in said chapter are hereby conferred upon the board of county commissioners of the several counties of the state, and in addition to the mode of employment prescribed in said chapter, such convicts may be employed in working upon the public roads or in any other useful labor the commissioners may order, and such guards may be employed as may be necessary to secure such convicts while at labor, and to take them forth and return them to the jail or workhouses when not employed in labor; and all powers given to the managers of the workhouse in said chapter, are hereby conferred upon any officer appointed to take charge of such convicts, or upon the sheriff of the respective counties.

Powers conferred on County Commissioners.

Powers conferred on officers in charge of convicts.

SEC. 5. The commissioners shall have the same power of providing for the expense of working public roads by convicts as are given to the justices of the county court for erecting workhouses and employment of convicts.

Further powers of Commissioners.

SEC. 6. All laws and clauses of laws coming in conflict with this act be and the same are hereby repealed.

Repealing clause.

SEC. 7. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 15th day of March, A. D. 1871.

CHAPTER CXXV.

AN ACT TO CHANGE THE LINE BETWEEN THE COUNTIES OF WILKES AND ALLEGHANY.

SECTION 1. *The General Assembly of North Carolina do enact*, That all that portion of Wilkes county comprised within the following boundary, viz: beginning in the county line at the Airbellows running a straight line to Ellis Knole; thence a straight line to the county line at Abram Brown's place in Francis Bryan's field, be and the same is hereby annexed to, and shall form a part of Alleghany county.

County lines.

SEC. 2. That this act shall be in force from its ratification.

When act to be in force.

Ratified the 16th day of March, A. D. 1871.

CHAPTER CXXVI.

AN ACT TO PREVENT THE FELLING OF TREES INTO LITTLE RIVER.

SECTION 1. *The General Assembly of North Carolina do enact*, That it shall not be lawful for any person to fell trees or place any other obstruction into Little river between K.

Persons not to fell trees or place any other obstructions in Little or Neuse rivers.

B. Whitley's mills, in Johnson county, and the outlet of said river into Neuse river, and any person felling timber into, or otherwise obstructing said river, shall be deemed guilty of a misdemeanor and punished as in other misdemeanors, and shall further be liable to the parties injured for all the damages arising out of a violation of this act; *Provided*, That the construction of dams for mills or other machinery shall not be deemed an obstruction within the meaning of this act.

When-act to be in force.

SEC. 2. This act shall be in force from and after its ratification.

Ratified the 16th day of March, A. D. 1871.

CHAPTER CXXVII.

AN ACT TO INCORPORATE THE HIAWASSEE AND CHEOAH TURNPIKE COMPANY.

Corporators.

SECTION 1. *The General Assembly of North Carolina do enact*, That the following named persons, viz: Mercer Fain, Harman Livinggood, J. T. Lenoir, James C. Axley, D. C. Ghomley, N. F. Cooper and E. B. Olmsted, their associates, successors and assigns, are hereby constituted a body politic and corporate, under the name and title of the Hiawassee and

Corporate name.

Cheoah Turnpike company, with power to make by-laws for its government, provide for election of directors and all other officers, and with all other privileges and incidents belonging to corporations under chapter ninety-six of the revised code, or any other general law of the state which may at any time be passed.

Powers and privileges.

Location of road.

SEC. 2. Said corporation shall have power to make and keep in repair a turnpike road running from the Hiawassee Turnpike road at or near the mouth of coal pit branch in Cherokee county, so as to intersect the Cheoah Turnpike road at or near the mouth of Snowbird or Buffalo creek, at

the nearest and most practicable route. The dimensions and mode of construction of said road to be determined by the directors of the company. In no place shall said road be steeper than one foot in twelve, and shall be sixteen feet wide on level land, and fourteen feet wide in side digging, excepting in solid rock, where it shall be twelve feet wide. The county commissioners shall have the power to fix and charge such reasonable toll, and erect toll gates as they think best.

SEC. 3. Whenever land or right of way shall be needed by said company for the purpose of constructing its road, to supply stone, gravel or other material, if the parties cannot agree, the same may be taken at a valuation to be made by a commission of five freeholders to be chosen by two justices of the peace of the county where the land lies, or by the county commissioners thereof, which valuation made on oath, shall be recorded in the registers books, and payment of the valuation or tender thereof; or in case the owner does not reside in the county, on deposit of the same in the office of the clerk of the superior court, the said land or right of way so valued, shall vest in the company so long as it shall be used for the purposes thereof. Either party may appeal from the decision of the commissioners, but no proceedings made under this section shall hinder or delay the company, or delay their work. Ten days notice shall be given of the time and place of the meeting of the commissioners, or if the owner of the land does not reside in the county, then ten days notice by advertisement on the land and in a newspaper in the county, or if there be none, then at the door of the court house and two other public places in the county shall be sufficient notice. The right of condemnation shall not, except for materials for construction, include more than thirty feet on each side of the centre of the road, but for toll-houses, not exceeding one acre; *Provided*, That this right of condition shall not include any yard, garden or burial ground.

Right to condemn land.

Valuation of land.

SEC. 4. Said company shall have power to issue certificates of stocks to an amount not to exceed twenty thousand dollars,

Certificates of stock.

in shares of twenty-five dollars each, and shall continue in force for fifty years.

When act to be in force.

SEC. 5. This act shall be in force from and after its ratification.

Ratified the 16th day of March, A. D. 1871.

CHAPTER CXXVIII.

AN ACT TO AMEND THE CHARTER OF THE CHEOAH TURNPIKE COMPANY.

Location of road. SECTION 1. *The General Assembly of North Carolina do enact*, That Stephen Whitaker and his associates be and they are hereby authorized and empowered to build a turnpike road beginning on the Cheoah Turnpike Road, in the county of Cherokee, on the west side of Tennessee river, within one mile of said river, and running thence by the most practicable route to Whitaker's ferry, on said river; thence up said river to the road leading across the Smoky mountains to the Tennessee line.

Rates of toll.

SEC. 2. That the tolls on said road and ferry shall be as follows. The gate to be at or near said ferry :

On one horse gig, sulky or buggy,	35 cents.
“ two horse buggy or carriage,	75 “
“ six horse road wagon,	75 “
“ five horse road wagon,	60 “
“ four horse road wagon,	40 “
“ three horse road wagon,	30 “
“ two horse road wagon,	25 “
“ one horse cart or wagon,	20 “
“ peddler's wagon,	1.00
“ each horse and rider,	10 “
“ each footman,	05 “
“ each head of cattle,	03 “
“ each head of hogs or sheep,	02 “

Sec. 3. The tolls by section five of an act, chapter one hundred and ten of one thousand eight hundred and sixty-six and sixty-seven, shall be as follows: Further rates.

On one horse, gig, sulky or buggy,	15	“
“ two horse pleasure carriage,	20	“
“ six horse road wagon,	25	“
“ five horse road wagon,	20	“
“ four horse road wagon,	15	“
“ three horse road wagon,	10	“
“ two horse road wagon,	10	“
“ one horse road wagon,	05	“
“ each horse and rider,	05	“
“ each peddler's wagon,	10	“
“ cattle or horses each,	01	“

Sec. 4. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 16th day of March, A. D. 1871.

CHAPTER CXXIX.

AN ACT TO ANNEX PART OF RUTHERFORD COUNTY TO BURKE COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact,* That that portion of Rutherford county included within the following boundaries, to-wit: beginning at the corner where Rutherford, McDowell and Burke unite, and running along the top of the ridge of the South mountain as the line now runs to the corner where Rutherford, Cleveland and Burke unite, thence by a direct line to the beginning, be and the same is hereby annexed to, and shall form a part of the county of Burke. Portion of Rutherford county to be annexed to Burke county.

SEC. 2. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 16th day of March, A. D. 1871.

CHAPTER CXXX.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF COMMISSIONERS
OF WRECKS FOR HYDE COUNTY.

Commissioners of
wrecks for Hyde
county.

SECTION 1. *The General Assembly of North Carolina do enact*, That the county commissioners of the county of Hyde shall, whenever it may be necessary, appoint the commissioner of wrecks for each district of said county, who shall hold his office for two years from the date of his appointment, and enter into bond as is provided by law.

Repealing clause.

SEC. 2. All laws coming in conflict with this act be and the same are hereby repealed.

When act to be in
force.

SEC. 3. This act shall be in force from its ratification.

Ratified the 16th day of March, A. D. 1871.

CHAPTER CXXXI.

AN ACT REQUIRING SHERIFFS AND CORONERS TO GIVE NOTICE
TO PARTIES IN WHOSE FAVOR THEY MAY HAVE PROCESS
FOR COLLECTION OF MONEY.

Sheriff to give
written notice.

SECTION 1. *The General Assembly of North Carolina do enact*, That it shall be the duty of every sheriff and coroner to whom a *feri facias*, or *venditioni exponas* may be issued from any court, to give written notice to the plaintiff in such execution, or his attorney, of record specifying the time when and place where he will sell the property of the defendant under such process; *Provided*, That the plaintiff or his attorney shall, before the issuing of execution, require such notice by an entry upon the record to that effect, in which case the clerk shall note such requirement upon the execution before delivering the same to the sheriff or coroner.

SEC. 2. The sheriff or coroner shall receive a fee of twenty-five cents for the service of such notice, if the same be made in the county to which said process is issued. If the plaintiff or his attorney shall reside out of the county of the sheriff having the process, service thereof shall be made by mail, and for such service the officer shall receive fifty cents. The fees allowed by this section shall be paid by the plaintiff.

To receive a fee for serving notice.

SEC. 3. Whenever a sheriff or coroner shall propose to lay off a homestead or personal property exemption, for any debt against whom he has process as aforesaid, he shall give notice thereof in writing, to the plaintiff or his attorney, ten days prior to the laying off the same, and shall receive for service thereof the same fees as are prescribed in section two of this act.

Homestead or personal property exemption.

SEC. 4. The notice provided for by section one of this act, shall be given five days prior to the sale of personal property, and ten days prior to the sale of real estate.

Time of serving notice prior to sale.

SEC. 5. Any sheriff, coroner or clerk who shall fail to comply with the provisions of this act shall be deemed guilty of a misdemeanor, and shall also be liable for such damages as the plaintiff shall sustain by reason of such neglect.

Repealing clause.

SEC. 6. All laws coming in conflict with the provisions of this act are hereby repealed.

When act to be in force.

SEC. 7. This act shall be in force from its ratification.

Ratified the 17th day of March, A. D. 1871.

CHAPTER CXXXII.

AN ACT TO AMEND SECTIONS NINE AND TEN, CHAPTER EIGHT, OF AN ACT RELATIVE TO THE WESTERN TURNPIKE ROAD, &C., PASSED SESSION ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT AND ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE.

Amendment to
act of March 17,
1869.

SECTION 1. *The General Assembly of North Carolina do enact*, That sections nine and ten of an act relative to the Western Turnpike road, ratified March seventeenth, one thousand eight hundred and sixty-nine, be amended so as to authorize the county commissioners of Macon county to fix the compensation of gate keepers authorized in said act, at any sums in their discretion, not to exceed twenty per cent. of the gross amount of tolls received at their gates respectively.

SEC. 2. That the following words, to-wit: shall reside on or near said road, and found in section one lines eleven and twelve of said act, be and the same are hereby repealed.

When act to be in
force.

SEC. 3. This act shall be in force from and after its ratification.

Ratified the 17th day of March, A. D. 1871.

CHAPTER CXXXIII.

AN ACT TO SUPPRESS SECRET POLITICAL ORGANIZATIONS.

Secret political
organizations pro-
hibited.

SECTION 1. *The General Assembly of North Carolina do enact*, That if any person, for the purpose of compassing or furthering any political object, or aiding the success of any political party or organization, or for resisting the laws, shall join or in any way connect or unite himself with any oath-bound secret political or military organization, society

or association of whatsoever name or character, or shall form or organize, or combine and agree with any other person or persons to form or organize any such organization, or as a member of any secret political or military party or organization shall use or agree to use, any certain signs or grips or passwords, or any disguise of the person or voice, or any disguise whatsoever for the advancement of its object, and shall take or administer any extra judicial oath, or any secret solemn pledge, or any like secret means, or if any two or more persons for the purpose of compassing or furthering any political object, or aiding the success of any political party or organization, or for circumventing the laws, shall secretly assemble, combine or agree together, and the more effectually to accomplish such purposes, or any of them, shall use any certain signs or grips, or pass words, or any disguise of the person or voice, or other disguise whatsoever; or shall take or administer any extra-judicial oath or other secret solemn pledge, or if any persons shall band together and assemble to muster, drill or practice any military evolutions except by virtue of the authority of an officer recognized by law, or of an instructor in institutions or schools in which such evolutions form a part of the course of instruction, or if any person shall knowingly permit any of the acts and things herein forbidden to be had, done or performed on his premises, or on any premises under his control, or if any person being a member of any such secret political or military organization, shall not at once abandon the same and separate himself entirely therefrom; every person so offending, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than ten nor more than two hundred dollars, or imprisoned, or both, at the discretion of the judge of the superior court.

Penalty.

Ratified the 17th day of March, A. D. 1871.

CHAPTER CXXXIV.

AN ACT TO REPEAL CERTAIN SECTIONS OF AN ACT RATIFIED AUGUST SEVENTEENTH, ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT, ENTITLED AN ACT TO ORGANIZE A MILITIA OF NORTH CAROLINA.

Repeal of act of August 17, 1868.

SECTION 1. *The General Assembly of North Carolina do enact*, That all those sections from the eighth to the twenty-second inclusive, of the act ratified August seventeenth, one thousand eight hundred and sixty-eight, entitled an act to organize a militia of North Carolina, are hereby repealed; *Provided*, That the governor be and he hereby is directed to have returned to the arsenal at Raleigh all arms and equipment now in the possession of the detailed militia, and he is authorized to draw a sufficient sum, not to exceed one hundred dollars, from the treasury to pay cost of transportation.

Proviso.

When act to take effect.

SEC. 2. That this act shall take effect from and after the date of its ratification.

Ratified the 17th day of March, A. D. 1871.

CHAPTER CXXXV.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF MACON COUNTY TO LEVY A SPECIAL TAX.

Preamble.

WHEREAS, The county commissioners of Macon county have used, in paying the ordinary indebtedness of said county, a fund collected out of the tax of one thousand eight hundred and sixty nine, which, by the provisions of the constitution, belongs to the educational fund; therefore,

Limitation of tax.

SECTION 1. *The General Assembly of North Carolina do enact*, That the county commissioners of Macon county be

and they are hereby authorized to levy a special tax on the taxable property of said county, not to exceed the sum of six hundred dollars, to replace said educational fund.

SEC. 2. That the said tax shall be laid, collected and accounted for in the same way and at the same time as other tax for the year one thousand eight hundred and seventy-one.

SEC. 3. That this act shall be in force from and after its ratification. When act to be in force.

Ratified the 29th day of March, A. D. 1871.

CHAPTER CXXXVI.

AN ACT TO CHANGE THE TIME OF HOLDING THE SPRING TERM
OF THE SUPERIOR COURT FOR THE COUNTY OF MARTIN, FOR
THE YEAR ONE THOUSAND EIGHT HUNDRED AND SEVENTY-
ONE.

SECTION 1. *The General Assembly of North Carolina do enact*, That the spring term of the superior court for the county of Martin for the year anno domini one thousand eight hundred and seventy-one, shall be held on the twelfth Monday after the third Monday in February. Change of time in holding spring term of court.

SEC. 2. That all processes, recognizances, and other legal proceedings in civil and criminal actions, which have already been issued and had, or which may hereafter be issued and had, returnable to the next term of said superior court shall be deemed and held returnable to the term of said superior court as now fixed by this act, and all persons who have been recognized, or bound and summoned to appear at the next term of said superior court, are hereby required to appear at the term as prescribed in this act, and the secretary of state shall forthwith cause this act to be published and furnish the sheriff and clerk of the superior court of the above named county, with a copy of said act.

Repealing clause.

SEC. 3. That all laws and parts of laws inconsistent with this act are hereby repealed.

When act to take effect.

SEC. 4. This act shall take effect from and after its ratification.

Ratified the 18th day of March, A. D. 1871.

CHAPTER CXXXVII.

AN ACT TO COMPEL SHERIFFS TO SETTLE THE PUBLIC TAXES.

Sheriffs failing to pay taxes to Treasurer guilty of felony.

SECTION 1. *The General Assembly of North Carolina do enact*, That every sheriff who shall fail to pay to the treasurer of the state the public taxes that may be due from him for the fiscal year ending September thirtieth, one thousand eight hundred and seventy, within twenty days after the ratification of this act, shall be deemed guilty of a felony, and on conviction thereof, shall be fined in a sum not less than three thousand dollars, or imprisoned in the penitentiary for a term not less than five years or both, at the discretion of the court: *Provided*, That sheriffs who have had their time for their settlement with the treasurer extended by this general assembly, shall not be amenable to the provisions of this act, until twenty days after the expiration of said time.

Proceedings against defaulting sheriffs.

SEC. 2. That it shall be the duty of the treasurer, immediately after the expiration of the time specified in this act, to furnish the solicitor of the 4th judicial district with the names of all defaulting sheriffs, who shall institute proceedings against them in the superior court of Wake county: *Provided*, This act shall be published in two newspapers in Raleigh for twenty days.

When act to be in force.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified the 21st day of March, A. D. 1871.

CHAPTER CXXXVIII.

AN ACT MAKING AN APPROPRIATION FOR THE DEAF, DUMB AND
BLIND ASYLUM.

SECTION 1. *The General Assembly of North Carolina do enact*, That the sum of forty thousand dollars is hereby appropriated for the purpose of defraying the expenses of the deaf, dumb and blind asylum, during the current fiscal year, commencing January first, one thousand eight hundred and seventy-one, and ending January first, one thousand eight hundred and seventy-two.

Appropriation of
\$40,000.

SEC. 2. That the public treasurer be and is hereby authorized to pay the said amount of forty thousand dollars to the treasurer of said asylum, out of any moneys in the treasury not otherwise appropriated: *Provided*, That amount above stated be drawn quarterly in equal installments.

Treasurer to pay
amount.

SEC. 3. This act shall be in force from and after its ratification.

When act to be in
force.

Ratified the 21st day of March, A. D. 1871.

CHAPTER CXXXIX.

AN ACT IN RELATION TO FEES OF COUNTY OFFICERS AND THE
SUPREME COURT CLERK.

SECTION 1. *The General Assembly of North Carolina do enact*, That the county commissioners of their respective counties shall receive such *per diem*, not exceeding two dollars, as a majority of any board may fix upon.

Per diem of Com-
missioners.

SEC. 2. County treasurers shall receive as a compensation in full of all services required of them by law, such a *per centum*, not exceeding two and a half, on amount of receipts and disbursements, as the county commissioners or a majority of them may deem adequate and proper.

Pay of County
Treasurers.

County Surveyors, &c.

SEC. 3. County surveyors, chain-carriers, entry takers, rangers, commissioners of affidavits, processioners and standard keepers, shall receive the fees respectively prescribed for them in chapter one hundred and two of the revised code, and no others.

Fees of Sheriffs.

SEC. 4. 1. Fees of sheriffs: Executing summons or any other writ or notice, by simply delivering a copy to the party or his attorney, sixty cents.

2. Arrest of a defendant in civil action and taking bail, including attendance to justify, and all services connected therewith, one dollar.

3. Arrest of a person indicted, including all services connected with the taking and justification of bail, one dollar.

4. Imprisonment of any person in a civil or criminal action, thirty cents; and release from prison, thirty cents.

5. Executing subpoena on a witness, thirty cents.

6. Conveying a prisoner to jail to another county, ten cents per mile.

7. For prisoners guard, if any necessity, and approved by the county commissioners, going and returning, per mile for each, five cents.

8. Expenses of guard and all other expenses of conveying prisoner to jail, or from one jail to another for any purpose, or to any place of punishment, whatever sum may be allowed by the county commissioners of the county in which the indictment was issued, on the affidavit of the officer in charge.

9. Feeding prisoners in county jail per day, to be fixed by the commissioners of the county.

10. Providing prisoners in county jail with suitable beds, bedclothing, other clothing and fuel, and keeping the prison and grounds clean, whatever sum shall be allowed by the commissioners of the county.

11. Collecting fine and costs from convict, two and a half per cent. on the amount collected.

12. Collecting executions for money in civil actions, two and a half per cent. on the amount collected.

13. Advertising a sale of property under execution, at Fees of sheriffs, each public place required, fifteen cents.

14. Seizing specific property under order of a court, or executing any other order of a court or judge, not specially provided for, to be allowed by the judge.

15. Taking any bond, including furnishing the blanks, fifty cents.

16. The actual expense of keeping all property seized under process or order of court, to be allowed by court on the affidavit of the officer in charge.

17. A capital execution, ten dollars, and actual expenses of burying the body.

18. Summoning a grand or petit jury, for each man summoned, thirty cents, and ten cents for each person summoned on a special *venire*.

19. For serving any writ or other process with the aid of the county, the usual fee of one dollar, and the expense necessarily incurred thereby, to be adjudged by the county commissioners, and taxed as other costs.

20. All just fees paid to any printer for any advertisement required by law to be printed by the sheriff.

21. Bringing up of a prisoner upon *habeas corpus*, to testify or answer to any court or before any judge, one dollar, and all actual and necessary expenses for such services, and ten cents per mile by the route most usually travelled, and all expenses for any guard actually employed and necessary.

22. For summoning and qualifying appraisers, and for performing all duties in laying off homesteads and personal property exemptions, or either, two dollars, to be included in the bill of costs.

23. For levying an attachment, one dollar.

24. For attendance to qualify jurors to lay off dower, of commissioners to lay off year's allowance, one dollar; and for attendance to qualify commissioners for any other purpose, seventy-five cents.

25. Executing a deed for land or any interest in land sold under execution, one dollar, to be paid by the purchaser.

26. Service of writ of ejectment, one dollar.

27. For every execution, either in civil or criminal cases, fifty cents.

Fees of Constables.

SEC. 5. Fees of Constables: 1. Executing a summons, or any other writ or notice, simply by delivering a copy to the party or his attorney, forty cents.

2. Arrest of a defendant in a civil action, and taking bail, including attendance to justify, and all services connected therewith, fifty cents.

3. Executing subpoena on a witness, fifteen cents.

4. Collecting executions for money in civil actions, two and a half per cent. on the amount collected.

5. Summoning a jury, for each person summoned, fifteen cents.

6. Advertising a sale of property under an execution, at each public place required, ten cents.

7. And for all other services, same as are now allowed sheriffs.

Jurors' per diem.

SEC. 6. 1. Jurors to the superior courts, per day, what shall be allowed by the county commissioners of the county, not exceeding one dollar and fifty cents.

2. Per mile of travel, going to and returning from court, not exceeding five cents, to be fixed by the county commissioners, and such ferrriage and tolls as they may have to pay.

3. The same pay shall be allowed to special jurors when sworn to serve during the day, but no tolls, ferrriage or mileage.

Clerk of Supreme Court.

SEC. 7. The salary and fees of the clerk of the supreme court shall be as provided in section twenty-five, chapter one hundred and two, of the revised code.

Register of deeds.

SEC. 8. 1. The Registers of Deeds shall be allowed, while and when acting as clerk to the board of commissioners, such *per diem* as their several boards may respectively allow, not exceeding two dollars.

2. Registering any deed or other writing authorized to be registered or recorded by them, with certificate of probate or acknowledgment and private examination of a married

woman, containing not more than three copy sheets, eighty cents; and for every additional copy sheet, ten cents. Register of deeds

3. For a copy of any record or any paper in their offices, like fees as for registering the same.

4. For issuing each notice required by the county commissioners, including subpoenas for witnesses, fifteen cents.

5. Recording each order of commissioners, if over one copy sheet, for every one over, ten cents.

6. Making out original tax list, two cents for each name thereon; for each name on each copy required to be made, two cents.

7. Issuing marriage license, one dollar.

SEC. 9. 1. Justices shall receive no fees whatever, except the following: for attachment, twenty cents. Justices.

2. Transcript of judgment, ten cents.

3. Summons, twenty cents; if more than one in same case, for each additional, ten cents.

4. Subpoena, for each witness, ten cents.

5. Trial of an issue and judgment, forty cents.

6. Taking an affidavit, bond or undertaking, ten cents.

7. For jury trial and entering verdict, forty cents.

8. Execution, twenty cents.

9. Renewal of execution, five cents.

10. Return to an appeal, thirty cents.

11. Order of arrest in civil action, twenty cents.

12. Warrant for arrest in criminal cases, or in bastardy, thirty cents.

13. Warrant of commitment, twenty cents.

14. Commission to take depositions, fifteen cents.

15. Taking depositions on order or commission, per copy sheet, ten cents.

16. Making necessary certificate and return to same, thirty-five cents.

17. Each justice of the peace who is a member of the board of township trustees, shall receive one dollar *per diem* for each day's attendance upon the meetings of the board.

SEC. 10. 1. Fees of coroners shall be the same as are or may be allowed sheriffs in similar cases. Coroners.

Coroners.

2. For holding an inquest over a dead body, five dollars ; if necessarily engaged more than one day, for each additional day, five dollars.

3. For burying a pauper over whom an inquest has been held, all necessary and actual expenses, to be approved by the county commissioners, and paid by the county.

4. It shall be the duty of every coroner, where he or any juryman shall deem it necessary to the better investigation of the cause or manner of death, to summon a physician or surgeon, who shall be paid for his attendance and services, ten dollars, and such further sum as the commissioners of the county may deem reasonable.

Superior Court Clerks.

SEC. 11. 1. Superior court clerk. For every original writ of summons, or other original leading process, one dollar ; and no additional allowance for any names inserted, and for every duplicate thereof, twenty-five cents.

2. Recording a return of a sheriff or other ministerial officer, ten cents.

3. Receiving, filing and noting on the docket any pleading or demurrer, and delivering copies filed to the parties to whom addressed, ten cents.

4. Entering order enlarging time for pleading, twenty-five cents.

5. Entering judgment and verdict, fifty cents.

6. Judgment on any question authorized to be decided by him, if there be an appeal to the judge, including statement of the case on the appeal from his decision to the judge, and acknowledging receipt of decision of the judge, and notifying each attorney thereof, one dollar.

7. Transcript of record for a judge on issue of law joined on the pleadings, and acknowledging receipt of decision of the judge, and notifying each attorney thereof, fifty cents.

8. Taking an affidavit to witness or juror's ticket, or any other affidavit, ten cents.

9. Transcript of case and record for supreme court, two dollars.

10. Transcript of judgment, twenty-five cents.

11. Mailing transcript, post paid, fifteen cents.

12. Docketing any judgment on execution docket, twenty-five cents. Superior Court
Clerks.

13. Affixing seal of court when necessary, ten cents.

14. Entering on record any order or judgment of a judge on a matter which he has jurisdiction to decide out of term, if not more than one copy sheet, fifteen cents; if more than one copy sheet, for every one over the first, ten cents.

15. Issuing subpoena for witnesses, for each name, fifteen cents.

16. Copy of any record or other writing in his office, per copy sheet, ten cents.

17. Probate or acknowledgment of a deed, or a writing of any sort authorized to be proved, and taking private examination of a married woman with a certificate thereof, twenty-five cents.

18. For ordering the registration of any deed or other written instrument which has been proved in any other county, twenty-five cents.

19. Probate of a will in common form with a certificate and issuing letters testamentary, seventy-five cents.

20. Recording will or returns of executors, administrators, guardians or trustees required to make returns, ten cents per copy sheet.

21. Grant of letters of administration of any sort, and taking bond of administrator, including justification of sureties, seventy-five cents.

22. Every notice required to be issued by clerks, ten cents.

23. Grant of guardianship, including taking bond and justification of sureties, fifty cents.

24. Apprenticing infant, including indenture, seventy five cents.

25. Entering caveat on contested will, twenty cents.

26. Recording articles of agreement of proposed corporation, two dollars.

27. Issuing commission of any sort, seventy-five cents.

28. Entering return to commission, and order for registration of deed, ten cents.

Superior Court
Clerks.

29. Auditing account of executor, administrator, guardian or other trustee required to return accounts, fifty cents, if not over three hundred dollars; eighty cents if over three hundred and not over one thousand dollars; if over one one thousand dollars, one dollar.

30. Continuance of a cause, thirty cents.

31. Execution, thirty-five cents.

32. Issuing *capias*, one dollar.

33. Taking a recognizance, ten cents.

34. Entering judgment against a defaulting juror, or witness on bail bond or recognizance, twenty-five cents.

35. Justification of bail or sureties to an appeal twenty-five cents.

36. Indictment, thirty-five cents.

37. Auditing final settlement of executor, administrator, guardian and other trustee required to return accounts, one-fourth of one per cent. of the amount on which commissions are allowed to such trustee, if not over one thousand dollars; an amount over one thousand dollars and not over five thousand dollars, one-sixth of one per cent.; an amount over five thousand dollars, one-tenth of one per cent.; but in no instance to exceed fifteen dollars.

Attorneys.

SEC. 12. Fees of attorneys. 1. In all cases in the supreme court, fifteen dollars.

2. In all cases in the superior court, where the title to land comes in question, ten dollars.

3. In other cases in the superior court, including petitions and in all cases of petition in special proceedings in the superior and probate courts, four dollars.

Witnesses.

SEC. 13. The fees of witnesses, whether attending at a term of the superior court or before the clerk or a referee, be one dollar per day. They shall also receive mileage to be fixed by the county commissioners of their respective counties, at a rate not to exceed five cents per mile for every mile necessarily travelled from their respective homes in going to and returning from the place of examination by the ordinary route, and ferriage and toll paid in going and returning. If attending out of their counties, they shall

receive one dollar per day and five cents per mile going and returning by the ordinary route, and toll and ferriage expenses; *Provided*, that witnesses before magistrates courts shall receive fifty cents per day in civil cases; *Provided further*, that experts, when compelled to attend and testify, shall be allowed such compensation and mileage as the court may in its discretion order.

SEC. 14. Sections two, three and four of chapter eleven of chapter two hundred and seventy-nine, laws of one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, are hereby re-enacted. Former law re-enacted.

SEC. 15. Mileage to county officers within their respective counties, is hereby abolished. Mileage.

SEC. 16. Chapters one, two, three, four, five, six, seven, eight, nine and ten, of title twenty-one, and title twelve of the code of civil procedure, and chapters two, seven, eight, nine and ten, and section one of chapter eleven of chapter two hundred and seventy-nine and chapter one hundred and forty-seven, laws of one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, and chapters eighty-eight and one hundred and sixty-eight, laws of one thousand eight hundred and sixty-nine and one thousand eight hundred and seventy, and all laws and parts of laws in conflict with, or giving any other fees than those prescribed in this act, be and the same are hereby repealed. Repealing clause

SEC. 17. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 21st day of March, A. D. 1871.

CHAPTER CXL.

AN ACT TO AMEND CHAPTER ONE HUNDRED AND SIXTY, LAWS OF ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT AND ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE.

SECTION 1. *The General Assembly of North Carolina do enact*, That the provisions of chapter one hundred and sixty

of the laws of one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, relating to the establishment and collection of costs and tax fees, shall in like manner and effect be extended to the establishment and collection of costs, due to witnesses in cases wherein the tickets proven by such witnesses, have been lost or destroyed.

Amendment.

Amend by adding the following to come in after the word "otherwise," in section five, line four: And whereas, in such other cases where deeds or any other matter should be of record, shall be lost or destroyed, the probate judge in any such county where the same occurs, shall have the same jurisdiction in the re-establishment of such lost deeds or other matter.

*When act to take effect.

SEC. 2. This act shall take effect from its ratification.

Ratified the 21st day of March, A. D. 1871.

CHAPTER CXLI.

AN ACT AMENDATORY OF AN ACT ENTITLED AN ACT TO ESTABLISH BURNT RECORDS, &C., IN THE COUNTY OF CLAY.

Amendment to act of December 23d, 1870.

SECTION 1. *The General Assembly of North Carolina do enact,* That section one of an act entitled an act in relation to burnt records of Clay county, ratified December the twenty-third, one thousand eight hundred and seventy, be amended so as to read as follows: The general assembly of North Carolina do enact, That all civil suits that were pending in said superior court at the time of said burning, may be re-instated upon the docket by the plaintiff or plaintiffs, upon petition sworn to according to law, and filed before the judge of the superior court during term time, setting forth in substance the facts of the case according to said plaintiff or plaintiffs, information and belief, and if said plaintiff or plaintiffs elect to do so, a new suit may be instituted and the costs of suit already incurred, shall be taxed in the costs

of said suit; *Provided*, That in either case the defendant or defendants shall have ten days notice thereof to their cause why said suit shall not be so re-instated.

SEC. 2. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 21st day of March, A. D. 1871.

CHAPTER CXLII.

AN ACT TO PROVIDE FOR THE LEVYING OF A SPECIAL TAX IN THE COUNTY OF PERQUIMANS.

SECTION 1. *The General Assembly of North Carolina do enact*, That the commissioners of the county of Perquimans are hereby authorized to levy a special tax not to exceed five thousand dollars, to pay the present indebtedness for last year, (one thousand eight hundred and seventy,) and for the support of the poor for the present year, (one thousand eight hundred and seventy-one); *Provided*, That this act shall be submitted to the qualified voters of Perquimans county for ratification or rejection at the first election held in said county, and shall have no force or virtue until it has been ratified by said county; *Provided*, That the tax equal to the tax levied on three hundred dollars worth of property, shall be levied on each and every taxable poll in said county.

Limits of special tax.

Proviso.

SEC. 2. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 21st day of March, A. D. 1871.

CHAPTER CXLIII.

AN ACT RELATIVE TO THE WESTERN TURNPIKE ROAD.

Rate of tolls on
Western Turn-
pike.

SECTION 1. *The General Assembly of North Carolina do enact*, That no person living in the county of Haywood shall be required to pay at the toll gate, about eight miles west of Asheville on the western turnpike road, more than one-half the rate of tolls now taken at said gate; *Provided*, This act shall only apply to persons going to or returning from Sandy Bottoms; *Provided, further*, That citizens of Buncombe going into Haywood county not farther than R. H. Penland's or Cathey's store, shall not pay any toll at the gate in Haywood; *Provided, further*, That citizens of Henderson and Transylvania counties shall pay not more than half toll at the gate in Buncombe.

When act to be in
force. ~~March 1871.~~

SEC. 2. This act shall be in force from and after its ratification.

Ratified the 21st day of March, A. D. 1871.

CHAPTER CXLIV.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF THE COUNTIES OF POLK AND JACKSON TO LEVY A SPECIAL TAX.

Limitation of tax.

SECTION 1. *The General Assembly of North Carolina do enact*, That the county commissioners of the counties of Polk and Jackson are hereby authorized and empowered to levy and collect for the year one thousand eight hundred and seventy-one, a special tax not to exceed two thousand dollars each, to be applied to the liquidation of the outstanding debts of said counties; *Provided*, That the county commissioners of the county of Polk shall not be authorized by this act to levy or collect said tax until the question shall

Object.

be submitted to the qualified voters of said county and a majority of the votes cast shall be for the levying and collection of said tax.

To be submitted to people.

SEC. 2. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 21st day of March, A. D. 1871.

CHAPTER CXLV.

AN ACT TO CHARTER THE CATAWBA VALLEY RAILROAD.

SECTION 1. *The General Assembly of North Carolina do enact*, That for the purpose of constructing a railroad of one or more tracks from the city of Charlotte or from Tuckaseige Station on the Wilmington, Charlotte and Rutherford Railroad, to the town of Newton, in Catawba county; *Provided, however*, That said road may be extended from Tuckaseige Station to some point (west of the Catawba river,) on the Air Line Railroad leading from Charlotte to Atlanta, and the same may also be extended from the said town of Newton to the town of Lenoir, in Caldwell county, via Hickory Station, if the same be deemed practicable and proper, upon such line as the directors of said road may determine, George Setzer, H. A. Forney, Daniel Roseman, Sydney Wilfong, D. B. Gaither, Dr. C. L. Hunter, J. A. Sherrill, W. B. McLean, Henry Conner, J. M. Smith, M. L. Cline, Thomas R. Tate, D. H. Hill, A. W. Davenport, James Abernathy, W. W. Monday, William A. Graham, junior, Sidney H. Johnson, and their associates and successors are hereby constituted a body corporate, under the name and style of the Catawba Valley Railroad Company, with a capital stock of five hundred thousand dollars (\$500,000) with power to increase the same to five million, which shall have a corporate existence, and as such, exercise the powers herein granted in perpetuity as body politic, and by that

Location of road.

Corporators.

Corporate name.

Capital stock.

Corporate rights. name sue and be sued, plead and be impleaded in any court of the state of North Carolina, and may have and use a common seal, and shall be capable of purchasing, holding and conveying estate, real, personal and mixed, and of receiving the same by gift or purchase, for the purposes herein contemplated; and the said company shall have and enjoy all the rights and immunities which other corporate bodies may lawfully exercise, and may make all necessary by-laws and regulations for its government, not inconsistent with the constitution and laws of North Carolina and the United States.

Shares. SEC. 2. That the capital stock of said company may be created by subscriptions on the part of individuals, municipal or other corporations, in shares of the value of fifty dollars (\$50) each, which may be made in land, timber, labor or money as may be stipulated.

Subscriptions. SEC. 3. That books of subscription may be opened by such persons, at such times and places, and under such rules and regulations as the persons above named, or a majority of them shall direct.

Meeting of stockholders. SEC. 4. That when the sum of fifty thousand dollars (\$50,000) shall have been subscribed to the capital stock of said company by solvent subscribers, a general meeting of the stockholders shall be held after due notice, and such general meeting, a majority of the stockholders being present either in person or by proxy, shall elect a board of directors to consist of not less than nine (9) in number, as the stockholders shall determine; and said directors shall elect one of their number president, and such other officers as the by-laws of said company may prescribe, and may do and perform all other acts necessary to the complete organization of said company, and to carry into effect the object of this charter.

Board of directors. President.

Right to condemn land, &c. SEC. 5. That whenever any land shall be required for the construction of the road, or for warehouses, workshops, water stations, depositories or other buildings or purposes, and for any cause the same cannot be purchased from the owner, the same may be taken by the directors at a valua-

tion to be ascertained as follows: The sheriff of the county in which the said land may be, shall, at the request of the president of said road summon five disinterested freeholders of his county, who shall ascertain the value under oath to be administered by the sheriff, they first deducting the enhanced value of the land caused by said railroad, from such valuation, and adding any particular loss or damage, and upon the payment or tender, by the president of the amount so assessed, the title of the property so seized and appraised shall thereby vest in the said corporation; *Provided*, That either party may appeal to the superior court of the county upon the question of the amount assessed; *And, provided further*, That not more than one hundred feet from the centre of the road shall be liable to be so condemned.

Proviso.

SEC. 6. That said corporation shall have power to borrow money, to issue bonds or other evidences of indebtedness so created, and secure the payment of the same by mortgage of its property and effects, or otherwise; may lease or rent to any other corporation, or any person or persons, their line of railroad upon such terms as may be agreed on; or may in like manner become the lessee of the railroad of any other company; *Provided, however*, That none of the powers granted in this section shall be exercised unless assented to by a majority in interest of the stockholders of said company in a general or special meeting duly assembled.

May borrow money and issue bonds.

May lease road.

SEC. 7. That the board of directors may call for the sum subscribed as stock in said company in such installments as the interest of said company may in their opinion require; *Provided*, That not more than one-half of said subscription shall be called for in one year; the call for each payment shall be published in one or more newspapers in the state for one month before the day of payment, and on failure of any stockholder to pay each installment as thus required, the directors may sell at public auction on a previous notice of twenty days, for cash, all the stock subscribed in said company by such stockholders, and convey the same to the purchaser at said sale; and if the said sale of stock does not produce a sum sufficient to pay off the expenses of sale, and

Payment of stock subscriptions.

the entire amount owing by such stockholder in the company, then and in that case the whole of such balance shall be held as due at once to the company, and may be recovered of such stockholder, his executor, administrator or assigns, at the suit of said company in any court of competent jurisdiction.

Work to be commenced within four years.

SEC. 8. That all the work hereby required shall be executed with due diligence, and if it be not commenced within four years after the ratification of this act, then this charter shall be void.

Municipal corporations and counties may take stock.

SEC. 9. That it shall and may be lawful for an incorporated city, town, township or county in which said railroad may be constructed, to subscribe for such amount of stock in said company as they, or either of them, shall be authorized to do by the qualified voters thereof.

Question to be submitted to voters.

SEC. 10. That the corporate authorities of such city, town, township or county, are authorized to make an order directing the sheriff of the county or the constable of any city, town or township, at such times and on such notice as to them may seem proper, to open a poll and take the sense of the voters of such city, town, township or county, qualified to vote for city, town or township officers, or members of the general assembly; whether the corporate authorities of such city, town, township or county shall subscribe to the stock of said company for such sum as the order shall propose; and the officer superintending such election shall make return of the number voting for or against it to the said corporate authorities; that upon the return of said officer it shall appear that a majority of votes cast at such election are in favor of such subscription, then the said corporate authorities of the said city, town, township or county, shall make the subscription for such city, town, township or county; the said subscription to be paid for in bonds of said city, town, township or county, or in cash, as the said corporate authorities may elect; *Provided, however,* That not more than one-half of the amount thus subscribed, shall be called for in one year; and the said corporate authorities shall cause to be issued city, town, township or county bonds,

payable to said company in sums of not less than five hundred (\$500) dollars each, at such times and places as said authorities may direct; and the said corporate authorities are hereby vested with full power to raise money by taxation to meet any quota of their subscription, or any installment that may be due, and annually on the persons, land or other property within said city, town, township or county, to provide for the payment of the principal and interest of the bond so issued.

SEC. 11. That the profits of the company, or so much thereof as the board of directors may deem advisable, shall, when the affairs of the company will permit, be annually or semi-annually divided among the stockholders in the proportion each may own.

Division of profits

SEC. 12. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 21st day of March, A. D. 1871.

CHAPTER CXLVI.

AN ACT TO LAY OUT AND CONSTRUCT A ROAD THROUGH THE COUNTY OF ASHE.

SECTION 1. *The General Assembly of North Carolina do enact*, That there shall be laid out and established a road commencing at the county line between Ashe and Alleghany, at the mouth of the Piney Fork, of Cranberry creek, and thence the most practicable route to Jefferson.

Location of road.

SEC. 2. That the said road shall be made eighteen feet wide except where there shall be side cutting, and in such places it shall be fourteen feet wide, and in no part of the road shall it rise, on ascending any hill or mountain, more than one foot in eight, and to be well made as herein directed.

Dimensions.

Grade.

SEC. 3. That it shall be the duty of the county commissioners of Ashe to appoint a competent engineer and two

Engineer and commissioners.

commissioners to survey and locate said road, who shall take an oath before the chairman of the board of commissioners of their county to faithfully discharge their duties for the best interest of their county.

Valuation of con-
demned land.

SEC. 4. That if the owners of any lands through which said road shall pass, shall consider him, her or themselves injured thereby, it shall be competent for each person or persons by petition to the county commissioners of the the county praying for a jury to view the premises and assess the damages sustained, and it shall be the duty of the commissioners to order such jury to be summoned as in case of such public roads; and it shall be the duty of the jury to take into consideration the benefit to the land as well as the injury by making such road, and on report of the jury made to and confirmed by the commissioners, the damage shall be paid by the county.

SEC. 5. That if any person or persons shall claim damages and call for a jury to assess them, and none are found, the person or persons so calling shall defray all the expenses in the case.

County Commis-
sioners may en-
force labor on
road.

SEC. 6. That the county commissioners of the county shall have power to call out all the hands of the county liable to work upon public roads under existing laws, who reside within five miles by compass line of said road at such times and for such length of time as will not materially conflict with the farming interests of the county, to construct the road.

No person to work
more than 30 days.

SEC. 7. That no person shall be required to work more than thirty days on said road in any one year.

Township trust-
ees to report
completion.

SEC. 8. That when said road provided for in this act has been constructed as herein provided, it shall be the duty of the township board of trustees, through whose township said road runs, to receive the same and report to the county commissioners that said road has been constructed according to law.

When act to be in
force.

SEC. 9. That this act shall be in force from and after its ratification.

Ratified the 23d day of March, A. D. 1871.

CHAPTER CXLVII.

AN ACT TO AMEND CHAPTER SIXTY-SIX OF PUBLIC LAWS OF ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE AND ONE THOUSAND EIGHT HUNDRED AND SEVENTY, TO CONSTRUCT A ROAD THROUGH THE COUNTIES OF ASHE AND ALLEGHANY.

SECTION 1. *The General Assembly of North Carolina do enact*, That chapter sixty-six of the laws of one thousand eight hundred and sixty-nine and one thousand eight hundred and seventy shall be amended and explained as follows: That the sixth section shall be amended as follows: the county commissioners of Alleghany shall have power to call out all the hands of the county liable to work on the public roads under existing laws who reside within five miles of said road, a compass line.

Amendment to chapter 66, laws of 1869-'70.

SEC. 2. That in section eight, line three, after the word Martin strike out "Corrico" and insert "Carico," and in line five strike out "F. L. Doughtries" and insert "F. S. Doughthen."

Township trustees to report.

SEC. 3. That when the roads provided to be laid out and constructed in chapter sixty-six of the public laws of one thousand eight hundred and sixty-nine and one thousand eight hundred and seventy, have been constructed as therein provided, it shall be the duty of the township board of trustees, through whose townships said roads run, to receive the same and report to the county commissioners that said roads have been constructed according to law.

SEC. 4. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 23d day of March, A. D. 1871.

CHAPTER CXLVIII.

AN ACT TO LAY OUT AND CONSTRUCT A PUBLIC ROAD FROM THE TOWN OF SPARTA, IN ALLEGHANY COUNTY, TO THE VIRGINIA LINE.

Location of road.

SECTION 1. *The General Assembly of North Carolina do enact*, That there shall be laid out and established a public road from Sparta, in Alleghany county, by the most direct and practicable route, to the Virginia line in the direction of Independence and Wytheville.

Description of road.

SEC. 2. That the said road shall be made eighteen feet wide, except where there shall be side cuttings, and in such places it shall be fourteen feet wide.

Surveyor and commissioners to locate road.

SEC. 3. That it shall be the duty of the county commissioners of Alleghany county, to appoint a competent engineer and two commissioners of their respective county to survey and locate said road on the best grade possible, who shall take an oath before the chairman of the county commissioners to faithfully discharge their duties for the best interest of their county.

Valuation of condemned land.

SEC. 4. That if the owners of any lands through which said road shall pass, shall consider him, her or themselves injured thereby, it shall be competent for such persons or person, by petition to the county commissioners of their county, praying for a jury to view the premises and assess the damages sustained; and it shall be the duty of the commissioners to order such jury to be summoned as in case of such public roads, and it shall be the duty of the jury to take into consideration the benefit to the land as well as the injury done by making said road, and on report of the jury made to and confirmed by the commissioners, the damage shall be paid by the county.

SEC. 5. That if any person or persons shall claim damages and call for a jury to assess them, and none are found, the person or persons so calling, shall defray all the expenses in the case.

SEC. 6. That the county commissioners of Alleghany county shall have power to call out all the hands of the county, liable to work on public roads under existing laws, who reside within five miles of said road by compass line, at such times and for such length of time as will not materially conflict with the farming interest of the county to construct the road; *Provided*, That no person shall be required to work more than thirty days on said road in any one year.

County Commissioners of Alleghany may enforce labor.

Proviso.

SEC. 7. That when the said road provided for in this act has been constructed as herein provided, it shall be the duty of the township board of trustees through whose townships said road runs, to receive the same and report to the county commissioners that said road has been constructed according to law.

Township trustees to report completion.

SEC. 8. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 23d day of March, A. D. 1871.

CHAPTER CXLIX.

AN ACT TO CONSTRUCT A RAILROAD FROM KENANSVILLE IN DUPLIN COUNTY TO CLINTON IN SAMPSON COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That for the purpose of constructing a railroad from Kenansville in Duplin county to Clinton in Sampson county, upon such a line as a majority of the stockholders shall determine, Owen R. Kenan, Isaac B. Kelly, J. D. Southerland, Lafayette Hussey, David G. Murphy, L. A. Merriman, Wm. T. Hannaford, William Barden, Col. A. A. McKay, L. A. Powell, John R. Beaman, John Barden, Wm. R. Chesnutt, C. T. Murphy, W. A. Allen, and their associates, successors and assigns, are hereby constituted a body corporate, under the name and style of the Kenansville and Clinton Railroad Company, with a capital stock of two hun-

Location of road.

Corporators.

Corporate name.

Capital stock. dred thousand dollars, with permission to increase it to three hundred thousand dollars, which shall have a corporate existence, and as such shall exercise the powers herein granted in perpetuity as a body politic, and by that name may sue and be sued, plead and be impleaded in every court in the state of North Carolina; and may have and use a common seal, and shall be capable of purchasing, holding, leasing and conveying estate, real, personal and mixed, and of acquiring the same by gift or devise for the purposes herein contemplated; and the said company shall have and enjoy all the rights and immunities which other corporate bodies may lawfully exercise, and may make all necessary by-laws and regulations for its government, not inconsistent with the constitution and laws of the United States, and the state of North Carolina.

Subscription to stock. SEC. 2. That the capital stock of said company may be created by subscriptions on the part of individuals, municipal or other corporations, in shares of the value of fifty dollars each, which may be made in lands, timber, labor or money, as may be stipulated.

Shares. Books of subscription. SEC. 3. That books of subscription may be opened by such persons and at such times and places, and under such rules and regulations as the persons above named, or a majority of them, shall direct.

Meeting of stockholders. SEC. 4. That when the sum of ten thousand dollars shall have been subscribed to the capital stock of said company by solvent subscribers, a general meeting of the stockholders shall be held, after due notice, and such general meeting, a majority of the stockholders being present, either in person or by proxy, shall elect a board of directors, to consist of such number, not less than five, as the stockholders shall determine, and said directors shall elect one of their number president, and such other officers as the by-laws of said company shall prescribe; and may do and perform all other acts necessary to the complete organization of said company, and to carry into effect this charter.

Directors. President. Right to condemn land. SEC. 5. That whenever any land shall be required for the construction of the road, or for warehouses, water stations,

turnouts, workshops, depositories or other buildings or purposes, and for any cause the same cannot be purchased from the owner, the same may be taken by the directors at a valuation to be ascertained as follows: the sheriff of the county in which said land may be, shall, at the request of the president of said road, summon five disinterested freeholders of his county, who shall ascertain the value under oath to be administered by the sheriff, they first deducting the enhanced value of the land caused by said railroad from such valuation, and adding any particular loss or damage, and upon the payment or tender by the president of the amount so assessed, the title of the property so seized and appraised, shall thereby vest in the said corporation; *Provided*, That either party may appeal to the superior court of the county upon the question of the amount assessed; *And provided, further*, that no more than one hundred feet from the centre of the road shall be liable to be so condemned.

SEC. 6. That it shall and may be lawful for the towns of Clinton, Kenansville, Magnolia and Warsaw to subscribe for such amount of stock in said company as they or either of them shall be authorized to do by the voters of said towns in manner and form as hereinafter provided.

Municipal subscriptions.

SEC. 7. That the corporate authorities of said towns are authorized to make an order requiring the constable of any of said towns, or an officer of their own body, at their option, at such times and on such notice as they shall direct, to open a poll and take the sense of the voters of said towns qualified to vote for town officers, whether the corporate authorities of such town shall subscribe to the stock of said company for such sums as the order shall propose; and the officers superintending such election shall make return of the number voting for or against it to the corporate authorities of said town, or the presiding officer thereof; that if upon return of said superintendent of the election it shall appear that a majority of votes are in favor of subscription, then the mayor or presiding officer of said corporate authorities of such town shall make the subscription for such town, the subscription to be paid for in bonds of said town, or in cash,

Question submitted to voters.

as the authorities may elect, and upon such terms as may be agreed upon by said authorities and parties with whom they may negotiate ; and the said corporate authorities shall order their presiding officer to issue bonds, payable to said company, in bonds not less than five hundred dollars each, payable at such times and places as said corporate authorities shall direct, and the said corporate authorities are hereby vested with full power to raise money by taxation to meet any quota of their subscription, or any installment that may be due, and annually on the persons, lands and other property within their town, to provide for the payment of the principal and interest of the bonds so issued.

Subscription, how payable.

Corporation may issue bonds.

SEC. 8. That the president and directors shall have power at any time to borrow money upon the bonds of the company and to secure the same by mortgage or other legal assurance.

Power to lease road.

SEC. 9. That said company shall have the power to lease said road with all its franchises or any part thereof, upon such terms and for such length of time as a majority of the stockholders thereof shall deem best for the interest of the company.

Exclusive right of conveyance.

SEC. 10. That the said company shall have the exclusive right to convey and transport freight and passengers over and along said road, and at such rates as said company shall prescribe.

When act to take effect.

SEC. 11. That this act shall take effect from its ratification, and all laws and clauses of laws coming in conflict with its provisions are hereby repealed.

Ratified the 23d day of March, A. D. 1871.

CHAPTER CL.

AN ACT TO INCORPORATE THE OXFORD AND HENDERSON RAIL-ROAD COMPANY.

SECTION 1. *The General Assembly of North Carolina do enact*, That a company is authorized to be formed with a capital stock not exceeding five hundred thousand dollars to be divided into shares of one hundred dollars each, to be called and known as the "Oxford and Henderson Railroad Company," for the purpose of constructing a railroad with one or more tracks, to be used with steam or other motive power, from some point on the Raleigh and Gaston Railroad within one mile of the depot at Henderson, in the county of Granville, over the most practicable route through the county of Granville, to such point within one mile of the courthouse at Oxford, in Granville county, as by said company shall be deemed most eligible; and such company when formed as hereinafter directed, shall have power to receive, possess, own and transfer, real and personal property and estate; to have a common seal, and to pass such by-laws not inconsistent with the laws of this state, as may be necessary to carry out the objects of the corporation, shall be capable in law of suing and being sued, pleading and being impleaded, and shall have and enjoy all the rights of other corporate bodies under the laws of this state; to have land condemned for the right of way according to existing laws, and for all other purposes necessary to carry into effect the purposes of said company, and shall generally possess all the rights, privileges and immunities, and be subject to the limitations and restrictions of corporate bodies in this state; and shall have the exclusive right to transfer and carry persons, produce, merchandize and mineral on and along such railroad at such prices as they may fix.

Capital stock.

Shares.

Corporate name.

Location of road.

Corporate rights.

Condemn land.

Exclusive right of conveyance.

SEC. 2. That for the purpose of creating the capital stock of such company, Russel H. Kingsbury, Henry C. Herndon, J. W. Hays, James C. Cooper, John G. Jones, Tazwell L.

Corporators.

Hargrove, William V. Gregory, John Blacknall, Rob't W. Lassiter, Edward B. Lyon, Henry H. Burwell, Wesley W. Young, William R. Beasley, Isaac J. Young, Willis S Grandy, L. C. Taylor, A. Landis and William H. Reavis, or any three of them are hereby appointed commissioners, whose duty it shall be as soon after the passage of this act as may be, to appoint such commissioners to open books of subscription at such places and at such times as to them shall seem best, and under such rules and regulations as they may prescribe; such subscriptions or any part thereof may be received payable in money, lands, labor or material necessary in the construction of said road, bonds, stocks or other valuable credits in such manner, and on such terms as shall be agreed between said company or its commissioners or agents, and such subscribers.

Stock subscrip-
tions.

Meeting of stock-
holders.

SEC. 3. That whenever the sum of ten thousand dollars shall have been subscribed to the capital stock of said company, it shall be the duty of the commissioners aforesaid, any three of whom may act, to call a general meeting of the stockholders after giving notice as to them shall seem sufficient, and at such times and places as they shall determine, and at all general meetings of said stockholders, not less than a majority of all the stock subscribed shall constitute a quorum for the transaction of business; and said stockholders when so met in general meeting, shall have power, and it shall be their duty to elect a president and five directors for said company; and in electing such president and directors, and in enacting such laws as may be necessary, each share of stock represented in person or by proxy, shall be entitled to one vote; *Provided*, If a majority of such stockholders shall not attend said first general meeting, such as do attend, and are present, may adjourn from time to time until a majority shall appear in person or by proxy.

President and di-
rectors.

Manner of paying
stock subscrip-
tions.

SEC. 4. That it shall be the duty of said stockholders at their first general meeting to prescribe the manner and time in which payment of stock on the subscription books shall be made.

SEC. 5. That it shall be the duty of the president and directors of said company to appoint a treasurer who shall remain in office such a length of time as the company in their by-laws shall determine; and said president and directors shall remain in office one year and until others are chosen, and shall have a general direction and management of the affairs of said company, and shall appoint some suitable person as engineer, whose duty it shall be to make the necessary surveys for the location of said railroad, and furnish the president and directors with such survey or surveys, and estimates of the cost. Said directors shall have power to fill any vacancy that may occur in their board, and in the absence of the president, elect one for the time. They shall also appoint a secretary, whose duty it shall be to keep a fair and correct record of the proceedings of said board, and of all the proceedings of the stockholders in general meeting in a book to be provided for that purpose.

Treasurer.

Terms of office.

Surveys.

Vacancies.

Secretary.

SEC. 6. That the president or board of directors shall, at least once a year, make a full report on the state of the company, and its affairs, to a general meeting of the stockholders, and oftener if required by any by-laws of the company, and also call a general meeting of the stockholders, whenever they may deem it expedient; and the company may provide in their by-laws for occasional meetings being called and prescribe the mode thereof.

Annual report.

SEC. 7. That all persons, the commissioners of any county or the authorities of any corporation shall have full power and authority to subscribe to the capital stock of said company to the amount they shall be authorized to do by the inhabitants of said county or incorporated town, or the proper authorities of any corporation, to the amount they shall be authorized to do by the inhabitants of said county or town; and they may issue bonds, or other evidence of debt to enable them to borrow money to pay such subscription. The said subscription to be made by any agent or agents of such county, town or corporation properly authorized by them to make the same. When so made shall be binding on such county, company or corporate body in

Municipal and corporate subscriptions.

the same manner, and to the same extent that it is on the individual subscriber; and such body corporate or company or county shall be represented in all general meetings of the stockholders.

SEC. 8. That if the capital stock of said company authorized by this charter be insufficient to carry out the purposes of the same, it may be increased by said company to one million dollars.

SEC. 9. That said company may begin the construction of said road at any point on the line of location according to their discretion; and that for any portion of said road actually constructed, the said company shall be entitled to all the privileges of this act into and over such part so constructed.

SEC. 10. For the purpose of securing the building of said road, the company shall have power to mortgage, sell or lease the same, with all its franchises or any part thereof.

SEC. 11. That this act shall be in force from and after its ratification.

Ratified the 25th day of March, A. D. 1871.

CHAPTER CLI .

AN ACT TO EXTEND THE TIME OF GEORGE NICKS, FORMER SHERIFF OF YADKIN, AND OTHERS, TO SETTLE WITH THEIR COUNTY TREASURERS.

SECTION 1. *The General Assembly of North Carolina do enact*, That George Nicks, former sheriff of Yadkin county, Joseph Pointer, former sheriff of Person county, G. G. Bristol, tax collector of Clay county, and J. T. Ferguson, sheriff of Wilkes county, be allowed until the first day of July, one thousand eight hundred and seventy-one, to make their final settlement with the county treasurers of said counties; *Provided*, That the said George Nicks, Joseph Pointer, G. G. Bristol and J. F. Ferguson shall not retain in their hands,

Increase of capital stock.

Manner of construction.

When act to be in force.

Extension of time to certain sheriffs.

Proviso.

at one time, over one hundred dollars of the public money by them collected.

SEC. 2. That the said George Nicks, Joseph Pointer, G. G. Bristol and J. T. Ferguson are hereby relieved of all pains and penalties incurred in consequence of a failure to settle with the county treasurers according to law; *Provided*, Said county taxes are paid by the said first day of July.

Relieve from penalties.

Proviso.

SEC. 3. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 25th day of March, A. D. 1871.

CHAPTER CLII.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF ANSON COUNTY TO LEVY A SPECIAL TAX FOR COUNTY PURPOSES.

SECTION 1. *The General Assembly of North Carolina do enact*, That the commissioners of Anson county shall have full power and authority to levy a special tax not to exceed the sum of twenty-five thousand dollars for the purpose of completing the courthouse and jail, and paying the interest on bonded debt of Anson county.

Limit of tax.

Object.

SEC. 2. That said tax shall be levied at the same time and collected in the same manner as the other county taxes for and during the year one thousand eight hundred and seventy-one.

Manner and time of collection.

SEC. 3. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 25th day of March, A. D. 1871.

CHAPTER CLIII.

AN ACT TO LEGALIZE CERTAIN ACTS OF THE COUNTY COMMISSIONERS OF MITCHELL COUNTY.

New townships
legalized.

SECTION 1. *The General Assembly of North Carolina do enact*, That the act of the county commissioners of the county of Mitchell, abolishing certain townships in said county, and establishing and creating other townships in said county, be and the same is hereby declared lawful and valid to all intents and purposes as if the same had been laid off and established when townships were first laid off by the county commissioners of said county; *Provided*, The present board of commissioners shall unanimously agree thereto.

Proviso.

When act to be in
force.

SEC. 2. This act shall be in force from and after its ratification.

Ratified the 25th day of March, A. D. 1871.

CHAPTER CLIV.

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF TYRRELL TO LEVY A SPECIAL TAX.

Limit and object
of tax.

SECTION 1. *The General Assembly of North Carolina do enact*, That the county commissioners of Tyrrell county are hereby authorized to levy a special tax, not to exceed two thousand dollars, to pay off the indebtedness of said county.

SEC. 2. That the same tax shall be levied on the poll that is levied upon three hundred dollars worth of property.

Act to be submit-
ted to people.

SEC. 3. That this act shall not go into effect until the same shall have been submitted to the people of the county

of Tyrrell, at an election to be held under the direction of the commissioners of said county and a majority of the votes polled shall have been cast in favor of the tax herein provided for; and when so ratified it shall go into effect.

When act to take effect.

Ratified the 27th day of March, A. D. 1871.

CHAPTER CLV.

ARTICLES EXHIBITED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH CAROLINA IN THE NAME OF THEMSELVES AND ALL THE PEOPLE OF THE STATE OF NORTH CAROLINA, AGAINST EDMUND W. JONES, JUDGE OF THE SECOND JUDICIAL DISTRICT OF NORTH CAROLINA, IN MAINTENANCE AND SUPPORT OF THEIR IMPEACHMENT AGAINST HIM FOR HIGH MISDEMEANORS IN OFFICE.

ARTICLE I.

That the said Edmund W. Jones, judge of the superior court for the second judicial district of North Carolina, on the eighteenth day of March, in the year of our Lord one thousand eight hundred and seventy-one, at Raleigh, in the county of Wake, and state of North Carolina, unmindful of the solemn duties of his station, and in contempt and violation of the law, on the morning of said day in a state of drunkenness, rode in a public omnibus through the public street of said city to the public station of the North Carolina Railroad, at or near said city, when in a state of drunkenness; he passed from said omnibus with the aid of others to a public passenger coach on said railroad, destined for the town of Goldsboro' to the great scandal of his office, and the contempt of all good citizens.

Article I.

ARTICLE II.

That the said Edmund W. Jones, judge of the superior court, for the second judicial district of North Carolina, on

Article II.

the eighteenth day of March, one thousand eight hundred and seventy-one, at the town of Goldsboro', in the county of Wayne and state of North Carolina, unmindful of the solemn duties of his station, and in contempt and violation of the law, on the afternoon of said day, in a state of intoxication, passed from a public railroad station through a public street in said town to the public hall at Gregory's hotel in said town, when in a said state of drunkenness, with a bottle of spirituous liquor in his hand, he remained for some time, that is to say, for the space of half an hour, to the great scandal of his office and the contempt of all good citizens.

ARTICLE III.

Article III.

That the said Edmund W. Jones, judge of the superior court of the second judicial district of North Carolina, on the eighteenth day of March, in the year of our Lord one thousand eight hundred and seventy-one, at or near the town of Tarboro', in the county of Edgecombe, and state of North Carolina, at a public railroad depot on the evening of said day, unmindful of the solemn duties of his station, and in contempt and violation of the law, in a state of drunkenness, was assisted from a railroad coach to a public omnibus, and in said conveyance through the public streets of said town rode to a public hotel, where he was again assisted in said state of drunkenness to said public hotel, to the great scandal of his office and the contempt of all good citizens.

ARTICLE IV.

Article IV.

That said Edmund W. Jones, judge of the superior court for the second judicial district of North Carolina, on the twentieth day of March, in the year of our Lord one thousand eight hundred and seventy-one, at the town of Williamston, in the county of Martin and state of North Carolina, whither the said Edmund W. Jones, as judge aforesaid, had gone in the discharge of his official duties, said twentieth day of March, being the regular day appointed by law for

the holding of the superior court of said county, over which court the said Edmund W. Jones was to preside as judge, unmindful of the solemn duties of his station, and in contempt and violation of the law, in a state of drunkenness in a public street, and at a public hotel in said town, was and continued to be to the great scandal of his office and the contempt of all good citizens.

ARTICLE V.

That said Edmund W. Jones, judge of the superior court Article V. for the second judicial district of North Carolina, on the twenty-first day of March, anno domini one thousand eight hundred and seventy-one, at Williamston, in the county of Martin and state of North Carolina, unmindful of the solemn duties of his office and in contempt and violation of the law, in a state of drunkenness, was seen in a public street and in a public hotel in said town of Williamston, said twenty-first day of March, being a day during the regular term of the superior court of said county, set apart by the said Edmund W. Jones for the hearing of a cause at chambers, before him, the said Edmund W. Jones, as judge in said town, to the great scandal of his office and contempt of all good citizens.

And the house of Representatives by protestation, saving Demand for trial. to themselves the liberty of exhibiting at any time hereafter any further articles or other accusation of impeachment against the said Edmund W. Jones, and also of replying to his answers which he shall make unto the articles herein preferred against him, and of offering proof to the same and every part thereof, and to all and every other article, accusation or impeachment which shall be exhibited by them as the case shall require, do demand that the said Edmund W. Jones, may be put to answer the high misdemeanors in office herein charged against him, and that such proceedings, examinations, trials and judgements may be thereupon had and given as may be agreeable to law and justice.

Adopted the 27th day of March, A. D. 1871.

CHAPTER CLVI.

AN ACT SUPPLEMENTAL TO AN ACT ENTITLED AN ACT CREATING
A COMMISSION TO ENQUIRE INTO CHARGES OF CORRUPTION
AND FRAUD, RATIFIED THE EIGHTH DAY OF FEBRUARY, ONE
THOUSAND EIGHT HUNDRED AND SEVENTY-ONE.

Extension of pow-
ers to investiga-
ting committee.

SECTION 1. *The General Assembly of North Carolina do enact*, That the powers and duties of the commissioners appointed under the said act of February eighth, one thousand eight hundred and seventy-one, shall extend to an investigation of, and inquiry into, the issue and disposition of all bonds, or the proceeds thereof, and of all matters appertaining thereto, under any ordinance or ordinances of any convention or under any act of the general assembly, made and passed since the 20th day of May, one thousand eight hundred and sixty-five, and to the sale by the public treasurer of the bonds called first mortgage bonds of the North Carolina Railroad, issued by said road to the state as the state's portion of the dividend declared by the directors of said road on the — day of October, one thousand eight hundred and sixty-eight.

Sessions of com-
mittee.

SEC. 2. That said commissioners shall have the power, whenever in their judgment the public interest shall require it, of holding their sessions at such points in the state as they may think necessary.

Quorum.

SEC. 3. That any two of said commissioners shall constitute a quorum to do business and exercise all powers of said commission.

Powers of indi-
vidual members.

SEC. 4. That said commissioners, or any one of them when acting alone as provided in section one of the said act of February eighth, one thousand eight hundred and seventy one, shall have the same powers to compel the attendance of witnesses and to punish for contempt as is now possessed and exercised by judges of the superior courts, and to require the attendance of the sheriff of the county in which the said commission or any one of them may be in session.

SEC. 5. That said commission may, in their discretion, use any part or parts of the report commonly known as the Bragg Investigating Committee's report, either in their investigation or in their report; *Provided, nevertheless*, That they may re-examine any or all the witnesses whose testimony is therein given.

Report of other investigating committee.

SEC. 6. That they shall make their report to the general assembly at its next session, or at an earlier period to the governor, if they shall conclude their labors before the next session of the general assembly, and upon their recommendation, the governor shall cause such suits to be brought, or such criminal prosecutions to be instituted from time to time as may be by them deemed necessary to accomplish the purposes and intent of this act and of the aforesaid act to which this is supplemental.

Commission to report.

Suits to be brought.

SEC. 7. That if any vacancy shall occur in said commission by death, resignation, or refusal to act of any of said commissioners, or otherwise, said vacancy shall be filled by the appointment of the president of the senate and the speaker of the house of representatives, or by appointment by either of them in case of a vacancy in the office of the other.

Vacancy in commission.

SEC. 8. That this act is in force from its ratification.

Ratified the 28th day of March, A. D. 1871.

When act to be in force.

CHAPTER CLVII.

AN ACT TO LIMIT THE POWERS OF TOWNSHIP TRUSTEES WITHIN THE COUNTIES OF CHEROKEE, CLAY, JACKSON, HENDERSON, MADISON, WATAUGA AND CARTERET.

SECTION 1. *The General Assembly of North Carolina do enact*: That the township board of 'trustees for any township in the counties of Cherokee, Clay, Jackson, Henderson, Madison, Watauga and Carteret shall have no power to levy

Limits of taxation in certain counties.

a tax for any purpose, within their township, to exceed one-sixth of one per cent. upon any subject of taxation whatever.

SEC. 2. That all laws and clauses of laws coming in conflict with this act are hereby repealed.

When act to be in force.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified the 29th day of March, A. D. 1871.

CHAPTER CLVIII.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF CABARRUS COUNTY TO LEVY A SPECIAL TAX.

Annual special tax.

SECTION 1. *The General Assembly of North Carolina do enact*, That the board of commissioners of Cabarrus county shall be authorized to levy a special annual tax for the term of three years, viz: for the years one thousand eight hundred and seventy-one, one thousand eight hundred and seventy-two and one thousand eight hundred and seventy-three, not to exceed ten cents for each year on the one hundred dollars value, of all the real and personal property, for the purpose of building an addition to and repairing the courthouse and for building a bridge over Rocky river, said tax to be levied and collected [as] other taxes.

Limit and object.

Question to be submitted to voters.

SEC. 2. That no tax shall be levied under this act until the question shall be submitted to the qualified voters of the county at an election to be held under the direction of the commissioners and approved by a majority of those voting thereon.

When act to take effect.

SEC. 3. That this act shall take effect from its ratification, but it shall have no force until approved as required by section two of this act.

Ratified the 29th day of March, A. D. 1871.

CHAPTER CLIX.

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF HERTFORD TO LEVY AND COLLECT A SPECIAL TAX.

SECTION 1. *The General Assembly of North Carolina do enact*, That the county commissioners of the county of Hertford, be and they are hereby authorized to levy and collect a special tax within their county, in sums as may from time to time be required, and not exceeding in the whole four thousand dollars, to be applied to the construction and re-building of a court house therein.

Object and limit of special tax.

SEC. 2. That the tax herein mentioned shall not be levied unless approved by a majority of the qualified voters of said county, to be ascertained by an election held for that purpose at such time as the commissioners shall appoint, and to be conducted as prescribed by law for the election of members of the general assembly.

To be submitted to the voters of the county.

SEC. 3. That at such election all such as favor the tax shall vote a ballot in which are the words "For the special tax," and those who are opposed to it shall vote a ballot in which are the words "Against the special tax."

SEC. 4. The commissioners shall meet within five days after such election, and ascertain and declare the vote; and also determine whether a majority of the qualified voters of their county have voted for said tax, and shall cause the same to be entered on their records as conclusive evidence of the fact.

Commissioners to declare result.

SEC. 5. That this act shall be in force on and after the day of its ratification.

When act to be in force.

Ratified the 29th day of March, A. D. 1871.

CHAPTER CLX.

AN ACT TO ABOLISH THE SPECIAL COURTS OF THE CITIES OF
NEWBERN AND WILMINGTON.

Repeal of certain
acts.

SECTION 1. *The General Assembly of North Carolina do enact*, That the following acts and parts of acts be and the same are hereby repealed, to-wit: an act entitled an act to establish special courts in the cities of Wilmington and Newbern, ratified the eleventh day of August, anno domini one thousand eight hundred and sixty-eight, (chapter twelve, acts of one thousand eight hundred and sixty-eight,) section one of an act entitled an act to amend the charter of the city of Wilmington, ratified the eighteenth day of December, anno domini one thousand eight hundred and sixty-eight, being chapter five, private laws of one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, and an act entitled an act to amend an act entitled an act to establish special courts in the cities of Wilmington and Newbern, ratified the fifth day of February, anno domini one thousand eight hundred and seventy, found in chapter thirty-seven, public laws of one thousand eight hundred and sixty-nine and one thousand eight hundred and seventy.

Special court of
Wilmington abol-
ished.

SEC. 2. That the special court of the city of Wilmington be and the same is hereby abolished.

When act to be in
force.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified the 30th day of March, A. D. 1871.

CHAPTER CLXI.

AN ACT TO CHANGE THE TIME OF HOLDING THE SUPERIOR COURT OF NEW HANOVER COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That there shall be four terms of the superior courts of the courts of New Hanover in each year, to be held for two weeks, unless the business be sooner disposed of, and that the time for holding the said courts shall be as follows, viz: on the second Monday in February, the fourteenth Monday after the fourth Monday in February, the second Monday in August, and the fourteenth Monday after the fourth Monday in August; *Provided, however*, There shall be no court held for the county of New Hanover on the second Monday in February, anno domini one thousand eight hundred and seventy-one.

Time of holding court for New Hanover county.

SEC. 2. That all precepts, recognizances and other legal proceedings in civil and criminal cases which have been already issued and had, or which may be hereafter issued and had, returnable to the next term of said court, shall be deemed and held returnable to the next term of said court as now fixed by this act, and all persons who have been recognized or bound, or summoned to appear at the next superior court of said county, are hereby required to appear at the time prescribed by this act.

Returns to next term of court.

SEC. 3. That the secretary of state shall forthwith furnish the sheriff and clerk of the superior court of New Hanover, each with a duly certified copy of this act.

Secretary of State to furnish copies of act to certain officers.

SEC. 4. That all laws and parts of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 5. That the judge holding said additional terms herein provided for, and the solicitor attending the same, shall be allowed the same additional compensation for their services, to be paid in like manner as they would be if the said terms were special terms.

Additional compensation to Judge and Solicitor.

SEC. 6. That this act shall take effect from its ratification. Ratified the 30th day of March, A. D. 1871.

When act to take effect.

CHAPTER CLXII.

AN ACT IN RELATION TO ROAD STEAMERS.

Road steamers
may be run upon
public roads.

SECTION 1. *The General Assembly of North Carolina do enact*, That it shall be lawful for any person or persons to run and use traction engines and road steamers upon the public roads in North Carolina.

New road author-
ized to be con-
structed.

SEC. 2. That the Lexington Copper Mining Company, a company organized under the laws of New York, and now working mines in Davidson county, be and is hereby authorized to make, construct and maintain a road suitable for road steamers from Davidson Copper mines to any points on North Carolina Railroad.

Right to condemn
land.

SEC. 3. That whenever any lands may be required for the said road or roads, its branches and connections, and an agreement cannot be made with the owner thereof, the said company or its agent may apply to the township board of trustees, in writing, to cause the damages, if any to be assessed, by five referees who shall be entirely disinterested, either directly or indirectly, whereupon it shall be the duty of the clerk to call upon the party filing the petition to name two of the referees and to notify the other party to name two others within five days of the service of the notice; and the clerk shall appoint the fifth referee in all cases; but should either party have failed to appoint at the expiration of five days after the notice is served upon the defendant as above provided for, then the clerk shall appoint others to make up the number of five, and the whole of them in case both of the parties should have failed to appoint. The clerk shall issue notice to the referees to attend on the lands on account of which the petition is filed, and lay off the right of way, which shall extend seven feet on each side of the centre of the track, and assess the damages, if any, of the owner of the land, taking into consideration any advantages that may arise from building said road, and return their award in writing, under oath, within ten days; but if either party

is dissatisfied, and notify the clerk in writing of his intention to appeal to the next term of the superior court, such party shall have five days to give an appeal bond, with two sufficient securities, in such sum as the clerk may fix, to cover costs and damages; and both parties may appeal from the same awards, and the trial in the superior court shall be *de novo*, and the facts submitted to a jury if either party requests it. But as soon as the award is filed, whether there be an appeal or not, the company may enter upon the lands and use them in constructing said track.

Right of appeal.

SEC. 4. This act shall take effect from its ratification.

When act to take effect.

Ratified the 30th day of March, A. D. 1871.

CHAPTER CLXIII.

AN ACT FOR THE RELIEF OF THE TAX PAYERS OF BUNCOMBE COUNTY.

WHEREAS, In many of the townships of the county of Buncombe a burdensome tax was imposed by the late board of county commissioners of said county, for free school purposes for the year ending the thirtieth day of September, anno domini one thousand eight hundred and seventy; and whereas, it appears by the annual report of the superintendent of public instruction for said year that no free schools were taught in said county, and no expense for such purpose was incurred; now therefore, for the relief of the taxpayers of said county,

Preamble.

SECTION 1. *The General Assembly of North Carolina do enact*, That the tax levied upon the several townships of said county of Buncombe for free school purposes for the year ending the thirtieth day of September, anno domini one thousand eight hundred and seventy, shall not be collected, and it is hereby made the duty of the board of county commissioners for said county to have refunded to every per-

School tax not to be collected.

son who has heretofore paid such tax, the amount so paid by such person.

SEC. 2. That it shall not be lawful for the sheriff, tax collector, any township constable or other officer of said county of Buncombe to collect said tax from any person.

When act to be in force.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified the 30th day of March, A. D. 1871.

CHAPTER CLXIV.

AN ACT TO AUTHORIZE THE ALBEMARLE SWAMP LAND COMPANY TO CONSTRUCT A RAILROAD FROM PANTEGO TO INDIAN RIVER, IN BEAUFORT COUNTY.

Location of road.

SECTION 1. *The General Assembly of North Carolina do enact*, That the Albemarle Swamp Land Company, incorporated by act of assembly, ratified the nineteenth day of February, one thousand eight hundred and sixty-seven, shall have authority to lay out, construct and maintain a railroad from Pantego, in the county of Beaufort, to some point at or near Indian river, in said county.

County road.

SEC. 2. That the commissioners of the county of Beaufort shall have authority to lay out and construct a public county road by the side of said railroad.

Right to condemn land.

SEC. 3. That said company shall have authority to have the land over which the said railroad shall pass condemned, and the same may be taken by the company at a valuation to be ascertained as follows: the sheriff of the county of Beaufort shall, at the request of the president of said Albemarle Swamp Land Company, summon five disinterested free holders of his county who shall ascertain the value under oath to be administered by the sheriff, to act impartially in assessing the same, they first deducting the enhanced value of the land caused by said railroad from such valuation, and

adding any particular loss or damage; and upon the payment or tender by the president of the amount so assessed, the title of the property so seized and appraised shall there- by vest in said corporation; *Provided*, That either party may appeal to the superior court of the county upon the question of the amount assessed; and *psovided, further*, that not more than forty feet on each side of said road shall be so condemned, exclusive of the public county road.

Right of appeal.

SEC. 4. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 30th day of March, A. D. 1871.

CHAPTER CLXV.

AN ACT IN RELATION TO OBSTRUCTIONS IN NOTTALAH AND
 HIAWASSEE RIVERS, IN CHEROKEE COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That it shall be unlawful for any person or persons to build or continue dams or other obstructions across more than two-thirds of the waters of Nottalah and Hiawassee rivers.

Obstructions in Nottalah and Hiawassee rivers.

SEC. 2. That any person or persons violating this act shall be deemed guilty of a misdemeanor, and on conviction before any justice of the peace in said county of Cherokee, shall forfeit and pay the sum of five dollars for each day such obstruction shall have been continued in either of the aforesaid rivers at any point in Cherokee county.

Penalty for violation of this act.

SEC. 3. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 30th day of March, A. D. 1871.

CHAPTER CLXVI.

AN ACT TO AMEND SECTION ONE HUNDRED AND NINETY-NINE,
CHAPTER FOUR OF THE CODE OF CIVIL PROCEDURE, CON-
CERNING ATTACHMENTS.

Amendment to
Code of Civil Pro-
cedure.

SECTION 1. *The General Assembly of North Carolina do enact*, That section one hundred and ninety-nine, chapter four, of the code of civil procedure concerning attachments, be and the same is hereby amended to read and declare as follows: If the action be not founded on a contract, or if the sum demanded exceed two hundred dollars, a warrant of attachment may be obtained from the judge of the district embracing the county in which the action has been instituted, or from the clerk of the superior court from which the summons in the action issued; and it may be issued to any county in the state where the defendant has property, money, effects, choses in action or debts due him, and shall be made returnable in term time to the court from which the summons issued.

Warrant of attach-
ment.

SEC. 2. That the warrant of attachment may be issued upon affidavit, for any of the causes mentioned in section two hundred and one of the code of civil procedure.

How served.

SEC. 3. That when the warrant of attachment is taken out at the time of issuing the summons, and the summons is to be served by publication, the order shall direct that notice be given in said publication to the defendant of the issuing of the attachment, and when the warrant of attachment is obtained after the issuing of the summons, the defendant shall be notified by publication of the fact for four successive weeks in some newspaper published in the county to which it is returnable, or if there be none such, then in one published in the judicial district including said county, and if there be no newspaper published in the district, then in any newspaper published in the state. Said publication shall state the names of the parties, the amount of the claims, and in a brief way the nature of the demand and the time and the place

to which the warrant is returnable ; *Provided, however,* That no irregularity in the publication of the warrant of attachment, summons, leading or other process, or otherwise, or in the issuance of the summons, leading or other process or otherwise, shall render invalid any proceedings by attachment, since the adoption of the code of civil procedure and prior to the ratification of this act, and all proceedings in case of attachment commenced since the ratification of the code of civil procedure, are hereby declared valid to all intents and purposes, any irregularity in the particulars aforesaid to the contrary notwithstanding ; *Provided,* That in proceedings by attachment begun and had before justices of the peace, such advertisement in a newspaper shall not be necessary, but in all such cases, advertisement at the court house door and at four other public places in the connty shall be sufficient.

Proviso.

Certain proceedings declared valid.

Proviso.

SEC. 4. Section one hundred and ninety-eight, of the code of civil procedure, except so far as amended by an act of the general assembly of North Carolina, entitled an act to make certain amendments in the code of civil procedure, ratified the first day of April, anno domini one thousand eight hundred and sixty-nine, and all other laws and parts of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 5. That this act shall be in force from and after its ratification, and shall be liberally construed.

When act to be in force.

Ratified the 31st day of March, A. D. 1871.

CHAPTER CLXVII.

AN ACT TO INCORPORATE THE GEORGIA AND NORTH CAROLINA RAILROAD COMPANY.

SECTION 1. *The General Assembly of North Carolina do enact,* That for the purpose of constructing a railroad of one or more tracks from some point on the Georgia line in

Location of road.

Cherokee county, North Carolina, to some point on the Tennessee line in Swain or Cherokee county, North Carolina, to be hereafter determined, on the most advantageous route in the opinion of the company hereinafter named or their legal representatives, or the nature of the route will permit,

Corporators. L. W. Davidson, M. Fain, M. C. King, R. D. McCombe, J. W. Cooper, F. P. Axley, Samuel Henry, A. J. Loyd, and W. J. R. McConnell, and their associates, successors and assigns, are constituted a company, and are hereby incorporated under the name and style of the Georgia and North Carolina Railroad Company, with a capital stock of five hundred thousand dollars, with the privilege of increasing the same to five million of dollars, which shall have a corporate existence as a body politic for the space of ninety-nine years, and by that name may sue and be sued, plead and be impleaded, in every court of the state of North Carolina, and may have and use a common seal, and shall

Corporate name.

Capital stock.

Corporate rights. be capable of purchasing, holding and leasing and conveying estate, real and personal and mixed, and acquiring the same by gift or devise, so far as may be necessary for the purpose herein contemplated, and the said company may enjoy all the rights and immunities which other corporate bodies may lawfully exercise, and may make all necessary by-laws and regulations for its government, not inconsistent with the constitution and laws of North Carolina and the United States.

Subscriptions to stock.

SEC. 2. The capital stock of said company may be created by subscription on the part of individual, municipal and other corporations, in shares of the value of one hundred dollars each, which may be made in lands, timber, work or money, as may be stipulated.

Books of subscription.

SEC. 3. That books of subscription to the capital stock of said company may be opened by the following commissioners, to-wit: at Murphy, North Carolina, by L. W. Davidson, M. Fain, M. C. King, R. D. McCombe, J. W. Cooper, F. P. Axley, Samuel Henry, A. J. Loyd and W. J. R. McConnell, and by such other persons and at such other places as they or a majority of them may direct, and that twenty days

notice of the opening of said books shall be given in one or more newspapers; and furthermore, that the said commissioners or any five of them may, at any time after said books have been kept open for the space of thirty days and the sum of thirty thousand dollars has been subscribed to the capital stock of said company, and five per cent. paid thereon, have power to call together the subscribers to said stock for the purpose of completing the organization of said company, and the said subscribers shall be and are hereby declared incorporated into a company by the said name and style of the Georgia and North Carolina Railroad Company.

Meeting of subscribers.

SEC. 4. That said company may hold annual meetings of the stockholders, and oftener if necessary, and at its organization and the annual meetings subsequent thereto, twelve directors shall be elected by the stockholders to hold office for one year or until their successors shall be elected, and any of the said meetings shall have power to make or alter the by-laws of the company; *Provided*, That in all such meetings of the stockholders a majority of the stock subscribed shall be represented in person or by proxy, which proxy shall be verified in the manner prescribed by the by-laws of the company, and each share thus represented shall be entitled to one vote on all questions. That it shall be the duty of the directors to elect one of their number as president of the company, and to fill all vacancies in the board.

Annual meetings.

Directors.

President.

SEC. 5. That after the company shall be organized as aforesaid, the board of directors shall proceed to locate and have constructed as speedy as possible on the route they may find most practicable, a railroad from and to the points indicated in section one of this act, to be fixed by them; that the said company shall have the exclusive right of conveyance or transportation of persons, goods, merchandize and produce on the said railroad to be by them constructed, at such charges as may be fixed by a majority of its directors; that said company may assign or lease their franchises or their rights of transportation on said road to any person or persons or corporations.

Exclusive right of conveyance.

May lease their franchise.

Further powers. SEC. 6. That said company shall have the power to use and enforce the payment of stock subscribed as was heretofore granted to the North Carolina Railroad Company by the charter of incorporation, and shall have power to condemn lands for the use of the company when a contract of purchase cannot be made with the owner thereof to the same extent and in the same manner, and under the same rules, regulations and restrictions as the said North Carolina Railroad Company was authorized to do by the act of incorporation.

May condemn land.

Contracts. SEC. 7. That all contracts made and entered into by the president or superintendent of the company, either with or without seal, shall be binding upon said company, and the president shall, under the instructions of the board of directors, issue certificates of stock to stockholders, which shall be transferable by the by-laws of the company.

When act to be in force.

SEC. 8. That this act shall be in force from and after its ratification.

Ratified the 31st day of March, A. D. 1871.

CHAPTER CLXVIII.

AN ACT TO AMEND SECTION ONE, CHAPTER TWO HUNDRED AND EIGHT, PUBLIC LAWS OF ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT AND ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE, ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF COMMISSIONERS OF NAVIGATION AND PILOTAGE FOR THE PORT OF BEAUFORT, NORTH CAROLINA.

Amendment to chapter 208, laws of 1868-'69.

SECTION 1. *The General Assembly of North Carolina do enact*, That section one of an act to provide for the election of commissioners of navigation and pilotage for the port of Beaufort, North Carolina, be so amended as to allow the city

of Morehead to elect two of said commissioners under the same rules and regulations as are already prescribed in said act.

SEC. 2. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 31st day of March, A. D. 1871.

CHAPTER CLXIX.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF STOKES TO LEVY A SPECIAL TAX.

SECTION 1. *The General Assembly of North Carolina do enact,* That the county commissioners of Stokes county be and they are hereby authorized to levy a special tax on all the taxable property of said county for the purpose of building a poor house and for other purposes; *Provided,* The question of levying said tax shall first be submitted to the qualified voters of said county; *And, provided further,* That in making such levy the equation prescribed for in the constitution between polls and other taxes shall be observed. Object of tax.
Question to be submitted to people.

SEC. 2. That the amount of said taxes shall not exceed five thousand dollars. Limitation of tax.

SEC. 3. That said taxes shall be levied and collected in the same manner, and accounted for in every particular as all other county taxes are. How levied.

SEC. 4. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 31st day of March, A. D. 1871.

CHAPTER CLXX.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF ROCKINGHAM COUNTY TO ISSUE BONDS FOR THE PURPOSE OF FUNDING AND PAYING OFF THE COUNTY DEBTS.

Commissioners
may issue coupon
bonds.

SECTION 1. *The General Assembly of North Carolina do enact*, That in order to liquidate the past debts of the county of Rockingham, the commissioners of said county are hereby authorized to issue coupon bonds, not exceeding in amount the sum of twenty-five thousand dollars, in denominations twenty-five, fifty, and one hundred dollars.

When payable.

SEC. 2. That said bonds shall fall due and be payable the first day of January, one thousand eight hundred and eighty-two, and shall bear interest at the rate of six per cent. per annum, and the coupons on said bonds shall be receivable in payment of the county tax for any fiscal year in which they may fall due, and said coupons shall be payable on the thirtieth day of September.

Interest.

How bonds shall
be issued.

SEC. 3. That said bonds, and the coupons thereof, shall be issued by the chairman of the board of commissioners and countersigned by the clerk of the board, which latter officer shall keep a book suitable for the purpose in which he shall keep an account of the numbers of bonds issued, their amounts and to whom issued, and the amount of bonds and coupons received and cancelled that upon an inspection of said book, the true state of the county debt may be seen, for which services he may receive a reasonable compensation to be fixed by the board.

Commissioners
may redeem bonds
at any time.

SEC. 4. That said county commissioners shall have the privilege to redeem said bonds at any time after the expiration of one year, and it shall be the duty of the county treasurer each year to apply the proceeds of the tax raised under section six of this act, first to the payment of the coupons of said bonds, second, to the payment of claims under twenty-five dollars, held in the aggregate by one person, and third, to payment of balances named in section six of this act, and

Special tax, how
to be applied.

lastly, to purchasing the outstanding bonds issued under this act, or by order of said county commissioners, he may set apart this sum as a sinking fund to meet said bonds when due.

SEC. 5. That it shall be lawful for said county commissioners, if in their discretion the official bond of the county treasurer shall be insufficient to protect the county in discharge of his duties hereby enjoined, to require him to give further and sufficient security. Bond of Treasurer.

SEC. 6. That said commissioners of Rockingham county are hereby authorized to levy a special tax of one-seventh of one per cent. (1) on the real and personal property of said county for the special purpose of paying interest upon and redeeming said bonds, and for paying in cash those debts which are held by persons who do not, in the aggregate hold, as much as twenty-five dollars which may be due any person who has funded all his claims except this said balance. Special tax.
Limit and object.

SEC. 7. That said county commissioners of Rockingham county are authorized to levy the tax authorized by this act from year to year until all the just and proper debts of said county which are now, or may be contracted prior to January first, one thousand eight hundred and seventy-two, are paid; *Provided*, That said commissioners shall not pay claims which come under the constituted prohibition forbidding the payment of obligations incurred in aid of the late war directly or indirectly. Special tax to continue.
Proviso.

SEC. 8. The said commissioners shall not exercise the authority granted by this act unless a majority of the votes cast for and against a special tax shall be in favor of a special tax; and said commissioners may order a vote to be taken at such time as they may deem best, such voting shall be governed and regulated by existing laws and regulations in reference to elections, and those approving the special tax shall vote a ticket which shall read "For special tax," those opposed shall vote "Against special tax," and if a majority of votes be for special tax, the said commissioners can proceed to enforce the provisions of this act, but if a majority Question to be submitted to voters.

of votes cast be against special tax, in that case the provisions of this act shall be of no effect and void.

When act to be in force.

SEC. 9. That this act shall be in force from and after its ratification.

Ratified the 31st day of March, A. D. 1871.

CHAPTER CLXXI.

AN ACT TO CHANGE THE LINE BETWEEN THE COUNTIES OF EDGECOMBE AND NASH.

Change of boundary.

SECTION 1. *The General Assembly of North Carolina do enact*, That all that portion of Edgecombe county (west of the Wilmington and Weldon railroad) and between the Halifax and Wilson lines, be and the same is hereby annexed to and shall form a part of Nash county; *Provided*, Nash county shall be responsible for the sum of eight hundred dollars, the proportion of the Edgecombe county debt falling to Nash county in case of such annexation and which sum when paid shall discharge and release from all further claims in this behalf.

When act to be in force.

SEC. 2. This act shall be in force from and after its ratification.

Ratified the 31st day of March, A. D. 1871.

CHAPTER CLXXII.

AN ACT TO INCORPORATE THE KINSTON AND KENANSVILLE RAILROAD COMPANY.

SECTION 1. *The General Assembly of North Carolina do enact*, That for the purpose of constructing a railroad from Kinston, in the county of Lenoir, to Kenansville, in the county of Duplin, upon such line as the directors of said railroad shall determine, John W. Stallings, J. D. Southall, and Jas G. Branch, Lewis Hening, B. K. Outlaw, John F. Wooten, R. W. King, William Sutton, James M. Parrott, Wm J. Pope, Pinkney Hardee, J. D. Stanford, W. F. Loftin, and their successors, associates and assigns, are hereby constituted a body corporate, under the name and style of the Kinston and Kenansville Railroad Company, with a capital stock of four hundred thousand dollars, which shall have a corporate existence, and as such exercise the powers herein granted in perpetuity as a body politic, and by that name may sue and be sued, plead and be impleaded in every court in the state of North Carolina; and may have and use a common seal, and shall be capable of purchasing, holding, leasing and conveying estate, real and personal and mixed, and of acquiring the same by gift or devise for the purposes herein contemplated; and the said company shall have and enjoy all the rights and immunities which other corporate bodies may lawfully exercise, and may make all necessary by-laws and regulations for its government, not inconsistent with the constitution and laws of the United States, and of the state of North Carolina.

Location of road.

Corporators.

Corporate name.

Capital stock.

Corporate rights.

SEC. 2. That the capital stock of said company may be created by subscription on the part of individuals, municipal or other corporations, in shares of the value of fifty dollars each, which may be made in land, timber, labor or money, as may be stipulated.

Subscription to stock.

SEC. 3. That books of subscription may be opened by such persons at such times and at such places, and under such

Books of subscription.

rules and regulations as the persons above named, or a majority of them, may direct.

Meeting of stockholders.

SEC. 4. That when the sum of ten thousand dollars shall have been subscribed to the capital stock of said company by solvent subscribers, a general meeting of the stockholders shall be held, after due notice, and such general meeting, a majority of the stockholders being present, either in person or by proxy, shall elect a board of directors, to consist of such number, not less than five, as the stockholders shall determine, and said directors shall elect one of their number president, and such other officers as the by-laws of said company shall prescribe; and may do and perform all other acts necessary to the complete organization of said company, and to carry into effect the objects of this charter.

Board of directors.

President.

Right to condemn land.

SEC. 5. That whenever land shall be required for the construction of the road or for warehouses, water stations, turn-outs, workshops, depositories or other building purposes, and for any cause the same cannot be purchased from the owner, the same may be taken by the directors at a valuation to be ascertained as follows: The sheriff of the county in which said land may be, shall, at the request of the president of said road, summon five disinterested freeholders of his county who shall ascertain the value under oath to be administered by the sheriff, they first deducting the enhanced value of the land caused by said railroad from such valuation and adding any particular loss or damage, and upon the payment or tender by the president of the amount so assessed, the title of the property so seized and appraised shall thereby vest in the said corporation; *Provided*, That either party may appeal to the superior court of the county upon the question of the amount assessed; *And, provided further*, that not more than one hundred feet from the centre of the road shall be liable to be so condemned.

Appeal to Superior Court.

Right to lease franchise.

SEC. 6. That said company shall have the power to lease its franchises or any parts thereof for such time and upon such terms as they may think advantageous to the interest of the company.

SEC. 7. That the president and directors shall have power at any time to borrow money upon the bonds of the company, and to secure the same by mortgage or other legal assurance.

May borrow money and issue bonds.

SEC. 8. That the said company shall have the exclusive right to convey and transport freight and passengers over and along the said road, and at such rates as said company shall prescribe.

Exclusive right of conveyance.

SEC. 9. That this act shall take effect from its ratification, and the said company shall have the exclusive right for a term of thirty years from its full organization to construct and use the aforesaid railroad.

When act to take effect.

Ratified the 31st day of March, A. D. 1871.

CHAPTER CLXXIII.

AN ACT TO PROVIDE FOR A TAX COLLECTOR FOR GASTON COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That the board of commissioners for Gaston county may in their discretion, annually elect a tax collector for said county, said election to be held on or before the first day of May in each year.

Commissioners to elect collector.

SEC. 2. That the tax collector so elected shall execute his official bond, payable to the state of North Carolina, in double the estimated sum of the state and county taxes to be collected in said county, with two or more solvent securities, to be approved by the said board, said bonds shall be registered, and the original deposited in the office of the superior court of said county.

Bond.

SEC. 3. That it shall be the duty of the said tax collector to collect all the state and county taxes levied in said county, that he shall have all the powers vested in the sheriff for that purpose, and be governed by the same rules, regulations

Powers and duties.

and provisions which apply to sheriffs in the collection of taxes, and be subject to like penalties and prosecutions for failure in the performance of his official duties.

Compensation.

SEC. 4. That said tax collector shall receive the same compensation for his services as may be allowed to sheriffs for similar services.

When act to be in
orce.

SEC. 5. That this act shall be in force from and after its ratification.

Ratified the 31st day of March A. D. 1871.

CHAPTER CLXXIV.

AN ACT TO INCORPORATE THE STATESVILLE AIR LINE RAILROAD COMPANY.

Location of road.

SECTION 1. *The General Assembly of North Carolina do enact,* That for the purpose of constructing a railroad of one or more tracks from some point on the southern boundary of the state in the county of Cleveland to the town of Statesville, in the county of Iredell, from thence to some point on the northern boundary of the state at or near the northeast corner of the county of Surry, as near an air line as the nature of the route will permit, a company by the

Corporate name.

name and style of the Statesville Air Line Railroad Company, is hereby incorporated and declared to be a body politic and corporate for the term of ninety-nine years, and by that name may sue and be sued, plead and be impleaded, may have and use a common seal, and shall be capable of purchasing, holding, leasing and conveying estate, real and personal and mixed, and acquiring the same by gift or devise so far as may be necessary for the purpose herein contemplated, and said company may enjoy all the rights and immunities which other incorporated railroad companies may lawfully exercise, and may make all necessary by-laws and regulations for its government, not inconsistent with the

Rights and privi-
leges.

constitution and laws of the state of North Carolina and of the United States.

SEC. 2. That the capital stock of said company shall not exceed four millions of dollars, divided into shares of fifty dollars each, and the company may raise the same by subscriptions on the part of individuals, municipal and other corporations, which may be made in lands, timber, work, money or other things as may be stipulated.

SEC. 3. That books of subscription to the capital stock of said company may be opened by the following commissioners, to-wit: Lee M. McAfee, Plato Durham, David Schenck, Jasper Stowe, Dr. A. M. Powell, Wilfred Turner, Thomas N. Cooper, Dr. Henry C. Wilson, John M. Brower, and Col. S. A. Sharpe, and by such other persons and at such other places as the said commissioners or a majority of them may direct; and that twenty days notice of the opening of said books shall be given in one or more newspapers of the state; and furthermore, that the said commissioners or any three of them, at any time after said books shall have been kept open for the space of thirty days and the sum of twenty thousand dollars shall have been subscribed and five per cent. paid thereon, shall have power and are required, after twenty days notice, to call together the subscribers to said stock for the purpose of organizing said company.

SEC. 4. That when the subscribers have been so called together they shall proceed to organize by electing nine directors, who shall serve for one year and until others are elected, and said directors shall elect one of their number president, and when so organized, the stockholders, their successors, executors, administrators or assigns shall be and are hereby declared incorporated into a company, under the said name and style of the Statesville Air Line Railroad Company.

SEC. 5. That said company may hold annual meetings of its stockholders, and oftener if deemed necessary; *Provided*, In all such meetings of the stockholders a majority of the stock subscribed shall be represented in person or by proxy, and each share thus represented shall be entitled to one vote

Power to enforce subscriptions. on all questions. And said company shall have power to call for and enforce the payment of all stock in the like manner as the Western North Carolina Railroad Company, may enforce the same under their charter, and shall have power to condemn land for the use of the company, if necessary to the same, and in the same manner and under the same rules, regulation and restrictions as the said Western North Carolina Railroad Company were authorized to do by their said charter.

Northern section to be first completed. SEC. 6. That the northern section of said road shall be completed first, commencing the work at Statesville, and said company shall have power to borrow money for the completion of said road, and issue bonds for the same, bearing interest not exceeding eight per cent. per annum, and secure the payment of said bonds by procuring personal endorsers, or executing mortgages upon their road or other property, and that said company may have exclusive right of transporting persons and freight upon said road at such rates and charges as the board of directors may fix.

May issue bonds. Exclusive rights. When act to be in force. SEC. 7. This act shall be in force from and after its ratification.

Ratified the 31st day of March, A. D. 1871.

CHAPTER CLXXV.

AN ACT DEFINING THE DUTIES OF THE KEEPER OF THE CAPITOL.

Powers and duties of keeper.

SECTION 1. *The General Assembly of North Carolina do enact*, That the keeper of the capitol shall perform all the duties and have all the rights prescribed in chapter 103, of the revised code, for keeper of the capitol and capitol grounds; and as to the manner of performing his duties he shall be under the general directions of a board, consisting of the governor, secretary of state, treasurer and attorney general; but he shall have the absolute right to appoint and

control all lawful subordinates, such as watchman of the capitol, workmen on the grounds, and servants about the capitol and its appurtenances.

SEC. 2. That there shall be no superintendent of capitol square as contra-distinguished from the keeper of the capitol.

Superintendent of Capitol Square.

SEC. 3. That the keeper of the capitol shall also have charge of the arsenal located in the capitol square, under the superintendence of the adjutant general, and shall receive fifty dollars per year for the performance of his duties in that particular; and the separate office of keeper of the arsenal is hereby abolished.

Charge of Arsenal, &c.

SEC. 4. That this act shall take effect from the date of its ratification.

When act to take effect.

Ratified the 31st day of March, A. D. 1871.

CHAPTER CLXXVI.

AN ACT TO REDUCE THE BOND OF SUPERIOR COURT CLERK AND PROBATE JUDGE OF DARE COUNTY, NORTH CAROLINA, FROM TEN THOUSAND TO THREE THOUSAND DOLLARS.

SECTION 1. *The General Assembly of North Carolina do enact*, The probate judge or superior court clerk of the county of Dare be allowed to discharge the duties of said office upon filing with the proper officer a justified bond for the sum of three thousand dollars, with the same conditions and restrictions as usual in such bonds; *Provided*, That such probate judge or superior court clerk shall be elected by the qualified voters of the county of Dare at an election to be held for that purpose on the first Thursday in August next, under the rules and regulations now prescribed by law for other elections.

Bond reduced.

Proviso.

SEC. 2. This act be in force from its ratification.

Ratified the 31st day of March, A. D. 1871.

When act to be in force.

CHAPTER CLXXVII.

AN ACT CONCERNING MUNICIPAL OFFICERS.

Municipal officers
to transfer pro-
perty to succes-
sors.

SECTION 1. *The General Assembly of North Carolina do enact*, That all municipal officers, mayors, aldermen, commissioner or tax collector, of any town or city, who shall, on demand, fail to turn over to their successors in office the property, books, moneys, seals or effects, of such town or city, shall be deemed guilty of a misdemeanor, and upon conviction before the superior court of the county in which such town or city is located, shall be imprisoned for not more than five years, and fined not exceeding one thousand dollars, at the discretion of the court.

Penalty for
failure.

Tax lists.

SEC. 2. All tax lists, either county or municipal, which have or may hereafter be placed in the hands of any sheriff or tax collector, shall be at all times under the control of the authorities imposing the tax, and subject to be corrected or altered by them, and shall be open for inspection by the public, and upon demand by the authorities imposing the tax, or their successors in office, shall be surrendered to the lawful authorities for such inspection or correction, and any sheriff or tax collector who shall refuse or fail to surrender his list upon such demand, shall be deemed guilty of a misdemeanor, and upon conviction, be subject to the penalties imposed by the first section of this act.

When act to be in
force.

SEC. 3. This act shall be in force from and after its ratification, and all laws coming in conflict with this act are hereby repealed.

Ratified the 31st day of March, A. D. 1871.

CHAPTER CLXXVIII.

AN ACT TO ENABLE THE NORTHWESTERN NORTH CAROLINA RAILROAD COMPANY TO COMPLETE THEIR ROAD TO SALEM.

WHEREAS, The state, by her appropriations and other pledges, did induce and encourage the Northwestern North Carolina Railroad Company, chartered by ordinance of the convention in the year one thousand eight hundred and sixty-eight, to lay out their line of railroad, and by private subscriptions, to grade and construct their road bed, with bridges, cross-ties, and some depot buildings, as far as the towns of Winston and Salem, in Forsythe county, and by the withdrawal of such aid by the state, the said company are without present means of completing said road; and whereas, it is greatly to the interests of the state and especially the fertile region thereof, through which the projected line of said road will pass, that the same shall be at once completed to Salem, and as soon thereafter as practicable to the Tennessee line:

SECTION 1. *The General Assembly of North Carolina do enact*, That the said Northwestern North Carolina Railroad Company shall have the right and their charter is hereby so amended as to enable them at any time within two (2) years after the ratification of this act, to unite such consolidation with any other railroad company, whose line, now built or to be built, under any existing charter, connects with or may under such existing charter connect with the line of the said Northwestern North Carolina Railroad Company, and who will agree and contract with the said Northwestern North Carolina Railroad Company to build and complete the same from Greensboro' to Salem, in Forsythe county, without delay.

SEC. 2. That for the purpose of carrying into effect the provisions of the foregoing section, it shall be lawful for any of the said railroad companies which connect or may connect as aforesaid, with the said Northwestern North Caro-

Preamble.

Company may consolidate with other railroad company.

Amendment to charters of connecting roads.

lina Railroad Company, and the respective charters of such roads are hereby so amended as to enable them, at a special meeting of the stockholders called for such purpose, or at any regular meeting after the ratification of this act, to consider and agree to propositions of the said Northwestern North Carolina Railroad Company, to unite and consolidate with such company, as provided for in section one of this act, and to contract with the said Northwestern North Carolina Railroad Company for such completion of their road from Greensboro' to Salem, as aforesaid, such contract, if accepted by both contracting parties to be signed by the presidents of such contracting companies, in duplicates, one to be preserved by each of said companies.

Transfer of rights privileges and franchises **SEC. 3.** That upon the execution of such contract and the completion of the said road from Greensboro' to Salem, according to the terms of the contract, all the powers, rights, privileges, immunities and franchises of the said Northwestern North Carolina Railroad Company shall be transferred to, conferred upon and vest in the said connecting railroad company contracting as aforesaid with the said Northwestern North Carolina Railroad Company; *Provided, however,* that the holders of certificates of stock in the said Northwestern North Carolina Railroad Company, who have fully paid up their subscriptions thereto, shall be equal shareholders in the consolidated company.

Proviso.

Repealing clause. **SEC. 4.** That all laws, charters and clauses thereof inconsistent with this act, are hereby repealed.

When act to take effect. **SEC. 5.** This act shall take effect from its ratification.
Ratified the 31st day of March, A. D. 1871.

CHAPTER CLXXIX.

AN ACT TO AMEND AN ACT TO PROVIDE FOR THE ENLARGEMENT, INCREASE OF DEPTH, AND COMPLETION OF THE ALBEMARLE AND CHESAPEAKE CANAL, RATIFIED ON THE SECOND DAY OF FEBRUARY, ONE THOUSAND EIGHT HUNDRED AND FIFTY-SEVEN, AND TO REPEAL AND AMEND CERTAIN OTHER STATUTES.

SECTION 1. *The General Assembly of North Carolina do enact*, That provided a majority of the directors shall be resident citizens of North Carolina, that the second section of chapter forty-six of the private laws of North Carolina, ratified on the second day of February, anno domini one thousand eight hundred and fifty-seven, entitled “an act to provide for the enlargement, increase of depth, and completion of the Albemarle and Chesapeake Canal be and the several sections is hereby repealed. Conditional repeal.

SEC. 2. That with the view of increasing the business of said canal, the president of the Albemarle and Chesapeake Company is hereby authorized to subscribe to the capital stock of any other canal in North Carolina connected by navigable water with said Albemarle and Chesapeake Canal, a sum not to exceed one-half the capital stock of such other canal to be paid for in work and material. The capital stock of such other canal is to be held by the Albemarle and Chesapeake Canal Company when thus acquired in the same way as the other personal property belonging to it. Company authorized to subscribe to capital stock of other canals.

SEC. 3. That chapter one hundred and twenty-one of the private laws of North Carolina, ratified on the sixth day of February, anno domini one thousand eight hundred and sixty-one, entitled an act to continue the improvement and provide for the equipment of the Albemarle and Chesapeake Canal and the waters connecting therewith, “which said act provides for the appropriation of two hundred thousand dollars of the bonds of this state and their exchange for the Repeal of previous act in relation to State bonds.

bonds of said canal company, be and the same is hereby repealed.

No proceedings to be had against the company for forfeiture of charter.

SEC. 4. That no legal proceedings commenced by virtue or authority of an act entitled "an act to authorize the public treasurer to pay the attorney general such sums of money as may be required to conduct a suit against the Albemarle and Chesapeake Canal Company," ratified on the seventeenth day of March, anno domini one thousand eight hundred and seventy, shall be prosecuted to enforce the forfeiture of the charter of said Albemarle and Chesapeake Canal Company, alleged to have been incurred by said canal company by reason of its not complying with the provisions and requirements of section second, of chapter forty-six, of the private laws of North Carolina, ratified on the second day of February, one thousand eight hundred and fifty-seven, which said second section is repealed by section first of this act.

When act to be in force.

SEC. 5. That this act shall be in force from and after its ratification.

Ratified the 31st day of March, A. D. 1871.

CHAPTER CLXXX.

AN ACT TO EXTEND THE TIME FOR THE REGISTRATION OF GRANTS, DEEDS AND OTHER CONVEYANCES.

Time extended for registering grants of land and other instruments

SECTION 1. *The General Assembly of North Carolina do enact*, That all grants of land in the state, all deeds of conveyance of the same, all powers of attorney, and every other instrument in writing which is required by law to be registered within or by a given time and has not been proved and registered within or by such time, may be proved and registered within two years after the passage of this act under the same rules and regulations as heretofore required by law; and when so proved and registered, shall be as good

and valid to every intent and purpose as if they had been duly proved and registered; *Provided*, That nothing herein contained shall be so construed as to extend to mortgages, and deeds in trust, and to marriage settlements. Proviso.

SEC. 2. That all grants for land, deeds for land, powers of attorney, and other instruments required by law to be registered before the first day of October, one thousand eight hundred and sixty-nine, and the same has been duly proved and registered since that time, the said registration shall be as valid and effectual in law, to every intent and purpose, as if the said grants, deeds, powers of attorney, and other instruments in writing had been duly proved and registered before the said first day of October, one thousand eight hundred and sixty-nine. Instruments not registered made valid.

SEC. 3. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 31st day of March, A. D. 1871.

CHAPTER CLXXXI.

AN ACT SUPPLEMENTAL TO AN ACT PASSED AT THE PRESENT GENERAL ASSEMBLY, ENTITLED AN ACT TO LAY OFF AND ESTABLISH A COUNTY BY THE NAME OF SWAIN.

SECTION 1. *The General Assembly of North Carolina do enact*, That the county of Swain shall be and is hereby invested with all the rights, privileges and immunities of the counties in this state, except as is hereinafter provided. Rights of county.

SEC. 2. Joseph Keener and J. R. Dills, or either of them, are hereby authorized as surveyors, to employ such assistants as may be necessary, and run and make the line between the county of Swain and the counties of Macon and Jackson, beginning on the line of Cherokee county where the road crosses said line leading from Nantahala river to Cheoah, and following the line as indicated in an act ratified at the Survey.

present session of the general assembly, establishing the county of Swain.

Division of town-
ships]

SEC. 3. In running the boundary line aforesaid, if any township shall be divided, the fractions of any townships thus made, shall be and the same are hereby erected into separate and distinct townships, and shall have corporate powers for the necessary purposes of local government therein, and the officers residing within the fractions falling to the counties of Macon and Jackson, if any, shall continue to exercise the same power in such townships, as if this act had never been passed, and in the fractions thus falling to said counties, if there are vacancies, the same shall be filled according to law.

County election;

SEC. 4. An election shall be held in the county of Swain on the first Thursday in June, one thousand eight hundred and seventy-one, for the purpose of electing a clerk of the superior court, a sheriff, a treasurer, a register of deeds, a surveyor, five commissioners and a coroner, who, after having qualified and filed bonds as required by law, shall fill their respective offices until their successors shall have been appointed, or are elected at their next regular election and shall have legally qualified.

Township trus-
tees.

SEC. 5. At the same time as specified in the foregoing section, a township board of trustees shall be elected in each of the townships in the county of Swain as they now exist, or are created by this act, who shall hold their offices until the first Thursday in August, one thousand eight hundred and seventy-three, and until their successors shall have been qualified according to law.

Sheriff of Macon
county to give no-
tice of election.

SEC. 6. It shall be the duty of the sheriff of Macon county immediately after receiving a certified copy of this act, to advertise by posting a notice at some public place in each of the townships in the county of Swain, including the fractions aforesaid, that an election will be held in said county and in each of said townships, on the first Thursday in June next, (1871) for the purpose of electing the officers aforesaid, in sections three and four of this act.

SEC. 7. It shall be the duty of the county commissioners of the county of Macon, and of the sheriff of said county, to make all necessary preliminary arrangements for holding the election aforesaid, and at the time aforesaid, in the same way and manner as if said election was to be held in the county of Macon, at a regular election; and it shall be the further duty of the said sheriff, to superintend the holding of said election in the same way and manner as if it was held in the county of Macon only, and to see that the returns thereof are duly authenticated and returned to the commissioners of Macon county at the courthouse, in Franklin, on the second Thursday in June next, (1871) who shall meet at that time and place for receiving, comparing and announcing the result of said election, and issuing certificates of election to such persons as shall have received the greatest number of votes, for the several offices as above enumerated, which several certificates shall be delivered to the sheriff elect of Swain county, to be delivered by him forthwith to the parties entitled thereto.

Commissioners of Macon county to provide for election.

SEC. 8. The first meeting of the commissioners of Swain county shall be held at Coald Spring Meeting House, on the waters of Alarka Creek, on the third Monday in June, one thousand eight hundred and seventy-one, for the purpose of taking the oath of office, to be administered by any acting justice of the peace residing in the county of Macon or Jackson, and said commissioners, after having qualified, shall be deemed and taken to be, and shall be duly organized a board of commissioners for the county of Swain, with all the ordinary rights, privileges and powers of such boards in the several counties of this state.

First meeting of commissioners of Swain county.

SEC. 9. The commissioners of Swain county shall, at their first meeting, which may be continued from Monday until Saturday inclusive, select, fix upon a place for holding the superior court and commissioners courts, until a permanent seat of justice shall be determined upon, and a temporary or permanent courthouse erected thereat.

Place of holding courts.

SEC. 10. The sheriff and other officers to be elected under the provisions of this act, whose duty it shall be to file bonds,

Bonds of officers.

shall file the same during the first meeting of the board aforesaid, after which they shall have the authority, and exercise the rights given respectively to the same officers in the other counties of the state.

Failure to give bond.

SEC. 11. Any officer who shall be elected at the election provided for in this act, and who, being required to file a bond or bonds, shall fail so to do at the first meeting of the board of commissioners of Swain county, shall be taken as declining to fill such office, and a vacancy shall exist, to be filled according to law.

Commissioners of Macon and Jackson counties to continue authority.

SEC. 12. That the county officers in the counties of Macon and Jackson shall continue in the exercise of all their official duties within the limits of the county of Swain, (until the commissioners of Swain county are elected and qualified,) in the same manner, and to the same extent as if the county of Swain had not been established.

Transfer of cases from Superior Court Dockets.

SEC. 13. That all the civil causes that shall remain on the superior court dockets of Jackson or Macon county, including those on the dockets of the judge of probate of Jackson and Macon counties, after the first day of May, one thousand eight hundred and seventy-one, in which both plaintiff and defendant are citizens of Swain county, shall be transferred by the clerks of the aforesaid courts of Jackson and Macon, to the county of Swain for trial, under the same rules and regulations that govern the removal of causes from one county to another, except that no order or affidavit of the court, shall be necessary thereto; and it shall be the duty of said clerks to deliver the transcripts of record of such suits, to the clerk of the superior court of Swain county at least twenty days before the fall term, one thousand eight hundred and seventy-one of said court; and all of said causes shall then stand for trial at that term, and it shall be the duty of the clerk of said court to prepare a docket for the trial causes, and to place the causes transmitted in the same order that they stood on the dockets of Macon and Jackson.

Criminal actions.

SEC. 14. Where criminal actions are now pending in any superior court against any citizen of the county of Swain, or

where the same shall be instituted at spring term, one thousand eight hundred and seventy-one, the same shall be continued and prosecuted therein as now provided by law.

SEC. 15. That all persons who may be liable to imprisonment under any process, either civil or criminal in Swain county, before the completion of the jail therein, may be committed to the jail of either Macon or Jackson county. Jail.

SEC. 16. There shall be a superior court opened and held for the county of Swain, and on the twelfth Monday after the third Monday in August, one thousand eight hundred and seventy-one, and on the twelfth Monday after the third Monday in March and August, in each and every year thereafter, at such place as may be determined upon, according to the provisions of section nine of this act; and the judge of the twelfth judicial district shall preside thereat. Terms of Superior Court.

SEC. 17. That William R. Crawford and F. P. Allison of Jackson county, and R. V. Welch of Haywood county, and James D. Franks and Alfred Hall of Macon county, be and they are hereby appointed commissioners to select and determine upon a site for a permanent seat of justice for the county of Swain, and for that purpose shall meet at Frank Leaches, near the mouth of Nantahala river, on Monday, the eighteenth day of June, one thousand eight hundred and seventy-one, and if a majority of said commissioners be present they shall proceed from day to day to examine such localities as any two of said commissioners may deem it necessary to visit, in selecting a suitable site for a permanent seat of justice for Swain county. If a majority of said commissioners shall agree upon a single point or place, the same shall be the seat of justice for said county, and they shall report this fact without delay in writing, to the chairman of the board of commissioners of Swain county. But in case a majority of said commissioners shall not concur in any one point or place, then they shall name two places and certify the same to the chairman aforesaid in writing; and in that event the county commissioners of said county shall take such action, and make such arrangements as may be necessary, to submit the question of place to the qualified voters in Commissioners to select site of county seat.

Question may be submitted to voters.

said county at an election to be held on the first Thursday in August next, the result of which election shall be ascertained by the sheriff, and certified to by him in writing to the board of county commissioners aforesaid, and the place receiving the highest or greatest number of votes, shall be the permanent seat of government of Swain county.

County seat to be named Charleston

SEC. 18. When a permanent seat shall be determined upon according to the provisions of section seventeen of this act, the county commissioners shall proceed at once to procure, by donation or purchase, not less than twenty-five nor more than two hundred acres of land within one mile of the selected point, which land shall be conveyed to the chairman of the board of county commissioners and his successors in office forever, for the use of said county; and further, they shall take such action as may be necessary to have said land laid off in lots and streets of such size and width as they may deem right and proper in said town, which shall be called Charleston, and shall be the seat of justice for said county; and after designating such of the lots as shall be kept for public purposes, the said county commissioners, after thirty days public notice, made in such manner as they may deem best, shall expose said lots, or such of them as they think should be sold, to sale at public auction, on a credit of one, two and three years, with interest from date, taking bond and security of the purchaser therefor, payable to the chairman of the county commissioners of said county, who shall hold the same subject to the order of his board.

Distribution of school fund.

SEC. 19. That until otherwise provided, the distribution of the school fund shall be made, and the management thereof in said county of Swain, continued, as if this act and the act establishing Swain county had never been passed.

Representation in General Assembly

SEC. 20. That the counties of Macon and Jackson shall continue to be represented in the general assembly as heretofore, and the qualified voters taken from said counties shall continue to vote with the counties to which they heretofore belonged, except in elections for county officers, until the general assembly shall otherwise provide, and the sheriffs of Jackson and Macon counties shall continue to hold all

elections, save those excepted in this section, at the same times and places in all the territory heretofore comprehended in their respective counties, and under the same rules, regulations and restrictions, and make the same returns, as if the act establishing the county of Swain and this act had never been passed.

SEC. 21. The register of deeds in Jackson county shall, on or before the first Monday in June next, furnish to the register of deeds of Swain county a certified list of all claims due citizens of Swain county, with the proper number of such claims prefixed, and mark each of such claims on his own docket, "transferred to Swain county," and shall transmit the same to the register of deeds in said county of Swain who shall enroll the same for payment therein, according to their numerical order.

Transfer by Register of Deeds of Jackson county.

SEC. 22. That after the organization of said county of Swain, it shall be the duty of the commissioners of Swain county to appoint one or more persons who may be members of their boards, to meet with the same number of persons appointed in the same manner by the commissioners of Macon county, whose duty shall be to examine and ascertain the amount of the outstanding debts of Macon county, at the ratification of this act, and to agree and report to their respective boards the amount of such debts, and also the equitable proportion of said debt that should be assumed by the county of Swain, also the manner in which said equitable proportion may be paid, and the time in which it may be paid.

Apportionment of county debt.

SEC. 23. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 31st day of March, A. D. 1871.

CHAPTER CLXXXII.

AN ACT TO CHANGE THE TIME OF HOLDING THE SPRING TERM OF THE SUPERIOR COURTS OF BEAUFORT AND PITT COUNTIES FOR THE YEAR ONE THOUSAND EIGHT HUNDRED AND SEVENTY-ONE.

Spring terms of court for Beaufort and Pitt counties.

SECTION 1. *The General Assembly of North Carolina do enact*, That the spring term of the superior courts of the counties of Beaufort and Pitt, for the year one thousand eight hundred and seventy-one, shall be held as follows, to-wit: the court of Beaufort on the fourteenth Monday after the third Monday in February, and the court of Pitt on the sixteenth Monday after the third Monday in February.

Returns.

SEC. 2. That all process, recognizances and other legal proceedings in civil and criminal actions which have already been issued and had, or which may hereafter be issued and had, returnable to the spring term of said courts of Beaufort and Pitt, in the year one thousand eight hundred and seventy-one, shall be deemed and held returnable to the terms of said courts as now fixed by this act, and all persons who have been recognized or bound, or summoned to appear at the spring term of said courts for the year one thousand eight hundred and seventy-one, are hereby required to appear at the terms thereof as prescribed in this act; and the secretary of state shall forthwith cause this act to be published and furnish the sheriffs and clerks of the superior courts of Beaufort and Pitt with a copy of this act.

Repealing clause.

SEC. 3. That all laws and parts of laws inconsistent with this act are hereby repealed.

When act to take effect.

SEC. 4. That this act shall take effect from and after its ratification.

Ratified the 31st day of March, A. D. 1871.

CHAPTER CLXXXIII.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF JOHNSTON COUNTY TO ISSUE BONDS FOR THE PURPOSE OF FUNDING AND PAYING OFF THE COUNTY DEBT.

- SECTION 1. *The General Assembly of North Carolina do enact*, That in order to liquidate the debts of the county of Johnston, the commissioners of said county are hereby authorized to issue coupon bonds, not exceeding in amount the sum of ten thousand dollars, in denominations of not less than ten nor more than one hundred dollars. Coupon bonds.
Amount and denominations.
- SEC. 2. That said bonds shall fall due and be payable five years from the date of their issue, and shall bear interest at the rate of six per cent. per annum, and the coupons or said bonds shall be receivable in payment of the county taxes for any fiscal year in which they may fall due, and said coupons shall be payable on the first day of October in each year. Time and interest.
- SEC. 3. That said bonds and the coupons thereon shall be issued by the chairman of the board of commissioners and countersigned by the clerk of the board, which latter officer shall keep a book suitable for the purpose, in which he shall keep an account of the number of bonds issued, their amount and to whom issued, and the amount of bonds and coupons received and cancelled, that upon an inspection of said book a true state of the county debt may be seen, for which service he may receive a reasonable compensation to be fixed by the board. Bonds, how issued
- SEC. 4. That said county commissioners shall have the privilege to redeem said bonds at any time after the expiration of one year, and it shall be the duty of the county treasurer each year to apply the proceeds of the tax raised under section five of this act, first to the payment of the coupons of said bonds; second, to the payment of any debts due by the county, and lastly, under the order of the commissioners to set apart any overplus of said tax as a sinking fund to meet said bonds when due. Bonds may be redeemed.

Special tax.

SEC. 5. That said commissioners of Johnston county are hereby authorized to levy a tax of not more than one-seventh of one per cent. on the real and personal property, (and on each taxable poll of said county tax, in proportion to three hundred dollars worth of property as required by the constitution,) of said county for the purpose of paying interest upon and redeeming said bonds and such debts as are now or may be contracted for prior to the first of January, one thousand eight hundred and seventy-five.

SEC. 6. That said commissioners be authorized to levy said tax from year to year until all the bonds and debts of said county are paid, to the first day of January, one thousand eight hundred and seventy-five.

When act to be in force.

SEC. 7. That this act be in force from and after its ratification.

Ratified the 1st day of April, A. D. 1871.

CHAPTER CLXXXIV.

AN ACT FOR THE PROTECTION OF FAIR GROUNDS.

SECTION 1. *The General Assembly of North Carolina do enact,* That any agricultural, horticultural or other society for the encouragement of agriculture or mechanical or other industrial art or business, incorporated by any law of this state or acting under a general law, shall, for the preservation of order and the protection of exhibitions, have power by their executive committee or other authorized officers, to appoint policemen with the powers and duties hereafter mentioned.

Appointment of police.

Policemen to be sworn.

Powers.

SEC. 2. Such policemen shall be sworn to the performance of their duty before a judge, mayor or other chief officer of any city or town, or any justice of the peace, whereupon they shall have the same power and duties for the arrest of criminals and disorderly persons as are possessed by the con-

stables or policemen of any city or town, within the fair grounds or within one hundred yards thereof, and such power and authority shall continue for a period extending from Friday before the week of the fair to Tuesday after the same, both inclusive.

SEC. 3. It shall be the duty of such policemen to assist in carrying into effect the rules and regulations adopted by the lawful authorities of such agricultural or other societies as aforesaid, and any drunken or disorderly person, or any person who shall, after being warned, continue to break the rules or regulations of the society, may be excluded or removed from the fair grounds, and if after being so excluded, he shall offer to enter the same without the permission of the society, he shall be guilty of a misdemeanor.

Duties of police.

SEC. 4. If any person shall, without license of the owner, or any agricultural or other society as aforesaid, unlawfully carry away, remove, destroy, mar, deface or injure anything animate or inanimate, while on exhibition on the grounds of any such society, or going to or returning from the same, he shall be guilty of a misdemeanor. It shall be sufficient in any indictment for any such offence, or for the larceny of any such thing, animate or inanimate as aforesaid, to charge that the thing so carried away, destroyed, marred, injured, or feloniously stolen, is the property of the society to which the said thing shall be forwarded for exhibition.

Violation of rules of society a misdemeanor.

SEC. 5. Anything animate or inanimate shall not be liable to seizure under execution, attachment or other process of law, while on exhibition on any fair grounds of any such society as aforesaid, or going to or returning from any such grounds; such exemption being only for a period of five days before and five days after any fair.

Exemptions from seizure under executions, &c.

SEC. 6. Any agricultural society shall have power to appoint an auctioneer to sell at auction things animate or inanimate, which have been exhibited at any fair on the fair grounds, and such sales being made during the week of the fair, shall not be liable to taxation, nor shall such auctioneer, selling only as aforesaid, be liable to pay a license tax.

Society may appoint auctioneer.

When act to be in force.

SEC. 7. All laws or parts of laws coming in conflict with any of the provisions of this act, are hereby repealed.

SEC. 8. This act shall be in force from and after its ratification.

Ratified the 1st day of April, A. D. 1871.

CHAPTER CLXXXV.

AN ACT TO INCORPORATE THE WARRENTON AND MACON TURNPIKE COMPANY.

Corporators.

SECTION 1. *The General Assembly of North Carolina do enact*, That Edward Hall, B. J. Egerton, Sam'l. W. Doutine, J. D. North and E. H. Plummer, and such other persons as may associate with them for the purposes hereinafter mentioned, be and they are hereby declared a body politic and corporate, under the name of the Warrenton and Macon Turnpike Company, for the purpose of constructing a turnpike road between the town of Warrenton and Macon station, on the Raleigh and Gaston Railroad, and that under said corporate name may sue and be sued, plead and be impleaded, have perpetual succession and a common seal.

Corporate name.

Location of road.

Capital stock and shares.

SEC. 2. That said persons or any two of them may open books in Warrenton and keep them open until the whole of the capital stock of said company, which shall consist of sixty shares of fifty dollars each, shall be subscribed.

Board of Directors.

President.

SEC. 3. That the stockholders shall elect annually a board of not less than three directors, which directors shall choose a president, who, with the said directors, shall continue in office until the next annual meeting of the stockholders, and until their successors shall be elected; but no failure to elect shall work a forfeiture, and in the absence of the president, a majority of the board of directors may appoint a president *pro tem.*, for the dispatch of business, and the board may supply a vacancy in their body until the next annual meeting after such vacancy shall occur.

Vacancies.

SEC. 4. That in all other things the said company shall be governed by the provisions of the act in relation to turnpike and plank road companies as contained in the revised code, chapter sixty-one, and shall have all the necessary and usual privileges of making by-laws for its government, condemning land, collecting taxes, requiring bonds of its officers, and representatives of stock by proxies.

Powers, privileges and obligations.

SEC. 5. This act shall take effect from and after its ratification.

When act to take effect.

Ratified the 1st day of April, A. D. 1871.

CHAPTER CLXXXVI.

AN ACT IN RELATION TO FISHING IN THE WATERS OF PAMLICO AND TAR RIVERS, AND OF TRANTER'S CREEK.

SECTION 1. *The General Assembly of North Carolina do enact*, That it shall not be lawful for any person to draw a seine or net in the waters of Pamlico, or Tar river, or of Tranter's creek, between the blockade near Hill's Point, below the town of Washington, and the falls at William S. Battle's factory, or from the mouth of Tranter's creek to the Myers' mill-dam, on said creek, after the hour of noon on Saturday's until daylight on Monday mornings in the months of February, March, April and May.

Restrictions on seine fishing.

SEC. 2. That any person violating this act shall, for each separate offence, be guilty of a misdemeanor, and on conviction thereof, shall be fined or imprisoned at the discretion of the court, the fine not to exceed fifty dollars and the imprisonment not to exceed one month.

Violation of this act a misdemeanor

SEC. 3. That an act entitled an act in relation to drawing seines in the waters of Tar river and Tranter's creek, ratified the twenty-eighth day of March, anno domini one thou-

Repeal.

sand eight hundred and seventy, be and the same is hereby repealed.

When act to be in force.

SEC. 4. This act shall be in force from and after its ratification.

Ratified the 1st day of April, A. D. 1871.

CHAPTER CLXXXVII.

AN ACT IN RELATION TO THE MEADOWS OF ROCKINGHAM COUNTY.

River Dan a lawful fence.

SECTION 1. *The General Assembly of North Carolina do enact*, That the river Dan shall be a lawful fence from the state line near Perkin's ferry to the Leaksville bridge, near mouth of Smith river.

Smith river.

SEC. 2. That Smith river shall be a lawful fence from its mouth to the state line.

Gates upon public roads.

SEC. 3. That it shall be lawful for the citizens living north of Dan and east of Smith river to keep, free from taxation, gates across the public roads where the said roads intersect said section, and that one gate can be placed west of Smith river near Island pond.

Fence law to be submitted to voters.

SEC. 4. That Geo. S. Aiken, Geo. Pilvy, Geo. W. Martin, Shella Hamlin and Granderson Broadnax, or any three of them, shall open polls at Blue creek schoolhouse on Saturday, April twenty second, one thousand eight hundred and seventy-one, when the qualified voters living north of Dan and east of Smith river in Rockingham county may vote for or against the fence law. Those wishing to have no fences in said limits shall vote, "No fences;" those wishing to keep the fences in said district shall vote, "For fences;" and if a majority of said votes cast shall be "No fence," then chapter forty-eight of revised code shall cease to be in force within said limits, and if any live stock trespass upon or damage the lands or crop within said limits, the said live

stock may be taken up by the owner or renters of lands or crops so damaged, and said owners or renters shall make complaint to a justice of the peace, who shall issue a summons, directed to any lawful officer of his county, commanding him to make known to the owner of such live stock such complaint and the time of trial, and shall also summon three voters of said district, unconnected with either party, to appear before him, who, after being sworn by the justice, shall view and examine, and ascertain and assess what damage has been or may be sustained by reason of such trespass, and certify the same under their hands, and the justice shall enter judgment against the owner of the stock for the damages assessed, costs of suit and expenses of keeping said stock by owners or renters of the land or crop damaged, and shall issue execution therefor; and if said execution is not forthwith paid, the officers of the court shall, after ten days notice, sell at public auction the live stock which committed the trespass, whether the said stock be taken up by the owner or renters of land, or be in the possession of the owner of said stock; and if any person shall, with gun, dog or otherwise, unreasonably chase, worry, maim or kill any such stock, or cause the same to be done when trespassing upon his lands or crops, the occupant of the premises, on complaint being made to the justice of the peace as aforesaid, shall make full satisfaction for all such damages to the party injured, to be ascertained and recovered as provided in this section.

Injury by live stock.

Damages.

SEC. 7. This act shall be in force after its ratification.

Ratified the 1st day of March, A. D. 1871.

When act to be in force.

CHAPTER CLXXXVIII.

AN ACT REQUIRING ALL STATE, COUNTY AND MUNICIPAL OFFICERS
TO BE VOTED FOR ON A SEPARATE BALLOT.

Candidates to be
voted for on sepa-
rate ballots.

SECTION 1. *The General Assembly of North Carolina do enact*, That in all elections hereafter to be held in this state for all state, county and municipal officers, candidates for each of the different offices shall be voted for on a separate ballot, either printed or written; *Provided*, That candidates for the office of county commissioners, candidates for seats in the house of representatives, in such counties as are entitled to two or more members, and candidates for seats in the senate in the districts that are entitled to two or more senators, shall be voted for on one ballot, for their respective offices.

Proviso.

Separate ballot
boxes.

SEC. 2. The county commissioners shall provide separate boxes in which to deposit the ballots cast for every election precinct in their respective counties, for each class of officers to be voted for.

Repealing clause.

SEC. 3. That all laws and parts of laws in conflict with this act are hereby repealed.

When act to be in
force.

SEC. 4. This act shall be in force from and after its ratification.

Ratified the 1st day of April, A. D. 1871.

CHAPTER CLXXXIX.

AN ACT TO INCORPORATE THE HAYWOOD AND CANE CREEK
RAILROAD COMPANY.

Capital stock.

SECTION 1. *The General Assembly of North Carolina do enact*, That a company is hereby authorized to be formed with a capital stock of three hundred thousand dollars, with

power to increase the same to double that amount, to be divided into shares of fifty dollars each, to be known as the Haywood and Cane Creek Railroad Company, for the purpose of building and constructing a railroad with one or more tracks, to be used with steam or other motive power from or near the town of Haywood, or some other point between the Haw and Deep rivers, in the county of Chat-ham, via Pittsboro', the most practicable route to or near the Alamance line; and such company, when formed as hereafter directed, shall have power to receive, possess, own and transfer real and personal property, to have a common seal, and to pass such by-laws, not inconsistent with the laws of the state, as may be necessary to carry out the objects of the corporation; shall be capable in law of suing and being sued, pleading and being impleaded, and shall have all the rights of other corporate bodies under the laws of the state, to condemn land for right of way not exceeding one hundred feet on each side of the centre of the track, and all other purposes usually granted to railroad companies, and shall have the exclusive right to transfer and carry persons, produce, merchandize, minerals and all other articles on and along such railroad, at such prices as they may fix.

SEC. 2. *Be it further enacted*, That for the purpose of creating the capital [stock] of such company, B. J. Howze, A. R. Smith, A. J. Bynnm, A. T. Lambeth, J. W. Scott, Hon. John Manning, W. C. Thomas, John A. Womack, H. A. London, jr., A. Rencher, L. J. Haughton, W. P. Hadley, James Pace, Robert Love, Carney Bynnm, R. J. Powell, H. O. Durham, Thomas Dixon, Robert Alston and W. G. Albright, or a quorum of them, are hereby appointed commissioners, whose duty it shall be as soon after the passage of this act as may be, to appoint such persons to open books of subscription at such places and at such times as to them shall deem best, and under such rules and regulations as they may prescribe, and five of said commissioners shall be a quorum for the transaction of any business.

SEC. 3. Whenever five per cent. of the capital stock shall have been subscribed by solvent subscribers, it shall be the

Shares.

Corporate name.

Location of road.

Corporate rights.

Right to condemn land.

Exclusive rights.

Corporators.

Books of subscription. |

Meeting of stockholders. duty of the commissioners, aforesaid, to call a general meeting of the stockholders, after giving such notice as to them shall seem sufficient, and at such times and places as they shall determine, and at all general meetings of said stockholders, not less than a majority of all the stock subscribed, shall constitute a quorum for the transaction of business, and said stockholders, when so met in general meeting, shall have power, and it shall be their duty to elect seven directors, who shall, out of their number, choose a president for said company, and in enacting such by-laws as may be necessary, each share of stock represented, either in person or by proxy, shall be entitled to one vote; *Provided*, If a majority of such stockholders shall not attend said first general meeting, such as do attend and are present may adjourn from time to time until a majority shall appear.

Directors.

President.

Proviso:

Manner of payment of stock.

SEC. 4. It shall be the duty of said stockholders, at their first general meeting, to prescribe the manner and time in which payment of stock on the subscription books shall be made.

Treasurer and Secretary.

SEC. 5. It shall be the duty of the president and directors of said company to appoint a treasurer and secretary, who shall remain in office such length of time as the company in their by-laws shall determine, and said president and directors shall remain in office one year and until others are chosen, and shall have a general direction and management of the affairs of said company, and shall appoint some suitable person as engineer, whose duty it shall be to make the necessary surveys for the location of said railroad, and furnish the president and directors with such survey or surveys, and estimates of the cost. Said directors shall have power to fill any vacancy that may occur in their board and in the absence of the president to elect one for the time; it shall be the duty of the secretary to keep a fair and correct record of the proceedings of the stockholders in general meeting, in a book to be provided for that purpose.

Annual report.

SEC. 6. The president or board of directors shall, at least once a year, make a full report on the state of the company and its affairs, to a general meeting of the stockholders, and

oftener if required by any by-law of the company, and also call general meeting of the stockholders whenever they may deem it expedient, and the company may provide in their by-laws for occasional meetings being called and prescribe the mode thereof. Meetings.

SEC. 7. That all persons, the commissioners of any county, or the authorities of any incorporation, shall have full power and authority to subscribe to the capital stock of said company, to the amount they shall be authorized to do by the electors of any county or incorporated town, or the proper authorities of any corporation to the amount they shall be authorized to do by the electors of said county or town; and they may issue bonds or other evidences of debt to enable them to borrow money to pay such subscription to be made by any agent or agents of such county, town or corporation properly authorized by them to make the same, when so made, shall be binding on such county, company or corporate body, in the same manner and to the same extent that it is on the individual subscribers, and such body corporate, or company or county shall be represented in all general meetings of the stockholders. The commissioners of any county proposing to subscribe for stock as aforesaid, shall have authority to take all measures consistent with this act, and the laws of the state, for registration of voters, holding the election, and returns of the result of the same, and if said subscription be approved they shall have power to take all measures proper for carrying the same into effect. Subscriptions by corporations.

SEC. 8. The Haywood and Cane Creek Railroad Company shall have power to receive subscriptions to its capital stock, payable in labor, in real or personal property, at such valuation as may be agreed on between the company and the subscribers. Subscription in labor, &c.

SEC. 9. Said company shall have authority at any time after its organization to arrange with any other railroad company or corporation, by lease or otherwise, for the use of the franchise and property of the same, upon such terms as may be agreed upon. And any such railroad or other corporation shall have power to effect such arrangement. May lease franchise.

Issue bonds.

SEC. 10. It shall be lawful for the said Haywood and Cane Creek Railroad Company to issue bonds or other evidences of debt, at a rate of interest not exceeding the maximum allowed by law, and to secure the payment of principal and interest by mortgage or otherwise, and it shall be lawful for any other corporation to guarantee the payment of any of the bonds or other evidences of debt so issued. But it shall not be lawful for the Chatham Railroad Company to discriminate in its freight or passenger tariffs against that portion of its road west of the junction with said Haywood and Cane Creek Railroad, in any manner to effect such discrimination, but that all rates of freight per mile in said road from Haywood, east, shall be the same as that passing over the said road west of said junction.

Discriminations in freight, &c.

Exchange of bonds with Chatham R. R. &c.

SEC. 11. The Chatham Railroad Company shall have power to guarantee the bonds of said Haywood and Cane Creek Railroad Company, or to exchange bonds with the same to an amount not exceeding sixty thousand dollars, taking a mortgage on the franchise, property and effects of said company to secure the principal and interest of the bonds so received by the said Chatham Railroad Company; and the said Chatham Railroad Company shall likewise have power to aid the building of a railroad from some point at or near Carthage to Ashboro', in like manner and to the same extent as it may, as above mentioned, aid the building of the Haywood and Cane Creek Railroad. The proviso of section one of an act entitled "an act to extend the Chatham Railroad," ratified third day of August, one thousand eight hundred and sixty-eight, and the second section of said act are hereby repealed, and all provisions requiring said Chatham Railroad Company to have the gulf as a terminus in the Deep river region, are likewise repealed.

Repealing clause.

Conditions of amendments to charter of Chatham R. R. Co.

SEC. 12. All amendments of the charter of the Chatham Railroad Company, made by this act, shall take effect only upon the condition that the said Chatham Railroad Company shall subscribe to the capital stock of the Haywood and Cane Creek Railroad Company the sum of one hundred and twenty-five thousand dollars, and pay the same into the

treasury of the said Haywood and Cane Creek Railroad Company, to be applied as speedily as possible to the construction of said railroad; *And, provided*, that as many as four directors of said Haywood and Cane Creek Railroad Company shall be citizens of Chatham county, and stockholders in said company. Proviso.

SEC. 13. Said company may begin the construction of said road at any point on the line of location, according to their discretion, and that for any portion of said road, actually constructed, the said company shall be entitled to all the privileges of this act into and over such part so constructed. Commencement of construction.

SEC. 14. That this act shall be in force from its ratification. When act to be in force

Ratified the 1st day of April, A. D. 1871.

CHAPTER CXC.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF NASH COUNTY TO LEVY A SPECIAL TAX.

SECTION 1. *The General Assembly of North Carolina do enact*, That the county commissioners of Nash county be and they are hereby authorized to levy and collect, in the same manner as other taxes are levied and collected, a special tax not to exceed two thousand five hundred dollars to defray the current expenses of the county and for other purposes; *Provided*, That the same amount shall be levied on each taxable poll as is levied on three hundred dollars worth of property. Limit and object of tax.

SEC. 2. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 1st day of April, A. D. 1871.

CHAPTER CXCI.

AN ACT FOR THE BETTER GOVERNMENT OF THE PENITENTIARY.

Offices of Commissioners and others abolished.

SECTION 1. *The General Assembly of North Carolina do enact*, That the offices of commissioners for the erection of a penitentiary, and the offices of architect and superintendent of said penitentiary, created or authorized by the act of one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, chapter two hundred and thirty eight, or by another act, are hereby abolished, the abolition to take effect on the third Monday of April, anno domini one thousand eight hundred and seventy-one.

Board of Directors.

SEC. 2. That Alfred Dockery, of Richmond, Wm Boylan, of Wake, M. A. Bledsoe, of Wake, G. W. Thompson, of Chatham, and C. H. Coffield, of Harnett, are appointed a board of directors of the penitentiary, to whom shall be committed the government of the institution, and who shall hold office for four years from the first day of January, one thousand eight hundred and seventy-one.

Warden and subordinate officers.

SEC. 3. That said board shall have power to appoint a warden, who shall be a skilled engineer, and such subordinate officers, employees and guards as the said board shall deem necessary. The duties of the warden shall include the supervision of the erection of the penitentiary, as well as the general control therein, subject to the control of the board.

Compensations to Board and officers

SEC. 4. That said board shall be allowed all necessary expenses incurred in the discharge of their said duties, and shall have power to fix the pay of all subordinate officers and employees of said penitentiary.

Vacancies in Board.

SEC. 5. That any vacancy occurring in said board shall be filled *ad interim* until the next meeting of the general assembly by the board, a majority of those remaining voting in favor of the person so appointed, and three members of the board shall be a quorum for the transaction of any business.

SEC. 6. That all powers conferred, and all restrictions imposed by the aforementioned act on the board of commissioners, are re-enacted and made to apply to the board of directors, except in so far as they may conflict with this act.

Powers of Commissioners conferred on Directors.

SEC. 7. That said board of directors shall go into office on the third Monday in April, anno domini one thousand eight hundred and seventy-one, and the board of commissioners aforesaid are directed to turn over all books, papers, money, material, &c., within the control of the penitentiary, to the board of directors, and to account with them fully for all public funds that shall have come into their hands.

Transfers by Commissioners.

SEC. 8. That the general assembly shall, on the first Monday of December, anno domini one thousand eight hundred and seventy-four, and on the first Monday of December, every fourth year thereafter, elect a board of directors of the penitentiary, who shall assume the duties and authority of office on the second Monday next following their said election.

Election of Directors.

SEC. 9. That no contract for work, material or other service shall be given or awarded to any member of the board of commissioners, either directly or indirectly. That all laws in conflict with this act are repealed.

Contracts and awards.

Repealing clause.

SEC. 10. That this act shall be in force from the third Monday in April, anno domini one thousand eight hundred and seventy-one.

When act to be in force.

Ratified the 1st day of April, A. D. 1871.

CHAPTER CXCII.

AN ACT FOR THE RELIEF OF J. W. SCHENCK, JR., SHERIFF OF
NEW HANOVER COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That the provisions of an act entitled "an act to compel sheriffs to settle the public taxes, ratified March twenty-

Suspension of act of March 21, 1871.

first, one thousand eight hundred and seventy-one," as far as it may be applicable to J. W. Schenck, jr., sheriff of New Hanover county, be and they are hereby suspended until the tenth day of May, one thousand eight hundred and seventy-one.

Time of settling
for taxes ex-
tended.

SEC. 2. That a joint resolution of the general assembly, entitled "a resolution in favor of J. W. Schenck, jr., sheriff of New Hanover," ratified March thirty-first, one thousand eight hundred and seventy-one, be and is hereby amended so as to extend the time allowed said J. W. Schenck, jr., to settle with the state treasurer, so far as it relates to settling for state purchases of land for taxes, until May tenth, one thousand eight hundred and seventy-one.

When act to be in
force.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified the 1st day of April, A. D. 1871.

CHAPTER CXCIH.

AN ACT TO REGULATE THE RIGHT OF VOTING IN CASES WHERE
COUNTY LINES HAVE RECENTLY BEEN ALTERED.

Electors to make
oath of registra-
tion.

SECTION 1. *The General Assembly of North Carolina do enact*, That in all cases in which, by an act of this general assembly, a portion of any county has been or shall be transferred to some other county, electors residing in the territory transferred, shall, on making oath that they have not registered or voted elsewhere during any election to be held for and in the county to which they have been attached, be entitled to register and to vote at such election in any township of said county which lies contiguous to the territory so attached; *Provided*, That this act shall have effect only

until such territory shall be incorporated according to laws in some township of said county.

SEC. 2. That this act shall be in force from and after its ratification. When act to be in force.

Ratified the 1st day of April, A. D. 1871.

CHAPTER CXCIV.

AN ACT TO AMEND "AN ACT TO DECLARE THE BREVARD FRENCH BROAD AND JONES' GAP ROAD A TURNPIKE."

SECTION 1. *The General Assembly of North Carolina do enact*, That sections forty-three and four of an act to declare the Brevard, French Broad and Jones' Gap Road a Turnpike, ratified the fourteenth day of March, anno domini one thousand eight hundred and seventy, be amended so as to read as follows : Act of March 14, 1870, amended.

SEC. 2. The said commissioners are empowered to erect a toll gate on said road whenever ten miles of the same shall be completed, and to erect other toll gates on the same at convenient distances and places, whereat they may levy and collect such tolls as they may prescribe, on all persons, carriages, wagons, persons and effects passing along said road. Tolls and Gates.

SEC. 3. The amount of tolls so levied and collected shall be paid into the county treasury, a sufficient amount of which shall be used for repairs and keeping up of said road, and the balance for general county purposes. Tolls, how applied.

SEC. 4. If any person shall presume to carry his effects along said road without paying the tolls prescribed in such case, such person shall be liable to a fine not less than five nor more than fifty dollars, to be recovered before any justice of the peace ; *Provided*, Tolls shall not be collected of citizens of the county.

SEC. 5. This act shall take effect from its ratification.

Ratified the 1st day of April, A. D. 1871.

When act to take effect.

CHAPTER CXC V.

AN ACT TO AMEND AN ACT TO PROVIDE FOR THE COLLECTION OF TAXES BY THE STATE AND THE SEVERAL COUNTIES OF THE STATE ON PROPERTY, POLLS AND INCOME, RATIFIED THE TWENTY-EIGHTH DAY OF MARCH, ANNO DOMINI ONE THOUSAND EIGHT HUNDRED AND SEVENTY.

The General Assembly of North Carolina do enact :

Time to value
lands.

SECTION 1. *Valuation of lands, when to be made :*

The township board of trustees shall list the lands of the state on the valuation of eighteen hundred and sixty-nine, and shall assess all the personal property in their township, that is not exempt by this act, at the cash value, on the first day of June, one thousand eight hundred and seventy-one, and on the same day annually thereafter, and for such services shall be allowed not more than ten dollars each, annually, except in townships where cities and towns are located, and in that case such compensation as the commissioners of such county may allow. Whenever no legal board of trustees shall exist in any township, the county commissioners of such county, at a meeting to be held thirty days after the ratification of this act, shall appoint in every such township three assessors, qualified to serve as jurors, one of whom shall be an owner of real estate in the county, who shall constitute a board of trustees for the township, for the purpose of performing all the duties of a regular board of trustees ; said board shall be entitled to the same *per diem* as regular boards of trustees.

Bond of trustees.

SEC. 2. *Meaning of the words "lands and real property" in this act :*

Land, &c., de-
fined.

The words "land and real property" shall be construed in this act to include not only the soil but all buildings and erections thereon, all rights, franchises and assessments

appurtenant thereto, and all mines or minerals on or under the surface.

SEC. 3. *Board shall be notified :*

The county commissioners, by their clerk, shall give to the township boards, previous to the thirtieth day of May, a notice to list the taxable lands and assessments of personal property according to the first section of this act, together with the proper blanks for the same ; *Provided*, That ten days' notice after the reception of a copy of this act shall be allowed to the commission of the several counties of the state to give said notice for this year.

SEC. 4. *Board to advertise in their townships :*

The board shall advertise in three or more public places within their township, within ten days after they have been notified by the county commissioners as provided for in section three.

SEC. 5. *When the list to be given in :*

The lists shall be given in within ten days after due notice has been given by the person charged or his agent. If the person liable be a corporation, its property may be given in by the president, cashier, treasurer or other person appointed for that purpose.

SEC. 6. *Real property and farming stock, &c., shall be given in where situated on the first of June :*

All real property and all stock, farming utensils and other personal property used in connection with the cultivation of a farm, shall be given in in the township in which said property is situated on the first day of June, and where the line of any township runs through any resident's land, the same shall be listed in the township of such resident.

SEC. 7. *All other property and polls to be given in where tax payers reside on the first day of June :*

All other personal property whatever, including moneys, credits, investments in bonds, stocks, joint stock companies

or otherwise, and all taxable polls and all other subjects liable to taxation, except such franchises and personal property as are herein specially provided for, shall be given in in the township in which the person so charged resides on the first day of June. The residence of a corporation, partnership or joint stock association, for the purpose of this act, shall be deemed to be in the township in which its principal office or place of business is situated; if, however, the corporation, partnership, or association, have separate places of business in more than one township, it shall be given in in each the property or effects therein, but any body of lands belonging to a corporation, partnership or association and divided by township lines, shall be given in in that township in which the larger part thereof is situated.

SEC. 8. *Tax payer to give in list of his property :*

Tax payer to list.

At the time and place appointed by the board the tax payer shall attend, and the board shall read over to each one giving in his list all the articles and subjects of taxation, and thereupon he shall render to the board his or her list of taxables, and at the same time taking the following oath: I, A B, do solemnly swear (or affirm) that I have rendered a true and full statement of all subjects of taxation, which I, in my own right, or as agent of, or in trust for any other person and in any other capacity am by law required to list for taxation, according to my best knowledge, information and belief: So help me God.

SEC. 9. *What the list shall contain :*

The list shall state the taxable property of the person giving in, shall refer to the first day of June, in that year :

List to contain what?

1st. The quantity of land listed in the township last valuation. The land shall be described by name if it has one, otherwise in such way that it may be identified.

2nd. The number of horses, mules, jacks, jennetts, goats, cattle, hogs and sheep separately, and the value thereof.

3rd. The estimated value, without specifying the articles, of farming utensils, tools of mechanics, household and kitchen

furniture, provisions, arms for muster, wearing apparel for the use of owner and family, libraries and scientific instruments.

List to contain what?

4th. Money on hand or on deposit in any bank.

5th. The amounts of solvent credits owing to the party, whether owing by bond, note, bill of exchange, open account or due and payable, and whether owing by any government, except bonds of this state, of the United States, exempt from taxation by law, except rent accruing for the current year for the hire of taxable property. If any credit be regarded as not entirely solvent, it shall be given in its estimated value, the party may deduct from the amount of debts owing to him, the amount owing by him, and the residue only shall be liable to taxation.

6th. Stocks in any incorporated company or joint stock association, and their estimated value; but the stock shall not be taxed if the company pays a tax.

7th. All other personal property whatever, including therein all musical instruments, plated and silverware, and the watches and jewelry possessed by the party, his wife, or any minor child.

8th. The income of the party for the year next preceding the first day of June in the current year, with a statement of the source or sources from which it was derived. From the amount of the income five hundred dollars shall be deducted, and also the amount derived from any trade, purchase or profession taxed by the laws of this state.

9th. If the party be a non-resident of the county, and owns land therein, it shall state his address, and may name any agent resident in the county, to whom notices may be given respecting his taxes.

SEC. 10. *Guardians, Executors, etc., to give in separately:*

Every guardian, executor, administrator or trustee shall in like manner, but on a separate list, give in the property held by him in that capacity; the value of the franchise of every railroad, canal, turnpike, plank road, navigation and banking company shall be given by the president or the

Guardians, executors.

chief officer of the said several corporations on the day fixed by this act for the giving in of taxable property to the treasurer of the state, and shall be assessed by the said treasurer, the auditor and the governor of the state; and their valuation shall be returned to the county commissioners of any county in which any part of said roads, or canals, or navigation works shall be; and the tax upon such franchise so valued shall be the same as upon property of equal value; and the tax collected in each county and township shall be in proportion to the length of such road, canal or works, lying in such county or township, respectively; and such taxes shall be collected as other taxes are required by law to be. The rolling stock of every railroad company, and the vessels employed by any canal or navigation company on its canals or works, shall be valued with the franchise.

SEC. 11. *What property exempt from taxation :*

Exemptions.

1st. The property belonging to the United States or to this state, or to any county or incorporated city or town.

2nd. The property belonging to and set apart, and exclusively used for the University, Colleges, Institutes, Academies, the Masonic Fraternity, Order of Odd Fellows, Good Templars and Friends of Temperance, schools for the education of youth or the support of the poor or afflicted, such property as may be set apart for and appropriated to the exercise of divine worship or the propagation of the gospel, or used as parsonages.

3rd. Such property as may be set apart for grave yards or burial lots, except such as are held with a view to profit or for the purpose of speculating in the sale thereof.

4th. Such property of the state and agricultural societies as may be set apart and used by them for agricultural fairs.

5th. Arms for muster, wearing apparel and provisions for the use of the owner and his family, household and kitchen furniture, mechanical and agricultural implements of mechanics and farmers, libraries and scientific instruments, not exceeding in aggregate value two hundred dollars: *Provi-*

ded, That the exemption from taxation shall not exceed two hundred dollars in behalf of any individual tax payer.

6th. Any township board of trustees in any county of the state that fails to allow the exemptions prescribed in the last preceding subdivision or knowingly allows any tax payer more than is exempted in said section, shall be guilty of a misdemeanor.

SEC. 12. *The lists to refer to first day of June :*

The lists shall refer to first day of June of the year in which they are given, and relate to the quantity, condition and value of the property, and to age of the party, in reference to his liability to a poll tax on that day.

SEC. 13. *How the property shall be valued :*

In the year prescribed for the valuation of the lands, the board shall affix to the description of each piece of land its true value in money on the first day of June in that year, and this value, unless altered as hereinafter prescribed, shall be annually fixed to that land unless a new valuation is made. They shall in every year value the personal property at its true value. The valuation found by them they shall affix to every species of property particularized in section nine of this act. If any person liable to be charged with taxes shall refuse to answer any question respecting his taxable property, he shall be guilty of a misdemeanor, and on conviction, liable to be punished by fine or imprisonment, and it shall be the duty of the board to whom the refusal is made, to bind over the offender to appear at the next term of the superior court of the county, and to report that fact to the solicitor for the judicial district in order that the offender may be prosecuted. In valuing the property of railroads and other corporations in which the state is a stockholder, the whole property shall be valued, but a part of the valuation shall be deducted proportionate to the interest of the state, and the tax levied on the residue only. The tax so levied, when paid by the corporation, shall be charged by the corporation on the individual corporators

How property
valued.

only, and when any dividend shall be declared, the dividend to the state shall exceed that to individual corporators by the amount of all taxes previously paid. Stock or shares in incorporated companies shall not be taxed when the property of the company is taxed.

SEC. 14. *Auditor to provide forms and sheriffs to distribute to board of trustees :*

Blank forms.

The auditor of the state shall prepare a form to be used in listing property for taxation, and each year shall furnish the sheriff of each county on or before the fifteenth of May, with a sufficient number of printed copies, and the sheriff shall deliver to the board of each township a sufficient number of such forms for their use.

SEC. 15. *Board to make an abstract of their tax lists :*

Abstracts.

The board shall make an abstract of the tax lists given in to them according to form, to be furnished by the auditor of the state, and shall, on or before the first Monday of July in each year, return such abstract to the clerk of the commissioners. They shall also return a list of all property in their township not given in for taxation, with a description and valuation thereof made by the board, and the names of the occupant and the supposed owner and a list of the taxable polls of the township not given in for taxation. The return so made shall be open to the inspection of all persons interested, and the clerk shall give to any person desiring it a copy of so much thereof as relates to his property, on paying a fee of ten cents.

SEC. 16. *County Commissioners to revise lists, when :*

Who to revise lists.

The county commissioners of each county shall meet on the first Monday in July and revise the tax lists and valuation reported to them, and complete the lists by computing the tax payable by each person, and affixing the same opposite his name. They shall sit for three days at least, and when necessary, shall sit until the revision is complete, and shall hear all persons objecting to the valuation of their

property, or to the amount of tax charged against them. They shall have power to summon and examine witnesses, and shall correct the abstract of the township board as may be right and just, and so that the valuation of similar property throughout the county shall be as near uniform as possible. They shall have power to raise the valuation upon such property as they shall deem unreasonably low. The county commissioners on the prescribed oath may take the list of any person applying to list his taxables at any meeting of the commissioners held on or before the first Monday in October, upon his paying the clerk fifty cents for recording the same. The commissioners shall ascertain the value of their property by the examination of witnesses or otherwise, and insert it in the abstract; and without satisfactory excuse they shall add to the tax of the person so allowed to give in, five per cent. on the regular amount of his tax for that year.

SEC. 17. *How complaints of excess proceeded with :*

If any person shall complain before the commissioners that his property, either real or personal, has been improperly valued, or that he is charged with an excessive tax, he shall present his claim in writing and they shall hear any evidence adduced by him, and shall summon and examine any witness necessary for a just decision of the question. If they decide against the complaint, they shall also give judgment against him for the costs of the investigation, but if the county commissioners shall find that he has cause for complaint they shall direct their clerk to render a true account thereof; and the account thus rendered certified by the clerk, shall be returned to the auditor who shall credit the sheriff with the overcharge in his settlement of that year.

Remedy for excess.

SEC. 18.

If the application for relief be made to the commissioners after the sheriff shall have settled the accounts with the auditor, the commissioners shall carefully examine the case and, if in their opinion, the applicant is entitled to relief,

Relief.

shall direct the clerk to record, on the record book, the cause of complaint, and the amount which in the opinion of the commissioners should be refunded to the applicant. The clerk shall make out a copy of such record, certify the same under seal of the commissioners and deliver to the applicant who shall pay to the clerk a fee of fifty cents. Such copy then shall be transmitted to the auditor of the state who, on finding the proceedings in conformity with the requirements of this section, shall issue a warrant on the treasurer of the state for the amount specified. The treasurer shall, on presentation of such warrant, pay to the holder of the same the amount to be refunded.

SEC. 19. *Persons not giving in to be charged with double tax :*

Double tax.

The county commissioners shall insert in the abstract of the tax list for each township, the subscription and valuation of all property not given in, with the name of the person supposed to be liable for the taxes thereon, and the names of all persons in each township liable for a poll tax who failed to give themselves in, and shall charge all such persons with double the tax with which they would otherwise be chargeable, unless satisfactory excuse therefor be rendered.

SEC. 20. *County commissioners may exempt from poll tax :*

Exemptions.

The county commissioner shall have the power to exempt any person from the payment of a poll tax on account of poverty and infirmity, and the clerk shall deliver to the sheriff a list of all persons so exempted with the amount of taxes charged against them, and shall also send a copy of such list to the auditor of state, and the sheriff shall be entitled to a deduction for such taxes in any settlement he may be required to make.

SEC. 21. *Copies of revised tax list, how distributed :*

Tax lists.

The county commissioners shall cause to be made out two copies of the tax lists of each township, as revised and settled by them according to a form to be furnished to them by the

auditor of the state. Such form shall show in different columns the amount due by each tax payer to the state and to the county; one of said copies shall remain in the office of the clerk of the commissioners, the other shall be delivered to the sheriff on or before the third Monday in July in each year, and he shall receipt for the same. The clerk shall endorse on the copies given to the sheriff an order to collect the taxes therein mentioned, and such order shall have the force and effect of a judgment and execution against the property of the person charged in such list. In such list the clerk shall note all appeals from the judgment of the commissioners which have been perfected by the giving of bond as prescribed.

SEC. 22.

The clerk of the commissioners on or before the first Returns. Monday in September after the lists are returned, shall return to the auditor an abstract of the same, showing the number of acres of land and their value, and the value of town lots, and the number of white and colored polls separately, and specify every other subject of taxation, and the amount paid on the whole. At the same time the clerk shall return to the auditor an abstract of the lists of the poor, county and school taxes paid in his county, setting forth separately the tax levied on each poll and on each one hundred dollars value of real property for each purpose, and also the gross amount of taxes of every kind levied for county purposes.

SEC. 23.

If any clerk shall make a default of any of the duties Penalty for default. prescribed in the preceding section, or shall fail to deliver to the auditor a copy of the sheriff's return, made, sworn to and subscribed as required in section thirty-three of this act, he shall forfeit and pay to the state one thousand dollars to be recovered against him and the securities of his bond in the superior court of Wake county, at the term next after the default, on motion of the state solicitor, and

it shall be the duty of the auditor to inform the solicitor of such default.

SEC. 24. *In case land be divided, how tax may be apportioned :*

Lands in different counties.

In case within the interval between two regular periods for the valuation of land or real property, any piece of land or real property shall become divided in ownership either by partition or a sale of a portion thereof, or otherwise, either of the part owners may at any time, upon five days notice to the other part owners, apply to the township board of trustees for an apportionment of valuation, which shall be allowed as may be just, and all persons having tax lists are required to amend the same according to the judgment of said board, on the production of a certified copy thereof; *Provided*, That no amendment made after a tax on the land has been due shall operate to effect that tax.

SEC. 25. *If where fall or rises, valuation altered, when :*

Valuation altered.

If any valuation of real or personal property and before the tax thereon shall become due, [the property shall become due,] the property shall become destroyed or depreciated over twenty-five per cent. on its assessed value, otherwise than by act of the owner, the party charged may apply to the township board of trustees and upon proper proof may have the valuation reduced, and the board of trustees shall thereupon immediately furnish to the clerk of the county commissioners, as well as to the party, a certified copy of their order in the premises. If the property was insured, the amount of insurance shall in such case, be considered in altering the valuation. In like manner, if property shall have increased twenty-five per cent. over its assessed taxable value, the sheriff of the county, upon ten days notice to the owner, may apply to the board of trustees to alter the valuation of the property, and upon proper proof they shall do so; but the valuation shall not be altered if the appreciation has occurred in consequence of improvements made on the property by draining, clearing, building, or the like.

SEC. 26. *When taxes may be paid, when due :*

All taxes shall be due on the first Monday of August in each year. When paid, the sheriff shall note on the tax list against the name of the party the date of payment and the amount paid, he shall also give a receipt to the parties stating the amount of the state and county tax separately, and the date of payment: *Provided*, The sheriff shall not collect the taxes for any year until he shall have settled in full with the state and county treasurer for the taxes of the previous year, (if he was the sheriff.) Before receiving the tax lists he shall produce the receipts of the state and county treasurer, (if he was sheriff for the previous year,) to the clerk of the county commissioners, and in the event the sheriff fail to produce the aforesaid receipt, the county commissioners shall appoint a tax collector who shall give bond as required by the sheriff to faithfully collect and pay over the taxes according to law. When the sheriff shall collect by his deputies who are not sworn, or other such persons, they shall, before the clerk of the board of commissioners, or before a justice of the peace of the county, take and subscribe an oath, faithfully and honestly to account for the same with the sheriff or other person authorized to receive them. Said oath shall be filed and kept on the docket of the county board, and for failure of any deputy sheriff to pay over such tax as he may collect, he shall be guilty of a misdemeanor.

When to pay taxes.

SEC. 27. *Sheriff to attend to receive taxes :*

The sheriff in person or by deputy shall constantly attend at the court house of his county from the first Monday of August to the twenty-first of November in each year, for the purpose of receiving taxes; he shall also in like manner, attend at least one day after the second Monday of October at some place in each township, of which twelve days notice shall be given by advertisement at three or more public places in the township: *Provided*, That nothing in this section shall be construed to prevent the collecting officer from levying and selling after the taxes become due.

When to receive taxes.

SEC. 28. *How sheriff to collect:***How to collect.**

Whenever the taxes shall be due and unpaid, the sheriff shall immediately proceed to collect them as follows:

1st. If the party charged have personal property of a value equal to the tax charged against him, the sheriff shall seize and sell the same, as he is required to sell other property under execution.

Insolvents.

2d. And before sale on land no insolvent taxables shall be credited to the sheriff in the settlement with the auditor but such as shall be allowed by the county commissioners, a list whereof containing the names and amounts, and subscribed by the sheriffs, he shall return to county commissioners before said settlement, and the same shall be allowed only on his making oath that he has been at the dwelling house or usual place of abode of each of the tax payers, and could not there or elsewhere in the county find property wherewith to discharge his taxes, or such part thereof as is returned unpaid, and that the persons contained in the lists were insolvent at and during the time when, by law, he ought to have endeavored to collect their taxes; such list shall be recorded in commissioner's docket, and a copy thereof within ten days after its return into the office of the said commissioners shall be returned to the auditor of the state.

Remedy if no personal property.

3d. If the party charged has not personal property to be found in the county of sufficient value, the sheriff shall levy upon the lands of the delinquent or any part thereof; said sheriff shall return a list of said levy to the clerk of the superior court, who shall confirm said levy by issuing execution as in cases of other judgments, and the clerk of the superior court shall enter the same on his docket as in cases of other executions; the sheriff shall notify the delinquent of such levy and of the day and place of sale by service, of a notice stating those particulars, on him personally. If the delinquent cannot, by reasonable diligence, be found in the county, but has a known agent therein, and his own address is known, or can by reasonable diligence be ascertained, the notice shall be delivered to such agent, and shall be mailed

post paid to the delinquent. If the delinquent has no known agent in the county, or his address cannot with reasonable diligence be ascertained, the sheriff shall publish a notice substantially as above described at the court house door and two other public places and also in some newspaper published in the county where the land is situated, and if there be no newspaper published in the county, then in the nearest newspaper. The notice shall be served or published as aforesaid at least thirty days before the sale of the land; the sale of the land shall be made at the court house of the county in which lies, and shall be on one of the days prescribed for sale under execution, and shall be conducted in all respects as sales under execution are. If the delinquent resides out of the county, and his address be known, the sheriff, within one month after the sale, shall mail to him notice of the sale and of the date thereof, of the name and address of the purchaser of the sum bid and of the amount of taxes and costs to be paid by him as a condition of his redemption. If any person liable for taxes, not having property in the county where such taxes are due, shall have property in any other county, or shall remove from his county after the day of listing, or carry his property therefrom, the collecting officer shall return the fact to the board of commissioners of the county who shall, through their clerk, make an abstract of the same under their corporate seal, which abstract shall have the force of a tax list regularly endorsed for collection in any county of the state. The collecting officer shall forward the same to the proper collecting officer of the county where the person or property may be, who shall collect the amount due thereon with ten per cent. added, which per centage he may retain to his own use, the residue to be forwarded immediately to the officer from whom he received it, to be accounted for as other public taxes. It shall be the duty of the officer to whom such abstract shall be forwarded to make return of his action on the same within thirty days, and said abstract or a duly certified copy may be sent for collection to the same or any other county until the amount due shall be collected.

Remedy if no personal property.

SEC. 29. *Who is to be purchaser and what he shall pay:*

Who to be purchaser, &c.

The highest bidder shall be the purchaser; he shall immediately pay to the sheriff the amount of taxes and costs due by the delinquent; the sheriff shall give him a receipt stating the sum paid and upon what amount, and describing the property, and shall cause the same to be recorded by the register of deeds.

SEC. 30.

Sheriffs may bid.

If no one will bid for any piece of real property, the amount of the taxes assessed thereon and the charges of sale, the sheriff shall bid off the property for the state, and upon proving the fact and tendering to the auditor of the state a deed to the state for the property, duly registered in the county in which it lies, shall have credit for the amount of such tax and charges. The deed shall be deposited by the auditor with the secretary of state. The property so purchased by the state shall be under the control of the board of education, and be held for the purposes and under the powers for which the swamp lands of the state are now held. Lands so sold may be redeemed as other lands sold for taxes are allowed to be.

SEC. 31. *The delinquent may redeem the property within twelve months.*

Delinquents may redeem.

The delinquent may retain the possession of the property for twelve months after the sale, and within that time may redeem it by paying or tendering to the purchaser the amount paid by him, and twenty-five per cent. in addition thereto. If the purchaser shall accept the sum so tendered, he shall give a receipt therefor. If he shall refuse, the delinquent may pay the same to the clerk of the superior court for the county for the use of the purchaser, and the clerk shall give a receipt therefor. Such payment shall be equivalent to payment to the purchaser. The delinquent may cause the receipt of the purchaser or of the clerk to be registered, and the register of deeds shall refer to such registration on the margin of his registration of the receipts from

the sheriff to the purchaser. After the payment to the purchaser or to the clerk for his use as aforesaid, his right under the purchase shall cease. No sale of the property by the purchaser or by the delinquent within twelve months shall convey to their respective vendees any other rights or estates than the parties themselves possess.

SEC. 32. *If the delinquent fail to redeem:*

If the delinquent shall fail to redeem as prescribed in the preceding section, the purchaser may, within eighteen months after the purchase, pay to the sheriff the residue of the sum bid by him, together with the interest thereon, at the rate of one per centum per month, from the expiration of the twelve months next succeeding the sale to the date of payment, and demand a deed. The sheriff shall receive the money for the delinquent and make the deed. The sheriff shall be entitled to retain from the money so paid for his trouble in the premises, five dollars, and the residue he shall pay to the delinquent on demand. The deed from the sheriff to the purchaser shall be registered within six months, and when so registered shall convey to the grantee therein all the estate in the premises which the delinquent had at the time of the sale for taxes.

Failure of delinquent to redeem.

SEC. 33.

Every sheriff shall keep a record of the taxes collected by him from the clerk of the court and under Schedule B. of the revenue act, all forfeitures, arrears from insolvents, double taxes and taxes on unlisted subjects, and on or before the fourth Monday in September shall deliver to the clerk of the county commissioners, a statement setting forth all sums received to that date, not previously accounted for, the date of such receipts, the person from whom received, the amount received from such person, the subjects on which received and the aggregate amount, accompanied by an affidavit taken and subscribed before the clerk and attested by him that the statement is correct, and that no receipt has been omitted. And the clerk shall, by the first Monday in October, send a

Record of taxes collected.

duplicate of said statement and affidavit to the auditor of the state, register the name on a book kept in his office for that purpose, and keep a copy of the same posted in a conspicuous place in the courthouse until the first of January next ensuing.

SEC. 34.

When sheriffs to settle.

The sheriffs or other accounting officers shall on or before the first Monday in December in each year, settle their state tax accounts with the auditor and pay the amount for which he is liable to the treasurer of the state, unless when the settlement of such persons may be specially directed to be made in another manner or at another time. The auditor shall forthwith report to the state treasurer the amount due from each accountant, setting forth therein the net amount due to each fund, and the treasurer shall open an account against such officer and debit him accordingly. The sheriff, tax collector and other accounting officer, in making his settlement as aforesaid, shall render to the auditor a duplicate of the list required in section thirty-three of this act. In such settlement the sheriff or other officer shall be charged with the amount of public tax as the same appears by the abstracts of taxables transmitted to the auditor, also with all double taxes and taxes on enlisted property by him received, and with all other tax which he may have collected or for which he is chargeable. The auditor shall give to each sheriff or tax collector a certified statement embracing the subjects of taxation contained in both lists, and the amount of tax on each subject which the sheriff or tax collector shall deposit with the clerk of the commissioners of his county for public inspection.

SEC. 35.

Deductions to the sheriff.

The auditor in making the settlement with the sheriff or tax collector as aforesaid shall deduct from the lists returned:

1. The amount of taxes charged against any person whom the clerk of the commissioners shall certify to have appealed

from a decision of the commissioners respecting his liability and to have given the bond required; *Provided*, That the clerk of the court to which the appeal was taken shall certify that it is pending and undecided. The sum so unliquidated shall be carried forward by the auditor as a charge against the sheriff or tax collector on his next year's account from year to year until the decision of the appeal, after which they shall be collected and paid or balanced, if the final decision be in favor of the appellant.

2. All poll taxes and taxes on personal property certified by the clerk of the commissioners of the county by order of the commissioners to be insolvent and uncollectable.

3. The amount of state tax on land bid off by the state with the costs attendant on the whole on producing the certificate of the secretary of state, as is provided for in section thirty-one, of this act.

4. All over payments made in former settlements by reason of any error in the clerk's abstracts of taxables.

5. Five per cent. commission on amount collected

SEC. 36.

For his settlement with the state treasurer, the sheriff or tax collector shall be paid three dollars for each day he may be necessarily engaged therein at the city of Raleigh, and traveling expenses to and from said city, at the rate of ten cents per mile by the usual route of travel, said compensation and expenses to be paid on the warrant of the auditor.

Pay to sheriff for settling.

SEC. 37.

In every case of failure by a sheriff or other accounting officer to settle his accounts within the time prescribed in this act for such settlement and to take the oath required on his settlement, the auditor shall forthwith report to the treasurer the account of such sheriff or officer, and furnish him with a copy of the official bond of said officer and his sureties, deducting therefrom nothing for commissions or insolvents but adding thereto one thousand dollars and ten per cent. of the amount of taxes with which said sheriff is

Penalty for sheriff failing to settle.

charged for the amount of taxes supposed not to appear in the list transmitted by the clerk, and if the whole amount be not paid, the treasurer, on motion of the solicitor of the sixth judicial district, in the superior court of Wake county, before the clerk thereof, within ten days after the default shall have occurred, shall recover judgment against him and his sureties, without other notice than is given by the delinquency of the officer. And to the end that their obligations and names may be known, the clerk of the superior court shall, on or before the second Monday in September in each year, transmit to the auditor a copy, certified under the seal of the court, of the bond of the sheriff and his sureties, upon pain, for his default, of forfeiting to the state one thousand dollars, which the treasurer shall and is hereby specially charged to collect in like manner and at such times as is provided in this section. If the sheriff or other accounting officer shall fraudulently and corruptly fail to account as aforesaid, he shall be deemed guilty of a misdemeanor, and upon conviction thereof in any court of competent jurisdiction, shall be sentenced to pay a fine in the discretion of the court and to be imprisoned not less than three months.

SEC. 38. *Sheriffs to pay county taxes, when :*

The sheriff or the tax collector shall pay the county taxes to the county treasurer, or other lawful officer. He shall at no time retain in his hands over three hundred dollars for a longer time than ten days, under a penalty of ten per centum per month to the county upon all sums so unlawfully retained. On or before the eighth day of January in each year, the sheriff shall account with the county treasurer or other lawful officer, for all taxes which have been collected by him for the county during the fiscal year, and on failure so to do, he shall pay to the county treasurer two per cent. per month on all sums unpaid, and this shall be continued until final settlement. He shall be charged with the sums appearing by the tax lists as due for county taxes and shall be allowed to deduct therefrom as is prescribed in this act respecting his settlement of state taxes.

County taxes
when to be set-
tled.

SEC. 39. *County commissioners to appoint a committee to assist in settlements :*

The county commissioners, at the last regular or other subsequent meeting in each year, shall appoint one or more of their number to be present and assist at the accounting and settlements between the sheriff and county treasurer provided for in the next preceding section, and also to audit and settle the accounts of the county treasurer and of all other county officers authorized to receive or disburse the county funds. The accounts so audited shall be reported to the county commissioners, and when approved by them shall be filed with the clerk and recorded on his book, and shall be *prima facie* evidence of their own correctness and impeachable only for fraud or specified error.

Committees of settlement.

SEC. 40. *Penalty of sheriff for failing to account :*

In case the sheriff of a county shall fail, neglect or refuse to account with the county treasurer and assistant committee as above required, or to pay what may be rightfully found due in such account, he shall forfeit and pay to the state for the use of the county a penalty of twenty-five hundred dollars; it shall be the duty of the county treasurer, and if he neglect or refuse to perform it, of the chairman of the county commissioners to cause an action to be brought in the superior court of the county on the bond of the sheriff against him and his sureties to recover the amount owing by him and the penalty aforesaid; if the sheriff shall fraudulently and corruptly fail to account as aforesaid, he shall be criminally liable thereupon in like manner and with the same penalties imposed for such criminal defalcation in section thirty-seven.

Penalty for sheriff failing to account.

SEC. 41. *Other county officers, when to account, and penalty for failure :*

In each year the county treasurer shall give five days notice to all county officers (except the sheriff) authorized to receive or disburse the county funds, to appear at the court house of the county on a certain day, during the first ten

Other county officers failing.

days in January, before him and the committee appointed by the county commissioners, and present an account of all sums received or disbursed for the county, with their vouchers, and any officer failing to attend and account shall be deemed guilty of a misdemeanor. The accounts, when audited, shall be reported to the county commissioners at their next meeting, and if approved by them, shall be filed with their clerk and recorded in the book of their proceedings, together with their approval, and shall be deemed *prima facie* correct.

SEC. 42.

Whenever in this act a duty is imposed upon a sheriff of a county for which a tax collector has been appointed, it shall be incumbent upon the tax collector to perform the said duties instead of the sheriff, and such tax collector shall have all the emoluments and be subject to all the penalties, as provided in the case of sheriffs in this act.

SEC. 43. *When act goes into effect:*

This act shall be in force from and after its ratification.

Ratified the 1st day of April, A. D. 1871.

CHAPTER CXCVI.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE PLANTER'S RAILROAD COMPANY.

SECTION 1. *The General Assembly of North Carolina do enact,* That an act entitled "an act to incorporate the Planter's Railroad Company," ratified on the first day of March, anno domini one thousand eight hundred and seventy, be and the same is hereby so amended as to fix and locate the terminus of said railroad on the Atlantic and North Carolina Railroad at or near Core Creek station, thence by the most practi-

Duty of tax collector.

When act to be in force.

Change of terminus of road.

cable route, as the stockholders may direct, through or near the town of Trenton, in Jones county, to the navigable waters of New river, at or near the town of Jacksonville, in the county of Onslow.

SEC. 2. All laws and clauses of laws in conflict with this act are hereby repealed, and this act shall be in force from and after its ratification.

Repealing clause.
When act to take effect.

Ratified the 3rd day of April, A. D. 1871.

CHAPTER CXC VII.

AN ACT TO AMEND SECTION THIRTY-ONE, OF CHAPTER TWO HUNDRED AND ONE OF THE ACT OF APRIL TWELFTH, ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE.

SECTION 1. *The General Assembly of North Carolina do enact*, That section thirty-one of chapter two hundred and one be amended to read as follows: Guardians, trustees and others acting in a fiduciary capacity, having surplus funds of their wards and *cestui que trusts* to loan, may invest in United States bonds, or any securities whereof the United States are responsible, now or hereafter to be issued, and in all settlements by guardians, trustees and others, acting in a fiduciary capacity, such bonds or other security of the United States shall be deemed cash, including the premium, if any paid for such bonds or other securities, and may be paid as such by the transfer thereof to the persons entitled.

Guardians and trustees may invest in U. S. securities.

SEC. 2. All laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 3. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 3rd day of April, A. D. 1871.

CHAPTER CXCVIII.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF MITCHELL TO
LEVY A SPECIAL TAX.

Object and limit
of tax.

SECTION 1. *The General Assembly of North Carolina do enact*, That for the purpose of erecting a county jail and completing the court house in the county of Mitchell, the county commissioners are authorized and empowered to levy a special tax for such amount as in their judgment may be necessary, not to exceed two thousand five hundred dollars, (\$2,500).

When act to be in
force.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified the 3d day of April, A. D. 1871.

CHAPTER CXCIX.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF CURRITUCK
COUNTY TO LEVY A SPECIAL TAX.

Amount and ob-
ject of tax.

SECTION 1. *The General Assembly of North Carolina do enact*, That the county commissioners of Currituck county be allowed to levy a special tax not to exceed five thousand dollars, for the purpose of paying the interest on the county debt, and the ordinary expenses of the county; *Provided*, That the equation of the constitution in regard to the poll and real estate taxation be strictly adhered to.

Proviso.

When act to be in
force.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified the 3d day of April, A. D. 1871.

CHAPTER CC.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF MOORE COUNTY
TO ISSUE BONDS.

SECTION 1. *The General Assembly of North Carolina do enact*, That in order to liquidate the liabilities of the county of Moore, the commissioners of said county are hereby authorized to issue coupon bonds not exceeding in amount the sum of six thousand dollars in denominations of not less than one hundred, nor more than one thousand dollars.

Amount and denomination of bonds issued.

SEC. 2. The said bonds shall run for ten years bearing interest at the rate of six per cent. per annum payable semi-annually; and matured coupons on said bonds shall be receivable in the payment of county taxes.

Conditions.

SEC. 3. The said commissioners shall have the privilege to redeem said bonds at any time after the expiration of one year from the date of their issue, and shall appoint a suitable person trustee of a sinking fund whose duty it shall be each year to purchase one-tenth of said bonds then outstanding, and for that purpose shall receive from the county treasurer upon the order of the commissioners the sum of money necessary to that end.

Redemption.

SEC. 4. For the purpose of redeeming the said bonds and making the annual purchase therein directed, the commissioners are hereby authorized to levy a special tax on the real and personal property, and each taxable poll in said county, not exceeding one sixth of one per cent. on the valuation of the property, and observing the equation now recognized by the constitution of this state in the taxation of the poll.

Special tax.

SEC. 5. The trustee herein directed to be appointed, shall, before entering on his duties, give bond with sufficient security in such sum as the commissioners may deem sufficient, conditioned for the faithful performance of his duties; he shall renew his bond as often as the commissioners may deem necessary and shall be removable at the pleasure of the

Bond of trustee.

commissioners, and another appointed in his room and stead.

Trustee to liquidate debt of county.

SEC. 6. The said trustee is hereby authorized, in addition to the duties hereinbefore assigned him out of the proceeds of the bonds allowed by this act to be issued, or out of any other county funds that may be placed in his hands for such purpose, to purchase the debts outstanding against said county at their market value, or otherwise compromise therefor at his discretion; and in his settlement with the committee of finance of said county, which shall be had at least once in each and every year, he shall be credited with the amount actually expended therefor.

When act to be in force.

SEC. 7. This act shall be in force from and after its ratification.

Ratified the 3d day of April, A. D. 1871.

CHAPTER CCI.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF ALAMANCE TO LEVY AND COLLECT A SPECIAL TAX.

Amount of tax.

SECTION 1. *The General Assembly of North Carolina do enact*, That the county commissioners of Alamance county are authorized and empowered to levy and collect at the same time and in the same manner as the other state and county taxes are levied and collected in the year one thousand eight hundred and seventy-one, a special tax not exceeding five thousand dollars; *Provided*, That the equation established by the constitution, article five, section one, between the poll and three hundred dollars worth of property shall be observed in said levy; *And provided, further*, That the amount raised by said special tax shall be used in the payment of debts contracted for the support of the poor, and for other necessary expenses.

Proviso.

Further proviso.

When act to be in force.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified the 3d day of April, A. D. 1871.

CHAPTER CCII.

AN ACT CONCERNING THE ANNEXATION OF A PORTION OF CALDWELL COUNTY TO THE COUNTY OF WATAUGA.

SECTION 1. *The General Assembly of North Carolina do enact*, That all that portion of Caldwell county comprised within the following boundaries, viz: beginning at the fair-view on the Caldwell and Watauga turnpike road on the top of the Blue Ridge, thence a straight line to the top of the Grandfather mountain, be and the same is hereby annexed to, and shall form part of Watauga county.

Description of county annexed to Watauga county.

SEC. 2. That all laws and clauses of laws coming in conflict with this act are hereby repealed.

Repealing clause.

SEC. 3. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 3d day of April, A. D. 1871.

CHAPTER CCIII.

AN ACT TO REPEAL AN ACT FOR THE BETTER PRESERVATION OF THE PUBLIC HEALTH, BY ESTABLISHING SUITABLE QUARANTINE REGULATIONS FOR BEAUFORT HARBOR, NORTH CAROLINA.

SECTION 1. *The General Assembly of North Carolina do enact*, That an act entitled "an act for the better preservation of the public health, by establishing quarantine regulations for Beaufort harbor, North Carolina," ratified April twelfth, one thousand eight hundred and sixty-nine, be and the same is hereby repealed.

Act of April 12th, 1869 repealed.

SEC. 2. The quarantine physician, appointed by authority of said act of April twelfth, one thousand eight hundred and sixty-nine, is hereby empowered and authorized to

Quarantine physician to dispose of State property.

dispose of the unfinished hospital and the boat belonging to the state, by public sale for cash, at as early a day as practicable after the ratification of this act; and that he pay over to the public treasurer the proceeds of said sale.

When act to be in force.

SEC. 3. This act shall be in force from and after its ratification.

Ratified the 3rd day of April, A. D. 1871.

CHAPTER CCIV.

AN ACT AUTHORIZING R. B. WEBSTER AND ROBERT LEWIS, SURETIES ON THE OFFICIAL BOND OF WALKER SMITH, LATE SHERIFF OF ROCKINGHAM COUNTY, TO COLLECT ARREARS OF TAXES.

Collection of taxes due for 1866-1867.

SECTION 1. *The General Assembly of North Carolina do enact*, That R. B. Webster and Robert Lewis, sureties on the official bond of Walker Smith, late sheriff of Rockingham county, are empowered to collect all arrears of taxes due the said Walker Smith, upon the assessment for the years one thousand eight hundred and sixty-six and one thousand eight hundred and sixty-seven, under the same restrictions and with the same rights and remedies as are provided by law for the collection of taxes.

Powers to cease 1872.

Proviso.

SEC. 2. That the power hereby granted shall cease January first, one thousand eight hundred and seventy-two; *Provided*, That no person shall hereby be made liable for such taxes, who shall make affidavit, before a justice of the peace of said county, that according to the best of his knowledge he has paid said taxes and lost the receipt for the same; *Provided*, That the estates of decedent shall not be liable for said taxes.

When act to be in force.

SEC. 3. This act shall be in force from and after its ratification.

Ratified the 3d day of March, A. D. 1871.

CHAPTER CCV.

AN ACT TO PREVENT THE FELLING OF TREES IN THE YADKIN RIVER.

SECTION 1. *The General Assembly of North Carolina do enact*, That it shall not be lawful for any person to fell any tree or trees in the Yadkin river, on or the banks of the same below high water mark, and suffer the same to remain for the space of ten days, at any point or place lying on said river, between the point where the Wilkes county line crosses said river, above Jonesville, and the point where the Davie county line runs to said river below Huntsville.

Trees not to be felled into Yadkin river.

SEC. 2. If any person or persons shall violate the first section of this act, or procure any one to do so, he, she or they, so offending, or procuring others to offend, shall forfeit and pay, for each tree felled, within the prohibited limits, the sum of ten dollars, to be recovered before any justice of the peace within the county where the offence is committed, the action to be brought in the name of the state by the party suing therefor, and one half of the recovery to belong to the prosecutor and the other half to the county in which the offence is committed.

Penalty for violations of this act.

SEC. 3. In addition to the penalty prescribed in the second section of this act, any person or persons, violating the provisions of the first section, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned at the discretion of the presiding judge.

Additional punishment.

SEC. 4. This act shall be in force from and after thirty days from its ratification.

When act to be in force

Ratified the 3d day of April, A. D. 1871.

CHAPTER CCVI.

AN ACT IN FAVOR OF THE SURETIES OF HUGH B. GUTHRIE, LATE
SHERIFF OF ORANGE COUNTY.

Transfer of power
conferred upon
John Turner.

SECTION 1. *The General Assembly of North Carolina do enact*, That all powers and authority conferred by chapters one hundred and forty-three and one hundred and seventy, of the laws of one thousand eight hundred and sixty-nine and one thousand eight hundred and seventy, on John Turner, sheriff of Orange, who died before exercising such power and authority, is hereby conferred upon J. H. Hughes, present sheriff of Orange county, or upon such person as may be selected by the solvent sureties of Hugh B. Guthrie, upon his official bond, and the time when the power and authority granted in said chapter shall cease and determine is hereby extended to the first day of April, one thousand eight hundred and seventy-two.

When act to be in
force.

SEC. 2. This act shall be in force from and after its ratification.

Ratified the 3d day of April, A. D. 1871.

CHAPTER CCVII.

AN ACT FOR THE RELIEF OF JAMES M. YOUNG, SHERIFF OF
BUNCOMBE COUNTY, AND T. W. TAYLOR, SHERIFF OF HEN-
DERSON COUNTY.

Release from pen-
alties.

SECTION 1. *The General Assembly of North Carolina do enact*, That James M. Young, sheriff of Buncombe county, and T. W. Taylor, sheriff of Henderson county, be and are hereby relieved from the payment of all penalties incurred by reason of their failure to settle with the treasurer of the state as required by law; *Provided, nevertheless*, That said

James M. Young and T. W. Taylor, do make a settlement of their taxes according to law with the treasurer, by the first day of May, one thousand eight hundred and seventy-one; *And provided*, that said James M. Young, shall not be subject to the provisions of the "act to compel sheriffs to settle the public taxes," ratified March twenty-first, one thousand eight hundred and seventy-one, until after the first day of May, one thousand eight hundred and seventy-one, and pay all costs that may have accrued in consequence of his failure to pay said tax at the time prescribed by law. Proviso.

SEC. 2. That this act shall be in force from and after its ratification. When act to be in force.

Ratified the 3d day of April, A. D. 1871.

CHAPTER CCVIII.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF GASTON COUNTY TO LEVY A SPECIAL TAX FOR THE PURPOSE OF REPAIRING THE BRIDGE OVER SOUTH FORK RIVER, AT HAYLER FERRY, WITHIN SAID COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That the commissioners of the county of Gaston be and they are hereby authorized to levy and collect a special tax of twelve hundred dollars for the purpose of repairing the bridge over South Fork river, at Hayler's ferry, in said county. Amount and object of tax.

SEC. 2. That the tax herein authorized to be levied shall be collected and accounted for in the same manner and under the same penalties which are applicable to the collection of the ordinary tax of the state and county.

SEC. 3. That the tax herein authorized shall not be used or expended for any other purpose than that which is expressed in the first section of this act; *Provided*, That the levy herein authorized to be made, be submitted to the Question submitted to voters of county.

qualified voters of said county, at the regular election to be held on the first Thursday in August, anno domini one thousand eight hundred and seventy-one, and if a majority of the qualified voters approve thereof, then the levy shall be made and not otherwise.

When act to be in force.

SEC. 4. This act shall take effect from and after its ratification.

Ratified the 3d day of April, A. D. 1871.

CHAPTER CCIX.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF ANSON COUNTY TO ISSUE BONDS, &C.

Preamble.

WHEREAS, By virtue of an act of the general assembly, entitled an act to alter and amend the charter of the Wilmington, Charlotte and Rutherford Railroad Company, ratified second day of February, one thousand eight hundred and fifty-seven, it is provided that the counties along the line of the whole road shall be authorized and empowered to subscribe for any number of shares of the capital stock of said company not exceeding four thousand, under provisions therein made; and whereas, some of the counties along said road did subscribe in pursuance of said act; now therefore,

Issuing of bonds.

SECTION 1. *The General Assembly of North Carolina do enact*, That whenever it may become necessary to issue any bonds in pursuance of said subscription, the duties devolved by said act upon the justices of the counties may be discharged by the board of county commissioners of said county, and chairman of the commissioners and clerk may discharge the duties of the chairman of the county court and clerk thereof.

SEC. 2. That whenever the board of county commissioners of any of said counties so subscribing may be satisfied that any bona fide holder of any bonds previously issued with

coupons, in pursuance of the subscription authorized by said act, has lost the same, or that they have become mutilated or otherwise injured or destroyed, so as to be of no value to the owner, and so that he can not realize the same or such part thereof as may be due him. That the said board of county commissioners may cause new bonds and coupons to be issued to such persons upon such requisitions as the commissioners may deem necessary and proper for the security of the counties.

New bonds to be issued for lost or mutilated ones.

SEC. 3. That this act shall take effect and be in force from and after its ratification.

When act to take effect.

Ratified the 3d day of April, A. D. 1871.

CHAPTER CCX.

AN ACT TO AUTHORIZE C. AUSTIN, LATE SHERIFF OF THE COUNTY OF UNION TO COLLECT ARREARS OF TAXES.

SECTION 1. *The General Assembly of North Carolina do enact*, That Culpepper Austin, late sheriff of Union county, be and he is hereby authorized and empowered to collect the arrears of taxes due on the tax list of said county for the years one thousand eight hundred and sixty-six and one thousand eight hundred and sixty-seven, under the same rules, regulations and restrictions as other collections of taxes are made by virtue of the law of this state; *Provided*, That the authority by this act granted shall not extend to the estate of any person deceased or his executors or administrators, or to any person who will make affidavit that the tax claimed has been paid, or to any land the title of which is in a party other than party who returned it for taxes.

Authority to collect arrears.

Proviso.

SEC. 2. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 3d day of April, A. D. 1871.

CHAPTER CXXI.

AN ACT TO SUBMIT THE QUESTION OF "CONVENTION," OR "NO CONVENTION," TO THE PEOPLE, AND TO PROVIDE FOR THE ELECTION OF DELEGATES.

Preamble.

WHEREAS, The present constitution is, in many respects, burdensome and oppressive to the people of the state, and is, in many of its provisions, ill-adapted to their wants and condition; *and whereas*, the taxes required by said constitution to be levied upon the citizens of the state by this general assembly, are, in the judgment of this general assembly, too grievous to be borne, and cannot be collected without effecting the ruin of our people; *and whereas*, the general assembly, having reason to believe that a majority of the voters of the state are anxious to amend the said constitution in many particulars, consider it their duty to adopt measures for ascertaining the will of their constituents, and to provide the means for carrying of that will into effect when ascertained; therefore,

When and where
polls to be
opened.

SECTION 1. *The General Assembly of North Carolina do enact*, That the sheriffs of the several counties of this state shall open polls at the various precincts in their respective counties, as now established by law, on the first Thursday in August, anno domini one thousand eight hundred and seventy-one, when and where all persons qualified to vote for members of the general assembly may vote for or against a state convention, under the restrictions hereinafter prescribed; those who wish convention voting with a printed or written ticket, "Convention," and those who do not wish such convention, voting in the same way, "No Convention;" also to open separate polls at the said time and places for the election of delegates to the convention, to be assembled in the city of Raleigh, at such time as is hereinafter prescribed, said polls to be superintended by the registrar of the precinct, and by two judges or inspectors at

Manner of voting.

each of said places of holding the election, to be appointed by the commissioners of said counties respectively.

SEC. 2. That it shall be the duty of the said registrars and said judges or inspectors, immediately after the close of the polls, to count the ballots in the presence of such electors as may desire to be present, and make out a correct statement under their hands, of the polls at their respective places of holding said election, which shall be sealed up and returned to the commissioners of their respective counties, by twelve o'clock on Saturday, after said day of election; *Provided*, The counties of Carteret, Dare and Hyde shall be allowed until Tuesday, after the election, to make their returns; and said commissioners, (or any two of them in the presence of five or more of the citizens of said county,) shall compare said returns at the court house, or other place of holding court in their respective counties, and make duplicate statements of said returns, sworn to before some person authorized to administer oaths, which shall be deposited in the office of the register of deeds of the county; and if, for any cause, the return for any precinct be not in by three o'clock, p. m., then and in that case the commissioners shall adjourn without comparing the polls, to meet again on the following Tuesday, at twelve o'clock, m., when the polls of the various precincts of that county shall be compared, and in the meantime they shall direct the sheriff, or one of his deputies, to compel the attendance of the delinquent returning officer with the vote of his precinct. When the commissioners have thus completed the comparison of the polls, they shall make proclamation at the court house door, of the vote cast for and against the convention, and the names of the person or persons duly elected as delegates.

Duties of registrars and inspectors.

Proclamation of result.

SEC. 3. The register of deeds for each county shall transmit by mail, on or before the tenth day of August, anno domini one thousand eight hundred and seventy-one, to the office of the attorney-general, under his hand, one of the certified statements provided for in the foregoing section, and shall, on or before the same day, give to the person or persons duly elected delegate or delegates, a certificate of his

Register of deeds to make returns.

or their election; and if for any cause there be no register of deeds in any county, the commissioners of such county, when they declare the result, shall appoint one.

SEC. 4. The attorney general shall endorse upon the returns thus made to his office the time when the same were received, and shall file them away until the fourth Thursday of August, anno domini one thousand eight hundred and seventy-one, when they shall be opened and counted by the attorney general, the president of the senate, the speaker of the house of representatives and the secretary of state, or any two of them; and the result shall be by them announced in such manner as they may deem best. If a majority of the votes be against a convention, they shall so declare in a proclamation, and in that case the delegates shall not assemble. But if a majority be for a convention, they shall so declare, and in that event the delegates elected at said election in the various counties, shall assemble in the city of Raleigh, on the third Thursday of September, anno domini one thousand eight hundred and seventy-one, for the purpose herein declared.

SEC. 5. The election shall be held in all respects in strict conformity to the existing laws of this state regulating elections for members of the general assembly, and according to the provisions of this act.

SEC. 6. That the inspectors of election mentioned in section first of this act, shall be appointed by the commissioners of each county respectively, at a meeting to be held on the first Monday in June, one thousand eight hundred and seventy-one, or as soon thereafter as practicable, and said commissioners shall at the same time appoint a registrar of voters for each voting precinct or township, whose duty it shall be to revise the existing registration books of his precinct or township, in such manner that said books shall show an accurate list of all electors previously registered in such precinct or township, and still residing therein, without requiring such electors to be registered anew; and such registrar shall also at all times, after his appointment, up to, and on the day of election aforesaid,

Returns, how
opened and counted.

Result.

Convention to assemble.

Appointment of
inspectors.

Registrars.

keep open said books, and shall be at the polls on said day, with said books for the registration, of any electors residing in such precinct or township, and entitled to registration, whose names have never before been registered in such precinct or township, or do not appear in the revised list; no certificates of registration shall be given, and no elector shall be entitled to register or to vote in any other precinct or township than the one in which he is an actual and *bona fide* resident on the day of election. Any person offering to vote, although his name may be on the registration books, may be challenged as to his right to vote on the day of election, and the question shall be decided by the inspectors of the box and the registrar of the precinct or township, before the ballot is received.

Duties of Registrar.

Right of challenge.

SEC. 7. That if a vacancy shall occur by death or otherwise, of any person elected delegate as aforesaid, the presiding officer of the convention shall issue his writ to the sheriff of the county in which such vacancy may have occurred, after such notice as the convention may order, to open polls to fill such vacancy under the same rules and regulations as hereinbefore prescribed for the election of delegates.

Vacancies.

SEC. 8. That said convention shall consist of one hundred and twenty-one delegates, and each county shall be entitled to the same number of delegates as members of the house of representatives, under the present apportionment, and the county of Dare shall be entitled to one delegate.

Number of Delegates.

SEC. 9. That said convention shall have power to fix the pay of all its officers and members, and shall provide for other expenses to be paid out of the treasury as it may direct.

Pay of officers and members.

SEC. 10. That said convention shall have power to elect its officers, and shall be the judge of the qualifications and election of its members, who shall be electors of the state of North Carolina.

Qualification of members.

SEC. 11. The said convention shall have power to consider and propose all necessary amendments and alterations to the constitution, not inconsistent with the constitution of

Powers of Convention.

the United States, except as is hereinafter provided, to-wit :
The said convention shall have no power or authority what-
ever—

Restrictions.

1st. To offer or propose any amendment to, or alteration of, or in anywise interfere with, repeal or modify the home-
stead and personal property exemptions, as provided for in
article ten of the constitution of the state ;

2d. To modify, repeal, or do any other act to restrict, im-
pair, or in any way interfere with the rights, privileges or
immunities of any person in the state on account of race,
color or previous condition, which are now guaranteed to him
by the thirteenth, fourteenth and fifteenth amendments to the
constitution of the United States ; or to propose any amend-
ment to the constitution of the state in anywise impairing or
restricting said rights, privileges or immunities ;

3d. To modify or repeal that clause in the present con-
stitution which provides for a mechanics' and laborers' lien
law ;

4th. To pass any ordinance or ordinances, legislative in
their character, except such as are necessary for the purpose
of submitting the constitution as amended to the people for
their ratification or rejection, and except ordinances in rela-
tion to the public debt and in relation to the convention
itself.

Constitution to
be submitted to
the people.

SEC. 12. That said convention may revise the constitution
of the state, embodying in it such alterations and amend-
ments as may be agreed upon, not inconsistent with the pro-
visions of this act ; but no such revised constitution shall
have any force or validity until the same shall have been
ratified by a majority of the qualified voters of the state, to
whom the same shall be submitted according to the mode
to be prescribed by ordinance of said convention.

SEC. 13. That no delegate to said convention shall be per-
mitted to take his seat in said convention until he shall have
taken and subscribed the following oath or affirmation before
any judge of the supreme or superior courts, or any justice
of the peace of Wake county, to-wit : I, A. B., do solemnly
swear, (or affirm, as the case may be,) that I will faithfully

Oath of delegates.

maintain and support the constitution of the United States, and will not either directly or indirectly evade or disregard the duties enjoined, or the limits fixed, to this convention by the people of North Carolina, as set forth in the act of the general assembly passed in one thousand eight hundred and seventy-one, entitled "an act to submit the question of Convention or No Convention to the people, and to provide for the election of delegates, which act was ratified by the people: So help me God."

SEC. 14. That any registrar, or judge, or judges of election, appointed under the provisions of this act, or any county commissioners, or register of deeds, or sheriff, failing or neglecting to make the returns and perform the duties required of him by this act, shall be deemed guilty of a misdemeanor, and on conviction, shall be fined not less than five hundred nor more than one thousand dollars, or imprisoned not more than six nor less than two months, at the discretion of the court.

Penalty on officers failing to comply with this act.

SEC. 15. Any person who shall knowingly and fraudulently register or vote, or induce another to do so contrary to the provisions of this act, shall be deemed guilty of a misdemeanor, and on conviction, shall be imprisoned not less than six nor more than twelve months, or fined not less than one hundred nor more than five hundred dollars; and any registrar of voters who shall make or cause or suffer to be made, any entry with intent to commit a fraud, shall be subject to indictment and liable to the same penalty.

Fraudulent registration or voting.

SEC. 16. That the joint committee on printing shall immediately have printed ten copies of this act for each senator and member of the house of representatives, and shall have printed and transmitted by mail one hundred copies to the board of commissioners for each county, whose duty it shall be to furnish one copy to each registrar in their respective counties, and one copy to the inspectors of election at each precinct before the day of election.

Copies of law to be distributed.

SEC. 17. This act shall be in force from and after its ratification, and shall operate as an entire suspension of the act

When act to be in force.

ratified the eight day of February, one thousand eight hundred and seventy-one, entitled "an act concerning a convention of the people."

Ratified the 3d day of April, A. D. 1871.

CHAPTER CCXII.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF CALDWELL COUNTY TO LEVY A SPECIAL TAX.

Object of special tax.

SECTION 1. *The General Assembly of North Carolina do enact*, That the county commissioners of Caldwell county by and they are hereby authorized to levy a special tax for the payment of the county indebtedness and other purposes, said tax to be levied, collected and accounted for as other taxes are, and to be paid over to the county treasurer to be disposed of as the commissioners may direct, said tax to be collected and accounted for under the same penalties as taxes for state and county purposes. Said taxes shall not exceed the sum of three thousand dollars, and may be levied at such time as the said commissioners may deem proper; *Provided, nevertheless*, That this levy shall not exceed the constitutional equation in reference to poll and real estate taxation.

Limitation.

SEC. 2. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 3d day of April, A. D. 1871.

CHAPTER CCXIII.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF CLEVELAND
COUNTY TO ISSUE BONDS.

SECTION 1. *The General Assembly of North Carolina do enact*, That in order to liquidate the liabilities of the county of Cleveland, the commissioners of said county are hereby authorized to issue coupon bonds, not exceeding in amount the sum of thirty thousand dollars, in denominations of not less than twenty dollars.

Amount and denominations of bonds.

SEC. 2. The said bonds shall run for ten years with interest, at the rate not exceeding eight per cent. per annum, payable semi-annually, and coupons on said bonds shall be receivable in payment of county taxes for any fiscal year in which they may fall due.

Term and interest.

SEC. 3. The said county commissioners shall have the privilege to redeem said bonds at any time after the expiration of one year, and may, in their discretion, appoint a suitable person as trustee and commissioner of a sinking fund, who shall each year purchase one-tenth of said bonds then outstanding, or receive from the county treasurer, by order of said county commissioners, one-tenth of the amount sufficient to redeem said bonds when they shall fall due.

Right of redemption.

SEC. 4. That no bonds authorized by this act shall be issued until after an election to be held in said county under the direction of the county commissioners, in which election a majority of the votes cast by the qualified voters of said county shall be in favor of the issuing of such bonds for the purpose herein specified.

Question to be submitted to voters.

SEC. 5. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 3d day of April, A. D. 1871.

CHAPTER CCXIV.

AN ACT TO AUTHORIZE THE COUNTY OF WILSON TO ISSUE BONDS.

Amount and denominations of bonds.

SECTION 1. *The General Assembly of North Carolina do enact*, That the board of commissioners for the county of Wilson, be and the same are hereby authorized to issue coupon bonds not to exceed in amount the sum of ten thousand dollars, in denominations of not less than twenty-five dollars (\$25) nor more than five hundred dollars (\$500) which said bonds shall not bear interest at a greater rate than eight per cent.

Interest.

How to be applied.

SEC. 2. That it shall not be lawful for said board of commissioners to negotiate the said bonds for any other purpose than the funding of such debts and liabilities of the said county as may be outstanding at the time of the ratification of this act.

Manner of issue and terms.

SEC. 3. That said bonds shall be made payable after the expiration of twenty years from the date thereof; *Provided, nevertheless*, That the said bonds shall be divided in five classes, each class comprising two thousand dollars of said bonds, and that the said county commissioners shall have power to redeem the said classes as follows, viz: the first class after the expiration of four years from the date thereof; the second class after the expiration of eight years from the date thereof; the third class after the expiration of twelve years from the date thereof; and the fourth class after the expiration of sixteen years from the date thereof; and that the said several bonds shall distinctly set forth on their respective faces the manner in which they are payable.

Redemption.

Question to be submitted to voters of county.

SEC. 4. That the board of county commissioners of Wilson county shall, on the first Thursday in August, in the year one thousand eight hundred and seventy-one, cause polls to be opened at the several election precincts in the said county as now fixed by law, at which election the question shall be submitted to the qualified voters of the county, for ratifica-

tion or rejection thereof, those favoring a ratification shall vote a written or printed ticket inscribed with the word "Ratification," those opposed to the ratification with the word "Rejection."

SEC. 5. That this act shall go into effect only in case a majority of the qualified voters of said county shall vote in favor of its ratification. When act to take effect.

Ratified the 3d day of April, A. D. 1871.

CHAPTER CCXV.

AN ACT TO RENDER VALID AND BINDING THE ACTS OF CERTAIN OFFICERS IN THE STATE AND FOR OTHER PURPOSES.

WHEREAS, In several counties in the state, contests have arisen in regard to the rights of parties elected at the late election in August fourth, one thousand eight hundred and seventy, to hold, occupy and enjoy the offices to which they were respectively elected in said counties; therefore, Preamble.

SECTION 1. *The General Assembly of North Carolina do enact*, That in all cases of said contested elections the person or persons who have been inducted into office or who still hold said office by virtue of said election, or any persons who still hold said office by virtue of any previous elections or appointments shall be deemed and considered as the proper person entitled to said office and be entitled to all the privileges, protection and immunities, to which said respective offices entitle them, until the rights of the parties claiming said offices shall be legally decided. Incumbent entitled to the office.

SEC. 2. That all acts and deeds of the person or persons now holding said office, done in pursuance and by virtue of said office during their continuance in said office, shall be deemed lawful and valid, and the parties so holding said offices shall not be held liable in either a criminal or civil Official acts of incumbants made valid.

action for the acts and deeds done by virtue and authority of the said office so held and exercised by them.

Act not to effect
contests.

SEC. 3. That this act shall not in any wise impair or affect the legal rights of any person or persons contesting said elections and claiming said offices.

When act to be in
force.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified the 4th day of April, A. D. 1871.

CHAPTER CCXVI.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT IN RELATION TO PROCEEDINGS IN CONTEMPT," AND TO FURTHER DEFINE THE OFFENCE OF CONTEMPT.

Preamble.

WHEREAS, Doubts have been expressed whether the act of the general assembly entitled an act in relation to proceedings in contempt, ratified on the tenth day of April, anno domini one thousand eight hundred and sixty-nine, did enumerate and specify all the acts of contempt of court, whether of malfeasance, misfeasance or non-feasance, of which any officer or person could be legally guilty and be punished therefor; and by reason of such doubts the judicial authority have asserted that other acts of contempt not specified in said act of the general assembly, still exist by virtue of the common law, and have assumed the power to exercise jurisdiction over the same under the alleged authority of the said common law, and to impose other punishments therefor besides those prescribed and defined by the said act; *And, whereas*, it is due alike to the judicial authority and the freedom of the citizen that all offences, and especially those for which summary punishments without trial by jury may be imposed by courts, should be distinctly known, and the nature and extent of their punishment defined and prescribed by law; now, therefore,

SECTION 1. *The General Assembly of North Carolina do enact*, That sub-divisions seven, of section one of an act entitled "an act in relation to proceedings in contempt," ratified on the tenth day of April, anno domini one thousand eight hundred and sixty-nine, be and the same is hereby amended by inserting after the word "court" in the second line thereof, the words "about any trial or other matter then pending before said court made with intent to misrepresent or to bring into contempt the said court."

Amendment to law of 1869.

SEC. 2. That the several acts, neglects and omissions of duty, malfeasances, misfeasances and non-feasances, specified and described in said act of April, one thousand eight hundred and sixty-nine, as hereby amended, shall be and they are hereby declared to be the only acts, neglects and omissions of duty, malfeasances, misfeasances and non-feasances, which shall be subject of contempt of court.

Subjects of contempt of court.

SEC. 3. That if there be any parts of the common law now in force in this state which recognized other acts, neglects, omissions of duty, malfeasances, misfeasances, or non-feasances, besides those specified and described in said act, the same are hereby repealed and annulled.

Repeals.

SEC. 4. That no person who shall have been duly licensed to practice law as an attorney, shall be debarred or deprived of his license and right so to practice law either permanently or temporarily, unless he shall have been convicted or in open court confessed himself guilty of some criminal offence, showing him to be unfit to be trusted in the discharge of the duties of his profession.

Manner of depriving of license.

SEC. 5. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 4th day of April, A. D. 1871.

CHAPTER CCXVII.

AN ACT TO AMEND SECTION TWENTY-THREE, (23) OF CHAPTER THIRTY-SEVEN, REVISED CODE, ENTITLED "DEEDS AND CONVEYANCES."

Amendment to
chap. 37, Revised
Code.

SECTION 1. *The General Assembly of North Carolina do enact*, That section twenty-three (23) of chapter thirty-seven (37) revised code, entitled "deeds and conveyances," be amended by adding thereto the following: That any deed of trust or mortgage which hath been or which hereafter may be registered in the manner required by this and the preceding sections, may be discharged and released in the following manner, to-wit: the trustee or mortgagee or his or her legal representative, or the duly authorized agent or attorney of such trustee, mortgage or legal representative, may, in the presence of the register of deeds, acknowledge the satisfaction of the provisions of such trust or mortgage, whereupon it shall be the duty of the register forthwith to make upon the margin of the record of such trust or mortgage, an entry of such acknowledgment of satisfaction, which shall be signed by the said trustee, mortgagee, legal representative or attorney, and witnessed by the register, who shall also affix his name thereto, and every such entry thus acknowledged and witnessed shall operate and have the same effect to release and discharge all the interest of such trustee, mortgagee or representative in such deed or mortgage, as if a deed of release or re-conveyance thereof had been duly executed and recorded.

When act to be in
force.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified the 4th day of April, A. D. 1871.

CHAPTER CCXVIII.

AN ACT TO INCORPORATE THE MOUNT AIRY AND CENTRAL
RAILROAD COMPANY.

- SECTION 1. *The General Assembly of North Carolina do enact*, That it shall be lawful for Jesse Moore, Jno. Rawley, Thos. W. Prather, Robert S. Gilmer, Jno. Brower, Dr. Jos. Hollinsworth, James Davis, Job Worths, Nick Dalton, or any three of them, to open books of subscription at Mount Airy and such other places as they may select, for the purpose of receiving subscriptions to an amount not exceeding three hundred thousand dollars in shares of fifty dollars each, for the purpose of effecting a communication by means of a narrow gauge railroad from some point in or near Mount Airy, Surry county, North Carolina, to some point on the North Carolina Central Railroad, either by the way of Salem to Greensboro', on the route of the Northwestern North Carolina Railroad, or by any other route which may be deemed by the stockholders most advisable, and for providing everything necessary and convenient for transportation on the same.
- SEC. 2. When the sum of seventeen thousand dollars shall be subscribed, the subscribers, their executors, administrators or assigns shall be and they are hereby incorporated into a company by the name and style of the Mount Airy Railroad Company, and by that name shall be capable of purchasing, holding, selling, leasing and conveying estates, real, personal and mixed, so far as shall be necessary for the purposes specified in this charter and no further and shall have perpetual succession, and by said corporate name may sue and be sued, and may have and use a common seal and shall have all of the powers, rights and privileges which other corporate bodies lawfully have for the purpose herein mentioned and may make all such by-laws rules and regulations not inconsistent with the constitution and laws of this state, or those of the United States, as shall be necessary for
- Corporators.
- Books of subscription.
- Capital stock and shares.
- Location of road.
- Corporate name.
- Rights and privileges.

the well ordering and conducting of the affairs of said company.

Meeting of subscribers.

SEC. 3. When the said sum of seventeen thousand dollars shall have been subscribed, public notice of the fact shall be given by three or more of the said commissioners at Mount Airy, who shall have power at the same time to call a general meeting of the subscribers at Mount Airy. To constitute such a meeting a number of persons entitled to a majority of the votes shall be present, either in person or by proxy, and if a sufficient number do not attend on that day then those who do attend shall have power to adjourn from time to time until a meeting shall be formed.

President and directors.

SEC. 4. The subscribers at their general meeting before directed, and the stockholders at every annual meeting thereafter, shall elect a president and five directors who shall continue in office unless sooner removed, until the next annual meeting and until their successors are appointed. But the president or any of the directors may at any time be removed, and the vacancy thereby occasioned, be filled by a majority of votes given at any general meeting. The president with any two or more of the directors, or in the event of absence, sickness or inability of the president, any three or more of the directors who shall appoint one of their own body president *pro tempore*, shall constitute a board for the transaction of business. In the case of vacancy in the office of president or any director happening from death or resignation, removal or inability, such vacancy may be supplied by the appointment of the board until the next annual meeting.

Further powers and privileges.

SEC. 5. The said corporation shall be invested with all the powers, rights and privileges conferred upon the Raleigh and Gaston Railroad Company by its charter granted in the year one thousand eight hundred and thirty-five, and shall be subject to all the rules, regulations and restrictions therein contained, so far as the same are applicable to a railroad above designated and are consistent with the provisions of this act; *Provided, nevertheless*, That the judges of the courts of probate of Surry, Stokes and Forsythe counties

Proviso:

shall exercise the powers conferred by said charter on the court of pleas and quarter sessions, so far as the condemnation of land is concerned for the use of said company.

SEC. 6. The county commissioners of Surry, Stokes and Forsythe counties shall [have] power to subscribe for any number of shares of the capital stock of said company a sum not exceeding in amount three times the sum subscribed by individuals, and in no event exceeding the sum of one hundred thousand dollars. A majority of said county commissioners respectively shall at any time within three years after the ratification of this act, determine the number of shares for which they propose that their counties shall subscribe and appoint a day for holding an election in relation thereto and cause the same to be entered upon their minutes, and it shall be the duty of the sheriffs of said counties at the court house to advertise the object and the day of election for at least twenty days prior thereto on said day to open and keep open the polls, agreeable to the acts regulating the election of members of the general assembly, and all qualified voters for the house of representatives of this state in said counties of Surry, Stokes and Forsythe, who shall have resided there ninety days before the election favoring subscription, may vote "Railroad," and those opposing subscription may vote "No Railroad," and the result of the election shall be made known to the commissioners of said counties at their first meeting after the election, and shall be made a matter of record. If the result shall be favorable to the subscription, then it shall be the duty of said boards of commissioners of Surry, Stokes and Forsythe counties to authorize the chairman of their respective boards to make the subscription in the name of their respective counties.

SEC. 7. To enable said boards to meet the instalments that may be required upon such subscription or otherwise pay the same, they are hereby invested with authority to issue bonds of their respective counties redeemable in a period not exceeding twenty years from the dates thereof, bearing interest payable semi-annually, at a rate not exceeding eight per cent. per annum, and it shall be the duty of

Subscriptions by counties.

Question submitted to voters.

Bonds may be issued by counties.

said boards regularly to provide the means for meeting the interest on said bonds as the same shall become due by levying such taxes annually upon persons, lands and other property within said counties as shall be sufficient for that purpose, and the said boards respectively shall have power to appoint one of their number to negotiate any loan or loans that may be necessary, to sell and dispose of the bonds, to receive the tax imposed to meet the interest and apply the same to its payment, and to represent said counties in all meetings of the stockholders of said company and to receive the dividend that may become due upon the county stock, and apply the same either to the interest or to a sinking fund for the extinguishment of the principal as the said boards may direct; and it shall be likewise the duty of said boards to make provisions by taxation or otherwise for the prompt payment of the principal of said bonds when they shall become due.

Increase of capital stock.

SEC. 8. It shall be lawful for a majority of the stockholders at any general meeting to increase the capital stock of said company by the addition of as many shares as they may deem necessary for which they may at their discretion, cause subscriptions to be received in such manner as may be prescribed by them or may sell the same for the benefit of said company for any sum not under the par value thereof, and the said directors, or a majority of them, shall, by and with the consent of stockholders in general meeting assembled, have power to borrow money for the purpose of this act, to issue proper certificates of such loans and to pledge the property of the company by mortgage or otherwise for the payment of the same, and the interest that may accrue thereon, provided the interest shall not exceed ten per cent. per annum.

Company may borrow money, &c.

May receive land as subscription.

SEC. 9. It shall be lawful for said company to receive not exceeding fifty thousand acres of land in payment for subscriptions of stock; *Provided*, That it shall not be lawful for said company, at the expiration of ten years after the completion of this road, to hold more land than shall be necessary for the use of the road.

Proviso.

SEC. 10. That each subscription to the capital stock of the same company shall be binding from the time of making it. That in paying the last instalment on each share a credit of eight per cent. per annum shall be allowed on all previous payments from the date of payment.

Subscription binding.

Ratified the 4th day of April, A. D. 1871.

CHAPTER CCXIX.

AN ACT FOR THE PROMOTION OF IMMIGRATION AND THE SETTLEMENT OF THE UNIMPROVED LANDS OF THE STATE.

SECTION 1. *The General Assembly of North Carolina do enact, as follows,* For the purpose of promoting immigration into this state, and the settlement of the unimproved lands of the state, a corporation is hereby created, under the name of "The Railroad Immigration Association of North Carolina," to have perpetual succession and a common seal, which they may alter and change at their pleasure, and shall be capable of suing and being sued, of pleading and being impleaded, with capacity to hold real and personal estate.

Railroad Immigration Association.

Corporate rights.

SEC. 2. Said corporation shall consist of the Raleigh and Gaston Railroad Company, the Wilmington and Weldon Railroad Company, the Wilmington, Columbia and Augusta Railroad Company, the North Carolina Railroad Company, the Seaboard and Roanoke Railroad Company, the Petersburg Railroad Company, the Atlantic and North Carolina Railroad Company, the Wilmington, Charlotte and Rutherford Railroad Company, the Western Railroad Company, the Western North Carolina Railroad Company, the Piedmont Railroad Company, the Charlotte and Atlantia Railroad Company, the Atlantic, Tennessee and Ohio Railroad Company, the Charlotte, Columbia and Augusta Railroad Company, the Chatham Railroad Company, the Williamston and Tarboro' Railroad Company, the Edenton and Norfolk

Corporators.

Railroad Company, the North Western North Carolina Railroad Company, and all other railroad companies, now or hereafter to be incorporated, the whole or any portion of whose lines are in this state, or any one or more of said railroad corporations who may desire to become members of the corporation herein authorized.

Subscriptions by
Railroad corpora-
tions.

SEC. 3. All railroad corporations agreeing to become stockholders of this association shall subscribe and pay annually, at such time as may be determined by the board of directors herein authorized to the treasurer of the association, ten dollars per mile (or a larger amount if they shall deem it necessary to carry into effect the object of this charter,) for each mile of road in actual running order located in this state.

Board of Direc-
tors.

SEC. 4. The affairs of this association shall be managed by the general board of directors, to be formed as follows, viz: The directors of each subscribing corporation shall choose one director; these directors shall choose a president of the association; the presidents of the subscribing corporations shall be *ex officio* vice-presidents of this association, and the general board of directors shall consist of said designated directors, of the vice-presidents and the president of the association, which president with the attorney shall reside at Raleigh.

President and
Vice Presidents.

By-Laws.

SEC. 5. The general board of directors may pass such by-laws for the government of the association as they may see fit, not inconsistent with the constitution and laws of the United States or of this state, and may appoint and remove an attorney, secretary, treasurer and other officers, and fix their compensation and prescribe their duties.

Secretary and oth-
er officers

Powers and privi-
leges.

SEC. 6. The railroad immigration association shall have power to buy, and sell, lease, mortgage or otherwise convey lands, to make advances of money or other things to settlers and others, on such terms and on such securities, real or personal, as may be agreed on, to negotiate for the purchase or sale of lands, to aid settlers and others in the purchase of lands or building of houses, and improving lands, and in general to carry on the business of a land and immigration company. The association may likewise own and manage

steam or other vessels, and take measures for the transportation of persons and property into the state, and take all proper or customary measures for the comfort and interests of immigration and settlers. It shall likewise have power to appoint one or more commissioners and agents to visit or reside in Europe and other countries, as well as in the United States, for the purpose of soliciting immigration and carrying out the objects of this charter.

SEC. 7. Each railroad company becoming a member of this association shall, through its president, have control of all settlements of land and of all other business of the association along its line; *Provided, however,* That no expenditures of the funds of the association shall be made without the authority of the general board thereof; and all net profits made in carrying out the objects of this charter by any company shall be paid into the treasury of the association. Full reports of all proceedings and exhibit of accounts as well as final settlements, shall be made at such time and in such manner as the general board of directors shall prescribe.

Settlement of land along subscribing roads.

SEC. 8. Each railroad becoming a member of this association shall have authority to appoint agents, to be paid by the appointing company, for the purpose of inducing immigration to its line, but such agents shall be subject to the control of the general board of directors, and all questions involving the action of such agents shall be referred to such board of directors, whose decision shall bind the parties.

Appointment of agents.

SEC. 9. All railroad companies in this state becoming members of this association, shall transport *bona fide* immigrants and settlers, actually making settlements in the state, for not exceeding one cent. per mile for one trip, and their freight and baggage when moving in for settlement at not exceeding twenty cents per hundred pounds for one hundred miles. The provisions of this section shall extend to the carrying of persons and freights over all the lines of the members of this association, without regard to the place of settlement of the immigrants or settlers.

Rates of fare to immigrants.

- Profits.** SEC. 10. If any net profits shall accrue to the railroad immigration association, they shall be divided among the subscribing companies in proportion to the net profits of each line, at such time as may be prescribed by the general board of directors.
- Annual meeting.** SEC. 11. The stockholders of this association shall prescribe the time and place of their annual meeting. The general board of directors may call a meeting of stockholders at any time they may think proper, and any number of stockholders having paid in one-tenth of the whole amount of stock paid, may call a special meeting, on notice of sixty days at least, in one or more newspapers published in Raleigh, specifying the purpose of the meeting. In all meetings each company shall be entitled to a vote in proportion to the amount paid in by the same, and each board of directors of said company shall appoint a proxy to cast the vote of their company, but none but the president or a director of such company shall be a proxy.
- Quorum.** SEC. 12. A majority of the general board of directors of this association shall be a quorum for the transaction of business. If the president of the association be absent, the members present shall select a presiding officer.
- First meeting.** SEC. 13. For the purpose of organizing this association, the board of directors of the first of the above named railroad companies shall, through their president, within sixty days after the ratification of this act, call a meeting of the presidents of all the railroad companies herein authorized to become members of this association, and also of delegates, one to be appointed by each of the boards of said companies, at Raleigh, after giving fifteen days notice of the time and place of meeting; *Provided*, That each board may, in their discretion be represented by their president alone. At the meeting so held, the representatives of any one or more companies may accept this charter, and thereupon the association shall be fully organized, and the representatives so accepting shall provide for a meeting of the general board of directors hereinbefore authorized. But no company shall

be bound by the action aforesaid, if the stockholders at the first meeting held thereafter shall disapprove such action.

SEC. 14. Any railroad company may retire from this association, after giving one year's notice, having first paid all its dues to the association, incurred up to the time of retirement.

Any company
may withdraw
from Association.

SEC. 15. This act shall be in force from its ratification.

When act to be in
force.

Ratified the 4th day of April, A. D. 1871.

CHAPTER CCXX.

AN ACT SUPPLEMENTAL TO AN ACT TO RAISE REVENUE.

SECTION 1. *The General Assembly of North Carolina do enact*, That the secretary of state is hereby directed to have printed three thousand copies of the act passed at the present session of the general assembly, entitled "an act to raise revenue," and also three thousand copies of an act passed at the present session of the general assembly entitled "an act to amend an act to provide for the collection of taxes by the state on property, polls and income, ratified the twenty-eighth day of March, one thousand eight hundred and seventy.

Copies of Revenue acts to be printed.

SEC. 2. The secretary of state shall, as soon as possible, distribute the said copies among the boards of county commissioners of the several counties of the state.

Distribution.

SEC. 3. The secretary of state shall also have printed five copies each of the said acts for the use of each member of the general assembly.

SEC. 4. This act shall take effect from and after its ratification.

When act to be in
force.

Ratified the 4th day of March, A. D. 1871.

CHAPTER CCXXI.

AN ACT AMENDATORY OF AN ACT ENTITLED PROCEEDINGS IN HABEAS CORPUS, RATIFIED THE SIXTH DAY OF APRIL, ANNO DOMINI ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE.

Amendment to
act of April, 1869.

SECTION 1. *The General Assembly of North Carolina do enact*, That section twelve of an act entitled "proceedings in *habeas corpus*," ratified the sixth day of April, anno domini one thousand eight hundred and sixty-nine, be amended by striking out the words "eight days" in the seventh line of that section, and inserting the word "reasonable" instead thereof; and that section thirty-one of said act be amended by striking out all of said section after the word "therein" in the fifth line of the same and inserting instead thereof the words "reasonable time."

Penalty on wilful
refusal to grant
writ.

SEC. 2. That if any judge shall wilfully refuse to grant the writ of attachment as provided for in section fifteen of said act, he shall be liable to impeachment, and moreover shall forfeit to the party aggrieved, twenty-five hundred dollars.

Further penalty.

SEC. 3. That if any judge shall refuse to grant the precept provided for in section seventeen of said act, he shall be liable to impeachment, and moreover shall forfeit to the party aggrieved twenty-five hundred dollars.

Further penalty
for violation of
this act.

SEC. 4. That if any judge shall grant the attachment provided for in section fifteen of said act, or the precept provided for in section seventeen of the same, and shall give the officer or other person charged with the execution of the same verbal or written instruments, not to execute the same, or to make any evasive or insufficient return, or any return other than that provided by law; or shall connive at the failing to make any return or any evasive or insufficient return, or any return other than that provided by law, he shall be liable to impeachment, and moreover shall forfeit to the party aggrieved, twenty-five hundred dollars.

When act to take
effect.

SEC. 5. This act shall be in effect from and after its ratification.

Ratified the 4th day of April, A. D. 1871.

CHAPTER CCXXII.

AN ACT IN RELATION TO PUNISHMENT FOR ARSON AND BURGLARY.

SECTION 1. *The General Assembly of North Carolina do enact*, That any person convicted according to due course of law of the crime of arson or burglary, shall suffer death. Penalty for arson or burglary.

SEC. 2. That all laws or parts of laws enacted since the adoption of the present state constitution fixing punishments for arson and burglary, are hereby repealed, so far as the same might apply to such crimes hereafter committed. Repealing' clause.

SEC. 3. That this act shall be in force from and after its ratification. When act to be in force.

Ratified the 4th day of April, A. D. 1871.

CHAPTER CCXXIII.

AN ACT TO ESTABLISH THE BOUNDARY LINE BETWEEN GRANVILLE AND PERSON COUNTIES.

SECTION 1. *The General Assembly of North Carolina do enact*, That the board of county commissioners of Granville and Person counties respectively, are hereby authorized and required to cause the respective county surveyors of said counties to meet and ascertain by proper surveys, so much of the boundary line between said counties as runs between Oak Hill township, in Granville county, and Holloway's township, in Person county, and mark the same by some line of objects. County surveyors to meet.

SEC. 2. The said surveyors shall, as soon as practicable, after making said survey, report their proceedings to the boards of the county commissioners of their respective counties, and when said report and survey shall have been received and confirmed by the board of county commissioners Surveyors' report.

of their counties respectively, then said line so marked by said surveyors shall be the lawful boundary line between said counties.

Expense of survey.

SEC. 3. The expenses of said survey shall be paid equally by said counties of Granville and Person.

When act to be in force.

SEC. 4. This act shall be in force from and after its ratification.

Ratified the 4th day of April, A. D. 1871.

CHAPTER CCXXIV.

AN ACT TO INCORPORATE THE NAVAL EXTENSION RAILROAD COMPANY.

SECTION 1. *The General Assembly of North Carolina do enact,* That for the purpose of constructing a railroad of one or more tracks from some point in Northampton county, within three miles of the town of Weldon, through the counties of Northampton and Bertie, to or near the mouth of Salmon creek, in Bertie county, the formation of a corporate company with a capital stock of one million of dollars, with the privilege to increase the same to fifteen hundred thousand dollars, is hereby authorized to be called the Naval Extension Railroad Company, and when formed in compliance with the conditions hereinafter prescribed, it is to have a corporate existence as a body politic in perpetuity, and by said name may sue and be sued, plead and be impleaded in every court in the state of North Carolina, and may have and use a common seal, and shall be capable of purchasing, holding, leasing and conveying estate, real, personal and mixed, and acquiring the same by gift or devise, and said company may enjoy all the rights and immunities which other corporate bodies may exercise, and make all necessary by-laws and regulations not inconsistent with the

constitution and laws of the state of North Carolina and the United States.

SEC. 2. That the said company be and the same is hereby authorized to construct a railroad of one or more tracks from and to the points aforesaid, on a line through said counties, between said points, to be determined upon by the company after its formation.

SEC. 3. That the capital stock of said company be created by subscription on the part of individuals, municipal and other corporations, in the shares of the value of one hundred dollars each, which may be made in land, timber, work or money, as may be stipulated.

Subscription to stock.

Shares.

SEC. 4. That books of subscription to the capital stock of said company may be opened by the following persons, who are hereby appointed commissioners for that purpose, to-wit: W. W. Peebles, Samuel Calvert, Noah Odom, Wm. Grant, Edmund Jacobs, James T. Lambertson, Wm. J. Capehart, Joseph H. Hardy, W. H. Powell, Thomas W. Thompson, L. S. Webb, J. L. Mitchell, Dr. Wm. Sutton and B. A. Capehart and D. G. Potts, whose duty it shall be to open or direct to be opened, the said books of subscription, at such times and places and under the direction of such persons or a majority of them may deem proper, and that twenty days notice of the opening of said books shall be given in one or more newspapers of said state; and furthermore, that such commissioners or a majority of them, may at any time after said books have been left open for the space of thirty days, and the sum of twenty thousand dollars has been subscribed to the capital stock of said company, and five per cent. paid thereon, have power to call together the subscribers to said stock for the purpose of completing the organization of said company, and the subscribers shall be and are hereby declared incorporated into a company by the name and style of the "Naval Extension Railroad Company."

Books of subscription.

Meeting of subscribers.

Corporate name.

SEC. 5. That said company may hold annual meetings of the stockholders, and oftener if necessary, and at its organization and its annual meetings subsequent thereto, seven directors shall be elected by the stockholders, to hold office

Annual meetings.

Directors.

for one year or until their successors shall be elected, and any of said meetings shall have power to make or alter the by-laws of the company; *Provided*, That in all such meetings of stockholders, a majority of all the stock subscribed shall be represented either in person or by proxy, which proxy shall be verified in the manner prescribed by the by-laws of the company, and each share thus represented shall be entitled to one vote on all questions; that it shall be the duty of the directors to elect one of their number as president of said company, and to fill all vacancies in the board; *Provided*, The president may be elected for any term of years that may from time to time be prescribed in the by-laws of the company.

By-Laws.

President.

Term of office.

Exclusive right of conveyance.

Contracts.

Payment of subscriptions.

SEC. 6. That after the company shall be organized as aforesaid, the board of directors shall proceed to locate and have constructed, as speedily as possible, a railroad from and to the points aforesaid, on the route they may find most practicable, and to be fixed by them; that the said company shall have the exclusive right of conveyance, of transportation of persons, goods, merchandize and produce on the said railroad, to be by them constructed, at such charges as may be fixed by a majority of its directors.

SEC. 7. That all contracts made and entered into by the president of the company, with or without seal, shall be binding on the company, and the president shall, under the direction of the board of directors, issue certificates of stock to the stockholders, which shall be transferable by the by-laws of the company.

SEC. 8. That the board of directors may call for the sum subscribed as stock in said company in such instalments as the interest of said company may in their opinion require; the call for each payment shall be published in one or more newspapers in the state for one month before the day of payment, and on the failure of any stockholder to pay the instalment as thus required, the directors may sell at public auction on a previous notice of ten days, for cash, all the stock subscribed in the company by such stockholders, and convey the same to the purchaser at said sale; and if the

id sale of stock does not produce a sum sufficient to pay off the incidental expense of the sale and the entire amount owing by such stockholders in the company for such subscription stock, then and in that case the whole of such balance shall be held as due at and to the company, and may be recovered of such stockholder, or his executors, administrators or assigns, at the suit of said company, either by summary motion in the superior court in the county where the delinquent resides, on previous notice of ten days to said subscribers, or by the action of assumpsit in any court of competent jurisdiction, or by warrant before the justice of the peace where the demand does not exceed two hundred dollars, and in all cases of assignment of stock before the whole amount has been paid to the company, then for all sums due on such, both the original subscribers and the first and all subsequent assignees shall be liable to the company, and the same may be recovered as above described.

SEC. 9. That the said company shall issue certificates of stock to its members, and such stock may be transferred in such manner and form as may be directed by the by-laws of the company. Certificates of stock.

SEC. 10. That the said company shall have power of using any section of said road constructed by them before the whole of said road shall be completed, and may charge for transportation thereon. Section of road may be used.

SEC. 11. That it may and shall be lawful for the said railroad company to make and issue bonds to an amount not to exceed five hundred thousand dollars, to be signed by the president of said company, under the common seal of the same, in sums of one thousand dollars each, bearing interest at the rate of eight per cent. per annum, to be paid annually, in the city of New York or elsewhere, at their option, and redeemable in one thousand nine hundred and ten, or at a earlier, at the option of the said railroad company. Company may issue bonds.

SEC. 12. That to secure the faithful payment of the said bonds, it shall and may be lawful for the president and directors of the said railroad company to make, execute and deliver to such persons in the city of New York or any

Deed of trust or mortgage on road.

other city, as the said company may select or appoint, a deed of trust or mortgage under the common seal of said company, wherein shall be conveyed to the person thus appointed trustee, the road property, income and franchise of said company, acquired or to be acquired, conditioned for the payment of the interest and final redemption of said bonds.

Limitation of charter.

SEC. 13. That all the work hereby required shall be executed with due diligence, and if it be not commenced within two years after the ratification of this act, then this charter shall be void.

Municipal subscription.

SEC. 14. That it shall and may be lawful for an incorporated city or town or any county in or near which said railroad may be constructed, to subscribe for such amount of stock in said company as they or either of them shall be authorized to do by the inhabitants of said city or town or citizen of such county, in manner and form as hereinafter provided.

Municipal subscription to be submitted to voters.

SEC. 15. That the corporate authorities of such city or town are authorized to make an order requiring the constable of such city or town, or any officers of their own body, at their option, at such times and on such notice as they shall direct, to open a poll and take the sense of the voters of such city or town qualified to vote for city or town officers, whether the corporate authorities of such city or town shall subscribe to the stock of said company for such sum as the order shall propose, and the officers superintending such election shall make return of the number voting for and against it to the corporate authorities of said city or town or the presiding officer thereof; that upon the return of said superintendent of election it shall appear that a majority of votes are in favor of the subscription, then the corporate authorities of such city or town shall make the subscription for such city or town, the subscription to be paid for in bonds of said city or town, or in each, as the authorities may elect, and upon such terms as may be agreed upon by the said authorities and parties with whom they may negotiate; and the said corporate authorities shall order their presiding officer to issue city or town bonds payable to said company, of bonds

not less than five hundred dollars each, payable at such times and places as said corporate authorities shall direct, and the said corporate authorities are hereby vested with full power to raise money by taxation to meet any quota of their subscription, or any instalments that may be due, and annually on the persons, land and other property within their city or town, provided for the payment of the principal and interest of the bonds so issued.

SEC. 16. That the county commissioners of any county in or near which said railroad may be constructed, a majority of said commissioners concurring, are authorized to make an order requiring the sheriff of such county, at such time and on such notice as they shall direct, to open a poll and take the sense of the voters of such county qualified to vote for members of the general assembly, whether the said county commissioners shall subscribe to the stock of said company for such sum as the order shall propose, and the sheriff shall make return of the number voting for and against it, to the said county commissioners.

County subscriptions.

SEC. 17. That upon the return of such sheriff it shall appear that a majority of the votes cast are in favor of the subscription, then the said county commissioners shall appoint their chairman to make the subscription in behalf of said county, the subscription to be paid for in bonds of the said county, or in cash, as the county commissioners may elect, upon such terms as may be agreed upon by the parties with whom they may negotiate; and the said county commissioners shall order their chairman to issue county bonds, payable to said company in sums of not less than five hundred dollars each, payable at such times and places as a majority of said county commissioners shall direct, and the said county commissioners are hereby vested with full power and authority to raise money by taxation to meet any quota or instalment that may be due upon their subscription, or annually upon the persons, land and other property within their county, to provide for the payment of the principal and interest of the bonds so issued; said bonds shall have coupons attached, and shall bear not less than six nor more

Question to be submitted to voters.

than ten per cent interest, which interest shall be payable semi-annually, on first day of January, and first day of July in each year.

Division of profits

SEC. 18. That the profits of the company, or so much thereof as the board of directors may deem advisable, shall, when the affairs of the company will permit, be annually or semi-annually divided among the stockholders in proportion to the stock each may own.

Notice of process.

SEC. 19. That notice of process upon the president or any of the directors thereof, shall be deemed and taken to be due and lawful notice of service of process upon the company.

Company may farm out its rights.

SEC. 20. That the said company may, when they see fit, farm out their right of transportation over the said railroad, subject to the rules above named, and said company and every person who may have received from them the right of transportation of goods, wares and produce, on the said railroad, shall be deemed and taken to be a common carrier as respects all goods, wares and produce and merchandize entrusted to them for transportation.

Additional powers of company.

SEC. 21. That the said company shall have the same power to use and enforce the payments of stock subscribed, as was heretofore granted to the Atlantic and North Carolina Railroad Company, by the charter of incorporation, and shall have power to condemn land for the use of the company when a contract for purchase cannot be made with the owners thereof to the same extent and in the same manner, and under the same rules, regulations and restrictions as the Atlantic and North Carolina Railroad Company was authorized to do by the act of incorporation.

When act to take effect.

SEC. 22. This act shall take effect from and after its ratification.

Ratified the 4th day of April, A. D. 1871.

CHAPTER CCXXV.

AN ACT TO SECURE PROPER RETURNS BY SHERIFFS AND TAX COLLECTORS OF UNLISTED TAXES.

SECTION 1. *The General Assembly of North Carolina do enact*, That each sheriff and tax collector in the state shall make out, within the first ten days of every month, a true and correct statement of all taxes received during the preceding month under Schedule "B" of the revenue act, ratified the — day of April, one thousand eight hundred and seventy-one, and shall qualify to the truth of the said return within the said ten days, before the clerk of the superior court of his county, and the said clerk shall keep the said statement and forward a copy of the same to the auditor, and also post a copy of said statement at the court house door for at least ten days.

Sheriff to make statement of taxes received.

SEC. 2. Any sheriff or tax collector failing to make such statement shall be deemed guilty of a misdemeanor, and upon conviction, fined not less than one hundred dollars, and any sheriff or tax collector making a false return shall be deemed guilty of perjury.

Penalty for failure

SEC. 3. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 4th day of April, A. D. 1871.

CHAPTER CCXXVI.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS TO LEVY A SPECIAL TAX IN ALEXANDER COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That the county commissioners of Alexander county be and they are hereby authorized to levy a special tax for the payment of the county indebtedness and for other pur-

Object of special tax.

posed, said tax to be levied, collected and accounted for as other taxes are, and to be paid over to the county treasurer to be disposed of as the commissioners may direct, said tax to be collected and accounted for under the same penalties as taxes for state and county purposes, said taxes shall not exceed the sum of three thousand dollars, and may be levied at such time as said commissioners may deem proper; *Provided, nevertheless,* That this levy shall conform to the constitutional equation in reference to poll and real estate taxation; *Provided, further,* That this act shall have no force or effect until it shall be submitted to and ratified by the qualified voters of the county.

Amount.

Act to be submitted to voters.

When act to be in force.

SEC. 2. This act shall be in force from and after its ratification.

Ratified the 4th day of April, A. D. 1871.

CHAPTER CCXXVII.

AN ACT TO RAISE REVENUE.

SECTION 1. *The General Assembly of North Carolina do enact,* That the taxes hereinafter designated, payable in the existing national currency, shall be assessed and collected under the rules and regulations prescribed by law.

Poll tax.

SEC. 2. On each taxable poll or male between the ages of twenty-one and fifty, except such poor and infirm persons as the county commissioners may declare and record fit subjects for exemption, there shall be annually levied and collected a tax of ninety cents, the proceeds of such tax to be devoted to purposes of education as may be prescribed by law. If any poll tax shall not be paid within sixty days after the same shall be demandable, it shall be the duty of the sheriff, if he can find no property of the person liable sufficient to satisfy the same, to garnishee any person indebted to the person liable, or who may become indebted to

him before the expiration of the calendar year, and the person so garnisheed shall be liable for said tax.

SEC. 3. The taxes hereinafter designated shall be applied to defray the expenses of the state government and to pay appropriations for charitable and penal institutions. Objects of taxation.

CLASS 1.

SEC. 1. There shall be an *ad valorem* tax of twenty-two cents for the general fund, and eight cents for the insane asylum and the institution for the deaf, dumb and blind, on every one hundred dollars in value of real and personal property in the state, subject to exemptions made by law including moneys, credits, bonds, stocks, &c.; *Provided*, That all the taxes for ordinary state and county purposes, imposed upon all real and personal property shall in no case exceed two-thirds of one per cent. Asylum tax.

SEC. 2. A special tax of one-tenth of one per cent. shall be levied in addition to the ordinary tax provided for in this act on all taxable property to meet an existing deficiency in the treasury. Deficiency tax.

SEC. 3. A special tax of twelve cents on the one hundred dollars shall be levied and collected on all the taxable property of the state, to be applied to the erection of the penitentiary and support of the convicts. Penitentiary.

CLASS 2.

The subjects and persons mentioned in the following class shall be taxed as specially mentioned:

SECTION 1. On the net incomes and profits other than that derived from property taxed from any source whatever, during the year preceding the first day of April in each year, there shall be a tax of one per cent. The income tax shall include interest on the securities of the United States, of this state, or other state or government. In estimating the net income, the only deduction by way of expense shall be: Incomes and profits.

1. Taxes other than the income due this state.

Deductions.

2. Rent for use of buildings or other property or interest on encumbrances on property used in the business from which the income is derived.

3. Usual or ordinary repairs of the buildings from which the income is derived.

4. Cost or value of the labor, (except that of the tax payer himself,) raw material, food and other necessary expenses incidental to the business from which the income is derived, together with the necessary expenses of supporting the family, which shall in no instance exceed one thousand dollars.

The tax payer shall return to the assessor the gross amount of his income and the gross amount of his expenses to be deducted therefrom, which return the assessor shall file in the office of clerk of the county commissioners.

Real and personal estate.

SEC. 2. Upon all real and personal estate, whether legal or equitable, situated within the state, which shall descend or be devised or bequeathed to any collateral relation or person, other than a lineal descendant or ancestor of the husband or wife of the deceased, or husband or wife of such ancestor or descendant, or to which such collateral relations may become entitled under the law for the distribution of the intestate estates, and which real and personal estate may not be acquired in payment of debts and other liabilities, the following per centum tax upon the value thereof shall be paid :

Collaterals.

1. If such collateral relation be a brother or sister of the father or mother of the deceased, or issue of such brother or sister, a tax of one per cent.

2. If such collateral relation be a more remote relation or the devisee or legatee be a stranger, a tax of two and a half per cent. The real estate liable to taxation shall be listed by the devisee or heir in a separate column, designating its proper per cent. tax. The personal estates or real estate reduced to assets, shall be liable to the tax in the hands of the executor or administrator, and shall be paid by him before his administration account is audited or the real estate is

settled to the sheriff of the county. If the real estate descended or devised shall not be the entire inheritance, the heir or devisee shall pay a *pro rata* part of the tax, corresponding with the relative value of the estate or interest. If the legacy or distributive share to be received shall not be the entire property, such a legatee or distributee, shall in like manner, pay a *pro rata* part of the tax according to the value of his or her interest. Whenever the personal property in the hands of such administrator or executor (the same not being needed to be converted into money, in the course of the administration) shall be of uncertain value, he shall apply to the county commissioners to appoint three impartial men of probity to assess the value thereof, and such assessment being returned to the commissioners and being confirmed shall be conclusive of the value.

To facilitate the collection of tax on collaterals, every executor or administrator shall return in his inventory, whether the estate of the deceased goes to the lineal or collateral relations or to a stranger, and if to collaterals, the degree of relationship of such collateral to the deceased, under a penalty of one hundred dollars, to be recovered in the name and for the use of the state; and it shall be the duty of the superior court clerk of the county to furnish the sheriff with the names of the executors and the administrators who make such returns, after each and every term of his court.

Duty of executors, &c.

SCHEDULE B.

The taxes in this schedule imposed are license tax for the privilege of carrying on the business or doing the act named; and nothing in this schedule contained shall be construed to relieve any person from the payment of the *ad valorem* tax on his property as required by the preceding schedule, and no county shall levy any greater tax than levied by the estate for the privileges herein taxed.

SECTION 1. Traveling theatrical companies shall pay ten dollars for the first, and five dollars for each subsequent exhibition. When the theatrical exhibitions are by the season

Theatres.

of not less than one month, the tax shall be fifty dollars per month.

Concerts.

SEC. 2. On each concert and musical entertainment for profit shall be paid five dollars; on each lecture for reward, five dollars.

Museums.

SEC. 3. On museums, wax-works or curiosities of any kind, natural or artificial (except paintings and statuary) on each day's and night's exhibiting, shall be paid five dollars.

Circuses.

SEC. 4. On every exhibition of a circus or menagerie, for each day or part of a day, forty dollars, and for each side-show to a circus or menagerie, ten dollars.

Itinerants.

SEC. 5. On all itinerant companies or persons, who exhibit for amusement of the public, otherwise than is mentioned in the four preceding sections, five dollars for each exhibition. Exhibitions given without charge for admission, and also those exclusively for charitable objects, shall be exempt.

Gift enterprises.

SEC. 6. On all gift enterprises, or any person or establishment offering any article for sale, and proposing to present purchasers with any gift or prize as an inducement to purchase, one per cent. upon the gross receipts. And on any lottery, whether known as a beneficial association or otherwise, ten dollars on each drawing, and also five per cent. on gross receipts, to be collected monthly. This tax shall not be construed as a license, or to relieve such persons or establishments from any penalties incurred by a violation of the law.

Bank agents.

SEC. 7. Every agency of a bank, incorporated out of the state, fifty dollars.

Billiard saloons.

SEC. 8. The tax on billiard saloons shall be twenty dollars on each table. Every place where a billiard table is kept for hire shall be considered a billiard saloon within the meaning of this act.

Bowling Alley.

SEC. 9. On every bowling alley, or alley of like kind, or bowling saloon, bagatelle table, or any other table, stand or place for any other game or play, with or without a name, unless such alley, stand, place or game is kept for private

amusement or exercise alone, and not prohibited by law, there shall be a license tax of twenty dollars.

SEC. 10. Every dealer in spirituous, vinous liquors, porter, Lager beer, or other malt liquors, shall pay a tax of five per cent. on the amount of purchases and twenty-five cents per gallon on all spirituous and vinous liquors purchased out of the state. Liquor dealers.

SEC. 11. Every licensed retailer of spirituous liquors, wines or cordials, twenty-five dollars for one year. Every retailer of malt liquors only, shall pay fifteen dollars. The tax in this section shall be in addition to the tax imposed on purchases of liquors in this schedule, and every person who buys and sells such liquors in quantities less than one quart shall, within the meaning of this act, be a retail dealer. Retailers.

SEC. 12. Every person distilling spirituous liquors shall pay a tax of two and a half per cent. on the cash value of the liquors distilled from grain, potatoes, molasses and sugar cane. Distillers.

SEC. 13. Every merchant, jeweler, grocer, druggist, produce dealer and every other trader, who as principal or agent, carries on the business of buying or selling goods, wares or merchandise of whatever name or description, one-eighth of one per cent. on the total amount of his purchases in or out of the state for cash or on credit; *Provided*, That no retail merchant shall be required to pay any tax on any purchase made from wholesale merchants residing in the state; *And, provided further*, That the tax on purchases of articles, the growth or manufacture of this state, shall be only one-twentieth of one per cent. except as provided in section ten. It shall be the duty of the sheriff to demand that every merchant, liquor seller, trader, auctioneer, commission merchant, or other person required to list his purchases, who may do business in his county, shall pay taxes on the same as the law requires, said taxes to be collected by the sheriff on the first days of January, April, July and October, in each year, on the purchases for the preceding quarter. The sheriff shall have power to require the merchant making such statement to submit his books to examination by the sheriff, and every Merchants, &c.

Proviso.

Proviso:

merchant refusing on demand to submit his books to such examination, shall be liable to a penalty to the state of two hundred dollars, to be prosecuted by the sheriff and recovered in any court having jurisdiction of the case. It shall further be the duty of the sheriff to bring suit against every merchant refusing as aforesaid, in the superior court of the county, as may be prescribed for special proceedings, to the end of obtaining such examination and compelling payment of the proper tax.

Hotels, &c.

SEC. 14. On the gross receipts of hotels, boarding houses, (except those used for educational purposes and as private, boarding houses,) restaurants and eating houses, the tax shall be one per cent.

SEC. 15. The tax on public ferries, toll bridges, and across highways, one per cent. on net receipts.

Ferries, bridges,
&c.

SEC. 16. Every money or exchange, bond or note broker, private banker, or agent of a foreign broker or banker, in addition to the *ad valorem* tax on their capital invested, or the tax on their net income, shall pay, if employing a capital of twenty thousand dollars, a license tax of one hundred dollars; if a capital of less than twenty thousand dollars, and not less than ten thousand dollars, fifty dollars; and if a capital of ten thousand dollars or less, a tax of twenty-five dollars; and also ten dollars additional for each county in which they have an agency.

Riding vehicles.

SEC. 17. Every person who, for himself or as agent for another, sells riding vehicles not manufactured within the state, shall pay two per cent. on his sales.

Auctioneers.

SEC. 18. Every auctioneer on all goods, wares or merchandise, sold by himself or agent, whether by ascending or descending bid, or at public outcry, whether the growth or manufacture of this state or not, shall pay one per cent. on the gross amount of his sales, subject to all the regulations and exemptions set forth in the tenth chapter of the revised code, entitled "Auctions and Auctioneers;" but this shall not apply to tobacco warehousemen who shall pay a license tax of thirty-five dollars a year.

SEC. 19. Every commission merchant shall pay a tax of one-eighth of one per cent. on his sales as commission merchant; *Provided*, That when spirituous, vinous, or malt liquors are sold by commission merchants, they shall pay a tax of two and a half per cent. on their sales of such liquors. Commission merchants.

SEC. 20. Every person whose occupation or business is to keep horses or vehicles for hire, or to let, shall pay a tax of two dollars for every horse for that purpose, at any time during the year, to be collected by the sheriff quarterly; *Provided*, That this section shall not apply to draymen. Riding-vehicles.

SEC. 21. Every itinerant dentist, medical practitioner, portrait or miniature painter, daguerrean artist and other persons taking likenesses of the human face, ten dollars for each county in which he carries on his business; *Provided*, That such person as shall furnish satisfactory evidence to the sheriff of the county in which he proposes to practice, that he is a resident of the state, and has listed his income as required by law, shall be exempt from the tax imposed in this paragraph. Itinerant Dentists, &c.

SEC. 22. Every person that peddles goods, wares or merchandize, either by land or water, or any drugs, nostrums or medicines, whether such person shall travel on foot or with a conveyance or otherwise, shall have obtained from the commissioners an order to the sheriff to grant him peddler's license, to expire at the end of six months from its date, and the sheriff, on production of a copy of such order certified by the clerk of said commissioners, shall grant such license for his county on the receipt of ten dollars tax, to-wit: 1st, That not more than one person shall peddle under the license. 2d, That every person who temporarily carries on a business as merchant in any public place and then removes his goods, shall be deemed a peddler. 3d, That nothing in this section contained shall prevent any person freely selling live stock, vegetables, fruit, oysters, fish, books, charts, maps, printed music, or the articles of his own growth or manufacture within this state. 4th, That nothing herein contained shall release peddlers from paying the tax imposed in this act, on persons who deal in the same species of Peddlers,

merchandize, which tax shall be collected or received in the same manner as in the case of other merchants and traders.

Lightning rod men.

SEC. 23. Every itinerant who deals in or puts up lightning rods, five dollars for each county in which he carries on business.

Itinerant liquor dealers.

SEC. 24. Every itinerant who sells spirituons liquors, wines or cordials, not the product of his own farm, shall pay twenty-five dollars for every county and be under the same rules and restrictions as peddlers, except that an order from the commissioners shall not be required for a license.

Gipsies, &c.

SEC. 25. Every company of gipsies or strolling company of persons who make a support by pretending to tell fortunes or begging, fifty dollars in each county in which they offer to practice any of their craft, recoverable out of any property belonging to any one of the company, but nothing herein contained shall be so construed as to exempt them from indictment or penalties imposed by law.

Drummers.

SEC. 26. Every non-resident or drummer, or agent of a non-resident, who shall sell any spiritnons, vinous, or malt liquors, goods, wares or merchandize, by sample or otherwise, whether delivered or to be delivered, shall, before making any such sale, obtain a license to sell one year from the public treasurer, by paying said treasurer an annnal tax of fifty dollars, but shall not be liable to be taxed in any county because of his sales. Any person violating the provisions of this paragraph shall be deemed guilty of a petty misdemeanor, and upon conviction before any magistrate, shall be fined not exceeding fifty dollars or imprisoned not exceeding one month, and shall forfeit and pay besides two hundred dollars to the sheriff, to be collected by distress or otherwise, one-half of which shall be accounted for as other taxes, the other halt to the use of the informer and the sheriff equally.

Bankers.

SEC. 27. The chief officers of banks, including saving's banks and private bankers, shall, in April and October of each year, certify on oath the amount of dividends or profits

which have been earned, and shall pay on such dividends five per cent.; and such insurance companies as are incorporated by this state shall, in April and October of each year, certify on oath the amount of dividends and profits which have been earned, and shall pay on such dividends two per cent. On failure to comply with the provision of this section, said banks, companies or persons shall pay as taxes one thousand dollars, to be collected by the sheriff by distress or otherwise.

SEC. 28. Every insurance company not incorporated in this state, doing business therein, shall pay an annual tax of one per cent. to the treasurer of the state, upon the gross receipts derived from the premiums charged for insurance obtained therein, unless the company shall exhibit to the governor, auditor and treasurer, a sworn statement of investments in real property situate in this state, or loans secured by mortgage to citizens of the state of an amount equal to one-half of such gross receipts, when the tax shall be one-half of one per cent., said tax to be paid quarterly, viz: on the first days of April, July, October and January in each year. Each general agent shall be required, on the above named days, to make a statement to the treasurer, under oath, that the amount by him returned is a full and correct statement of such quarter. On failure to comply with the provisions of this section, every such company shall pay as a tax two thousand dollars, and the principal agent shall be liable therefor. Every such company shall be required to appoint a general agent, who shall obtain a license from the state treasurer before transacting any business therein, and before such license is granted, the applicant shall show to the treasurer his appointment as general agent, under seal of the company, and thereupon the license shall be granted by the payment of one hundred dollars, and such license shall be renewed annually by the payment of said sum. And it shall be the duty of said general agent to furnish each of his sub-agents with a commission authorizing him to do business. And any one found soliciting insurance without such commission, shall be deemed guilty of a misdemeanor

Insurance companies.

and be fined not less than one thousand dollars or imprisoned not less than ninety days. The agent effecting insurance shall, on the first days of April, July, October and January, make returns to the sheriff of the county in which the insurance is effected, of all the business done by him during the preceding quarter in said county, and shall pay to him the county tax assessed on such business; the general agent shall also, on the first days of April, July, October and January, make return to the sheriff of each county of the amount of gross receipts for premiums received from such county for such quarter. It shall further be required of the general agent or his local agent, to pay to the sheriff of each county the county tax assessed upon the gross receipts of premiums collected in such county, at the time and in the manner as required by the state, and no municipal corporation shall be allowed to add any additional tax; *Provided*, That no county or corporation shall be allowed to tax insurance agents for license. On failure to make returns, or to pay aforesaid, said agent shall pay twenty-five dollars for each policy effected or negotiated by him in such county.

Proviso.

Traders' license.

SEC. 29. No person shall follow any of the trades or professions taxed by this act, or in any other act, imposing taxes on trades, and professions and franchises, without first obtaining a license from the sheriff of the county in which the trade or the professions is to be followed, or the franchises enjoyed. Such license shall give to the person obtaining it the right to practice the trade or profession, or to enjoy the franchise therein specified, in the county of the sheriff by whom it is issued, and in no other, unless the law imposing the tax shall otherwise direct, from its date to the following first day of April; *Provided*, That nothing in this section shall apply to licensed practicing physicians, lawyers or dentists.

SEC. 30. The form of the license shall be in substance as follows:

Form of license.

Received this day of, 18.., of, . . . dollars

of which dollars is the tax to the state of North Carolina, and dollars is the tax to the county of, for his license to practice the trade (or profession) of until the first day of April next.

(Signed.)

A. . . . B.,
Sheriff of county.

(Countersigned.)

C. . . . D.,
Register of Deeds for county.

SEC. 31. The amount of tax to be paid on obtaining the license to practice any trade or profession which is taxed by a certain sum, shall be in proportion to the tax imposed for the whole year.

SEC. 32. Any person proposing to follow any taxed trade or profession may take out a license in advance of the time when he proposes to begin such trade or profession, in advance of the expiration of a license already held by him. In such case the license shall be truly stated, and shall specify the time at which it shall begin to be in force, as well as the time when it shall expire, which shall always be on the first day of January, April, July or October.

SEC. 33. No license issued by the sheriff shall be valid until the same shall have been exhibited to and countersigned by the register of deeds of the county, who shall receive for the services imposed on him by this act in reference to licenses, a fee of twenty-five cents from every person licensed.

SEC. 34. The register of deeds shall keep a book, in which he shall record the name of the person licensed, the trade or profession to be followed, or the franchise to be enjoyed, the date at which it begins to run and the amount of the tax, and he shall, on the third Monday in January, April, July and October, send a certified copy of such record, for the quarter last preceding, to the auditor of the state, who shall charge the sheriff with the amount so appearing due. If any register shall fail to perform the duty hereby imposed

Duty of Register
of Deeds,

on him, he shall forfeit to the state a penalty of two hundred dollars, to be recovered of him and the sureties to his official bond, on motion in the superior court for the county of Wake; and on such motion, a certified copy of his official bond and a certificate of the auditor of the state, setting forth his failures to make the required return, shall be *prima facie* evidence entitling the state to judgment in the absence of any sufficient defence.

SEC. 35. Every person who shall practice any trade or profession, or use any franchise taxed by the law of North Carolina, without first having paid the tax and obtained a license as herein required, shall be deemed guilty of a misdemeanor, and shall also forfeit and pay to the state a penalty not to exceed twenty dollars, at the discretion of the court, and in default of the payment of such fine, he may be imprisoned for not more than one month, at the discretion of the court, for every day on which he shall practice such trade or profession, or use such franchise; which penalty the sheriff of the county in which it is incurred shall cause to be recovered before any justice of the peace of the county.

Penalty for failing to take out license.

Duty of sheriffs.

SEC. 36. The sheriff shall immediately report to the register of deeds all sums recovered by him as penalties under this act, and the register shall add three-fourths of each penalty recovered to the record of licenses required to be kept by him; the other fourth the sheriff may retain.

SCHEDULE C.

The taxes embraced in Schedule C., shall be listed and paid as especially therein directed, and shall be for the privilege of carrying on the business or performing the act named:

Express companies.

SECTION 1. Every express company shall make return to the public treasurer on or before the first Monday in January, April, July and October of each year, of the entire gross earnings and receipts of such company within the state of North Carolina during the three months next preceding.

The said report shall be verified by the oath of the chief officer or agent of the company at its principal office in the state. The said company shall, on or before the third Monday of each of the said months, pay on the gross receipts two per cent. for each three months, and for failure to make such report, or pay such tax, the company shall pay as taxes two thousand dollars, to be collected by such sheriff as the public treasurer may designate, by distress or otherwise.

SEC. 2. Every telegraph company doing business in this state shall, at the times and in the manner prescribed in the preceding section, make report of the entire receipts of said company within this state, and pay to the public treasurer two per cent. for each three months, and in case of default of such report or payment, the company shall pay as tax one thousand dollars, to be collected by such sheriff as the public treasurer shall designate, by distress or otherwise.

Telegraph companies.

SEC. 3. Whenever the seal of the state or of the treasury department, of a notary public, or other public officer, except clerks of the supreme and superior courts, required by law to keep a seal, shall be affixed to any paper except as hereinafter is excepted, the tax shall be as follows, to be paid by the party applying for the same: For the seal of the state, one dollar, to be collected and paid in the treasury by the private secretary of the governor; for the seal of the state department, fifty cents, to be collected by the secretary of state and paid by him into the treasury; for the seal of the public treasurer, to be collected by him and accounted for as other public moneys, fifty cents; for the seal of the supreme court, fifty cents, to be collected by the clerk and paid by him into the treasury; and for the seal of a notary public or other public officer, twenty-five cents, to be collected and paid over by the officers collecting the same, to the sheriff of the county where such seal is kept. Said officers shall keep an account of the number of times their seals may be used, and shall deliver to the proper officer a sworn statement thereof. Whenever a scroll is used in the absence of a seal by any of said officers, the said tax shall be on scroll, seals affixed for the use of any county or state or

Seals and scrolls.

other government, or used on the commissions of officers in the militia, justices of the peace, or any public officer not having a salary or under the pension law, or upon any process of a court, shall be exempt from taxation. The officers collecting the seal taxes may retain, as compensation, five per cent. Any person receiving taxes under this section and wilfully refusing or neglecting to pay the same as required, shall be guilty of embezzlement, and on conviction, shall be fined not more than five hundred dollars or imprisoned in the state's prison at the discretion of the court.

Marriage license.

SEC. 4. On each marriage license, fifty cents, and on each mortgage deed, marriage contract, and deed in trust to secure creditors, there shall be a tax of one dollar. On every other deed conveying, or contracting to convey title to real estate, and on all other instruments admitted to registration, where the consideration exceeds three hundred dollars and in less than one thousand, fifty cents, and twenty-five cents in addition for every additional one thousand dollars. Where any of the foregoing instruments are proved before the clerk of the superior court, he shall be charged with the collection of the tax as heretofore. When probate is otherwise made, the register shall collect and pay the same, less five cent. commissions to the sheriff, rendering a sworn statement of the number and character of the instruments admitted to registration and the taxes due thereon, which the sheriff shall file with the clerk of the superior court as directed by law.

Charters of incorporation.

SEC. 5. On every charter of incorporation of any company granted by the general assembly, other than those for charity, benevolence or literature, where the corporation had power to become incorporate under the provisions of any general law, and on any amendment of every such charter, whether originally granted by the general assembly or secured by letters patent or otherwise, there shall be a tax of twenty-five dollars paid directly to the public treasurer. No company shall be organized under such special act of incorporation, or derive benefit from any act to amend their charter, without first obtaining a certified copy of such act

from the secretary of state, which shall not be furnished until the treasurer's receipt for said tax shall be filed in the office of the said secretary.

SEC. 6. Whenever any officer receives or collects a fine, Fines. penalty or forfeiture in behalf of the state, he shall, within ten days after such reception or collection, pay over and account for the same to the clerk of the superior court, who shall forward such fine, penalty, or forfeiture to the treasurer of the board of education for the benefit of the fund for common schools.

SEC. 7. Any officer convicted of violating the preceding Penalty. section, shall be guilty of embezzlement, and may be punished not exceeding five years in the state prison, at the discretion of the court.

SEC. 8. All laws imposing taxes, the subjects of which are Repealing clause. revised in this act, are hereby repealed; *Provided*, That this repeal shall not extend to the provisions of any law, so far as they relate to the taxes listed, or which ought to have been listed, or which may be due previous to the ratification of this act.

SEC. 9. This act shall be in force from and after its ratifi- When act to be in force. cation.

Ratified the 4th day of April, A. D. 1871.

CHAPTER CCXXVIII.

AN ACT IN RELATION TO THE INSANE ASYLUM OF NORTH CAROLINA.

SECTION 1. *The General Assembly of North Carolina do* Repeal of act of 1869. *enact*, That so much of the act of the general assembly of one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, entitled an act in relation to the lunatic asylum, ratified March ninth, one thousand eight hundred and sixty-nine, and of all other acts in relation

to the insane asylum of North Carolina, as vests the government of said asylum in the governor and five supervisors are hereby repealed, and sections seven and nine of an act of the general assembly of one thousand eight hundred and fifty-eight and one thousand eight hundred and fifty-nine entitled an act to provide for the maintainance of the insane asylum and for other purposes, ratified February sixteenth, one thousand eight hundred and fifty-nine, are hereby re-enacted and declared in force.

Law of 1859 re-enacted.

Directors.

SEC. 2. The following named persons, to-wit: Dr. Chas. E. Johnson, Dr. E. Burke Haywood, Charles Dewey, P. F. Pescud, John D. Primrose, Thomas Bragg, A. S. Merriman, and Kemp P. Battle, of Wake, Dr. C. T. Murphy, of Sampson, Dr. John McCormick, of Harnett, Rev. B. Craven, of Randolph, Dr. J. J. Summerell, of Rowan, C. Dowd, of Mecklenburg, Dr. Pride Jones, of Orange, and Joseph J. Davis, of Franklin, are hereby appointed directors of said asylum, their term of office to begin thirty days after the ratification of this act and continue until the first Monday in November, one thousand eight hundred and seventy-one, at which time they shall be divided into three classes, the seats of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year from the time of their appointment, and afterwards they shall be appointed at the expiration of their respective terms for six years. In case of a vacancy in a term, the unexpired portion thereof shall be filled by the board of directors.

Terms of office.

Vacancies.

Powers and duties of directors.

SEC. 3. That all the duties and powers now required of and vested in the governor and board of supervisors are hereby required of and vested in the directors appointed under the provisions of this act.

Amendment to act March 1869.

SEC. 4. Section twenty-seven of an act in relation to the lunatic asylum, ratified ninth day of March, one thousand eight hundred and sixty-nine, is amended by adding thereto the following proviso: *Provided*, That the superintendent shall not sign any warrant for the carrying to or removal from the insane asylum of any insane persons, until there

shall be exhibited to said superintendent and filed in his keeping a certificate under the official seal of the clerk of the superior court of the county whence such insane person was brought or to which he is to be removed, that he has not property sufficient to pay such expense.

SEC. 5. Section twenty-nine of said act entitled an act in relation to the lunatic asylum is hereby repealed, and the board of directors shall have power to regulate admissions into the asylum, having regard to the probabilities of curing the parties of their mental diseases. Repeal.

SEC. 6. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCXXIX.

AN ACT TO INCORPORATE THE MARION AND CRANBERRY RAILROAD COMPANY.

SECTION 1. *The General Assembly of North Carolina do enact*, That a company is authorized to be formed with a capital stock not exceeding one million of dollars, to be divided into shares not exceeding twenty five dollars each, to be known as the Marion and Cranberry Railroad Company, for the purpose of constructing a Railroad from the town of Marion through the lime and iron beds in McDowell county to the Tennessee line at or near the Cranberry iron works, in Mitchell county, and said company, when formed as hereinafter directed, shall have power to receive, possess, own and transfer real and personal property, shall have power to adopt and use a common seal, to pass by-laws not inconsistent with the laws of the state, and shall have all the corporate rights, powers and immunities generally exercised by other like corporations in this state, the said company may condemn lands for right of way and all other necessary pur-

Capital stock.
Corporate name.
Location of road.
Corporate rights.
Condemnation of lands.

poses, the said company shall be controlled by a board of directors which shall consist of the following named persons :
 Directors. John Carson, S. J. Neal, W. A. Cowly, Jas. H. Greenlee, W. A. McCall, John S. Brown, John G. Yancy, Mathias Dellinger, A. A. Wiseman, Joseph Chambers, Wilson Bunlison, Alexander Erwin, Jourdan Harlew, Col. Samuel Blalock, J. C. Newlin, A. M. Erwin, William Bergin and
 President. Jonathan Buchanan, said directors shall elect a president and other officers at such time as a majority of them may deem best, and shall appoint commissioners to open books
 Books of sub- to the capital stock of said company in such manner and at
 scription. such times and places as they may deem best, they may prescribe rules and regulations for the payment of such subscriptions in land, money, work or otherwise as they may think proper, and shall cause certificates of such stocks to issue in such manner as they may elect. It shall be the duty of the said board to call a meeting of the stockholders for
 Re-organization. the purpose of reorganizing said company at such time and place as they may deem best, and the stockholders may, at such re-organization, provide for such number of directors not exceeding the number provided in this act as they may deem proper.

Guage of road. SEC. 2. The guage of the track of said railroad shall not be less than eighteen inches nor more than five feet.

Further rights and privileges. SEC. 3. Said company shall have power to erect and build turnpikes whenever they may secure the right of way, and may erect bridges on the state and county roads and use the Trinchion engine or road steamer on the same, and be entitled to all corporate powers necessary thereto.

Bonds. SEC. 4. The said company shall have authority to borrow money by issuing mortgage bonds of the company or other evidences of debt in such manner, at such rates of interest, payable at such times and places as the board of directors and the president of the company may prescribe, the president and directors shall execute and deliver mortgage deeds upon all the property of the company including its road bed and register the same in the county of McDowell, and said deed, when so delivered, shall be valid mortgages of all the

property so conveyed, the president and directors of the company shall have authority to take for the benefit of the company policies of insurance, and also to issue policies of insurance after they shall have received in bona fide stock the amount of fifty thousand dollars, provided the amount of insurance never exceeds one-third of the actual bona fide stock at the issuing of the policy, and to pledge the same or any other public or private securities as collateral to secure the payment of such bond or other evidences of debt as the company may issue, the said collateral may be provided and pledged in such manner as the president and directors may elect.

Policies of insurance.

SEC. 5. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCXXX.

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF ONSLOW COUNTY TO LEVY A SPECIAL TAX.

SECTION 1. *The General Assembly of North Carolina do enact*, That the county commissioners of Onslow county be authorized to levy a special tax, one-half of one per cent. on the taxable property of said county, and an equal upon each poll in said county according to and in the proportion specified in the constitution, section one, article five, to be levied and collected as are other public taxes; *Provided*, The question of the levy of said tax be first submitted by election to the qualified voters of said county.

Amount of tax.

Question to be submitted to voters.

SEC. 2. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCXXXI.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF BLADEN COUNTY TO LEVY A SPECIAL TAX.

Objects of tax.

SECTION 1. *The General Assembly of North Carolina do enact*, That the county commissioners of Bladen county be and they hereby are authorized to levy a special tax for the payment of the county indebtedness, and other purposes, said tax not to exceed five thousand dollars, to be levied, collected and paid into the county treasury and disbursed as the county commissioners may direct, under the same rules and regulations as are now established by law for the collection of county tax. The same tax shall also include a tax upon each taxable poll of said county according to article five, section one of the constitution; *Provided*, This act shall have no effect until approved by a majority of the qualified electors voting at an election which the commissioners of the county are hereby authorized to call, giving thirty days notice thereof.

Amount.

Question submitted to voters.

When act to be in force.

SEC. 2. This act shall be in force from and after its ratification.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCXXXII.

AN ACT TO AMEND AN ACT RATIFIED THE TENTH DAY OF APRIL, ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE, ENTITLED AN ACT TO DEFINE AND PUNISH BRIBERY.

Amendment.

SECTION 1. *The General Assembly of North Carolina do enact*, That an act ratified the tenth day of April, one thousand eight hundred and sixty-nine, entitled "an act to define and punish bribery, numbered as chapter 176, of the acts of

one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, be amended as follows: Section three of said act is repealed and the following is enacted in the stead thereof: "Section 3. That any person offering a bribe, whether it be accepted or not shall be guilty of a felony, and on conviction, shall be punished by imprisonment for a term not less than one year nor more than five years.

SEC. 2. This act shall be in force from its ratification.

Ratified the 5th day of April, A. D. 1871.

When act to be in force.

CHAPTER CCXXXIII.

AN ACT REGULATING THE APPOINTMENT OF GUARDIANS AD LITEM.

SECTION 1. *The General Assembly of North Carolina do enact,* That in actions and special proceedings of any of the courts of this state whenever any of the parties plaintiffs are infants, whether said infants be residents or non-residents of this state, that said infants shall appear by their general or testamentary guardian, if they have any within the state; and if there shall be no such guardian, then said infants may appear by their next friend.

Infant plaintiffs may appear through guardian or next friend.

SEC. 2. That in all actions and special proceedings in any of the courts of this state, whenever any of the defendants are infants, said infants shall defend by their general or testamentary guardian if they have any within this state whether said infants are residents or non-residents of this state; and if said infants have no general or testamentary guardian within this state and any of the defendants in said action or special proceedings shall have been summoned, and a copy of the complaint has been served on them or any of them, then it shall be lawful for the court, wherein said action or special proceeding is pending, upon motion of any of the

Court may appoint guardian *ad litem* for defendant.

Issuing of summons.

Final judgment.

Action in case where defendants are infants without guardians.

Guardian *ad litem* to file answer.

Costs.

parties to the said action or special proceeding, to appoint some discreet person to act as guardian *ad litem*, to defend in their behalf to which said guardian so appointed, the summon in said action or special proceedings shall be issued, and a copy of the complaint served with said summons, and that after twenty days notice of said summons and complaint, the court may proceed in the cause to final judgment and decree therein in the same manner as if there had been personal service upon the said infant defendants, and any decree or judgment in the case shall conclude the infant defendants as effectually as if he or they had been personally summoned.

SEC. 3. That whenever any plaintiff or plaintiffs shall desire to institute any action or special proceeding in any of the courts of this state, where all the parties defendants are infants having no general or testamentary guardian in this state, whether the said infants defendants shall be residents or non-residents of this state, any of said plaintiffs may file a petition to the judge of the court, or the clerk of the superior court in which said action is to be brought, setting forth the nature of the action or special proceeding which he or they desire to bring, and obtain from said court the appointment of some discreet person to act as guardian *ad litem*, for said infants defendants, upon which said guardian so appointed, summons and complaint may be served, and after twenty days service of the said summons and complaint, the court may proceed in the cause to judgment in the same manner as if there had been personal service upon the said infants defendants, and any judgment or decree in the cause shall conclude the infant defendant as effectually as if he or they had been personally served with a summons.

SEC. 4. That whenever any guardian *ad litem* shall be appointed under this act, the said guardian shall file an answer in said action or special proceeding admitting or denying the allegations thereof, the costs and expenses of which said answer in all applications to sell or divide the real estate of said infants shall be paid out of the proceeds

of the property or in case of a division, shall be charged upon the land, if the sale or division shall be ordered by the court, and if not ordered in any other manner the court shall direct.

SEC. 5. That sections fifty-eight and fifty-nine of the code of civil procedure are hereby repealed.

Sections 58 and 59, Code of Civil Procedure repealed.

SEC. 6. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCXXXIV.

AN ACT TO CHANGE THE TOWNSHIP OF LINCOLN COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That the board of commissioners of Lincoln county are hereby empowered to change the lines, number and names of the townships of Lincoln county for the greater ease and convenience of the inhabitants thereof as the commissioners may in their discretion deem proper, provided they do not increase the number of townships in the county.

Township lines to be changed.

SEC. 2. All laws or parts of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 3. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCXXXV.

AN ACT DONATING THE STATE'S INTEREST IN THE FAYETTEVILLE AND WARSAW PLANK ROAD TO THE COUNTIES OF SAMPSON AND DUPLIN.

Road donated to citizens.

SECTION 1. *The General Assembly of North Carolina do enact*, That the state's interest in the Fayetteville and Warsaw Plank Road, from Clinton to Warsaw, be donated to the citizens of Sampson and Duplin counties, to be used as a turnpike road by a company of the citizens of said counties for the purpose of running a road steamer thereon.

Commission to receive road.

SEC. 2. That said interest be conveyed to John R. Beauman, Col. Allmand, A. McKoy, Col. John A. Ford, and Alfred Johnson, as a commission, for the purpose aforesaid, and that said plank road company be authorized to convert said road into a turnpike and to use a road steamer thereon.

When act to be in force.

SEC. 3. This act shall be in force from and after its ratification.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCXXXVI.

AN ACT TO INCORPORATE THE YADKIN RAILROAD COMPANY.

Corporate name.

SECTION 1. *The General Assembly of North Carolina do enact*, That for the purpose of establishing railroad communication from Salisbury to points on the Wilmington, Charlotte and Rutherford Railroad, and the Cheraw and Salisbury Railroad respectively, at or near Wadesboro', authority is hereby granted for the formation of a company which, when organized, shall be a body politic and corporate, under the name and style of the Yadkin Railroad Company, with the usual corporate powers, rights and privileges per-

taining to railroad corporations, together with such others as are hereinafter specially granted.

SEC. 2. That the capital stock of said corporation may be as much as one million dollars, to be divided into shares of fifty dollars each; and when as much as fifty thousand dollars of stock is taken by solvent subscribers, and five per cent. of such subscriptions actually paid in, a meeting of the subscribers shall be called by the commissioners hereinafter appointed, at some time and place to be designated by them, or a majority of them, at which meeting said corporation may proceed to organize by the election of nine directors, and the said directors shall choose one of their number as president, and may also elect such other officers as may be needful and may be prescribed by the by-laws of the corporation; and regular annual meetings of the stockholders may be held thereafter at such places and time of year as they may fix upon, at which annual meetings elections for officers of said company shall take place in the manner above prescribed; but if from any cause any annual meeting be not held, all officers shall hold over till the next annual meeting; and a majority of the stock must be represented in person or by proxy to constitute a quorum at any meeting of stockholders.

SEC. 3. That for the purpose of procuring subscriptions to the capital stock of said corporation, C. A. Henderson, John I. Shaver, Moses L. Holmes, Ephraim Manney, L. W. Coleman, J. M. Shimpoek, J. D. Hearne, N. Mauney, J. M. Redwin, Wm. G. Smith, W. L. Little, C. Watkins, J. B. Burns, H. A. Crawford and J. C. McLaughlin are hereby appointed commissioners with power to open books of subscription at such times and places, and under the direction of such persons as they, or a majority of them, may deem proper, and they shall organize by designating from among their number a chairman, a treasurer and any other needful officers, and shall have power to require a suitable bond of their treasurer for faithfully accounting for any moneys that may come into his hands; and they may bring suit in the name of their treasurer against any subscriber, and may

Capital stock.

Shares.

Meeting of subscribers.

Directors.

President.

Annual meetings.

Commissioners to open books.

recover the five per cent. of his subscription, if such subscriber has failed to pay in so much upon his said subscription, but their powers herein conferred shall, except as to any such suits then pending, cease upon the organization of the company, and they shall turn over to the treasurer of the company any subscription, moneys and obligations that may be or come into their possession; and when fifty thousand dollars of capital stock shall be subscribed as aforesaid, and five per cent. thereof paid in or collected, it shall be the duty of said commissioners, without delay, to call a meeting of the stockholders, or more than one, if the first shall for any cause fail to be held, that the said company may be organized as aforesaid.

Subscriptions by counties and corporations.

SEC. 4. That subscriptions may be made by counties, cities or towns to the capital stock of said railroad company, upon the proposition of the county commissioners, or city or town government, as the case may be, and the approval thereof by the qualified voters of such county, city or town under the regulations and provisions, so far as applicable, prescribed for county subscriptions in an act ratified April tenth, one thousand eight hundred and sixty-nine, entitled "an act to enable the Chatham Railroad Company to complete its road."

Subscriptions of land.

SEC. 5. That the aforesaid commissioners while they act, and the directors of the company after its organization, shall have the power to receive subscriptions of land at a value to be fixed by agreement between themselves and the owners, and they may also receive donations of land or other valuable property which may be given in furtherance of this enterprise; and a deed of conveyance of any such land or property subscribed or donated shall be made by the owner to the Yadkin Railroad Company, if after the organization thereof, and if prior thereto, then the owner shall give to the aforesaid commissioners, or their chairman in their name, a bond to make title to the Yadkin Railroad Company when organized, which bond, upon the organization of said company, shall be assigned by the obligee or obligees to said company, and may be enforced by a suit in its own name;

Donations.

but if said company be never organized under this charter, then all such bonds to become void; and if said company shall not complete its road within ten years after its organization, then it shall be bound, and may be compelled, by suit if necessary, to reconvey all such lands as may have been donated under this act, to the original grantors or their heirs. All such land and property as may be subscribed or donated may be held and disposed of by said company as it may judge most expedient; and power is hereby granted to said company to purchase, acquire, hold and dispose of all real and personal property necessary for the accomplishment of its purpose of constructing and keeping in operation the railroad which this act contemplates.

SEC. 6. That the president and directors of said company, after its organization, may take such action as they deem most efficient for securing further subscriptions until the whole amount of capital stock is taken; they may also make all necessary orders for collecting the subscriptions not paid up, prescribing the instalments to be paid from time to time; and in case any subscriber fail to pay in any instalment upon their call, the president and directors may, after twenty days notice, sell at public auction the shares subscribed for by him, or so much thereof as may be necessary to pay up the whole unpaid remainder of his subscription; and if a balance of such subscription still remains unpaid after applying the entire net proceeds of such sale of his shares, then the company may by suit, in any court having jurisdiction of the case, recover said balance from such defaulting subscriber.

Further subscriptions.

Enforcing subscription.

SEC. 7. That whenever any lands may be required by said company for the purposes specified in this charter, and an agreement cannot be made with the owner thereof, the company or the owner may apply to the clerk of the superior court in writing to cause the damages, if any, to be assessed, by five referees, entirely disinterested directly and indirectly, two of said referees to be appointed by each party respectively, and the fifth by the said clerk, five days notice of the application being given to the other party; and if either

Condemnation of land.

party fail to appoint two referees at the expiration of said five days notice, the clerk shall appoint them. The clerk shall issue notice to all the referees to attend on the land upon a day fixed and lay off the right of way over said lands, which shall extend sixty feet on each side of the track, when so much is asked for by the company, and any other special allowance of land may be made when necessary for depots, turnouts and other needful appurtenances; and said referees considering the advantages and disadvantages of said railroad to the land in question, shall assess the damages, if any to the owner of the land, and return in writing and under oath their award to the clerk of the court within ten days after it is made, and the same when filed, shall be recorded as a regular judgment of the superior court on which execution may issue returnable to the next term of the court. Either party dissatisfied with the award may, within five days after its filing with the clerk, upon giving an appeal bond to cover costs and damages in a sum to be fixed by the clerk, appeal to the superior court, and that court shall try the whole case *de novo*, but the company may, as soon as the award is made, whether there be an appeal or not, enter upon the lands so awarded to it, and use them in constructing its road and appurtenances.

Proportion of
votes and stock.

SEC. 8. That in all meetings of the company each stockholder, upon all questions, shall be entitled to as many votes as he owns shares of stock, and any one may demand a stock vote.

When act to take
effect.

SEC. 9. That this act take effect from and after the date of its ratification.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCXXXVII.

AN ACT TO AMEND CHAPTER ONE HUNDRED AND EIGHTY-FOUR, LAWS OF ONE THOUSAND EIGHT HUNDRED AND SIXTY EIGHT AND ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE ENTITLED AN ACT TO PROVIDE FOR A SYSTEM OF PUBLIC INSTRUCTION.

SECTION 1. *The General Assembly of North Carolina do enact*, That section two of said act be amended so as to read as follows, to wit: The board of education may, from time to time as the same shall accumulate, invest the public school fund in United States bonds and securities and railroad bonds, secured by a first mortgage: *Provided, however*, That such investments shall be made under the direction and approval of the general assembly.

Investments of the school fund to be made under direction of the General Assembly

SEC. 2. That section eight (8) of said act be amended so as to read as follows, to wit: The share of public school fund arising from the increase thereof by investment or otherwise to which each county be deemed to be entitled, shall be paid to the county treasurer, or his lawful attorney, upon the order of the board of education and the warrant of the auditor, and in like manner shall all payments from the public school fund be made.

Payment of share of fund to counties.

SEC. 3. That section nine (9) of said act be and the same is hereby repealed.

Repeal.

SEC. 4. That sub-division nine (9) and the last proviso of sub-division of section twenty-two (22) of said act be stricken out, and that section thirty-two (32) be amended by striking out at the end thereof the words, "and deliver a copy to the school committee."

Amendment to chapter 184, laws. 1868-'69.

SEC. 5. That section fifty-two (52) of said act be amended so as to read as follows, to-wit: That all state and county capitation taxes which shall be levied and collected for school purposes under the constitution, shall be paid to the county treasurer of the counties respectively in which the same are collected, and shall constitute a revenue and fund for the support of

Further amendment.

public schools in said counties respectively, and shall not be used for any other purpose. The sheriff or other person collecting such taxes shall take the receipts of the county treasurer for such payments in duplicate, one copy of which he shall transmit to the auditor of the state; and said county treasurer, under the supervision and direction of the board of commissioners of their respective counties, shall disburse the same as required by this act, keeping a careful and accurate account thereof, a copy of which shall be included in the reports to the superintendent of public instruction, required by section fourteen of this act. The apportionment of the school money raised by the operation of this section shall be made by the commissioners of the counties respectively in which the same is collected, and in the same proportions as required in section fifty-four (54) of this act. The county commissioners shall, from time to time if necessary, require the county treasurer to give sufficient and good security, by additional bond or bonds, so as to secure the faithful administration of the said school fund; and in default so to do, the said commissioners shall be guilty of a misdemeanor, and upon conviction before the superior court, shall be fined not less than three hundred dollars nor more than one thousand.

**Pay of County
Examiner.**

SEC. 6. The county examiner shall be allowed two dollars per each day of actual service, to be paid by the county treasurer out of the school fund, upon the order of the county commissioners, said actual service to be determined by the said commissioners.

**Further amend-
ment.**

SEC. 7. That section sixty-eight of said act be amended by adding thereto the following proviso: *Provided*, That the school fund herein referred to shall not include any portion of the State and county capitation tax provided for in this act as hereinbefore amended.

SEC. 8. That section three (3) of said act be amended by striking out the words "shall prescribe," inserting the words "may recommend;" and that section forty-one (41) of said act be repealed; and all after word "regulations," to and including the word "obtain," of section sixty

nine of said act be stricken out, and that all laws and parts of laws inconsistent with this act are repealed, and this act shall take effect from its ratification.

When act to take effect.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCXXXVIII.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF HARNETT COUNTY TO APPOINT A PROCESSIONER FOR SAID COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That the county commissioners of Harnett county be and they are hereby authorized to appoint a processioner for said county under the same rules and regulations as prescribed in chapter 52, revised code.

Appointment of Processioner.

SEC. 2. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCXXXIX.

AN ACT TO RE-ENACT AN ACT IN RELATION TO A PLANK ROAD, RATIFIED THE TENTH DAY OF APRIL, ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE.

SECTION 1. *The General Assembly of North Carolina do enact*, That chapter one hundred and fifty-six of the public laws of one thousand eight hundred and sixty-eight and nine in relation to the plank road leading from High Point to Salem, is hereby re-enacted, and that the powers originally granted in said act upon said county commissioners are hereby restored and extended to said county commissioners indefinitely.

Re-enactment.

SEC. 2. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CXXL.

AN ACT FOR EXTENDING THE POWERS OF THE COUNTY COMMISSIONERS OF RICHMOND COUNTY.

Commissioners
may elect a tax
collector.

SECTION 1. *The General Assembly of North Carolina do enact:* That the county commissioners of the county of Richmond shall have power, whenever in their judgement it shall be necessary for the safe and speedy collection of the taxes, which the sheriff is required to collect, to elect a tax collector whose duties shall be the same as those of the sheriff, so far as the collection of the taxes are concerned, and who shall be under the same laws, rules and penalties, as those prescribed for sheriffs in the collection of taxes.

When act to be in
force.

SEC. 2. This act shall be in force from and after its ratification.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCXLI.

AN ACT TO INCORPORATE THE SPARTANSBURG, COLUMBUS AND RUTHERFORD RAILROAD COMPANY.

Corporators.

SECTION 1. *The General Assembly of North Carolina do enact:* That Geo. Logan, H. A. Justice, J. B. Carpenter, Thomas Wilkins, John L. McDowell, K. S. Carpenter, C. J. Sparks, William Jones, John Garrison, J. H. Allen, R. S. Ambulin, George Blackwell, J. S. McAboy, Robt. McFarland, James Carpenter, D. V. Rhodes, J. D. McClure, Dr. T. B. Twitney, Wm. D. Harris, Edward Fomes, Dr. Wm. Haultery, J. K. Simpson, W. H. Miller, Dr. L. A. Mills, Beverly Morsis, A. G. Logan, and Tysel Ridings, and their associates and successors, be and they are here created a body corporate for the purpose herein to be described.

SEC. 2. The corporation hereby created shall be known and styled the Spartansburg, Columbus and Rutherford Railroad Company, and by that name may sue and be sued, plead and be impleaded, have a common seal, and succeed to all rights and privileges that are by the laws of this state enjoyed by other corporations of a like character.

Corporate name.

Rights and privileges.

SEC. 3. That upon the ratification of this act the corporators before named shall meet in the town of Rutherfordton on a day to be designated by G. W. Logan and M. H. Justice, for the purpose of organizing said company, and when so organized they may open books for the purpose of receiving subscriptions to the joint stock of said company at such times and places as they may deem necessary. The capital stock of said company shall be five hundred thousand dollars, and the same may be increased to one million of dollars, when the stockholders of said company shall so direct. When one hundred thousand dollars shall have been subscribed to the capital stock of said company and one-tenth of said sum shall have been paid to said stockholders or their agent, then it shall be the duty of said company to call a meeting of the stockholders of said company, to meet at such time and place as they may designate, and when the stockholders of said company shall have met it shall be their duty to elect seven directors, make their own by-laws and do all other things that may be necessary for the completion of the organization of the said company.

Subscription to stock.

Capital stock.

Directors.

By-Laws.

SEC. 4. That when the directors so elected shall have organized by electing one of their number president of said board and otherwise completing the organization of the board of said directors, then the said directors may proceed to have a railroad surveyed and laid off from the town of Rutherfordton, by the most practical route to the South Carolina line, near the Sandy Plains in the county of Polk, and from thence to the town of Columbus, in the county of Polk. The said directors shall have the right to connect their line of road with any other line of railroad, and may receive subscription to the capital stock of said company in money, real or personal property, upon such terms as they

President.

Survey.

Location of road.

County and corporate subscriptions.

may direct, and all persons, counties and corporations shall have the right to subscribe to the capital stock of said company; *Provided*, That the Wilmington, Charlotte and Rutherford Railroad be not completed to Rutherfordton within eighteen months from the ratification hereof. But in case such railroad is so completed, then the company herein chartered shall proceed to construct their road to Columbus by the most direct route practicable, and shall not go to Spartansburg.

Right of way, etc;

SEC. 5. That for the purpose of laying off and constructing a railroad known as the Spartansburg, Columbus and Rutherford Railroad, the directors shall have the right of way in accordance with the laws of North Carolina, now in existence, and may exercise all other rights and privileges that are now enjoyed by other boards of directors of all other corporations of a like character in this state, and shall have full power to construct said railroad upon such plan as they may deem expedient.

Shares.

SEC. 6. That the capital stock of said company shall be divided into shares of fifty dollars each, and every share shall entitle the holder thereof to one vote in all meetings of the stockholders of said company.

Guage.

SEC. 7. The guage of said road shall be the same as that of the Wilmington, Charlotte and Rutherford Railroad, and the two roads shall be so connected at Rutherfordton that cars and engines may pass freely from the one over the other.

When act to be in force.

SEC. 8. That this act shall be in force from and after its ratification.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCXLII.

AN ACT TO INCORPORATE THE ASHEVILLE AND VIRGINIA RAILROAD COMPANY.

SECTION 1. That for the purpose of constructing, keeping up and using a railroad communication from or near the town of Asheville, North Carolina, on the Eastern Division of the Western North Carolina Railroad to the Virginia state line in the direction of Mount Airy, in Surry county, North Carolina, and Lynchburg Virginia, which line may be decided by the directors of a company hereby chartered under the name and style of the Asheville and Virginia Railroad Company, the principal office of which shall be located at or near the junction of said road with the Eastern Division of the Western North Carolina Railroad, and at which office the annual election of directors shall be held; Mont Patten and E. J. Aston, of Buncombe county, J. S. Brown and A. M. Erwin, of McDowell county, Tod R. Caldwell and T. G. Walford, of Burke county, S. F. Patterson, G. W. Harper, of Caldwell county, Allen Brown and W. H. H. Cowles, of Wilkes county, John M. Brown and Jesse W. Graves, of Surry county, and their successors are hereby constituted a board of commissioners of this charter.

Location of road.

Corporate name.

Corporators.

SEC. 2. That the president, directors and stockholders of said Asheville and Virginia Railroad Company, their successors and assigns, shall be and they are hereby declared incorporated into a body corporate and politic, and as such shall be capable in law to purchase, accept, lease and hold, sell and convey personal and real estate, contract and be contracted with, sue and be sued, plead and be impleaded in any court of law or equity of this state having jurisdiction, to make such by-laws, appoint all necessary officers, prescribe their duties, and do all lawful acts properly incident to and connected with the objects of said company, as are necessary for the government and transaction of its business, to make

Corporate rights.

and use a corporate seal, and the same to alter, destroy or renew at its discretion.

Capital stock.

SEC. 3. That the capital stock of said company shall not exceed five millions of dollars, in shares not exceeding one hundred dollars each, payable by instalments of such amounts and at such times as the board of directors in its judgment may think best for the interests of the company; but nevertheless, the aforesaid commissioners shall have the power of opening books of subscriptions, for the purpose of obtaining the necessary amount of stock in such manner as they may deem best in accordance with the provisions of this charter to commence the work.

Books of subscription.

SEC. 4. That for the full organization of said company, said commissioners herein before named or any three or more of them, shall appoint meetings and open books of subscriptions for the capital stock of said company, and when the amount of one hundred and fifty thousand dollars is bona fide subscribed, the said commissioners or any three of them shall soon thereafter fix the day for the meeting of the stockholders at the point designated heretofore, of which time and place they shall give three weeks notice in one or more newspapers published in Asheville or on the line of the proposed railroad, when they shall hold an election for seven directors; and the seven stockholders receiving the largest number of votes shall form and constitute the first board of directors of said Asheville and Virginia Railroad Company, each stockholder being entitled to as many votes, in person or by proxy, in all elections and meetings of the stockholders as he or she may own shares in said company at the time of voting, and the commissioners certifying to the election of the first seven directors of said company, shall hand their certificates and books of subscription of stock and all other papers of their acts or doings over to the said board of directors, and their duties and labors shall then and there cease, determine and end.

Election of Directors.

President.

SEC. 5. That the board of directors shall meet as soon after their election as practicable and choose one of their own number president of the board and company, whose

term of office, with that of the directors, shall be one year and until their successors are chosen and installed, and the election of directors shall be held annually, according to the by-laws that may be made, and all vacancies occurring in the board may be filled from among the stockholders at any time by the acting directors.

SEC. 6. That each subscriber to the capital stock of said company shall be liable for all instalments falling due upon his or her subscription, and a failure of any stockholder to pay any instalment within the time appointed for the payment of the same, he or she may be sued for said unpaid instalment or instalments in any court having jurisdiction, but neither the person or property of any stockholder shall be liable or bound for any debt or liability against the company.

Liability of subscribers.

SEC. 7. That a majority of the commissioners of any county of this state may at any time subscribe to the amount of one hundred thousand dollars to the capital stock of said railroad company, the same having been passed by a majority of the qualified voters of the county, who shall vote at such time and place as a majority of the commissioners shall appoint; and upon their ballots shall be written "for subscription" or "against subscription." And in case a majority of the votes of the county shall be cast for subscription, then the judges of said county shall order the chairman to issue county bonds, payable to said company, in sums not less than one hundred dollars each, payable at such times and places as a majority of the judges shall direct, and they are hereby vested with full power and authority to raise money by taxation to provide for the payment of the principal and interest of the bonds so issued.

County subscriptions.

SEC. 8. That for the purpose of ascertaining the best route for said railroad and to locate the same, it shall be lawful for said company, by its officers and agents to enter upon, examine and survey any lands that they may wish to examine for such purpose, free from all liability or hindrance.

Surveys.

SEC. 9. That in all cases where a question of right of way may arise and the parties be unable to agree, the sheriff of the county in which the said land is situated shall, at the

Right of way.

request of either party, summon a jury of twelve jurors, freeholders of said county, who shall assess the damages to be paid by said company for running said railroad through said lands, and each party shall have at least twenty days notice of the time and place of the meetings of the said jurors for making such assessments, and saving to either party the right of appeal to the superior court of the county in which said lie under the laws now in force regulating appeals to that court, which appeal shall be entered within thirty days after the finding of the jury, and in all such cases such jury shall, in addition to the usual oath, be severally sworn in assessing damages, to take in account the enhanced value of the lands from the building of said railroad passing through said lands.

Right to appropriate lands, etc.

SEC. 10. That said company shall be and is hereby authorized to appropriate all lands and materials necessary for the construction of said railroad and make all contracts necessary therefor, making just and proper compensation for the same according to plan set forth in this act, to cross railroads and all other roads, and to take such other measures not unlawful in themselves that may be necessary in building said railroad and carrying out the objects of the same as far as set forth in this act.

Officers of company exempt from civil duties.

SEC. 11. That all the officers of said company and servants and persons in the actual employment of said company, be and they are hereby exempt from performing ordinary militia duty, working on public lands and serving as jurors.

When construction to begin.

SEC. 12. That said company shall begin the construction of said railroad within two years from the date of this act, and complete the same within ten years, and on failure of either of these requisitions, the charter, otherwise perpetual, with all the privileges hereby granted, are declared null and void.

Right to lease, sell, or consolidate road.

SEC. 13. The said company is hereby fully authorized and empowered, by a two-thirds vote of the capital stock of this company subscribed and paid, to sell and lease or otherwise dispose of as they may deem proper, said railroad, or consoli-

date with other connecting railroads, and that all laws and parts of laws, militating against this act, be and the same are hereby repealed.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCXLIII.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF HARNETT COUNTY TO LEVY A SPECIAL TAX AND FOR OTHER PURPOSES.

SECTION 1. *The General Assembly of North Carolina do enact*, That the commissioners of Harnett county are hereby authorized and empowered to levy a special tax on all real and personal property now taxed by law not to exceed one-half of one per cent. for the payment of jurors and other county expenses. Limitation of special tax.

SEC. 2. That the equation of the constitution in regard to poll and real estate taxation, shall be strictly adhered to and the sheriff of said county is hereby required to receive all duly authenticated county scrip in payment of said tax. County scrip receivable in payment.

SEC. 3. That the commissioners of said county be and they are hereby authorized to dispose of such part of the land belonging to the poor house as they in their discretion may deem best; *Provided*, That the quantity disposed of shall not exceed two hundred and fifty acres, and that the proceeds thereof shall be devoted exclusively to the better protection and well being of the poor of said county. Commissioners may sell Poor-house lands.

SEC. 4. That this act shall be in force from and after its ratification. Proviso.

Ratified the 5th day of April, A. D. 1871. When act to be in force.

CHAPTER CCXLIV.

AN ACT FOR THE RELIEF OF THE SHERIFFS OF WAYNE, WILSON AND OTHER COUNTIES.

Preamble.

WHEREAS, By the legal interpretation and construction given to an act to repeal certain acts passed at the session of one thousand eight hundred and sixty-nine, making appropriations to railroad companies, ratified the eighth day of March, anno domini one thousand eight hundred and seventy, the county commissioners of the counties of Wayne and Wilson, instructed and directed the sheriffs of said counties not to collect the taxes imposed for ordinary state purposes, by an act to raise revenue, ratified the twenty-eighth day of March, anno domini one thousand eight hundred and seventy, and whereas, judgments were ordered against the sheriffs of said counties, and the sureties on their official bonds at fall term one thousand eight hundred and seventy, in the superior court of the county of Wake; and whereas, as it was not the fault of said sheriffs in failing to settle with the public treasurer within the time prescribed by law; therefore,

Sheriffs to collect tax under law of March, 1870.

SECTION 1. *The General Assembly of North Carolina do enact*, That it shall be the duty of the county commissioners of the counties of Wayne and Wilson to order the sheriffs of said counties to collect the tax imposed for ordinary state purposes, by an act to raise revenue, ratified the twenty-eighth day of March, anno domini one thousand eight hundred and seventy, under the same rules, regulations, liabilities and restrictions, in all respects as were imposed by said act.

Sheriffs to settle with Treasurer.

SEC. 2. The sheriffs of said counties shall collect the taxes imposed by said act and pay the same into the public treasury on or before the first Monday in June, one thousand eight hundred and seventy-one, under the same liabilities as now provided by law for failing to settle public taxes in due time.

SEC. 3. The sheriffs of said counties and their sureties are hereby fully and entirely released and discharged from all fines, except cost of suits, forfeitures, amercements and penalties imposed upon them for failing to settle with the public treasurer within the time allowed by law; *Provided*, Said sheriffs shall pay said taxes on or before the first Monday in June, one thousand eight hundred and seventy-one.

Release from certain penalties.

SEC. 4. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCXLV.

AN ACT TO AMEND SECTIONS TWO HUNDRED AND SIXTY-SIX, TWO HUNDRED AND SIXTY-EIGHT, TWO HUNDRED AND SIXTY-NINE, TWO HUNDRED AND SEVENTY, TWO HUNDRED AND SEVENTY-ONE, CODE OF CIVIL PROCEDURE.

SECTION 1. *The General Assembly of North Carolina do enact*, That sections two hundred and sixty-six, two hundred and sixty-eight, two hundred and sixty-nine, two hundred and seventy, two hundred and seventy-one, code of civil procedure, be amended by inserting the words "court or" immediately preceding the word "judge," whenever it may occur in the sections above named.

Amendment.

SEC. 2. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCXLVI.

AN ACT TO AMEND THE CHARTER OF THE CALDWELL AND
WATAUGA TURNPIKE COMPANY.

Exemptions from
toll for work on
road.

SECTION 1. *The General Assembly of North Carolina do enact*, That any person liable to work on public roads living within two miles of the Caldwell and Watauga turnpike road, west of the Yadkin spring, may, at his option, work on said road under the control of the overseer appointed by the president and directors of said company under such regulations as are now required by law of those living near said road east of the Yadkin spring, and upon performing such service, such persons or person shall be entitled to such exemptions from toll and from service on other roads as are now provided by law for those working on said road east of the Yadkin spring.

When act to be in
force.

SEC. 2. This act shall be in force from and after its ratification, and shall be deemed a public act.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCXLVII.

AN ACT CONCERNING TOWNSHIPS IN THE COUNTY OF CHEROKEE.

Townships.

SECTION 1. *The General Assembly of North Carolina do enact*, That the district reported by the commissioners of Cherokee county are hereby approved, and said, districts in obedience to article seven, sections three and four, of the constitution in each district shall have corporate powers, and shall be known as townships by the boundaries and by the names respectively designated in said reports in as full and ample a manner as if said districts had come under and within the provisions of an act of the general assembly en-

entitled "an act concerning townships," being chapter one hundred and eighty-five of the public laws, passed at the session of one thousand eight hundred and sixty-eight and one thousand eight hundred sixty-nine, and ratified the tenth day of April, one thousand eight hundred and sixty-nine.

SEC. 2. *Provided, notwithstanding,* That the election for township officers under the said article of the constitution, and the act of the general assembly referred to in the first section in the above named county, shall take place on the first Thursday of August, in the year of our Lord one thousand eight hundred and seventy-two, and the provisions of said act shall apply in all respects to the election herein directed.

Election of township officers.

SEC. 3. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCXLVIII.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO AMEND THE CHARTER OF THE WESTERN NORTH CAROLINA RAILROAD COMPANY," RATIFIED THE NINETEENTH DAY OF AUGUST, ANNO DOMINI ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT, AND FOR OTHER PURPOSES.

SECTION 1. *The General Assembly of North Carolina do enact,* That to enable the Western North Carolina Railroad Company to relieve themselves from present embarrassment and secure the eventual completion of their road, they may increase their capital stock to such sum as they may deem proper, not exceeding fifteen millions of dollars, under such rules and regulations as the stockholders may prescribe; *Provided, nevertheless,* That at all meetings of the stockholders, no stock shall be voted or represented either in person or by proxy, unless such stock has been actually paid for in cash or work on said road, and the board of directors of

Increase of capital stock.

Directors may
make contracts
for construction.

said company may make such agreements and contracts with the North Carolina Railroad Company or with any person or other corporations for the construction of their road and its branches, according to the charter and the several amendments thereto, as the same existed prior to August nineteenth, anno domini one thousand eight hundred and sixty-eight, as they may deem proper, and may grant to other railroad companies the privileges and rights to use their road or any part thereof, for the purposes of passing their engines, cars, freights and passengers over the same, and they may operate their road in connection with other railroads in this and other adjoining states, and may change the guage of the track of their road or any part thereof, at pleasure, to promote their interests and convenience.

May operate in
connection with
other roads.

Charter of August
19, 1868, repealed.

SEC. 2. That an act to amend the charter of the Western North Carolina Railroad Company, ratified the nineteenth day of August, anno domini one thousand eight hundred and sixty-eight, be and the same is hereby repealed; *Provided, nevertheless*, That all the property, rights, credits, rights of action, and effects that now exist in favor of the Western Division of the Western North Carolina Railroad Company, or which may result from any existing matters, causes, circumstances or contingencies, shall become absolutely the rights and property of the Western North Carolina Railroad Company, and shall be faithfully applied to construction of the main trunk line from the French Broad river westward, and all suits which may be brought in any court to enforce such rights and recover such property and effects or any part thereof, shall be brought in the name of the Western North Carolina Railroad Company; *And, provided further*, That this act shall not be so construed as to relieve any person from any criminal prosecution now instituted or which may hereafter be instituted in any courts for any criminal offence heretofore committed in or about the affairs of the western division of the Western North Carolina Railroad Company, nor shall it be so construed as to abridge or release any rights, rights of action, or credits which now exist, or may result from existing circumstances or con-

Proviso.

tendencies in favor of the said western division of said Western North Carolina Railroad Company; *And, provided further,* That the Western North Carolina Railroad Company shall be governed in all respects as the eastern division of said company may be under existing laws under this act; *And, provided, further,* That the stock of any private stockholder in the western division of said road shall be entitled to the same respectively in respect to the stock, rights and privileges, as stockholders now have and enjoy respectively in the eastern division of said company.

Rights of stock in Western divisions.

SEC. 3. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCXLIX.

AN ACT TO ALLOW THE COUNTY COMMISSIONERS OF CAMDEN COUNTY TO LEVY A SPECIAL TAX.

SECTION 1. *The General Assembly of North Carolina do enact,* That the county commissioners of Camden county be and they are hereby empowered to levy a special tax not to exceed fifteen hundred dollars, for the purpose of paying the residue of county debt; *Provided, however,* It be submitted to the qualified voters of said county, and the constitutional equation to be observed.

Amount and object of tax.

SEC. 2. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCL.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF CASWELL COUNTY TO COLLECT A SPECIAL TAX.

Objects of tax.

SECTION 1. *The General Assembly of North Carolina do enact*, That the county commissioners of Caswell county are hereby authorized to levy a special tax, to be collected as state and county taxes are, to support the poor and pay the outstanding indebtedness of said county; *Provided*, That said special tax shall not exceed the sum of twenty-five hundred (\$2500) dollars, and that the equation required by the constitution on the poll and property tax be observed.

Amount.

When act to take effect.

SEC. 2. That this act shall take effect from and after its ratification.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCLI.

AN ACT TO ESTABLISH A TURNPIKE ROAD FROM THE TOWN OF STATESVILLE, IN THE COUNTY OF IREDELL, TO THE TOWN OF MOUNT AIRY, IN THE COUNTY OF SURRY.

Location of road.

SECTION 1. *The General Assembly of North Carolina do enact*, That for the purpose of laying out and establishing a turnpike road from the town of Statesville, in the county of Iredell, through the county of Yadkin, to the town of Mount Airy, in the county of Surry, the county commissioners of each county through which the road passes, are hereby empowered and required to appoint a board of directors consisting of three competent men, whose duty, immediately after their appointment, shall be to organize by electing one of their number chairman of the board, which board after

Directors to supervise construction.

being so organized shall have full power to supervise and construct said turnpike road.

SEC. 2. That it shall be the duty of said board of directors for each county through which said road passes to employ a competent and skillful surveyor and two commissioners to survey and locate said road, who shall first take an oath before some magistrate in the county in which they are employed, faithfully to discharge their duty so as to promote the best interests of the road, with as little damage to the persons through whose land it passes as possible. That said road shall be twenty feet wide, clear of stumps and runners and in no part of the road shall the grade rise more than one foot in sixteen. That said road shall be located on the road bed of the present road leading directly from Statesville to Mount Airy, whenever it is convenient and practicable.

Surveyor.

Description of road.

Grade.

SEC. 3. That if the owner of any land through which said roads shall pass shall consider himself or themselves injured thereby, it shall be competent for such person or persons by petition to the county commissioners of the county in which the damage is done, praying for a jury to view the premises and assess the damages sustained, and it shall be the duty of the commissioners to order such jury to be summoned as in case of such public roads, and it shall be the duty of the jury to take into consideration the advantage to the land as well as the injury done by the making of said road, and on report of the jury made to and confirmed by the commissioners, the damage shall be paid out of any fund hereinafter provided for.

Condemnation of land.

SEC. 4. That for the purpose of enabling the board of directors above provided for to contract said road, said board of directors are hereby authorized and empowered to make a requisition upon the commissioners of their several counties for all the convicts sentenced to the penitentiary confined in the jails of each county for a term of two years and under, which convicts shall be put to work by said directors on said road, and it shall be the duty of said directors to employ a faithful and energetic overseer or overseers, whose duty it shall be to oversee said convicts and keep them industriously

Convicts to be employed.

Overseers of convicts.

employed. That in order to enable said overseer to control and prevent said convicts from making their escape, said overseer is hereby authorized and empowered to confine said convicts together with chain, or if need be, with ball and chain: *Provided, however,* That his treatment of them shall in all other respects be kind and humane, and shall conform strictly to all the rules and regulations for the government and management of convicts in the state penitentiary; that the jailor of each county shall furnish to said convicts the same kind and amount of provisions as is furnished to the convicts in the State penitentiary, to be delivered to the overseer of the convicts in such way and manner as may be presented by the board of directors.

SEC. 5. That for the purpose of necessary funds for the completion of said road, it shall be the duty of the county commissioners of each county to appoint suitable persons at as many places in each county as they may deem necessary to open books of subscription to solicit and receive whatever amount any and all persons who may favor the construction of said road may desire to subscribe, and pay for said purpose, and as soon as one hundred dollars shall be subscribed and collected in each county and paid over to the chairman of the board of county commissioners, said chairman shall notify the board of directors of the receipt of said money, upon which notice said board of directors shall proceed at once to employ a surveyor and commissioners in each county as above mentioned, on as reasonable terms as practicable, and purchase the necessary implements for the use of the convicts in the performance of the work on the road, and also to employ an overseer or overseers for in section fourth of this act. That as soon as the survey has been made said overseer or overseers shall take charge of said convicts and commence the work; *Provided, however,* that it shall be at the discretion of the county commissioners to stop the work for a time whenever in their judgment the number of convicts shall be so small that their labor will not defray the expense of keeping the overseer employed, and resume the work again as soon as a sufficient number of convicts shall

Subscriptions to
road.

Commissioners
may suspend
work.

be imprisoned, and upon the warrant of the chairman of the board of directors, the chairman of the board of commissioners is hereby authorized and empowered to pay the expenses of the survey, the purchases of the implements and the wages of the overseer at the end of every month as it falls due out of the funds placed in his hands for that purpose.

Payment of wages and expenses.

SEC. 6. That said turnpike, road when completed, shall be deemed and taken to be a county public road and shall be kept up as other county public roads are kept up.

To be a public road.

SEC. 7. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCLII.

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF GATES TO LEVY AND COLLECT A SPECIAL TAX AND APPROVING THEREOF.

SECTION 1. *The General Assembly of North Carolina do enact*, That the commissioners of the county of Gates have full power to levy and collect a special tax within their county to provide for the payment of interest and principal as the same may become due of the bonds heretofore issued, or that may hereafter be issued in payment of the county subscription authorized by a vote of the people of said county to the capital stock of the Edenton and Norfolk railroad company, provided the tax on the poll shall be equal to the tax levied on three hundred dollars worth of property.

Objects of tax.

SEC. 2. That this act shall be in force from and after its ratification.

When act to be in force.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCLIII.

AN ACT TO PREVENT FORGING AND COUNTERFEITING THE PRIVATE MARKS, TOKENS, STAMPS OR LABELS OF ANY MANUFACTURER, MECHANIC OR OTHER PERSON.

Protection to private marks, labels, &c.

SECTION 1. *The General Assembly of North Carolina do enact*, Every person who shall knowingly and wilfully forge or counterfeit or cause or procure to be forged or counterfeited the private marks, tokens, stamps or labels of any mechanic, manufacturer or other person being a resident of this state or of the United States with intent to deceive and defraud the purchasers, mechanics or manufacturers of any goods, wares or merchandise whatsoever, upon conviction thereof shall be punished by fine not less than fifty dollars and not exceeding one thousand dollars, or by imprisonment not less than one month or more than five years or both fine and imprisonment at the discretion of the court.

Penalty for violation.

Penalty for vending merchandize with forged labels, &c.

SEC. 2. Every person who shall vend any goods, wares or merchandise having thereon any forged or counterfeit marks, tokens, stamps, or labels purporting to be the marks, tokens, stamps or labels of any person being a resident of the state or of the United States, knowing the same at the time of the purchase thereof by him to be forged or counterfeited, shall, upon conviction, be deemed guilty of a misdemeanor and shall be punished by imprisonment in the county prison not exceeding six months or by fine not exceeding one hundred dollars, or by both fine and imprisonment at the discretion of the court.

When act to be in force.

SEC. 3. This act shall be in force from and after its ratification.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCLIV.

AN ACT TO LAY OUT AND CONSTRUCT A PUBLIC ROAD THROUGH
THE COUNTIES OF WILKES AND WATAUGA.

SECTION 1. *The General Assembly of North Carolina do* Location of road.
enact, That there shall be laid out and established a public
road from Messrs. Phineas and A. H. Horton's store, in
Wilkes county, to Boone, in Watauga county, to run as fol-
lows: Up Elk creek, crossing the blue ridge, the most prac-
tical route to Boone.

SEC. 2. That the said road shall be made sixteen feet wide Width and grade.
except where there shall be side cuttings, and in such places
it shall be twelve feet, and in no part of the road shall it rise
on ascending any hill or mountain, more than one foot in ten,
and to be well made as herein directed.

SEC. 3. That it shall be the duty of the county commis- Survey of road.
sioners of Wilkes and Watauga to appoint a competent en-
gineer and two commissioners each of their respective coun-
ties, to survey and locate said road, who shall take an oath
before the chairman of the board of county commissioners
of their county to faithfully discharge the duties for the best
interests of the county.

SEC. 4. That if the owners of any land through which said Valuation of con-
road shall pass, shall consider him, her or themselves injured demned land.
thereby, it shall be competent for such person or persons
by petition to the county commissioners of their county
praying for a jury to view the premises and assess the
damages sustained, and it shall be the duty of the commis-
sioners to order a jury to be summoned, as in case of public
roads, and it shall be the duty of the jury to take into con-
sideration the benefit to the land as well as the injury done
by making said road, and on a report by the jury to and
confirmed by the commissioners, the damage shall be paid
by the county in which the damage is done.

SEC. 5. That if any person or persons shall claim damage
and call for a jury to assess them and none are found, the

person or persons so calling shall defray all expenses in the case.

Commissioners
may enforce labor

SEC. 6. That the county commissioners of Wilkes shall have power to call out all the hands liable to work upon public roads under existing laws, who reside within two miles of said road, (compass line) at such times and for such length of time as will not materially conflict with the farming interests of the county, to construct the road.

Power over road
hands.

SEC. 7. That the county commissioners of Watauga shall have the same powers over hands within two miles of that portion of said road located in their county as is provided in section six of this act, for the commissioners of Wilkes county; *Provided*, That no person shall be required to work more than ten (10) days on said road in any one year.

Township trustees to report
completion.

SEC. 8. That when the said road provided for in this act has been constructed as herein provided, it shall be the duty of the township board of trustees through whose township said road runs, to receive the same and report to the county commissioners that said road has been constructed according to law.

When act to be in
force.

SEC. 9. That this act shall be in force from and after its ratification.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCLV.

AN ACT TO ENABLE ALIENS TO TAKE, HOLD AND CONVEY LANDS.

Right of aliens to
purchase and hold
properties.

SECTION 1. *The General Assembly of North Carolina do enact*, That from and after the ratification of this act, it shall be lawful for aliens of whatever foreign state or country, to take both by purchase and descent or other operation of law, any lands, tenements or hereditaments within this state, and to hold and convey the same as fully as citizens of this state

can or may do, any law or usage to the contrary notwithstanding.

SEC. 2. That all contracts to purchase or sell real estate by or with aliens, heretofore made, shall be deemed and taken as valid to all intents and purposes. Prior contracts made valid.

SEC. 3. This act shall be in full force from and after its ratification. When act to be in force

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCLVI.

AN ACT IN RELATION TO THE PUBLIC LANDS.

The General Assembly at the session of one thousand eight hundred and sixty-nine and one thousand eight hundred and seventy, having passed an act to incorporate the Planters' Railroad Company, ratified the first day of March, one thousand eight hundred and seventy, by which the president and directors of the board of education are authorized to have the lands of the board lying in the counties of Onslow and Jones, known as White Oak swamp, amounting to eighty-five thousand five hundred and twenty acres, laid off in sections of six hundred and forty acres, or in smaller sections at the option of said board of education, these sections to be laid off on both sides of the road having its line as their base, and that the board of education donated to said Planters' Railroad Company the alternate sections of lands, being one-half of said lands in consideration of the benefit of said road to the land of the board; *Provided*, That the title in fee be retained by them until the said Planters' Railroad Company shall make it appear to the satisfaction of the said board of education that the said Planters' Railroad has been graded from its beginning on the Atlantic and North Carolina Railroad through the lands of the board to some Preamble.

point on the navigable waters of New river, when a perfect title to it shall be made to said company thereof.

Board of Education to make title to Planters' Railroad Company.

SECTION 1. *The General Assembly of North Carolina do enact*, That it is the duty of the said board of education to comply with the provisions of said act and enter into writing agreeing, to the effect that when the said Planters' Railroad Company shall have organized according to the provisions of said act of incorporation and shall have graded their said road from its beginning on the Atlantic and North Carolina Railroad through the lands of the board to some point on the navigable waters of New river, that the said board of education will execute and deliver a title in fee simple for the said alternate sections, being one-half of said White Oak swamp to the said Planters' Railroad Company.

When act to be in force.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCLVII.

AN ACT TO AMEND THE CHARTER OF THE PLANTERS RAILROAD COMPANY AND TO CONSOLIDATE THE SAME WITH THE WILMINGTON AND ONSLOW RAILROAD COMPANY.

Anendment to charter of Planters' Railroad.

SECTION 1. *The General Assembly of North Carolina do enact*, That the act to incorporate the Planters Railroad company, ratified on the first day of March, one thousand eight hundred and seventy, be so amended as to enable the said company to begin the construction of said road at its terminus on the navigable waters of New river, as designated in the said act of incorporation, and thence to construct the same on the line which may be located by the stockholders of said company towards the county line of Onslow and Jones, and to connect said Planters' Railroad with the Wilmington and Onslow Railroad.

SEC. 2. That the said Planters Railroad Company and the said Wilmington and Onslow Railroad Company, when the same shall have been organized according to the provisions of their respective charters, may and they are hereby authorized and empowered to be consolidated into one corporation in the manner and upon the terms hereinafter provided.

Consolidation of
Planters' Rail-
road with Wil-
mington and On-
slow Railroad.

SEC. 3. That at the first or any subsequent meeting of the stockholders of the said Planters Railroad Company and Wilmington and Onslow Railroad Company, which may be called or held after the ratification of this act, a majority of each stock being represented in person or by proxy, each of said companies shall decide by a majority vote in favor of or against the consolidation and union of the two companies aforesaid, and if a majority of the stockholders of the Planters Railroad Company and the stockholders of the Wilmington and Onslow Railroad Company shall decide in favor of consolidation, it shall be the duty of the directors of said companies respectively to perfect such consolidation upon such terms as may be agreed upon by them.

SEC. 4. That after the union and consolidation of said companies as aforesaid, the corporation thereby formed shall be known by the name and style of the Wilmington and Planter's Railway Company.

Name of consoli-
dated road.

SEC. 5. That the said Wilmington and Planter's Railway company shall have all the powers, rights, privileges and exemptions which are contained and provided for in the acts incorporating the said Planter's Railroad Company and the Wilmington and Onslow Railroad Company.

Corporate powers

SEC. 6. That upon the acceptance of section one of this act by the Planter's Railroad Company, it shall become a part of the charter of said company.

SEC. 7. Nothing in this act shall be construed to prevent the Wilmington and Planter's Railway Company from construction of said road to Newbern or some point on Atlantic and North Carolina Railroad as provided in charter of said Planter's Railroad Company.

Road may be con-
structed to New-
bern.

Repealing clause. SEC. 8. All laws and clauses of laws in conflict with this
 When act to take effect. act are hereby repealed, and this act shall be in force from
 and after its ratification.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCLVIII.

AN ACT TO AUTHORIZE THE COMMISSIONERS OF FRANKLIN COUNTY TO ISSUE BONDS.

Amount and de-
 nomination of
 bonds.

SECTION 1. *The General Assembly of North Carolina do enact*, That in order to liquidate the liabilities of the county of Franklin, the commissioners of said county are hereby authorized to issue coupon bonds not exceeding in amount the sum of fifteen thousand dollars, in denominations of not less than twenty-five dollars, said bonds to bear date the first day of August, one thousand eight hundred and seventy-one, and to bear interest at the rate of six per cent. per annum.

Term, and interest

SEC. 2. The said bonds shall run for a term not exceeding twelve years, the interest thereon to be paid annually. The coupons on said bonds after maturity shall be received in payment for all county taxes.

Tax to pay in-
 terest.

SEC. 3. In order to meet the interest on said bonds and to liquidate the principal of the same, the said commissioners are hereby authorized to levy a tax not exceeding one-twelfth of one per cent. on the real and personal property of said county, and the sum of twenty-five cents on each and every taxable poll in said county.

SEC. 4. The moneys raised by this tax shall be collected by the sheriff or tax collector of said county in the same manner, and under the same penalties and regulations as other taxes; and shall be paid by said sheriff or tax collector to the treasurer of said county. The treasurer is hereby authorized to pay the interest on said bonds annually as it

may become due, out of the moneys raised under this bill. If there should be any moneys left, after the payment of said interest, of the proceeds of the tax provided for in this bill, the said treasurer shall devote the same to the liquidation of the principal of said bonds, excluding the unmatured coupons, which may at the time be attached to said bonds, and all other moneys which may accrue to said county not otherwise provided for, shall be used to liquidate said bonds, to be paid by said treasurer upon presentation of said bonds. The said treasurer shall, in the presence of the register of deeds and chairman of the board of commissioners of said county, destroy every such coupon and bond redeemed according to the provisions of this bill, and shall keep a record of the number of every such coupon and bond so destroyed.

Liquidation of principal.

Destruction of redeemed bonds.

SEC. 5. Upon all moneys paid out under the provisions of this bill by the treasurer of said county, the said treasurer shall receive a commission of one per cent.

Commission to Treasurer.

SEC. 6. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCLIX.

AN ACT TO AMEND CHAPTER ONE HUNDRED AND SIX, OF THE PUBLIC LAWS OF NORTH CAROLINA, PASSED AT THE SESSION OF THE GENERAL ASSEMBLY OF NORTH CAROLINA, OF ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE AND ONE THOUSAND EIGHT HUNDRED AND SEVENTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That the Shelby and South Carolina Railroad Company shall have power and are hereby authorized to extend their road from the town of Shelby, in the county of Cleveland, to some point on the Tennessee or Virginia line, and

Shelby and South Carolina Railroad may extend its road.

shall have power and are hereby authorized to connect their road with the Marion and Cranberry Railroad, or the Norfolk and Great Western Railroad, at such point as they may elect.

Municipal and county subscriptions.

SEC. 2. That it shall be lawful for any incorporate city, town or any county, to subscribe for such amount of stock in said company as they or either of them may be authorized to do by the voters of said city, town or county, in manner and form hereinafter provided.

Question to be submitted to voters.

SEC. 3. That the corporate authorities of such city or town are authorized to make an order requiring the constable of such city or town, or any officer of their own body, at such times and on such notice as they shall direct, to open a poll and take the sense of the voters of such city or town qualified to vote for city or town officers, whether the corporate authorities of such city or town shall subscribe to the stock of said company for such sum as the order shall propose, and the officers superintending such election shall make return of the number voting for and against subscription to the corporate authorities of said city or town, or the presiding officer thereof; that upon the return of said superintendent of election, if it shall appear that a majority of votes are in favor of the subscription, then the corporate authorities shall make the subscription for such city or town, the subscription to be paid for in bonds of said city or town, authenticated in such form as the corporate authorities may order, said bonds to be of not less than than one hundred dollars each, payable at such times and places as said corporate authorities shall direct, and shall bear interest not exceeding eight per cent. annually.

County subscriptions—how made.

SEC. 4. That the county commissioners of any county are authorized to make an order requiring the sheriff of their county, at such time and on such notice as they shall direct, to open a poll and take the sense of the voters of such county qualified to vote for members of the general assembly, whether the said commissioners shall subscribe to the stock of said company for such sum as the order shall propose; such election shall be conducted for and against sub-

scription, in such manner and form as the commissioners may order, and the sheriff shall make return of the number voting for and against it to the said commissioners; that upon the return of such sheriff, if it shall appear that a majority of the votes cast are in favor of the subscription, then the said county commissioners shall make the subscription in behalf of said county, the subscription to be paid in bonds of said county, authenticated in such manner and form as the commissioners may order; said bonds shall be payable at such times and places and shall bear such rate of interest, not exceeding eight per cent., as the said county commissioners shall direct.

SEC. 5. That all subscriptions of stock to the said company heretofore made by any incorporated town, city, or any county, and ratified by a majority of qualified voters therein, are hereby declared valid, and the bonds which shall be issued in payment of such subscription, authenticated in such manner and form, and payable at such times and places as the corporate authorities of such city or town, or county commissioners may direct, are hereby declared valid to all intents and purposes.

Previous subscriptions made valid.

SEC. 6. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCLX.

AN ACT TO EXTEND AN ACT TO EMPOWER THE COMMISSIONERS OF CUMBERLAND COUNTY TO LEVY A SPECIAL TAX.

SECTION 1. *The General Assembly of North Carolina do enact*, That an act entitled an act to empower the commissioners of Cumberland county to levy a special tax, ratified

Re-enactment of act of 24th February, 1870.

the twenty-fourth day of February, anno domini one thousand eight hundred and seventy, be and the same is hereby re-enacted and continued in force for one year.

When act to be in force.

SEC. 2. This act shall be in force from and after its ratification.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCLXI.

AN ACT TO ALLOW THE COUNTY COMMISSIONERS OF COLUMBUS COUNTY TO LEVY A SPECIAL TAX.

Amount and object of special tax

SECTION 1. *The General Assembly of North Carolina do enact*, That the county commissioners of Columbus county, are hereby authorized to levy and collect a special tax in the same manner as other taxes are levied and collected, not to exceed five thousand dollars, for the purpose of paying off the county indebtedness; *Provided*, That in levying said tax the constitutional equation between the poll and property shall be observed.

When act to be in force.

SEC. 5. That this act shall be in force from and after its ratification.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCLXII.

AN ACT TO REMOVE OBSTRUCTIONS IN THE PEDEE, YADKIN AND WHARIE RIVERS FOR THE PURPOSE OF ALLOWING SHAD AND OTHER FISH FREE PASSAGE UP SAID RIVERS.

River to be cleared

SECTION 1. *The General Assembly of North Carolina do enact*, That one hundred feet in the main channel of the river Pedee from the South Carolina line to the mouth of

the Wharie river in the county of Montgomery, shall be cleared and kept clear of all and every obstruction that may hinder, cause or deter shad or other fish from passing up said river.

SEC. 2. That seventy-five feet in the main channel of the river Yadkin from the mouth of the Wharie river up to the North Carolina Railroad bridge, in Rowan county, and fifty feet from there to Wilkesboro' shall be cleared and kept clear of all and every obstruction that may hinder, cause or deter shad or other fish from passing up said river.

SEC. 3. That fifteen feet in the main channel of the river Wharie, from its mouth or confluence with the Pedee and Yadkin river, in the county of Montgomery, as far up as A. H. Saunder's mills in said county, shall be cleared and kept clear of all obstructions of any kind that may hinder, cause or deter shad or other fish from passing up said river.

SEC. 4. That the county commissioners of the different counties through which the said rivers Pedee, Yadkin and Wharie do run or pass, shall proceed as soon as practicable after the ratification of this act, to employ a sufficient number of men, not to exceed five in each county, to remove all obstructions and mark out the main channel of said rivers in accordance with sections one, two and three of this act.

SEC. 5. That the county commissioners of the several counties through which the said rivers run, shall pay unto the persons employed to clear out said obstructions a sum not to exceed one dollar and fifty cents per day, to be paid out of the county treasury.

SEC. 6. That if any person or persons shall hinder or delay the said commissioners in their duty, or the men employed by them in clearing out said obstructions, or shall put or place or cause to be placed any obstruction in said channels mentioned in this act, they shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined not less than one hundred nor more than five hundred dollars, or imprisoned in the county jail not more than three months or both at the discretion of the court before which they shall be tried, and that the superior court of any county in this

state in which said misdemeanor is committed, shall be a proper court for such trial and the fine so levied and collected shall go one-half to the informer and the other half to the county in which conviction is had.

Repealing clause. SEC. 7. That all acts and laws or parts of laws coming in conflict with this act are hereby repealed.

When act to be in force. SEC. 8. That this act shall take effect from and after its ratification.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCLXIII.

AN ACT TO LEVY A SPECIAL TAX FOR THE COUNTY OF BEAUFORT.

Amount and object of special tax. SECTION 1. *The General Assembly of North Carolina do enact*, That the commissioners of the county of Beaufort be and they are hereby authorized to levy a special tax not to exceed the sum of seven thousand dollars, for the purpose of paying the indebtedness of said county already incurred.

Constitutional provision. SEC. 2. In the levying of said tax the equation provided by the constitution in relation to property and capitation tax shall be observed and adhered to.

When act to be in force. SEC. 3. This act shall be in force from and after its ratification.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCLXIV.

AN ACT TO CHARTER THE NEWBERN AND WASHINGTON RAILROAD COMPANY.

SECTION 1. *The General Assembly of North Carolina do* Corporators.
enact, That for the purpose of establishing a communication by railroad from the city of Newbern, in the county of Craven, to the town of Washington, in Beaufort county, that Edward R. Stanly, Richard T. Berry, George Allen, Thomas S. Howard, E. J. Warren, R. S. Burbank, George H. Brown, Wm. E. Demill, R. S. Myers, and Thomas Sparrow, R. F. Lehman, Edward H. Hill, Edward A. Richardson, George W. Nason, Jr., their associates, successors and assigns, are hereby constituted a body politic and corporate, under the name of the Newbern and Washington Railroad Company, and such company, when formed as hereafter directed shall have power to receive, possess, own and transfer real and personal property, to have a common seal, and to pass such by-laws not inconsistent with the laws of this state, as may be necessary to carry out the object of the corporation, shall be capable in law of suing and being sued, pleading and being impleaded, and shall have and enjoy all the rights of other corporate bodies, under the laws of this state, to have land condemned for the right of way, according to existing laws, and for all other purposes necessary to carry into effect the purposes of said company, and shall generally have and possess all the rights, privileges and immunities, and be subject to the limitations and restrictions of corporate bodies in this state, and shall have the exclusive right to transfer and carry persons, produce, merchandize and minerals in and along such railroad at such prices as they may fix. Corporate name.
Powers and privileges.

SEC. 2. That the said capital stock of said company shall be fifteen hundred thousand dollars, with the power to increase it to two millions, to be divided into shares of one Capital stock.
Shares.

hundred dollars each, to be called and known as the Newbern and Washington Railroad Company.

Commissioners to open subscription books.

SEC. 3. That for the purpose of creating the capital stock of such company, Edward R. Stanley, Geo. Allen, Richard T. Berry, Thomas S. Howard, R. F. Lehman, in Craven county, and E. J. Warren, Thomas Sparrow, R. S. Burbank, Wm. E. Demill, in Beaufort county, are hereby appointed commissioners, whose duty it shall be as soon after the passage of this act as may be, to appoint such commissioners to open books of subscription at such places and at such times as to them shall seem best, and under such rules and regulations as they may prescribe, such subscription, or any part thereof, may be received, payable in money, lands, labor or material necessary in the construction of said road, bonds, stocks or other valuable credits, in such manner and on such terms as shall be agreed on between said company or its commissioners or agents and such subscribers.

First meeting of stockholders.

SEC. 4. That whenever the sum of one hundred thousand dollars shall have been subscribed to the capital stock of said company by solvent subscribers, it shall be the duty of the commissioners aforesaid to call a general meeting of the stockholders, after giving notice as to them shall seem sufficient, and at such times and places as they shall determine, and at all general meetings of said stockholders not less than a majority of all the stock subscribed, shall constitute a quorum for the transaction of business, and said stockholders when so met in general meeting, shall have power and it shall be their duty to elect a president and five directors for said company; and in electing such president and directors, and in enacting such laws as may be necessary, each share of stock represented in person or by proxy shall be entitled to one vote; *Provided*, If a majority of such stockholders shall not attend said first general meeting, such as do attend and are present, may adjourn from time to time until a majority shall appear.

Election of President and Directors.

Manner of paying for stock.

SEC. 5. That it shall be the duty of said stockholders at their first general meeting to prescribe the manner and time in which payments of stock on the subscription books shall

be made; *Provided*, Not more than one-half of said subscription shall be called for in one year after said first general meeting.

SEC. 6. That it shall be the duty of the president and directors of said company to appoint a treasurer, who shall remain in office such length of time as the company in their by-laws shall determine, and said president and directors shall remain in office for one year and until others are chosen, and shall have a general direction and management of the affairs of said company, and shall appoint some suitable person as engineer, whose duty it shall be to make the necessary surveys for the location of said railroad, and furnish the president and directors with such survey or surveys and estimates of the cost. Said directors shall have power to fill any vacancy that may occur in their board, and in the absence of the president elect one for the time; they shall also appoint a secretary, whose duty it shall be to keep a fair and correct record of the proceedings of said board and of all the proceedings of the stockholders in general meetings in a book to be provided for that purpose.

SEC. 7. That the president or board of directors shall at least once a year make a full report on the state of the company and its affairs to a general meeting of the stockholders, and oftner if required by any by-laws of the company, and also call a general meeting of the stockholders whenever they may deem it expedient, and the company may provide in their by-laws for occasional meetings being called, and prescribe the mode thereof.

SEC. 8. That all persons, the commissioners of any county, or the authorities of any corporation, shall have full power and authority to subscribe to the capital stock of said company to the amount they shall be authorized to do by the inhabitants of said county or incorporated town, or the proper authorities of any corporation to the amount they shall be authorized to do by the inhabitants of said county or town, and they may issue bonds or other evidence of debts to enable them to borrow money to pay such subscription, the said subscription to be made by any agent or agents

of such county, town or corporation properly authorized by them to make the same, when so made shall be binding on such county, company or corporate body in the same manner and to the same extent that it is on the individual subscribers, and such body corporate, or company or county shall be represented in all general meetings of the stockholders.

Commencement
of construction.

SEC. 9. That the said company may begin the construction of said road, at any point on the line of location according to their discretion, and that for any portion of said road actually constructed, the said company shall be entitled to all the privileges of this act into and over such part so constructed.

Right to lease
franchise.

SEC. 10. For the purpose of securing the building of said road, the company shall have the power to mortgage, sell or lease the same with all its franchises, or any part thereof.

When act to be in
force.

SEC. 11. That this act shall be in force from and after its ratification.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCLXV.

AN ACT TO INCORPORATE THE OXFORD AND HILLSBORO' RAILROAD COMPANY.

Capital stock.

SECTION 1. *The General Assembly of North Carolina do enact,* That a company is authorized to be formed with a

Shares.

capital stock of one million dollars, to be divided into shares of one hundred dollars each, to be called and known as the

Corporate name.

Hillsboro' and Oxford Railroad Company, for the purpose of building and constructing a railroad with one or more tracks, to be used with steam or other motive power, from some point on the North Carolina Central Railroad, within

Location of road,

one mile of the depot at Hillsboro', in the county of Orange, via Mangum's Store, in Orange county, Knapp O'Reeds and Tally Ho, in Granville county, to the town of Oxford,

in Granville county, or by any other route more practicable, to be ascertained by actual survey, between the aforesaid points; Hillsboro', in Orange county, and Oxford, in Granville, being the termini of said railroad, and such company, when formed as hereinafter directed, shall have power to receive papers, own and transfer real and personal property and estate, to have a common seal, and to pass such by-laws not inconsistent with the laws of this state as may be necessary to carry out the objects of the corporation; they shall be capable in law of suing and being sued, pleading and being impleaded, and shall have and enjoy all the rights of other corporate bodies under the laws of this state; to have land condemned for right of way according to existing laws, and for all other purposes necessary to carry into effect the purposes of said company, and shall generally have and possess all the rights, privileges and immunities, and be subject to the limitations and restrictions of corporate bodies in this state, and shall have the exclusive right to transfer and carry persons, produce, merchandize and minerals on and along such railroad at such prices as they may fix.

SEC. 2. That for the purpose of creating the capital stock of such company, John U. Kirkland, Thomas B. Hill, P. B. Ruffin, Frederick Nash, James Webb, Jr., C. E. Parish, John W. Laws, — Pogue, William Faucett, Dr. John Berry, Dr. James F. Cain, William Lipscomb, Walker Latta, Robert Webb, Addison Mangum, John B. Leathers, William Parish, George W. Jones, Joseph Woods, James S. Amis, T. Brown Venable, John W. Hays, and Willis Jenkins, or any three of them, are hereby appointed commissioners, whose duty it shall be, as soon after the passage of this act as may be, to appoint such commissioners to open books of subscription at such places and at such times as to them shall seem best, and under such rules and regulations as they may prescribe; such subscription or any part thereof may be received payable in money, lands, labor or material necessary to the construction of said road, bonds, stock or other valuable credits, in such manner and on such terms as

Corporate powers.

Commissioner to receive subscriptions.

shall be agreed between said company or its commissioners or agents and such subscribers.

Meeting of stockholders.

SEC. 3. That whenever the sum of twenty-five thousand dollars shall have been subscribed to the capital stock of said company, it shall be the duty of the commissioners aforesaid, any three of whom may act, to call a general meeting of the stockholders, after giving such notice as to them shall seem sufficient and at such times and places as they shall determine, and at all general meetings of said stockholders not less than a majority of all the stock subscribed, shall constitute a quorum for the transaction of business, and said stockholders when so met in general meeting, shall have power, and it shall be their duty to elect a president and five directors for said company; and in electing such president and directors and in enacting such laws as may be necessary, each share of stock represented in person or by proxy shall be entitled to one vote; *Provided*, If a majority of such stockholders shall not attend said first general meeting, such as do attend and are present may adjourn from time to time until a majority shall appear in person or by proxy.

President and Directors.

SEC. 4. That it shall be the duty of said stockholders at their first general meeting to prescribe the manner and terms in which payments of stock on the subscription books shall be made.

Treasurer

SEC. 5 That it shall be the duty of the president and directors of said company to appoint a treasurer who shall remain in office such a length of time as the company in their by-laws shall determine, and said president and directors shall remain in office one year and until their successors are chosen and qualified, and shall have a general control and direction of the affairs of said company, and shall appoint some suitable person a chief engineer, whose duty it shall be to make the necessary surveys for the location of said railroad, and furnish the president and directors with such survey or surveys and estimate of the cost. Said directors shall have power to fill any vacancy that may occur in their board, and in the absence of the president elect one for the time. They shall also appoint a secretary whose duty it

Engineer.

Survey of road.

Vacancies.

Secretary.

shall be to keep a fair and correct record of the proceedings of said board and of all the proceedings of the stockholders in general meetings in a book to be provided for that purpose.

SEC. 6. That the president or board of directors shall at least once a year, make a full report on the state of the company and its affairs to a general meeting of the stockholders, and oftener if required by any by-laws of the company, and also, call a general meeting of the stockholders whenever they may deem it expedient, and the company may provide in their by-laws for occasional meetings being called and prescribe the mode thereof. Annual report.

SEC. 7. That all persons, the commissioners of any county or the authorities of any corporation shall have full power and authority to subscribe to the capital stock of said company to the amount they shall be authorized to do by the inhabitants of said county or incorporated town, or the proper authorities of any corporation to the amount they shall be authorized to do by the inhabitants of said county or town, and they may issue bonds or other evidences of debt to enable them to borrow money to pay such subscription. The said subscription to be made by any agent or agents of such county, town or corporation properly authorized by them to make the same; when so made shall be binding on such county, company or corporate body in the same manner and to the same extent that it is on the individual subscribers, and such body corporate or company or county shall be represented in all general meetings of the stockholders. County or corporate subscriptions

SEC. 8. That if the capital stock of said company authorized by this charter be insufficient to carry out the purposes of the same, it may be increased by said company to fifteen hundred thousand dollars. Increase of capital.

SEC. 9. That said company may begin the construction of said road at any point on the line of location according to their discretion, and that for any portion of said road actually constructed, the said company shall be entitled to all Commencement of construction.

the privileges of this act into and over such part so constructed.

Power to mortgage franchise.

SEC. 10. For the purpose of securing the building of said road, the company shall have power to mortgage, sell or lease the same with all its franchises or any part thereof.

When act to be in force.

SEC. 11. That this act shall be in force from and after its ratification.

Ratified the 5th day of April, A. D. 1871.

CHAPTER CCLXVI.

AN ACT TO AUTHORIZE S. A. KELLY, SHERIFF OF DAVIE COUNTY, TO COLLECT ARREARS OF TAXES.

Collection of taxes for 1868 and 1869.

SECTION 1. *The General Assembly of North Carolina do enact*, That S. A. Kelly, sheriff of Davie county, is hereby authorized and empowered to collect arrears of taxes in said county for the years one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, but the power given under this act shall expire within twelve months after its ratification.

SEC. 2. That no person shall be compelled to pay any such arrears of tax who will make oath that the same has been paid, nor shall the representatives of estates of deceased persons be compelled to pay such arrears.

When act to take effect.

SEC. 3. That this act shall take effect from the date of its ratification.

Ratified the 6th day of April, A. D. 1871.

CHAPTER CCLXVII.

AN ACT TO PREVENT THE OBSTRUCTION OF NEWPORT RIVER
IN CARTERET COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That if any person or persons shall obstruct the free navigation of Newport river in the county of Carteret, at any point from the mouth of said river to the head of tide water, by cutting trees, sinking logs, or in any manner injure the navigation of said river, they shall be guilty of a misdemeanor, and upon conviction thereof before any justice of the peace for said county, shall be imprisoned not less than thirty nor more than sixty days, and fined not less than fifty nor more than one hundred dollars; *Provided*, That bridges for public or private convenience shall not be considered obstructions within the purview of this act.

Penalty for obstructing Newport river.

SEC. 2. That said fine shall be distributed as follows: one-half to go to the county for the benefit of the common schools and the other half to be paid to the informer.

Disposition of fine.

SEC. 3. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 6th day of April, A. D. 1871.

CHAPTER CCLXIII.

AN ACT TO AMEND SECTION FOURTEEN, OF CHAPTER NINETY-THREE, OF THE LAWS OF ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT AND ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE, RELATIVE TO WIDOWS' YEARS' SUPPORT.

SECTION 1. *The General Assembly of North Carolina do enact*, That section fourteen (14) of chapter ninety-three (93) of the laws of one thousand eight hundred and sixty-

Amendment.

eight and one thousand eight hundred and sixty-nine, be amended so as to read as follows : upon the application of the widow, the personal representative of the deceased shall apply to a justice of the peace of the township in which the deceased resided, or of some adjoining township, to summon two persons qualified to act as jurors, who having been sworn by the justice to act impartially, shall, with him, ascertain the number of the family of the deceased according to the definition given in section eleven (11) of this act, and examine his stock, crop and provision on hand, and assign to the widow so much thereof as will not exceed the value limited in section ten (10) of this act, subject to the deduction prescribed in section twelve (12) of this act ; *Provided, however,* That in case there shall be no administration upon said estate, the widow herself may make the application, and it shall be the duty of the justice to proceed in the same manner as though the application had been made by the administrator ; *Provided, further,* That in all cases, if there be no crop, stock or provision on hand, or not a sufficient amount, the commissioners may allot to the widow any articles of personal property of the intestate, and also any debt or debts known to be due such intestate, and such allotment shall vest in the widow the right to collect the debts thus allotted.

Proviso.

Ratified the 6th day of April, A. D. 1871.

CHAPTER CCLXIX.

AN ACT TO MAKE DEEP RIVER A LAWFUL FENCE TO A CERTAIN EXTENT IN RANDOLPH COUNTY.

Deep river a lawful fence.

SECTION 1. *The General Assembly of North Carolina do enact,* That Deep river shall be a lawful fence from Columbia factory, in Randolph county, to the Moore county line ; *Pro-*

vided, That all persons or parties taking the benefit of this act shall connect their fences with said river.

SEC. 2. This act shall take effect from and after its ratification. When act to take effect.

Ratified the 6th day of April, A. D. 1871.

CHAPTER CCLXX.

AN ACT TO TRANSFER FROM THE NORTH CAROLINA RAILROAD COMPANY TO THE ATLANTIC AND NORTH CAROLINA RAILROAD COMPANY, AND TO CONSOLIDATE THAT PORTION OF NORTH CAROLINA RAILROAD BETWEEN GOLDSBORO' AND RALEIGH WITH THE ATLANTIC AND NORTH CAROLINA RAILROAD.

SECTION 1. *The General Assembly of North Carolina do enact*, That it shall be lawful for the stockholders of the North Carolina Railroad Company, at any meeting held within ten months after the passage of this act, according to the charter and by-laws thereof, to transfer to the Atlantic and North Carolina Railroad Company all that portion of the North Carolina Railroad between Goldsboro' and the passenger depot at Raleigh, with all the rights, franchises and privileges owned and possessed by the said road therein. Stockholders of North Carolina Railroad may transfer.

SEC. 2. That at any meeting so held, the proposition shall be submitted to the private stockholders of said North Carolina Railroad Company, that the said North Carolina Railroad Company transfer to the Atlantic and North Carolina Railroad Company all that portion of the North Carolina Railroad lying between Goldsboro', and Raleigh, and as an equivalent therefor, the Atlantic and North Carolina Railroad Company shall admit the North Carolina Railroad Company as a stockholder to the amount of six hundred and fifty thousand dollars, and be entitled to vote therein, in the proportion of the stock owned in the Atlantic Proposition to be submitted to private stockholders.

Condition of transfer.

and North Carolina Railroad Company; and said vote shall be by proxy elected by the North Carolina Railroad Company at its annual meetings. This transfer to go into effect upon the acceptance of the proposition contained in section three by the Atlantic and North Carolina Railroad Company and the transfer indicated in section one.

Rates of freight and fare.

SEC. 3. That the tariff of rates for carrying freights or passengers on that portion of the said road between Raleigh and Goldsboro', shall be the same whether the said freight or passengers are destined to or from Newbern or Morehead City and way stations on the Atlantic and North Carolina Railroad, or to or from Wilmington or any way station on the Wilmington and Weldon Railroads, and equal facilities shall be furnished both said roads in the transfers of freight or in furnishing and transferring through cars.

Officers of North Carolina Railroad may lease portion of road.

SEC. 4. That if the private stockholders of the North Carolina Railroad should not at their first meeting hereafter, accept and consent to the consolidation and transfer herein provided for, or for any other cause the same be not carried into effect within six months from the ratification hereof, the proper officers of the North Carolina Railroad Company are hereby authorized and empowered to lease to the highest bidder, under such regulations as they may prescribe, that portion of their road between Goldsboro' and Raleigh, for a term of years, not less than five nor more than twenty, and at a price not less than twenty thousand dollars *per annum*, or not less than a sum ten per cent. greater than the present net profits of that portion of the road as near as the same may be ascertained, whichever may be most advantageous to the North Carolina Railroad Company.

Question to be submitted to stockholders of Atlantic and N. C. Railroad.

SEC. 5. That as soon as practicable after the passage of this act and the acceptance of the foregoing proposition by the private stockholders of the North Carolina Railroad Company, a meeting shall be called of the stockholders of the Atlantic and North Carolina Railroad Company, to consider the transfer herein provided for, at which meeting this question shall be submitted to the private stockholders. That the North Carolina Railroad Company shall be ad-

mitted as a stockholder to the amount of six hundred and fifty thousand dollars of stock and be entitled to vote therein in the proportion of the stock owned in the Atlantic and North Carolina Railroad Company, and as an equivalent therefor, the North Carolina Railroad Company shall make the transfer to the said Atlantic and North Carolina Railroad Company of that portion of said North Carolina Railroad between Goldsboro' and Raleigh.

SEC. 6. That portion of the North Carolina Railroad lying between Goldsboro' and Raleigh thus transferred to the Atlantic and North Carolina Railroad Company, taken in pursuance of this act, shall be subject to the same pledges and bound in the same manner to the holders of the bonds of the state issued for building the North Carolina Railroad as the stock in said company is now bound.

Portion of road transferred subject to pledges of North Carolina road.

SEC. 7. Upon the acceptance of this act as provided in section two, and section three, the North Carolina Railroad Company shall immediately make the transfer provided for in section one.

Immediate transfer.

SEC. 8. This act shall take effect from its ratification for the purposes indicated, but shall be of no binding force against the state until accepted by the private stockholders of the corporations herein mentioned.

When act to take effect.

Ratified the 6th day of April, A. D. 1871.

CHAPTER CCLXXI.

AN ACT TO ALLOW THE REGISTRATION OF DEEDS UPON CERTAIN PROOFS.

SECTION 1. *The General Assembly of North Carolina do enact*, That whenever the subscribing witness to any instrument required or allowed to be registered, shall be a non-resident, or shall be dead, and the maker shall also be a non-resident or dead, the proof of the handwriting of such wit-

Registration of deeds upon certain proof.

ness and that of the maker before the judge of probate of the county where the instrument is sought to be registered, shall be sufficient evidence of the execution thereof to admit the same to registration, and in case such maker shall have subscribed with a mark only, the proof of the signature of such witness shall be sufficient.

SEC. 2. Whenever any such instrument shall not have a witness and the maker thereof shall be a non-resident or dead, proof of his handwriting shall be sufficient to admit the same to registration.

When act to be in force.

SEC. 3. That this act shall be in force from its ratification. Ratified the 6th day of April, A. D. 1871.

CHAPTER CCLXXII.

AN ACT TO INCORPORATE THE WALNUT MOUNTAIN TURNPIKE COMPANY.

Corporators.

SECTION 1. *The General Assembly of North Carolina do enact*, That B. B. Whittington, S. Anderson, E. B. Holcombe, W. J. Norton, Charles McPeters, J. B. Calahan, J. G. Anderson, J. A. Lewis, W. C. Lewis, James Ramsay, J. S. McElroy, and W. B. Murray, and B. W. Cox, be and they are hereby authorized and empowered to construct a turnpike road to be known as the Walnut Mountain Turnpike as nearly as may be expedient upon the road now leading from the dividing ridge at the Tennessee line, connecting at that point with the new turnpike going from Jonesboro', Tennessee, to the North Carolina line, and terminating at Kelsey's store.

Corporate name.

Location of Turnpike.

Commissioners to view road.

SEC. 2. That when the said B. B. Whittington, P. Anderson, E. B. Holcombe, W. J. Norton, Charles McPeters, J. B. Callahan, J. G. Anderson, J. A. Lewis, W. C. Lewis, James Ramsay, J. S. McElroy, W. C. Murray and B. W. Cox, their associates, successors or assigns shall have completed

their construction of said road, it shall be viewed by Samuel Edwards, John Ramsay and Burnet Ray, commissioners, or a majority of them sha'l give to the said persons, constituting the Walnut Turnpike Company, as aforesaid, their associates, successors or assigns, a certificate under their hands, that said road is well constructed on a grade to be determined upon by the commissioners hereafter appointed in this act or a majority of them, and that it is in as good condition as it can reasonably be made, they, the said parties constituting the Walnut Mountain Turnpike Company, their associates, successors or assigns shall have power to erect a gate on any point of said road, and to collect such tolls as they, the aforesaid Turnpike Company, may fix for passage over said road, not to exceed the following rates, viz:

		Rates of toll.
For hogs or cattle, each,	2 cents.	
“ loose horses,	3 “	
“ single horsemen,	10 “	
“ one horse wagon,	25 “	
“ two horse wagon,	50 “	
“ three horse wagon,	75 “	
“ four or six horse wagon,	\$1.00	
“ one-horse buggy,	50 cents.	
“ one-horse carriage,	75 “	

Provided, That the said turnpike company, their associates, successors or assigns shall, at all times, keep said road in good condition; *And, provided further*, That no toll shall be collected on said road from any person passing on said road to any church or public mill within five miles of the same, nor shall any person residing within five miles of the same be charged more than one-half the tolls fixed.

SEC. 3. That the said turnpike company, their associates or assigns, shall have the powers and authorities herein granted for the term of twenty-five years, and shall be subject to indictment and liable to all the pains and penalties for failing or neglecting to keep said road in proper repair

Proviso

Term of chartered powers.

and condition, as is affixed by law to such failure and neglect on the part of said company in relation to said road.

When act to be in force.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified the 6th day of April, A. D. 1871.

CHAPTER CCLXXIII.

AN ACT TO INCORPORATE THE CARTHAGE AND RANDOLPH RAILROAD COMPANY.

Capital stock.

SECTION 1. *The General Assembly of North Carolina do enact,* That a company is authorized to be formed with a

Shares.

capital stock of five hundred thousand dollars, to be divided into shares of fifty dollars each, to be called and known as

Corporate name.

the Carthage Randolph Railroad Company, for the purpose of building and constructing a railroad with one or more tracks, to be used with steam or other motive power,

Location of road.

from some point near the town of Carthage, in the county of Moore, through said county and the county of Randolph to some point near Franklinsville or Ashboro', the most practicable route, and such company, when formed as hereafter

Rights and privileges.

directed, shall have power to receive, possess, own, donate, purchase or otherwise, and transfer real and personal property, to have a common seal, and to pass such by-laws, not inconsistent with the laws of this state as may be necessary to carry out the objects of the corporation, shall be capable in law of suing and being sued, pleading and being impleaded, and shall have and enjoy all the rights of other corporate bodies under the laws of this state, to condemn land for right of way, and all other purposes necessary to carry into effect the purposes of said company, and shall generally have and possess all the rights and privileges and immunities usually granted to corporate bodies in this state, and shall have the exclusive right to transfer and carry persons, produce, mer-

chandize, minerals, &c., &c., on and along such railroad at such rates as they may fix.

SEC. 2. That for the purpose of creating capital stock of such company, Alexander Nelly, Thomas Tyon, Wm. B. Richardson, A. H. McNeill, A. R. McDonald, Dr. H. Turner, Dr. J. M. Worth, M. S. Robbins, Jonathan Lassiter, George Makepeace, and Alexander Horney, are hereby appointed commissioners, whose duty it shall be (or a majority of them,) as soon after the passage of this act as may be, to appoint such persons to open books of subscription at such places and at such times as to them shall seem best, and under such rules and regulations as they may prescribe.

Commissioners to open books of subscriptions.

SEC. 3. That whenever the sum of twenty-five thousand dollars or more shall have been subscribed to the capital stock of said company by solvent subscribers, it shall be the duty of the commissioners, or a majority of them aforesaid, to call a general meeting of the stockholders after giving such notice as to them shall seem sufficient and at such times and places as they shall determine, and at all general meetings of said stockholders not less than a majority of all the stock subscribed shall constitute a quorum for the transaction of business, and said stockholders, when so met in general meeting, shall have power and it shall be their duty to elect a president and five directors for said company, and in the election of officers and enacting such by-laws as may be necessary, each share of stock represented either in person or by proxy, shall be entitled to one vote; *Provided*, If a majority of such stockholders shall not attend said first general meeting, such as do attend may adjourn from time to time until a majority shall appear.

General meeting of stockholders.

President and Directors.

SEC. 4. That it shall be the duty of said president and directors of said company to appoint a secretary and treasurer, who remain in office such length of time as the company in their by-laws shall determine, and said president and directors shall remain in office one year and until others are elected, and shall have general direction and management of the affairs of said company; said directors shall have power to fill any vacancy that may occur in their board

Secretary and Treasurer.

Terms of office.

and in the absence of the president to elect one for the time; they shall make it the duty of the secretary to keep a fair and correct record of the proceedings of said board and all the proceedings of the stockholders in general meeting in a book to be provided for that purpose.

Annual report.

SEC. 5. That the president or board of directors shall at least once a year make a full report on the state of the company, and its affairs to a general meeting of the stockholders, and oftener if required by any by-laws of the company, and also call general meetings of the stockholders whenever they deem it expedient, and the company in their by-laws may provide for occasional meetings being called and prescribe the mode thereof.

County and corporate subscriptions.

SEC. 6. That all persons, the commissioners of any county or the authorities of any incorporation shall have full power and authority to subscribe to the capital stock of said company to the amount they shall be authorized to do by the inhabitants of said county or any incorporated town, or the proper authorities of any incorporation to the amount they shall be authorized to do by the inhabitants of said county or town, and they may issue bonds or other evidences of debt to enable them to borrow money to pay such subscription, the said subscription to be made by any agent or agents of such county, town or corporation properly authorized by them to make the same, when so made shall be binding on such county, town or corporate body in the same manner and to the same extent that it is on the individual subscribers, and such body corporate or company or county shall be represented in all general meetings of the stockholders.

Right to condemn lands.

SEC. 7. That the right of said company to condemn lands mentioned in section the first of this act shall be the same granted to the Chatham Railroad Company, and that all lands on which the road may be located not heretofore granted by the state within one hundred feet of the centre of said road which shall be constructed by said company, shall vest in the company as soon as the line of said road is definitely laid out.

Survey.

SEC. 8. That for the purpose of ascertaining the best route for said road and to locate the same, it shall be lawful

for said company by its engineers, servants and agents to enter upon, examine and survey any land or lands they may wish to examine for such purposes free from any liabilities whatever.

SEC. 9. That said company may begin the construction of said road at any point on the line of location according to their discretion, and that for any portion of said road actually constructed, the said company shall be entitled to all the privileges of this act into and over such part so constructed. Commencement of construction.

SEC. 10. That the Carthage and Randolph Railroad Company shall have power to receive subscriptions to its capital stock, payable in real or personal property at such valuation as may be agreed on between the company and the subscribers. Conditions of subscriptions.

Ratified the 6th day of April, A. D. 1871.

CHAPTER CCLXXIV.

AN ACT TO LAY OUT AND CONSTRUCT A ROAD IN THE COUNTY OF ASHE.

SECTION 1. *The General Assembly of North Carolina do enact,* That there shall be laid out and established a road in the county of Ashe, commencing at or near David Worth's store, to run as follows: Up Three-Top creek to the mouth of Ben Bolen, from thence to Ray's mills on Buffalo, from thence to intersect the Bakersville and Sparta turnpike road at or near G. H. Hamilton's mills. Location of road.

SEC. 2. That the said road shall be made eighteen feet wide, except where there shall be side cuttings, and in such places it shall be fourteen feet wide, and that the said road shall be located on the best grade possible, and shall be well made as is hereafter provided. Description and grade.

SEC. 3. That E. C. Hartzog, John Osborn and Peter McNeil, are hereby appointed commissioners to lay out and Commissioners to establish.

establish said road, who shall take an oath before the chairman of the board of commissioners of Ashe county, to faithfully discharge their duties for the best interests of their county.

Condemnation of property.

SEC. 4. That if the owners of any lands through which said road shall pass, shall consider him, her or themselves injured thereby, it shall be competent for such person or persons, by petition to the county commissioners of their county, praying for a jury to view the premises and assess the damages sustained, and it shall be the duty of the commissioners to order such jury to be summoned as in case of such public roads, and it shall be the duty of the jury to take into consideration the benefit to the land as well as the injury done by making said road, and on report of the jury made to and confirmed by the county commissioners, the damage shall be paid by the county.

SEC. 5. That if any person or persons shall claim damages and call for a jury to assess them, and none are found, the person or persons so calling shall defray all the expenses in the case.

County Commissioners may call out hands.

SEC. 6. That the county commissioners shall have power to call out all hands of the county, liable to work on public roads under existing laws, who reside within one and one-half miles of said road, by compass line, at such times and for such length of time as will not materially conflict with the farming interests of the county, to construct the road.

Proviso.

SEC. 7. *Provided*, That no person shall be required to work more than thirty days on said road in any one year.

SEC. 8. That when the road has been constructed as herein provided, it shall be the duty of the township board of trustees, through whose township said road runs, to receive the same, and report to the county commissioners that said road has been constructed according to law.

When act to be in force.

SEC. 9. That this act shall be in force from and after its ratification.

Ratified the 6th day of April, A. D. 1871.

CHAPTER CCLXXV.

AN ACT TO PREVENT THE FELLING OF TREES IN CARRAWAY CREEK, IN RANDOLPH COUNTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That it shall be unlawful for any person or persons to fell any tree or trees in Carraway creek, in Randolph county, from the mouth of said creek to New Market foundry in said county.

SEC. 2. Any person or persons violating the first section of this act, or procuring, aiding or abetting others to do so, he, she, or they so offending, shall forfeit and pay for each tree felled and left in said Carraway creek, for the space of ten days, the sum of five dollars, and the amount so forfeited shall be applied to the poor of the county, the said penalty to be recovered before any justice of the peace for said county, within the township in which the offence is or may be committed.

Penalty for felling trees in Carraway creek.

SEC. 3. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 6th day of April, A. D. 1871.

CHAPTER CCLXXVI.

AN ACT TO REPEAL AN ACT CONCERNING CONSTABLES IN NEW HANOVER COUNTY, RATIFIED THE TWENTY-SIXTH DAY OF MARCH, ONE THOUSAND EIGHT HUNDRED AND SEVENTY.

SECTION 1. *The General Assembly of North Carolina do enact*, That an act entitled an act concerning constables in New Hanover county, ratified the twenty-sixth day of March, anno domini one thousand eight hundred and seventy, being found in chapter one hundred and forty-six, public acts of

Repeal of act of March 26, 1870.

one thousand eight hundred and sixty-nine, and one thousand eight hundred and seventy, be and the same are hereby repealed.

When act to be in force.

SEC. 2. This act shall be in force from and after its ratification.

Ratified the 6th day of April, A. D. 1871.

CHAPTER CCLXXVII.

AN ACT TO PROVIDE A CHEAP CHATTEL MORTGAGE.

SECTION 1. *The General Assembly of North Carolina do enact*, That any person indebted to another in a sum to be secured, not exceeding at the time of executing the deed herein provided for, the sum of three hundred dollars, may execute a deed of trust, in form substantially that which follows:

Form of deed of trust.

I,, of the county of, in the state of North Carolina, am indebted to, of county, in said state, in the sum of dollars, for which he holds my note to be due the day of, A. D. 18.., and to secure the payment of the same, I do hereby convey to him these articles of personal property, to-wit: but on this special trust, that if I fail to pay said debt and interest, on or before the day of, A. D. 18.., then he may sell said property, or so much thereof as may be necessary, by public auction for cash, first giving twenty days notice at three public places, and apply the proceeds of such sale to the discharge of said debt and interest on the same, and pay any surplus to me. Given under my hand and seal, this day of, A. D. 18...

SEAL

SEC. 2. That such deed of trust shall be good to all intents and purposes, when the same shall be duly registered according to the present provisions of law; *Provided, nevertheless,* The probate fee of the probate judge in such cases shall be only ten cents, and the fee of the register shall be twenty cents, and no other fee or tax shall be due on account of the same.

Fees of Probate Judge and Register of Deeds.

SEC. 3. This act shall be in force from and after its ratification.

When act to be in force.

Ratified the 6th day of April, A. D. 1871.

CHAPTER CCLXXVIII.

AN ACT TO AMEND THE CHARTER OF THE WILLIAMSTON AND
TARBORO' RAILROAD COMPANY.

SECTION 1. *The General Assembly of North Carolina do enact,* That at all meetings of the stockholders of the Williamston and Tarboro' Railroad Company, each share of stock represented in person or by proxy shall be entitled to one vote, and that any meeting shall be considered duly organized when a majority of stock shall be represented; *Provided,* That no one shall be allowed to act or vote as a proxy who is not a stockholder in said company.

Manner of voting stock.

SEC. 2. That all acts and parts of acts inconsistent with this act are hereby repealed.

Repealing clause.

SEC. 3. That this act shall go into effect when the same is approved by the stockholders holding a majority of stock at a meeting held in accordance with the provisions of this act.

When act to take effect.

Ratified the 6th day of April, A. D. 1871.



CHAPTER CCLXXIX.

AN ACT FOR THE BETTER PROTECTION OF THE LITERARY FUND.

Control of literary fund taken from Board of Education.

SECTION 1. *The General Assembly of North Carolina do enact*, That hereafter it shall not be lawful for the board of education to loan any amount of the public funds under their control, or expend the sum for any purpose whatever, except by the direction of the legislature.

When act to be in force.

SEC. 2. This act shall be in force from and after its ratification.

Ratified the 6th day of April, A. D. 1871.

CHAPTER CCLXXX.

AN ACT SUPPLEMENTAL TO AN ACT TO CHANGE THE BOUNDARY LINE BETWEEN THE COUNTIES OF EDGECOMBE AND NASH.

Certain township officers to continue in office.

SECTION 1. *The General Assembly of North Carolina do enact*, That all the township officers residing in this portion of the county of Edgecombe, which by an act entitled "an act to change the boundary line between the counties of Edgecombe and Nash," was annexed to the county of Nash, be and they are hereby continued in their said office until the next regular election, and all of the acts of said officers between the passage of said act and the ratification of this act are hereby confirmed and made valid.

When act to take effect.

SEC. 2. This act shall take effect from and after its ratification.

Ratified the 6th day of April, A. D. 1871.

CHAPTER CCLXXXI.

AN ACT TO REPEAL AN ACT TO PROVIDE THE MANNER OF BRINGING SUIT AGAINST RAILROAD COMPANIES, RATIFIED THE TWELFTH DAY OF APRIL, ANNO DOMINI ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE.

SECTION 1. *The General Assembly of North Carolina do enact*, That chapter two hundred and fifty-seven, (257) laws of 1868-'69, be and the same are hereby repealed. Repeal.

SEC. 2. This act shall be in force and take effect from and after its ratification. When act to be in force.

Ratified the 6th day of April, A. D. 1871.

CHAPTER CCLXXXII.

AN ACT IN RELATION TO THE EXECUTIVE MANSION, THE PUBLIC LOTS AND OTHER PROPERTY BELONGING TO THE STATE IN THE CITY OF RALEIGH.

SECTION 1. *The General Assembly of North Carolina do enact*, The governor is authorized and directed to lease the executive mansion and the ground attached to the same, provided he does not choose to occupy the same as a family residence, to some suitable and discreet person or persons for the period of twelve months, and at such price as he may deem reasonable and just; and he is authorized to have such repairs made upon the said building and outhouses and fences enclosing the same as he may deem necessary to preserve the property and keep it from ruin and decay, and for such purposes he may use the proceeds of the lease of this property, and the proceeds of the lease of other public lots, and such sums of money as may be collected for rents now due. Governor may lease Executive Mansion.
Repairs, &c.

Governor to collect rents, &c.

SEC. 2. The governor is further authorized and directed to collect by suit or otherwise, all such sums of money as may now be due for rents accrued, and he is further empowered to adjust and settle with the Raleigh and Gaston Railroad Company any claim which the state may have against said company for the use of its property or for right of way over any of the public lots belonging to the state in the city of Raleigh.

Supervisor of public lots.

SEC. 3. The keeper of the capital is appointed supervisor of all the other public lots belonging to the state in the city of Raleigh, except such as may be occupied by the Institution for the Deaf and Dumb, and the public schools, and he is authorized to lease such lots or such part thereof as it may be proper to lease, and upon such terms as may be reasonable and proper, for the period of twelve months; and he is required to turn over the proceeds of such renting to the governor whenever the same may be demanded, after retaining for his services, ten per cent thereof.

Supervisor to lease properties.

Penalties for trespass on public lots, or violation of this act.

SEC. 4. *The General Assembly do further enact*, That if any person or persons shall wilfully trespass upon any of the public lots aforesaid, or shall cut any timber or commit any waste, or shall refuse to surrender possession after the expiration of their leases, or if any person or persons now in possession of any of said lots above mentioned shall refuse to leave the same and shall further refuse to surrender possession within ten days after demand made by the keeper of the capital, said person or persons shall be guilty of a misdemeanor, and may be indicted in the superior court of Wake county; and it shall be the duty of said keeper of the capital to report all such violations of law to the governor or to the attorney general, and if any of the said persons shall be convicted, they shall be fined or imprisoned, at the discretion of the court.

Committee to take inventory of fire-arms, weights and measures, &c.

SEC. 5. That for the better protection of the arms and other state property, W. H. High, J. Q. DeCarteret and James McGowan are appointed a committee to take an inventory of the fire arms and other property in the arsenal, and also an inventory of weights and measures, &c., now on

hand, and take the receipt of the keeper of the capital for the same in duplicate, one copy of which shall be deposited in the executive office and the other shall be retained by the keeper of the capital.

SEC. 6. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 6th day of April, A. D. 1871.

CHAPTER CCLXXXIII.

AN ACT TO CHANGE THE METHOD OF APPOINTING THE PROXIES AND DIRECTORS IN ALL CORPORATIONS IN WHICH THE STATE HAS AN INTEREST.

SECTION 1. *The General Assembly of North Carolina do enact,* That all power now vested in the governor of the state to appoint a proxy or proxies or directors to represent the interests of the state in any corporation or company in which the state has an interest, be and the same is hereby revoked and annulled. Certain powers of Governor revoked.

SEC. 2. That the president of the senate and speaker of the house of representatives are hereby authorized and empowered by a paper writing signed by them, to appoint all proxies and directors in all corporations in which the state has an interest. Powers conferred on President of Senate and Speaker of House of Representatives.

SEC. 3. All laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 4. This act shall be in force from and after its ratification. When act to be in force.

Ratified the 6th day of April, A. D. 1871.

PUBLIC RESOLUTIONS

OF THE

STATE OF NORTH CAROLINA.

SESSION 1870-'71.

PUBLIC RESOLUTIONS

OF THE

STATE OF NORTH CAROLINA.

PUBLIC RESOLUTIONS

OF THE

STATE OF NORTH CAROLINA

SESSION 1870-71

PUBLIC RESOLUTIONS

OF THE

SENATE PASSED BY THE SENATE ON THE TWENTY-NINTH DAY OF NOVEMBER, A. D. 1871.

STATE OF NORTH CAROLINA

Resolved, That a committee of three members be appointed to inquire into the expediency of amending the constitution of this State so that the election of members of the Senate may be held for senators in that part of said twenty-eight counties which the governor of the State, whereby the freedom of election therein was departed so that no election was held for senators in that part of said twenty-eight counties. That a committee of three members be appointed, whose duty it shall be to prepare and lay before the Senate without unnecessary delay, their report on the result of the official vote for senators cast in each of the counties comprising said twenty-eight counties, and that the Senate may jointly determine the portion of the title to their seals of the two counties now sitting as members of this body from said twenty-eight counties.

Enacted the 29th day of November, A. D. 1871.

Investigation Committee

1871

PUBLIC RESOLUTIONS

OF THE

STATE OF NORTH CAROLINA,

SESSION 1870-'71

SENATE RESOLUTION CONCERNING THE ELECTION IN THE TWENTY-SIXTH SENATORIAL DISTRICT.

WHEREAS, It is a matter of public history that on the first Thursday in August last, the county of Alamance, composing a part of the twenty-sixth senatorial district, was occupied by military forces under the command of his excellency the governor of the state, whereby the freedom of election therein was obstructed, so that no valid election was held for senators in that part of said twenty-sixth district. Preamble.

Resolved by the Senate, That a committee of three senators be appointed, whose duty it shall be to procure and lay before the senate without unnecessary delay, duly authenticated returns of the official vote for senators cast by each of the counties composing said twenty-sixth district, to the end that the senate may justly determine the question of the title to their seats, of the two senators now sitting as members of this body from said twenty-sixth senatorial district. Investigating committee.

Ratified the 29th day of November, A. D. 1870.

RESOLUTION DECLARING A VACANCY IN THE TWENTY-FOURTH
SENATORIAL DISTRICT.

Preamble.

WHEREAS, By the action of his excellency the governor, in declaring the county of Caswell in a state of insurrection, and sending into said county a military force, the citizens of said county were deprived of that freedom of political action, which is their undoubted right; and

Whereas, in consequence thereof no valid election was held in said county in August last; therefore

Vacancy declared
in 24th Senatorial
district.

Resolved, That there is a vacancy in the senatorial representation of the twenty-fourth district, composed of said county.

Resolved further, That the president of the senate be directed to inform his excellency the governor of North Carolina of the said vacancy, to the end that he may proceed to have the same filed as the constitution of the state and the laws thereof direct.

Ratified the 29th day of November, A. D. 1870.

RESOLUTION REQUESTING THE OPINION OF THE ATTORNEY GENERAL IN RELATION TO THE STATE'S INTEREST IN THE WILMINGTON, CHARLOTTE AND RUTHERFORD RAILROAD COMPANY.

Opinion of Attorney
General re-
quested.

Resolved, Senate concurring, That the attorney general be and is hereby requested to render as soon as possible to the general assembly, an opinion upon the rights and interests of the state in the Wilmington, Charlotte and Rutherford Railroad Company, under existing laws.

Ratified the 3d day of December, A. D. 1870.

JOINT RESOLUTION OF INSTRUCTIONS TO MEMBERS OF CONGRESS
IN RELATION TO THE PASSAGE OF A BILL INTRODUCED AT THE
LAST SESSION OF CONGRESS (AND NOW PENDING BEFORE THAT
BODY) ENTITLED "THE NORTH CAROLINA RAILWAY EXTEN-
SION COMPANY."

1st. *Resolved by the House of Representatives, (the Senate concurring,)* That the senators and representatives from this state in the congress of the United States, be and they are hereby respectfully requested and earnestly solicited to vote for and use their utmost influence and endeavors to secure the passage of a bill introduced at the last session of congress by the Hon. Alex. H. Jones, (and now pending before that body,) entitled the "North Carolina Railway Extension Company."

Senators and members of Congress requested to vote for certain bill.

2d. *Resolved further;* That the clerk of the house of representatives be requested forthwith to furnish a copy of these resolutions, to be signed by the president of the senate and speaker of the house of representatives, to be transmitted by him to each senator and member of congress from this state.

Ratified the 5th day of December, A. D. 1870.

HOUSE RESOLUTION RELATIVE TO THE REPRESENTATIVE FROM
THE COUNTY OF HERTFORD.

Resolved, That William D. Newsom is entitled to a seat in this house as the representative of the county of Hertford, and that he be forthwith admitted.

Wm. D. Newsom declared a representative.

Ratified the 5th day of December, A. D. 1870.

SENATE RESOLUTION TO PRINT COPIES OF THE TREASURER'S
REPORT.

Treasurer's report
to be printed.

Resolved, That there shall be printed for the use of the senate, three hundred and fifty copies of the treasurer's report.

Ratified the 5th day of December, A. D. 1870.

RESOLUTION OF INSTRUCTIONS TO SENATORS AND REPRESENTA-
TIVES IN CONGRESS, RELATIVE TO RESIDUE OF TAX ON REAL
ESTATE.

Instruction to
Senators and
members of Con-
gress.

SECTION 1. *Resolved*, That the general assembly instruct our senators and request our representatives in the congress of the United States to exercise their utmost endeavors to have remitted the residue of the United States direct tax on real estate yet uncollected from the tax payers of North Carolina.

SEC. 2. *Resolved*, That our senators and representatives in the congress of the United States be furnished each with a copy of these resolutions.

Ratified the 6th day of December, A. D. 1870.

RESOLUTION REQUIRING THE TREASURER TO FURNISH STATIS-
TICS OF EXPENSES OF LATE MILITARY MOVEMENT.

Preamble.

WHEREAS, It is the general opinion of the people of North Carolina that there was an enormous amount of their money uselessly spent in the late military movment of the governor of the state; therefore, be it

Resolved, That the public treasurer of the state be required, for the information of this assembly, to furnish the full statistics of the affair, showing how much spent, how much paid to each officer, from the grade of lieutenant up, &c., &c.

Treasurer to report statistics.

Ratified the 6th day of December, A. D. 1871.

RESOLUTION OF INQUIRY CONCERNING THE SEAT OF THE REPRESENTATIVE FROM BLADEN COUNTY.

WHEREAS, Affidavits have been made by a number of prominent citizens of Bladen county to the effect that Abiel W. Fisher was not, for the year immediately preceding his election in August last, a citizen of Bladen county; and whereas, said Fisher is now in possession of a seat in this house as the representative of said county; and whereas, according to the constitution, article second, section tenth, a residence in the county for one year immediately preceding his election is necessary to qualify any person to represent such county in this house, therefore, it is

Preamble.

Resolved, That the committee on privileges and elections be instructed to enquire into this matter and report to this house at as early a day as is practicable.

Committee to enquire and report.

Ratified the 8th day of December, A. D. 1870.

HOUSE RESOLUTION ORDERING THE JOINT COMMITTEE ON PRINTING TO HAVE REQUISITE NUMBER OF COPIES OF TREASURER'S REPORT PRINTED.

Resolved, That the joint committee on printing be instructed to have printed such a number of copies of the report of the state treasurer as they deem proper, for the use of the

Treasurer's report to be printed.

members of this house and of the senate, not to exceed three for each member, including the one hundred and twenty already ordered.

Ratified the 8th day of December, A. D. 1870.

JOINT RESOLUTION TO RAISE A COMMITTEE ON CONSTITUTIONAL REFORM.

Committee to prepare bill to amend the Constitution.

Resolved, That a committee of five on the part of the senate and seven on the part of the house of representatives be at once constituted a committee, whose duty it shall be to mature and report at an early day to the general assembly of North Carolina, a bill to amend the constitution of the state in such manner as said committee may deem advisable and expedient.

Ratified the 8th day of December, A. D. 1870.

RESOLUTION IN RELATION TO RAISING A JOINT SELECT COMMITTEE ON PER DIEM AND MILEAGE.

Joint committee on per diem and mileage.

Resolved, the House of Representatives concurring, That a joint select committee of three on the part of the senate and five on the part of the house of representatives, be raised to take into consideration and report upon the question of *per diem* and mileage.

Ratified the 8th day of December, A. D. 1870.

RESOLUTION IN FAVOR OF GEO. B. McCOTTER, TAX COLLECTOR
OF PITT COUNTY.

WHEREAS, Judgment was taken against Geo. B. McCotter, Preamble
tax collector of Pitt county and sureties upon his official
bond, at the late term of Wake county superior court for
costs and one thousand dollars penalty for failing to pay into
the state treasury the tax due at the time required by law;
and whereas, the said Geo. B. McCotter is now ready to
make full settlement with the state treasurer; be it there-
fore

Resolved by the General Assembly of North Carolina, To settle with
That the said Geo. B. McCotter be allowed to settle with Public Treasurer.
the state treasurer, and the state treasurer is ordered to settle
with the said Geo. B. McCotter, tax collector aforesaid, and
that the said Geo. B. McCotter be allowed his mileage and
per diem and commissions according to law; *Provided,* The
tax collector shall first show a receipt for the payment of all
costs incurred.

And be it further resolved, That the said Geo. B. McCotter
and the sureties on his official bond be entirely released from
all liability on such bond, when the said Geo. B. McCotter
shall have fully settled with the state treasurer.

Ratified the 8th day of December, A. D. 1870.

RESOLUTION IN FAVOR OF HENRY T. GRANT, SHERIFF OF
NORTHAMPTON COUNTY, AND J. T. FERGUSON, SHERIFF OF
WILKES COUNTY.

WHEREAS, Judgement was taken against Henry T. Grant, Preamble
sheriff of Northampton county, and J. T. Ferguson, sheriff
of Wilkes county, and the sureties upon their official bonds, at
the late term of Wake county superior court for costs and
one thousand dollars penalty, for failing to pay into the state

treasury the tax due at the time required by law ; and whereas, the said Henry T. Grant and J. T. Ferguson are now ready to make full settlement with the state treasurer ; be it therefore

Henry T. Grant
and J. T. Ferguson
allowed to
settle with state
Treasurer.

Resolved by the General Assembly of North Carolina. That the said Henry T. Grant and J. T. Ferguson be allowed to settle with the state treasurer ; *Provided,* The said sheriffs shall first show a receipt for the payment of all costs incurred, and the state treasurer is ordered to settle with the said Henry T. Grant and J. T. Ferguson, sheriffs aforesaid, and the said Grant and Ferguson be allowed mileage and *per diem* and commissions according to law. And be it further

Resolved, That the said Henry T. Grant and J. T. Ferguson, and the sureties on their official bonds be entirely released from all liability on such bonds when the said Grant and Ferguson shall have fully settled with the state treasurer.

Ratified the 10th day of December, A. D. 1870.

SENATE RESOLUTION IN REGARD TO SOLDIERS OF THE WAR
OF ONE THOUSAND EIGHT HUNDRED AND TWELVE.

Senators and
members of Con-
gress instructed.

1. *Resolved,* That the representatives and senators in congress from this state be and they are hereby requested to vote for, and if possible secure the passage of a law granting pensions to the soldiers (or their widows,) of the war of one thousand eight hundred and twelve.

Pensions to sol-
diers.

2. *Resolved further,* That upon the ratification of these resolutions, the president of the senate is requested to cause to be transmitted a copy of the same to each of our representatives and each of our senators in congress.

Ratified the 10th day of December, A. D. 1870.

RESOLUTION TO PRINT RULES OF THE SENATE AND HOUSE OF
REPRESENTATIVES.

Resolved by the Senate, (the House of Representatives concurring,) That the usual number of the rules of the senate and the house of representatives, together with the joint rules of both houses, be printed with marginal reference.

Ratified the 13th day of December, A. D. 1870.

Rules of Senate and House of Representatives to be printed.

RESOLUTION RELATING TO THE POLITICAL DISABILITIES OF Z.
B. VANCE.

SECTION 1. *Be it resolved by the General Assembly of North Carolina,* That the senators and representatives of North Carolina in the congress of the United States, are requested to employ their influence to have the political disabilities of Z. B. Vance, United States senator elect, removed.

Political disabilities of Z. B. Vance.

SEC. 2. That the secretary of state is directed to forward a copy of this resolution to each of the senators and representatives of North Carolina in the congress of the United States.

Ratified the 13th day of December, A. D. 1871.

SENATE RESOLUTION CONCERNING THE ELECTION IN THE
TWENTY-SIXTH SENATORIAL DISTRICT.

WHEREAS, By the official returns, duly authenticated which have been procured and laid before this body, it appears that at the regular election for senators held in the twenty-sixth senatorial district, on the first Thursday in

Preamble.

August, one thousand eight hundred and seventy, John A. Gilmer, now holding a seat in the senate, received the highest number of votes cast in that part of said district, in which the election was legally held :

Whereas, William A. Smith, to whom a certificate was given, upon which he now holds a seat in the senate, did not receive the next highest number of votes cast in that part of said district in which the election was legally held, and was not therefore duly elected ; and whereas, J. A. Moore, who did receive a majority over said W. A. Smith, of the votes cast in that part of said district in which the election was legally held, has waived his right to a seat in this body by failing to contest for the same according to law ; therefore

John A. Gilmer
declared a Senator

Resolved 1st, That John A. Gilmer is entitled to hold his seat as a member of the senate.

Seat of Wm. A.
Smith declared
vacant.

Resolved 2d, That the seat held by William A. Smith, as senator from the twenty-sixth district, is hereby declared vacant.

Ratified the 14th day of December, A. D. 1870.

RESOLUTION PROVIDING FOR THE IMPEACHMENT OF WILLIAM
W. HOLDEN.

Impeachment of
Governor W. W.
Holden.

Resolved, That William W. Holden, governor of the state of North Carolina, be impeached of high crimes and misdemeanors in office.

Ratified the 15th day of December, A. D. 1871.

HOUSE RESOLUTION IN REGARD TO APPOINTING COMMITTEES
ON IMPEACHMENT.

Resolved, That a committee of three be appointed to go to the senate, and at the bar thereof, in the name of the house of representatives and of all the people of the state of North Carolina, to impeach William W. Holden, governor of the state of North Carolina, of high crimes and misdemeanors in office, and acquaint the senate that the house of representatives will in due time, exhibit particular articles of impeachment against him, and make good the same; and that the committee do demand that the senate take order for the appearance of said William W. Holden to answer to said impeachment.

Committee to inform Senate of impeachment of Gov. W. W. Holden.

Resolved, That a committee of seven be appointed to prepare and report articles of impeachment against William W. Holden, governor of the state of North Carolina, with power to send for persons, papers and records, and to take testimony under oath.

Committee to prepare articles of impeachment.

Ratified the 16th day of December, A. D. 1870.

HOUSE RESOLUTION OF INQUIRY CONCERNING ALLEGED IMPROPER
EXPENDITURES OF THE PUBLIC MONEY.

WHEREAS, It is commonly charged that the governor has had in his employ, and in the pay of the state, detectives or spies, whose duty was to make to the governor secret official reports of the acts and words of their neighbors and associates; and whereas, it is commonly charged that the professional services of counsel learned in the law have been specially retained and paid for at great expense to the state, to represent the state's interests when in litigation or controversy, while the attorney general's office was in the charge of the officer duly appointed thereto, whose duty it was to

Preamble.

represent the state in all such controversies; and whereas, it is commonly charged that there has been an extravagant and useless employing of men, professedly in the public service, whereby the public money has been wastefully expended.

Executive officers
and others re-
quired to report.

Resolved, That the governor, the several heads of departments, the clerk of the supreme court, the state librarian and the keeper of the capitol, are requested to report to this house with as little delay as practicable, a list of the spies or detectives, clerks, messengers, pages, waiters, laborers and all other officers and employees who have been in the pay of the state, in their respective departments or bureaus of the state government, since the inauguration of the present state government, what sums of money said spies, clerks, laborers, &c., have been paid by and in behalf of the state during that time, and for what services rendered or information furnished, and the clerk of this house is ordered to certify a copy of this resolution immediately to each of the officers herein mentioned, to-wit: the governor, the secretary of state, the attorney general, the public treasurer, the adjutant general, the superintendent of public instruction, the superintendent of public works, the clerk of the supreme court, the keeper of the capitol and the state librarian.

Ratified the 17th day of December, A. D. 1870.

RESOLUTION FOR THE RELIEF OF JOHN M. MONGER, SHERIFF
OF MOORE COUNTY.

Preamble.

WHEREAS, Judgment has been entered against John M. Monger, sheriff of Moore county, and the sureties on his official bond in the superior court of the county of Wake, fall term, one thousand eight hundred and seventy, for failing to pay into the public treasury, within the time prescribed by law, the public taxes due from said county for the year one thousand eight hundred and seventy; and whereas, said

sheriff is now prepared to pay the public taxes due from said county for the said year one thousand eight hundred and seventy; and whereas, justice requires that said sheriff and his sureties shall be fully and finally released and discharged from said judgment, if he shall pay, on or before the fifteenth day of December, the full amount of taxes due the treasury from his said county, and that the public treasurer allow to said sheriff the lawful commissions, mileage and *per diem*; therefore

SECTION 1. *The General Assembly of North Carolina do resolve*, That John M. Monger, sheriff of the county of Moore, and the sureties to his official bond, for the collection and payment of public taxes, be and they are hereby fully and effectually released and discharged from the judgment obtained against them in the superior court of Wake county, fall term, one thousand eight hundred and seventy, for failing to pay into the public treasury within the time prescribed by law, the taxes due from said county for the year one thousand eight hundred and seventy, if he shall pay on or before the fifteenth day of December, one thousand eight hundred and seventy, the full amount of taxes due the treasury from the county of Moore, and the costs in the suit against him, and his sureties, and that the public treasurer be and is hereby authorized to allow said sheriff to settle said public taxes, so due the treasury as aforesaid, and to allow said sheriff commission, mileage, and *per diem* for making his settlement with the public treasurer.

Release of John M. Monger and sureties.

Ratified the 20th day of December, A. D. 1870.

RESOLUTION IN REGARD TO LEGAL STEPS TO BE TAKEN AGAINST
GEO. W. SWEPSON AND M. S. LITTLEFIELD.

Resolved, by the General Assembly of North Carolina, That the accompanying copy of a bill of indictment found by the grand jury of Buncombe county at the last term of the superior court of said county against George W. Swepson and Milton S. Littlefield, be immediately transmitted to

Governor requested to take steps for the arrest of George W. Swepson and Milton S. Littlefield.

his excellency the governor of this state, and that he be most respectfully and earnestly requested forthwith to take all suitable and lawful means to secure the arrest, detention and delivery to the proper authorities of this state of George W. Swepson and Milton S. Littlefield; and if the said George W. Swepson and Milton S. Littlefield be fugitives from this state, that his excellency the governor, be requested forthwith to demand of the governor of the state in which they may be found, the said George W. Swepson and Milton S. Littlefield.

Ratified the 24th day of December, A. D. 1870.

RESOLUTION TO RAISE JOINT COMMITTEE ON CONTINGENT EXPENSES.

Joint committee
on contingent ex-
penses.

Resolved by the House of Representatives, (the Senate concurring,) That a joint committee, to consist of two on the part of the house and one on the part of the senate, be raised to take in consideration and report what allowance be made for contingent expenses of the legislature.

Ratified the 24th day of December, A. D. 1870.

SENATE RESOLUTION MAKING REQUEST OF THE SECRETARY OF STATE FOR CERTIFIED COPY OF CHAPTER ONE HUNDRED AND SIXTY-EIGHT, LAWS OF ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT AND ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE.

Secretary of State
to furnish Senate
with certified
copies of laws.

Resolved, That the secretary of state is hereby requested and instructed to furnish for the use of the senate, a certified copy of chapter one hundred and sixty-eight, of public laws of one thousand eight hundred and sixty-eight and one

thousand eight hundred and sixty-nine, entitled "proceedings of impeachment," as the said act shall appear on file in his office.

Ratified the 18th day of January, A. D. 1871.

RESOLUTION IN REFERENCE TO AN ACT TO PROVIDE FOR THE COMPLETION OF THE WESTERN DIVISION OF THE WESTERN NORTH CAROLINA RAILROAD, RATIFIED THE TWENTY-FOURTH DAY OF MARCH, ANNO DOMINI ONE THOUSAND EIGHT HUNDRED AND SEVENTY.

Resolved by the House of Representatives, (the Senate concurring.) That the governor be respectfully requested to lay before this general assembly all the information that may have been communicated to him by the commissioners appointed by said act.

Information requested of the Governor.

Ratified the 21st day of January, A. D. 1871.

RESOLUTION ASKING THE REPRESENTATIVES IN CONGRESS TO USE THEIR INFLUENCE TO AMEND THE FOURTEENTH SECTION OF THE BANKRUPT LAW.

SECTION 1. *The General Assembly of North Carolina do resolve,* That the representatives from North Carolina in the congress of the United States, are hereby requested to use their influence to have amended the last line of the first proviso of the fourteenth section of the bankrupt law of the United States, where the words "in the year 1864" occur, the words "in the year one thousand eight hundred and seventy-one" be substituted, so that bankrupts in this state who may hereafter take the benefit of that law, can have the

Senators and members of Congress instructed in relation to bankrupt law.

benefit of the homestead and personal property exemption now allowed by the laws of North Carolina.

SEC. 2. *Resolved further*, That each one of our senators and representatives in congress be furnished by the secretary of state with a copy of the foregoing resolution.

Ratified the 21st day of January, A. D. 1871.

A RESOLUTION FOR THE RELIEF OF A. MURRAY, SHERIFF OF ALAMANCE COUNTY.

Preamble

WHEREAS, Judgment was entered against Albert Murray, sheriff of the county of Alamance, and the sureties on his official bond, in the superior court of the county of Wake, fall term (1870) one thousand eight hundred and seventy, for failing to pay into the public treasury, within the time prescribed by law, the public taxes due from said county for the year one thousand eight hundred and seventy; and whereas, said sheriff is now prepared to pay the public taxes due from said county for the year one thousand eight hundred and seventy; and whereas, justice requires that said sheriff and his sureties shall be fully and finally released and discharged from said judgment, and that the public treasurer allow to said sheriff the lawful commission, mileage and *per diem*; therefore.

Release of Albert Murray, sheriff of Alamance county, from judgment, etc.

SECTION 1. *The General Assembly of North Carolina do resolve*, That Albert Murray, sheriff of the county of Alamance, and the sureties to his bond for collection and payment of public taxes, be and they are hereby fully and effectually released and discharged from the judgment obtained against them in the superior court of Wake county, fall term, one thousand eight hundred and seventy, for failing to pay into the public treasury, within the time prescribed by law, the taxes due from said county for the year one thousand eight hundred and seventy, if he shall pay on or before the tenth day of December the full amount of taxes due from the

county of Alamance, and that the public treasurer be and he is hereby authorized to allow said sheriff to settle said public taxes so due the treasury as aforesaid and to allow said sheriff commission, mileage and *per diem* for making his settlement with the public treasurer.

Ratified the 21st day of January, A. D. 1871.

RESOLUTION REQUESTING AID OF CONGRESS IN CREATING A
LITERARY FUND.

WHEREAS, North Carolina by the late war lost the most of her school fund, and is otherwise much financially reduced; and whereas, there have been over three hundred and fifty thousand slaves emancipated and turned loose in our midst without any education or the means to procure one, and that it is all important for the success and stability of a republican form of government that the masses of the people should be educated; and whereas, the general government is and has been liberal towards the western states in appropriating the public lands for educational purposes and for internal improvements, therefore,

Preamble.

1. *Be it resolved by the General Assembly of North Carolina*, That our representatives and senators in the congress of the United States, be requested to use their influence in that body for its aid in creating a literary fund to educate the children of North Carolina, without distinction of race or color, by applying a part of the proceeds of the sale of public lands, or otherwise, as they may think best.

Senators and members of Congress to ask aid for the creation of a literary fund.

2. The secretary of state of North Carolina shall furnish each of our senators and representatives with a copy of the foregoing resolution.

Ratified the 21st day of January, A. D. 1871.

RESOLUTION CONCERNING INTERNAL REVENUE ON TOBACCO
AND SPIRITUOUS LIQUORS.

Representatives
in Congress in-
structed in rela-
tion to internal
revenue tax.

Resolved by the House of Representatives, (the Senate concurring,) That we respectfully request and earnestly solicit our representatives and senators in the United States congress to endeavor to have the revenue on tobacco and distilled spirits greatly reduced from its present rates.

2. *Resolved,* That his excellency the governor, be respectfully requested that a copy of this resolution be furnished to each senator and representative in congress.

Ratified the 21st day of January, A. D. 1871.

RESOLUTION INSTRUCTING THE GOVERNOR TO OFFER A REWARD
FOR THE ARREST OF M. S. LITTLEFIELD.

Governor author-
ized to offer re-
ward for arrest of
M. S. Littlefield.

Resolved by the General Assembly of North Carolina, That his excellency governor Tod R. Caldwell, be authorized to offer a reward of five thousand dollars for the arrest of Milton S. Littlefield and his safe delivery to the sheriff of Buncombe county, or to the governor of this state.

This resolution shall not apply to any messenger already sent or to be sent by the governor for the arrest and delivery of said M. S. Littlefield.

Ratified the 25th day of January, A. D. 1871.

RESOLUTION IN FAVOR OF THE SHERIFF OF STOKES COUNTY.

Sheriff of Stokes
county to collect
taxes by 15th
February, 1871.

Resolved by the General Assembly of North Carolina, That Wm. H. Gentry, sheriff of Stokes county, have until the fifteenth day of February, one thousand eight hundred and

seventy-one, to collect and pay over the county taxes due for one thousand eight hundred and seventy, to the county treasurer.

Ratified the 25th day of January, A. D. 1871.

RESOLUTION CONCERNING THE LETTER-BOOK AND CORRESPONDENCE OF GOVERNOR W. W. HOLDEN.

2. *Resolved by the General Assembly of North Carolina,* That his excellency the governor, be requested to lay before the house of representatives, as soon as practicable the executive letter-book, embracing the correspondence of the governor, by letter or telegram, during the years one thousand eight hundred and sixty-nine and one thousand eight hundred and seventy; and also the journal of the council of state during said years; and likewise, all order books, muster rolls, pay rolls, letter books, copies of commissions and all papers connected therewith in the adjutant general's office during said years; and also all instructions, either general or special, given to detectives during said years.

Governor requested to furnish Executive letter book and other documents.

2. *Resolved,* That the president of the senate be requested to communicate the foregoing resolution to the governor at once.

Ratified the 26th day of January, A. D. 1871.

RESOLUTION IN FAVOR OF B. S. BUCHANAN, SHERIFF OF JACKSON COUNTY.

Resolved, (the Senate concurring,) That B. S. Buchanan, sheriff of Jackson county, be and he is hereby relieved from all fines, penalties and forfeitures incurred by reason of his failing to settle with and pay over to the state treasurer the

Sheriff of Jackson county relieved from penalties, &c.

taxes due for the year one thousand eight hundred and seventy; *Provided*, The said sheriff pay the said taxes by the second day of February next.

Ratified the 31st day of January, A. D. 1871.

RESOLUTION IN FAVOR OF V. V. RICHARDSON, SHERIFF OF
COLUMBUS COUNTY.

Sheriff of Columbus county released from certain penalties.

Resolved, That V. V. Richardson, sheriff of the county of Columbus, and the sureties to his bond for the collection and payment of the public taxes, be and they are hereby fully and effectually released and discharged from the penalty of one thousand dollars included in the judgment obtained against them in the superior court of Wake county, fall term, one thousand eight hundred and seventy, for failing to pay into the public treasury, within the time prescribed by law, the taxes due from said county for the year one thousand eight hundred and seventy, and that the public treasurer be and he is hereby authorized to allow the said sheriff commissions, mileage and *per diem*, for making his settlement with the public treasurer, and that upon the payment of the taxes proper, due from said county, the said judgment be in all things except costs discharged.

Resolved 2d, That the said sheriff be allowed and empowered until August first, one thousand eight hundred and seventy-one, to collect arrears of taxes for the years one thousand eight hundred and sixty-eight, one thousand eight hundred and sixty-nine and one thousand eight hundred and seventy.

Resolved 3d, That this resolution shall be in force from and after its ratification.

Ratified the 31st day of January, A. D. 1871.

SENATE RESOLUTION TO PAY EXPENSES OF A. C. COWLES IN
GOING AFTER CHIEF JUSTICE PEARSON.

Resolved, (the House of Representatives concurring,)
That the public treasurer be authorized to pay A. C. Cowles
his travelling expenses in waiting upon and returning with
the chief justice in accordance with a resolution of the senate.
The chief justice's expenses to be included.

Resolution to pay
Senator A. C.
Cowles certain
traveling expenses

Ratified the 31st day of January, A. D. 1871.

RESOLUTION INSTRUCTING THE TREASURER NOT TO PAY CER-
TAIN WARRANTS.

Resolved by the General Assembly of North Carolina,
That the public treasurer be, and he is hereby instructed
not to pay any warrant or order made, or which may be
made upon him on account of the military organization and
movements had in this state during the year one thousand
eight hundred and seventy, or on account of any person or
persons connected therewith.

Public Treasurer
not to pay certain
warrants.

Ratified the 31st day of January, A. D. 1871.

RESOLUTION IN REGARD TO THE POLITICAL DISABILITIES OF
THE HONORABLE A. M. WADDELL AND HON. SION H. ROGERS.

*Be it resolved by the General Assembly of North Car-
olina,* That the senators and representatives of North Car-
olina in the congress of the United States, are requested to
use their influence to have the political disabilities of Hon.
A. M. Waddell, representative elect from the third con-
gressional district, and of Hon. Sion H. Rogers, representa-

Instructions to
members of Con-
gress in relation
to disabilities of
members elect.

tive elect from the fourth congressional district, removed; and that the secretary of state is hereby directed to forward a copy of this resolution to each of the senators and representatives of North Carolina in the congress of the United States.

Ratified the 2d day of February, A. D. 1871.

RESOLUTION IN REGARD TO PAGES.

Repeal of resolution in relation to Pages.

Resolved by the Senate. That a resolution of the senate in regard to pages, authorizing the issuing of certificates for mileage and *per diem* to pages, ratified December eighth, one thousand eight hundred and sixty-eight, be and the same is hereby repealed.

Resolved further, That any and all resolutions of the senate heretofore enacted, authorizing the appointment of pages, be and the same are hereby repealed.

Ratified the 10th day of February, A. D. 1871.

RESOLUTION IN FAVOR OF HENRY BIGGS.

Public Treasurer instructed to pay Henry Biggs.

Resolved by the Senate and House of Representatives of North Carolina. That the public treasurer be instructed to pay Henry Biggs twelve dollars, for services rendered as waiter in the supreme court rooms, from the first day of January to the sixteenth of January, one thousand eight hundred and seventy-one.

Ratified the 16th day of February, A. D. 1871.

RESOLUTION TO PAY COMMISSIONER AND CLERK FOR SERVICES
IN GRANVILLE AND PERSON CONTESTED ELECTION.

The General Assembly of North Carolina do resolve, That the public treasurer of North Carolina be and he is authorized and required to pay out of any moneys not otherwise appropriated, to W. A. Allen, the sum of eighty-four dollars, for his services as commissioner to take certain depositions in the contested election from Granville and Person, performed during thirteen days of the late recess of this general assembly, and for his travelling expenses, and also to W. P. Batchelor thirty-three dollars in addition to his two dollars per day, as clerk for the commissioner, for his board and travelling expenses.

Public Treasurer to pay commissioners and clerk on contested election in Granville county.

Ratified the 21st day of February, A. D. 1871.

RESOLUTION IN FAVOR OF EMPLOYEES BY CLERKS AND DOOR-KEEPERS.

Resolved, That the public treasurer be and he is hereby directed, on the warrant of the presiding officer of each house of this general assembly, respectively, to pay to the persons reported as employed by the clerks and doorkeepers by the joint committee appointed for that purpose, to amounts reported as compensation for their services.

Public Treasurer authorized to pay certain employees of General Assembly.

Ratified the 21st day of February, A. D. 1871.

RESOLUTION IN FAVOR OF WILLIAM SMITH.

WHEREAS, William Smith, as set forth in his petition, having been employed by the state of North Carolina to make the survey mentioned in the prayer of petition, and

a warrant having been issued directing the treasurer to pay five hundred and thirty-one dollars and ninety-eight cents, and said warrant never having come to the hands of said William Smith, as he makes affidavit, and never having been paid by the treasurer,

Governor directed to issue new warrant to William Smith.

Resolved by the Senate, (the House of Representatives concurring), That the governor be directed to issue a new warrant for the sum of five hundred and thirty-one dollars and ninety-eight cents, to the said William Smith directly to the treasurer, and that warrant number three hundred and twenty-one is hereby declared null and void, and that the treasurer be directed not to pay the same; *Provided,* Said sum so allowed to be paid, shall only be paid out of such tax fund, as is collected or may be collected under authority of chapter thirty-six, laws of one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine; *Provided,* That nothing herein contained shall authorize the treasurer to pay to said Smith the *per diem* due the commissioners appointed to superintend the surveying of said road by the superintendent of public works.

This resolution shall be in force from and after its ratification.

Ratified the 21st day of February, A. D. 1871.

JOINT RESOLUTION APPOINTING A SPECIAL COMMITTEE TO ASCERTAIN THE DEBT OF THE STATE.

SECTION 1. *The General Assembly of North Carolina do resolve,* That a special committee of three on the part of the house of representatives and two on the part of the senate be appointed to examine the books of the treasurer's office and ascertain as follows: first, the amount of the debt of the state prior to July, one thousand eight hundred and sixty-eight: second, the amount contracted since that time and

Special Committee to ascertain debt of State

in what manner, and third, the amount of tax necessary to meet the interest on the whole debt.

SEC. 2. *Resolved further*, That said committee prepare a bill and present the same with their report, looking to the best and speediest adjustment of the same for the best interest of the state.

SEC. 3. This resolution to be in force from its ratification. Ratified the 21st day of February, A. D. 1871.

RESOLUTION IN REGARD TO PRINTING.

Resolved, That no printing for the state by any other than the party who has contracted to do the public printing shall be paid for out of the public money; *Provided*, That the *Standard* newspaper office shall be paid for work contracted for (and performed) before the abolition of the office of state printer, and this resolution shall be in force from the abolition of the said office.

Who shall be paid for public printing.

Ratified the 21st day of February, A. D. 1871.

RESOLUTION INSTRUCTING SENATORS AND REQUESTING REPRESENTATIVES IN CONGRESS TO URGE THE PASSAGE OF AN ACT OF GENERAL AMNESTY.

WHEREAS, In view of our present political condition and our relations to the general government, we are prepared to acquiesce in and forward all measures of civil polity by which political distinction based on color or on antecedent acts are abolished;

Preamble.

1. *Resolved by the General Assembly of North Carolina*, That our senators in congress are hereby instructed, and our representatives requested to urge the passage of a general

Representatives in Congress to urge general amnesty.

act for the relief of those citizens of North Carolina and of other states, who are rendered inelligible to office by the fourteenth amendment to the constitution of the United States from the political disabilities which said article imposes.

2. *Resolved further*, That his excellency the governor is respectively requested to transmit a duly authenticated copy of these resolutions to each of our senators and representatives.

Ratified the 23d day of February, A. D. 1871.

RESOLUTION REQUESTING MEMBERS OF CONGRESS TO SOLICIT APPROPRIATIONS TO REMOVE OBSTRUCTIONS FROM CAPE FEAR BAR AND PAMLICO RIVER.

Preamble.

WHEREAS, The importance of further appropriations by the congress of the United States to the improvement of the Cape Fear bar is apparent, in view of the present unfinished condition of the work, and the benefits daily developing as it progresses ; therefore

1. *Resolved by the General Assembly of North Carolina*, That the senators and representatives in congress from this state are requested to bring the matter before their several houses, to urge the claims of this work upon the national government, and to solicit liberal appropriations for its early completion.

2. *Resolved further*, That they be requested also to use their efforts to secure an appropriation for the removal of obstructions to navigation in Pamlico river, below the town of Washington.

3. *Resolved*, That his excellency the governor be requested to transmit a copy of this resolution to each of the senators and representatives in congress from this state.

Ratified the 23d day of February, A. D. 1871.

Members of Congress to solicit appropriations, &c.

JOINT RESOLUTION CONCERNING HELP FOR THE DOORKEEPERS
OF THE SENATE AND HOUSE OF REPRESENTATIVES.

Resolved, (the House of Representatives concurring,) That the doorkeeper of the senate and house of representatives, with the assent of the presiding officers of the respective houses, be and they are hereby authorized and empowered to employ each three additional assistants at two dollars per day each. Assistants to Doorkeepers to be employed.

Ratified the 23d day of February, A. D. 1871.

RESOLUTION IN RELATION TO THE PAYMENT OF ASSISTANTS
EMPLOYED BY THE DOORKEEPER TO PRESERVE ORDER AND
EXECUTE PROCESS.

1. *The General Assembly of North Carolina do resolve,* That upon the approval by the president of the senate and clerk of any account presented by the doorkeeper for services of any assistant in preserving order, not exceeding two dollars a day, and the usual fee allowed to the sheriffs for serving subpoenas and actual and necessary expenses incurred in travelling, the governor shall issue a warrant upon the treasurer for the amount so approved, and the same shall be paid out of any money not otherwise appropriated. Payment of Assistant Doorkeepers.

2. This resolution shall be in force from and after its ratification.

Ratified the 23d day of February, A. D. 1871.

RESOLUTION IN FAVOR OF F. F. JONES, SHERIFF OF TYRRELL
COUNTY

Sheriff of Tyrrell
county relieved
from penalties.

Resolved, (the Senate concurring,) That F. F. Jones, sheriff of Tyrrell county, be and he is hereby relieved from all fines, penalties and forfeitures incurred by reason of his failing to settle with and pay over to the state treasurer the taxes due for the year one thousand eight hundred and seventy; *Provided,* The said sheriff pay the said taxes by the first day of March next.

Ratified the 25th day of February, A. D. 1871.

RESOLUTION TO ENQUIRE INTO THE SALE OF THE STATE'S
STOCK OF THE CAPE FEAR NAVIGATION COMPANY AND OTHER
MATTERS CONNECTED THEREWITH.

Joint Committee
to enquire into
sale of State's
stock.

Resolved, That a joint select committee of two on the part of the senate and three on the part of the house of representatives be appointed to investigate the sale of the stock of the state in the Cape Fear Navigation Company, to inquire how the information ordered by the general assembly at its session of one thousand eight hundred and sixty-six and one thousand eight hundred and sixty-seven, came to be dismissed, and whether that information ought not to be reinstated upon the docket of Cumberland superior court and prosecuted to a termination; whether said sale was made with the outside understanding that the river was to be made a free river; whether unfair practices were or were not resorted to to induce and complete that sale; and that said committee have all the powers conferred on them to enable them to prosecute this investigation, giving notice of its settings to all interested in this investigation; and that said committee be instructed to report by bill or otherwise.

Ratified the 2d day of March, A. D. 1871.

RESOLUTION IN FAVOR OF ALEXANDER M. TURNER.

Resolved by the General Assembly of North Carolina, In favor of Alex.
M. Turner.

That the public treasurer be and he is hereby authorized and directed to pay to Alexander M. Turner the sum of fifty-nine (59) dollars, upon his filing with said treasurer the written authority of B. F. Moore to draw the same.

Ratified the 2nd day of March, A. D. 1871.

RESOLUTION IN FAVOR OF EDWARD F. UNDERHILL.

1. *Resolved by the General Assembly,* That the treasurer be and he is hereby directed to pay to Edward F. Underhill from time to time such sums of money as may be due to him for services rendered as stenographer in copying the proceedings of the court of impeachment for the trial of W. W. Holden, governor of North Carolina, upon presentation of his account for said services, certified to be correct by the principal clerk, and approved by the president *pro tem.* of the senate. Resolution in favor of Edward F. Underhill.

2. This resolution shall be in force from and after its ratification.

Ratified the 7th day of March, A. D. 1871.

RESOLUTION IN FAVOR OF W. P. BATCHELOR.

Resolved by the Senate, (the House of Representatives con- In favor of W. P.
Batchelor.

curring,) That the treasurer be authorized and he is hereby directed to pay to W. P. Batchelor, three (3) dollars per day for nine (9) days services before the committee on privi-

leges and elections in the case of Edwards and Bradshaw against Lassiter and Barnett, from the twenty-first senatorial district.

Ratified the 7th day of March, A. D. 1871.

RESOLUTION IN FAVOR OF JEFFERSON HINTON.

In favor of Jefferson Hinton.

SECTION 1. *The General Assembly of North Carolina do resolve*, That the public treasurer be and he is hereby instructed to pay to Jefferson Hinton the sum of four dollars and fifty cents, (\$4.50) out of any moneys not otherwise appropriated, being the amount due the said Jefferson Hinton for three days extra services rendered in senate chamber.

SEC. 2. That this resolution shall take effect from and after its ratification.

Ratified the 7th day of March, A. D. 1871.

JOINT RESOLUTION CONCERNING A CANAL FROM THE WACCAMAW TO LITTLE RIVER, SOUTH CAROLINA.

Canal from Waccamaw to Little river.

1. *Resolved, (the House of Representatives concurring,)* That the committee on internal improvements be and they are hereby instructed to inquire as to the feasibility of constructing a canal from some point on the Waccamaw river to little river in South Carolina.

2. *Resolved further,* That said committee on internal improvements, through his excellency the governor of South Carolina, invite the attention and co-operation of the general assembly of South Carolina, in the matter of said canal.

Ratified the 8th day of March, A. D. 1871.

RESOLUTION IN FAVOR OF JAS. H. MOORE CONTRACTOR FOR THE
PUBLIC PRINTING.

Resolved, (the House of Representatives concurring,) Resolution in fa-
That the treasurer be instructed to pay to James H. Moore, vor of James H.
contractor for the public printing, on the warrant of the Moore.
auditor, a sum not exceeding seven hundred dollars weekly
out of any funds not otherwise appropriated.

Ratified the 11th day of March, A. D. 1871.

RESOLUTION FOR THE RELIEF OF BENJ. A. HOWELL, LATE
SHERIFF OF ROBESON.

Resolved by the General Assembly of North Carolina, Release of B. A.
That Benj. A. Howell, late sheriff of Robeson county, be Howell from pen-
and he is hereby released from all the fines and penalties alties.
incurred by reason of his failure to settle with the county
and state treasurer according to law; *Provided*, Said Benj.
A. Howell, late sheriff of Robeson county, shall settle in
full with said treasurer by the first day of March, one thou-
sand eight hundred and seventy-one.

Resolved further, That this resolution take effect from its
ratification.

Ratified the 13th day of March, A. D. 1871.

RESOLUTION IN FAVOR OF J. E. GRADY, SHERIFF OF HARNETT
COUNTY.

WHEREAS, Judgment has been obtained against J. R. Preamble.
Grady, sheriff of the county of Harnett for failing to pay the
public treasurer the full amount of taxes collected by him

for the year one thousand eight hundred and sixty-nine, therefore,

Release of J. R. Grady from penalties.

Resolved, That the said J. R. Grady, sheriff of said county, be and is hereby relieved from all fines, penalties and forfeitures, except cost of suit, incurred by reason of his failure to settle with the treasurer of the state for the taxes collected by him for the year one thousand eight hundred and sixty nine; *Provided*, He shall settle in full for such taxes by the fifteenth of March, one thousand eight hundred and seventy-one.

Resolved further, That said sheriff shall have until the fifteenth of May next to settle with the state treasurer the balance of taxes due by him, for the year one thousand eight hundred and seventy; and on such payment, the said sheriff be and is hereby relieved from all fines, penalties and forfeitures, except cost of suit incurred by reason of not having paid such taxes within the time prescribed by law.

This resolution shall be in force from and after its ratification.

Ratified the fifteenth day of March, A. D. 1871.

RESOLUTION IN FAVOR OF W. J. A. STRANGE, OF CHEROKEE.

Resolution in favor of W. J. A. Strange.

Resolved by the General Assembly of North Carolina, That W. J. A. Strange be authorized and allowed to enter and take up tract number 128, district 3, of Cherokee lands, in Cherokee county at the state price of twelve and a half ($12\frac{1}{2}$) cents per acre.

Resolved further, That upon his presenting the agent's receipt for the purchase money of said tract to the secretary of state, together with the necessary plots, &c., the said secretary shall issue a grant for the same.

Ratified the 16th day of March, A. D. 1871.

RESOLUTION IN FAVOR OF THE SHERIFF OF BLADEN COUNTY.

WHEREAS, Judgment was entered against J. E. Eldridge, sheriff of Bladen county, and the sureties on his official bond, in the superior court of Wake county at the spring term, one thousand eight hundred and seventy, for failing to pay into the public treasury within the time prescribed by law, the public taxes due from said county for the year one thousand eight hundred and sixty-nine; and whereas, said sheriff has since paid said public taxes into the public treasury and is prepared to make final settlement; therefore,

Preamble.

SECTION 1. *The General Assembly do resolve*, That J. E. Eldridge, late sheriff of Bladen county, and the sureties on his official bond for the collection and payment of the public taxes, be and they are hereby fully released and discharged from the judgment obtained against them in the superior court of Wake county as aforesaid, and the public treasurer be and he is hereby authorized to allow on final settlement said sheriff his commissions, mileage and *per diem*; *Provided*, He pay the costs of said suit and make final settlement with the public treasurer within twenty days after the passage of this resolution; otherwise said judgment to remain in full force and effect.

Sheriff released from penalties.

SEC. 2. This resolution shall be in force from its passage. Ratified the 17th day of March, A. D. 1871.

RESOLUTION TO PUBLISH A CERTAIN ACT.

Resolved by the House of Representatives (the Senate concurring,) That the Raleigh *Sentinel* and Raleigh *Telegram* be requested to publish for one week in said papers an act to provide for the removal of certain suits, actions or causes from one judicial district to another, passed at the present session of this general assembly.

Publication of certain laws.

Ratified the 17th day of March, A. D. 1871.

RESOLUTION IN FAVOR OF ERASMUS D. HAYNES.

Resolution in favor of Erasmus D. Haynes.

The General Assembly of North Carolina do resolve, That the public treasurer is hereby authorized to pay to Erasmus D. Haynes the sum of one hundred and twenty-five dollars and ninety-two cents for chairs, tables, altering desks, and labor done under a resolution of the senate directing preparations in the chamber for the impeachment trial.

SEC. 2. This resolution shall take effect from its ratification.

Ratified the 17th day of March, A. D. 1871.

RESOLUTION IN FAVOR OF WM. W. AND DANL. M. WATTS.

Resolution in favor of Wm. W. & Daniel M. Watts.

WHEREAS, A state grant No. 2,668, for one hundred and fifty-five acres of land was issued to W. W. and D. M. Watts on the second day of July, one thousand eight hundred and sixty-three, improperly located in Cherokee instead of Macon county; therefore,

Resolved by the Senate, (the House of Representatives concurring,) That the secretary of state be and he is hereby authorized and directed to correct the record by erasing Cherokee and inserting Macon.

Ratified the 21st day of March, A. D. 1871.

RESOLUTION IN FAVOR OF JAS. H. ENNISS.

Resolved, That the public treasurer be and he is hereby authorized to pay to James H. Enniss, agent, the sum of two hundred and thirteen dollars and three cents, for stationery purchased for the use of the general assembly during the months of November and December, one thousand eight hundred and seventy.

Resolution in favor of Jas. H. Enniss.

Ratified the 27th day of March, A. D. 1871.

RESOLUTION TO RAISE A COMMISSION TO EXAMINE INTO THE ACCOUNTS OF THE PUBLIC TREASURER.

Resolved by the General Assembly of North Carolina, That a commission, to consist of two senators and three members of the house of representatives, be appointed to perform the duties enjoined by sections seventy-seven and seventy-eight and seventy-nine, chapter two hundred and seventy, acts of one-thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, ratified twelfth April, one thousand eight hundred and sixty-nine.

Commission to examine accounts of Public Treasurer.

Ratified the 27th day of March, A. D. 1871.

RESOLUTION TO PRINT THE ACT IN RELATION TO FEES OF COUNTY OFFICERS AND SUPREME COURT CLERK.

Resolved by the House of Representatives, (the Senate concurring,) That the committee on public printing be instructed to have printed the act in relation to fees of county offices and the supreme court clerk, in sufficient numbers to supply

Publication of act in relation to fees.

the officers of each county with a copy, to be furnished by the secretary of state to the several boards of county commissioners for distribution.

Ratified the 27th day of March, A. D. 1871.

A RESOLUTION TO PROVIDE FOR A CASUAL DEFICIT IN THE
TREASURY.

Public Treasurer
authorized to bor-
row money.

SECTION 1. *The General Assembly of North Carolina do resolve*, That the treasurer be authorized to borrow upon the faith and credit of the state from time to time as he may need the same, a sum of money not to exceed in the whole, two hundred thousand dollars (\$200,000) at a rate of interest not to exceed eight per cent. per annum, which money shall be applicable only to the ordinary expenses of the state, including those connected with the penitentiary, and the asylum for the insane, and the deaf, dumb and blind.

SEC. 2. That if he shall find it necessary, the treasurer for the security of such persons as shall lend the money hereby authorized to be borrowed, shall give them certificates importing that the holder is thereby entitled, to a lien to the extent of his debt upon the public taxes levied for the year one thousand eight hundred and seventy-one. And it is hereby declared that such certificates shall constitute a charge upon such taxes for both the principal and interest of such debt, having a priority over all other claims and charges thereupon.

SEC. 3. That this resolution shall be in force from and after its ratification.

Ratified the 28th day of March, A. D. 1871.

RESOLUTION IN FAVOR OF J. W. SCHENCK, JUNIOR, SHERIFF
OF NEW HANOVER COUNTY.

Resolved, That the judgment rendered in the superior court of Wake county, against James W. Schenck, junior, sheriff of New Hanover county, for failing to settle for the public taxes for the past year with the treasurer, be released upon the condition that he make a full and fair settlement with the auditor on or before the fifth day of April next, and pay the amount due the public treasurer; when said settlement shall be made, and upon the further condition that the said James W. Schenck, junior, pay all the costs incurred in taking said judgment, and issuing execution thereon.

In favor of J. W. Schenck, Jr.

Ratified the 31st day of March, A. D. 1871.

RESOLUTIONS RAISING A COMMITTEE OF INQUIRY INTO THE
CONDUCT OF JOHN POOL, UNITED STATES SENATOR.

WHEREAS, It appears from the testimony of William J. Clark, judge of the third judicial district, taken in the trial of articles of impeachment against William W. Holden, governor of North Carolina; whereas, the said Clark was a witness on the part of the respondent, that on the seventh and eighth days of June, one thousand eight hundred and seventy, he was present at the executive office in the city of Raleigh, when and where were assembled a large number of prominent party politicians, most of whom had seen service, or of some military experience, (not composing the ordinary and legal council of the said governor,) "to advise upon the best plan and course for the purpose of suppressing disorder," at which place and times it was by the said prominent political partizans agreed to employ "a military force, well disciplined and well kept in hand," (meaning thereby a force other than regular militia authorized by the law of the land,)

Preamble.

Committee to en-
quire into conduct
of John Pool, U.
S. Senator.

Committee to en-
quire into conduct
of John Pool, U.
S. Senator.

which agreement received the sanction of the said William W. Holden, and was by him executed, and that upon at least one of the occasions above set forth, John Pool, one of the senators in congress from the state of North Carolina, was present, and in part composed the said illegal and extraordinary council, although the congress of the United States was at that time in session, and the duties of his office and the interest of his constituents required his presence at the national capitol; and

Whereas, It is currently reported and generally believed that the leading details of the late unholy and most iniquitous crusade against the lives and liberties of the people of the counties of Alamance and Caswell, the character of the troops to be employed—the persons to be arrested—the manner of their detention—the military courts to be convened for their trial, and the mode of executing such sentences as courts so convened might order, were all settled and arranged by the political partizans so assembled at the place and times aforesaid; and especially that the said John Pool, senator as aforesaid, unmindful of his own honor, the interests of his people, and the commonest dictates of humanity, did concoct and arrange the said plans, and did then and there urge, persuade, incite and procure the said William W. Holden to the acts and deeds afterwards done and executed by him, in the doing and execution of which the senate of North Carolina, sitting as a court of impeachment, have solemnly declared, under the sanction of a judicial oath, that he was guilty of high crimes and misdemeanors, and have removed him from and disqualified him to hold any office in this state; that the said John Pool did advise and urge the said Holden to place in command of the said unlawful military force when enlisted one — Mc-Lindsay, who, the said John Pool declared was a man of the most desperate and lawless character, dead to every feeling of conscience or pity, who would execute without inquiry every order, however sanguinary, who would arrest and summarily dispose of every prominent citizen who opposed the policy of the republican party, without the useless form

of a trial, and carry terror and desolation into every county into which he might be sent; and did urge, advise and persuade the said William W. Holden to do many other wrong, unlawful and inhuman acts; and in order to secure the commission of said acts, did affirm and protest to the said Holden, then governor of North Carolina, in the presence of the many prominent party politicians, members of the republican party, then and there assembled for the purposes aforesaid, that the president of the United States had expressed grave disapprobation of the weakness and timidity of the said Holden, then governor as aforesaid, and of the then governor of Alabama, in dealing with the people of the south, both of whom the president declared were on that account unfit for and ought to be removed from the positions they respectively held, and in that connection endorsed and highly approved the course pursued by governor Clayton of Arkansas, who the said John Pool declared had arrested and executed, without reference to the civil law, every individual who opposed his policy, and that the said president was of opinion that the reconstruction acts of congress could be carried into effect in no other way than by swift and summary military executions.

And whereas, the said John Pool, since the day of his election as a senator in congress, has been active and prompt in traducing and slandering the good people of North Carolina, among whom he was born and raised, who have heretofore conferred upon him positions of trust and profit, and whose honor it was his solemn duty to defend and maintain, when assailed by either the ignorant or the malicious, has been instant in season and out of season in furnishing their enemies with pretexts for congressional interference, has been eager to impose upon them still heavier burdens and place upon their necks a still more galling yoke, has invoked the magic of the name of the chief magistrate of the United States to delude and betray a weak state executive, and has held up as examples, worthy of imitation, the worst characteristics (or what he represented as characteristics) the governor of Arkansas; therefore,

Committee to enquire into conduct of John Pool, U. S. Senator.

Committee to en-
quire into conduct
of John Pool, U.
S. Senator.

SECTION 1. *The General Assembly of North Carolina do resolve*, That it is due to the people of the state, whose interest have been so basely betrayed, to those gallant spirits in the north who have plead our cause, when the voice of our proper organ was silent, or only raised in denunciation to the truth of history, and last and least to John Pool himself, that an investigation into his conduct be had.

SEC. 2. That a joint committee of three on the part of the senate and five on the part of the house of representatives, be [appointed by the presiding officers of the respective houses, to enquire and report whether the said John Pool advised, urged, incited and procured the said William W. Holden to do and commit the divers unlawful acts, for which he has been recently convicted, and removed from office, or advised, urged or persuaded the said Holden to any other unlawful act, and if so, what and what arguments, promises, persecutions, threats, representations or other means the said Pool used to accomplish his object.

SEC. 3. That the committee have power to send for persons and papers, to enforce the attendance of witnesses, and examine them under oath, in the manner and with the powers of a judge of the superior court; *Provided*, Said committee shall not meet at the expense of the state, between the adjournment of the present and the meeting of the next session of the general assembly.

SEC. 4. That the committee have power to report either to this or next general assembly.

Ratified the 31st day of March, A. D. 1871.

RESOLUTION IN FAVOR OF J. W. PATTERSON, LATE SHERIFF OF
ROCHINGHAM COUNTY.

Resolution in fa-
vor of J. W. Pat-
terson.

Resolved by the General Assembly of North Carolina,
That the treasurer of the state be and is hereby authorized
and directed to refund to T. W. Patterson, late sheriff of

the county of Rockingham for the years one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty nine, the sum of eight hundred and thirty-seven dollars and sixty-seven cents, amount paid by the said T. W. Patterson in the office of the treasurer of the state, in excess of the amount of taxes due from the said T. W. Patterson, sheriff of the county of Rockingham as aforesaid, for the years one thousand eight hundred and and sixty-eight and one thousand eight hundred and sixty-nine.

Ratified the 31st day of March, A. D. 1871.

RESOLUTION IN FAVOR OF JOHN CRISP, OF MACON COUNTY.

Resolved by the House of Representatives (the Senate concurring,) That John Crisp, of Macon county, be and he is hereby authorized and allowed to enter (149) one hundred and forty-nine acres of land (being tract No. 53, in district No. 1, of said county,) at the regular state price of twelve and a half cents per acre.

Resolution in favor of John Crisp.

Resolved further, That upon presenting the agent's receipt for the price of the above mentioned tract, together with the other necessary papers, it shall be the duty of the secretary of state to issue a grant for the said tract of land.

Ratified the 31st day of March, A. D. 1871.

RESOLUTION AUTHORIZING THE ENROLLING CLERK TO EMPLOY CLERICAL ASSISTANCE.

Resolved by the Senate, (the House of Representatives concurring,) That the enrolling clerk be and he is hereby authorized to employ such clerical assistance during the remainder of this session of the general assembly as in his

Clerical assistance to Enrolling Clerk.

judgment may be necessary for the prompt enrollment of all bills and resolutions of the general assembly; such assistants to be employed at a price not exceeding the *per diem* pay of the enrolling clerk.

Ratified the 31st day of March, A. D. 1871.

RESOLUTION IN FAVOR OF HONORABLE F. N. STRUDWICK.

Resolution in favor of F. N. Strudwick.

Resolved, (the Senate concurring,) That the auditor of state be and he is hereby authorized and directed to audit the account of Honorable F. N. Strudwick, for the amount of expense incurred in taking the testimony at Plymouth, in the charge against Judge Jones, and draw his warrant upon the state treasurer for the full amount of the same, and the treasurer is hereby authorized to pay the same.

This resolution shall be in force from and after its ratification.

Ratified the 1st day of April, A. D. 1871.

RESOLUTION IN FAVOR OF MRS. JANE HINTON.

Resolution in favor of Mrs. Jane Hinton.

SECTION 1. *The General Assembly of North Carolina do resolve,* That the public treasurer be authorized to pay to Mrs. Jane Hinton the sum of forty dollars, for wood supplied to the insane asylum, as certified to by Edward C. Fisher, superintendent.

SEC. 2. This resolution shall be in force from its ratification.

Ratified the 1st day of April, A. D. 1871.

RESOLUTION IN FAVOR OF GEORGE W. DICKEY AND B. K. DICKEY.

Resolved by the General Assembly of North Carolina,
That the public treasurer be and he is hereby authorized and instructed to issue to G. W. and B. K. Dickey, a bond or certificate of indebtedness for fifteen hundred dollars, bearing interest from the date of the ratification of this resolution, at the rate of six (6) per cent. per annum, and payable on the first day of January, anno domini one thousand eight hundred and seventy-six, such certificate shall at all times be receivable in payment of public dues by them.

Ratified the 1st day of April, A. D. 1871.

Resolution in favor of G. W. and B. K. Dickey.

RESOLUTION AUTHORIZING PRINCIPAL CLERK OF THE HOUSE TO EMPLOY ADDITIONAL CLERICAL ASSISTANCE.

Resolved, That the principal clerk of the house be and he is hereby authorized to employ additional clerical assistance as occasion may require.

Ratified the 30th day of March, A. D. 1871.

Clerical assistance in House of Representatives.

RESOLUTION CONCERNING THE CENTENNIAL ANNIVERSARY OF AMERICAN INDEPENDENCE.

WHEREAS, More than two hundred and eighty-six years ago, on the fourth day of July, anno domini one thousand five hundred and eighty-four, the first Englishman who visited the shores of the American Union, landed on Roanoke Island, in the state of North Carolina; and whereas, in May, anno domini one thousand seven hundred and seventy-one, at Alamance, in the state of North Carolina, the

Preamble.

Celebration of
centennial anni-
versary of Ameri-
can Independence

first libation blood of the colonists was poured out in defence of liberty; and whereas, on the twentieth day of May, anno domini one thousand seven hundred and seventy-five, at Charlotte, in the state of North Carolina, the patriots of the county of Mecklenburg, deeply impressed with the solemn crisis, solemnly pledged to each other their mutual co-operation, their lives, their fortunes, and their most sacred honor, and proclaimed to the world the first formal declaration of independence from British tyranny; and whereas, on the fourth day of July, anno domini one thousand seven hundred and seventy-six, at the city of Philadelphia, in the state of Pennsylvania, the national declaration of independence was proclaimed by congress, then in session; and whereas, the delegates from this state united in declaring the United States to be a free and independent nation; and whereas, it is proposed to celebrate the centennial anniversary of American independence on the fourth day of July, anno domini one thousand eight hundred and seventy-six, at the city of Philadelphia, by an exhibition of the products of manufactures, of commerce, of art and science, indicating the advancement of our country as compared with other lands; and whereas, the congress of the United States has passed an act providing for the holding of such exhibition; therefore be it

General Assembly
to communicate
with Central Com-
mittee.

1. *Resolved*, (*The House of Representatives concurring*,) That the president of the senate and speaker of the house of representatives are hereby instructed to appoint a committee of eight members, three from the senate and five from the house, whose duty it shall be to communicate with the central committee in Philadelphia, having the matter in charge, in order to ascertain what action will be necessary in the premises to insure a representation of said centennial exposition, and report the information to the general assembly at its next annual session.

2. *Resolved*, That the governor be requested to cause a copy of these resolutions to be forwarded to the governor of Pennsylvania.

Ratified the 1st day of April, A. D. 1871.

JOINT RESOLUTION ON ADJOURNMENT.

Resolved by the Senate, (the House concurring,) That the general assembly do adjourn at twelve o'clock M., on Thursday, the sixth day of April, one thousand eight hundred and seventy-one.

Adjournment of
General Assembly

RESOLUTION IN RELATION TO THE INVESTIGATION OF THE SALE
OF THE STATE'S INTEREST IN THE CAPE FEAR NAVIGATION
COMPANY.

SECTION 1. *The General Assembly of North Carolina do resolve,* That the joint select committee appointed for the investigation of the sale of the interest of the state in the Cape Fear Navigation Company, be discharged from the further consideration of the subject referred to them, and that the commission appointed by the president of the senate and speaker of the house to investigate the railroad frauds and issue of state bonds, are hereby invested with full power to make the investigation contemplated in the resolution appointing said joint selected committee, and the said commission may compel the attendance of witnesses and do all other necessary acts in order to make a full and thorough investigation of the entire matters, and all papers and memorials before the legislature on the subject be referred to said commissioners, who shall report all facts to the next session of the legislature.

Joint Committee
to investigate sale
of State's interest
in Cape Fear Nav-
igation company.

SEC. 2. This resolution shall take effect from its ratification.
Ratified the 3d day of April, A. D. 1871.

RESOLUTION IN FAVOR OF JOHN O'CONNOR.

Resolution in favor of John O'Connor.

Resolved by the General Assembly of North Carolina,
That the public treasurer be authorized and instructed to pay to John O'Conner, out of any moneys in the treasury not otherwise appropriated, the sum of eighty seven dollars for the expenses incurred and services rendered in serving summons on Judge Jones.

Ratified the 3d day of April, A. D. 1871.

RESOLUTION FOR THE RELIEF OF B. W. PARTEN, OF HAYWOOD COUNTY.

Preamble.

WHEREAS, B. W. Parten did, on the twenty-first of March, one thousand eight hundred and sixty-one, lift certain bonds from the office of the agent of the state for the collection of Cherokee bonds, in payment for work done for the state on the Jonathan s Creek Turnpike Road ; and,

Whereas, the said bonds were found to be insolvent, and the lands for which they were given having been taken up by former entries and the state paid for the same; now therefore,

May take up vacant lands of the State.

Resolved by the General Assembly of North Carolina,
That it shall be lawful for the said B. W. Parten or his assigns to take up any vacant lands by entry of the county of Haywood to the amount of said bonds, and the agents of the state are hereby authorized to receive said bonds in payment for the lands so entered.

Ratified the 3d day of April, A. D. 1871.

RESOLUTION IN FAVOR OF PATRICK M'GOWAN.

The General Assembly of North Carolina do resolve, Resolution in fa-
That the state treasurer pay Patrick McGowan the sum of vor of Patrick
(\$46) forty-six dollars, for services rendered in the capitol McGowan.

Ratified the 4th day of April, 1871.

A RESOLUTION IN FAVOR OF HENRY BIGGS.

Resolved by the Senate, (the House of Representatives con- Resolution in fa-
curring,) That the public treasurer be and he is hereby vor of Henry
authorized and directed to pay to Henry Biggs the sum of two Biggs.

Ratified the 4th day of April, A. D. 1871.

RESOLUTION IN FAVOR OF NAZRA HINTON AND RANSOM HARRISON.

The General Assembly of North Carolina do resolve, Resolution in fa-
That the public treasurer is hereby directed to pay Nazra vor of laborers in
Hinton and Ransom Harrison, laborers employed on the Capital square.

This resolution shall be in force from and after its ratification.

Ratified the 4th day of April, A. D. 1871.

RESOLUTION TO PAY CERTAIN WITNESSES IN THE LATE IMPEACHMENT TRIAL.

Pay to witnesses
in impeachment
trial.

The Senate of North Carolina do resolve, That the public treasurer be and he is hereby authorized and directed to pay to the following persons, witnesses in the late impeachment trial of governor W. W. Holden, the amounts due them for their attendance thereon, as ascertained by the tickets sworn to before the clerk of the court, to-wit: Andrew Murray, Jr., W. P. McDaniel, James Webb, Sr., C. M. Parks, W. Parks, Alex. Wilson, W. C. Caffey, Margaret Canninghan, W. J. Stockard, Jno. R. Stockard, J. F. F. Cummings, Joseph Swing, Thos. Tate, Lewis Cane, Peter Jones, Wash Day, Samuel Wilson, Anthony Faucett, Nathaniel King, J. G. Miles, A. J. King, D. M. Cummings and Benton Ray, the same to be paid out of any moneys in the treasury not otherwise appropriated.

Ratified the 4th day of April, A. D. 1871.

RESOLUTION IN FAVOR OF S. JONES.

Resolution in fa-
vor of S. Jones.

SECTION 1. *The General Assembly of North Carolina do resolve*, That the public treasurer be and he is hereby instructed to pay to S. Jones, for services rendered the board of managers in the impeachment trial, forty-two dollars (\$42.) out of any moneys not otherwise appropriated.

Ratified the 4th day of April, A. D. 1871.

RESOLUTION IN FAVOR OF BURGESS MONTGOMERY.

Resolved, That the public treasurer pay to Burgess Montgomery seven dollars and fifty cents (\$7.50) out of any moneys in the treasury not otherwise appropriated.

In favor of Burgess Montgomery.

Ratified the 5th day of April, A. D. 1871.

RESOLUTION FOR THE RELIEF OF T. F. LEE, SHERIFF OF WAKE COUNTY, AND B. S. BUCHANAN, SHERIFF OF JACKSON COUNTY.

Resolved by the General Assembly of the State of North Carolina, That Timothy F. Lee, sheriff of Wake county, and B. S. Buchanan, sheriff of Jackson county be and they are hereby allowed until the tenth day of May, one thousand eight hundred and seventy-one, in which to settle with the state treasurer for taxes due the state for the year one thousand eight hundred and seventy.

In favor of T. F. Lee, sheriff of Wake county, and B. S. Buchanan, sheriff of Jackson county.

Resolved, That when said taxes are paid on the tenth day of May, one thousand eight hundred and seventy-one, all the penalties incurred by said Lee and Buchanan in not settling state taxes when due shall be removed and of no effect.

Resolved, That if the said Timothy F. Lee and B. S. Buchanan, sheriffs as aforesaid, shall fail to settle said taxes on or before the tenth day of May, one thousand eight hundred and seventy-one, they shall thereafter be liable to all the penalties prescribed in the act of this general assembly, entitled "an act to compel sheriffs to settle the public taxes," ratified March twenty-first, one thousand eight hundred and seventy-one. That nothing herein contained shall be construed as an abandonment on the part of the state of North Carolina of any lien on the property of the said Tim F. Lee and B. S. Buchanan or their securities by virtue of any judgment or execution that may have been obtained against

them and their securities, or any costs which have accrued or may accrue against them in any suit or suits which may have been instituted against them and their securities on account of any failure to settle as sheriffs of Wake and Jackson as aforesaid.

Resolved, That this resolution shall go into effect from and after its ratification.

Ratified the 5th day of April, A. D. 1871.

A RESOLUTION REQUESTING OUR SENATORS AND REPRESENTATIVES IN CONGRESS TO USE THEIR INFLUENCE IN SECURING AN APPROPRIATION FOR A PUBLIC UNITED STATES BUILDING IN THE CITY OF NEWBERN.

In relation to public U. S. buildings at Newbern.

Resolved by the General Assembly of North Carolina, That our senators and representatives in the congress of the United States be respectfully requested to use their influence to secure an appropriation to build a United States public building in the city of Newbern to be used as a post office, custom house, United States district court room, and clerks office, &c.

Resolved further, That the secretary of state is requested and directed to forward copies of these resolutions to each of our senators and representatives in congress.

Ratified the 5th day of April, A. D. 1871.

RESOLUTION CONCERNING THE RECENT ACTION OF THE GOVERNOR, THE CHIEF JUSTICE, AND CERTAIN ASSOCIATE JUSTICES OF THE SUPREME COURT.

WHEREAS, The constitution provides that the supreme court shall have jurisdiction to review, upon appeal, any decision of the courts below upon any matter of law or legal inference, to issue certain remedial writs, and to hear claims against the state; and whereas, the powers and duties of the governor are prescribed by the same instrument; and whereas, the constitution further provides that the “legislative, executive and supreme judicial powers of the government ought to be forever separate and distinct from each other,” and that “all power of suspending laws or the execution of laws, by any authority, without the consent of the representatives of the people, is injurious to their rights and ought not to be exercised;” and whereas, the governor has refused to give effect to an act of this general assembly entitled “an act concerning a convention of the people,” ratified the eighth day of February, one thousand eight hundred and seventy-one, and ignoring the attorney general of the state, who by the constitution is made his legal adviser, has taken the opinion of the chief justice and certain associate justices of the supreme court as to the validity of said act, without authority of law, and when no case involving the validity thereof was before the said court, and now claims that he is sustained in his action by the said opinion; now therefore this general assembly, in maintenance of its rights and in defence of its privileges doth resolve,

SEC. 1. That the supreme court hath no other or larger jurisdiction than is expressly given to it by the constitution. Jurisdiction of Supreme Court.

SEC. 2. That the opinion of the justices of said court, in a case not properly constituted therein, hath no binding force or effect, and doth not establish the law in such case.

SEC. 3. That the said chief justice and his associates, in giving said opinion, have transcended the limits of official duty and propriety, the more especially as they have a direct

interest in the question submitted to them by the executive.

Governor has no veto power.

SEC. 4. That the governor of North Carolina has no veto power, nor any power equivalent thereto, and cannot dispense with laws or suspend the execution thereof.

SEC. 5. That the governor is not at liberty in his official character to feel or to affect constitutional scruples, and to sit in judgment himself on the validity of any act of this general assembly duly ratified, and to nullify it if he so chooses, but it is his duty to execute such act until it shall have been decided unconstitutional in due course of law.

Recent action of Governor and Justices of Supreme Court.

SEC. 6. That the action of the governor and chief justice and associate justices of the supreme court in relation to said act, is a manifest encroachment upon the rights, powers and privileges of this department of the government, and is subversive of the fundamental principles of the constitution, and this general assembly doth, in the discharge of its duty to itself, and in behalf of the people of North Carolina, protest against and condemn this usurpation as of evil example and dangerous tendency.

Ratified the 5th day of April, A. D. 1871.

RESOLUTION IN RELATION TO BUCKHORN CHAPEL, IN HERTFORD COUNTY.

Preamble.

WHEREAS, It appears to the general assembly that there is in the county of Hertford a small parcel of land containing about one acre, upon which is a church and graveyard attached, known as Buckhorn Chapel, which has been for a great many years used as a place of public worship, free for all denominations; and whereas, in the year one thousand eight hundred and forty-six, an academy was erected upon the said premises out of the private means of individuals, at which the youth of the neighborhood have been used to be educated, and which academy was in the said year incorporated under an act of the general assembly, chapter

one hundred and twenty, page two hundred and sixty-seven, of private laws of that year, in the name of "Buckhorn Academy; and whereas, it appears that certain private individuals have made an entry of the said premises and have applied or are about to apply for a grant of the same from the state; therefore,

Resolved by this General Assembly, That the said Buckhorn Chapel, Academy and graveyard, ought not to be entered as vacant land, and appropriated to any other purposes than the same have heretofore been used and appropriated, and the secretary of state is hereby forbidden to issue a grant in the name of the state for the same.

Secretary of State
forbidden to issue
grants for certain
land.

That this resolution be in force from and after its ratification.

Ratified the 5th day of April, A. D. 1871.

RESOLUTION IN FAVOR OF GEORGE M'COTTER, TAX COLLECTOR
OF PITT COUNTY.

Resolved, That the auditor of state of North Carolina be and he is hereby authorized to draw his warrant upon the treasurer of the board of education in favor of George B. McCotter, tax collector of Pitt county, for the year one thousand eight hundred and seventy, for the sum of five hundred and thirty-two dollars and fifty cents, (\$532.50) being the amount overpaid in his settlement of the taxes for the year one thousand eight hundred and seventy, and as approved and certified to by the chairman of the board of county commissioners and register of deeds for said county of Pitt.

In favor of Geo.
B. McCotter, tax
collector.

Ratified the 5th day of April, A. D. 1871.

RESOLUTION IN FAVOR OF J. L. HARRISON.

In favor of J. L. Harrison.

The senate of North Carolina (the House of Representatives concurring) do resolve, That the treasurer be and he is hereby instructed to pay to J. L. Harrison or order, the sum of sixty-five dollars and fifteen cents, for labor done in repairing the furniture in the senate chamber.

This resolution shall take effect from and after its ratification.

Ratified the 5th day of April, A. D. 1871.

RESOLUTION IN FAVOR OF SHERIFFS IN CERTAIN CASES.

In favor of sheriffs in certain cases.

Resolved, (the House of Representatives concurring), That the auditor be and he is hereby instructed that when satisfactory evidence is given that any sheriff or tax collector has overpaid an account of taxes due the state, he shall draw his warrant on the treasurer for the amount so overpaid.

SEC. 2. That this resolution shall be in force from and after its ratification.

Ratified the 5th day of April, A. D. 1871.

A RESOLUTION IN FAVOR OF JOHN S. McNEILL, GEORGE M'RAY AND OTHERS.

In favor of John S. McNeill, George McRay and others

SECTION 1. *Resolved by the Senate (the House of Representatives concurring),* That the public treasurer be and he is hereby authorized to pay to John S. McNeill, George McKay, Frank McKay, William H. McNeill, John K. McNeill, Angus A. McNeill, Alex. McNeill, W. C. Wilkes, A. McMillan, D. E. McNeill, Hector McNeill, Oakley McNeill, A.

McCallum, Treason Brice, Arch Brown, Alexander Brown, Arch. T. Brown, David McNeill and David McNeill, the sum of one thousand dollars out of any money not otherwise appropriated, for services of said John McNeill, George McKay, Frank McKay, W. H. McNeill, John K. McNeill, A. A. McNeill, Alexander McNeill, W. C. Wilkes, A. McMillan, D. E. McNeill, Hector McNeill, Oakley McNeill, Arch McCallum, Treason Brice, Arch. Brown, Alexander Brown, Arch T. Brown, David McNeill and David McNeill in capturing and delivering Henderson Oxendine, one of the Robeson county outlaws, to the sheriff of Robeson.

Ratified the 5th day of April, A. D. 1871.

RESOLUTION IN RELATION TO STATE DEPARTMENT.

SECTION 1. *Resolved*, That the secretary of state, be and he is hereby authorized to employ for a period of three months, from the date of the ratification of this resolution, an additional clerk, at a salary not to exceed seventy-five dollars per month; *Provided*, Said clerk shall only be employed in copying the ratified acts and resolutions of the present general assembly, for the use of the public printer; *And provided further*, That the secretary of state shall not be allowed any fee for any act or resolution copied by such employed clerk.

Secretary of State authorized to employ additional Clerk.

SEC. 2. This resolution shall be in force from and after its ratification.

Ratified the 5th day of April, A. D. 1871.

RESOLUTION IN FAVOR OF JAS. H. ENNISS.

In favor of James
H. Enniss.

Resolved (the Senate concurring,) That the public treasurer be authorized and instructed to pay to James H. Ennis, out of any moneys not otherwise appropriated, the sum of twelve dollars and forty-two cents, for stationery furnished for use of the house of representatives.

Ratified the 5th day of April, A. D. 1871.

A RESOLUTION FOR THE RELIEF OF G. J. WILLIAMS, SHERIFF
OF CHATHAM.

For the relief of
G. J. Williams,
sheriff of Chat-
ham county.

Resolved by the General Assembly of North Carolina, That G. J. Williams, sheriff of Chatham county, be and he is hereby allowed until the fifteenth day of June, one thousand eight hundred and seventy-one, in which to settle with the treasurer of the county for taxes due the county for the year one thousand eight hundred and seventy.

Resolved, That if said taxes are paid on or before the said fifteenth day of June, one thousand eight hundred and seventy-one, all the penalties incurred by the said Williams in not settling taxes due to the county of Chatham shall be removed and of no effect.

Ratified the 5th day of April, A. D. 1871.

RESOLUTION IN FAVOR OF A. C. KERR.

In favor of A. C.
Kerr.

Resolved by the General Assembly of North Carolina, That Jacob Siler, agent for the collection of Cherokee bonds, be and he is hereby instructed and authorized to pay to A. C. Kerr, of Haywood county, the sum of four hundred and

ninety-eight dollars and fifty cents, out of any moneys or bonds which have or may come into his hands from the sale or entry of vacant lands in Haywood county.

Ratified the 5th day of April, A. D. 1871.

A RESOLUTION TO AUTHORIZE THE PUBLICATION OF AN ACT
IN RELATION TO CONVICTS.

Resolved, (the senate concurring,) That an act passed by this general assembly, providing for the reception of convicts into the state penitentiary, be published for ten days in the Raleigh *Sentinel* and *Telegram*.

Publication of act relating to convicts.

Ratified the 5th day of April, A. D. 1871.

RESOLUTION IN REFERENCE TO THE CAPITOL.

SECTION 1. *Resolved by the House of Representatives, (the senate concurring,)* That the treasurer of state is hereby authorized to pay to J. C. Brewster, out of any money not otherwise appropriated, such sums as the keeper of the capitol may certify to the governor is due the said J. C. Brewster for work done and material furnished in repairing the roof of the capitol, said sums not to exceed two hundred dollars.

In relation to repairs of capitol.

The said J. C. Brewster to make out an itemized account of all material furnished, which material is to be furnished at cost, and the number of days work actually done, at three dollars per day, ten hours labor to be counted one day; all of which the said Brewster shall be sworn to.

SEC. 2. This resolution shall be in force from and after its ratification.

Ratified the 5th day of April, A. D. 1871.

RESOLUTION IN FAVOR OF THE COMMITTEE ON THE UNIVERSITY.

In favor of the committee on the University.

Resolved by the House of Representatives, (the Senate concurring,) That the special committee appointed to visit the University be allowed the sum of forty-seven dollars, the same being the expenses of said committee, and the treasurer is hereby directed to pay the same out of any moneys not otherwise appropriated.

This resolution to be in force from its ratification.

Ratified the 5th day of April, A. D. 1871.

RESOLUTION CONCERNING EMPLOYEES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

Concerning employees of Senate and House.

Resolved by the Senate of North Carolina, (the House of Representatives concurring,) That the auditor is hereby authorized and directed to audit the account of any employee of the senate or of the house of representatives, upon the certificate of the president of the senate or of the speaker of the house of representatives, that such services have been rendered for which the account is presented, and that the amount is due as stated in said account.

Ratified the 6th day of April, A. D. 1871.

A RESOLUTION AUTHORIZING THE PAYMENT OF THE EXPENSES INCURRED IN THE IMPEACHMENT OF GOVERNOR W. W. HOLDEN.

Resolved, (the Senate concurring,) That the auditor of the state be and he is hereby authorized and directed to audit the accounts presented by the managers of impeachment of Governor W. W. Holden, for the employment of counsel, clerk and messenger, as authorized by act of assembly, to-wit: for each of three counsel employed the sum of one thousand dollars; for the clerk the sum of two hundred and fifty dollars; for the messenger the sum of one hundred dollars; also seven dollars and ninety-five cents to W. P. Welch for telegraphing for witnesses; and that he draw his warrant for the amount thereof and the treasurer is directed to pay the same.

Payment of expenses in impeachment of W. W. Holden.

This resolution shall take effect from its ratification.

Ratified the 6th day of April, A. D. 1871.

RESOLUTION AUTHORIZING THE ENGROSSING CLERK OF THE SENATE TO EMPLOY ASSISTANCE.

Resolved by the Senate, That the engrossing clerk of the senate be and he is hereby authorized to employ such clerical assistance as is necessary.

Assistance to Engrossing Clerk.

Ratified the 6th day of April, A. D. 1871.

RESOLUTION TO PROVIDE FOR THE DISTRIBUTION OF THE CONVENTION ACT, AND THE ACT IN RELATION TO SALARIES AND FEES OF COUNTY OFFICERS.

Distribution of
Convention act.

SECTION 1. *The General Assembly of North Carolina do resolve*, That the contractor for the public printing for the year one thousand eight hundred and seventy-one, James H. Moore, be and he is hereby instructed to make the distribution required by law of the following acts of this general assembly, to-wit: "an act to submit the question of convention or no convention to the people," and "an act in relation to salaries and fees of county officers," and that such distribution be made as soon after the ratification of this resolution as possible.

SEC. 2. That the auditor is hereby instructed to audit the account of said contractor for postage, which shall be paid out of the treasury.

Ratified the 6th day of April, A. D. 1871.

RESOLUTION IN FAVOR OF DR. GEORGE W. BLACKNALL.

In favor of Dr. G.
W. Blacknall.

Resolved by the senate, (the house of representatives concurring,) That Dr. George W. Blacknall be re-appointed as a member of the board of public charities, said appointment to take effect from the first of July, anno domini one thousand eight hundred and seventy-one.

Ratified the 6th day of April, A. D. 1871.

A RESOLUTION IN FAVOR OF J. T. BULLARD.

In favor of J. T.
Bullard.

Resolved by the General Assembly of North Carolina, That the treasurer be and he is hereby authorized and

directed to pay J. T. Bullard, out of any money not otherwise appropriated, two hundred dollars for services in complaining and delivering the body of Thomas Lowery to the sheriff of Robeson county; *Provided*, This shall be in full of all claims for said services.

Ratified the 6th day of April, A. D. 1871.

A RESOLUTION FOR RELIEF OF G. J. WILLIAMS, SHERIFF OF CHATHAM COUNTY.

Resolved by the General Assembly of North Carolina That G. J. Williams, sheriff of Chatham county, be and he is hereby allowed until the 15th day of June, one thousand eight hundred and seventy-one, in which to settle with the treasurer of the county for taxes due the county for the year one thousand eight hundred and seventy.

For the relief of G. J. Williams, sheriff of Chatham county.

Resolved, That if said taxes are paid on or before the said fifteenth day of June, one thousand eight hundred and seventy-one, all the penalties incurred by the said Williams in not settling taxes due the county of Chatham shall be removed and of no effect.

Ratified the 6th day of April, A. D. 1871.

RESOLUTION TO PAY PRINCIPAL CLERKS OF SENATE AND HOUSE OF REPRESENTATIVES FOR EXTRA SERVICES.

Resolved by the House of Representatives, (the Senate concurring,) That the public treasurer is authorized and instructed to pay to the principal clerks of the senate and house of representatives each, one hundred dollars, for extra services rendered during the present session of the general assembly; *Provided*, Said clerks shall have printed and

Pay to Principal Clerks of General Assembly for extra services.

ready for delivery the journals of each house for the use of the members, by or before the fifteenth of June, one thousand eight hundred and seventy-one.

Ratified the 6th day of April, A. D. 1871.

RESOLUTION ALLOWING THE PRINCIPAL CLERK OF THE SENATE
CLERICAL ASSISTANCE.

Clerical assistance
to clerk of the
Senate.

Resolved, That the principal clerk of the senate is hereby authorized to employ additional clerical assistance during the remainder of the session.

Ratified the 5th day of April, A. D. 1871.

STATE OF NORTH CAROLINA,
DEPARTMENT OF STATE,
RALEIGH, May 1st, 1871.

I, HENRY J. MENNINGER, Secretary of State. hereby certify that the foregoing are true copies of the original acts and resolutions on file in this Department.

HENRY J. MENNINGER,
Secretary of State.

STATE OF NORTH CAROLINA
DEPARTMENT OF REVENUE
AUDITOR'S STATEMENT

REVENUE AND EXPENDITURE

HENRY J. BRIDGES

AUDITOR'S STATEMENT

OF THE

PUBLIC REVENUE AND EXPENDITURE.

AUDITOR'S STATEMENT

FOR THE

Fiscal Year Ending September 30th, 1870.

STATE OF NORTH CAROLINA,
AUDITOR'S OFFICE,
Raleigh, November 16, 1870.

His Excellency W. W. HOLDEN,
Governor of North Carolina:

SIR: I herewith transmit to you my annual report of the receipts and disbursements at the public treasury of the State of North Carolina, during the fiscal year ending the 30th day of September, 1870. In doing so, I shall simply reiterate what I stated in my last annual report, relative to value of taxable property and exemptions.

VALUE OF TAXABLE PROPERTY.

During the past few years, different standards of value have unfortunately been adopted, not only in different counties, but even in different townships of the same county. This is not only unjust in itself, but creates dissatisfaction among the people, and therefore, seriously blunders the administration of the revenue laws, and should, if possible, be corrected. It is impossible to find a perfect remedy, but I am inclined to believe that if the plans adopted in many western states of having a regular officer to make the assessments, with a salary large enough to secure a first rate

Value of taxable property.

man, should be put in force here, the business would be better done than in the present blundering way. This officer should report to the *county commissioners*, who should equalize the valuation of the several townships. They should forward an abstract thereof to this department, whereupon a board, say the governor, treasurer, auditor and secretary of state, should be charged with the duty of revising and equalizing the valuations of the counties. In this way the monstrous inequality of one county paying a larger sum to the state than its neighbor, on exactly the same taxable property, may be obviated.

EXEMPTIONS.

Exemptions.

The general assembly has power to exempt certain specified articles, the clause of the constitution in this regard being as follows: "Property belonging to the state or to municipal corporations, shall be exempt from taxation. The general assembly may exempt cemeteries, and property held for educational, scientific, literary, charitable or religious purposes; also wearing apparel, arms for muster, household and kitchen furniture, the mechanical and agricultural implements of mechanics and farmers, libraries and scientific instruments, to a value not exceeding three hundred dollars."

The last general assembly exercised this power to the extent of \$300. I feel bound to report that in my opinion the charitable intent of the legislature has generally failed to accomplish its object, while it has lost large sums to the treasury.

Poor men have so small an amount of the exempted articles that their relief is quite too inconsiderable. But very many men have, under this \$300 exemption law, been relieved to the extent of \$500 or \$1,000. I firmly believe that it would be best either to have no exemption at all, or be reduced to \$50.

Thus the rule would more universally apply, "each man pay according to what he is worth," be it much or be it

little. Whenever this rule is departed from, under the plea of relieving the poor man, a wide door is open to intentional and unintentional defrauding the revenue.

I have the honor to be,

With very great respect,

Your obedient servant,

H. ADAMS,

Auditor.

AUDITOR'S STATEMENT.

GENERAL STATEMENT.

Balance in the hands of Public Treasurer, Octo- ber 1st, 1869,			\$ 16,196 ⁷³ / ₁₀₀	General statement
Receipts of Educational Fund for fiscal year end- ing September 30th, 1870,	\$ 333,973 ⁷⁶ / ₁₀₀			
Receipts of Public Fund for fiscal year ending September 30th, 1870,	3,557,869 ⁴⁸ / ₁₀₀		3,891,841 ²⁴ / ₁₀₀	
Disbursements of Educa- tional Fund for the fiscal year ending September 30th, 1870,	203,411 ⁰¹ / ₁₀₀		3,908,027 ⁹⁷ / ₁₀₀	
Disbursements of public Fund, for fiscal year end- ing September 30th, 1870,	3,454,214 ¹⁰ / ₁₀₀		3,657,625 ¹¹ / ₁₀₀	
Leaving in hands of pub- lic Treasurer, October 1st, 1870,			\$ 250,412 ⁸⁶ / ₁₀₀	

Receipts and dis-
bursements.

RECEIPTS AND DISBURSEMENTS

OF EDUCATIONAL FUND FOR THE FISCAL YEAR ENDING SEP-
TEMBER 30TH, 1870.

		RECEIPTS.	DISBURSEM'TS.
1869.	October,	\$ 167,655 90	\$ 100
	November,	580 15	150,332 75
	December,	74,359 19	2,125
1870.	January,	17,999 82	259 20
	February,	7,297 94	3,798 40
	March,	15,187 58½	4,768 09
	April,	13,741 13½	5,605 06
	May,	1,653 04	10,970 19
	June,	136 56	5,764 21
	July,	3,292 54½	4,966 36
	August,	151 81	5,347 02
	September,	31,918 09	9,374 73
		\$ 333,973 76½	\$ 203,411 01

STATEMENT A.

EDUCATIONAL FUND RECEIPTS.

Educational Fund
receipts.

*Exhibiting the several sources from which the receipts of
the Educational Fund was derived.*

Entries of Vacant Lands,	\$ 1,848	46
Fines, Penalties and Forfeitures,	6,711	91
State Loans,	164,320	00
Tax on Auctioneers,	193	17
“ “ Polls,	136,076	92
“ “ Retailers of Spirituous Li- quors,	24,823	30
	\$ 333,973	76

DETAILED AS FOLLOWS :

1869.			
Oct.	Sundry persons on account of entries of vacant lands as follows :		
	James T. Ritter, Cumberland county,	\$	70
	Phebe Tuttle, Stokes county,		25
	James L. Grant, Transylvania coun- ty,		1
	Elizabeth Johnson, Johnston county,		284
	Sundry persons on account of fines, penalties and forfeitures as follows :		
	L. E. Johnson, Clerk Superior Court, Davidson county,		71
	B. F. Shaw, Clerk Superior Court, Harnett county,		1210
	M. O. Sherrill, Clerk Superior Court, Catawba county,		46
	E. Spruell, Clerk Superior Court, Tyrrell county,		1720
	C. L. Summers, Clerk Superior Court, Iredell county,		21205

1870.				
Educational Fund receipts.	Oct.	F. A. Ragland, Clerk Superior Court Rockingham county,	\$ 215 05	
		W. G. Curtis, Clerk Superior Court Brunswick county,	100	
		W. H. Orchard, Clerk Superior Court, Cabarrus county,	5	
		J. C. Asley, Clerk Superior Court, Cherokee county,	16 94	
		J. A. Nelson, Clerk Superior Court, Washington county,	63 06	
		C. Cox, Clerk Superior Court, Pitt county,	25	
		W. S. Foulks, Clerk Superior Court, Richmond county,	5	
		G. H. Brown, Clerk Superior Court, Wilkes county,	200	
		E. R. Brink, Treasurer New Han- over county,	82	
		The following persons for tax on polls :		
		S. E. Belk, Treasurer Mecklenburg county,	359 82	
		A. F. Hurley, Sheriff Cabarrus county,	1,639 89	
		A. F. Hurley, Sheriff Cabarrus county, for tax on Retailers of Spirituuous Liquiors,	261	
		Nov.	Sundry persons on account of entries of vacant lands as follows :	
			B. S. Gaither and J. Queen, Burke county,	30
			Wm. Melvin, Cumberland county,	12
			Wiley B. Childers, Mitchell county,	6 25
	J. K. Hawkins, McDowell county,	48		
	A. R. Shipman, Henderson county,	5 75		
	E. R. Nelson and J. G. Duncan, Henderson county,	7 37		
	Wm. Reese, Henderson county,	2 37		
	Wesley Laws, Alexander county,	3 37		
	Jas. H. Farthing, Watauga county,	1 25		
	Sundry persons on account of fines, penalties and forfeitures as follows:			
	G. J. Robinson, Superior Court Clerk, Wayne county,	101 10		

1869 Dec.		\$	Educational Fund receipts.
	G. J. Robinson, Superior Court Clerk, Wayne county,	55	
	E. A. Warlick, Superior Court Clerk,	15	
	G. Garland, Superior Court Clerk,	15	
	T. D. Johnson, Treasurer of Caswell county,	30	
	S. E. Belk, Treasurer of Mecklenburg county, for tax on polls,	307 09	
	Sundry persons on account of entries of vacant lands as follows:		
	John F. Finley, Wilkes county,	2 50	
	Daniel Hume, Cumberland " "	75	
	Ransom Burlington, Johnston " "	3	
	Asa Ross, Brunswick " "	12	
	John B. Respass, Brunswick " "	13 12	
	John B. Respass, " " "	12 50	
	R. W. Bridgen, New Hanover " "	24	
	Noah Black, Ashe " "	56	
	S. J. Pace, Henderson " "	4 87	
	Wm. Canon, Beaufort " "	10 18	
	Jas. E. Ward, Duplin " "	1 38	
	J. M. Estes, Caldwell " "	1	
	E. F. Chesson, Washington " "	12 50	
	S. A. Hinsley, McDowell " "	5 50	
	Josiah Wiseman, " " "	6 25	
	W. W. Gilbert, " " "	2 57	
	Balmy Baird, Watauga " "	6 25	
	William Bragg, Watauga " "	11 75	
	Cyrus P. Culver, " " "	11 25	
	Larkin Hodgins, " " "	3	
	Daniel Cockahurn, Surry " "	6 75	
	Robert Sheaver, Watauga " "	11 25	
	Jas. A. Wallace, Montgomery " "	2 25	
	Moore Snow, Surry " "	22 50	
	J. C. Copey, Watauga " "	12 50	
	John Wilson, " " "	1 25	
	A. V. English, Transylvania " "	12 50	
	Jas. Bright, McDowell " "	12 50	
	Thos. Lovelace, Rutherford " "	4 12	
	J. W. Hawkins, McDowell county,	51	
	Jas. J. Maffitt, " " "	6 25	
	Samuel Carpenter, Caldwell " "	164 28	
	B. T. Summers, Currituck " "	16 65	
	B. T. Summers, " " "	9 62	

Educational Fund receipts.	1869.	Dec.		\$	
			Rebecca J. Epley, Burke county		62
			Wm. Porter, Wilkes		2 50
			A. L. Maxwell, Henderson		5 87
			H. Strickland, Cumberland		19 95
			Riley Dunnan, Surry		1 25
			Henry Ingold, Catawba		25
			J. H. Bramble, Bladen		1 81
			Sundry Sheriffs for tax on auctioneers as follows :		
			R. M. White, Mecklenburg county,		23 75
			W. B. Salisbury, Martin		4 75
			W. A. Walton, Rowan		10 56
			Sundry Sheriffs taxes on Polls, as follows :		
			W. J. Taylor, Green county,		1,031 41
			B. F. Briggs, Wilson		1,395 50
			J. H. King, Lincoln		992 52
			R. M. White, Mecklenburg		2,352 77
			R. Watts, Alexander		731 17
			W. F. Wasson, Iredell		1,508 08
			P. C. Riley, Montgomery		792 78
			A. S. C. Powell, Sampson		1,969 07
			G. N. Lewis, Nash		1,371 80
			A. Murray, Alamance		1,509 85
			W. E. Piercy, Yancey		585 53
			C. C. Vest, Cherokee		716 21
			M. C. Brinkley, Chowan		752 12
			R. M. Stafford, Guilford		2,723 18
			John Turner, Orange		1,863 33
			A. G. Tweed, Madison		808 97
			John Pearce, Jones		727 23
			William Haymore, Surry		997 50
			R. S. Trogdon, Randolph		2,104 68
			G. W. Willoughby, Anson		936 64
			W. H. Higdon, Macon		783 85
			J. D. Davis, Carteret		779 45
			G. W. McKee Gaston, county,		1,037 40
			R. B. Salsbury, Martin		1,200 99
			Abner Aydlett, Camden		607 48
			Geo. Credle, Hyde,		831 92
			Battle Bryan, Edgecombe		3,087 84
			John Patterson, Clay		335 16
			A. J. Murray, Haywood		809 97
			Bland Wallace, Duplin		1,495 35
			R. R. McCall, Caldwell		762 09

1869.	E. A. Gupton, Franklin	county,	\$	1,489	25	Educational Fund receipts.
Dec.	J. A. Sowers, Davidson,	"		2,096	75	
	Jonas Cline, Catawba	"		1,224	43	
	Martin Walker, Rutherford	"		1,171	07	
	A. H. Simmons, McDowell	"		744	14	
	Isaac Pipkin, Hertford	"		1,035	41	
	Wm. Latham, Ashe	"		920	70	
	J. C. Rhodes, Wayne	"		1,539	15	
	N. B. Hampton, Polk	"		312	22	
	Geo. Nicks, Yadkin	"		1,004	49	
	V. V. Richardson, Columbus	"		1,252	86	
	E. G. Hill, Johnston	"		2,062	83	
	B. A. Howell, Robeson	"		2,208	56	
	Henry White, Perquimans	"		752	07	
	M. Mastin, Forsythe	"		1,557	10	
	W. A. Walton, Rowan	"		1,968	07	
	B. F. Willey, Gates	"		885	78	
	Joseph Marshal, Stanly	"		800		
	J. L. Wood, Pasquotank	"		746	10	
	E. Murrill, Onslow	"		958	60	
	Sundry Sheriffs for tax on retailers of spirituous liquors as follows:					
	W. J. Taylor, Green	county,		456	49	
	B. F. Briggs, Wilson	"		249	03	
	J. H. King, Lincoln	"		104	50	
	R. M. White, Mecklenburg	"		611	25	
	R. Watts, Alexander	"		74	10	
	W. F. Wasson, Iredell	"		85	90	
	P. C. Riley, Montgomery	"		85	50	
	A. S. C. Powell, Sampson,	"		201	68	
	Geo. N. Lewis, Nash	"		269	39	
	A. Murray, Alamance	"		133		
	C. C. Vest, Cherokee	"		52	25	
	M. C. Brinkley, Chowan	"		513	56	
	R. M. Stafford, Guilford	"		351	50	
	John Turner, Orange	"		147	25	
	A. G. Tweed, Madison	"		80	75	
	John Pearce, Jones	"		97	38	
	Wm. Haymore, Surry	"		164	36	
	R. F. Trogden, Randolph	"		96	98	
	G. W. Willoughby, Anson	"		315	36	
	W. H. Higdon, Macon	"		16	63	
	J. D. Davis, Carteret	"		272	41	
	G. W. McKee, Gaston	"		161	50	
	R. B. Saulsbury, Martin	"		627	29	

Educational Fund receipts.	1869			
	Dec.	Abner Aydlett, Camden county.	\$	158 64
		Geo. Credle, Hyde	"	364 44
		Battle Bryan, Edgecombe	"	808 75
		A. J. Murray, Haywood	"	63 46
		Bland Wallace, Duplin	"	404 54
		E. A. Gupton, Franklin,	"	47 12
		J. A. Sowers, Davidson	"	262 77
		Martin Walker, Rutherford	"	99 75
		A. H. Simmons, McDowell	"	99 75
		Isaac Pipkin, Hertford	"	116 85
		Wm. Latham, Ashe	"	33 25
		J. C. Rhodes, Wayne	"	697 44
		N. B. Hampton, Polk	"	99 75
		Geo. Nicks, Yadkin	"	58 07
		V. V. Richardson, Columbus	"	249 84
		E. G. Hill, Johnston	"	566 47
		B. A. Howell, Robeson	"	786 51
		Henry White, Perquimans	"	134 67
		W. A. Waltcn, Rowan	"	449 55
		B. F. Willey, Gates	"	53 58
		Joseph Marshal, Stanly	"	158 10
		J. L. Wood, Pasquotank	"	225 51
		E. Murrill, Onslow	"	158 17
		Sundry persons on account of fines, penalties and forfeitures, as fol- lows:		
		C. C. Hade, Montgomery, county,		25
		R. F. Trogden, Randolph	"	33 75
		S. Herrell, Hertford county,	"	56 10
		A. C. Huggins, Onslow county,		57
		W. R. Odoms, Northampton	"	30
	1870.			
	Jan'y.	Sundry Sheriffs and Tax Collectors for tax levied on polls as followa:		
		E. R. Outlaw, Bertie county,		1,383 54
		J. J. Hasty, Union	"	1,054 36
		C. Garland, Mitchell	"	483 79
		R. Hamilton, Transylvania	"	461 85
		W. W. N. Hunter, Lenoir	"	1,028 43
		Samuel T. Carrow, Beaufort	"	1,718 70
		S. P. Swain, Brunswick	"	1,139 10
		G. M. Webb, Tax Collector Cleave- land county,		1,069 31
		J. M. Bateman, Washington county,		871 82
		R. S. Ledbetter, Tax Collector Rich-		

1870. Jan'y.	mond county,	\$	1,127 18	Educational Fund receipts.
	J. J. E. Jones, Alleghany county,		357 10	
	R. J. Haswell, Tyrrell "		703 24	
	H. T. Grant, Northampton "		2,088 77	
	J. W. Hays, Wilkes "		1,089 18	
	Sundry Sheriffs and Tax Collectors for tax on retailers of spirituous liquors as follows :			
	E. R. Outlaw, Bertie county,		218 85	
	J. J. Hasty, Union "		152	
	R. Hamilton, Transylvania "		21	
	W. W. N. Hunter, Lenoir "		300 33	
	Samuel T. Carrow, Beaufort "		444 13	
	S. P. Swain, Brunswick "		342 33	
	J. M. Bateman, Washington "		353	
	R. G. Ledbetter, Tax Collector, Rich- mond county,		48 49	
	R. J. Haswell, Tyrrell county,		99 75	
	H. T. Grant, Northampton "		384 15	
	J. W. Hayes, Wilkes "		94 89	
	The following Sheriffs, for tax on Auctioneers :			
	W. W. N. Hunter, Lenoir county,		25 25	
	J. M. Bateman, Washington "		11 65	
	Sundry persons on account of fines, penalties and forfeitures, as fol- lows ;			
	W. W. Watts, Clerk Superior Court, Martin county,		51 30	
	Henry Clapp, Justice of the Peace, Guilford county,		21 85	
	B. F. Shaw, Clerk Superior Court, Harnett county,		10	
	E. M. Stevenson, Clerk Superior Court, Alexander county,		30	
	Geo. Laws, Clerk Superior Court, Orange county,		85	
	S. Fisher, Justice of the Peace, Ca- barrus county,		5	
	P. T. Massey, Clerk Superior Court, Johnston county,		28 05	
	J. D. Massey, Justice of the Peace, Johnston county,		12	
	Jas. Rumley, Clerk Superior Court, Carteret county,		27	

Educational Fund receipts.	1876. Feb.		\$	
		H. R. Alston, Clerk Superior Court, Davie county,		45
		J. A. Ragland, Clerk Superior Court, Rockingham county,		21 30
		— Litterson, Clerk Superior Court, Martin county,		313 32
		W. H. Rockett, Justice of the Peace, Catawba county,		5
		H. T. Brandon, Clerk Superior Court, Caswell county,		131 80
		A. Clapp, Clerk Superior Court, Guilford county,		141
		Sundry persons on account of entries of vacant lands as follows :		
		E. B. Clayton, Geo. W. Wilson, J. W. Clayton, Transylvania county,		3 62
		Joseph Erckerhan, Surry county, (2 receipts,)		27 10
		The following sheriffs for tax on auc- tioneers :		
		John Riley, Cumberland county,		9 58
		T. F. Lee, Wake county, (for 1868)		48 06
		The following persons on account of fines, penalties and forfeitures :		
		J. N. Bunting, Clerk Superior Court, Wake county,		47
		W. H. Orchard, Clerk Superior Court,		10
		Sundry Sheriffs, &c., for tax on polls as follows :		
		John H. Thees, Treasurer Bruns- wick county,		788 04
		Thomas F. Baxter, Sheriff Curri- tuck county,		837 87
		John Riley, Sheriff Cumberland county,		1,304 77
		John T. Patterson, Sheriff Burke county,		902 74
		W. H. Gentry, Sheriff Stokes c'n'ty,		1,168 08
		Sundry Sheriffs, for tax on retailers of spirituous liquors, as follows :		
		Thos. Baxter, Currituck county,		514 06
		John Riley, Cumberland “		1,039 12
		John T. Patterson Burke “		206 15

1870. M'ch.	W. H. Gentry, Stokes	"	\$	145	35	Educational Fund
	T. F. Lee, Wake county, (for 1868),			250		receipts.
	Sundry persons on account of entries vacant lands, as follows:					
	J. H. Wilcrow, Rutherford county,				1	18
	A. Payne, H. Payne and L. Rice,				3	70
	Alexander county,					
	Archibald Hamrick, Rutherford				7	25
	county,					
	Mary Parker, Catawba county,				1	05
	J. E. Hendrick, " "					20
	Squire Venable, Stokes	"			4	40
	Josiah Bradshaw, Alexand'r	"			1	84
	A. J. Steel, " "				11	37
	J. H. Childers, " "				43	87
	Wm. Todd, Mecklenburg	"				95
	S. H. Caldwell, Currituck	"			5	
	John F. Frost, " "				3	05
	Hodges Gallop, Currituck	"			5	25
	Malcom T. Oliver, Moore	"			75	
	Jeremiah Smith, Burke	"			9	37
	John Lewis Hicks, Watauga	"			1	87
	C. E. Baird, Watauga	county,			6	87
	G. F. Blackburn, Wilkes	"			5	75
	G. W. Hendrix, " "				4	48
	W. G. Miller and others, Rutherford					
	county,				19	35
	C. A. Conley, Mitchell	county,			7	60
	J. D. Conley, " "				12	50
	Geo. Conley, " "				6	25
	M. L. Robeson, Henderson	"				85
	H. McL. Cameron, Harnett	"			16	50
	Samuel Fowler, Granville	"				9
	N. Poyner, Currituck	"			13	62
	W. F. Nash, Stanley	"			1	75
	Alexander West, McDowell	"			36	90
	J. B. Gillespie, Rutherford	"			3	12
	Hardin Powers, Ashe	"				6
	John R. Draughan, Sampson	"			7	63
	F. W. Foster, New Hanover	"				12
	J. P. Dickerson, Mitchell	"				5
	Jas. H. Carter, Burke	"			7	62
	J. A. Corpening, Caldwell	"			2	62
	Jas. Smith, Burke	"			34	42
	Thos. V. Hamlin, Burke	"				11

Educational Fund receipts.	1870. M'ch.		\$	
		G. A. Lowe, Surry	"	25 05
		C. H. Ashborn, Surry	"	28 50
		John Johnson, Surry	"	21
		H. C. Hampton and Jas. Badgett, Surry county,		5 75
		A. C. Osborne, Alleghany	"	5
		Joseph Dixon, Caldwell	"	12 50
		H. Price and J. W. Walker, Me- Dowell county,		2 50
		J. F. Hailes, Burke county,		3 12
		Sundry persons on account of fines, penalties and forfeitures, as fol- lows :		
		R. Parsons, Clerk Superior Court Ashe county,		20
		G. W. Britt, Justice of the Peace, Johnston county,		15 67
		L. A. Galloway, Justice of the Peace, Brunswick county,		30
		Z. D. Spruell, Justice of the Peace, Washington county,		11 35
		J. M. Bateman, Sheriff Washington county,		70
		Jackson Powell, Justice of the Peace Columbus county,		6
		Sundry Sheriffs for tax on polls as follows :		
		C. L. Aldred, Moore county,		1,114 21
		John Barnett, Person county,		1,283 79
		J. I. Moore, Granville county,		1,779 54
		J. W. Schenck, Jr., New Hanover county,		2,934 63
		John A. Reid, Halifax county,		2,076 80
		J. C. Griffith, Caswell county,		1,340 64
		Sundry Sheriffs, &c, for tax on Re- tailers of Spirituous Liquors, as follows ;		
		C. L. Aldred, Moore county,		38 58
		John Barnett, Person county,		117 80
		John Foley, Pitt county,		250
		J. I. Moore, Granville county,		666 54
		J. W. Schenck, Jr., New Hanover county,		1,787 33
		John A. Reid, Halifax county,		1,096 59
		J. C. Griffith, Caswell county,		124 69

1870. April.	Sundry persons on account of en-tries of vacant lands, as follows :	\$	Educational Fund receipts.
	W. F. Blackwood, Harnett county,		3 25
	Abraham Starling, Ashe county,		4 53
	Wm. Prett, Caswell county,		9 50
	Wesley Thompson, Ashe county,		1 06
	W. M. Pratt and J. C. Blair, Cald-well county,		1 44
	John B. Downing, Cumberland county,		8 75
	T. J. Sharpe, Alexander county,		1 62
	Tirey Webb, Mitchell county,		1 25
	Joseph Walker, Burke county,		3 12
	John Thompson, Ashe county,		3 53
	Elias Hurley, Montgomery county,		2 95
	Andrew Richardson, Ashe county,		1 00
	James M. Watts, Alexander county,		6
	Calvin Graybeal, Ashe county,		2 25
	Edward Manning, Martin county,		12 51
	J. F. Barrett, Union	"	30 75
	J. N. Sharpe, Alexander	"	1 25
	Moses Teague, Alexander	"	1 37
	Mark M. Waters, Ashe	"	3 62
	W. H. Blevins, Ashe	"	12 50
	John Clark, Randolph	"	12 25
	John M. Denton, Burke	"	6 25
	David Mace, Burke	"	4 62
	A. B. Mast, Watauga	"	7 62
	Benj. F. Baird, Watauga	"	3 75
	Ephriam Abee, Burke	"	9 37
	J. M. Estes, Caldwell	"	7 50
	Geo. Hughes, Davidson	"	7 75
	Alex. Payne, Caldwell	"	1 75
	Lawson H. Link, Caldwell	"	3
	W. B. Barbee, Chatham	"	5 25
	H. S. Pearson, Burke	"	12 50
	G. H. Phillips, Ashe	"	4
	Tason A. Taylor, Burke	"	6 75
	Andrew Powers, Ashe	"	5 62
	Eli Osborn, Alleghany	"	8 75
	John L. Rhyne, Gaston	"	10 49
	Jas. Lane, Henderson	"	4 80
	John Bickmen, Henderson	"	30
	J. E. Smith, Johnston	"	3
	Wm. G. Lydas, Henderson	"	2 75

Educational Fund receipts.	1870. April.		\$	
		Elite Simmons, Mitchell	county,	12 50
		J. B. Grayson, McDowell	"	7 50
		Jas. Cronly, Haywood	"	7 50
		J. J. Hamlin, Randolph	"	5 25
		E. B. Claeton and J. W. Clayton,	Transylvania county,	6 25
		Garret Boon, Yancey	"	6
		Wm. Horton, Watauga	"	35 25
		Henry Paylor, Watauga	"	2 50
		D. A. Andrews, Transylvania	"	12
		Isaac Holloway, Wilkes	"	4 31
		Robt. Brooks, Surry	"	10
		James Conley, Mitchell	"	6 18
		Wm. Puett and J. C. Blair, Cald-	well county,	72
		W. R. Henesee and J. R. Hawkins,	McDowell county,	23 25
		J. R. Hawkins and W. R. Henesee,	McDowell county,	78
		Meredith Queen, McDowell	county,	3 25
		Albert Conley, McDowell	"	12 50
		G. W. Kitchens, Transylvania	"	18 75
		John A. Long, Cabarrus	"	7 62
		James W. Hackett, Wilkes	"	1 75
		James Shepperd, Wilkes	"	6 25
		Spencer Elliott, McDowell	"	12 50
		John Antey, Mitchell	"	6 25
		F. E. Alfred, Craven	"	29 10
		John R. Ford, Wilkes	"	12 50
		Burges Waddle, Wilkes	"	11 87
		Miles Hoffman, Gaston	"	1 75
		F. Hoffman and S. E. Poteit, Burke	county,	3 62
		Jeremiah Green, Watauga	county,	25
		N. B. Brookshire, Watauga	county,	62
		Sundry persons on account of fines,	penalties and forfeitures, as fol-	
		lows:		
		E. G. Irvin, J. P., Cabarrus	county,	8
		E. Spruill, Clerk Superior Court,	Tyrrell county,	63 65
		B. F. Shaw, Clerk Superior Court,	Harnett county,	30
		T. A. Ragland, Clerk Superior	Court, Rockingham county,	36 13

1870. April.			Educational Fund receipts.
	Jonathan Trull, Justice of the Peace, Union county,	\$ 5	
	Seth B. Forbes, Justice of the Peace, Camden county,	12	
	H. R. Austin, Clerk Superior Court, Davie county,	5 80	
	P. R. Martin and others, Justice of Peace, Davie county,	39 57	
	F. S. Jones, Justice of the Peace, Tyrrell county,	13 50	
	G. J. Robinson, Clerk Superior Court, Wayne county,	222 05	
	L. E. Johnston, Clerk Superior Court, Davidson county,	24	
	W. G. Curtis, Clerk Superior Court, Brunswick county.	10	
	E. M. Stevenson, Clerk Superior Court, Alexander county,	65	
	E. A. Osborne, Clerk Superior Court, Mecklenburg county,	66	
	R. H. Timberlake, Clerk Superior Court, Franklin county,	24 68	
	Abraham Clapp, Clerk Superior Court, Guilford County,	81 50	
	W. S. Cox, Clerk Superior Court, Hyde county,	1	
	S. A. Long, Clerk Superior Court, Hyde county,	1	
	E. Betts, Clerk Superior Court, Gran- ville county,	15	
	S. E. Belk, Treasurer, Mecklenburg county,	60	
	J. A. McDonall, Clerk Superior Court, Cabarrus county,	32	
	R. R. Wakefield, Clerk Superior Court, Caldwell county,	52 37	
	N. R. Odan, Clerk Superior Court Northampton county,	35	
	S. E. Reid, Clerk Superior Court Buncombe county,	46 75	
	G. L. Windley, Clerk Superior Court, Beaufort county,	42	
	J. E. Asley, Clerk Superior Court, Cherokee county,	82	

1870.				
Educational Fund receipts.	April.	J. D. Southerland, Clerk Superior Court, Duplin County,	\$ 82	
		T. F. Lee, Sheriff of Wake county, for tax on Auctioneers,	49 50	
		Sundry Sheriffs, for tax on polls, as follows:		
		G. J. Williams, Chatham county,	945 13	
		T. W. Patterson, Rock'gham "	1,261 84	
		T. F. Lee, Wake "	3,157	
		N. R. Jones, Warren "	1,935 15	
		The following Sheriffs, for tax on Retailers of Spirituous Liquors:		
		G. J. Williams, Chatham county,	175 75	
		T. W. Patterson, Rockingham "	228	
		T. F. Lee, Wake "	1,048 42	
		N. R. Jones, Warren "	633 30	
		Sundry Sheriffs, for tax on Polls for the year 1869, as follows:		
		T. W. Taylor, Henderson county,	814 15	
		John Horton, Watauga county,	636 40	
		T. W. Taylor, Sheriff of Henderson county, for tax on Retailers of Spirituous Liquors, for the year 1869,	62 40	
		May.	Sundry persons during this month on account of entries of vacant lands, as follows:	
			Mc. C. Coffey, Caldwell county,	3 75
			Burrell Pinner, Henderson "	3 75
			John Lynch, Stokes "	1 55
	Cany Maxwell, Henderson "	3 12		
	Hugh Ballew, McDowell "	8 75		
	James Calhoon, Ashe "	1 37		
	Eli Graybeal, Ashe "	1 75		
	Daniel Reynolds, Buncombe "	4 12		
	Sundry persons during this month on account of fines, penalties and forfeitures as follows:			
	A. H. Freeman, Clerk Superior Court Surry county,	10		
	H. F. Brandon, Clerk Superior Court Caswell county,	250		
	J. A. Martin, Clerk Superior Court, Yadkin county,	135		

1870. May.			Educational Fund receipts.
	J. E. West, Clerk Superior Court, Craven county,	\$	1
	S. S. Harrell, Clerk Superior Court, Hertford county,		20
	J. H. C. Bryan, Clerk Superior Court, Jones county,		38
	Geo. Laws, Clerk Superior Court, Orange county,		20
	Peter McRae, clerk superior court, Richmond county,		10
	R. F. Trogdon, Sheriff Randolph county,		39 38
	B. B. Bulla, clerk superior court, Randolph county,		120
	M. V. B. Gilbert clerk superior court, Currituck county,		14
	Geo. H. Brown, clerk superior court, Wilkes county,		142 50
	Calvin Cox, clerk superior court, Pitt county,		265
	J. J. Gudger, clerk superior court, Madison county,		55
	J. A. Martin, clerk superior court, Yadkin county,		105
	C. C. McMickle, Treasurer, Surry county, for tax on polls for the year 1863,		400
June.	Sundry persons on account of entries of vacant lands, as follows :		
	David Greer, Ashe county,		75
	Ashley Woodan, Beaufort county,		28 35
	A. B. Mart, Watauga county,		3 12
	J. O. White, Cleaveland county,		30
	Enoch Perry, Wilkes county,		5 75
	N. M. Vennellon, Henderson c'nty,		3 12
	Geo. A. Sawyer, Beaufort county,		5 12
	A. J. Volira, Beaufort county,		1 50
	S. Keerans and C. C. Waide, Mont- gomery county,		43
	Sundry persons on account of fines, penalties and forfeitures, as fol- lows :		
	G. Garland, clerk superior court, Mitchell county,		29 50

1870.			
Educational Fund receipts.	June.	W. G. Curtis, clerk superior court, Brunswick county,	\$ 53 80
		J. K. Morrisey, clerk superior court Sampson county,	4 82
	July.	Sundry persons on account of entries of vacant lands, as follows:	
		Aaron Sanders, Caldwell county,	12 50
		Thos. J. Page, Bladen county,	1 75
		E. King, Onslow county,	9 25
		Alexander Elrod, Watauga county,	12 50
		N. B. Bernett, Brunswick county,	12 50
		C. Van Shyck, Currituck county,	4 25
		J. Mathews, Sampson county,	62
		Jonathan Corter, Cumberland c'nty,	1 87
		D. Horne, Cumberland county,	1 25
		Sundry persons on account of fines, penalties and forfeitures, as fol- lows:	
		C. L. Sommers, clerk superior court Iredell county,	98 80
		N. R. Odorn, clerk superior court, Northampton county,	18 10
		J. A. Nelson, clerk superior court, Washington county,	21 85
		T. A. Ragland, clerk superior court, Rockingham county,	19 06
		F. D. Irwin, clerk superior court, Burke county,	27
		P. T. Massey, clerk superior court, Johnston county,	34 75
		M. O. Sherrill, clerk superior court, Catawba county,	67 25
		Eli Spruill, clerk superior court Tyr- rell county,	10 20
		H. R. Austin, clerk superior court, Davie county,	19 45
		J. T. Gregory, clerk superior court, Halifax county,	159 40
		A. J. Mason, clerk superior court, Rowan county,	93
		R. M. Wakefield, clerk superior court Caldwell county,	72 75
		E. A. Osborne, clerk superior court, Mecklenburg county,	85

1870. July.		\$	Educational Fund receipts.
	J. P. Jenkins, clerk superior court, Nash county,		83 05
	D. O. H. W. Gillispie, clerk superior court McDowell county,		57 80
	J. Jenkins, clerk superior court, Cleaveland county,		57 50
	S. T. Petty, Clerk Superior Court, Chatham county,		59
	L. E. Johnston, Clerk Superior Davidson county,		54 50
	J. E. Reed, Clerk Superior Court, Buncombe county,		22 75
	Abraham Clapp, Clerk Superior Court, Guilford county,		21 80
	W. R. Skinner, Clerk Superior Court, Chowan county,		5 50
	C. C. Wade, clerk superior court, Montgomery county,		18 45
	B. F. Shaw, clerk superior court, Harnett county,		10
	Calvin Cox, clerk superior court, Pitt county,		54
	R. K. Timberlake, clerk superior court, Franklin county,		7
	W. P. Gurley, clerk superior court, Bertie county,		60
	C. M. Pace, clerk superior court, Henderson county,		77 90
	J. S. Gudger, clerk superior court, Madison county,		30
	J. M. Covington, clerk superior court, Anson county,		38
	The following persons for 75 per cent. county capitation tax:		
	S. E. Belk, Treasurer of Mecklen- burg county,		536 11
	N. R. Jones, sheriff of Warren county,		1,315 18
Aug.	Sundry persons on account of entries of vacant lands as follows:		
	H. Ledford, Mitchell county,		62
	J. R. Neal, McDowell "		5
	O. P. Moore, " "		12 50
	James Bailey, Mitchell "		1 37
	Stephen Williams, Watauga "		5

Educational Fund receipts.	1870.		
	Aug.	Sundries persons on account of fines, penalties and forfeitures, as follows:	
		W. J. Critchen, clerk superior court, Watauga county,	\$ 10
		J. A. Long, clerk superior court, Richmond county,	5
		James Martin, clerk superior court, Stokes county,	45
		M. V. B. Gilbert, clerk superior court, Currituck county,	1
		G. W. Flow, clerk superior court, Union county,	50
		W. G. Curtis, clerk superior court, Brunswick county,	16 32
	Sept.	S. P. Sherrill, clerk superior court, Lincoln county,	35
		G. H. Brown, clerk superior court, Wikes county,	118 84
		Received of sundry sheriffs and tax collectors, during this month, tax on polls for the year 1870, as follows:	
		R. B. McCall, sheriff of Caldwell county,	729 16
		R. M. White, sheriff Mecklenburg county,	2,429 63
		J. L. Laxton, Treasurer Burke county, 75 per cent. county capitation tax,	643
		Joseph Marshall, sheriff Stanley county,	700 63
		Bland Wallace, sheriff Duplin co'ty,	1,674 09
		Elijah Murrill, sheriff Onslow co'ty,	933 19
		A. F. Hurley, sheriff Cabarrus co'ty,	1,640 65
		J. M. Johnson, tax col. Davie co'ty,	1,220 56
		Abner Aydlett, sheriff Camden Co.,	556 99
		P. C. Riley, sheriff M'tgom'ry "	841 23
		A. S. C. Powell, sheriff Sampson county,	2,029 39
		John Patterson, tax col. Craven Co.,	2,495 46
		W. F. Wasson, sheriff Iredell "	1,561 53
		H. W. Mays, sheriff Alexander "	691 79
		R. C. Perkins, sheriff Burke "	963 41
		G. W. McKee, sheriff Gaston "	1,118 59

1870.			
Sept.	J. J. Hasty, sheriff Union	"	\$ 1,139 43
	J. H. Duncan, tax col. McDowell county,		759 72
	W. J. Taylor, sheriff Greene Co.,		997 98
	J. L. Smathers, tax collector of Haywood county,		816 81
	R. M. Stafford, sheriff of Guilford county,		247 81
	J. H. Lanning, sheriff of Transylvania county,		392 92
	J. M. Roane, sheriff Macon county,		886 16
	Thos. N. Jordan, tax collector Caswell county,		1,891 45
	Received of sundry sheriffs and tax collectors during this month, tax on retailers, as follows:		
	R. M. White, sheriff of Mecklenburg county,		488 98
	James Marshall, sheriff Stanley county,		102 57
	Bland Wallace, sheriff Duplin c'nty,		187 41
	Elijah Murrill, sheriff Onslow "		23 75
	A. F. Hurley, " Cabarrus "		55 48
	J. M. Johnson, tax collector, Davie county,		3 23
	Abner Aydlett, sheriff Camden county,		168 90
	P. C. Riley, sheriff Montgomery county,		64 27
	A. S. C. Powell, sheriff Sampson county,		136 57
	W. F. Wasson, sheriff Iredell c'nty,		47 50
	H. W. Mayes, sheriff Alexander county,		31 60
	R. C. Perkins, sheriff Burke county,		114
	G. W. McKee, sheriff Gaston county,		34 44
	J. J. Hasty, sheriff Union county,		23 75
	W. J. Taylor, sheriff Greene county,		133 10
	J. L. Smathers, tax collector, Haywood county,		26 01
	R. M. Stafford, sheriff Guilford county,		204 30
	J. H. Lanning, sheriff Transylvania county,		47 50

Educational Fund receipts.

STATEMENT B.

EDUCATIONAL FUND—(DISBURSEMENTS.)

Educational Fund
disbursements.

*Showing the different purposes for which the Disbursements
of the Educational Fund were made.*

Common Schools,	\$ 38,981	86
Expense account,	2,014	
Investment in special tax bonds,	150,000	
Loan to University of North Carolina,	10,000	
Loan to the Institution for the Deaf and Dumb and Blind,	2,000	
Tax on polls refunded,	415	15
	<hr/>	
	\$ 203,411	01

DETAILED AS FOLLOWS:

1869.		
Oct.	Rev. J. W. Hood, Agent for Board of Education, salary per month of September, 1869.	\$ 100
	D. A. Jenkins, Public Treasurer, in full for three notes bearing date April 6th, 10th and 13th, 1869, for amount loaned the State of North Carolina by the Board of Education of said State, the principal of each note being respectively \$30,000, \$70,000 and \$58,000—total \$158,000. Interest on the above notes from their respective dates to October 11th, 1869, at 8 per cent per annum, \$6,320,	164,320
Nov.	Rev. J. W. Hood, Agent for Board of Education, salary for the month of October, 1859,	100

Educational Fund disbursements.	1869.	Nov.	D. A. Jenkins, Treasurer Board of Education, for expenses incurred in travelling to and from New York on business for said Board in regard to the school fund,	87
			Rev. J. W. Hood, Agent Board of Education, for services rendered said Board for the month ending November 30th, 1869,	135 75
			Invested by order of Board of Education of North Carolina, in special tax coupon bonds issued for Wilmington, Charlotte and Rutherford Railroad, amounting to four hundred and fifty thousand dollars, (\$450,000).	150,000
	Dec.		Rev. J. W. Hood, Agent for Board of Education, salary for the month of December, 1869,	125
			R. W. Lassiter, Treasurer for the University of North Carolina, for amount loaned to said University for the payment of salaries and other necessary express,	2,000
	1870.			
	Jan.		D. A. Jenkins for advertising proposals for the delivery of certain bonds, as per bill on file in office of Department Public Instruction, dated New York, October 27th, 1869,	44 20
			Rev. J. W. Hood, Agent for Board of Education, salary for the month of January, 1870,	125
			John A. Small for the payment of wages of public school teachers in Pasquotank county,	90
	Feb.		Rev. J. W. Hood, Agent for Board of Education, for expenses incurred in travelling on business for said Board,	182 85
			Rev. J. W. Hood, Agent for Board of Education, salary for month of February, 1870,	125
			Sundry persons to pay the wages of	

1870.		\$	Educational Fund disbursements.
	public school teachers employed in the following counties, viz:		
Feb.	J. F. Randolph, treasurer Beaufort county,	314 65	
	Jno. C. McCraw, treasurer Warren county,	368	
	W. G. Pool, treasurer Pasquotank county,	857 50	
	George A. Ikerd, treasurer Catawba county,	1,250 40	
March.	Sundry persons to pay the wages of public school teachers, employed in the following counties, viz:		
	George A. Ikerd, treasurer Catawba county,	343 25	
	E. R. Brink, treasurer New Hanover county,	258	
	A. H. Foster, treasurer Craven c'ty,	170	
	J. McKraw, treasurer Warren c'ty,	35	
	S. F. Randolph, treasurer Beaufort county,	96 60	
	J. T. Perry, treasurer Alexander county,	172 50	
	J. A. Woodard, treasurer Chowan county,	240	
	C. A. Carlton, treasurer Iredell c'ty,	305	
	Stephen Johnson, treasurer Wilkes county,	720 24	
	W. G. Pool, treasurer Pasquotank county,	302 50	
	Hon. R. W. Lassiter, treasurer for the University of North Carolina, for amount loaned to said University, for the payment of salaries and other necessary expenses,	2,000	
	Rev. J. W. Hood, agent for the Board of Education, salary for the month of March, 1870,	125	
April.	Sundry persons to pay the wages of public school teachers employed in the following counties, viz:		
	E. R. Brink, treasurer New Hanover county,	497	
	E. T. Clark, treasurer Halifax c'ty,	282 25	

Educational Fund
disbursements.

1870.			
April.	E. D. Johnson, treasurer Robeson county,	\$	221
	Daniel E. Lee, treasurer Tyrrell county,		265
	C. A. Carlton, treasurer Iredell county,		307
	J. A. Woodard, treasurer Chowan county,		204.50
	R. J. Powell, treasurer Lenoir c'ty,		90
	A. H. Foster, treasurer Craven "		120
	Stephen Johnson, treasurer Wilkes county,		891.86
	R. F. Lynville, treasurer Forsythe county,		512
	W. G. Pool, treasurer Pasquotank county,		100
	J. T. Perry, treasurer Alexander county,		438.50
	J. F. Randolph, treasurer Beaufort county,		276
	J. N. Null, treasurer Stokes county,		25
	J. L. Hood, treasurer Henderson county,		908.95
	Wm. Vuncannon, treasurer Watauga county,		143.50
	A. Holland, treasurer Johnston co'ty,		122.50
	W. H. Soper, for 2000 1st and 2d grades teachers' certificates furnished to Sup't Pub. Instruction,		75
	Rev. J. W. Hood, agent for Board of Education, salary for the month of April, 1870,		125
May.	Sundry persons during this month to pay the wages of public school teachers in various counties as follows:		
	E. D. Johnson, treasurer Robeson county,		105
	Alfred Holland, treasurer Johnston county,		70
	C. C. McMickle, treasurer Surry county,		410.50
	W. L. Cecil, treasurer Davidson county,		977.14

1870. May.	J. F. Randolph, treasurer Beaufort county,	\$	56	25	Educational Fund disbursements.
	Stephen Johnson, treasurer Wilkes county,		358	63	
	R. F. Linville, treasurer Forsythe county,		446		
	J. N. Null, treasurer Stokes county,		50		
	W. L. Cecil, treasurer Davidson county,		626	74	
	S. N. Welch, treasurer Cumberland county,		100		
	J. W. Foster, treasurer Rockingham county,		50		
	W. S. Buchanan, treasurer Mitchell county,		232		
	E. R. Brink, treasurer N. Hanover county,		233		
	A. H. Foster, treasurer Craven co..		70		
	W. L. Cecil, treasurer Davidson county,		255	64	
	Alfred Holland, treasurer Johnston county,		60		
	E. T. Clark, treasurer Halifax co'ty.		274	50	
	C. C. McMickle, treasurer Surry county,		150		
	Wm. Vuncannon, treasurer Watauga county,		60		
	A. H. Foster, treasurer Craven co'ty.		80		
	J. A. Woodard, treasurer Chowan county,		195		
	A. H. Foster, treasurer Craven co'ty.		270		
	J. S. McCubbins, treasurer Rowan county,		180		
	J. A. McArther, treasurer Duplin county,		190		
	J. F. Randolph, treasurer Beaufort county,		30		
	S. T. Wilder treasurer, Franklin county,		79	50	
	A. Holland, treasurer Johnston county,		45		
	E. T. Clark, treasurer Halifax con'ty		242		
	Stephen Johnson, treasurer Wilkes county,		90	24	

Educational Fund disbursements.	1870.		
	May.	John C. McCraw, treasurer Warren county,	\$ 100
		Henry Rieger, treasurer Carteret county,	73 50
		J. C. McCraw, treasurer Warren county,	85
		J. F. Randolph, treasurer Beaufort county,	50
		John Hall, treasurer Guilford co'ty,	98
		A. H. Foster, treasurer Craven co'ty,	80
		W. T. McKoy, treasurer Lincoln county,	313 70
		John C. McCraw, treasurer Warren county,	245
		J. A. Woodard, treasurer Chowan county,	140
		C. C. McMickle, treasur'r Surry county,	113
		S. N. Welch, treasurer Cumberland county,	65
		Alfred Holland, treasurer Johnston county,	35
		C. A. Carlton, treasurer Iredell co'ty,	170
		Wm. Vuncannon, treasurer Watauga county,	56 25
		Alfred Holland, treasurer Johnston county,	45
		W. J. Riddick, clerk U. S. circuit court for cost in the case of State North Carolina and Board of Education vs. Chas. Dewey, assignee, &c.	29 20
		R. F. Trogdon, sheriff Randolph county, for allowances made by board of county commissioners of said county on account poll taxes, 1869,	134 40
		R. W. Lassiter, treasurer University of North Carolina, for first payment of a loan of \$5000, as per vote on May 16th,	3,0 00
	June.	Paid treasurers of sundry counties to pay wages of public school teachers, as follows:	

1870. June.		\$	Educational Fund disbursements.
	Henry Rieger, treasurer Carteret county,	40	
	S. N. Welsh, treasurer Cumberland county,	25	
	E. T. Clark, treasurer Halifax co'ty,	92	
	R. F. Linville, treasurer Forsythe county,	176	
	E. R. Brink, treasurer New Hanover county,	75	
	A. H. Foster, treasurer Craven co'ty,	70	
	J. A. McArthur, treasurer Duplin county,	175	
	C. C. McMickle, treasurer Surry county,	232	
	S. N. Welsh, treasurer Cumberland county,	175	
	Alfred Holland, treasurer Johnston county,	245	
	W. T. McKoy, treasurer Lincoln county,	909	
	J. N. Null, treasurer Stokes county,	99	
	J. A. McArthur, treasurer Duplin county,	819	25
	A. H. Foster, treasurer Craven county,	120	
	J. C. McCraw, treasurer Warren county,	115	
	S. N. Welch, treasurer Cumberland county,	175	
	W. L. Cecil, treasurer Davidson county,	304	64
	Stephen Johnston, treasurer Wilkes county,	120	32
	John Hall, treasurer Guilford c'nty,	183	50
	J. F. Randolph, treasurer Beaufort county,	171	75
	C. A. Carlton, treasurer Iredell county,	30	
	Daniel E. Lee, treasurer Tyrrell county,	165	
	R. P. Taylor, treasurer Granville county,	190	
	J. C. McCraw, treasurer Warren county,	65	

1870.					
Educational Fund disbursements.	June.	S. E. Belk, treasurer Mecklenburg county,	\$ 160		
		S. T. Wilder, treasurer Franklin county,	30		
		E. D. Johnston, treasurer Robeson county,	80		
		R. J. Powell, treasurer Lenoir c'nty,	401		
		H. Wilkerson, treasurer Bladen county,	75		
		Paid J. W. Hood, agent for board of education, salary for the months May and June, 1870, (\$125 per month,)	70		
		July.	Sundry county treasurers to pay the wages of public school teachers in the following counties:	J. A. Woodard, treasurer Chowan county,	250
				W. T. McKoy, treasurer Lincoln county,	138
				Ed'w R. Brink, treasurer New Han- over county,	56
				R. P. Taylor, treasurer Granville county,	66
				R. P. Taylor, treasurer Granville county,	130
				S. N. Welsh, treasurer Cumberland county,	140
				S. N. Welsh, treasurer Cumberland county,	120
A. H. Foster, treasurer Craven c'nty,	200				
S. T. Wilder, treasurer Franklin county,	680				
J. W. Duncan, treasurer McDowell county,	110				
R. F. Taylor, treasurer Granville county,	170				
Henry Rieger, treasurer Carteret county,	725				
S. N. Welsh, treasurer, Cumberland county,	563				
Eli Graybeal, treasurer Ashe c'nty,	150				
J. C. McCraw, treasurer Warren county,	74				
		340			

1870. July.		\$	Educational Fund disbursements.
	J. C. McCraw, treasurer Warren county,	72	
	C. A. Carlton, treasurer Iredell county,	48	
	Alfred Holland, treasurer Johnston county,	195	
	John W. Foster, treasurer Rockingham county,	170	
	Josiah Nicholson, treasurer Perquimans county,	210	
	Daniel E. Lee treasurer Tyrrell county,	30	
	Stephen Johnston treasurer Wilkes county,	40	
	J. M. Moseley, treasurer Sampson county,	91	
	W. L. Cecil, treasurer Davidson county,	60	
	D. S. Thompson, treasurer Alamance county,	48	
	J. W. Hood, Agent board of education, salary for the month of July, 1870,	125	
	R. B. Salisbury, sheriff of Martin county, for tax refunded on insolvent polls for the year 1869,	215	25
Aug'st	The treasurers of sundry counties to pay the wages of public school teachers, as follows :		
	A. H. Foster, treasurer Craven c'ty,	74	
	Josiah Nicholson, treasurer Perquimans county,	120	
	Matthew Fultord, treasurer Davie county,	120	
	Henry Reiger, treasurer Carteret county,	65	
	John Hall, treasurer Guilford Jnty,	34	40
	R. F. Linville, treasurer Forsythe county,	49	
	R. P. Taylor, treasurer Granville county,	535	
	S. N. Welsh, treasurer Cumberland county,	307	50
	W. G. Pool, treasurer Pasquotank county,	35	

Educational Fund disbursements.	1870. Aug't.		
		D. S. Thompson, treasurer Alamance county,	\$ 125
		A. H. Foster, treasurer Craven c'nty,	150
		J. A. McArthur, treasurer Duplin county,	50
		Matthew Fulford, treasurer Davie county,	50
		Ed. R. Brink, treasurer New Hanover county,	100
		Daniel E. Lee, treasurer Tyrrell county,	60
		R. P. Taylor, treasurer Granville county,	140
		R. P. Taylor, treasurer Granville county,	190
		Samuel T. Wilder, treasurer Franklin county,	120
		J. F. Randolph, treasurer Beaufort county,	46
		Eli Graybeal, treasurer Ashe co'ty,	20
		Eli Graybeal, treasurer Ashe "	38
		A. R. Thompson, treasurer Bertie county,	60
		A. R. Thompson, treasurer Bertie county,	80
		S. N. Welsh, treasurer Cumberland county,	80
		Alfred Holland, treasurer Johnston county,	56
		A. H. Foster, treasurer Craven co'ty,	10
		A. H. Foster, treasurer Craven "	20
		A. H. Foster, treasurer Craven "	28
		Jno. Hall, treasurer Guilford "	21
		J. S. Hyatt, treasurer Yancey "	292
		Stephen Johnson, treasurer Wilkes county,	112
		J. F. Randolph, treasurer Beaufort county,	60
		E. R. Brink, treasurer N. Hanover county,	72
		Alfred Holland, treasurer Johnston county,	30
		Josiah Nicholson, treasurer Perquimans county,	331

1870. Aug't.			Educational Fund disbursements.
	S. N. Welsh, treasurer Cumberland county,	\$ 250	
	J. C. McCraw, treasurer Warren county,	80	50
	Stephen Johnson, treasurer Wilkes county,	43	25
	S. N. Welsh, treasurer Cumberland county,	150	
	S. N. Welsh, treasurer Cumberland county,	130	
	Henry Reiger, treasurer Carteret county,	100	
	L. C. Taylor, treasurer Granville county,	100	
	L. C. Taylor, treasurer Granville county,	97	
	L. C. Taylor, treasurer Granville county,	170	
	S. N. Welsh, treasurer Cumberland county,	75	
	J. S. McCubbins, treasurer Rowan county,	180	
	S. E. Belk, treasurer Mecklenburg county,	14	37
	J. F. Randolph, treasurer Beaufort county,	100	
	J. N. Null, treasurer Stokes county,	25	
	J. N. Null, treasurer Stokes county,	25	
	J. W. Hood, agent for Board of Education, salary for the month of August 1870,	125	
Sept.	Paid J. W. Hood, agent for Board of Education, salary for the month of September, 1870,	125	
	Paid sundry county treasurers to pay the wages of public school teachers as follows:		
	S. T. Wilder, treasurer Franklin county,	50	
	S. N. Welsh, treasurer Cumberland county,	170	
	A. H. Foster, treasurer Craven co'ty,	28	
	Geo. A. Ikerd, treasurer Catawba county,	60	

Educational Fund disbursements.	1869. Sept.	W. L. Cecil, treasurer Davidson county,	\$	81
		Jno. C. McCraw, treasurer Warren county,		25
		C. A. Carlton, treasurer Iredell co'ty,		32
		C. A. Carlton, treasurer " "		54
		Eli Coalman, treasurer Clay " "		80
		S. E. Belk, treasurer Mecklenburg county,		200
		Jas. A. Woodard, treasurer Chowan county,		80
		A. H. Foster, treasurer Craven co'ty,		30
		A. H. Foster, " " "		68
		S. T. Wilder, " Franklin "		120
		Edmond Coor, " Wayne "		105
		R. F. Linville, " Forsythe "		31
		R. F. Linville, " " "		126
		S. E. Belk, treasurer Mecklenburg county,		57 25
		C. A. Carlton, treasurer Iredell co'ty,		20
		S. T. Wilder, treasurer Franklin county,		90
		Eli Coalman, treasurer Clay county,		40
		Henry Rieger, treasurer Carteret county,		100
		A. H. Foster, treasurer Craven co'ty,		60
		Alfred Holland, treasurer Johnston county,		17
		Alfred Holland, treasurer Johnston county,		46
		B. P. Clifton, treasurer Franklin county,		337
		J. C. McCraw, treasurer Warren county,		18
		J. C. McCraw, treasurer Warren county,		60
		Alfred Holland, treasurer Johnston county,		22 50
		E. D. Johnston, treasurer Robeson county,		80
		Jno. B. Howell, treasurer Caldwell county,		19 50
		A. R. Fonshee, treasurer Person		75
		Watson Curtis, treasurer Clay co'ty,		60

1869.		\$	Educational Fund disbursements.
Oct.	John W. Foster, treasurer Rocking-		50
	ham county,		45
	S. E. Belk, treasurer Mecklenburg		8750
	county,		25
	A. R. Foushee, treasurer Person co'ty		60
	Henry Reiger, treasurer Carteret		30
	county,		570
	Jno. A. McArthur, treasurer Du-		30
	plin county,		30
	Alfred Holland, treasurer Johnston		82
	county,		179
	J. C. Ferebee, treasurer Camen co'ty,		167 37
	C. A. Carlton, treasurer Iredell co'ty,		124 21
	C. A. Corlton, treasurer Iredell "		160
	J. T. Perry, treasurer Alexander		181 90
	county,		65 50
	W. S. McKee, treasurer Gaston		3,000
	Henry Reiger, treasurer Carteret		2,000
	county,		
	S. E. Belk, treasurer Mecklenburg		
	county,		
	Henry Reiger, treasurer Carteret		
	county,		
	Refunded to E. Murrill, sheriff of		
	Onslow county, tax on polls for		
	the years 1866 and 1867,		
	Paid R. W. Lassiter, treasurer, &c.,		
	of University of North Carolina,		
	on account of a loan to said Uni-		
	versity of \$6,000, on May 16th,		
	1870,		
	Paid John Nichols, treasurer Institu-		
	tion Deaf and Dumb and the		
	Blind of N. C., for which a note is		
	given by said Nichols, payable in		
	90 days with interest, (Towls note		
	as collateral,)		

RECEIPTS AND DISBURSEMENTS,

*Of Public Fund for Fiscal Year Ending Sept. 30th, 1870.*Receipts and dis-
bursements of
Public Fund.

		RECEIPTS.		DISBURSEMENTS.	
1869.	October,	\$	848,608 56	\$	1,131,479 13
	November,		105		43,540 16
	December,		2,018,540 66		1,598,638 99
1870.	January,		115,325 75		207,255 08
	February,		46,468 99		24,474 26
	March,		114,663 70		178,948 23
	April,		206,398 92		51,314 37
	May,		3,713 92		23,140 92
	June,		540		26,483 20
	July,		93,205 53		103,199 84
	August,		236 08		35,252 15
	September,		111,060 37		31,487 77
		\$	3,557,867 48	\$	3,454,214 10

STATEMENT C.

PUBLIC FUND RECEIPTS.

*Exhibiting the several sources from which the receipts of
Public Fund were derived.*

		Public Fund receipts.
Atlantic Tennessee and Ohio Rail- road Co., coupons surrendered,	\$ 60,000	
Blank Books and Stationery,	7,396 05	
Convention Tax,	1,742 26	
Contingencies,	25	
Funding,	302 08	
Marion and Asheville Turnpike, (special tax),	7,147 04	
Northwestern North Carolina Rail- road, (special tax),	57,628 01	
Public Taxes,	483,196 45	
Quarantine Regulations,	125	
Railroad Dividends,	180,000	
Sales of State property,	560	
Special tax for support of public schools,	22,905 82	
Special tax for the erection and sup- port of Penitentiary,	22,005 82	
Tax on Express Companies,	462 88	
Tax on Insurance Companies,	14,420	
Tax on Corporations,	275 89	
Tax on Attorney's Licenses,	266	
Tax on seals,	27 50	
Wilmington, Charlotte and Ruther- ford Railroad Company, for State coupon bonds on account of stock subscribed to by state in said road,	2,001,250	
Western North Carolina Railroad (Western Division) for matured coupon bonds, and State coupon bonds on account of stock sub- scribed to by State,	270,000	
Western North Carolina Railroad, (special tax),	201,605 41	

Public Fund, receipts.	Wilmington Charlotte and Rutherford Railroad, (special tax.)	\$ 143,998 92
	Williamston and Tarboro' Railroad, (special tax.)	38,418 60
	Western Railroad, (special tax.)	43,208 75
		\$ 3,557,877 48

DETAILED AS FOLLOWS :

1869.		
Oct.	Dr. Wm. Sloan, President Wilmington, Charlotte and Rutherford Railroad Company, State coupon bonds in part payment of stock subscribed by the State to said company, including accrued interest on said bonds,	\$ 501,250
	Wm. Johnson, President Atlantic Tennessee and Ohio Railroad Company, coupons due October 1st, 1869, required by act issuing bonds to said company, to be surrendered to the public treasurer.	60,000
	G. W. Swepson, President Western Division of the Western North Carolina Railroad company, cash in compliance with section 19, of "an act amendatory of an act to incorporate the Western North Carolina Railroad Company," ratified January 29th, 1866, to meet first installment of interest,	3,000
	G. W. Swepson, (President &c., as above) matured coupon bonds issued in compliance with the above act, said coupons falling due April 1st, 1869,	87,000
	A. F. Hurley, sheriff Cabarrus county, on account of public taxes, 1869,	7,964 14
	A. F. Hurley, (sheriff &c., as above) in full for special taxes levied to pay interest on coupon bonds issued to the following roads :	

1869.				
Oct.	Williamston & Tarboro' R. R. Co.,	\$	733	81 Public Fund, receipts.
	Western North Carolina, " "		3,852	50
	Wilmington, Charlotte & Rutherford R. R. Co.,		2,751	79
	Western R. R. Co.,		825	54
	North Western North Carolina R. R. Co.,		1,100	72
	Marion & Asheville Turnpike Company,		110	06
	G. W. Swepson, President Western Division Western North Carolina R. R. Co., coupon bonds on account of State stock subscribed to said Company, authorized by General Assembly,		180,000	
	J. B. Davis, quarantine medical officer at Beaufort harbor, fees from vessels in quarantine at port of Beaufort, N. C.			20
Nov.	W. G. Curtiss, quarantine medical officer, fees received from vessels in quarantine at port of Wilmington,			105
Dec.	Sundry sheriffs, on account of public tax, as follows:			
	W. J. Taylor, sheriff Greene co'ty,		4,840	18
	B. F. Briggs, " Wilson "		4,347	32
	J. H. King, " Lincoln "		3,879	49
	R. M. White, sheriff Mecklenburg county,		17,617	33
	R. Watts, sheriff Alexander co'ty,		2,420	65
	W. F. Wasson, sheriff Iredell "		5,844	75
	P. C. Riley, sheriff Montgom'ry "		2,622	03
	A. S. C Powell, sheriff Sampson "		4,511	
	G. N. Lewis, sheriff Nash "		5,085	93
	A. Murray, " Alamance "		5,737	68
	W. E. Piercy, " Yancey "		1,237	20
	C. C. Vest, " Cherokee "		2,340	09
	M. C. Brinkley, " Chowan "		1,329	67
	R. M. Stafford, " Guilford "		14,100	65
	John Turner, " Orange "		7,598	09
	A. G. Tweed, " Madison "		1,825	78
	John Pierce, " Jones "		2,226	40
	Wm. Haymore, " Surry, "		4,657	89

Public Fund, receipts.	1869. Dec		
		R. F. Trogdon, sheriff Randolph county,	\$ 7,649 91
		G. W. Willoughby, sheriff Anson	5,001 87
		W. H. Higdon, sheriff Macon c'nty,	2,588 90
		J. D. Davis, sheriff Carteret county,	2,042 30
		R. B. Salisbury, sheriff Martin "	5,092 43
		Abner Aydlett, " Camden "	1,719 56
		George Credle, " Hyde "	2,278 67
		Battle Bryan, sheriff Edgecombe county,	15,587 70
		John Patterson, sheriff Clay county,	681 87
		A. J. Murray, sheriff Haywood "	2,972 18
		Bland Wallace, " Duplin "	2,238 96
		R. R. McCall, " Caldwell "	3 420 83
		E. A. Gupton, " Franklin "	4,905 63
		J. A. Sowers, " Davidson "	7,634 40
		Jonas Kline, " Catawba "	5,862 06
		Martin Walker, " Rutherford "rd "	3,142 18
		A. H. Simmons, " McDowell "	2,548 52
		Isaac Pipkin, " Hertford "	3,933 15
		Wm. Latham, " Ashe "	2,873 16
		J. C. Rhodes, " Wayne "	10,092 94
		W. B. Hampton, " Polk "	1,383 36
		George Nicks, " Yadkin "	3,587 77
		V. V. Richarbson, sheriff Columbus county,	2,968 50
		E. G. Hill, sheriff Johnston county,	6,613 17
		B. A. Howell, " Robeson "	3,476 32
		Henry White, " Perquimans "	3,484 96
		M. Masten, " Forsythe "	7,790 23
		W. A. Walton, " Rowan, "	9,295 46
		B. F. Willey, " Gates "	2,368 15
		Joseph Marshall, sheriff Stanley county,	2,461 10
		John L. Wood, sheriff Pasquotank county,	3,380 56
		E. Murrell, sheriff Onslow county,	3,120 10
		Sundry sheriffs for tax levied to pay interest on coupon bonds issued to Williamston and Tarboro' Railroad company as follows:	
		W. J. Taylor sheriff Greene county,	387 62
		B. F. Briggs, " Wilson "	498 59
		J. H. King, " Lincoln "	434 09

1869. Dec.		\$		Public Fund, receipts.
	R. M. White sheriff Mecklenburg county,		1,410	56
	R. Watts, sheriff Alexander county,		207	06
	W. F. Wasson, sheriff Iredell co'ty,		657	99
	P. C. Riley, sheriff Montgomery county,		227	71
	A. S. C. Powell, sheriff Sampson county,		406	95
	G. N. Lewis, sheriff Nash county		417	32
	A. Murray, sheriff Alamance "		516	17
	W. E. Piercey, sheriff Yancey "		107	44
	C. C. Vest, sheriff Cherokee "		216	49
	R. M. Stafford, sheriff Guilford "		1,141	63
	M. C. Brinkley, sheriff Chowan "		165	28
	John Turner, sheriff Orange "		646	29
	A. G. Tweed, sheriff Madison "		142	16
	John Pierce, sheriff Jones "		217	40
	G. W. Willoughby, sheriff Anson county,		416	48
	Wm. Haymore, sheriff Surry county,		412	60
	R. F. Trogdon, sheriff Randolph county,		672	22
	W. H. Higdon, sheriff Macon co'ty,		215	84
	J. D. Davis, sheriff Carteret "		209	86
	G. W. McKee, sheriff Gaston "		486	47
	R. B. Salisbury, sheriff Martin "		487	09
	Abner Aydlett, sheriff Camden "		124	82
	George Credle, sheriff Hyde "		185	60
	Battle Bryan, sheriff Edgecombe "		1,432	93
	John Patterson, sheriff Clay "		53	39
	A. J. Murray, sheriff Haywood "		254	64
	Bland Wallace, sheriff Duplin "		375	13
	R. R. McCall, sheriff Caldwell "		303	08
	E. A. Gupton, sheriff Franklin "		576	97
	J. A. Sowers, sheriff Davidson "		669	39
	Jonas Cline, sheriff Catawba "		500	32
	Martin Walker, sheriff Rutherford county,		418	43
	A. H. Simonds, sheriff McDowell county,		228	79
	Isaac Pipkin, sheriff Hertford co'ty,		338	23
	Wm. Latham, sheriff Ashe "		263	85
	J. C. Rhodes, sheriff Wayne "		866	97
	N. B. Hampton, sheriff Polk "		133	86
	Geo. Nicks, sheriff Yadkin "		309	

Public Fund, receipts.	1869. Dec.		
		V. V. Richardson, sheriff Columbus county,	\$ 259 19
		E. G. Hill, sheriff Johnston county,	595 34
		B. A. Howell, sheriff Robeson "	466 07
		Henry White, sheriff Perquimans county,	299 40
		M. Masten, sheriff Forsythe county,	684 21
		W. A. Walton, sheriff Rowan co'ty,	781 57
		B. F. Willey, sheriff Gates "	202
		Joseph Marshall, sheriff Stanley "	216 16
		J. L. Wood, sheriff Pasquotank "	557 59
		E. Murrell, sheriff Onslow "	270 49
		Sundry sheriffs, ou account of tax levied for interest on coupon bonds issued to the Western North Carolina R. R. Co., as follows:	
		W. J. Taylor, sheriff Greene co'ty,	2,019 55
		B. F. Briggs, " Wilson "	2,617 60
		J. H. King, " Lincoln "	2,278 96
		R. M. White, sheriff Mecklenburg county,	7,405 39
		R. Watts, sheriff Alexander co'ty,	1,087 42
		W. F. Wasson, sheriff Iredell "	3,454 46
		P. C. Riley, sheriff Montgomery "	1,195 47
		A. S. C. Powell, sheriff Sampson "	2,136 53
		G. N. Lewis, sheriff Nash "	2,190 92
		A. Murray, sheriff Alamance "	2,709 91
		W. E. Piercy, sheriff Yancey "	564 05
		C. C. Vest, sheriff Cherokee "	1,136 60
		M. C. Brinkley, sheriff Chowan "	867 67
		R. M. Stafford, sheriff Guilford "	5,993 50
		John Turner, sheriff Orange "	3,392 99
		A. G. Tweed, sheriff Madison "	746 36
		John Pearce, sheriff Jones "	1,141 37
		Wm. Haymore, sheriff Surry "	2,166 11
		R. F. Trogdon, sheriff Randolph "	3,529 17
		W. H. Higdon, sheriff Macon "	1,133 18
		G. W. Willoughby, sheriff Anson "	2,186 52
		J. D. Davis, sheriff Carteret "	1,116 49
		G. W. McKee, sheriff Gaston "	2,553 94
		R. B. Salisbury, sheriff Martin "	2,558 19
		Abner Aydlett, sheriff Camden "	655 38
		George Credle, sheriff Hyde "	974 41
		Battle Bryan, sheriff Edgecombe "	7,522 88
		John Patterson, sheriff Clay "	280 30

1869. Dec.	A. J. Murray, sheriff Haywood c'nty,	5	1,336	98	Public Fund, receipts.
	Bland Wallace, sheriff Duplin "		1,969	42	
	R. R. McCall, sheriff Caldwell "		1,591	20	
	E. A. Gupton, sheriff Franklin "		3,029	08	
	J. A. Sowers, sheriff Davidson c'nty,		3,514	28	
	Jonas Kline, " Catawba "		2,626	61	
	M. Walker, " Rutherford "		2,196	75	
	A. H. Simmonds, sheriff McDowell county,		1,201	16	
	Isaac Pipkin, sheriff Hertford c'nty,		1,775	73	
	Wm. Latham, " Ashe "		1,375	21	
	J. C. Rhodes, " Wayne "		4,551	41	
	N. B. Hampton, " Polk, "		708	96	
	George Nicks, " Yadkin "		1,622	27	
	V. V. Richardson, sheriff Columbus county,		1,360	78	
	E. G. Hill, sheriff Johnston county,		3,125	53	
	B. A. Howell, " Robeson "		2,446	84	
	Henry White, " Perquimans "		1,571	80	
	M. Masten, " Forsythe "		3,592	10	
	W. A. Walton, " Rowan "		4,103	56	
	B. F. Willey, " Gates "		1,060	62	
	Joseph Marshall, Stanley "		1,134	83	
	J. L. Wood, " Pasquotank "		1,868	67	
	E. Murrell, " Onslow "		1,420	05	
	Sundry sheriffs on account of tax levied for interest on coupon bonds issued to the Wilmington, Charlotte and Rutherford Rail- road company, as follows :				
	W. J. Taylor, sheriff Greene county		1,442	63	
	B. F. Briggs, " Wilson "		1,869	74	
	J. H. King, " Lincoln "		1,627	82	
	R. M. White, " Mecklenb'g "		5,287	56	
	R. Watts, " Alexander "		776	51	
	P. C. Riley, sheriff Montgomery "		853	90	
	W. F. Wasson, sheriff Iredell "		2,467	46	
	A. S. C. Powell, sheriff Sampson "		1,526	09	
	G. N. Lewis, sheriff Nash county,		1,565	01	
	A. Murray, sheriff Alamance county.		1,935	60	
	W. E. Piercy, sheriff Yancey c'nty.		402	90	
	C. C. Vest, sheriff Cherokee county.		811	86	
	M. C. Brinkley, sheriff Chowan co..		619	78	
	R. M. Stafford, sheriff Guilford co..		4,281	07	
	John Turner, sheriff Orange county,		2,423	57	

Public Fund, receipts.	1869. Dec.		\$	
		A. G. Tweed, sheriff Madison c'ty,	533	11
		John Pearce, sheriff Jones county,	815	26
		Wm. Haymore, sheriff Surry c'ty,	1,547	25
		G. W. Willoughby, sheriff Anson county,	1,561	80
		R. F. Trogdon, sheriff Randolph county,	2,520	83
		W. H. Higdon, sheriff Macon co'ty,	809	43
		J. D. Davis, sheriff Carteret "	797	83
		G. W. McKee, sheriff Gaston "	1,824	27
		R. B. Salisbury, sheriff Martin "	1,827	28
		Abner Aydlett, sheriff Camden "	468	13
		Geo. Credle, sheriff Hyde "	695	58
		Battle Bryan, sheriff Edgecombe "	5,373	49
		John Patterson, sheriff Clay "	200	22
		A. J. Murray, sheriff Haywood "	954	98
		Bland Wallace, sheriff Duplin "	1,406	72
		R. R. McCall, sheriff Caldwell "	1,136	57
		E. A. Gupton, sheriff Franklin "	2,163	64
		J. A. Sowers, sheriff Davidson "	2,510	20
		Jonas Kline, sheriff Catawba "	1,876	15
		M. Walker, sheriff Rutherford "	1,569	11
		A. H. Simmonds, sheriff McDowell county,	857	97
		Isaac Pipkin, sheriff Hertford co'ty,	1,268	38
		Wm. Latham, sheriff Ashe "	989	44
		J. C. Rhodes, sheriff Wayne "	3,251	09
		N. B. Hampton, sheriff Polk "	505	73
		Geo. Nicks, sheriff Yadkin "	1,158	77
		V. V. Richardson, sheriff Columbus county,	971	99
		E. G. Hill, sheriff Johnston county,	2,232	52
		B. A. Howell, sheriff Robeson "	1,747	74
		Henry White, sheriff Perquimans county,	1,122	74
		M. Masten, sheriff Forsythe county,	2,565	79
		W. A. Walton, sheriff Rowan "	2,931	12
		B. F. Willey, sheriff Gates "	757	58
		Joseph Marshal, sheriff Stanley "	810	60
		J. L. Wood, sheriff Pasquotank "	1,334	18
		E. Murrell, sheriff Onslow "	1,014	34
		Sundry sheriffs on account of tax levied for interest on coupon bonds issued to the North-western North Carolina R. R. Co., as follows :		

1869.				
Dec.	W. J. Taylor, sheriff Greene county,	\$	577	03 Public Fund
	B. F. Briggs, sheriff Wilson		747	89 receipts.
	J. H. King, sheriff Lincoln		651	13
	R. M. White, sheriff Mecklenburg			
	county,		2,115	83
	R. Watts, sheriff Alexander co'ty,		310	61
	W. F. Wasson, sheriff Iredell		986	99
	P. C. Riley, sh'ff Montgomery		341	56
	A. S. C. Powell, sh'ff Sampson		610	44
	G. N. Lewis, sheriff Nash		625	98
	A. Murray, sheriff Alamance		774	30
	W. E. Piercy, sheriff Yancy		161	24
	C. C. Vest, sheriff Cherokee		324	74
	M. C. Brinkley, sheriff Chowan		347	91
	R. M. Stafford, sheriff Guilford		1,712	43
	John Turner, sheriff Orange		969	43
	A. G. Tweed, sheriff Madison		213	25
	John Pierce, sheriff Jones		326	11
	G. W. Willoughby, sh'ff Anson		624	73
	Wm. Haymore, sheriff Surry		618	89
	R. T. Trogden, sh'ff Randolph		1,004	33
	W. H. Higdon, sheriff Macon		323	77
	J. D. Davis, sheriff Carteret		318	73
	G. W. McKee, sheriff Gaston		729	71
	R. B. Salisbury, sh'ff Martin		730	92
	Abner Aydlett, sheriff Camden		187	25
	George Credle, sheriff Hyde		278	41
	Battle Bryan, sh'ff Edgecombe		2,149	40
	John Patterson, sheriff Clay		80	09
	A. J. Murray, sheriff Haywood		381	99
	Bland Wollace, sheriff Duplin		8627	03
	R. R. McCall, sheriff Caldwell		45	46
	E. A. Gupton, sheriff Franklin		865	46
	J. A. Sowers, sheriff Davidson		1,004	09
	Jonas Cline, sheriff Catawba		750	48
	W. Walker, sheriff Rutherford		627	64
	A. H. Simmonds, sh'ff McDowell		343	19
	Isaac Pipkin, sheriff Hertford		507	35
	Wm. Latham, sheriff Ashe		395	77
	J. C. Rhodes, sheriff Wayne,		1,300	43
	N. B. Hampton, sheriff Polk		202	29
	Geo. Nicks, sheriff Yadkin		463	51
	V. V. Richardson, sh'ff Col'bus		388	79
	E. G. Hill, sheriff Johnston,		893	01
	B. A. Howell, sheriff Robeson		699	11

Public Fund
receipts.

1869.			
Dec.	Henry White, sh'ff Perquimans c'ty,	\$	449 10
	M. Masten, sheriff Forsythe	"	1,026 32
	W. A. Walton, sheriff Rowan	"	1,172 46
	B. F. Willey, sheriff Gates	"	303 03
	Joe Marshal, sheriff Stanly	"	222 24
	J. L. Wood, sheriff Pasquotank	"	584 76
	F. Murrell, sheriff Onslow	"	405 73
	Sundry sheriffs, on account of tax levied for interest on coupon bonds issued to Western R. R. Co., as follows :		
	W. J. Taylor, sheriff Greene county,		432 60
	B. F. Briggs, sheriff Wilson	"	560 97
	J. H. King, sheriff Lincoln	"	488 35
	R. M. White, sheriff Mecklenburg county,		1,586 87
	R. Watts, sheriff Alexander county,		231 95
	W. F. Wasson, sheriff Iredell	"	740 26
	P. C. Riley, sheriff Montgomery	"	256 17
	A. S. C. Powell, sheriff Sampson	"	457 83
	G. N. Lewis, sheriff Nash	"	469 48
	A. Murray, sheriff Alamance	"	580 70
	W. E. Piercy, sheriff Yancey	"	120 80
	C. C. Vest, sheriff Cherokee	"	243 55
	M. C. Brinkley, sheriff Chowan	"	186 17
	R. M. Stafford, sheriff Guilford	"	1,284 32
	John Turner, sheriff Orange	"	727 07
	A. G. Tweed, sheriff Madison	"	159 94
	John Pierce, sheriff Jones	"	244 58
	G. W. Willoughby, sheriff Anson	"	468 55
	Wm. Haymore, sheriff Surry	"	464 17
	R. F. Trogdon, sheriff Randolph	"	756 25
	W. H. Higdon, sheriff Macon	"	242 82
	J. C. Davis, sheriff Carteret	"	239 29
	G. W. McKee, sheriff Gaston	"	547 58
	R. B. Salisbury, sheriff Martin	"	548 18
	Abner Aydlett, sheriff Camden	"	140 44
	George Credle, sheriff Hyde	"	208 80
	Battle Bryan, sheriff Edgecombe	"	1,612 03
	John Patterson, sheriff Clay	"	60 05
	A. J. Murray, sheriff Haywood,	"	286 50
	Bland Wallace, sheriff Duplin,	"	422 02
	R. R. McCall, sheriff Caldwell	"	340 97
	E. A. Gupton, sheriff Franklin	"	649 09
	J. A. Sowers, sheriff Davidson	"	753 01

1869.

Dec.	Jonas Cline, sheriff Catawba c'ty,	\$	542	85	Public Fund
	M. Walker, sheriff Rutherford "		470	80	receipts.
	A. H. Simmonds, sh'ff McDowell "		257	39	
	Isaac Pipkin, sheriff Hertford "		380	51	
	Wm. Latham, sheriff Ashe "		296	83	
	J. C. Rhodes, sheriff Wayne "		975	33	
	N. B. Hampton, sheriff Polk "		151	71	
	George Nicks, sheriff Yadkin "		290	63	
	V. V. Richardson, sh'ff Columbus "		291	60	
	E. G. Hill, sheriff Johnston county,		669	75	
	B. A. Howell, sheriff Robeson "		524	32	
	Henry White " Perquimans "		336	81	
	M. Masten, " Forsythe "		767	74	
	W. A. Walton, " Rowan "		879	32	
	B. F. Willey, " Gates "		227	27	
	Joe Marshall, " Stanley "		243	18	
	J. L. Wood, " Pascon tank "		399	80	
	E. Marrell, " Onslow "		304	31	
	Sundry sheriffs on account of tax le-				
	vised for payment of State appro-				
	priation to the Marion and Ashe-				
	ville Turnpike company, as fol-				
	lows:				
	W. J. Taylor, sheriff Greene c'ty,		57	56	
	B. F. Briggs, " Wilson "		74	79	
	J. H. King, " Lincoln "		65	12	
	R. M. White, " Mecklenburg				
	county,		211	58	
	R. Watts, " Alexander "		31	33	
	W. F. Wasson, " Iredell "		98	69	
	P. C. Riley, " Montgomery				
	county,		34	16	
	A. S. C. Powell, " Sampson c'ty		61	04	
	G. N. Lewis, " Nash "		62	60	
	A. Murray, " Alamance "		77	43	
	W. E. Piery, " Yancey "		16	13	
	C. C. Vest, " Cherokee "		32	48	
	M. C. Brinkley, " Chowan "		24	81	
	R. M. Stafford, " Guilford "		171	24	
	John Turner, " Orange "		96	94	
	A. G. Tweed, " Madison "		21	32	
	John Pearce, sheriff Jones "		32	61	
	G. W. Willoughby, sheriff Anson "		62	48	
	Wm. Haymore, sheriff Surry "		61	88	
	R. F. Trogdon, sheriff Randolph "		101	84	

Public Fund receipts.	1869. Dec.		§
		W. H. Higdon, sheriff Macon c'nty,	32 38
		J. D. Davis, sheriff Carteret "	31 90
		G. W. McKee, sheriff Gaston "	72 97
		R. B. Salisbury, sheriff Martin "	73 09
		Abner Aydlett, sheriff Camden "	18 73
		George Credle, sheriff Hyde "	29 17
		Battle Bryan, sheriff Edgecombe "	214 94
		John Patterson, sheriff Clay "	8 01
		A. J. Murray, sheriff Haywood "	38 19
		Bland Wallace, sheriff Duplin "	56 27
		R. R. McCall, sheriff Caldwell "	45 56
		E. A. Gupton, sheriff Franklin "	86 55
		J. A. Sowers, sheriff Davidson "	100 43
		Jonas Kline, sheriff Catawba "	75 04
		W. Walker, sheriff Ruthertord "	62 70
		A. H. Simmonds, sh'ff McDowell "	34 35
		Isaac Pipkin, sheriff Hertford "	50 73
		Wm. Latham, sheriff Ashe "	39 58
		J. C. Rhodes, sheriff Wayne "	130 04
		N. B. Hampton, sheriff Polk "	20 23
		Geo. Nicks, sheriff Yadkin "	46 36
		V. V. Richardson, sh'ff Columbus "	38 88
		E. G. Hill, sheriff Johnston "	89 30
		B. A. Howell, sheriff Robeson "	69 91
		Henry White, sheriff Perquimans "	44 90
		M. Masten, sheriff Forsythe "	102 64
		W. A. Walton, sheriff Rowan "	117 24
		B. F. Willey, sheriff Gates "	30 30
		Joseph Marshall, sheriff Stanley "	32 43
		J. L. Wood, sheriff Pasquotank "	53 64
		E. Murrell, sheriff Onslow "	40 57
		Sundry sheriffs on account of Blank Books and Stationery furnished by Secretary of State to the following counties :	
		R. Watts, sheriff Alexander county	147 15
		W. F. Wasson, sheriff Iredell "	147 15
		P. C. Riley, sheriff Montgomery c'ty,	135 15
		A. S. C. Powell, sh'ff Sampson "	134 65
		G. N. Lewis, sheriff Nash "	134 90
		A. Murray, sheriff Alamance "	131 90
		C. C. Vest, sheriff Cherokee "	165 40
		M. C. Brinkley, sheriff Chowan "	136 65
		R. M. Stafford, sheriff Guilford "	133 15
		Wm. Haymore, sheriff Surry "	146 40

1869.			
Dec.	G. W. Willoughby, sh'ff Anson c'ty,	\$	134 90
	G. W. McKee, sheriff Gaston	"	134 15
	W. F. Crawford, sheriff Martin	"	135 90
	Abner Aydlett, sheriff Camden	"	135 15
	Battle Bryan, sh'ff Edgecombe	"	134 90
	J. A. Sowers, sh'ff Davidson	"	133 15
	M. Walker, sh'ff Rutherford,	"	147 15
	J. C. Rhodes, sheriff Wayne	"	131 90
	Henry White, sh'ff Perquimans	"	136 15
	W. A. Walton, sheriff Rowan	"	133 40
	Jos. Marshall, sheriff Stanley	"	133 40
	J. M. Bateman, sh'ff Wash'gton	"	136 50
	Sundry sheriffs on account of tax levied on insurance companies incorporated out of the State, as follows:		
	R. M. White, sh'ff Mecklenb'g c'ty,		1,026 50
	M. C. Brinkley, sheriff Chowan	"	70 83
	R. M. Stafford, sh'ff Guilford	"	72 58
	B. A. Howell, sheriff Robeson	"	12 76
	Calvin Cowles, President Wilmington, Charlotte and Rutherford R. Co., State coupon bonds in part payment of stock subscribed to by the State in said company,		1,500,000
	A. P. Bryan, agent Southern Express Company, 1 per cent. tax on gross receipts in the State from July 1st, 1868, to April 1st, 1869, and 2 per cent. on gross receipts from April 1st, 1869, to Oct. 1st, 1869,		310 40
1870.			
Jan.	Sundry sheriffs and tax collectors on account of public tax, as follows:		
	E. R. Outlaw, sheriff Bertie county,		6,055 02
	J. J. Hasty, sheriff Union	"	5,925 14
	C. Garland, sheriff Mitchell	"	1,225 32
	R. Hamilton, sheriff Transylvania county,		1,393 11
	W. W. N. Hunter, sheriff Lenoir county,		4,732 40
	S. T. Carrow, sheriff Beaufort co'ty,		4,610 39
	S. P. Swain, sheriff Brunswick	"	1,781 28

Public Fund
receipts.

1870. Jan.			
	G. M. Webb, tax. col. Cleaveland county,	\$	4,828 62
	R. S. Ledbetter, tax col. Richmond county,		5,142 93
	J. M. Bateman, sheriff Washington county,		1,509 88
	J. C. Jones, sheriff Alleghany co'ty,		1,501
	R. J. Haswell, sheriff Tyrrell “		1,649 01
	H. T. Grant, sheriff Northampton county,		7,708 30
	J. W. Hays, sheriff Wilkes county,		3,903 81
	J. J. Hasty, sheriff Union county, on account of additional public tax for 1868,		65 79
	J. J. Hasty, sheriff of Union county, on account of additional convention tax for 1868,		31
	Sundry sheriffs and tax collectors on account of blank books and stationery furnished various counties by the Secretary of State for the year 1869, as follows:		
	J. J. Hasty, sheriff Union county,		133 40
	Robt. Hamilton, sheriff Transylvania county,		165 40
	W. W. N. Hunter, sheriff Lenoir county,		134 90
	R. S. Ledbetter, tax col. Richmond county,		134 90
	R. J. Haswell, sheriff Tyrrell co'ty,		135 40
	H. T. Grant, sheriff Northampton county,		136 65
	Sundry sheriffs, &c., on account of tax levied to pay interest on coupon bonds issued to Williamston and Tarboro' R. R. Co., as follows:		
	E. R. Outlaw, sheriff Bertie county,		510 43
	J. J. Hasty, sheriff Union “		534 18
	C. Garland, sheriff Mitchell “		104 58
	R. Hamilton, sheriff Transylvania county,		119 17
	W. W. N. Hunter, sheriff Lenoir county,		379 05
	S. T. Carrow, sheriff Beaufort co'ty,		485 33
	S. P. Swain, sheriff Brunswick “		292 74

1870. Jan.			Public Fund receipts.
	G. M. Webb, tax collector Cleaveland county,	\$ 440	31
	R. S. Ledbetter, tax collector Richmond county,	455	01
	J. M. Bateman, sheriff Washington county,	201	97
	J. C. Jones, sheriff Alleghany co'ty,	134	52
	R. J. Haswell, sheriff Tyrrell "	131	92
	H. T. Grant, sheriff Northampton county,	752	75
	J. W. Hays, sheriff Wilkes county,	338	16
	Sundry sheriffs, &c., on account of tax levied to pay interest on coupon bonds to Western N. C. R. Co., as follows :		
	E. R. Outlaw, sheriff Bertie co'ty,	2,679	70
	J. J. Hasty, " Union "	2,804	50
	G. Garland, " Mitchell "	549	04
	R. Hamilton, sheriff Transylvania county,	625	27
	W. W. N. Hunter, sheriff Lenoir county,	1,990	02
	Sam'l T. Carrow, sheriff Beaufort county,	2,542	75
	S. P. Swain, sheriff Brunswick co'ty,	1,536	80
	G. M. Webb, tax collector Cleaveland county,	2,311	63
	R. S. Ledbetter, tax collector Richmond county,	2,388	82
	J. M. Bateman, sheriff Washington county,	1,060	33
	J. C. Jones, " Alleghany "	706	20
	R. J. Haswell, " Tyrrell "	3,951	95
	J. W. Hays, " Wilkes "	1,775	33
	Sundry sheriffs &c., on account of tax levied to pay interest on coupon bonds to the Wilmington, Charlotte & Rutherford R. R. Co., as follows :		
	E. R. Outlaw, sheriff Bertie co'ty,	1,914	09
	J. J. Hasty, sheriff Union "	3,003	21
	C. Garland, sheriff Mitchell "	392	17
	R. Hamilton, sheriff Trans'lv'ia "	446	91
	W. W. N. Hunter, sheriff Lenoir "	1,421	47
	Sam'l T. Carrow, sheriff Beaufort "	1,816	76

Public Fund
receipts.

1870.		
Jan.	S. P. Swain, sheriff Brunswick c'ty,	\$ 1,097 76
	G. W. Webb, tax collector Cleveland county,	1,651 17
	R. S. Ledbetter, tax collector Richmond county,	1,706 33
	J. M. Bateman, sheriff Washington county,	757 39
	J. C. Jones, sheriff Alleghany c'nty,	504 43
	R. J. Haswell " Tyrrell "	450 49
	H. T. Grant, " North'pton "	2,822 80
	J. W. Hays, " Wilkes "	1,268 09
	Sundry sheriffs, &c., on account of tax levied to pay interest on coupon bonds to the North Western North Carolina Railroad company, as follows:	
	E. R. Outlaw, sheriff Bertie county,	765 64
	J. J. Hasty, " Union "	801 30
	C. Garland, " Mitchell "	156 87
	R. Hamilton, sheriff Transylvania county,	178 76
	W. W. N. Hunter, sheriff Lenoir county,	568 58
	S. P. Swain, sh'ff Brunswick c'nty,	439 10
	S. T. Carrow " Beaufort "	726 49
	G. M. Webb, tax collector Cleveland county,	660 47
	R. S. Ledbetter, tax collector Richmond county,	682 53
	J. M. Bateman, sheriff Washington county,	302 95
	J. C. Jones, sheriff Alleghany c'nty	201 78
	R. J. Haswell, " Tyrrell "	197 33
	H. T. Grant, sheriff Northampton county,	1,129 12
	J. W. Hays, sheriff Wilkes county,	507 24
	Sundry sheriffs, &c., on account of tax levied to pay interest on coupon bonds to the Western Railroad company as follows:	
	E. R. Outlaw, sheriff Bertie county,	574 22
	J. J. Hasty, " Union "	600 97
	C. Garland, " Mitchell "	117 65
	R. Hamilton, sheriff Transylvania county,	134 07

1870. Jan.		\$		Public Fund receipts.
	W. W. N. Hunter, sheriff Lenoir county,		426	33
	S. T. Carrow, sheriff Beaufort c'nty.		544	88
	S. P. Swain, " Brunswick "		329	32
	J. M. Bateman, sheriff Washington county,		227	22
	G. M. Webb, tax collector Cleveland county,		495	35
	R. S. Ledbetter, tax collector Richmond county,		511	89
	J. C. Jones, sheriff Alleghany c'nty,		151	33
	R. J. Haswell, " Tyrrell "		161	37
	H. T. Grant, sheriff Northampton county,		846	85
	J. W. Hays, sheriff Wilkes county.		380	42
	Sundry sheriffs, &c., on account of tax levied to pay State appropriation to Marion and Asheville Turnpike Company as follows:			
	E. R. Outlaw, sheriff Bertie county,		76	57
	J. J. Hasty, sheriff Union "		80	13
	C. Garland, sheriff Mitchell "		15	69
	R. Hamilton, sheriff Transylvania county,		17	87
	W. W. N. Hunter, sheriff Lenoir county,		56	86
	S. T. Carrow, sheriff Beaufort co'ty,		72	65
	S. P. Swain, sheriff Brunswick "		43	90
	J. M. Bateman, sheriff Washington county,		30	29
	G. M. Webb, tax col. Cleveland county,		66	04
	R. S. Ledbetter, tax col. Richmond county,		68	25
	J. C. Jones, sheriff Alleghany co'ty,		21	13
	R. J. Haswell, sheriff Tyrrell "		19	08
	H. T. Grant, sheriff Northampton county,		112	90
	J. W. Hayes, sheriff Wilkes county,		50	73
Feb'y.	Sundry sheriffs on account of blank books and stationery furnished by the Secretary of State to various counties, as follows:			
	John Riley, sheriff Cumberland co'ty,		134	90
	W. H. Gentry, sheriff Stokes "		133	65

Public Fund
receipts.

1870. Feb'y	Sundry sheriffs on account of public tax for 1869, as follows:		
	T. F. Lee, sheriff of Wake county for 1868,	\$	6,769 31
	T. F. Baxter, sheriff Currituck co'ty,		2,220 51
	John Riley, sheriff Cumberland "		7,773 51
	W. H. Gentry, sheriff Stokes "		3,730 99
	J. P. Patterson, sheriff Burke "		4,003 87
	T. F. Lee, sheriff of Wake county on account of convention tax for 1868,		1,711 26
	Sundry sheriffs on account of tax levied to pay interest on coupon bonds to the Williamston and Tarboro' R. R. Co., as follows:		
	T. F. Baxter, sheriff Currituck co'ty.		184 28
	John Riley, sheriff Cumberland "		685 17
	J. P. Patterson, sheriff Burke "		320 62
	W. H. Gentry, sheriff Stokes "		330 97
	Sundry sheriffs, on account of tax levied to pay interest on coupon bonds to the Western N. C. R. Co., as follows:		
	T. F. Baxter, sheriff Currituck co'ty,		967 40
	John Riley, " Cumberland'd "		3,597 12
	John P. Patterson, sheriff Burke county,		1,683 29
	W. H. Gentry, " Stokes "		1,737 52
	Sundry sheriffs, on account of tax levied to pay interest on coupon bonds, to the Wilmington, Charlotte & Rutherford R. R. Co., as follows:		
	T. F. Baxter, sheriff Currituck co'ty,		691 02
	John Riley, " Cumberland'd "		2,569 40
	John P. Patterson, sheriff Burke county,		1,202 35
	W. H. Gentry, sheriff Stokes county,		1,241 09
	Sundry sheriffs, on account of tax levied to pay interest on coupon bonds to the North Western North Carolina R. R. Co., as follows:		
	T. F. Baxter, sheriff Currituck co'ty,		276 41
	John Riley, " Cumberland'd "		1,027 76

1870.			
Feb'y.	John P. Patterson, sheriff Burke county,	\$	480 94
	W. H. Gentry, sheriff Stokes county,		496 40
	Sundry sheriffs, on account of tax levied to pay interest on coupon bonds, to the Western R. R. Co., as follows :		
	T. F. Baxter, sheriff Currituck co'ty,		207 29
	John Riley, " Cumberl'd "		770 82
	John P. Patterson, sheriff Burke county,		360 71
	W. H. Gentry, sheriff Stokes co'ty,		372 32
	Sundry sheriffs, on account of tax levied to pay interest on State appropriation to Marion and Asheville Turnpike Co., as follows :		
	T. F. Baxter, sheriff Currituck co'ty,		27 60
	John Riley, sheriff Cumberl'd "		102 78
	John Patterson, sheriff Burke "		48 09
	W. H. Gentry, " Stokes "		49 64
	J. J. Jackson, agent, amount collected by him for state cotton, less his commissions 20 per cent.,		560
March.	Sundry sheriffs on account of public tax for 1869, as follows :		
	C. L. Aldrid, tax collector, Moore county,		3,355 29
	John Barnett, sheriff Person c'nty,		1,335 01
	John Foley, " Pitt "		364 73
	J. I. Moore, " Granville "		11,834 73
	J. W. Schenck, jr., sheriff New Hanover county,		23,084 39
	John A. Reid, sheriff Halifax co'nty		8,106 75
	G. W. McKee, sheriff Gaston c'nty,		1,125 25
	Sundry sheriffs on account of tax levied to pay interest on coupon bonds to the Williamston and Tarboro' R. R. company, as follows :		
	C. L. Aldrid, tax collector Moore county,		298 48
	John Barnett, sheriff Person co'nty,		408 81
	J. I. Moore, " Granville "		1,045 51
	John A Reid, " Halifax "		780 35
	J. W. Schenck, jr., sheriff New Hanover county,		1,898 94
			Public Fund receipts.

Public Fund receipts.	1870. March.		
		J. C. Griffith, sheriff Caswell co'nty,	\$ 484 89
		Sundry sheriffs on account of tax levied to pay interest on coupon bonds to the Western North Car- olina R. R. company, as follows ;	
		C. L. Aldrid, tax collector Moore county,	1,567 01
		John Barnett, sheriff Person c'nty,	2,147 89
		J. I. Moore, " Granville "	5,393 92
		John A. Reid, " Halifax "	4,096 71
		J. W. Schenck, jr., sheriff New Hanover county,	9,969 07
		J. C. Griffith, sheriff Caswell co'nty	2,545 76
		Sundry sheriffs on account of tax levied to pay interest on coupon bonds to Wilmington, Charlotte and Ruthertford Railroad company, as follows :	
		C. L. Aldrid, tax collector Moore county,	1,119 29
		John Barnett, sheriff Person co'nty,	1,524 43
		J. I. Moore, sheriff Granville c'nty,	3,922 56
		J. W. Schenck, Jr., sheriff New Hanover county,	7,120 80
		John A. Reid, sheriff Halifax c'nty,	2,926 30
		J. C. Griffith, " Caswell "	1,838 39
		Sundry sheriffs, &c., on account of tax levied to pay interest on State coupon bonds to the Northwes- tern North Carolina Railroad company, as follows :	
		C. L. Aldrid, tax collector Moore county,	447 72
		John Barnett, sheriff Person c'nty,	613 69
		J. W. Schenck, Jr., sheriff New Hanover county,	2,848 32
		James I. Moore, sheriff Granville county,	1,568 02
		John A. Reid, sheriff Halifax c'nty,	1,170 50
		J. C. Griffith, " Caswell "	727 35
		Sundry sheriffs on account of tax le- vied to pay interest on coupon bonds to the Western Railroad company, as follows :	

1870.			Public Fund receipts.
March.	C. L. Aldrid, tax collector Moore county,	\$ 337 79	
	Jno. Barnett, sheriff Person county,	460 25	
	J. I. Moore, sheriff Granville c'ty,	1,176 20	
	J. W. Schenck, Jr., sheriff New		
	Hanover county,	2,136 22	
	J. A. Reid, sheriff Halifax county,	877 90	
	J. C. Griffith, " Caswell "	545 50	
	Sundry sheriffs on account of tax levied to pay State appropriation to Marion and Asheville Turnpike Company, as follows:		
	C. L. Aldrid, tax collector Moore		
	county,	44 78	
	John Barnett, sheriff Person county	61 37	
	J. I. Moore, " Granville "	156 83	
	J. W. Schenck, Jr., sheriff New		
	Hanover county,	284 83	
	John A. Reid, sheriff Halifax c'ty,	117 06	
	J. C. Griffith, " Caswell "	72 73	
	Sundry sheriffs on account of blank books and stationery furnished various counties by the Secretary of State for 1869, as follows:		
	J. I. Moore, sheriff of Granville co'ty,	133 15	
	J. A. Reid, sheriff Halifax "	134 90	
	J. C. Griffith, sheriff Caswell "	132 65	
	W. W. N. Hunter, sheriff Lenoir county, on account of public tax refunded having been over allowed in settlement of 1869,		
	A. P. Bryan, agent Southern Express		
	Company, 2 per cent. tax on receipts of said Company from Oct. 1st, 1869, to December 31st, 1869 inclusive, in State of North Carolina,		
		64 44	
	H. J. Menninger, Secretary State, incorporation tax of "Southern Copper Company,"		
		25	
	H. J. Menninger, Secretary of State, incorporation tax of "Young Men's Intelligent and Enterprising Association,"		
		25	
	H. J. Menninger, Secretary of State,		

Public Fund
receipts.

1870.			
March.	incorporation tax of the "North Carolina Center Iron Manufacturing Co.,"	\$	25
	Sundry sheriffs on account of tax on Insurance Companies as follows: (for 1869.)		
	J. I. Moore, sheriff Granville county,		7 35
	J. W. Schenck, Jr., sheriff New Hanover county,		1,045 06
April.	Sundry sheriffs, on account of blank books and stationery furnished various counties by the Secretary of State, for the year 1869, as follows:		
	E. H. Fallenwider, treasurer Cleveland county,		134 40
	John Chandly, treasurer Madison county,		165 40
	S. E. Belk, treasurer Mecklenburg county,		133 65
	H. J. Menninger, Secretary of State, corporation tax from Oil Hill Manufacturing Company,		25
	Sundry general agents of Insurance Companies, license tax as follows:		
	W. H. Crow, agent Aetna Life Insurance company,		100
	Burroughs & Springs, agents Equitable Insurance company of United States,		100
	Lawrence & Hummer, agents St. Louis Mutual Life Insurance company,		100
	Alex. Stoddard, agent Underwriters' Agency, N. Y.,		100
	A. W. Lawrence, agent Brooklyn Life Insurance company,		
	Norwood Giles, agent Hartford Life Annuity Insurance company,		100
	W. L. Smith, agent Manhattan Life Insurance company, N. Y.,		100
	Martin & Finch, agents Widow's and Orphans Life Insurance company of N. Y.,		100

870.	S. D. Waite, agent Connecticut Mutual,	\$	100	Public Fund receipts.
April.	P. F. Pescud, agent National Life Insurance company, U. S. A.		100	
	W. L. Smith & Co., agents City Fire Insurance company, of Hartford, Conn.		100	
	P. F. Pescud, agent Home Fire Insurance company of New Haven, Connecticut,		100	
	P. F. Pescud, agent Atlantic Fire Insurance company of Brooklyn, Conn.,		100	
	W. L. Smith, agent Widow's and Orphans Fund Life Insurance company of Nashville, Tenn.,		100	
	A. S. Caldwell, agent American Life Insurance company of Philadelphia,		100	
	W. L. Smith & Co., agents Washington Life Insurance company of N. Y.,		100	
	P. F. Pescud, agent Putnam Life Insurance company of Hartford, N. Y.,		100	
	W. L. Smith & Co., agents Merchants and Mechanics Insurance company,		100	
	P. F. Pescud, agent Georgia Home Insurance company.		100	
	A. J. DeRossett, agent Aetna Fire Insurance company, of Hartford Connecticut,		100	
	J. J. Litchford, DeSoto Life Insurance company of St. Louis, Mo.,		100	
	Barry Brothers, agents Liverpool and London and Globe Insurance company,		100	
	W. M. Withers, agent North American Life Insurance company of New York,		100	
	J. W. Atkinson, agent North American Fire Insurance company of New York,		100	

Public Fund receipts.	1870. April.		\$	
		J. W. Atkinson, agent Virginia Home Insurance company,		100
		J. W. Atkinson, agent North American Fire Insurance company of Hartford, Conn.,		100
		J. W. Atkinson, agent Piedmont and Arlington Insurance company of Virginia,		100
		J. W. Atkinson, agent Security Insurance company, New York,		100
		E. P. George, agent Phoenix Insurance company, Brooklyn,		100
		E. P. George, agent Internattonal Insurance company, N. Y.,		100
		Lavalle, Black & Gibbs, agent Cotton States Life Insurance company,		100
		W. L. Smith & Co., agents Phoenix Insurance company, Hartford, Ct.,		100
		E. P. George, agent Hartford Fire Insurance company,		100
		W. L. Smith & Co., agents Mechanics Insurance company, Hartford, Conn.,		100
		G. M. Scott, agent Anchor Life Insurance company, New Jersey,		100
		The following balance paid by sundry agents, due the State under revenue law of 1869:		
		W. L. Smith & Co., agents Merchants Insurance company, Hartford,		2484
		W. L. Smith & Co., agents Merchants and Mechanics Fire Insurance Company of Baltimore, Md.		3068
		W. L. Smith & Co., agents Union Fire Insurance company, of Baltimore, Maryland,		3191
		DeRossett & Co., agents World's Mutual Life Insurance company of New York,		3343
		Norwood Giles, Agent Hartford Life Annuity of New York,		1688
		Sundry persons under revenue act of 1869, on Insurance companies,		5470
		T. F. Lee, sheriff Wake connty,		

1870. April.	N. R. Jones, " Warren c'nty,	\$	7 80	Public Fund receipts.
	W. L. Smith & Co., agents sundry Insurance companies, balance of tax for 1869,		611 46	
	Sundry sheriffs on account of public tax for 1869, as follows:			
	G. J. Williams, sh'ff Chatham c'nty,		8,253 21	
	T. W. Patterson " Rock'gh'm "		8,188 20	
	T. F. Lee, " Wake "		24,155 16	
	N. R. Jones, " Warren "		6,120 49	
	T. W. Taylor, " Henderson "		3,681 40	
	John Horton, " Watauga "		1,839 26	
	G. M. Lee, Treasurer of North Car- olina Railroad company, first pay- ment of 3 per cent. dividend, No. 10, due April 1st, 1870, to the State of North Carolina on its 30,000 shares of stock,		90,000	
	Sundry sheriffs on account of tax le- vied to pay interest on coupon bonds to Williamston and Tarboro Railroad company, as follows:			
	G. J. Williams, sh'ff Chatham c'nty,		752 96	
	T. W. Patterson, " Rock'gh'm "		737 98	
	T. F. Lee, sheriff Wake county,		1,916 15	
	N. R. Jones, sheriff Warren "		598 85	
	T. W. Taylor, sheriff Henderson "		340 01	
	John Horton, sheriff Watauga "		155 95	
	Sundry sheriffs on account of tax levied to pay interest on coupon bonds to Western North Carolina R. R. Company, as follows:			
	G. J. Williams, sheriff Chatham county,		3,953 07	
	T. W. Patterson, sheriff Rockingham county,		3,874 40	
	T. F. Lee, sheriff Wake county,		10,059 74	
	N. R. Jones, sheriff Warren "		3,143 90	
	T. W. Taylor, sheriff Henderson "		1,785 07	
	John Horton, sheriff Watauga "		818 75	
	Sundry sheriffs on account of tax levied to pay interest on coupon bonds to Wilmington, Charlotte and Rutherford R. R. Co., as fol- lows:			

Public Fund receipts.	1870. April.		
		G. J. Williams, sheriff Chatham county,	\$ 2,823 63
		T. W. Patterson, sheriff Rockingham county,	2,767 43
		T. F. Lee, sheriff Wake county,	7,185 54
		N. R. Jones, sheriff Warren "	2,217 16
		T. W. Taylor, sheriff Henderson "	1,275 03
		John Horton, sheriff Watauga "	584 83
		Sundry sheriffs on account of tax levied to pay interest on coupon bonds to Northwestern North Carolina R. R. Co., as follows:	
		G. J. Williams, sheriff Chatham county,	1,129 45
		T. W. Patterson, sheriff Rockingham county,	1,106 98
		T. F. Lee, sheriff Wake county,	2,874 21
		N. R. Jones, sheriff Warren "	898 26
		T. W. Taylor, sheriff Henderson "	510 01
		John Horton, sheriff Watauga "	233 93
		Sundry sheriffs on account of tax levied to pay interest on coupon bonds to Western Railroad Company as follows:	
		G. J. Williams, sheriff Chatham county,	874 10
		T. W. Patterson, sheriff Rockingham county,	830 21
		T. F. Lee, sheriff Wake county,	2,155 66
		N. R. Jones, sheriff Warren county,	703 22
		T. W. Taylor, " Henderson "	382 57
		John Horton, " Watauga "	175 45
		Sundry sheriffs on account of tax levied to pay appropriations made by the State to the Marion and Asheville Turnpike company, as follows:	
		G. J. Williams, sheriff Chatham c'nty,	112 94
		T. W. Patterson, " Rock'gh'm "	110 70
		T. F. Lee, " Wake "	287 42
		N. R. Jones, " Warren "	88 74
		T. W. Taylor, " Henderson "	51
		John Horton, " Watauga "	23 39
	May.	Sundry persons on account of blank books and stationery furnished va-	

1870. May.		Public Fund, receipts.
	rious counties by the Secretary of State for 1869, as follows:	
	G. A. Ikerd, treas. Catawba county, \$	139 65
	J. B. Powell, " Caldwell "	147 15
	W. J. Taylor, sheriff Greene "	134 90
	S. A. Kelly, " Davie "	146 15
	Sundry persons on account or tax levied on insurance companies as follows:	
	D. W. Courts, agent Piedmont & Arlington Insurance company,	100
	W. L. Smith & Co., agents Union Fire Insurance company of Baltimore,	100
	W. L. Smith & Co., agents Phoenix Insurance company of Hartford,	5
	Corley & Hay, agents Southern Life Insurance company,	100
	R. F. Hoke, agent Carolina Insurance company,	100
	Martin & Finch, agents Old Dominion Insurance company,	100
	E. P. George, Agent Hartford Fire Insurance company,	181 40
	E. P. George, agent International Insurance company,	289 80
	DeRossett & Co., agents World's Life Insurance company of New York,	100
	J. A. Young, agent Universal Insurance company,	100
	H. H. Goodloe, agent Globe Mutual Insurance company,	100
	E. P. George, agent Phoenix Insurance company,	282 95
	A. W. Lawrence, agent Imperial Insurance company of London,	100
	P. F. Pescud, agent Putnam Fire Insurance company,	293 62
	P. F. Pescud, agent Atlantic Fire Insurance company,	164 82
	P. H. Gibson, agent Continental Insurance company of New York,	100
	P. F. Pescud, agent Monumental Insurance company,	251 64

Public Fund receipts.	1870.		
	May.	P. F. Pescud, agent Georgia Home insurance company,	\$ 278 76
		P. F. Pescud, agent Excelsior Life Insurance company of New York,	100
		Souter & Co., late Funding Agents, for cash received by them in funding operations under funding act of August 20, 1868,	302 08
	June.	J. H. Duncan, treasurer of McDowell county, for stationery, &c., furnished said county by Secretary of State for 1869,	140
		Sundry persons, on account of tax levied on Insurance companies, as follows:	
		J. B. Rankin, agent Mississippi Valley Life Insurance company,	100
		Young & Cockran, U. S. Branch of N. B. & M. Insurance company of London and Edinburg,	100
		B. F. Long, agent Empire Mutual Life Insurance company, of New York,	100
		S. T. Carrow, agent Farmers' & Mechanics' Life Insurance company,	100
		E. R. Brink, treasurer of New Hanover county, on account of blank books and stationery for said county for 1869, furnished by the secretary of state,	132 90
		G. M. Lea, treasurer of North Carolina Railroad company, 2d payment of 3 per cent. dividend No. 10, due July 1, 1870, on 30,000 shares of state stock in said co.,	90,000
		W. H. Bagley, clerk supreme court, for attorney's licenses granted during June term, 1870, of the supreme court, less commission,	266
		A. P. Bryan, agent southern express company, 2 per cent. State tax on gross receipts in State of North Carolina, for quarter ending June 30, 1870,	152 48

1870. June.			Public Fund receipts.
	Sundry persons on account of Insurance tax, as follows:		
	W. L. Smith, agent sundry companies,	3	10 37
	DeRosset & Co., agents World's Universal Life Insurance company		3 97
	T. C. Davis, Craftsman Life Insurance company of New York,		100
	T. C. DeLeon, agent Merchant's Insurance company of New York,		100
	Martin & Finch, agents Widows' and Orphan's Life Insurance company,		210 60
	Martin & Finch, agents Widows' and Orphan's Life Insurance company,		70 06
	Martin & Finch, agents Old Dominion Fire Insurance company,		2 97
	A. S. Caldwell, agent American Life Insurance company,		19 96
	Burroughs & Springs, agents Equitable Assurance society, U. S.,		153 14
	P. F. Pescud, agent National Life Insurance company, U. S.,		32 68
	P. F. Pescud, agent Excelsior Life Insurance company, New York,		11 89
	W. L. Smith & Co., agents Phoenix Life Insurance company, Hartford,		10 51
	W. L. Smith & Co., agents City Fire Insurance company, Hartford,		13 82
	W. L. Smith & Co., agents Merchants Life Insurance company, Hartford,		7 32
	W. L. Smith & Co., agents Manhattan Life Insurance company, N. Y.,		9 33
	W. L. Smith & Co. agents Widows' and Orphan's Fund Insurance company,		3 27
	J. A. Byrns, New York Life Insurance company,		35 23
	J. C. Davis, Craftsman Life Insurance company, N. Y.,		3 15

Public Fund
receipts.

1870.			
June.	Alex. Stoddart, agent Underwriters' Agency, N. Y.,	\$	25 57
	A. J. DeRossett, agent Aetna Fire Insurance company,		8 19
	W. M. Weathers, agent North American Life Insurance company		80 54
	W. H. Crow, agent Aetna Life Insurance company,		371 78
	A. W. Lawrence, agent Brooklyn Life Insurance company,		120 42
	A. W. Lawrence, agent Imperial Fire Insurance company,		5 85
	E. P. George, agent Hartford Fire Insurance company,		11 98
	E. P. George, agent Phoenix Fire Insurance company,		4 82
	E. P. George, agent International Insurance company,		4 21
	S. D. Waitt, agent Connecticut Mutual Life Insurance company,		59 53
	Barry Brothers, agents Liverpool and London Globe Insurance company,		92 89
	G. M. Scott, agent Anchor Life Insurance company,		5 59
	Norwood Giles, agent Hartford Life Insurance company,		1 55
	Harman & Lawrence, agents St. Louis Mutual Life Insurance co.,		31 11
	J. J. Litchford, agent DeSoto Life Insurance company,		54 32
	J. W. Atkinson, agent Virginia Home Insurance company,		5 77
	J. W. Atkinson, agent North American Fire Insurance company,		4 46
	J. W. Atkinson, agent North American Fire Insurance company,		3 80
	J. W. Atkinson, agent Security Fire Insurance company,		39 56
	J. W. Atkinson, agent Piedmont and Arlington Life Insurance company,		30 93
	Corley & Hay, agents Southern Life Insurance company,		16 96

1870.			
June.	John A. Young, agent Universal Life Insurance company.	\$	20 13
	J. A. Byrnes, agent New York Life Insurance company,		100
	P. F. Pescud, agent Putnam Fire Insurance company,		3 41
	P. F. Pescud, agent Home Insurance company, New Haven,		22 49
	P. F. Pescud, agent Atlantic Fire Insurance company,		11 75
	P. F. Pescud, agent Georgia Home Insurance company,		20 34
	Battle & Sons, Attorneys at Law, for State Treasurer, for amount collected by them from sureties of J. S. Snow, former sheriff of Halifax county, less expenses and fees for professional services, the same being applied on account of State taxes for 1867,		694 83
Aug.	J. H. Duncan, treasurer McDowell county, for part payment for blank books and stationery,		25 40
	Sundry persons on account of Insurance tax 1870, as follows:		
	W. L. Smith, agent Travelers' Accident and Life Insurance company.		100
	Lavalle, Black & Gibbs, agents Cotton States Life Insurance comp'ny,		1 68
	Thomas C. Williams, agent Delaware Mutual Life Insurance company,		100
	Sundry persons on account of tax levied on seals for the year 1870,		9
Sept.	Sundry sheriffs and tax collectors on account of public tax levied for 1870, as follows:		
	R. R. McCall, sheriff Caldwell co'ty.		1,943 73
	R. M. White, " Mecklenburg county,		9,861 76
	Jos. Marshall, sheriff Stanly co'ty,		1,327 31
	Bland Wallace, " Duplin "		2,504 61
	E. Murrell, " Onslow "		1,780 20
	A. F. Hurley, " Cabarr's "		4,584 12
	J. W. Johnson, tax collector Davie county,		2,229 13

Public Fund
receipts.

1870.			
Sept.			
	A. Aydlett, sheriff Camden co'ty,	\$	792
	P. C. Riley, sheriff Montgomery county,		1,315 41
	A. S. C. Powell, sheriff Sampson county,		2,139 20
	John Patterson, tax collector Craven county,		3,953 21
	W. F. Wasson, sheriff Iredell co'ty,		3,832 04
	H. W. Mays, sheriff Alexand'r "		1,174 97
	H. C. Perkins, sheriff Burke "		1,786 98
	G. W. McKee, " Gaston "		2,908
	J. J. Hasty, sheriff Union, "		2,763 78
	J. H. Duncan, tax collector McDow-		
	county,		1,173 88
	W. J. Taylor, sheriff Greene county,		2,431 73
	J. Smathers, tax collector Haywood county,		1,255 12
	R. M. Stafford, sheriff Guilford co'ty,		7,618 97
	J. H. Lanning, sheriff Transylvania county,		685 26
	J. M. Roane, sheriff Macon county,		1,263 28
	T. N. Jordan, tax collector, Caswell county,		2,637 33
	Sundry sheriffs and tax collectors on account of tax levied for the support of public schools for 1870, as follows:		
	R. R. McCall, sheriff Caldwell co'ty,		743 64
	R. M. White, sh'ff Mecklenb'rg "		3,121 11
	Jos. Marshall, sheriff Stanley "		494 26
	Bland Wallace, sheriff Duplin "		822 16
	E. Murrell, sheriff Onslow "		606 60
	A. F. Hurley, sheriff Cabarrus "		1,678 61
	J. M. Johnson, tax. col. Davie "		824 96
	A. Aydlett, sheriff Camden "		267 90
	P. C. Riley, sh'ff Montgomery "		521 56
	A. S. C. Powell, sh'ff Sampson "		869 80
	John Patterson, tax col. Craven "		1,556 14
	W. F. Wasson, sheriff Iredell "		1,501 85
	H. W. Mays, sheriff Alexander "		466 54
	H. C. Perkins, sheriff Burke "		683 46
	G. W. McKee, sheriff Gaston "		1,179 20
	J. J. Hasty, sheriff Union "		1,166 05
	J. H. Duncan, tax col. McDowell "		583 43
	W. J. Taylor, sheriff Greene "		975 01

1870. Sept.		\$		Public Fund receipts.
	J. L. Smathers, tax col. Haywood "		512 77	
	R. M. Stafford, sheriff Guilford "		2,638 20	
14 318.1	J. H. Lanning, sh'ff Transylv'nia "		263 34	
02 081.2	J. M. Roane, sheriff Macon "		502 31	
12 889.3	T. N. Jordan, tax col. Caswell "		1,026 39	
40 288.8	Sundry sheriffs and tax collectors on account of tax levied for the erection of Penitentiary and support of convicts 1870, as follows :			
78 471.1	R. R. McCall, sh'ff Caldwell co'ty,		743 64	
20 882.4	R. M. White, sh'ff Mecklenburg "		3,121 11	
87 237.2	Joe Marshall, sheriff Stanley "		494 26	
28 371.1	Bland Wallace, sheriff Duplin "		822 61	
87 184.2	E. Murrell, sheriff Onslow "		606 60	
21 222.1	A. F. Hurley, sheriff Cabarrus "		1,678 61	
70 119.7	J. M. Johnson, tax col. Davie "		824 96	
32 222.1	A. Aydlett, sheriff Camden "		267 90	
70 119.7	P. C. Riley, sh'ff Montgomery "		521 56	
32 222.1	A. S. C. Powell, sh'ff Sampson "		869 80	
22 882.1	John Patterson, tax collector Craven county,		1,556 14	
32 222.1	W. F. Wasson, sheriff Iredell c'nty,		1,501 84	
32 222.1	H. W. Mays, sheriff Alexander "		466 54	
32 222.1	H. C Perkins, " Burke "		683 46	
32 222.1	G. W. McKee, " Gaston "		1,179 28	
32 222.1	J. J. Hasty, " Union "		1,166 05	
32 222.1	J. H. Duncan, tax collector McDowell county,		483 43	
32 222.1	W. J. Taylor, sheriff Greene c'nty,		975 01	
32 222.1	J. L. Smathers, tax collector Haywood county,		512 77	
32 222.1	R. M. Stafford, sheriff Guilford c'ty,		2,638 20	
32 222.1	J. H. Lanning, " Transylvania county,		263 34	
32 222.1	J. M. Roane, sheriff Macon county,		502 31	
32 222.1	T. N. Jordan, tax collector Caswell county,		1,026 39	
32 222.1	Sundry sheriffs and tax collectors on account of tax levied 1870 to pay State appropriation to Marion and Asheville Turnpike company, as follows :			
32 222.1	R. R. McCall, sheriff Caldwell c'nty		44 62	
32 222.1	R. M. White, sheriff Mecklenburg county,		187 27	

Public Fund
receipts.

1870. Sept.		\$	
	Jos. Marshall, sheriff Stanley c'nty,	29	65
	Bland Wallace, " Duplin "	49	36
	E. Murrell, " Onslow "	36	40
	A. F. Hurley, " Cabarrus "	100	72
	J. M. Johnson, tax collector Davie county,	49	50
	A. Aydlett, sheriff Camden county,	16	08
	P. C. Riley, sheriff Montgomery county,	31	30
	A. S. C. Powell, sheriff Sampson county,	52	19
	John Patterson, tax collector Craven county,	93	37
	W. F. Wasson, sheriff Iredell c'nty,	90	71
	H. W. Mays, sheriff Alexander "	27	99
	H. C. Perkins, " Burke "	41	01
	G. W. McKee, " Gaston "	70	76
	J. J. Hasty, " Union "	69	96
	J. H. Duncan, tax collector Mc- Dowell county,	29	01
	W. J. Taylor, sheriff Greene c'nty,	58	36
	J. L. Smathers, tax collector Hay- wood county,	30	77
	R. M. Stafford, sheriff Guilford co'ty,	158	29
	J. H. Lanning, " Transylvania county,	15	80
	J. M. Roane, " Macon co'ty,	37	74
	T. N. Jordan, tax collector Caswell county,	61	58
	Sundry sheriffs &c., on account of blank books, stationery, &c., fur- nished various counties 1870, as follows:		
	Bland Wallace, sheriff Duplin co'ty,	134	90
	E. Murrell, " Onslow "	134	90
	A. F. Hurley, " Cabarrus "	133	90
	J. J. Hasty, " Union "	84	74
	J. H. Duncan, tax collector Mc- Dowell county,	61	90
	W. J. Taylor, sheriff Greene co'ty,	114	03
	J. L. Smathers, tax collector Hay- wood county,	198	75
	R. M. Stafford, sheriff Guilford co'ty,	139	80
	T. N. Jordan, tax collector Caswell county,	101	38

1870. Sept.			Public Fund receipts.
	D. W. Courts, agent Piedmont and Arlington Life Insurance Company, one per cent. tax on gross receipts in State to August 16, 1870,	\$ 76	05
	Sundry persons on account of tax on seals, as follows:		
	W. H. Mitchell,	21	
	W. G. Lewis,		50
	J. B. Neathery,	13	
	C. W. Horner,		3
	H. J. Menninger, Secretary of State, tax on charter of Bank of Tarboro' N. C.,	25	
	C. M. Farriss, for amount refunded, having been overpaid on wood account,	25	
	R. M. White, sheriff of Mecklenb'g county, on account of insurance tax,	661	77
	W. J. Taylor, sheriff of Greene county, on account of insurance tax,	41	11

STATEMENT D.

PUBLIC FUND DIBURSEMENTS.

Showing the different purposes for which the Disbursements of Public Fund were made.

Public Fund dis-
bursements.

Auditor's Department,	\$	5,029	13
Adjutant General's department,		900	
Appropriation for Artificial Limbs,		510	
Agricultural Societies,		1,550	
Albemarle & Chesapeake Canal co.,		975	60
Contingencies,		57,884	82
Capitol Square,		3,805	75
Copying Laws,		863	25
Convict Account, (for keeping, main- taining, and conveying to Peni- tentiary,)		4,188	29
Department of Public Instruction,		3,962	96
Department of Public Works,		3,430	40
Distributing Laws,		337	50
Executive Department,		9,024	75
Fugitives from Justice,		7,195	68
General Assembly,		161,431	70
Geological Survey,		5,000	
Insane Asylum,		63,780	99
Insane Asylum, (expense account,)		1,091	05
Institution for the Deaf, Dumb and Blind,		39,218	53
Interest on State Coupon Bonds,		1,776	
Interest on State coupon bonds, is- sued to A. T. and O. R. R. co.,		60,000	
Interest on State Loans,		9,887	23
Interest on State coupon bonds is- sued to W. N. C. R. R. company, (Western Division,)		87,000	
Investigating Committees,		788	85
Judiciary,		58,302	90
Keeper of Capitol, and Weights and Measures,		949	92
Marion and Asheville Turnpike		7,775	44
Militia,		74,742	70

N. W. N. C. R. R., (special tax re- funded),	\$	53 72	Public Fund dis- bursements,
Public printing,		34,503 43	
Penitentiary,		74,000	
Presidential and Senatorial Elections,		537 80	
Public arms,		60	
Public Charities,		172	
Public tax refunded, &c.,		12,173 97	
Quarantine Regulations,		1,831 32	
Resolutions of General Assembly,		432 50	
Revised Code,		7,600	
State Department,		6,263 71	
State Loans,		241,126 57	
State Library,		1,179 82	
Sheriffs, for settling taxes,		4,354 32	
Treasury Department,		7,762 50	
Turnpike Road in Carteret and Cra- ven counties,		1,785	
Tax refunded to Insurance Com- panies,		10 78	
W. N. C. Railroad Company, (special tax, bonds, &c.,)		137,766 26	
W. C. and R. Railroad Company, interest on special tax, bonds, and special tax refunded,))		29,530 93	
W. C. and R. Railroad Company, (coupon bonds on account of State subscription,))		2,000,000	
W. and T. Railroad Company, (in- terest on special tax, bonds, and special tax refunded,		11,227 65	
Western Railroad Company, (in- terest on special tax, bonds, and special tax refunded,))		30,338 47	
W. N. C. Railroad Company, (Wes- tern Division,) (on account of State subscription to stock,))		180,000	
	\$	3,454,214 10	

DETAILED AS FOLLOWS :

Public Fund dis- bursements.	1869 Oct.		
		W. H. Jones, treasurer North Carolina Agricultural society, amount of appropriation of General Assembly to said society for 1869,	\$ 1,500
		Joel T. Crawford, commutation for loss of arm,	50
		H. Adams, State Auditor, salary for the month of October, 1869,	200
		A. J. Partin, clerk to Auditor, salary for the month of October, 1869,	75
		Jas. H. Adams, clerk to Auditor, salary for the month of Oct. 1869,	83 33
		Solomon Bragg and others, for services rendered on capitol square and guarding arsenal for the month of October, 1869,	180
		W. W. Holden, Governor of North Carolina, salary for third quarter, 1869,	1,250
		W. R. Richardson, Private Secretary, salary for the month of October, 1869,	83 33
		W. H. Sauls, messenger, salary for the month of October, 1869,	41 66
		C. W. Horner, clerk to Governor, salary for the month of October, 1869,	100
		Sundry persons, under "an act prescribing the powers and duties of the Governor in regard to fugitives from justice," as follows:	
		G. R. Kimball,	90
		L. H. Mowers,	255 73
		J. P. Parrott,	156
		G. W. Tillou,	205 50
		G. R. Kimball,	90
		A. W. Fisher, Adjutant General, 2 montls' salary and expenses in charge of "detective force,"	150
		W. C. Kerr, State Geologist, on account of appropriation for geological survey,	3,000

1869. Oct.		Public Fund dis- bursements.
	C. W. Horner, treasurer Insane Asylum, part of appropriation for said Asylum for 1869,	\$ 5,000
	C. W. Horner, treasurer Insane Asylum, part of appropriation for 1869,	5,000
	W. J. Hook, expenses in removing Mary E. Hook from Insane Asylum,	17
	Dr. J. H. Miller, expenses for bringing Mrs. Margaret H. Hines to the Insane Asylum,	34
	John Nichols, treasurer of Institution for Deaf, Dumb and the Blind, part of appropriation for said Institution, for 1869,	1,500
	L. P. Olds, Attorney General, salary for the month of September, 1869,	125
	A. W. Tourgee, judge superior court, salary for 3rd quarter, 1869,	
	W. R. Cox, solicitor, 1 certificate,	40
	P. A. Wiley, cashier Raleigh National Bank, for J. A. Richardson, solicitor, 3 certificates,	120
	E. W. Jones, judge superior court, salary for 3d quarter, 1869,	625
	C. C. Pool, judge superior court, salary for 3d quarter, 1869,	625
	R. M. Pearson, judge supreme court, salary for 3d quarter, 1869,	625
	J. B. Sherard, solicitor, 1 certificate,	40
	Nichols and Gorman, printing and binding 165 copies of supreme court reports and postage on 17 copies mailed,	53720
	Neill McKay, solicitor, 5 certificates,	200
	S. W. Watts, judge superior court, salary for 3d quarter, 1869,	625
	R. P. Buxton, judge superior court, salary for 3d quarter, 1869,	625
	P. A. Wiley, cashier Raleigh National Bank for J. A. Richardson, solicitor, 1 certificate,	40
	R. P. Dick, judge supreme court, salary for third quarter 1869,	625

Public Fund dis- bursements.	1869. Oct.	\$	
	J. V. Sherard, solicitor, 1 certificate,		40
	W. R. Cox, solicitor, 2 certificates,		80
	G. W. Logan, judge superior court, salary for 3d quarter, 1869,		635
	C. R. Thomas, judge superior court, salary for 3d quarter 1869,		625
	E. G. Reade, judge supreme court, salary for 3d quarter 1869,		625
	W. L. Tate, solicitor, 1 certificate,		40
	A. H. Joyce, solicitor, 4 certificates,		160
	J. W. Albertson, solicitor, 1 certifi- cate,		40
	Sonter & Co., New York, interest on coupon bonds,		1,776
	John Rosemond, expenses in organ- izing company "B" North Caro- lina detailed militia,		10
	Alfred Dockery, chairman peniten- tiary commissioners to locate and erect a penitentiary, part of ap- propriation,		10,000
	M. S. Littlefield, state printer, prin- ting public laws of the General Assembly,		2,352 ¹⁶
	L. P. Olds, Attorney General, in- dexing public laws 1868-'69 of North Carolina,		100
	M. S. Littlefield, state printer, prin- ting for sundry departments as per bills filed,		974 ⁰⁹
	S. M. Parish, practical printer, ex- amining accounts of state printer,		3
	M. S. Littlefield, state printer, pub- lishing sundry proclamations of the Governor, and binding 1370 copies public laws,		536 ⁶⁰
	M. S. Littlefield, state printer, prin- ting for Executive, Treasury and State Departments, as per bills filed,		945 ⁶⁰
	J. B. Davis, Quarantine Medical Officer, for services in establishing suitable Quarantine Regulations at Port of Beaufort, North Caro- lina,		150

1869. Oct.		\$		Public Fund dis- bursements.
	Benjamin Lee, Craft and Rossiter Simpson, on account of appropriation for purchasing a site and erecting a Quarantine Hospital at Beaufort Harbor, North Carolina,		175	
	V. C. Barringer, Code Commissioner, salary for the month of Sept. 1869,		200	
	V. C. Barringer, Code Commissioner, salary for the month of Oct. 1869,		200	
	A. F. Hurley, sheriff of Cabarrus county, for settling taxes 1869,		30	
	C. M. Farris, Keeper of Capitol and Weights and Measures, salary for the month of October 1869,		79 16	
	H. D. Coley, State Librarian, salary 3rd quarter 1869,		175	
	H. J. Menninger, Secretary of State, salary for the months of August and September, 1869,		400	
	F. J. Menninger, Clerk to Secretary of State, salary for the month of Oct. 1869,		83 33	
	S. M. Parish, Clerk to Secretary of State, salary for the month of Oct. 1869,		75	
	Andrew Syme, Clerk to Secretary of State, salary for the month of Oct. 1869,		75	
	C. L. Harris, Superintendent of Public Works, salary for the month of October 1869,		200	
	Thomas Hampson, Clerk to Superintendent Public Works, salary for the month of October 1869,		75	
	S. S. Ashley, Superintendent of Public Instruction, salary for the month of October 1869,		200	
	E. S. S. Ashley, Clerk to Superintendent of Public Instruction, salary for the month of October 1869,		83 33	
	G. W. Swepson, President Western Division Western North Carolina Railroad company, on note for one hundred thousand dollars, (\$100,000) to said Swepson, Presi-			

Public Fund disbursements.	1869. Oct.		
		dent of the said road, said note bearing date April 8, 1869, at 8 per cent. interest per annum,	\$ 63,000
		G. W. Swepson, President Western Division Western North Carolina Railroad company, balance due on above note of one hundred thousand dollars,	20,126 ⁵⁷
		D. Jenkins, public treasurer, salary for third quarter, 1869,	750
		D. W. Bain, chief clerk treasury department, salary for third quarter 1869,	375
		D. A. Jenkins, treasurer board of education, payment of principal of (3) three notes for money borrowed of board of education, to-wit: April 6th, 1869, \$30,000; April 10th, 1869, \$70,000; April 13th, 1869, \$58,000,	158,000
		D. A. Jenkins, treasurer board of education on three notes for 6 months, at 8 per cent. per annum, bearing date as follows: April 6, 1869, \$30,000; April 10th, 1869, \$70,000; April 13th, 1869, \$58,000,	6,320
		G. W. Swepson, President Western Division of Western North Carolina Railroad company, interest on note for one hundred thousand dollars, dated April 8th, 1869,	3,567 ²³
		Wm. Sloan, President of Wilmington, Charlotte and Rutherford Railroad company, five hundred \$1,000 State coupon bonds issued to said road in part payment of State subscription to stock in the same,	500,000
		Western Union Telegraph Company telegrams sent and received by Executive, Treasury and State Departments during the month of September, 1869,	34 ⁷²
		J. J. Sawyer, expenses incurred and	

1869. Oct.		Public Fund dis- bursements.
	services rendered while distribut- ing constitutions of U. S. Statues of 1867-'68 and laws of 1868, in 23 counties in the extreme western portion of the State,	\$ 360
	Wm. Grant, putting Coal Grate in Office of State Auditor,	8 50
	Southern Express Company, charges on Sundry packages as per bills,	64 85
	Phil. Thiem, for 9,664 lbs. ice, at 3½c. per lb., furnished to the vari- ous departments in Capitol, from July 1st, to October 5th, 1869,	338 24
	D. W. Bain, travelling expenses to and from New York on business connected with Treasurer's De- partment,	93 95
	D. A. Jenkins, Public Treasurer, expenses incurred in visiting New York to settle the funding opera- tions with Souter & Co., State Agents,	137 78
	Forest Manufacturing Co., for 200 reams No. 1 Book Paper, 26x40, 50 lbs. ream at \$10 per ream,	2,000
	Raleigh Gas Light Co., Gas con- sumed in Capitol for month of September, 1869,	20 80
	Wm. Grant, putting 2 grates in office of Superintendent of Public In- struction, \$17, and repairing done in Library and Adujant General's office, \$5,	22
	W. H. and R. S. Tucker & Co., for 92¾ yards of Carpet at \$2.25; 3 ruggs, \$14; 18¾ yards of Damask, 45.33; window-shades and fix- tures, \$32; 1 desk, \$65; 1 desk, \$45; 1 dozen chairs, : 45; 1 Wal- nut table, \$23. and sundry other articles for use of offices in Capitol, as per bill,	497 70
	Raleigh Post Office, for postage for the various departments in capi- tol, as per bills,	301 64

Public Fund dis- bursements.	1869. Oct		
		R. W. Best, services rendered Auditor's, Treasurers and Secretary of State, in examining requisitions for stationery of State officers and the officers in the several counties,	\$ 15
		S. D. Harrison, for matches, candles, buckets, &c., for use of capitol, as per bill on file,	15 50
		Souter & Co., one year's salary to October 1st, 1869, as Financial Agents of the State of North Carolina, in the city of New York,	1,000
		Souter & Co., expenses as Financial Agents of North Carolina in advertising in sundry newspapers and sundry telegrams and stationery, \$329.42, interest on funds advanced in payment of State coupon bonds, October, 1868, and also of above expenses, \$68.66,	398 08
		W. R. Richardson, Private Secretary, for selling 500 bonds of Wilmington, Charlotte & Rutherford Railroad Company, at 10 cents each,	50
		Southern Express Company, for charges on packages shipped by State Department, Treasury Department, Auditor's Department and State Library, as per bill on file,	222 50
		J. E. King, repairing on capitol square and as watchman,	8 25
		W. R. Richardson, Private Secretary, for selling 360 bonds for North Western North Carolina R. R. Co., at 10c.,	36
		K. B. Wait, making 36 boxes for State department, at \$1.15	29 90
		D. J. Pruyne, 160 cords of wood at \$4.25 per cord, for use of capitol, per bill,	6 80
		E. Via, dry goods commission house, 500 yards carpeting at \$2.10 for the House of Commons,	1,095

1869. Oct.		\$		Public Fund dis- bursements.
	W. J. Yates, publishing governor's proclamation and also instructions to county commissioners in regard to arranging tax lists,		25	
	Thomas Manly and others for cutting wood for capitol, as per bill,		69	
	John Harris, repairing walks around executive mansion,		90	31
	K. B. Wait, making 12 boxes at \$1.15 each,		13	80
	A. S. McNeill, for delivering public laws in Harnett county,		2	
	G. W. Steadman, for delivering public laws in Chatham county,		3	
	E. Via, for 6 cane matts for Senate Chamber and House of Representatives at \$9.75,		58	50
	Thomas Manly, and others for cutting wood and packing it in wood house for use of capitol,		30	75
	Sentinel Office, for publishing governor's proclamation 3 times,		36	
	C. Keuster, for repairing locks and furnishing keys to doors in capitol,		78	20
	Douglas Bell, for 24 tons coal at \$9 per ton, \$216, freight, drayage and commissions on same, \$126.96		339	96
	Rufus Page, for 210 feet lumber for repairing capitol square wood-house,		3	36
	Asheville Pioneer, balance for publishing laws of 1868 and 1869,		166	22
	K. B. Wait, for 19 boxes at \$1.15 each, for state department,		21	85
	Raleigh and Gaston Railroad, for freight on 2 boxes of books, for superintendent of public instruction,		12	30
	Atlantic and North Carolina Railroad company, for transportation for five men from Newbern to Goldsboro, \$15—twenty-six men from Goldsboro to Newberne, \$78—sixteen men from Newberne to Goldsboro, \$48—freight on fif-			

1869.			
Public Fund dis- bursements.	Oct.	teen boxes of guns and cartridges, \$9,	\$ 150
		Friday Jones, Watchman in capitol, salary for month of October, 1869,	46 50
		Alex. Turner, waiter in capitol, sal- ary for month of October, 1869,	22 50
		H. P. Bincombe, waiter in capitol, salary for month of October 1869.	22 50
		Southern Express Company, charges on packages from Harrisburg, for the executive department,	1 75
		J. J. Sawyer, for distributing laws of 1868-'69, constitutions and an- ditors statements, in 24 extreme Western counties of the State, as per agreement with secretary of state,	460
		Seth Nowell, freight on Ordinance Stores,	2
		Thos. Manly and others, for cleaning house of representatives, removing coal, packing wood, and hauling rubbish from capitol square,	34 50
		Wm. Johnson, President Atlantic, Tennessee and Ohio Railroad co., interest on state coupon bonds, is- sued to said road,	60,000
		G. W. Swepson, President Western Division Western North Carolina Railroad company, interest on state coupon bonds issued to said road.	87,000
		G. W. Swepson, President Western Division Western North Caro- lina Railroad company, state con- pon bonds in part payment of state subscription to stock in said company,	180,000
	Nov.	A. W. Fisher, Adjutant General, salary for three months, ending 31st October, 1869,	300
		W. W. Jones, treasurer Granville Agricultural Society, in accordance with sec. 8, chap. 2, Revised Code,	50
	H. Adams, State Auditor, salary for the month of November, 1869,	200	

1869. Nov.		\$		Public Fraud dis- bursements.
	J. H. Adams, Clerk to State Auditor, salary for month of November, 1869,		83 33	
	A. J. Partin, Clerk to State Auditor, salary for month of November, 1869,		75	
	Andrew Syme, Clerk to State Auditor, salary for 15 days,		37 50	
	Solomon Bragg and others, for services rendered on Capitol Square, in State House and guarding Arsenal during November, 1869, as per weekly bills, including extra labor in offices in State House,		205 75	
	E. Williams, repairing 4 gates to fence around Capitol Square,		9	
	John E. Henley, for three days work in measuring Rock Creek and work done on Carteret Co. Turnpike Road,		6	
	John Simpkins, for three days surveying on above Turnpike Road,		9	
	A. W. Tourgee, Code Commissioner, salary for the month of Oct. 1869,		200	
	V. C. Barringer, Code Commissioner, salary for the month of Nov., 1869,		200	
	S. S. Ashley, Superintendent Public Instruction, salary for the month of October, 1869,		200	
	S. M. Parish, for services rendered to Department of Public Instruction,		15	
	S. S. Ashley, Superintendent Public Instruction, salary for the month of November, 1869,		200	
	E. S. S. Ashley, Clerk to Superintendent Public Instruction, salary for the month of November, 1869,		83 33	
	W. H. Sauls, messenger Executive Department, salary for the month of November, 1869,		41 66	
	W. R. Richardson, Private Secretary salary for the month of Nov., 1869,		83 33	
	W. J. Clark, prosecuting prisoners captured on account of crimes			

Public Fund dis- bursements.	1869. Nov.		
		committed in the counties of Jones, Lenoir and Greene,	\$ 100
		Sundry persons under "An act prescribing the powers and duties of the Governor with regard to fugitives from justice," viz:	
		G. R. Kimball,	100
		L. H. Mowers,	157 70
		W. T. Gautney,	200
		R. F. Lehman, prosecuting prisoners captured on account of crimes committed in Jones, Lenoir and Greene counties,	100
		A. H. Dowell, jr., publishing Governor's proclamation in "Asheville Pioneer," September 3d, for the apprehension of John Stalcaps,	15
		"Roanoke News," publishing reward offered for the capture of George Bayline,	6
		A. S. Seymore, for prosecuting prisoners captured on account of crimes committed in the counties of Jones, Lenoir and Greene,	100
		Sundry members of the General Assembly, as follows:	
		Blythe, James Senator.	116 80
		Beeman, P. T. "	102
		Bellamy, N. B. "	100 20
		Beasley, J. W. "	98
		Eppes, Henry "	104 60
		Etheridge, J. W. "	110
		Eves, J. C. "	102 80
		Galloway, A. H. "	101 80
		Hyman, J. A. "	102 60
		Love, W. L. "	196
		Long, P. A. "	101 60
		Martindale, F. G. "	104
		Mason, L. A. "	101
		Moore, W. M. "	108 40
		Shoffner, T. M. "	98
		Stevens, J. B. "	109
		Sweet, W. H. H. "	190
		White, E. "	100
		Wilson, P. A. "	100

1869.			\$	Public Fund dis- bursements.
Nov.	Argo, T. M.	Representative,	100	
	Ames, Wm.	"	100	40
	Armstrong, N. E.	"	94	80
	Barnes, Henry,	"	102	20
	Barnett, S. C.	"	95	60
	Blair, E. T.	"	90	
	Cawthorn, Wm.	"	95	60
	Carson, M.	"	90	
	Candler, W. H.	"	121	60
	Crawford, J. H.	"	97	
	Carey, W.	"	102	
	Cherry, H. C.	"	95	40
	Clayton, J. W.	"	140	
	Davidson, G. F.	"	96	
	Eagles, J. W. S.	"	102	20
	Ellington, D. S.	"	98	60
	Ferebee, W. B.	"	104	40
	Falkner, R.	"	102	60
	Farrow, T.	"	97	
	Greene, L.	"	106	
	Greir, W. W.	"	105	
	Gunter, W. T.	"	101	
	Gahagan, G. W.	"	84	
	Gilbert, W. W.	"	102	40
	Graham, Geo.	"	70	
	Hilliard, R. J.	"	98	80
	Hinnant,	"	98	90
	Hendrix, A. L.	"	80	80
	Hicks, J. O.	"	200	
	Hudgins, J.	"	43	60
	High, D. H.	"	98	90
	Hawkins, J. A.	"	102	
	Hodnett, P.	"	102	
	Holden, Jo. W. speaker House of Representatives,		100	
	Humphries, T. C. Representative,		100	20
	Harris, J. H.	"	105	
	Hodgin, D.	"	97	80
	Ingram, D.	"	105	20
	Justice, J. M.	"	104	
	Justus, W. P.	"	120	
	Kelly, A.	"	100	
	Kinney, Geo.	"	96	60
	Lafin, B.	"	70	80
	Leary, J. L.	"	105	

Public Fund dis- bursements.	1869. Nov.			
		Morris, B. W.	Representative,	\$ 121
		Moring, F. G.	"	89 60
		McMillan, J. C.	"	100 60
		Mayo, C.	"	26
		Moore, J. A.	"	101
		Mendenhall, J. R.	"	76 20
		Morrill, D. B.	"	101
		Mathewson, R. P.	"	100
		McCanless, W. W.	"	102
		Moore, W. A.	"	63
		Proctor, E. K.	"	101 80
		Peck, G. P.	"	96 20
		Pearson, J. T.	"	97
		Painter, E. M.	"	200 60
		Renfrow, J. H.	"	117
		Ragland, J. W.	"	69 80
		Reynolds, J. T.	"	98 60
		Robinson, J. S.	"	197 60
		Robbins, P. D.	"	92
		Rea, J. J.	"	108 40
		Shaver, J. M.	"	102
		Sykes, T. A.	"	98 80
		Simmonds, J. R.	"	280
		Seigrist, W. B.	"	77
		Smith, J. L.	"	104
		Stevens, A. W.	"	101
		Smith, J. J.	"	104
		Stilley, H. E.	"	100 40
		Sweet, J.	"	105
		Smith, D. E.	"	101
		Vest, J. P.	"	96
		Williamson, J. H.	"	91 80
		Wilkie, L. D.	"	99 80
		Waldrop, J. E.	"	112
		Welch, W. P.	"	128
		Byrnes, T. A., Secretary of Senate,		56
		Boner, J. H., Clerk to House of Representatives,		46
		Candler, T. J., Assistant Clerk House of Representatives,		120
		Johnson, T. J., Engrossing Clerk of Senate,		18
		O'Harra, J. E., Engrossing Clerk House of Representatives,		97

1869. Nov.			Public Fund dis- bursements.
	Miller, Edgar, Doorkeeper House of Representatives,	\$ 109 60	
	Page, James, Doorkeeper House of Representatives,	83 80	
	Gibble, Francis, Assistant Doorkeeper Senate,	101 20	
	Abbott, J. B. Assistant Doorkeeper House of Representatives,	44	
	Caldwell, C. Senate Page,	86 80	
	Boyde, W. A. Senate Page,	30	
	Hardie, J. H. Page House of Representatives,	42	
	C. W. Horner, Treasurer Insane Asylum, on account of said Asylum, according to an act of General Assembly and proceedings of the Board of Supervisors, at their meeting held October 8th, 1869,	5,000	
	Wm. Dulin, conveying Mrs. Dulin to Insane Asylum.	20	
	L. P. Olds, Attorney General, salary for the month of Oct., 1869,	1 25	
	Dan'l G. Russell, judge superior court, salary for 3d quarter, 1869,	625	
	J. A. Richardson, solicitor, 1 certificate,	40	
	J. W. Albertson, solicitor, 1 certificate,	40	
	J. L. Henry, judge superior court, salary for 3d and 4th quarter, 1869,	1,250	
	C. R. Thomas, judge superior court, salary for 4th quarter, 1869,	625	
	W. R. Cox, solicitor, 3 certificates,	120	
	L. P. Olds, attorney general, salary for the month of November, 1869,	125	
	J. A. Richardson, solicitor, 2 certificates,	80	
	Capt. R. T. Boshier, expenses allowed while commanding the militia in Jones county, \$24, 4 days travelling expenses while organizing company of N. C. D. M., \$12,	36	
	J. S. Montgomery, engineer under an act of the general assembly, es-		

Public Fund dis- bursements.	1869. Nov.		
		establishing a turnpike road from Marion to Asheville,	\$ 247 66
		Charles Burleson, Commissioner under above act,	160 50
		D. W. Ellis, commissioner under above act,	252
		D. W. Ellis and Charles Burleson commissioners under above act,	1,566
		Wm. Smith, commissioner under above act,	483 46
		Alfred Dockery, Chairman Penitentiary commissioners, part of appropriation provided by an act of the general assembly for the erection of a penitentiary,	6,000
		M. S. Littlefield, state printer, composition on 96 pages school laws, presswork and cover and binding 1,500 copies school laws, and binding (in paper) 900 vols pub. laws,	7 02
		M. S. Littlefield, state printer, binding 977 volumes public laws, 200 senate journals, 200 house journals, printing documents 1868-1869, presswork on 84 forms of documents, binding 200 copies private laws,	2,440 58
		W. G. Curtis, quarantine medical officer, for establishing suitable quarantine regulations at the port of Wilmington North Carolina,	463
		Wm. Harvey, for services as one of the crew of quarantine boat at Beaufort harbor, North Carolina,	40
		C. Hanners, for 12,786 feet of lumber for the construction of hospital at Beaufort harbor, N. C.,	210 97
		John Davis, for two months services as one of the crew of quarantine boat and taking care of quarantine material,	50
		H. J. Menninger, secretary of state, salary for the month of Oct. 1869,	200
		H. J. Menninger, secretary of state, salary for the month of Nov. 1869,	200

1869.
Nov.

		Public Fund dis- bursements.
F. J. Menninger, clerk to secretary of state, salary for the month of November, 1869,	\$	83 33
S. M. Parish, clerk to secretary of state, salary for the month of November, 1869,		75
Andrew Syme, clerk to secretary of state, salary for the month of November, 1869,		75
H. D. Coley, state librarian, salary for October and November, 1869,		116 66
C. M. Farriss, keeper of capitol and weights and measures, salary for November, 1869,		79 16
J. H. Ennis, for sundry articles of stationery, and balance due on account of public library,		13 95
Wilson, Hinkle, & Co., for 500 White Graded School Registers, boxing and drayage, as per bill,		302 60
Western Union Telegraph Company, Telegrams sent and received by the various Departments, as per bill, for the month of November, 1869,		42 30
New Berne Daily Times, for publishing Governor's Proclamation, (1 column,) three times, and Proposals for Stationery, (1 column,) 6 times,		65
Wilmington Post, for publishing Proposals for Stationery, (fifteen squares,) 5 times,		45
Southern Express Company, for freight on sundry articles shipped for Executive Department including packages shipped by the Secretary of State, containing Public Laws, as per bill, for November, 1869,		337 53
K. B. Wait, for making 27 boxes for Secretary of State, at \$1.15,		31 05
A. H. Dowell, publishing Governor's Procl'm'tion in Asheville Pioneer,		12
A. H. Dowell, publishing Proposals		

1869.			
Public Fund dis-	Nov.	for Stati'n'ry in Asheville Pioneer,	
bursements.		(19 squares,) 3 times,	\$ 28 50
		Raleigh and Gaston R. R. Co., for	
		freight on 10 cases of Paper and	
		4 boxes of Ink,	24 96
		Andrew Jackson, for drayage for	
		State Department,	1 25
		A. J. Partin, for services in Treasu-	
		ry Department, preparing state-	
		ment of account of Souter & Co.,	
		late funding Agents of the State,	75
		S. M. Parish, for repairing windows	
		in Capitol,	4 30
		G. W. Wynne & Co., for hire of	
		horse and buggy; also, horses and	
		carriages for C. W. Horner, C. M.	
		Farris, and G. R. Kimball, on	
		business for the Adjutant Gene-	
		ral's Department,	22 50
		J. W. Coleman & Co., for stationery	
		purchased by Secretary of State,	2,175 90
		Thomas Manly and others for pack-	
		ing wood, cleaning capitol, ar-	
		ranging libraries in Commons Hall	
		and Senate chamber, moving law	
		bookes, &c.,	44
		E. Via, for 3 velvet rugs, for Senate	
		and House of Representatives,	24
		D. J. Pryne, for 190 cords of wood	
		at \$4.25,	807 50
		Raleigh Gas Light Company, for	
		gas consumed in State House from	
		October 1st to November 1st, 1869,	48
		Raleigh and Gaston Railroad Com-	
		pany, for freight on 9 cases of pa-	
		per and 6 boxes of ink,	20 85
		Handy Lockhart, for repairing 50	
		desks in Senate chamber and 52	
		chairs, repairing Speaker and	
		clerk's stand and 120 seats in	
		House of Representatives,	465
		Carpenter & Logan, for printing	
		132 and 6-20 columns laws of N.	
		C., (Standard measure,)	661 22
		Southern Express Co., for charges on	

1869. Nov.	package for department of public instruction,	\$	1 25	Public Fund disbursements.
	H. J. Hesselbach, for 5 grates, 1 stove and sundry articles for use of capitol,		213	
	M. Rosenbaum, for 200 yards C. matting, for Senate and House of Representatives, 43 yards canvas carpet for House of Representatives and 1 piece of ribbon for Executive Department,		272 25	
	K. B. Wait, for making 24 boxes for State Department,		27 60	
	W. U. Telegraph Co., for telegrams sent and received by Executive, State and Treasury Departments.		25 25	
	W. B. Hutchings & Co., for 1 mail bag for use of capitol,		6	
	S. M. Parish, for 1 glass 18x24 and glazing, also examining accounts of state printer,		4	
	Wilmington Post, for publishing governors proclamation of June 24, 1869, calling election to fill vacancy of General Estes,		21	
	T. M. Shoffner, for expenses incurred in conveying the remains of R. I. Wynne to Louisburg,		5	
	A. W. Fraps, for 36 arm chairs \$90. for senate chamber; 1 wardrobe \$60, 1 looking glass \$15, 1 wash-bureau \$22, for Executive department, and 1 chair for speaker of the house of representatives, as per bill on file,		194 25	
	W. J. Gant, for repairing fire-places in senate chamber, house of representatives, executive, auditors, public instruction, adjutant general, attorney generals, supreme court and supreme court clerks offices,		154	
	S. Kline & Co., for 4 dozen spittoons. 1 dozen tumblers, and sundry other articles for senate chamber and house of representatives,		104 05	

Public Fund dis- bursements.	1869.	Nov.		\$	
			H. T. Clawson & Co., for cutting and sewing 400 yards carpet, work done and articles furnished for senate chamber and house of representatives,		626 82
			E. A. White, for 23 days attendance as committee of investigation of Chesapeake and Albemarle canal company, at \$4 per day,		92
			R. W. Best, for preparing table for treasurer's report 1868-'69, 7 days at \$5 per day,		35
			John Ransom, for glazing in Treasury Department,		50
			Alex. Turner, waiter in Capitol, salary for the month of Nov. 1869,		22 50
			H. P. Buncomb, waiter in Capitol, salary for the month of Nov. 1869,		22 50
			Friday Jones, Watchman in Capitol, salary for the month of Nov. 1869,		45
			E. Norwood, for repairing gun racks in Arsenal,		20
		Dec.	Solomon Bragg, and others, for 4 weeks services on Capital Square in Capital Building and guarding Arsenal,		263 70
			E. S. S. Ashley, Clerk to Superintendent of Public Instruction, salary for the month of December 1869,		83 33
			S. S. Ashley, Superintendent Public Instruction salary, for the month of December, 1869,		200
			C. L. Harris, Superintendent of Public Works, salary for the month of November, 1869,		200
			Thomas Hampson, Clerk to Superintendent Public Works, salary for the month of November, 1869,		75
			H. W. Moore, Clerk to Superintendent Public Works, salary for the month of December, 1869,		75
			C. W. Horner, Clerk to Executive, salary for the month of Nov. 1869,		100

1869. Dec.			Public Fund dis- bursements.
	C. W. Horner, Clerk to Executive, salary for the month of Dec. 1869,	\$ 100	
	W. R. Richardson, Private Secretary, for the month of Dec., 1869,	83	33
	Sundry persons under an "act prescribing the powers and duties of the Governor in regard to fugitives from justice," as follows:		
	L. H. Mowers,	50	
	G. W. Tillou,	41	
	J. V. Parrott,	36	50
	G. R. Kimball,	100	
	A. J. Rutjes, for L. H. Mowers,	40	50
	E. K. Proctor, for M. McDonald,	100	
	Sundry members of the general assembly, as follows:		
	Bellamy, N. B. Senator.	203	
	Blythe, James "	252	
	Brogden, C. H. "	272	
	Beal, R. L. "	340	
	Burns, Silas "	264	80
	Beeman, P. T. "	238	
	Beasley, J. W. "	255	
	Barnes, Joshua "	212	40
	Cook, J. B. "	262	40
	Cherry, W. A. "	266	80
	Colgrove, D. D. "	304	40
	Caldwell, Todd R. President of the Senate,	444	
	Davis, J. H. Senator.	324	
	Etheridge, J. W. "	742	
	Eppes, Henry "	189	
	Forkner, S. "	314	
	Graham, J. W. "	268	
	Galloway, A. H. "	203	
	Harrington, J. S. "	268	
	Hawkins, P. B. "	267	60
	Hyman, J. A. "	175	
	Hays, O. S. "	341	20
	Jones, H. C. "	322	
	Jones, W. D. "	352	
	Jones, A. J. "	322	40
	Lassiter, R. W. "	274	
	Love, W. L. "	352	
	Lindsay, J. M. "	296	40

Public Fund dis-
bursements.

1869. Dec.			§	
	Long, P. A.	"		196
	Legg, E.	"		320
	Moore, W. A.	"		311 20
	Mason, L. A.	"		231
	Moore, W. M.	"		252
	Melchor, C.	"		316
	Martindale, F. G.	"		252
	Murphy, C. T.	"		292
	Respass, J. B.	"		322
	Richardson, W. B.	"		282
	Robbins, W. M.	"		304
	Stephens, J. W.	"		203
	Scott, J. W.	"		312 80
	Smith, S. P.	"		333 60
	Sweet, W. H. S.	"		196
	Shoffner, T. M.	"		182
	Welker, G. W.	"		102
	White, E. A.	"		252
	Winstead, C. S.	"		277 60
	Wilson, P. A.	"		196
	Ashworth, J.	Representative.		100 20
	Argo, T. M.	"		168
	Armstrong, N. E.	"		196
	Allison, J. J.	"		270
	Ames, W.	"		182
	Banner, L. B.	"		258
	Bowman, J. W.	"		262
	Bodie, W. W.	"		294
	Barnett, S. C.	"		182
	Blair, E. T.	"		196
	Crawford, J. H.	"		175
	Clayton, J. W.	"		252
	Carson, M.	"		252
	Cawthorn, W.	"		182
	Cherry, H. C.	"		203
	Carey, W.	"		210
	Candler, W. G.	"		252
	Davis, J. H.	"		311 20
	Durham, P.	"		345
	Dixon, Joseph	"		290
	Davidson, G. F.	"		224
	Downing, H.	"		328 40
	Ellington, D. S.	"		168
	Eagles, J. S. W.	"		203
	Ellis, J. R.	"		332

1870-'71.—AUDITOR'S STATEMENT.

1869.					
Dec.	Ferrebee, W. B.	Representatives,	\$	238	Public Fund dis- bursements.
	Franklin, S. D.	"		254 40	
	French, G. Z.	"		305 20	
	Foster, F. W.	"		328	
	Farrow, T.	"		231	
	Falkner, R.	"		175	
	Gibson, J. P.	"		313 20	
	Gilbert, W. W.	"		252	
	Greene, L.	"		210	
	Grier, W. W.	"		217	
	Gatling, John	"		101	
	Graham, G. A.	"		252	
	Gunter, W. T.	"		161	
	Hodgin, D.	"		189	
	Hendricks, A. L.	"		221	
	Hays, W. T. J.	"		293 60	
	Harris, J. H.	"		147	
	Hudgins, J.	"		252	
	Harris, J. T.	"		266	
	Holden, Jo. W., Speaker House of Representatives,			260	
	Hilliard, R. J. Representative,			224	
	Humphries, T. C.	"		245	
	High, D. P.	"		224	
	Hoffman, J.	"		332	
	Hinnant, B. R.	"		168	
	Hawkins, J. A.	"		210	
	Hicks, J. O.	"		252	
	Horney, L. G.	"		292	
	Hodnett, S.	"		210	
	Ingram, D.	"		252	
	Jarvis, T. J.	"		366	
	Justus, W. D.	"		252	
	Justice, J. M.	"		252	
	Kelley, J. A.	"		314	
	Kelley, A.	"		168	
	Kinney, George	"		203	
	Leary, J. S.	"		203	
	Long, J. B.	"		262	
	Long, R. T.	"		112 80	
	Morrill, D. B.	"		217	
	Moore, J. A.	"		178	
	Malone, W. H.	"		340	
	McMillan, J. C.	"		189	
	Morris, B. W.	"		175	

Public Fund dis- bursements.	1869. Dec.	Representatives,	\$	
		Moring, F. G.		168
		Mendenhall, J. R.		217
		Moore, W. A.		275
		Mayo, C.		252
		Matthewson, R. P.		224
		McCanless, W. W.		210
		Nicholson, T. A.		324 40
		Pearson, J. T.		175
		Proctor, E.		231
		Price, G. W.		306 60
		Parker, R. C.		306
		Peck, G. P.		203
		Pou, E. W.		262
		Proffit, D.		365 20
		Painter, E. M.		252
		Reynolds, J. T.		203
		Ragland, J. W.		203
		Robinson, J. L.		252
		Renfrow, J. H.		175
		Shaver, J. M.		210
		Staunton, G. W.		286 40
		Seigrist, W. B.		258 20
		Smith, J. L.		238
		Seymour, A. L.		296
		Sinclair, J.		332
		Simmonds, J. R.		252
		Sweat, I.		203
		Stevens, A. W.		203
		Smith, D. E.		175
		Snipes, E. T.		312
		Sykes, T. A.		252
		Thompson, F.		296 80
		Vestal, T. M.		320
		Vest, J. P.		203
		Wilson, S. C.		342 80
		Whitley, R. D.		101 20
		Wilkie, L. D.		203
		Williams, B. C.		2,62 40
		Williams, J. C.		296 80
		Wiswald, A. C.		334
		White, J.		342
		Welch, W. P.		252
		Williamson, J. H.		175
		Waldrop, J. A.		252

1869. Dec.		\$		Public Fund dis- bursements.
	Byrnes, T. A., Secretary of the Senate,		252	
	Harris, J. C. L., Assistant Secretary of the Senate,		252	
	McDonald, J. A., Enrolling Clerk of the General Assembly,		265	20
	Whitted, W. B., Assistant Enrolling Clerk,		252	
	Johnson, T. J., Engrossing Clerk of the Senate,		203	
	Foster, T. J., Assistant Engrossing Clerk of the Senate,		203	
	Ball, J. T., Doorkeeper of the Senate,		252	
	Gibble, F., Assistant Doorkeeper of the Senate,		210	
	Caldwell, C., Page of the Senate,		108	
	Boyd, W. A., " " " "		103	60
	Boner, J. H., Clerk of the House of Representatives,		252	
	O'Hara, J. E., Engrossing Clerk of the House of Representatives,		175	
	Page, James, Doorkeeper of the House of Representatives,		217	
	Abbott, J. B., Assistant Doorkeeper of the House of Representatives,		252	
	Alston, T., Page of the House of Representatives,		14960	
	Hardee, I. H., Page of the House of Representatives,		66	
	Harris, D. W., Page of the House of Representatives,		154	40
	C. W. Horner, Treasurer of the Insane Asylum, part of the appropriation to said Asylum, for the year 1869.		13,831	74
	J. Nichols, Treasurer Institution for Deaf, Dumb and Blind, for part of appropriation for said Institution for 1869,		3,718	53
	Raleigh National Bank, interest on special tax bonds,		19,560	
	S. W. Watts, Judge Superior Court, salary for 4th quarter, 1869,		625	
	Neil McKay, Solicitor, 3 Certificates,		120	

Public Fund dis- bursements.	1869. Dec.		
		R. P. Buxton, Judge Superior Court, salary for 4th quarter, 1869,	\$ 625
		V. V. Lusk, Solicitor, 5 Certificates,	200
		J. R. Bulla, " 7 "	280
		J. J. Martin, " 5 "	200
		R. H. Cannon, Judge Superior Court, salary for 3d and 4th quarters, 1869,	1,250
		J. A. Richardson, Solicitor, 1 Certificate,	40
		L. P. Olds, Attorney General, salary for the month of December, 1869,	125
		W. M. Moore, under an "act to establish a Turnpike road from Marion to Asheville."	542 96
		G. W. F. Harper, under the above act,	486
		Alfred Dockery, Chairman Penitentiary Commissioners, part of the appropriation to erect a Penitentiary,	5,000
		Sundry sheriffs for settling taxes, as follows :	
		R. R. McCall, sh'ff Caldwell co'ty,	15 40
		J. B. Watson, sheriff Hyde "	36
		A. G. Tweed, sheriff Madison "	60
		J. C. Bryan, sh'ff Cleaveland "	12
		M. Walker, sh'ff Rutherford "	7 20
		W. Latham, sheriff Ashe "	22 20
		J. Cline, sheriff Catawba "	35
		W. B. Hampton, sheriff Polk "	5 00
		J. C. Jones, sheriff Alleghany "	27 40
		E. G. Hill, sheriff Johnston "	5 80
		E. Longerzer, for tax refunded under a resolution of General Assembly of April 7th, 1869,	12
		S. M. Parrish, for examining accounts of State Printer,	3
		G. W. McKee, sheriff of Gaston county, for public tax over credited in August, 1869, and transferred to special tax and school fund this month,	1,305 01
		E. A. Boner, for transcribing report of special committee appointed to	

1869. Dec.		}		Public Fund dis- bursements.
	investigate the affairs of the Chesapeake and Albemarle Canal Company,		30	
	A. W. Tourgee, Code Commissioner, salary for the month of November, 1869,		200	
	Sundry sheriffs for making presidential election returns, as follows:			
	W. J. Taylor, sheriff Green county,		15	
	B. F. Briggs, sheriff Wilson “		14	
	J. H. King, sheriff Lincoln “		41	60
	R. M. White, sh'ff Mecklenb'g “		35	
	R. M. Watts, tax collector Alexander county,		67	
	W. F. Wasson, sh'ff Iredell county,		32	
	A. S. C. Powell, sh'ff Sampson “		16	40
	P. C. Riley, sh'ff Montgomery “		30	40
	A. Murray, sheriff Alamance “		12	
	G. N. Lewis, sheriff Nash “		19	
	W. E. Percy, sheriff Yancey “		56	60
	M. C. Brinkley, sheriff Chowan “		47	
	R. M. Stafford, sheriff Guilford “		19	
	John Turner, sheriff Orange “		7	60
	G. W. Willoughby, sh'ff Anson “		46	80
	W. Haymore, sheriff Surry “		31	
	John Pierce, sheriff Jones “		50	60
	John Patterson, sheriff Clay “		100	
	R. J. Trogden, sh'ff Randolph “		36	
	G. W. McKee, sh'ff Gaston “		40	
	W. H. Higdon, sheriff Macon “		118	80
	J. D. Davis, sheriff Carteret “		66	90
	W. T. Crawford, sh'ff Martin “		58	
	R. R. McCall, sh'ff Caldwell “		56	
	A. Aydlett, sh'ff Camden “		50	
	B. Bryan, sheriff Edgecombe “		24	20
	A. S. Murray, sheriff Haywood “		77	50
	Bland Wallace, sheriff Duplin “		20	
	A. G. Tweed, sheriff Madison “		60	
	E. A. Gupton, sheriff Franklin “		25	40
	J. A. Sowers, sheriff Davidson “		38	15
	J. Kline, sheriff Catawba “		35	
	M. Walker, sheriff Rutherford “		59	
	A. H. Simonds, sheriff McDowell “		51	20
	W. Latham, sheriff Ashe “		59	
	I. Pipkin, sheriff Hertford “		28	

Public Fund dis- bursements.	1869. Dec.		\$	
		Geo. Nicks, sheriff Yadkin county,	51	
		N. B. Hampton, sheriff Polk	65	
		J. C. Rhodes, sheriff Wayne	10	
		V. V. Richardson, sheriff Columbus county,	35	40
		B. A. Howell, sheriff Robeson c'ty,	68	50
		E. G. Hill, sheriff Johnson	10	80
		Henry White, sheriff Perquimans county,	50	
		W. A. Walton, sheriff Rowan co'ty,	26	
		M. Masten, sheriff Forsythe	27	12
		B. F. Willey, sheriff Gates	44	30
		Joseph Marshall, sheriff Stanley	43	
		J. L. Wood, sheriff Pasquotank	44	
		E. Murrell, sheriff Onslow	44	
		H. J. Menninger, secretary of state, salary for the month of Dec. 1869,	200	
		F. J. Menninger, clerk to secretary of state, salary for the month of December, 1869,	83	33
		S. M. Parish, clerk to secretary of state, salary for the month of De- cember, 1869,	75	
		Andrew Syme, clerk to secretary of state, salary for the month of De- cember, 1869,	75	
		J. J. Sawyer, clerk to secretary of state, salary for 8 days, at \$2.50 per day,	20	
		H. D. Coley, state librarian, salary for the month of December, 1869,	58	33
		C. M. Farris, keeper of the capitol and weights and measures, salary for the month of December, 1869,	79	16
		D. W. Bain, chief clerk treasury de- partment, salary for quarter end- ing December 31st, 1869,	375	
		A. D. Jenkins, teller treasury de- partment, salary for quarter ending December 31st, 1869,	250	
		L. M. Hoffman, bookkeeper treasury department, salary for 6 months ending December 31st, 1869,	375	
		C. J. Cowles, president Wilmington, Charlotte and Rutherford Rail-		

1869. Dec.			Public Fund dis- bursements,
	road company, in State coupon bonds, in part payment of stock subscribed by the State to said road (1,500 of \$1,000 each,)	\$ 1,500,000	
	John Armstrong, for binding 400 copies code of civil procedure at 75c. each \$300, two quires medium paper \$2, one ledger \$3,	305	
	E. Williams, for sharpening hoes, &c., used on capitol square,	2 50	
	Southern Express company, for freight on sundry packages for treasurer's department, \$78.75, for State department, \$36.50, for sundry other departments \$3,	118 25	
	K. B. Wait, for making boxes for State department,	10 05	
	T. H. Briggs, for sundry articles of merchandise, for use of capitol and capitol square,	53 15	
	W. H. Battle & Sons, services rendered auditor's department,	100	
	Western Union Telegraph company, for telegrams sent and received by executive and treasury departments this month,	19 54	
	John Ransom, for hauling 4 loads of ordnance stores to arsenal,	2 50	
	J. & S. Sanson, for 24 gross of Magnesium Pens,	88	
	S. D. Harrison, for bowl and pitcher, 61 lbs. soap, 1 gross matches,	13 95	
	Raleigh & Gaston Railroad Company, for freight on 3 cases of stationery,	4 98	
	H. P. Buncomb, waiter in capitol, salary for month of December, 1869,	22 50	
	Alex. Turner, waiter in capitol, salary for month of December, 1869,	22 50	
	Friday Jones, watchman in capitol salary for month of December, 1869,	46 50	
	S. S. Ashley, superintendent public instruction, for travelling expen-		

1869.			
Public Fund dis- bursements.	Dec.	ses, from September 1st to Decem- ber 31st, 1869,	\$ 100
		A. W. Fisher, Adjutant General, salary for the months of Novem- ber and December, 1869,	200
		H. Adams, auditor of state, salary for month of December, 1869,	200
		Charles Hatfield, clerk to auditor, salary for 10 days, at \$2.50 per day,	25
		J. H. Adams, clerk to auditor, sal- ary for the month of December, 1869,	83.33
		Charles Hatfield, for 13 days services in auditor's office, at \$2.50 per day,	32.50
		A. J. Partin, clerk to auditor, sal- ary for the month of December, 1869,	75
	Jan.	B. F. Taylor, commutation for arm, F. M. Mitchell, " " leg, Chas. Hatfield, for services in audi- tor's office from December 25, 1869, to January 2, 1870, inclu- sive, at \$2.50 per day,	22.50
		C. L. Harris, superintendent public works, salary for the month of December, 1869,	200
		W. H. Bagley, clerk supreme court, salary for 3d and 4th quarters, 1869,	500
		V. S. Luske, Solicitor, 1 certificate, J. J. Martin, solicitor, 1 certificate,	40
		Sundry members and officers of Gen- eral Assembly, as follows :	
		Ashworth, J. Representative,	208
	Barns, H. " "	208	
	Rea, J. " "	252	
	Long, R. T. " "	238	
	Gahagan, G. W. " "	288	
	Candler, T. J., assistant clerk House of Representatives,	252	
	Whitly, R. D. Representative,	224	
	Smith, J. J. " "	252	
	Robbins, P. D. " "	252	

1870.				Public Fund dis- bursements.
Jan.	Gatling, John	Representative,	\$ 231	
	Ellington, D. S.	"	35	
	Stilley, H. E.	"	210	
	Welker, G. W.	Senator,	182	
	John Nichols, treasurer	Institution		
	for Deaf, Dumb and Blind, part			
	of appropriation for said institu-			
	tion for 1870,		5,000	
	Alfred Dockery, chairman	peniten-		
	tiary commissioners on account			
	of appropriation for erection of			
	penitentiary,		5,000	
	E. A. Gupton, sheriff of Franklin			
	county, for State tax overpaid on			
	12½ miles of Raleigh & Gaston R.			
	R. in Franklin county,		342 78	
	G. W. Willoughby, sheriff of Anson			
	county, for amount overpaid in			
	settling taxes for 1869,		9 50	
	B. A. Howell, sheriff Robeson co'ty,			
	for tax on attorneys' license re-			
	funded to said sheriff, being erro-			
	neously entered on tax abstract of			
	1869,		20	
	G. W. Gahagan, for services as mem-			
	ber of a joint committee appointed			
	to investigate the banks of the			
	State,		77 50	
	E. A. Gupton, sheriff of Franklin			
	county, special tax refunded on the			
	following Railroads, &c. :			
	Williamston and Tarboro' Railroad,		32 68	
	Western North Carolina Railroad,		171 39	
	Wilmington, Charlotte & Rutherford			
	Railroad,		122 43	
	North Western North Carolina Rail-			
	road,		48 97	
	Western Railroad,		36 72	
	Marion and Asheville Turnpike Road		4 89	
	Sundry sheriffs, &c., for settling			
	taxes, as follows :			
	E. R. Ontlaw, sheriff Bertie county,		50	
	J. J. Hasty, sheriff Union	"	55 20	
	C. Garland, sheriff Mitchell	"	57 50	
	R. Hamilton, sh'ff Transylvania	"	74 75	

Public Fund dis- bursements.	1870.		\$	
	Jan.	W. W. N. Hunter, sh'ff Lenoir c'ty,		16
		S. T. Carrow, sheriff Beaufort "		28
		S. P. Swain, sheriff Brunswick "		34 20
		G. M. Webb, tax collector of Cleaveland county,		46 40
		J. M. Bateman, sheriff Washington county,		51
		R. S. Ledbetter, tax collector of Richmond county,		59 40
		Sundry persons for interest on special tax bonds on the following roads:		
		Western North Carolina Railroad,	120,510	
		Wilmington, Charlotte and Rutherford Railroad,	29,400	
		Williamston and Tarboro' Railroad,	8,700	
		Western Railroad,	30,300	
		Western Union Telegraph Company, for telegrams sent and received during this month by executive, treasury and auditor's departments,		14 59
		D. A. Jenkins, public treasurer, expenses to and from New York on business connected with the State,		65
		Raleigh Post Office, for postage for the several departments to Dec. 31, 1869,		331 11
		Augustus Doepp & Co., for stationery furnished as per contract with secretary of state,		2,870 60
	Feb.	R. M. Pearson, judge supreme court, salary for 4th quarter, 1869,		625
		W. B. Rodman, judge supreme court salary for 3rd and 4th quarters 1869,		1,250
		R. P. Dick, judge supreme court, salary for 4th quarter, 1869,		625
		E. G. Reade, judge supreme court, salary for 4th quarter, 1869,		625
		Thos. P. Settle, judge supreme court, salary for 4th quarter, 1869,		625
		A. H. Joyce, solicitor, 3 certificates,		120
		J. M. Cloud, judge superior court, salary for 3d and 4th quarters, '69,		1,250

1870. Feb.			Public Fund dis- bursements.
	E. W. Jones, judge superior court, salary for 4th quarter, 1869,	\$ 625	
	W. P. Bynum, solicitor, 7 certificates	280	
	G. W. Logan, judge superior court, salary for 4th quarter, 1869,	625	
	A. Mitchell, judge superior court, salary for 3d and 4th quarters, 1869,	1,250	
	J. W. Albertson, solicitor, 4 certificates,	160	
	Sundry members of the General Assembly, as follows :		
	A. L. Hendricks, Representative,	231	
	B. Laffin, Representative,	252	
	Wm. Smith, engineer Marion and Asheville Turnpike Road on account of said road,	1,282	83
	N. A. Ramsey, under "an act to secure the better protection for life and property,"	150	
	John Horton, sheriff Watauga county for making presidential election returns,	68	
	Alfred Dockery, chairman of penitentiary commissioners, part of appropriation for the erection of a penitentiary,	5,000	
	Sundry sheriffs for settling taxes, as follows :		
	T. F. Baxter, sheriff Currituck co'ty,	87	60
	C. C. Vest, " Cherokee "	120	20
	H. T. Grant, sheriff Northampton county,	22	60
	J. W. Hayes, sheriff Wilkes co'ty,	40	
	J. C. Jones, sheriff Alleghany "	80	
	R. J. Haswell, " Tyrrell "	57	
	J. T. Patterson, " Burke "	420	
	J. Horton, " Watauga "	50	
	W. H. Gentry, " Stokes "	57	
	John Riley, " Cumberl'd "	28	
	Southern Express Co., for freight on sundry packages for the several departments, during this month.	67	20
	Tax overcharged to public treasurer, as entered on treasurer's and auditor's books, (tax 1868.)	8,778	63

Public Fund disbursements.	1870. March.		\$	
		A. W. Fisher, Adjutant General, salary for the month of January, 1870,		100
		Sundry persons, for expenses as members of joint committee to investigate the affairs of Chesapeake and Albemarle Canal Co., as follows:		
		T. C. Humphries,		20
		John Gatling,		101
		F. G. Martindale,		63 60
		E. A. White,		32
		L. P. Olds, Attorney General, under an act ratified March 17th, 1870, with regard to Chesapeake and Albemarle Canal Co.,		750
		C. R. Morgan, commutation for leg.		50
		E. Randolph, commutation for arm,		50
		Dr. E. B. Haywood, for medical examination of disabled soldiers who applied for commutation under resolution of March 1st, 1867,		35
		H. Adams, state auditor, salary for the month of January, 1870,		200
		H. Adams, state auditor, salary for February and March, 1870,		400
		J. H. Adams, clerk to state auditor, salary for January, February and March, 1870,		249 99
		A. J. Partin, clerk to state auditor, salary for January, February and March, 1870,		225
		H. H. Roberts, clerk to state auditor, salary for 8 days at \$2,50 per day,		20
		H. H. Roberts, clerk to state auditor, salary for February and March,		150
		A. J. Partin, clerk to state auditor, for extra services during October and November, 1869,		75
		Solomon Bragg and others, for services on capitol square and state house, also guarding arsenal during January, February and March '70,		827
		John Harrison and others, for removing wire grass, preparing		

1870.			
March.	ground and sowing seed in capitol square,	\$	126
	John Harris, for hauling 32 loads of rubbish from capitol square, \$16; furnishing and hauling 12 loads manure to capitol square, \$12,		28
	Richard Sheppard, for 10 days plowing in capitol square at \$3 per day,		30
	T. F. Lee, 18 days work for double team hauling from capitol square at \$4 per day,		72
	Friday Jones, for hauling 178 loads of manure to capitol square at 50 cents,		89
	Friday Jones, for hauling 23 loads of stationery for secretary of state,		5 75
	H. J. Menninger, secretary of state, for copies of sundry acts and resolutions of the General Assembly, session 1869, for the various departments, &c.		54 75
	S. S. Ashley, superintendent public instruction, salary for January, February and March, 1870,		600
	E. S. S. Ashley, clerk to superintendent public instruction, salary for January, February and March, 1870,		249 99
	C. L. Harris, superintendent public works, for expenses for inspecting the various railroads in the State, during the year 1869,		49
	C. L. Harris, superintendent public works, salary for January, February and March, 1870,		600
	H. W. Moore, clerk to superintendent public works, salary for January, February and March, 1870,		225
	A. Prempert, for packing documents, laws and journals, 1868 and '69,		37 50
	W. W. Holden, Governor of North Carolina, salary for 4th quarter, 1869, and 1st quarter 1870,		2,500
			Public Fund disbursements.

Public Fund dis- bursements.	1870.		
	March.	W. R. Richardson, private secretary, salary for January, February, and March, 1870,	\$ 249 99
		C. W. Horner, clerk to executive, salary for January, February and March, 1870,	300
		W. H. Sauls, messenger to executive, salary for December, 1869, and January, February and March, 1870,	166 64
		W. J. Clark, for prosecuting prisoners captured on account of crimes committed in the counties of Jones, Lenoir and Greene,	250
		Sundry persons under an "act prescribing the powers and duties of the Governor with regard to fugitives from justice," as follows:	
		L. H. Mowers,	360 45
		A. W. Fisher,	50
		G. R. Kimbal,	199
		J. P. Parrot,	304 25
		G. W. Tillou,	450 75
		G. R. Kimbal,	54
		W. C. Kerr, state geologist, part of appropriation for the fiscal year for geological survey, &c.,	3,000
		H. Parish, for conveying E. Hill to Insane Asylum,	10
		E. K. Irvin, for conveying A. E. Rhodes to Insane Asylum,	69 90
		E. A. Whitaker, for sending Milton Moss and Margaret Evans, discharged patients, to their respective homes,	43
		W. B. Jones, for conveying C. U. Parker to Insane Asylum,	32
		W. S. Buchanan, for conveying J. U. Easley to Insane Asylum,	82
		Sundry members and officers of General Assembly as follows;	
		Caldwell, Tod R., President of the Senate,	780
		Beal, R. L. Senator,	546
		Brogden, C. H. "	546

1870.		Senator, \$		Public Fund dis- bursements.
March.	Bellamy, N. B.		546	
	Blythe, J.	"	546	
	Beasley, J. W.	"	546	
	Barns, J.	"	616	
	Burns, S.	"	546	
	Beeman, P. T.	"	546	
	Colgrove, D. D.	"	546	
	Cherry, H. A.	"	546	
	Cook, J. B.	"	546	
	Davis, J. H.	"	546	
	Ethridge, J. W.	"	546	
	Eppes, Henry	"	546	
	Forkner, S.	"	546	
	Flythe, J.	"	594	80
	Graham, J. W.	"	546	
	Galloway, A. H.	"	546	
	Hyman, J. A.	"	546	
	Hays, O. S.	"	546	
	Hawkins, P. B.	"	546	
	Harrington, J. S.	"	546	
	Jones, H. C.	"	546	
	Jones, A. J.	"	497	
	Jones, W. D.	"	546	
	Legg, E.	"	546	
	Lassiter, R. W.	"	546	
	Love, W. L.	"	546	
	Long, P. A.	"	546	
	Lindsay, J. M.	"	546	
	Moore, W. M.	"	497	
	Mason, L. A.	"	546	
	McLaughlin, J. H.	"	862	
	Murphy C. T.	"	546	
	Moore, W. A.	"	546	
	Martindale, F. G.	"	546	
	Melchor, C.	"	546	
	Robbins, W. M.	"	546	
	Richardson, W. B.	"	546	
	Respass, J. B.	"	546	
	Stephens, J. W.	"	546	
	Sweet, W. H. S.	"	546	
	Smith, S. P.	"	546	
	Shoffner, T. M.	"	546	
	Scott, J. G.	"	546	
	Welker, G. W.	"	546	
	Whiteside, G. M.	"	648	80

Public Fund dis- bursements.	1870		
	March.	Winstead, C. S.	Senator, § 462
		White, E. A.	" 546
		Wilson, P. A.	" 546
		Byrnes, T. A., secretary of senate,	546
		Harris, J. C. L., assistant secretary of senate,	546
		Johnston, J. T., engrossing clerk of senate,	645
		McDonald, J. A., enrolling clerk to General Assembly,	546
		Ball, J. T., doorkeeper senate,	546
		Gibble, F. W., assistant doorkeeper of the Senate,	546
		Boyd, W. A., page to senate,	234
		Caldwell, C., page to senate,	234
		McGuire, A., assistant enrolling clerk,	21
		Rieh, W. B., assistant enrolling clerk.	28
		Wetherell, W. P., " " "	147
		Cross, S. G., " " "	28
		Burge, W., " " "	28
		Whitted, W. D., " " "	329
		Hendrix, S. B., " " "	105
		Hicks, T. W., " " "	427
		Sawyer, J. J., " " "	98
		Whitted, W. D., " " "	238
		Holden, Jo. W., Speaker House of of Representatives,	680
		Moore, W. A., Speaker House of Re- presentatives,	110
		Argo, T. M. Representative,	546
		Ames, W. " "	497
		Armstrong, N. E. " "	546
		Ashworth, J. " "	546
		Bodie, W. W. " "	546
		Barnes, H. " "	546
		Banner, L. B. " "	546
		Bowman, J. W. " "	602
		Barnett, S. C. " "	546
		Blair, E. T. " "	546
		Carson, M. " "	546
		Candler, W. G. " "	546
		Cherry, H. C. " "	546
	Cawthorn, W. " "	546	
	Carey, W. " "	546	

1870.				
March.	Crawford, J. H.	Representative,	\$	546
	Cayton, J. W.	"		546
	Davis, J. H.	"		497
	Davidson, G. F.	"		546
	Downing, H.	"		546
	Dixon, J.	"		546
	Durham, P.	"		546
	Eagles, J. L. W.	"		546
	Ellis, J. R.	"		546
	Ellington, D. S.	"		546
	Falkner, R.	"		546
	Foster, F. W.	"		546
	Ferrebee, W. B.	"		546
	Franklin, S. D.	"		546
	French, G. Z.	"		546
	Farrow, T.	"		546
	Gahagan, G. W.	"		546
	Grier, W. W.	"		546
	Gibson, J. B.	"		546
	Greene, L.	"		546
	Guling, John	"		546
	Gunter, W. T.	"		546
	Gilbert, W. W.	"		546
	Graham, G. A.	"		546
	Horney, S. W.	"		546
	Hinnant, B. R.	"		546
	Hoffman, J.	"		546
	Hendrick, J. L.	"		546
	Harris, J. H.	"		546
	Harris, J. T.	"		546
	Hicks, J. O.	"		546
	Hilliard, R. J.	"		546
	Hugh, D. P.	"		546
	Hawkins, J. A.	"		546
	Hays, W. T. J.	"		546
	Hodgins, D.	"		546
	Hodnett, D.	"		546
	Hudgins, J.	"		546
	Humphries, T. C.	"		546
	Ingram, D.	"		546
	Justus, W. D.	"		546
	Justice, J. M.	"		546
	Jarvis, T. J.	"		546
	Kelly, J. A.	"		546
	Kinney, Geo.	"		546

Public Fund dis-
bursements.

Public Fund dis- bursements.	1870. March.		Representative, \$	
		Kelly, A.		546
		Lafin, B.		546
		Long, R. T.		546
		Long, J. B.		546
		Leary, J. L.		546
		Moore, W. H.		469
		McMillan, J. C.		546
		Mayo, C.		546
		Moring, F. J.		546
		Morrill, D. B.		546
		Matheson, R. P.		546
		Malone, W. H.		546
		Mendenhall, J. R.		546
		Moore, J. A.		546
		McCanless, W. W.		546
		Morris, B. W.		546
		Nicholson, T. A.		546
		Froflitt, D.		546
		Painter, E. M.		546
		Pearson, J. T.		546
		Proctor, E. K.		546
		Price, G. W.		546
		Pou, E. W.		546
		Peck, G. P.		546
		Robbins, P. D.		546
		Rea, J. J.		546
		Rentrow, J. H.		665
		Robinson, J. L.		546
		Reynolds, J. T.		546
		Ragland, J. W.		546
		Smith, J. L.		546
		Sweat, I.		546
		Smith, D. E.		546
		Seymore, A. S.		546
		Seigrist, W. B.		546
		Stilley, H. E.		448
		Staunton, G. W.		546
		Sturdwick, F. M.		268
		Sykes, T. A.		546
		Sinclaiy, J.		546
		Stevens, A. W.		546
		Smith, J. J.		546
		Shaver, J. M.		546
		Simmonds, J. R.		546
		Snipes, E. T.		546

1870.				
March.	Thompson, F.	Representative,	\$	548
	Vest, J. T.	"		548
	Vestal, T. M.	"		546
	Williams, B. C.	"		546
	Waldrop, J. E.	"		546
	Welch, W. P.	"		546
	Wilson, L. C.	"		546
	Whitley, R. D.	"		546
	Williams, J. E.	"		546
	White, J.	"		546
	Wilkie, S. B.	"		546
	Williamson, J. H.	"		546
	Boner, J. H., Clerk House Repre-			
	sentatives,			539
	Boner, J. H., extra pay under reso-			
	lution of April 12th, 1870,			100
	Candler, T. J. assistant clerk House			
	of Representatives,			49
	O'Hara, J. E., engrossing clerk			
	House of Representatives,			637
	Page, J., doorkeeper House of Rep-			
	resentatives,			546
	Abbott, J. B., assistant doorkeeper			
	House of Representatives,			576
	Hardie, I. H., page to House of			
	Representatives,			234
	Allston, T., page to House of Repre-			
	sentatives,			234
	Harris, D. W., page to House of			
	Representatives,,			234
	Boner, E. A., assistant engrossing			
	clerk House of Representatives,			126
	Alford, J. H., assistant reading clerk			
	House of Representatives,			100
	Alford, J. H., clerk to committee of			
	the whole,			21
	Boner, J. H., copying House jour-			
	nal for printer, August 4th, 1869,			175
	Williams, Alfred, stationery furn-			
	ished committee on contingent ex-			4250
	penditures,			
	C. W. Horner, treasurer insane asy-			
	lum, part of the appropriation for			
	the year 1870,			7,000
	John Nichols, Treasurer Institution			

Public Fund dis- bursements.	1870. March.		\$	
		for Deaf, Dumb and Blind, part of appropriation for 1870,	\$	10,000
		H. M. Miller, for services of clerk to Senate Investigating Committee,		161
		E. F. Page, for services as clerk to Senate Investigating Committee,		20
		J. W. Albertson, solicitor, 5 certificates,		200
		R. M. Henry, solicitor, 6 certificates,		240
		V. S. Lusk, " 9 "		360
		J. J. Martin, " 2 "		80
		W. P. Caldwell, " 7 "		280
		Neill McKav, " 3 "		120
		D. L. Russell, judge superior court, salary for 4th quarter, 1889,		625
		A. W. Tourgee, judge superior court, salary for 4th quarter, 1869,		625
		T. Settle, judge supreme court, salary for 1st quarter, 1870,		625
		C. C. Pool, judge superior court, salary for 4th quarter, 1869,		625
		R. M. Pearson, judge supreme court, salary for 1st quarter, 1870,		625
		J. H. Henry, judge superior court salary for 1st quarter, 1870,		625
		A. W. Tourgee, judge superior court, salary for 1st quarter, 1870,		625
		R. P. Dick, judge supreme court, salary for 1st quarter, 1870		625
		D. A. Wicker, marshal of supreme court, for 67 days, at \$3 per day,		201
		W. H. Bagley, clerk supreme court, for copying matter ordered by the supreme court under sections 11 and 12, chapter 23, revised code.		13
		L. P. Olds, attorney general, salary for January and February,		250
		L. P. Olds, attorney general, attendance on January term supreme court, 1870,		100
		Wm. Smith, engineer Marion and Asheville Turnpike company, under section 9 of "an act to establish a Turnpike road, from Marion to Asheville,"		61 8

1870.			
March.	Wm. Moore, under the same act,	\$	40
	T. F. Lee, for 26 uniform hats for Co. "A," N. C. D. M., sent to Jones county, at \$1.25 each,		32 50
	N. A. Ramsay, under an "act to se- cure the better protection of life and property,		150
	Col. T. B. Long, A. D. C., for 21 days special duty in Chatham co.,		170 11
	Alfred Dockery, chairman peniten- tiary commissioners, part of the appropriation for the erection of a penitentiary,		4,000
	Sundry sheriffs for making presi- dential returns as follows:		
	J. L. Robinson, deputy sheriff,		98 80
	C. C. Vest, deputy sheriff,		104
	G. D. Parker, deputy sheriff,		28
	G. W. Blacknall, for travelling ex- penses as member of board of public charities,		172
	M. Littlefield, state printer, for prin- ting for General Assembly and sundry departments, as per bills on file,		7,734 47
	Nichols & Gorman, for printing and binding first annual report of board of public charities,		232 87
	Nichols & Gorman, for printing for General Assembly, session 1869- '70, as per bills,		962 59
	J. C. Griffith, sheriff of Caswell county, for public tax over cred- ited for 1869,		1,322 50
	T. F. Lee, sheriff of Wake county, for tax overpaid by him for 1868,		352 67
	Henderson & Enniss for public tax overpaid and refunded under a resolution of the general assembly,		22 68
	Henderson & Enniss, for special tax overpaid and refunded under a resolution of general assembly as follows:		
	Williamston & Tarboro' Railroad,		4
	Western North Carolina " "		10 87
			Public Fund dis- bursements.

Public Fund dis- bursements.	1870. March.		§
		Wilmington & Charlotte Railroad,	7
		North Western N. C. “	4
		Western “	1
		Marion & Asheville Turnpike Co.,	1
		W. A. Moore, for payment of labor- ers on hospital at port of Beaufort,	193 35
		W. A. Moore, for payment of labor- ers and material furnished in erect- ing Quarantine hospital at port of Beaufort, N. C.,	549
		Sundry persons under resolutions of general assembly, as follows:	
		M. Q. Waddell,	100
		J. J. Sawyer,	50
		J. E. O'Harra,	50
		V. C. Barringer, code commissioner, salary for December, 1869, and January, February and March '70,	800
		A. W. Tourgee, code commissioner, salary for December, 1869, and January, February and March, '70,	800
		W. B. Rodman, code commissioner, salary for seven months at \$200 per month, ending February 28, 1869,	1,400
		Sundry sheriffs, &c, for settling tax- es, 1868 and 1869, as follows:	
		George Credle, sheriff Hyde county,	40
		C. L. Aldrid, tax col. Moore “	51 80
		T. F. Lee, sheriff Wake county for 1868,	3
		T. W. Taylor, sheriff Henderson county,	60
		Surities of John Barnett, late sheriff of Person county,	12 80
		J. I. Moore, sheriff Granville co'ty,	36 20
		J. W. Schenck, Jr., sherif New Han over county.	26 40
		J. A. Reid, sheriff Halifax county,	21 40
		J. C. Griffith, sheriff Caswell “	14
		G. J. Williams, sheriff Chatham “	32
		H. D. Coley, state librarian, salary for January, February and March, 1870,	174 99

1870. March.			Public Fund dis- bursements.
	F. A. Olds, for one copy of Mark Twains "Innocence Abroad,"	\$ 4	
	C. M. Farris, keeper of capitol weights and measures, salary for the months of January, February and March, 1870,	227 48	
	H. J. Menninger, secretary of state, salary for January, February and March, 1870,	600	
	F. J. Menninger, clerk to secretary of state, salary for January, February and March, 1870,	249 99	
	S. M. Parrish, clerk to secretary of state, salary for January, February and March, 1870,	225	
	A. Syme, clerk to secretary of state, salary for January, February and March, 1870,	225	
	D. A. Jenkins, public treasurer, salary for 4th quarter 1869, and 1st quarter, 1870,	1,500	
	D. W. Bain, chief clerk to treasurer, salary for first quarter 1870,	375	
	A. D. Jenkins, teller, treasurer department, for salary 1st quarter 1870,	250	
	L. M. Hoffman, bookkeeper, treasury department, salary for 1st quarter, 1870.	187 50	
	R. W. Best, posting books in treasury department,	50	
	E. T. Page, for services rendered in treasury department,	100	
	D. B. Wharton, for 30 days service superintending the construction of a turnpike road in Carteret county,	60	
	Abraham Congleton, under an "act establishing said turnpike road,	1,710	
	Southern express company for freight on sundry packages shipped by the various departments during this month,	14 60	
	Alexander Turner, waiter in the capitol, salary for January, February and March, 1870,	67 50	

Public Fund dis- bursements.	1870. March.		\$	
		W. F. King, for repairing gate lamps,	8	8
		Handy Lockhart, for making desk and letter-box for Senate chamber repairing chairs,		52 27
		Friday Jones, watchman in capitol, salary for January, February and March, 1870,		135
		Sentinel office, publishing sundry proclamations of the governor and accompanying acts,		164
		J. H. Ennis, for blank book, \$1.25, journal for treasury department \$5, record book for supreme court, \$4.80,		11 05
		H. T. Clawson & Co., for window shades, cords, tassels, and fixtures, furnished and hanging same in State House, as per bill,		611 85
		S. D. Harrison, for brooms, brushes, and oil for House of Representa- tives,		18 25
		W. J. Grant, for furnishing grate and putting in same in adjutant gen- eral's office,		39 87
		Dennis Miller, for repairing grate in adjutant general's office,		1 50
		Douglass Bell, for 1990 lbs. coal \$14.93; 17 tons and 1,840 lbs. coal \$260.78; 4 bags guano \$38.39; soap \$6,		320 20
		John Ransom, for painting walls in adjutant general's office,		3
		Western Union Telegraph company, for telegrams sent and received by executive and treasury depart- ments during this month,		52 81
		Shanks & Barrett, for pump and lightning rods, &c.,		10 50
		K. B. Wait, for work done, and lum- ber furnished for secretary of state's office,		10
		L. B. Blum, for publishing govern- or's proclamation in "People's Press,"		18
		"Hillsboro' Recorder," for publish-		

1870. March.		\$	30	Public Fund dis- bursements.
	ing governor's proclamation,			
	John Armstrong, for 8 docketts for supreme court, \$12.00; 1 record book, \$1.00; 1 blank book for state department, \$6.25,		19 25	
	Alonzo Williams, for removing and cutting 275 cords of wood,		187 50	
	W. R. Andrews, for 100 cords of wood at \$4.50,		450	
	S. Kline & Co., for spittoons, pitch- ers, bowles and goblets for the house of representatives, senate chamber and sundry offices,		27	
	Shanks & Barrett, for repairing wa- ter closets,		8 25	
	Phil. Thiem, for 9 baskets and sun- dry other articles as per bill,		39	
	H. P. Buncombe, waiter in capitol, salary January, February and March, 1870,		67 55	
	Eli Williams, for repairing wheelbar- row, picks and gates,		6	
	Newbern Daily <i>Times</i> , for publish- ing sundry proclamations in Dec., 1869,		72	
	J. P. Johnson, for 1 lawn mower, \$38; freight on same \$2,		40	
	Forest Manufacturing Co., for 200 reams No. 1 book paper, 24x38, at \$9 per ream,		1,800	
	A. Williams, for stationery for super- intendent public works, \$5.80; for state department, \$15.03; for superintendent public instruction, \$2.20,		23 03	
	A. Williams, for stationery for ex- ecutive and treasury departments,		41 40	
	Thomas Gilman & Co., for 2½ gross improved gas economizers at \$60 per gross,		150	
	D. G. Pruyn, for 100 cords of wood at \$4,		400	
	Wilmington <i>Post</i> , for advertising stationery bill for secretary of state's department,		45	

Public Fund dis- bursements.	1870. March.		\$	
		Augustus Doepp & Co., for stationery purchased by secretary of state under contract,		1,735 47
		Wilmington <i>Post</i> , for publishing governor's proclamation,		8
		A. W. Fraps, for 2 table for senate chamber, \$8; 1 desk for supreme court clerk, \$75; repairing sofa in attorney general's office, \$13; 1 pivot chair, for speaker of the house of Representatives, \$18; repairing chairs, &c., in various departments, \$76,		190
		H. Mahler, repairing State seal, \$10; seal for supreme court, \$5; repair 2 clocks, \$7.50; 2 gold pens and staffs, \$7; 1 cancelling stamp, \$14,		43 50
		Raleigh Gas Light Company, for gas consumed in the state house and 8 gas lamps for 5 months ending February 28th, 1870,		572
		W. R. Richardson, private secretary, sealing 1500 bonds W. C. & R. R. R.,		150
		Tucker & Co., for sundry articles furnished the legislature under a resolution of March 8, 1870,		74 43
		Charles Kuester, for new keys, repairing locks to doors and drawers, senate chamber, house of representatives, supreme court room and other departments,		97 75
		Augustus Doepp & Co., for stationery furnished under contract with secretary of state,		2,180
		Augustus Doepp & Co., for stationery furnished under contract with secretary of state,		2,129 40
		Raleigh & Gaston Railroad Company, for freight on sundry cases of paper, (stationery,)		416 22
		H. D. Coley, sundry books, periodicals, rent of postoffice box and postage for state library,		61

1870.			
March.	J. M. Pool, for 12 ornamental trees for capitol square,	\$	12
	A. W. Fraps, for one desk for superintendent of public works office,		8
	J. H. Enniss, for sundry articles of stationery,		23 10
	G. Goodin, agent for J. P. Russ, and others, for 46 cords of wood, at \$4.75,		187
	Thos. H. Briggs, for glasses, rakes, spades, pitchforks, shovel and tongs, well bucket, &c., as per bill,		50 78
	J. H. Enniss, for 2 gross pencils, 11.50, ivory pen maker for state department, \$4,		15 50
	S. D. Harrison, for candles, candlesticks, water dipper and brooms, for use in state house, as per bill,		15 75
	Newbern Daily <i>Times</i> , for publishing governor's proclamation,		45
	H. F. Brandon, clerk superior court, Caswell county, for fees and allowances in the case of the attorney general for the state, vs. sheriff, treasurer, and commissioners of said county,		49 31
	J. N. Bunting, for ceatified copy of record, in case of R. C. Keogh, vs. the Atlantic Tennessee and Ohio R. R. Co., and D. A. Jenkins, public treasurer, for the senate investigating committee,		9
	Mrs. W. R. Andrews, for 34½ cords of wood, at \$4 per cord,		138
	Handy Lockhart, for repairing chairs in senate chamber and house of representatives, and work done in sundry offices in the state house,		56 87
	W. H. & R. S. Tucker & Co., for crape and ribbon furnished the general assembly, under resolution of March 16th, 1870,		64 50
April.	Sundry persons on account of artificial limbs, as follows:		

Public Fund disbursements.

Public Fund dis- bursements.	1870. April.		\$	
		Madison Eakes, commutation for loss of leg,		50
		Edward Lowry, commutation for loss of leg,		50
		N. R. Ferguson, commutation for loss of leg,		50
		H. Adams, state auditor, salary for the month of April, 1870,		200
		J. H. Adams, clerk to state auditor, salary for the month of April, 1870,		83 33
		H. H. Roberts, clerk to state auditor, salary for the month of April, 1870,		75
		A. J. Partin, clerk to state auditor, salary for the month of April, 1870,		75
		Solomon Bragg and others, for labor on capitol square and state house, during the month of April, 1870, as per bills,		281 75
		R. H. Allen & Co., for 16 bushels lawn seed at \$6 per bushel, \$96; 1 garden roller, \$36; 1 Swift's lawn mower, \$33; boxing and drayage on same, \$5,		170
		S. S. Ashley, superintendent public instruction, salary for the month of April, 1870,		200
		E. S. S. Ashley, clerk to superintendent of public instruction, salary for month of April, 1870,		83 33
		J. B. Neathery, clerk to superintendent public instruction, salary for the month of April, 1870,		75
		C. L. Harris, superintendent public works, salary for the month of April, 1870,		200
		H. W. Moore, clerk to superintendent public works, salary for the month of April, 1870,		75
		W. R. Richardson, private secretary, salary for the month of April, 1870,		83 83
		C. W. Horner, clerk to executive,		

1870. April.			Public Fund dis- bursements.
	salary for the month of April, 1870,	\$ 100	
	W. H. Saults, messenger to executive, salary for the month of April, 1870,	41 66	
	Sundry persons, under an "act prescribing the powers and duties of the governor with regard to fugitives from justice," as follows:		
	N. R. Sutton,	150	
	L. H. Mowers,	150	
	A. W. Fisher,	304 40	
	G. W. Tillon,	121 90	
	E. R. Stanley,	350 70	
	J. R. Parrott,	150	
	D. J. Uzzle,	50	
	T. A. Byrnes, secretary of senate, transcribing Senate journal for printer, session 1869-'70,	275	
	J. H. Boner, clerk of House of Representatives, for one day's services,	7	
	J. E. O'Hara, engrossing clerk of the House of Representatives, three days' services,	21	
	H. M. Miller, assistant enrolling clerk, for four days services,	28	
	H. E. Stilley, representative fourteen days attendance,	98	
	J. H. Davis, representative seven days attendance,	49	
	John Nichols, treasurer institution for deaf dumb and blind, part of the appropriation for 1870 for said institution,	10,000	
	C. W. Horner, treasurer of insane asylum, part of appropriation for said asylum for 1870,	13,000	
	T. W. Taylor, for conveying W. B. Stepp to insane asylum,	116	
	N. Milleson, for conveying R. M. Anderson to insane asylum,	17	
	S. W. Tillinghast, for conveying J. M. Tillinghast to insane asylum,	20	
	John Frailey, for conveying Charles Mendenhall to insane asylum,	64 90	

Public Fund dis-
bursements.

1870.			
April.	Ruth Gallamore, for expenses in returning home from insane asylum,	\$	11 50
	Thos Bragg, for 24 days attendance on investigating committee, at \$7 per day,		168
	W. L. Scott, for 24 days attendance on investigating committee, at \$7 per day,		168
	S. F. Phillips, for 24 days attendance on investigating committee, at \$7 per day,		168
	W. L. Scott, for expenses incurred as one of senate investigating committee,		84 25
	L. P. Olds, attorney general, salary for the months of March and April 1870,		250
	S. W. Watts, judge superior court, salary for first quarter 1870,		625
	C. C. Pool, judge superior court, salary for 1st quarter 1870,		625
	E. W. Jones, judge of the superior court, salary for 1st quarter 1870,		625
	D. L. Russell, judge of the superior court, salary for 1st quarter 1870,		625
	G. W. Logan, judge superior court, salary for 1st quarter 1870,		625
	Ralph Buxton, judge superior court, salary for 1st quarter 1870,		625
	E. G. Read, judge supreme court, salary for 1st quarter, 1870,		625
	C. R. Thomas judge superior court, salary for 1st quarter 1870,		625
	W. R. Cox, solicitor, 6 certificates,		240
	J. J. Martin, " 2 "		80
	J. W. Albertson, " 2 "		80
	J. A. Richardson, " 4 "		160
	Atlantic & North Carolina Railroad Company, transportation for R. Bryan, Co., "A," No. 5, N. C. D. M., from Newbern to Raleigh,		6
	Pride Jones, under "an act to organize militia, &c.,		178 50
	Alfred Dockery, chairman penitentiary commissioners, part of appro-		

1870. April.	tion for the erection of penitentiary,	\$ 5,000	Public Fund disbursements.
	J. W. Holden, state printer, for printing and ruling 18000 tax lists on both sides, \$378; for printing for state department, \$326.26; for state treasurer's and auditor's departments, \$892.41,	1,596 67	
	S. M. Parish, for examining accounts of state printer,	3	
	J. G. Colgrove, for services rendered as clerk to joint committee appointed to investigate the affairs of the state banks,	25	
	V. C. Barringer, code commissioner, salary for the month of April, 1870,	200	
	A. W. Tourgee, code commissioner, salary for the month of April, 1870,	200	
	T. W. Patterson, sheriff of Rockingham county, for settling taxes,	32 40	
	F. J. Menninger, clerk to secretary of state, salary for month of April, 1870,	83 33	
	Andrew Syme, clerk to secretary of state, salary for month of April, 1870,	75	
	S. M. Parish, clerk to secretary of state, salary for month of April,	75	
	J. J. Sawyer, clerk to secretary of state, for 23½ days services, at \$2.50 per day,	58 75	
	Andrew Syme, clerk to secretary of state, salary for extra services copying laws,	80	
	Miss Lizzie Moss, services rendered secretary of state department, copying laws,	7 50	
	Miss Mollie Jones, service rendered secretary of state department, copying laws,	18 50	
	S. M. Parish, extra services rendered secretary state department, copying laws,	23 50	
	Lawrence Hagerty, service rendered		

Public Fund dis- bursements.	1870. April.		\$	
		secretary of state department, copy- ing laws,		75
		C. M. Farris, keeper of capitol and weights and measures, salary for the month of April, 1870,		79 16
		E. J. Hale & Sons, for sundry books for state library,		139 66
		Little, Brown & Co., for subscription to American Law Review for Feb- ruary,		5
		A. J. Jones, for 1 vol. Wallace's U. S. supreme court report,		6
		H. D. Coley, state librarian, salary for the month of April, 1870,		58 33
		J. A. Askew, for 20 days service as clerk in treasury department,		50
		T. F. Lee, sheriff of Wake county, for maintaining 26 prisoners, in Wake county jail, 5,861 days at 60 cents per day,		3,516 60
		T. F. Lee, sheriff Wake county, for expenses in carrying prisoners to the penitentiary, \$7.00; tur- keys, 19.50,		26 50
		G. M. Lee, treasurer North Carolina Railroad Company, for 5 per cent. U. S. tax on \$90,000, first payment of 3 per cent. dividend, No. 10, to April 1st, 1870,		4,500
		Southern Express Co., for freight on sundry packages shipped by treasurer's and auditor's depart- ment, during this month,		59 65
		Henry Biggs, for services as waiter in capitol for one week, supreme court,		4 50
		Newbern Daily <i>Times</i> , for publish- ing governor's proclamation in re- lation to Alamance county, \$25 ; advertising "act for the better protection of life and property," \$35,		60
		Commissioners of Henderson county, for keeping Young Becknell and		

1870.	Wm. Stepp, lunatics, 1 year each, at \$100,	\$	200	Public Fund disbursements.
April.	W. & A. Page, for cutting wood 38 days at \$1.00 per day,		38	
	H. J. Hesselbach, for grates, stoves, &c., for use of capitol,		74 40	
	Hillsboro' <i>Recorder</i> , for publishing sundry proclamations of the governor,		68	
	W. U. Telegraph Company, for telegrams sent and received by the several departments, to April 2, 1870,		33 03	
	W. A. Smith & Co., for printing 600 Alamance proclamations \$12,00; for publishing governor's proclamation in relation to Alamance county, \$100; proclamation concerning escaped convicts from the state penitentiary, \$19.50,		131 50	
	Friday Jones, for 5 cords of wood at \$4 per cord,		20	
	Wm. King, for repairing valves and wires in water tank, putting new pipe in water closet, furnishing pipe to conduct water from capitol building to eastern reservoir, &c.,		37	
	Seth Nowell, for hauling stationery, <i>Sentinel</i> office, for publishing schedule "B," revenue law,		96 83	
	W. A. Smith & Co., for printing for department of State, as per bill,		119 75	
	Raleigh Gas Light Company, for gas consumed in State House and 8 gate lamps,		161 60	
	K. B. Wait, for work done in secretary of State's office,		5	
	W. H. Morris & Co., for 1 spring-seat chair for supreme court room.		13 50	
	Nichols & Gorman, for printing for treasury and auditor's department,		42	
	E. A. Williams, for cleaning and repairing time keeper in executive office,		5	

Public Fund dis- bursements.	1870.		\$	
	April.	H. Fendt, for bowls, dippers, tub, &c.,		3 50
		Cutler, Tower & Co., for 5,000 gilt seals at \$5 per 1,000,		25
		W. A. Smith & Co., for advertising notice to sheriffs and others, and sundry printing for departments, as per bills,		133 50
		Mrs. W. R. Andrews, for 6 cords wood, at \$4 per cord,		24
		J. H. Enniss, for stationery furnished various departments,		6 30
		R. S. Tucker, for 2 car loads ice, 8,178 lbs. each, at 1c. per pound,		163 56
		J. W. Coleman, for 12 reams im- perial paper, 32 $\frac{1}{4}$ x33 at \$22 per ream, \$264, two cases \$2,		266
		Friday Jones, watchman in capitol, salary for month of April, 1870,		45
		Alex. Turner, waiter in capitol, sal- ary for month of April, 1870,		22 50
		H. P. Buncombe, waiter in capitol, salary for month of April, 1870,		22 50
		F. Taylor, for 6 loads pine wood at \$4		24
		Engelhard & Price, for publishing governors proclamation offering a reward for A. Devane,		6
		Lougee & Bro., for two wire files for executive department,		1
		W. R. Richardson, for sealing 150 bonds Williamston & Tarboro' Railroad.		15
		Shanks & Barrett, for pump, valves, and work done in plumbing on capitol premises,		8 10
	May.	H. Adams, state auditor, salary for the month of May, 1870,		200
		J. H. Adams, clerk to state auditor, salary for the month of May, 1870,		83 33
		H. H. Roberts, clerk to state auditor, salary for the month of May, 1870,		75
		A. J. Partin, clerk to state auditor, salary for the month of May, 1870,		75
		Solomon Bragg and others, for ser- vices on capitol square, in state		

1870. May.	house, and guarding arsenal, for the month of May, 1870,	\$	225	Public Fund disbursements.
	S. S. Ashley, superintendent public instruction, salary for the month of May, 1870,		200	
	S. S. Ashley, for expenses in traveling to and from Halifax, Northampton, Perquimans, Beaufort and Wayne counties on business connected with his office,		48	
	E. S. S. Ashley, clerk to superintendent of public instruction, salary for the month of May, 1870,		83 33	
	J. B. Neathery, clerk to superintendent public instruction, salary for the month of May, 1870,		75	
	C. L. Harris, superintendent public works, salary for the month of May, 1870,		200	
	J. C. L. Harris, clerk to superintendent public works, salary for the month of May, 1870,		75	
	W. R. Richardson, private secretary, salary for the month of May, 1870,		83 33	
	C. W. Horner, clerk to executive, salary for the month of May, 1870,		100	
	W. H. Sauls, messenger to executive, salary for the month of May, 1870,		41 66	
	Sundry persons under "an act prescribing the powers and duties of the governor with regard to fugitives from justice," as follows:			
	P. A. Wiley for L. H. Mowers,		50	
	L. H. Mowers,		116 05	
	A. W. Fisher,		790	
	W. Ames, representative from Lenir county,		49	
	J. C. L. Harris, indexing senate journal, session 1869 and 1870,		100	
	J. H. Boner, indexing house journal session 1869 and 1870,		100	
	F. T. Baxter, for conveying Mrs. W. Westerfield to insane asylum,		55 05	

Public Fund disbursements.	1870. May.		
		A. P. Duke, for conveying Nancy Russel to insane asylum,	\$ 26 75
		John Nichols, treasurer institution for Deaf, Dumb and Blind, part of appropriation to said institution,	3,000
		D. E. Bunting, for attendance on the senate investigating committee \$6, for travelling 272 miles at 5c per mile, \$13.60,	19 60
		R. H. Cannon, judge superior court, salary for 1st quarter, 1870,	625
		R. M. Henry, solicitor, 4 certificates,	160
		J. C. Gudger, solicitor, 1 certificate,	40
		J. V. Sherard, solicitor, 13 certificates,	520
		J. W. Albertson, solicitor, 2 certificates,	80
		W. R. Cox, solicitor, 1 certificate,	40
		J. R. Bulla, solicitor, 8 certificates,	320
		Nichols & Gorman, for printing supreme court reports, 424 pages, at \$1.50 per p., \$636.00; binding 167 copies, at 10c., \$16.70; postage paid on 17 copies to judges, \$4.25,	656 95
		S. F. Phillips, reporter for supreme court, last half year's salary, ending Dec. 31, 1869, and first half year's salary, 1870,	600
		William Smith, engineer Marion and Asheville Turnpike company, under an "act to establish a turnpike from Marion to Asheville,"	536 31
		Alfred Dockery, chairman penitentiary commissioners, part of appropriation for the erection of a penitentiary,	6,000
		Jos. W. Holden, state printer, for printing on house journal, house and senate rolls, certificates of per diem, school laws, index to journal of house, documents for general assembly, tax lists and abstracts for auditor's department, sundry printing for treasurer, adjutant general	

1870. May.			Public Fund dis- bursements.
	and superintendent of public instruction, as per bills on file,	\$ 798	59
	M. S. Littlefield (public printer, 1869) printing general orders No. 6 and 8, and badges, co. "M" for officers and men for adjutant general's department, as per bills,		17
	M. S. Littlefield, printing dockets, record books, and for state department, as per contract with Secretary of State, per bill filed,	5,677	55
	S. M. Parish, for examining accounts of state printer,		3
	R. F. Trogdon, sheriff of Randolph county, for public tax refunded,		7 20
	R. F. Trogdon, sheriff of Randolph county, for special tax refunded on the following roads: Williams- ton & Tarboro' railroad, \$1.00; Western North Carolina railroad, \$4.00; Wilmington, Charlotte & Rutherford Co., \$1.50; North- western North Carolina Railroad, 75c.; Western Railroad Company, 75c.; Marion & Asheville Turn- pike Company, 17c.,		8 17
	A. W. Tourgee, code commissioner, salary for the month of May, 1870,	200	
	V. C. Barringer, code commissioner, salary for the month of May, 1870,	200	
	N. R. Jones, sheriff of Warren county, for settling taxes,		12 80
	H. J. Menninger, secretary of state, salary for month of May, 1870.	200	
	F. J. Menninger, clerk to secretary of State, salary for month of May, 1870,		83 33
	Andrew Syme, Clerk to Secretary of State, salary for month of May, 1870,		75
	S. M. Parish, Clerk to Secretary of State, salary for month of May, 1870,		75

Public Fund dis- bursements.	1870. May.		
	J. J. Sawyer, clerk to secretary of state, 37 days, at \$2.50 per day,	\$	92 50
	D. C. Syme, for copying laws for secretary of state,		3
	C. M. Farris, keeper of capitol and weights and measures, salary for May, 1870,		79 16
	Southern Express Co., for freight on sundry packages from the various departments during the month of May, 1870,		74 75
	James Towles, for 1 refrigerator,		8
	Western Union Telegraph Company, for telegrams sent and received by executive, treasury and state departments,		20 55
	Raleigh post office, for postage for the various departments, for the month of May, 1870,		261 67
	W. J. Yates, for publishing governor's proclamation concerning escaped convicts,		14
	S. D. Harrison, for matches and soap,		18 50
	Wilmington Post, for publishing governor's proclamation concerning A. Devane,		6
	K. B. Wait, for material and labor on woodhouse \$17,07, making 2 doors and putting pigeon holes in desk in Secretary of Statels office \$7.		24 07
	New Berne Daily Times, for publishing governor's proclamation,		42
	A. W. Fraps, for 1 desk \$12, 1 stool \$1.25, 1 stool \$3 for Department of public instruction,		16 25
	John Armstrong for 12 dockets for supreme court, at \$1.50,		18
	Goldsboro' News, publishing governor's proclamation concerning A. Devane,		6
	Jo. W. Holden, publishing proclamations, &c.,		43 75
	Nichols & Gorman, printing for supreme court,		81 50

1870. May.			Public Fund dis- bursements.
	Thomas H. Coates, for work done in treasurer's department \$10, and putting safe in office of superintendent of public instruction \$10,	\$ 20	
	Raleigh Gas Light Company, for gas consumed in capitol and 8 gate lamps for month of May 1870,	58 40	
	John Harriss, for hauling 14 loads of trash from capitol square at fifty cents per load,	7	
	Jo. W. Holden, for printing for executive department,	10 50	
	Nichols & Gorman, for printing 100 subpoenas,	2	
	J. A. Jones, for 1 copy United States Supreme Court Report, \$6.00; 1 copy Benjamin on Sales, \$7.50,	13 50	
	Friday Jones, watchman in capitol, salary for month of May, 1870,	46 50	
	Alex. Turner, waiter in capitol, salary for month of May, 1870,	22 50	
	H. P. Buncombe, waiter in capitol, salary for month of May, 1870,	22 50	
	H. D. Coley, state librarian, salary for month of May, 1870,	58 33	
	Phil. Theim, for 460 lbs. of ice, at 4 cents, \$19.84; balance on ice for 1869, \$2.75; 8 brushes and 3 balls of twine \$14	36 59	
	<i>Sentinel</i> Office, for publishing governor's proclamation of May 25th, 1870,	8	
	Lewis Ford, for hauling 4 loads of hay at 25 cents,	1	
June.	H. H. Roberts, clerk to state auditor salary for month of June, 1870,	75	
	A. J. Partin, clerk to state auditor, salary for month of June, 1870,	75	
	J. H. Adams, clerk to state auditor, salary for month of June, 1870,	83 33	
	H. Adams, state auditor, salary for the month of June, 1870,	200	
	Solomon Bragg and others, for labor on capitol square, state house and		

Public Fund dis- bursements.	1870. June.		\$	
		guarding arsenal during the month of June, 1870,		290 75
		Friday Jones, for hauling 20 loads to capitol square at 50 cents per load,		10
		S. S. Ashley, superintendent public instruction, salary for the month of June 1870,		200
		E. S. S. Ashley, clerk to superintendent public instruction, salary for the month of June, 1870,		83 33
		J. B. Neathery, clerk to superintendent public instruction, salary for the month of June, 1870,		75
		C. L. Harris, superintendent public works, salary for the month of June, 1870,		200
		J. C. L. Harris, clerk to superintendent public works, salary for the month of June, 1870,		75
		W. W. Holden, governor of North Carolina, salary for 2d quarter, 1870,		1,250
		W. R. Richardson, private secretary, salary for the month of June, 1870,		83 33
		W. H. Sauls, messenger to executive, salary for the month of June, 1870,		41 66
		C. W. Horner, clerk to executive, salary for the month of June, 1870,		100
		Sundry persons, under an "act prescribing the powers and duties of the governor with regard to fugitives from justice," as follows:		
		A. W. Fisher,		485
		L. H. Mowers,		50
		Sundry persons for attendance on general assembly, as follows:		
		R. C. Parker, representative,		392
		T. J. Candler, assistant clerk to House of Representatives,		497
		Sundry persons for conveying lunatics to the asylum, as follows:		
		Thomas Grier, conveying Susan A. Grier,		40

1870. June.			Public Fund dis- bursements.
	D. S. Swain, conveying F. A. Ballentine,	\$ 36	40
	W. B. Jones, conveying A. C. Parker,	18	25
	J. A. Richardson, solicitor 4th district, 3 certificates,	120	
	W. R. Cox, solicitor 6th district, 2 certificates,	80	
	McNeill McKay, solicitor 5th district, 5 certificates,	200	
	J. W. Albertson, solicitor 1st district, 2 certificates,	80	
	J. V. Sherard, solicitor 3rd district, 1 certificate,	40	
	Marcus Erwin, solicitor 12th district, 1 certificate,	40	
	A. H. Joyce, solicitor 8th district, 7 certificates,	280	
	W. P. Bynum, solicitor 9th district, 7 certificates,	280	
	V. S. Lusk, solicitor 11th district, 2 certificates,	80	
	S. W. Watts, judge superior court, salary for 2d quarter, 1870,	625	
	C. R. Thomas, judge superior court, salary for 2d quarter, 1870,	625	
	R. P. Buxton, judge superior court, salary for 2d quarter, 1870,	625	
	C. C. Pool, judge superior court, salary for second quarter, 1870,	625	
	E. W. Jones, judge superior court, salary for 2d quarter, 1870,	625	
	D. L. Russell, judge superior court, salary for 2d quarter, 1870,	625	
	L. P. Olds, attorney general, salary for the month of May, 1870,	125	
	D. A. Wicker, marshal of supreme court, salary for 25 days, at \$3 per day,	75	
	G. W. Kirk, under an "act for the better protection of life and property,"	1,000	
	W. J. Clark, under an "act for the better protection of life and property,"	500	

Public Fund dis- bursements.	1870. June.		\$	
		W. S. McKee, under an "act for the better protection of life and property,		500
		Alfred Dockery, chairman penitentiary commissioners, part of the appropriation for the erection of penitentiary,		6,000
		Jo. W. Holden, state printer, for sundry printing as per bills,		588
		V. C. Barringer, code commissioner, salary for the month of June, 1870,		200
		H. J. Menninger, secretary of state, salary for months of April and June, 1870,		400
		F. J. Menninger, clerk to secretary of state, salary for the month of June, 1870,		83 33
		Andrew Syme, clerk to secretary of state, salary for the month of June, 1870,		75
		S. M. Parish, clerk to secretary of state, salary for the month of June, 1870,		75
		J. J. Sawyer, clerk to secretary of state, salary for the month of June, 1870,		75
		H. D. Coley, state librarian, salary for the month of June, 1870,		58 33
		C. M. Farris, keeper of capitol, and weights and measures, salary for the month of June, 1870,		79 16
		D. A. Jenkins, public treasurer, salary for 2d quarter, 1870,		750
		D. W. Bain, chief clerk to treasurer, salary for 2d quarter, 1870,		375
		A. D. Jenkins, teller to treasurer, salary for 2d quarter, 1870,		250
		L. M. Hoffman, book keeper to treasurer, salary for 2d quarter, 1870,		187 50
		M. Rosenbaum, for oil cloth, ribbons, towels, &c., for use of capitol,		69 17
		W. U. Telegraph Co., for sundry telegrams, sent and received by		

1870. June.		\$	4185	Public Fund dis- bursements.
	executive, state and treasury de- partments,			
	Southern Express Co., for freight on sundry packages shipped and received by state and auditor's de- partments, and state library,		27 50	
	C. L. Harris, superintendent public works, for actual expenses while traveling to attend to the Marion and Asheville turnpike affairs,		65 75	
	T. & J. W. Johnson & Co., for sun- dry books for supreme court, per bill,		40	
	E. J. Hale & Sons, for sundry books for supreme court, per bill,		9 76	
	Sundry publishers and newspapers, for publishing various proclama- tions of the Governor, as per bills on file, as follows:			
	Republican publishing company,		26	
	New Berne Daily <i>Times</i> ,		15	
	W. B. Alligree, for Hillsboro' <i>Re- corder</i> ,		7	
	Goldsboro' <i>News</i> ,		25	
	C. D. Grady, <i>Wilmington Post</i> ,		24	
	W. A. Smith & Co.,		54 50	
	<i>Sentinel</i> office,		43	
	Asheville <i>Pioneer</i> ,		7 50	
	H. C. Smith, for repairing state house roof, and water pipes,		24	
	Mrs. M. J. Mosely, for 1 lot of flowers for capitol square,		18	
	A. W. Fraps, for 1 black walnut desk, for the secretary of state office,		45	
	Forrest Manufacturing company, for part payment for 600 reams of No. 1 book paper 26x40,		4,000	
	W. S. Ball, under a resolution autho- rizing the governor to employ counsel in certain cases,		100	
	R. C. Badger, under same resolution,		200	
	Raleigh Gas Light company, for gas consumed in state house and 8 gate lamps,		52	

1870.				
Public Fund dis- bursements.	June.	John Armstrong, for 86 sets indexes to supreme court dockets at 60c,	\$ 51 60	
		W. Dunston and others, packing wood, removing stationery from arsenal, &c.,	29 25	
		H. P. Buncombe, waiter in capitol, salary for the month of June, 1870,	30	
		Alex Turner, waiter in capitol, salary for the month of June, 1870,	30	
		Friday Jones, watchman in capitol, salary for the month of June, 1870,	45	
		L. Levy, for one iron safe for secretary of State,	50	
		A. W. Frapps, for one desk for executive office,	37	
		North Carolina Railroad company, for freight on guns and ammunition, &c., shipped from Raleigh to Salisbury,	19 85	
		Austin Gilmore, for cleaning and bronzing statue of Washington,	75	
		<i>Wall Street Journal</i> , for subscription for the <i>Wall Street Journal</i> for treasurer's department,	15	
		Henry Turner, for hauling 26 loads from armory and 13 loads from capitol square,	9 75	
		E. J. Hale & Sons, for books for supreme court library,	19 50	
		July.	H. Adams, state auditor, salary for the month of July, 1870,	200
			H. H. Roberts, clerk to state auditor, salary for the month of July, 1870,	75
			A. J. Partin, clerk to state auditor, salary for the month of July, 1870,	75
			Jas. H. Adams, clerk to state auditor, salary for the month of July, 1870,	83 33
			Solomon Bragg and others, for labor on capitol square, in state house, and guarding arsenal during the month of July, 1870,	390
London Williams, for 84 days labor, cutting wood, at 1.00 per day,	84			
	W. B. Jones, deputy sheriff of Davie			

1870. July.			Public Fund dis- bursements.
	county, for keeping, conveying and guarding convicts to penitentiary,	\$	137 25
	H. J. Menninger, secretary of state, for furnishing the state printer with copies of laws of 1869-'70, and sundry resolutions, as per bill,		880 50
	S. S. Ashley, superintendent of public instruction, salary for the month of July, 1870,		200
	J. B. Neathery, clerk to superintendent public instruction, salary for the month of July, 1870,		75
	C. L. Harris, superintendent public works, salary for the month of July, 1870,		200
	J. C. L. Harris, clerk to superintendent public works,, salary for the month of July, 1870,		75
	W. R. Richardson, private secretary, salary from 1st to 18th of July, 1870,		49 86
	W. H. Sauls, messenger to executive, salary for the month of July, 1870,		41 66
	Sundry persons, under an "act prescribing powers and duties of the governor with regard to fugitives from justice," as follows:		
	L. H. Mowers,		163 50
	A. W. Fisher,		50
	C. L. Estes,		50
	S. A. Douglas,		200
	John Nichols, treasurer institution for deaf, dumb and blind, part of appropriation to said institution,		2,000
	John Nichols, treasurer, &c., on same account,		2,000
	Chas. W. Horner, treasurer insane asylum, part of appropriation for said asylum,		5,000
	Sundry persons, for conveying lunatics to asylum, as follows:		
	J. W. Pearce,		43
	T. R. Davis,		114 25
	L. E. Johnson,		36 60

Public Fund dis- bursements.	1870. July.		\$	73 20
		G. J. Pemberton, Hutchins, Burroughs & Co., and Burroughs & Springs, for tax overpaid by them as insurance agents, to the sheriff of Mecklen- burg county,		10 78
		Thomas Settle, judge supreme court, salary for 2d quarter, 1870,	625	
		R. P. Dick, judge supreme court, sal- ary for 2d quarter, 1870,	625	
		E. G. Reade, judge supreme court, salary for 2d quarter, 1870,	625	
		R. M. Pearson, judge supreme court, salary for 2d quarter, 1870,	625	
		A. Mitchell, judge superior court, salary for 1st quarter, 1870,	625	
		A. Mitchell, judge superior court, salary for 2d quarter, 1870,	625	
		W. B. Rodman, judge supreme court, salary for 1st quarter, 1870,	625	
		W. B. Rodman, judge supreme court, salary for 2d quarter, 1870,	625	
		A. W. Tourgee, judge superior court, salary for 2d quarter, 1870,	625	
		J. L. Henry, judge superior court, salary for 2d quarter, 1870,	625	
		G. W. Logan, judge superior court, salary for 2d quarter, 1870,	625	
		W. P. Caldwell, solicitor, 7 certifi- cates,	280	
		J. W. Albertson, solicitor, 2 certifi- cates,	80	
		J. C. L. Gudger, solicitor, 1 certifi- cate,	40	
		L. P. Olds, attorney general, salary for the month of July, 1870,	125	
		W. H. Bagley, clerk supreme court, salary for half year, ending June 30, 1870,	500	
		D. A. Wicker, marshal supreme court, salary from 1st to 25th of July inclusive, at \$3 per day,	75	
		Sundry persons under "an act for the better protection of life and property:"		

1870. July.		\$	Public Fund dis- bursements.
	John R. Harison, post quartermas- ter under above act,	500	
	N. A. Ramsay, under above act,	158	
	Capt. Robt. Hancock, under above act,	400	
	A. D. Jenkins, paymaster, under above act,	61,000	
	Leach Bros., for 224 lbs. bacon at 21 cents for North Carolina State Troops, per bill,	47 04	
	J. Kraus & Co., for provisions for 1st regiment North Carolina State Troops, per bill,	875 30	
	Col. S. A. Douglass, under above act,	393 80	
	G. W. Wynne & Co., for horses, wagons and horses per bill, under above act,	2,700	
	W. R. Albright, for 262 lbs bacon at 22c. for Col. G. W. Kirk's 2d regiment of North Carolina State Troops, \$59.06, for hire of three wagons and teams and drivers 5 days each, at \$4 per day, \$60,	119 06	
	Jo. W. Holden, for publishing sun- dry proclamations of the governor,	80	
	Jo. W. Holden, state printer, for printing public laws 1869-'70; and printing for various depart- ments, as per bills,	651 96	
	Jo. W. Holden, state printer, for composition, press work and bind- ing house and senate journals in- cluding paper, ruling and binding 108 8 quire blank books, per bills,	811 50	
	S. M. Parish, for examining ac- counts of public printer,	6	
	Jo. W. Holden, state printer, for composition on public laws, cap- tions to same, auditor's report, as per bill,	693 92	
	Jo. W. Holden, state printer, for composition on constitution, pub- lic laws, 1869-'70, index to same and advertising proposals for wood and coal,	188 03	

Public Fund dis- bursements.	1870. July.		\$	
		W. B. Rodman, code commissioner, salary to July 1st, 1870,		1,000
		A. W. Tourgee, code commissioner, salary for June and July, 1870,		400
		F. H. Busbee, for preparing index to public laws 1869-'70,		100
		H. J. Menninger, secretary of state, salary for month of July, 1870,		200
		S. M. Parish, clerk to secretary of state, salary for month of July, 1870,		75
		Andrew Syme, clerk to secretary of state, salary for month of July, 1870,		75
		J. J. Sawyer, clerk to secretary of state, salary for month of July, 1870,		75
		F. J. Menninger, clerk to secretary of state, salary for month of July, 1870,		83 33
		H. D. Coley, state librarian, salary for month of July, 1870,		58 35
		C. M. Farris, keeper of capitol and weights and measures, salary for month of July, 1870,		79 16
		G. M. Lee, treasurer of North Carolina Railroad company, for 5 per cent. U. S. tax on \$90,000, 2nd payment of 3 per cent dividend No. 10 to July 1st, 1870,		4,500
		John Armstrong, for 1 journal demy 8 quires for office of secretary of state,		15
		Henry Jones, for hauling 50 loads of wood at 50 cents per load,		25
		F. J. Menninger, for hauling 9 loads of trash from capitol square,		2 25
		W. A. Smith & Co., for binding newspapers and lettering 63 books for library,		28 15
		J. P. Prairie, for work done on arsenal,		88 80
		John Armstrong, for 1 record book, 10 quires for secretary of state's office,		20

1870. July.		§		Public Fund dis- bursements.
	A. H. Dowell, publishing governor's proclamation concerning Daniel Blne and others,		44	
	W. U. Telegraph C., for telegrams sent and received by executive, treasury and state departments, during this month,		72	06
	Charles Knester, for keys, locks &c., made and repaired for State house, including 1 panel of iron fence around square,		28	10
	Alfred Williams, for sundry articles of stationery for executive, treasury and department of public instruction offices,		23	85
	Thos. H. Briggs, for sundry articles for use of capitol and square, as per bill,		54	91
	K. B. Wait, for 50 boxes for state department,		45	
	C. J. Rogers, postmaster, for postage from April 1st, to July 1st, 1870, for the several department offices in state house,		493	91
	H. J. Meminger, for Newbern Daily Times, for publishing governor's proclamation, calling an election in 2nd congressional district,		35	
	H. J. Meminger, for 4 extra dies for No. 4, bank stamp, \$12; red and blue ribbons, \$7,		19	
	Jas. H. Ennis, for stationery for adjutant general, \$13.95; executive, treasury and auditor's departments, and supreme court, as per bills, \$20.70,		34	65
	S. Kline, for spittoons, goblets and pitchers for state house,		20	
	John Armstrong, for 75 registration books furnished state department.		67	50
	J. E. Williams, for services in executive department,		7	50
	Alex. Jones, for hauling 30 loads of trash, rubbish, papers, &c.,		13	75

Public Fund disbursements.	1870. July.		\$	
		Southern Express company, for freight on sundry packages for treasury and state departments,		3355
		Handy Lockhart, for repairing 20 chairs,		10
		Raleigh Gas Light company, for gas consumed in state house, and gate lamps, during the month of June,		51
		P. John, for publishing sundry proclamations of the governor,		76
		C. M. Farris, for 50 cords wood, at \$4.25 per cord,		21250
		Phil Thiem, for 1,676 lbs. ice to date, \$83.80; a gross matches, \$7,		9080
		W. J. Yates, for publishing governor's proclamation of June 6, 1870,		1250
		W. H. Battle & Sons, for professional services, and retainer in several cases, in supreme court for state treasury department,		500
		Phil. Thiem, for 4 five-shot pistols at \$10.50, \$42.00; 16 packages of cartridges \$2; 4 boxes waterproof caps, 80c.,		4480
		R. H. Whitaker, for publishing proclamation calling an election to fill vacancy of John T. Deweese in congress,		10
		W. B. Hutchings, for one mail bag,		7
		John Armstrong, for binding and lettering books for library and state department,		2450
		F. Greene, for repairing steps on capitol,		150
		H. P. Buncombe, waiter in capitol, salary for month of July, 1870,		30
		Alex. Turner, waiter in capitol, salary for month of July, 1870,		30
		New Berne Daily <i>Times</i> , for publishing governor's proclamation calling for troops,		62
		New Berne Daily <i>Times</i> , for publishing governor's proclamation calling an election to fill the vacancy of David Heaton, deceased,		35

1870. July.			Public Fund dis- bursements.
	W. A. Smith & Co., for publishing sundry proclamations of the gov- ernor,	\$ 115	
	F. H. Busbee, under an "act con- cerning the powers and duties of state officers,	50	
	Seth Nowell, for hauling 7 loads of laws, &c.,	1 75	
	W. H. Battle & Sons, for professional services rendered in auditor's de- partment,	100	
	W. B. Allegree, for publishing gov- ernor's proclamation,	15	
	Thos. Day, for making 91 boxes for secretary of state,	68 25	
Aug.	H. Adams, state auditor salary for the month of August, 1870,	200	
	H. H. Roberts, clerk to state auditor, salary for the month of August, 1870,	75	
	A. J. Partin, clerk to state auditor, salary for the month of August, 1870,	75	
	Jas. H. Adams, clerk to state auditor, salary for the month of August, 1870,	83 33	
	Solomon Bragg and others, for ser- vices rendered on capitol square and in state house during this month,	287	
	S. S. Ashley, superintendent of pub- lic instruction, salary for the month of August, 1870,	200	
	E. S. S. Ashley, clerk to superinten- dent of public instruction, salary for the month of July, 1870,	83 33	
	E. S. S. Ashley, clerk to superinten- dent of public instruction, salary for the month of August, 1870,	83 33	
	C. L. Harris, superintendent of pub- lic works, salary for the month of August, 1870,	200	
	J. C. L. Harris, clerk to superinten- dent of public works, salary for the month of August, 1870,	75	

1870. Public Fund dis- bursements.	Aug.		
		C. L. Harris, for expenses while taking contracts and bonds for the building turnpike road from Bakersville to Sparta,	\$ 81 40
		J. J. Sawyer, for distributing laws of 1869-70, to 24 western counties,	300
		C. W. Horner, clerk to executive, salary for the month of July, 1870,	100
		Quent. Busbee, for services in executive department,	50
		J. B. Neathery, private secretary, salary for month of August, 1870,	83 33
		W. H. Sauls, messenger to executive, salary for month of August, 1870,	41 06
		Sundry persons under "an act prescribing the powers and duties of the governor with regard to fugitives from justice," as follows:	
		S. A. Douglrss,	125
		J. E. Prather,	42
		C. L. Estes,	60
		L. H. Mowers,	45 25
		W. C. Parker,	7
		J. H. McGhee,	404 40
		John Nichols, treasurer institution of deaf, dumb and blind, part of appropriation for said institution,	1,000
		C. W. Horner, treasurer insane asylum, part of appropriation for said institution for fiscal year,	12,000
		Albium Davis, for bringing A. Davis to insane asylum,	8 75
		J. M. Cloud, judge supreme court, salary for the 1st and 2d quarters, 1870,	1,250
		D. A. Wicker, marshal supreme court, fees and mileage serving writs,	45 75
		D. A. Wicker, marshal supreme court, salary for 8 days, at \$3 per day,	24
		W. H. Bagley, clerk supreme court, for copying 180 pages in the judg-	

1870. Aug.			Public Fund dis- bursements.
	ment docket, at June term, 1869, and January and June term, 1870,	\$ 180	50
	L. P. Olds, attorney general, for at- tendance on the supreme court, June term, 1870,		100
	Sam'l F. Phillips, salary as reporter of supreme court, to Jan. 1, 1871,		300
	J. S. McClannahan, under "an act for the better protection of life and property,"		54
	W. S. Petty, under "an act for the better protection of life and pro- perty,"		112
	S. A. Douglass, under "an act for the better protection of life and property,"		497
	J. B. Neathery, under "an act for the better protection of life and pro- perty,"		187
	J. Q. A. Bryan, for travelling ex- penses from Trap Hill Wilkes county, to Raleigh,		31
	C. M. Farris, keeper of arsenal, sal- ary for year ending Aug. 31, 1870,		60
	S. M. Parish, for examining accounts of public printer,		6
	Jo. W. Holden, for composition on 14 pages senate journal, from page 761 to 774 (79 pages rule and figure) 18,522 ems, at 75 cents. \$22.82; press work on same, 6 tokens at 75 cents. \$4.50; press work on 963 tokens public laws of 1869-'70, at 75 cents. \$714.75; for binding 1,000 copies public laws, 1869-'70, calf binding at 30 cents each, \$300; for printing and and binding on public laws '69-'70, 3,500 copies; printing and bind- ing Register's books and dockets for secretary of state, \$2,289, 12; for printing sundry reports and binding 500 copies public laws, 1869-'70, full sheet, at 75 cents each, \$1,094.42,		4,425
			61

Public Fund dis-
bursements.

1870.	Aug.		
		V. C. Barringer, code commissioner, salary for the month of July, 1870,	\$ 200
		E. J. Hale & Sons, for 1 copy Charles Lee, \$3.00; 1 Historical Note 50c.; 1 Massachusetts \$3.00; 1 House of Lords cases, 4 vols. and sundry other vols. as per bill,	4620
		H. D. Coley, state librarian, salary for the month of August, 1870,	58 33
		Quent Busbee, under several acts of General Assembly, relating to library,	104
		H. J. Menninger, secretary of state, salary for the month of August, 1870,	200
		F. J. Menninger, clerk to secretary of state, salary for the month of August, 1870,	83 33
		Andrew Syme, clerk to secretary of state, salary for the month of August, 1870,	75
		J. J. Sawyer, clerk to secretary of state, salary for the month of August, 1870,	75
		S. M. Parish, clerk to secretary of state, salary for the month of August, 1870,	75
		C. M. Farris, keeper of capitol and weights and measures, salary for the month of August, 1870,	79 16
		Southern Express Company, for freight on public laws, &c., shipped by the secretary of state, including sundry small packages for other departments,	334 95
		W. U. Telegraph Company, for telegrams sent and received by executive and treasury department, during this month,	136 89
		Friday Jones, watchman in capitol, salary for month of July, 1870,	46 50
		Friday Jones, watchman in capitol, salary for month of August, 1870,	46 50

1870. Aug.			Public Fund dis- bursements.
	H. P. Buncombe, waiter in capitol, salary for month of August, 1870,	\$ 30	
	Alex. Turner, waiter in capitol, salary for month of August, 1870,	30	
	C. M. Farriss, for 50 cords of wood, at \$4.25 per cord,	212 50	
	K. B. Waitt, for making 72 boxes for secretary of state,	58 50	
	J. H. Enniss, for sundry articles of stationery as per bill,	15 85	
	R. C. Badger, for professional services representing the state, before the supreme court in <i>habeas corpus</i> , case A. E. Moore, J. E. Byrd and others,	600	
	Asheville <i>Pioneer</i> , for publishing governor's proclamation regarding Jas. Kennedy.	10	
	S. M. Parish, for indexing private laws 1869-'70,	9	
	J. J. Sawyer, for delivering public documents and laws in Western counties,	360	
	Douglas Bell, for 24 tons coal, at \$14 per ton and drayage,	354	
	Sundry lawyers, under an "resolution authorizing the governor to employ counsel in certain cases," as follows :		
	J. McCorkle,	300	
	N. Boyden,	300	
	W. H. Bailey,	300	
Sept.	A. W. Fisher, adjutant general, salary for February, March and April, 1870,	300	
	Basil T. Jacobs, commutation for loss of leg,	75	
	H. Adams, state auditor, salary for the month of September, 1870,	200	
	H. H. Roberts, clerk to state auditor, salary for the month of September, 1870,	75	
	A. J. Partin, clerk to state auditor, salary for the month of September, 1870,	75	

Public Fund dis- bursements.	1870. Sept.		
		Solomon Bragg and others, for labor on capitol, square and in state house, during this month,	\$ 231
		Jos. Marshal, for conveying Calvin Hunnicut to penitentiary,	64 10
		C. L. Harris, superintendent public works, salary for month of September, 1870,	200
		J. C. L. Harris, clerk to superintendent of public works, salary for month of September, 1870,	75
		S. S. Ashley, superintendent public instruction, salary for month of September, 1870,	200
		E. S. S. Ashley, clerk to superintendent public instruction, salary for month of September, 1870,	83 33
		W. W. Holden, governor of North Carolina, salary for 3d quarter, 1870,	1,250
		J. B. Neathery, private secretary, salary for month of September, 1870,	83 83
		C. W. Horner, clerk to the executive, salary for month of August, 1870,	100
		C. W. Horner, clerk to the executive, salary for month of September, 1870,	100
		Quent Busbee, for services rendered in executive department,	100
		J. M. Roan and A. L. Partin for the arrest of James Kennedy,	300
		John Nichols, treasurer of institution for deaf, dumb and blind, part of appropriation for said institution,	1,000
		James, M. Rowland, for conveying I. G. Hendricks to insane asylum,	12
		J. Smith, for conveying Sarah Matheson to insane asylum,	38 75
		W. H. Bagley, clerk supreme court, for services at chambers in the trial of the Caswell cases, from August 18th to 29th,	207 50

1870. Sept.			Public Fund dis- bursements.
	L. P. Olds, attorney general, salary for the month of August, 1870,	\$ 125	
	W. R. Cox, solicitor, 2 certificates,	80	
	V. S. Lusk, solicitor, 1 certificate,	40	
	J. A. Richardson, solicitor, 2 certificates,	120	
	D. A. Wicker and others, for services on the supreme court at chambers in Caswell cases, including summons,	85 50	
	D. A. Wicker and others, for services on the supreme court at chambers, in Alamance cases, &c.,	44	
	W. H. Bagley, clerk snpreme court, for services as clerk at chambers, including fees, &c.,	102 50	
	S. W. Watts, judge superior court, salary for 3d quarter, 1870,	625	
	C. C. Pool, judge superior court, salary for 3d quarter, 1870,	625	
	C. R. Thomas, judge superior court, salary for 3d quarter, 1870,	625	
	A. W. Tourgee, judge superior court, salary for 3d quarter, 1870,	625	
	R. P. Dick, judge supreme court, salary for 3d quarter, 1870,	626	
	Thos. Settle, judge supreme court, salary for 3d quarter 1870,	625	
	J. S. Montgomery, under "an act to establish the Marion and Asheville turnpike,"	1,539 66	
	C. L. Harris, for travelling expenses on account of said road,	14	
	J. A. Martling, under an "act to secure the better protection of life and property,"	144	
	Alfred Dockery, chairman penitentiary commissioners, part of appropriation for erection of penitentiary	14,000	
	Jo. W. Holden, state printer, for work done for executive department,	277 70	
	Jo. W. Holden, state printer, for work done for superintendent public instruction department,	95	

Public Fund dis-
bursements.1870.
Sept.

Jo. W. Holden, state printer, for work done for adjutant general's department,	\$ 148
Jo. W. Holden, state printer, for sundry printing for various departments,	351 75
Jo. W. Holden, state printer, for binding 635 volumes senate journal, 1869-'70,	476 25
Jo. W. Holden, state printer, binding 500 volumes private laws. 1869-'70, at 60 cents, \$300; binding 400 public documents, 1869-'70, at 80 cents, \$320,	620
V. C. Barringer, code commissioner, salary for month of August 1870.	200
A. W. Tourgee, code commissioner, salary for the months of August and September, 1870,	400
H. J. Menninger, secretary of state, salary for the month of Sept. 1870,	200
F. J. Menninger, clerk to secretary of state, salary for the month of September, 1870,	83 33
Andrew Syme, clerk to secretary of state, salary for the month of September, 1870,	75
S. M. Parish, clerk to secretary of state, salary for month of September, 1870,	75
J. J. Sawyer, clerk to secretary of state, salary for month of September, 1870, less 6 days,	60
H. D. Coley, state librarian, salary for the month of Sept., 1870,	58 33
Sundry sheriffs for settling taxes, as follows:	
R. R. McCall, sheriff, Caldwell c'ty,	48
R. M. White, sheriff Mecklenburg county,	35
B. Wallace, sheriff Duplin c'ty,	20
Jos. Marshall, sheriff Stanly "	33
E. Murrell, sheriff Onslow "	24
A. F. Hurley, sheriff Cabarrus "	30
Abner Aydlett, sheriff Camden "	50

1870. Sept.		\$		Public Fund dis- bursements.
	J. M. Johnson, tax coll'r. Davie		30	
	P. C. Riley, sh'ff Montgomery		30	80
	A. S. C. Powell, sheriff Sampson		18	60
	John Patterson, tax col. Craven		22	
	B. F. Wasson, sheriff Iredell		32	
	W. H. Mays, sheriff Alexander		35	
	J. H. Duncan, tax col. McDowell		47	
	J. J. Hasty, sheriff Union		40	20
	R. C. Perkins, sheriff Burke		43	20
	G. W. McKee, sheriff Gaston		40	
	W. J. Taylor, sheriff Greene		15	
	J. L. Smathers, tax col. Haywood		61	
	R. M. Stafford, sheriff Guilford		20	
	J. H. Lanning, sh'ff Transylvania		62	
	J. M. Roane, sheriff Macon county,		104	
	T. N. Jordan, tax collector Caswell county,		29	
	T. J. Patterson, for making congress- sional election returns,		7	20
	J. J. Hasty, for making congressional election returns,		5	20
	C. M. Farris, keeper of capitol, and weights and measures, salary for September, 1870,		79	16
	D. A. Jenkins, public treasurer, sala- ry for 3d quarter, 1870,		750	
	D. W. Bain, chief clerk to public treasurer, salary for 3d quarter, 1870,		375	
	A. D. Jenkins, teller to public treas- urer, salary for 3d quarter, 1870,		250	
	L. M. Hoffman, book keeper public treasurer, salary for 3d quarter, 1870,		187	50
	W. U. Telegraph Company, for tele- grams sent and received by execu- tive and state departments, during this month,		67	18
	Southern Express Company, for packages shipped by secretary of state, this month,		158	95
	K. B. Wait, for 36 boxes for the sec- retary of state, at \$1.10,		39	60
	A. Hirshmilller, for repairing 1 pivot chair,		1	50

Public Fund dis-
bursements.1870.
Sept.

Robert Wyche, for hauling 2 loads boxes,	\$	1 75
S. D. Harrison, for 2 gross matches, <i>Eagle</i> newspaper, for publishing governor's proclamation of June 6th, 1870,		7
Friday Jones, watchman in capitol, salary for month of September, 1870,		15
Alex. Turner, waiter in capitol, salary for month of September, 1870,		45
H. P. Buncombe, waiter in capitol, salary for the month of September, 1870,		30
A. W. Fraps, for ice for use of capitol, as per bills,		30
S Kline & Co., for half dozen goblets, for executive department,		46.50
W. R. Dicks, for labeling and lettering 87 books for state library,		¢
Alex. Jones, for hauling 16 loads at 25 cents,		4.35
J. A. Jones, for 1 copying book and 3 erasers,		4
J. E. Boyd, under a "resolution authorizing the governor to employ counsel in certain cases,"		3.50
W. S. Ball, under a "resolution authorizing the governor to employ counsel in certain cases,"		250
Raleigh Gas Company, for gas consumed in state house, and gate lamps, to September 1st, 1870,		100
W. H. Bagley, clerk supreme court, under a resolution authorizing the governor to employ counsel,		91.80
J. A. Jones, for sundry books for Library,		20.55
J. W. Johnson, for survey of sewerage of capitol square,		31
		35

STATEMENT E,

Statement E.

Showing the Gross Tax for the year 1869, derived from the several subjects of Taxation in the Counties of the State, the returns of which are on file in this department.

NOTE.—The Sheriffs of the Counties of Bladen, Bunecombe, Craven, Davie, Harnett, Jackson and Pitt failed to make statements within the fiscal year, and the statements of those Counties are omitted.

Statement E.

1869.

No. 1.—ALAMANCE COUNTY.

A. MURRAY, Sheriff,

State Taxes :

Polls, 1,589.90; Land, 3,383.97,	\$ 4,973 87
Town Lots, 134.78; Horses, 427.79,	562 59
Mules, 128.58; Cattle, 160.98,	289 01
Hogs, 73.15; Sheep, 20.56,	93 71
Farming Utensils,	62 78
Money on hand or on deposit,	98 87
Solvent credits,	612 15
Stock in incorporated companies,	01
Other personal property,	333 98
Net incomes and profits,	128 62
Circus or menagerie 40; Side shows 10,	50
Retail liquor dealers,	35 90
Merchants and other dealers,	211 48
Hotels and boarding houses,	17
Studs and jacks,	32
Licensed retailers,	105
Marriage license,	90
Deeds in trust and mortgage deeds,	7
Deeds admitted to registration,	11 75
Tax on N. C. Railroad Company,	62 88

Special Taxes :

Williamston & Tarboro' R. R. Co.,	543 34
Western N. C. Railroad Company,	2,852 54
Wil. Char. & Rutherford R. R. Co.,	2,037 52
Northwestern N. C. R. R. Company,	814 01
Western Railroad Company,	611 25
Marion and Asheville Turnpike Co.,	81 50

Gross amount, \$ 14,710 15

County Taxes :

All county purposes,	\$ 6,533 17
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1869.

No. 2.—ALEXANDER COUNTY.

Statement E.

R. WATTS, Tax Collector.

State Taxes :

Polls, 769.64; land, 1,340.38,	\$	1,410 02
Town lots, 39.08; horses, 202,04,		241 12
Mules, 110.65; cattle, 109.09,		219 74
Hogs, 35.17; sheep, 14.61,		46 88
Farming utensils,		26 63
Money on hand or on deposit,		46 01
Solvent credits,		104 65
Other personal property,		170
Retail liquor dealers,		27 70
Wholesale liquor dealers,		2 80
On liquors distilled from fruit,		78 85
Merchants and other dealers,		100
Hotels and boarding houses,		3
Studs and jacks,		42
Licensed retailers,		50 30
Marriage license,		64 60
Deeds in trust and mortgage deeds,		4 75
Deeds admitted to registration,		35 39
Arrears for insolvents,		5
Other tax added,		12 82

Special Taxes :

Williamston & Tarboro' R. R. Co.,		217 96
Western North Carolina R. R. Co.,		1,144 33
Wilmington, Charlotte & Ruth. R. R. Company,		817 38
Northwestern N. C. R. R. Co.,		326 95
Western R. R. Company,		245 21
Marion & Ashville Turnpike Company,		31 98

Gross amount, \$ 6,180 50

County Taxes :

All county purposes, \$ 4,963 32

1870.

Statement E.

No. 3.—ALLEGHANY COUNTY.

J. C. JONES, Sheriff.

State Taxes :

Polls,	\$	357	90
Land,		904	34
Town lots,		5	31
Horses,		203	53
Mules, 9.15 ; Cattle, 138.94		148	09
Hogs, 23.26 ; Sheep, 23.49,		46	75
Farming utensils,		2	64
Money on hand or on deposit,		20	09
Solvent credits,		101	33
Other personal property,		201	
Merchants and other dealers,		40	
Studs and Jacks,		20	
Itinerant lightning rod men,		25	
Marriage license,		52	
Deeds in trust and mortgage deeds,		3	
Deeds of real estate, and others admitted to registration,		5	
Delinquents, for 1868,		3	

Special Taxes :

Williamston & Tarboro' R. R. Co.,	141	59
Western North Carolina R. R. Co.,	743	36
Wil. Char. & Rutherford R. R. Co.,	530	97
North Western N. C. R. R. Co.,	212	39
Western Rail Road Company,	159	29
Marion & Asheville Turnpike Co.,	21	24

Gross amount, \$ 3,765 83

County Taxes :

All county purposes, \$1,723 22

1869.

No. 4.—ANSON COUNTY.

Statement E.

G. W. WILLOUGHBY, Sheriff,

State Taxes :

Polls, 985.95 ; land, 2,315.29,	\$ 3,301 24
Town lots, 115.86 ; horses, 256.84,	372 70
Mules, 258.81 ; cattle, 199.51,	458 32
Hogs, 75.86 ; sheep, 14.38,	90 24
Farming utensils,	118 49
Money on hand or on deposit,	244 58
Solvent credits,	366 61
Other personal property,	536 04
Net incomes and profits,	21 70
Circus or menagerie,	80
Retail liquor dealers,	120
Merchants and other dealers,	325 11
Horse and mule drivers,	2 75
Licensed retailers,	211 95
Marriage license,	102 60
Deeds in trust and mortgage deeds,	31 16
Deeds admitted to registration,	89 35

Special Taxes :

Williamson and Tarboro' R. R. Co.,	438 40
Western North Carolina R. R. Co.,	2,301 60
Wil. Char. and Rutherford R. R. Co.,	1,644
Northwestern N. C. Railroad Co.,	657 61
Western Railroad Company,	493 21
Marion and Asheville Turnpike Co.,	65 76

Gross amount, \$ 12,173 61

County Taxes :

All county purposes, \$ 12,676 28

Statement E.

1869.

No. 5.—ASHE COUNTY.

W. LATHAM, sheriff.

State Taxes :

Polls, 969.15 ; Land, 1,719.64,	\$	2,688	79
Town lots, 66.92 ; Horses, 356.19,		423	11
Mules, 23.13; cattle 295.20; hogs, 46.76,		362	09
Sheep, 49.89 ; Farming utensils, 18.29,		62	47
Money on hand or on deposit,		80	89
Solvent credits,		179	51
Merchants and other dealers,		47	93
Studs and Jacks,		40	
Licensed retailers,		35	
Peddlers,		30	
Marriage license,		60	46
Delinquents for 1868,		9	60
Arrears for insolvents,		5	

Special Taxes :

Williamston & Tarboro' R. R. Co.,		277	63
Western North Carolina Railroad Co.,		1,458	11
Wil., Char. & Ruth. Railroad Co.,		1,041	51
Northwestern N. C. Railroad Co.,		416	60
Western Railroad Company,		312	45
Marion & Asheville Turnpike Co.,		41	66

Gross amount,	\$	7,576	62
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County Taxes :

All county purposes,	\$	11,269	26
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1869.

No. 6.—BEAUFORT COUNTY.

Statement E:

S. T. CARROW, Sheriff.

State Taxes.

Polls, 1,809.15 ; Land, 2,195.41,	\$ 4,004 56
Town lots, 638.22 ; Horses, 215.50,	843 72
Mules, 113.17; cattle 164.66; hogs, 93.22,	3,710 05
Sheep, 19.98 ; Farming utensils, 91.54,	111 52
Money on hand or on deposit,	131 20
Solvent credits,	341 65
Stock in incorporated companies,	15 75
Other personal property,	852 65
Net incomes and profits,	77 50
Retail liquor dealers,	277 50
Wholesale liquor dealers,	37 96
Tobacco manufacturers,	135
Merchants and other dealers,	787 50
Hotels and boarding houses,	29
Gates across highways,	40
Money exchange or broker,	25
Studs and jacks,	27 50
Commission merchants,	317 50
Keepers of horses or vehicles for hire,	7 41
Licensed retailers,	190
Marriage license,	187 15
Deeds in trust and mortgage deeds,	45 60
Deeds admitted to registration,	143 70

Special Taxes.

Williamston & Tarboro' R. R. comp'y,	502 82
Western North Carolina R. R. comp'y,	2,676 57
Wil., Char. & Rutherford R. R. comp'y,	1,911 83
Northwestern N. C. R. R. company,	764 72
Western Railroad company,	573 55
Marion & Asheville Turnpike comp'y,	76 47

Gross amount, \$ 15,523 38

County Taxes :

All county purposes. \$ 16,425 68

Statement E

1869.

No. 7.—BERTIE COUNTY.

E. R. OUTLAW, Sheriff,

State Taxes :

Polls, 1,456.35; Land, 3,316.05,	\$ 4,772 40
Town Lots, 211.59, Horses, 371.36,	582 90
Mules, 230.46; Cattle, 203.57,	434 03
Hogs, 160.57; Sheep, 15.55,	176 12
Farming Utensils,	196 51
Money on hand or on deposit,	201 64
Solvent credits,	602 21
Stock in Incorporated Companies,	43 75
Other personal property,	2 49
Net incomes and profits,	159 80
Collateral descents, demises, &c.,	30
Circus, or menagerie,	120
Retail liquor dealers,	98 46
Merchants and other dealers,	209 16
Money exchange, &c.,	25
Horse or Mule drovers,	4
Licensed retailers,	131 90
Marriage license,	109 95
Deeds in trust and mortgage deeds,	9 50
Deeds admitted to registration,	50 59

Special Taxes :

Williamston & Tarboro' R. R. Co.,	537 29
Western N. C. Railroad Company,	2,820 73
Wil., Char. & Rutherford R. R. Co.,	2,014 83
Northwestern N. C. R. R. Co.,	805 93
Western Railroad Co.,	604 44
Marion and Asheville Turnpike Co.,	80 59

Gross amount, \$ 14,924 27

County Taxes :

All county purposes.

1869.

No. 8.—BRUNSWICK COUNTY.

Statement E.

S. P. SWAIN, Sheriff.

State Taxes:

Polls,	\$ 1,199 05
Land,	1,842 99
Town lots,	475 69
Horses,	98 23
Mules,	55 56
Cattle,	248 42
Hogs,	70 64
Sheep,	20 89
Farming utensils,	131 03
Money on hand or on deposit,	67 69
Solvent credits,	118 34
Other personal property,	27 16
Retail liquor dealers,	185 34
Merchants and other dealers,	212 61
Licensed retailers,	175
Marriage license,	39
Deeds in trust and mortgage deeds,	9 50
Deeds admitted to registration,	36 22

Special Taxes:

Williamston & Tarboro' R. R. Co.,	308 14
Western N. C. Railroad Company,	1,617 71
Wil., Char. & Rutherford R. R. Co.,	1,155 53
Northwestern N. C. R. R. Company,	462 21
Western Railroad Company,	346 65
Marion and Asheville Turnpike Co.,	46 22

Gross Amount, \$ 8,949 82

County Taxes:

All county purposes, \$ 14,124 63

1869.

Statement E.

No. 9.—BURKE COUNTY.

J. J. PATTERSON, Sheriff.

State Taxes :

Polls,	\$	950	25
Land,		2,092	38
Town lots,		296	81
Horses,		152	75
Mules,		157	95
Cattle,		113	99
Hogs,		53	23
Sheep,		14	62
Farming utensils,		42	85
Money on hand or on deposit,		51	15
Solvent credits,		442	62
Other personal property,		181	95
Net incomes and profits,		50	
Collateral discents, demises, &c.,		44	
Circus, or menagerie,		40	
Retail liquor dealers,		42	
Merchants and other dealers,		206	
Studs and jacks,		5	
Keepers of horses and vehicles for hire,		50	
Itinerant dentists, &c.,		175	
Marriage license,		141	
Deeds in trust and mortgage deeds,		5	
Deeds admitted to registration,		35	
Delinquents for 1868,		38	31

Special Taxes :

Williamston & Tarboro' R. R. Co.,		337	50
Western North Carolina R. R. Co.,		1,771	88
Wil. Char. & Ruth. R. R. Co.,		1,265	63
North Western N. C. R. R. Co.,		506	25
Western R. R. Co.,		379	69
Marion & Asheville Turnpike Co.,		50	62

Gross amount, \$ 9,693 43

County Taxes :

All county purposes, \$ 4,049 21

1869.

No. 10.—CABARRUS COUNTY.

Statement E.

A. F. HURLEY, Sheriff.

State Taxes :

Polls,	\$ 1,726 20
Land,	4,306 17
Town lots,	418 52
Horses,	424 34
Mules,	256 95
Cattle,	159 25
Hogs, 112.43 ; Sheep, 16.46 ;	128 89
Farming utensils,	99 42
Money on hand or on deposit,	295 19
Solvent credits,	1,314 35
Other personal property,	703 68
Net incomes and profits,	91 52
Collateral descents, demises, &c.,	2 40
Travelling theatrical companies	5
Concerts and musical entertainments,	2 50
Circus, or menagerie,	25
Billiard saloons,	50
Merchants and other dealers,	276
Studs and jacks,	25
Horse or mule drovers,	7 30
Licensed retailers,	261
Marriage license,	117 80
Deeds admitted to registration,	146 29

Special Taxes :

Williamston and Tarboro' R. R. Co.,	772 43
Western North Carolina R. R. Co.,	4,055 26
Wil., Char. & Rutherford R. R. Co.,	2,896 62
Northwestern N. C. R. R. Company,	1,158 65
Western Railroad Company,	868 99
Marion and Asheville Turnpike Co.,	115 86

Gross amount, \$ 20,778 37

County Taxes :

All county purposes, \$ 28,527 96

Statement E.

1869.

No. 11.—CALDWELL COUNTY.

R. R. McCALL, Sheriff.

State Taxes :

Polls,	\$	802 20
Land,		2,304 65
Town lots,		95 06
Horses,		178 90
Mules,		119 92
Cattle,		138 38
Hogs,		53 82
Sheep,		19 23
Farming utensils,		41 35
Money on hand or on deposit,		67 71
Solvent credits.		279 39
Other personal property,		74 05
Merchants and other dealers,		128 94
Gas Companies,		1
Broker or banker,		3
Playing Cards,		20
Marriage license,		58
Deeds in trust and mortgage deeds,		4
Deeds admitted to registration,		13 50

Special Taxes :

Williamston and Tarboro' R. R. Co.,		319 03
Western N. C. Railroad Company,		1,674 94
Wil. Char and Rutherford R. R. Co.,		1,196 38
Northwestern N. C. R. R. Company,		478 55
Western Railroad Company,		358 91
Marion and Asheville Turnpike Co.,		47 85

Gross Amount, \$ 8,478 76

County Taxes :

All county purposes, \$ 3,581 42

1869.

No. 12.—CAMDEN COUNTY.

Statement E.

ABNER AYDLETT, Sheriff.

Polls,	\$	639 45
Land,		846 04
Town Lots,		26 08
Horses,		122 06
Mules,		46 69
Cattle,		58 94
Hogs,		44 31
Sheep,		4 74
Farming Utensils,		7 16
Money on hand or on deposit,		12 52
Solvent credits,		203 81
Other personal property,		7 38
Circus, or Menagerie,		80
Retail liquor dealers,		45 94
Merchants and other dealers,		207 08
Hotels and boarding houses,		2 50
Public ferries, toll gates and toll bridges,		6
Studs and jacks,		16
Licensed retailers,		121 04
Marriage license,		67 45
Deeds in trust and mortgage Deeds,		14 25
Deeds admitted to registration,		37 05

Special Taxes :

Williamston & Taroboro' R. R. Co.,		131 40
Western North Carolina Rail Road Company,		689 87
Wilmington Charlotte & Rutherford Rail Road Company,		492 76
Northwestern North Carolina Rail Road Company,		197 10
Western Rail Road Company,		147 83
Marion and Asheville Turnpike Co.,		19 71

Gross Amount, \$ 4,295 16

County Taxes :

All county purposes, \$ 3,475 30

Statement E.

1869.

No. 13.—CARTERET COUNTY.

J. D. DAVIS, Sheriff.

State Taxes.

Polls,	\$ 820 47
Land,	984 12
Town lots,	491 40
Horses,	99 48
Mules,	19 04
Cattle,	91 49
Hogs, 29.81 ; Sheep, 7.59,	37 32
Farming utensils,	35 05
Money on hand or on deposit,	99 40
Solvent credits,	161 13
Other personal property,	82 02
Retail liquor dealers,	151
Wholesale liquor dealers,	30
Merchants and other dealers,	405
Hotels and boarding houses,	10
Licensed retailers,	135 75
Marriage license,	116
Deeds in trust and mortgage deeds,	2
Deeds admitted to registration,	21 75
Franchise on Atlantic & N. C. R. R. company,	93 10

Special Taxes :

Williamston & Tarboro' R. R. Co.,	223 90
Western North Carolina R. R. Co.,	1,175 25
Wilmington, Charlotte & Rutherford Railroad company,	839 82
North Western North Carolina Rail- road company,	335 50
Western Railroad company,	251 88
Marion & Asheville Turnpike com- pany,	33 58

Gross amount,	\$ 6,745 53
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County Taxes :

All county purposes,	\$ 3,097 99
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1869.

No. 14.—CASWELL COUNTY.

Statement E.

J. C. GRIFFITH, Sheriff.

State Taxes :

Polls,	\$ 1,411 20
Land,	1,809 87
Town lots,	258 58
Horses,	320 25
Mules,	182 74
Cattle,	135 34
Hogs,	99 67
Sheep,	14 18
Farming utensils,	110 94
Money on hand or on deposit,	229 95
Solvent credits,	726 61
Other personal property,	397 68
Net incomes and profits,	12 50
Merchants and other dealers,	296 33
Studs and Jacks,	30
Licensed retailers,	131 25
Marriage license,	181 45
Deeds admitted to registration,	46 03
Subjects unlisted,	175 80

Special Taxes :

Williamston and Tarboro' R. R. Co.,	510 41
Western N. C. Railroad Company,	2,679 74
Wil. Char. and Rutherford R. R. Co.,	1,914 09
Northwestern N. C. Railroad Co.,	765 63
Western Railroad Company,	574 21
Marion and Asheville Turnpike Co.,	76 55

Gross amount, \$ 13,091 00

County Taxes :

All county purposes, \$ 20,986 63

Statement E.

1869.

No. 15.—CATAWBA COUNTY.

JONAS CLINE, Sheriff.

State Taxes :

Polls, 1,078.35 ; Land, 3,654.79,	\$ 4,733	14
Town Lots,		157 09
Horses 405.36 ; Mules, 205.92,		611 28
Cattle, 161.85 ; Hogs, 74.01,		235 86
Sheep,		29 49
Farming Utensils,		51 29
Money on hand or on deposit,		135 75
Solvent credits,		465 36
Stock in incorporated companies,		70
Other personal property,		177 37
Net incomes and profits,		29 09
Merchants and other dealers,		320
Hotels and boarding houses,		4 75
Studs and jacks,		10
Intinerant dentists, &c.,		17 75
Marriage license,		139
Deeds in trust and mortgage deeds,		12
Deeds admitted to registration,		87
Delinquents, for 1868,		50
Arrears for insolvents,		40 60

Special Taxes :

Williamston and Tarboro' R. R. Com- pany,		526 65
Western North Carolina Rail Road Company,		2,764 85
Wilmington, Charlotte & Rutherford Rail Road Company,		1,974 89
Northwestern N. C. R. R. Company,		789 96
Western Rail Road Company,		592 47
Marion and Asheville Turnpike Com- pany,		78 99

Gross amount, \$ 13,976 83

County Taxes :

All county purposes, \$ 5,883 17

1869.

No. 16.—CHATHAM COUNTY.

Statement E.

G. J. WILLIAMS, Sheriff.

State Taxes :

Polls,	\$ 2,047 50
Land,	5,227 90
Town lots,	181 38
Horses,	606 22
Mules	392 26
Cattle,	325 85
Hogs, 137.66 ; Sheep, 48.66,	186 32
Farming utensils,	111 86
Money on hand or on deposit,	107
Solvent credits,	421 14
Stock in incorporated companies,	44
Other personal property,	651 06
Net incomes and profits,	17 90
Retail liquor dealers,	45
Merchants and other dealers,	207 50
Hotels and boarding houses,	5
Gates across highways,	13 28
Studs and jacks,	15
Licensed retailers,	140
Itinerant dentist, &c.,	10
Marriage license,	181
Deeds in trust and Mortgage deeds,	7 50
Arrears for insolvents,	20

Special Taxes :

Williamston and Tarboro' R. R. Co.,	792 59
Western N. C. Railroad Company,	4,161 12
Wil. Char. and Rutherford R. R. Co.,	2,972 24
Northwestern N. C. R. R. Company,	1,188 89
Western Railroad Company,	891 68
Marion and Asheville Turnpike Co.,	118 88

Gross Amount, \$ 21,045 51

County Taxes :

All county purposes,	\$ 9,922 60
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Statement E.

1869.

No. 17.—CHEROKEE COUNTY.

C. C. VEST, Sheriff.

State Taxes :

Polls,	\$	753 90
Land,		1,723 67
Town lots,		90 40
Horses,		150 29
Mules, 60.91 ; Cattle, 201.95,		262 86
Hogs, 65.03 ; Sheep, 29.43,		94 46
Farming utensils,		11 29
Money on hand or on deposit,		5 69
Solvent credits,		31 79
Stock in incorporated companies,		69
Other person property,		15 63
Circus, or menagerie,		80
Itinerant companies,		10
Retail liquor dealers,		55
Merchants and other dealers,		70
Money exchange, or broker,		10
Itinerant dentists, &c.,		10
Marriage license,		60
Deeds admitted to registration,		47 50

Special Taxes :

Williamston & Tarboro' Railroad company,		227 89
Western North Carolina Railroad company,		1,196 42
Wilmington, Charlotte & Rutherford Railroad company,		854 58
North Western North Carolina Railroad company,		341 83
Western Railroad company,		256 37
Marion & Asheville Turnpike company,		34 18

Gross amount,	\$	6,394 44
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County Taxes :

All county purposes,	\$	9,770 71
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1869.

No. 18.—CHOWAN COUNTY.

Statement E.

M. C. BRINKLEY, Sheriff.

State Taxes :

Polls,	\$	791 70
Land,		838 94
Town lots,		428 38
Horses,		101 64
Mules, 55.44 ; Cattle, 36.01,		91 45
Hogs, 46.76 ; Sheep, 1.61,		47 37
Farming utensils,		69 65
Money on hand or on deposit,		26 65
Solvent credits,		77 32
Other personal property,		75 41
Net incomes and profits,		65 75
Circus, or menagerie,		40
Retail liquor dealers,		240 59
Merchants and other dealers,		312 41
Insurance companies,		74 56
Marriage license,		63 65
Deeds in trust and mortgage deeds,		16 15
Deeds admitted to registration,		20 19
Subjects unlisted,		622 71
Arrears for insolvents,		3

Special Taxes :

Williamston & Tarboro' R. R. Co.,		173 97
Western N. C. Railroad Company,		913 36
Wil. Char. & Rutherford R. R. Co.,		652 40
Northwestern N. C. R. R. Company,		260 96
Western Railroad Company,		195 72
Marion and Asheville Turnpike Co.,		26 11

Gross amount,	\$	6,239 79
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County Taxes :

All county purposes,	\$	6,395 66
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Statement E.

1869.

No. 19.—CLAY COUNTY.

JOHN PATTERSON, Sheriff.

State Taxes :

Polls,	\$	352	80
Land,		312	33
Town lots,		7	94
Horses,		77	29
Mules,		28	06
Cattle,		62	30
Hogs,		25	02
Sheep,		8	21
Farming utensils,		4	20
Money on hand or on deposit,		5	25
Solvent credits,		54	66
Other personal property,		1	68
Circus or menagerie,		50	
Merchants and other dealers,		12	57
Hotels and boarding houses,		3	36
Studs and jacks,		15	
Marriage license,		23	75
Deeds admitted to registration,		26	13

Special Taxes :

Williamson and Tarboro' Railroad Company,		56	20
Western North Carolina Railroad Company,		295	05
Wilmington, Charlotte and Rutherford Railroad Company,		210	76
Northwestern North Carolina Railroad Company,		84	30
Western Railroad Company,		63	21
Marion and Asheville Turnpike Company.		8	43

Gross amount, \$ 1,788 50

County Taxes :

All county purposes, \$ 1,253 19

1869.

No. 20.—CLEVELAND COUNTY.

Statement E.

G. W. WEBB, Tax Collector.

State Taxes :

Polls,	\$ 1,125 60
Land,	2,531 92
Town Lots,	252 21
Horses,	349 75
Mules,	257 64
Cattle,	201 61
Hogs,	86 38
Sheep,	28 79
Farming utensils,	34 59
Money on hand or on deposit,	90 02
Solvent credits,	445 96
Other personal property,	404 97
Merchants and other dealers,	226
Money exchange, or broker,	20 83
Studs and jacks,	21
Itinerant Dentists, &c.,	10
Marriage license,	71
Deeds in trust and mortgage deeds,	5
Deeds admitted to registration,	39

Special Taxes :

Williamston and Tarboro' Rail Road Company,	463 48
Western North Carolina Rail Road Company,	2,433 03
Wilmington Charlotte and Rutherford Rail Road Company,	1,738 07
Northwestern North Carolina Rail Road Company,	695 23
Western Rail Road Company,	521 42
Marion and Asheville Turnpike Company,	69 52

Gross Amount, \$ 12,129 37

County Taxes :

All county purposes,	\$ 5,620 52
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Statement E.

1869.

No. 21.—COLUMBUS COUNTY.

V. V. RICHARDSON, Sheriff.

State Taxes :

Polls,	\$ 1,318 80
Land,	1,095 24
Town lots,	72 89
Horses, 117.18 ; Mules, 92.57 ;	209 75
Cattle, 214.29 ; Hogs, 79.01 ;	293 30
Sheep,	23 17
Farming utensils,	34 86
Money on hand or on deposit,	92 90
Solvent credits,	215 21
Stock in incorporated companies,	4 20
Other personal property,	362 96
Net incomes and profits,	52 50
Circus, or menagerie,	10
Side Shows,	2 50
Retail liquor dealers,	263 98
Tobacco Manufacturers,	995 28
Hotels and boarding houses,	12
Merchants and other dealers,	15 44
Horse or mule drovers,	1 75
Itinerant dentists,	20
Marriage license,	92 15
Deeds admitted to registration,	93 95
Arrears for insolvents,	11 94
Wilmington and Manchester R. R. Co.,	92 60

Special Taxes :

Williamston & Tarboro' R. R. Co.,	272 83
Western North Carolina R. R. Co.,	1,432 40
Wil. Char. & Rutherford R. R. Co.,	1,023 14
Northwestern N. C. R. R. Company,	409 25
Western Rail Road Company,	306 94
Marion & Asheville Turnpike Co.,	40 92

Gross amount, \$ 8,797 39

County Taxes :

All county purposes, \$ 5,331 62

1869.

No. 22.—CUMBERLAND CO'TY.

Statement E.

JOHN REILEY, Sheriff.

State Taxes :

Polls,	\$	1,357 65
Land,		2,319 75
Town lots, 1,943.43 ; Horses, 222.17,		2,165 60
Mules, 189.96; cattle, 167.25; hogs, 75.86		433 07
Farming utensils, 170.04 ; sheep, 19.33,		189 37
Money on hand or on deposit,		203 11
Solvent credits,		733 01
Stock in incorporated companies,		2 30
Other personal property,		1,247 37
Net incomes and profits,		148 65
Circus, &c., 80.00; Bill'rd saloons, 16.60,		96 60
Retail liquor dealers,		541
Wholesale liquor dealers,		577 31
Distillers from grain, &c.,		120
Merchants and other dealers,		1,206
Hotels and boarding houses,		15 97
Gas Companies,		98 84
Public Ferries, toll gates and bridges,		170 41
Money exchange, or broker,		200
Horse or mule drovers,		37 07
Commis'n merc'ts, 111.60; Auct'rs, 6.30		117 90
Keepers of horses or vehicles for hire,		22 21
Licensed retailers of liquors,		552 81
Sellers by sample,		87 50
Insur'ce Co.'s, 137.10; peddlers, 113.40,		250 50
Marriage license,		241 30
Deeds in trust and mortgage deeds,		29 45
Deeds admitted to registration,		126 12

Special Taxes :

Williamston & Tarboro' R. R. Co.,	621 23
Western North Carolina R. R. Co.,	3,786 44
Wil., Char. & Rutherford R. R. Co.,	2,704 63
Northwestern N. C. R. R. company,	1,081 85
Western Railroad company,	811 38
Marion & Asheville Turnpike Co.,	108 18

Gross amount, \$ 22,501 48

1869.

Statement E.

No. 23.—CURRITUCK COUNTY.

T. F. BAXTER, Sheriff.

State Taxes:

Polls, 881.96 ; Land, 1,149.75 ;	\$ 2,031 71
Horses, 176.60 ; Mules, 28.07,	204 67
Cattle, 102.13 ; Hogs, 51.66,	153 79
Sheep, 12.22 ; Farming utensils, 24.54,	36 76
Money on hand or on deposit,	58 53
Solvent credits,	281 66
Stock in incorporated companies,	7
Other personal property,	85 36
Retail liquor dealers,	199 86
Merchants and other dealers,	220
Studs and jacks,	29
Licensed retailers,	341 25
Marriage license,	54
Deeds in trust and Mortgage deeds,	20
Deeds of real estate,	36 85

Special Taxes:

Williamston & Tarboro' R. R. Co.,	193 97
Western North Carolina R. R. Co.,	1,018 31
Wil., Char. & Rutherford Railroad Co.,	727 38
Northwestern North Carolina R. R. Co.,	290 95
Western Railroad Company,	218 20
Marion & Asheville Turnpike Co.,	29 10

Gross amount, \$ 6,238 35

County Taxes:

All county purposes, \$ 2,766 08

1869.

No. 24.—DAVIDSON COUNTY.

Statement E.

J. A. SOWERS, Sheriff.

State Taxes :

Polls, 2,207.10 ; Land, 4,595.10,	\$ 6,812 20
Town lots, 351.23 ; Horses, 562.85,	914 08
Mules, 184.93 ; Cattle, 215.71,	400 64
Hogs, 115.39 ; Sheep, 42.94,	158 33
Farming utensils,	77 63
Money on hand or on deposit,	163 83
Solvent credits,	729 12
Stock in incorporated companies,	1 89
Other personal property,	13 89
Concerts and musical entertainments,	5
Circus or menagerie,	20
Retail liquor dealers,	43
Distillers from grain, &c.,	265 50
Merchants and other dealers,	342 54
Hotels and boarding houses,	8
Studs and jacks,	35
Horse or mule drovers,	2
Licensed retailers,	233 60
Marriage license,	211
Deeds in trust and mortgage deeds,	11
Deeds of real estate,	80 75

Special Taxes :

Williamston & Tarboro' R. R. Co.,	704 62
Western North Carolina R. R. Co.,	3,699 24
Wil Char. & Rutherford R. R. Co.,	2,642 31
Northwestern N. C. R. R. Co.,	1,056 93
Western Railroad Co.,	792 64
Marion & Asheville Turnpike Co.,	105 70

Gross Amount, \$ 19,521 44

County Taxes :

All county purposes, \$ 8,727 79

1869.

Statement E.

No. 25.—DUPLIN COUNTY.

BLAND WALLACE, Sheriff.

State Taxes :

Polls, 1,573.95 ; Land, 2,022-73,	\$ 3,596 68
Town Lots, 241.48 ; Horses, 27940,	520 88
Mules, 129.31 ; cattle, 217.20,	455 76
Hogs,	109 25
Sheep,	21 57
Farming utensils,	63 24
Money on hand or on deposit,	82 70
Solvent credits,	270 48
Stock in incorporated companies,	1 29
Other personal property,	566 82
Net incomes and profits,	8 75
Concerts and musical entertainments,	7 50
Circus or menagerie,	60
Side shows,	2 50
Itinerant companies,	2 50
Retail liquor dealers,	2 50
Merchants and other dealers,	357 33
Boarding houses,	6
Keepers of horses or vehicles for hire,	20
Licensed retailers,	382 53
Marriage license,	193
Deeds in trust and mortgage deeds,	25
Deeds admitted to registration,	47
Subjects unlisted,	21 92

Special Taxes.

Williamston and Tarboro' R. R. Co.,	394 87
Western N. C. R. R. Company,	2,073 07
Wil. Char. & Ruth. R. R. Company,	1,480 76
Northwestern N. C. R. R. Company,	592 31
Western Railroad Company,	444 23
Marion and Asheville Turnpike Co.,	99 23

Gross amount,	\$ 11,801 22
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County Taxes.

All county purposes,	\$ 7,633 53
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1869.

No. 26.—EDGECOMBE COUNTY.

Statement E.

BATTLE BRYAN, Sheriff.

State Taxes :

Polls, 3,250.35 ; Land, 8,140.86 ;	\$ 11,391 21
Town lots,	840 15
Horses,	484 00
Mules,	690 50
Cattle,	209 40
Hogs,	192 52
Sheep, 8.85 ; Farming utensils, 497.95 ;	506 80
Money on hand or on deposit,	677 15
Solvent credits,	1,902 32
Stock in incorporated companies,	22 56
Other personal property,	2,188 82
Net incomes and profits,	463 80
Concerts and musical entertainments,	2 50
Museums, wax-works or curiosities,	5
Circus, or menagerie, 60 ; Side shows 5 ;	65
Billiard saloons,	50
Retail liquor dealers,	256 58
Merchants and other dealers,	795
Studs and jacks,	20
Horse or mule drovers,	126 11
Licensed retailers,	594 81
Itinerant lightning rod men,	5
Marriage license,	272 65
Deeds in trust and mortgage deeds,	118 75
Deeds of real estate,	188 10

Special Taxes :

Williamston & Tarboro' R. R. Co.,	1,608 34
Western North Carolina R. R. Co.,	7,918 82
Wil. Char. & Rutherford R. R. Co.,	5,656 30
Northwestern N. C. R. R. Co.,	2,262 52
Western Rail Road Co.,	1,696 87
Marion & Asheville Turnpike Co.,	226 25

Gross amount, \$ 41,357 83

County Taxes :

All county purposes, \$ 17,114 42

1869.

Statement E.

No. 27.—FORSYTHE COUNTY.

M. MASTEN, Sheriff.

State Taxes :

Polls, 1,639.05 ; Land, 3,203.45,	\$	4,842 40
Town lots, 847.47 ; Horses, 376.28,		1,223 75
Mules, 111.32; cattle, 172.78; hogs 99.78		383 88
Sheep, 24.97 ; Farming utensils, 137.54		162 41
Money on hand or on deposit,		365 47
Solvent credits,		1,370 89
Stock in incorporated companies,		347 13
Other personal property,		450 35
Collateral descents, demises, &c.,		163 37
Itinerant companies,		5
Tobacco manufacturers,		60
Merchants and other dealers,		331 46
Hotels and boarding houses,		14 50
Studs and jacks,		14
Marriage license,		101 65
Deeds in trust and mortgage deeds,		1 90
Deeds admitted to registration,		95

Special Taxes :

Williamston & Tarboro' R. R. Co.,	710 22
Western North Carolina R. R. Co.,	3,781 15
Wilmington, Char. & Ruth. R. R. Co.,	2,700 83
Northwestern N. C. Railroad Co.,	1,080 33
Western Railroad Company,	810 25
Marion & Asheville Turnpike Co.,	108 04

Gross amount, \$ 19,040 13

County Taxes :

All county purposes, \$ 6,688 44

1869.

No. 28.—FRANKLIN COUNTY.

Statement E.

E. A. GUPTON, Sheriff.

State Taxes:

Polls,	\$ 1,577	10
Land,	4,040	57
Town lots,	656	37
Horses,	333	93
Mules,	155	90
Cattle,	246	91
Hogs,	114	29
Sheep,	22	65
Farming utensils,	190	45
Money on hand or on deposit,	133	56
Other personal property,	16	07
Merchants and other dealers,	258	33
Licensed retailers,	49	60
Peddlers,	20	
Marriage license,	135	85
Deeds in trust and mortgage deeds,	42	75
Deeds admitted to registration,	103	31
Subjects unlisted,	5	46

Special Taxes:

Williamston and Tarboro' R. R. Co.,	607	43
Western N. C. Railroad Company,	3,188	50
Wil., Char. & Rutherford R. R. Co.,	2,277	51
Northwestern N. C. R. R. Co.,	911	01
Western Railroad Company,	683	25
Marion & Asheville Turnpike Co.,	91	01

Gross amount, \$ 15,601 98

County Taxes:

All county purposes, \$ 15,558 98

1869.

Statement E.

No. 29.—GASTON COUNTY.

G. W. McKEE, Sheriff.

State Taxes :

Polls,	\$ 1,181	25
Land,	3,014	77
Town lots,	60	74
Horses,	273	17
Mules,	274	53
Cattle,	130	97
Hogs,	96	82
Sheep,	20	96
Farming utensils,	53	84
Money on hand or on deposit,	670	61
Solvent credits,	440	61
Stock in incorporated companies,	1	39
Other personal property,	740	65
Retail liquor dealers,	30	
Merchants and other dealers,	150	
Hotels and boarding houses,	6	
Studs and jacks,	7	
Licensed retailers,	140	
Marriage license,	30	
Deeds in trust and mortgage deeds,		95
Deeds admitted to registration,	30	85

Special Taxes :

Williamston and Tarboro' Rail Road Company,	512	07
Western North Carolina Rail Road Company,	2,688	35
Wilmington, Charlotte & Rutherford Rail Road Company,	1,920	28
Northwestern N. C. R. R. Company,	768	11
Western Rail Road Company,	576	06
Marion & Asheville Turnpike Co.,	76	81

Gross amount \$ 13,298 66

County Taxes :

All county purposes, \$ 6,754 25

1869.

No. 30.—GATES COUNTY.

Statement E.

B. F. WILLEY, Sheriff.

State Taxes :

Polls,	\$	932 40
Land,		1,256 98
Town lots,		49 17
Horses,		182 36
Mules,		41 84
Cattle,		82 69
Hogs,		83 15
Sheep,		8 05
Farming utensils,		42 07
Money on hand or on deposit,		90 82
Solvent credits,		360 07
Other personal property,		29 24
Circus or menagerie,		40
Retail liquor dealers,		21 40
Merchants and other dealers,		100
Public ferries, toll gates and bridges,		2 62
Studs and jacks.		15
Licensed retailers,		35
Marriage license,		71
Deeds of real estate,		36 81

Special Taxes :

Williamston & Tarboro' R. R. Co.,		212 65
Western North Carolina R. R. Co.,		1,116 44
Wilmington, Char. & Ruth. R. R. Co.		797 45
Northwestern N. C. R. R. Company,		318 98
Western Railroad Company,		239 22
Marion & Asheville Turnpike Co.,		31 89

Gross amount, \$ 6,198 22

County Taxes :

All county purposes, \$ 8,713 02

1869.

Statement E.

No. 31.—GRANVILLE COUNTY.

J. I. MOORE, Sheriff.

State Taxes :

Polls, 1,873.20 ; Land, 6,790.98,	\$ 8,664 18
Town lots, 1,034.99 ; Horses, 697.79,	1,732 78
Mules, 228.17 ; Cattle, 321.76 ;	549 93
Hogs, 167.61 ; Sheep, 44.92,	212 53
Farming utensils,	267 48
Money on hand or on deposit,	219 01
Solvent credits,	771 97
Stock in incorporated companies,	5 56
Other personal property,	825 69
Net incomes and profits,	50 18
Collateral descents, demises, &c.,	74 18
Retail liquor dealers,	246 62
Tobacco manufacturers,	116 27
Merchants and other dealers,	344 12
Hotels and boarding houses,	15
Playing cards,	3
Studs and jacks,	18
Horse or mule drovers,	17 56
Licensed retailers,	455
Insurance companies,	7 50
Marriage license,	239 40
Deeds in trust and mortgage deeds,	22 80
Deeds admitted to registration,	99 50
Delinquents, for 1868,	18 50
Arrears for insolvents,	63

Special Taxes :

Williamston and Tarboro' R. R. Co.,	\$ 1,100 53
Western North Carolina R. R. Co.,	5,677 81
Wil., Char. & Rutherford R. R. Co.,	4,129 01
Northwestern N. C. Railroad Co.,	1,650 80
Western Railroad Company,	1,238 10
Marion & Asheville Turnpike Co.,	165 08

Gross amount, \$ 29,001 09

County Taxes :

All county purposes, \$ 33,564 87

1869.

No. 32.—GREENE COUNTY.

Statement E.

W. J. TAYLOR, Sheriff.

State Taxes :

Polls,	\$ 1,085 70
Land,	3,081 42
Town lots,	114 02
Horses,	183 38
Mules,	181 40
Cattle,	92 71
Hogs,	73 46
Sheep,	4 01
Farming utensils,	33 40
Money on hand or on deposit,	96 74
Solvent credits,	234 15
Other personal property,	514 07
Circus or menagerie,	40
Retail liquor dealers,	480 52
Distillers from fruit,	12
Merchants and other dealers,	251 49
Hotels and boarding houses,	7 83
Horse and mule drovers,	16 77
Sellers of riding vehicles,	6 60
Marriage license,	59
Deeds in trust and mortgage deeds,	68
Deeds admitted to registration,	25 25

Special Taxes :

Williamston & Tarboro' Rail Road Company,	404 86
Western North Carolina Rail Road Company	2,125 84
Wil. Char. & Rutherford R. R. Co.,	1,518 56
North Western N. C. R. R. Co.,	607 40
Western Rail Road Company,	455 37
Marion & Asheville Turnpike Co.,	60 59
Gross amount,	\$ 11,833 75

County Taxes :

All county purposes,	\$ 19,915 28
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Statement E.

1869.

No. 33.—GUILFORD COUNTY.

State Taxes :

R. M. STAFFORD, Sheriff.

Polls, 2,866.50 ; Land, 6,619.51 ;	\$ 9,486 01
Town Lots, 1,330.07 ; Horses, 658.09 ;	1,988 16
Mules, 241.01 ; Cattle, 302.35 ;	543 36
Hogs,	140 98
Sheep, 43.59 ; Farming utensils, 138.50 ;	182 09
Money on hand or on deposit,	638 25
Solvent credits,	933 77
Stock in incorporated companies,	80 11
Other personal property,	988 89
Net incomes and profits,	221 55
Concerts and musical entertainments,	5
Circus, or menagerie,	80
Side shows, \$5 ; Billard saloons, \$50,	55
Ten pin alley, bagatelle, &c.,	56 23
Distillers from grain,	1,200
Tobacco manufacturers,	127
Merchants and other dealers,	757 66
Hotels and boarding houses,	40 80
Horse or mule drovers,	59 57
Licensed retailers,	370
Itinerant dentists, &c.,	10
Peddlers,	6 66
Insurance companies,	76 40
Piedmont Railroad Company,	189 58
North Carolina R. R. Company,	125 55

Special Taxes :

Williamston & Tarboro' R. R. Co.,	1,201 71
Western North Carolina R. R. Co.,	6,308 95
Wil. Char. & Ruth. Rail Road Co.,	4,506 39
Northwestern N. C. R. R. Company,	1,802 55
Western Rail Road Company,	1,351 91
Marion & Asheville Turnpike Co.,	180 25

Gross Amount, \$ 34,379 92

County Taxes :

All county purposes, \$ 14,571 47

1869.

No. 34.—HALIFAX COUNTY.

Statement E.

JOHN A. REID, Sheriff.

State Taxes.

Polls, 2,186.10 ; land, 4,388.18,	\$ 6,574 28
Town lots, 557.98 ; horses, 360.26,	918 24
Mules, 385.76 ; cattle, 234.26,	620 02
Hogs, 125.43 ; sheep, 9.81,	135 24
Farming utensils,	149 15
Money on hand or on deposit,	199 57
Solvent credits,	566 49
Stock in incorporated companies,	1 87
Other personal property,	1,594 29
Net incomes and profits,	101
Circus or menagerie,	40
Billiard saloons,	50
Retail liquor dealers,	783 96
Merchants and other dealers,	662 08
Playing cards,	8
Studs and jacks,	8
Licensed retailers,	370 34
Marriage license,	352 45
Deeds in trust and mortgage deeds,	101 65
Deeds admitted to registration,	163 40

Special Taxes :

Williamston & Tarboro' Railroad Co.,	821 42
Western North Carolina R. R. Co.,	4,312 43
Wilmington, Charlotte & Rutherford Railroad Company,	3,080 31
Northwestern N. C. R. R. Company,	1,232 13
Western R. R. Co.,	924 10
Marion & Asheville Turnpike Co.,	123 22

Gross amount, \$ 23,893 74

County Taxes :

All county purposes, \$ 12,335 95

Statement E.

1869.

No. 35—HAYWOOD COUNTY.

A. J. MURRAY, Sheriff.

State Taxes :

Polls,	\$	852 ⁶⁰
Land,		1,491 ⁵⁰
Town lots,		32 ⁶³
Horses,		329 ⁶³
Mules,		101 ⁵⁰
Cattle,		262 ⁹⁰
Hogs,		73 ²²
Sheep,		41 ¹¹
Farming utensils,		47 ⁸⁰
Money on hand or on deposit,		39 ⁹³
Solvent credits,		172 ⁹⁰
Other personal property,		206 ³²
Retail liquor dealers,		22 ⁵⁵
Merchants and other dealers,		121 ⁶⁶
Gates across highways,		5
Horse or mule drovers,		43
Itinerant dentists, &c.,		44 ³⁵
Peddlers,		8 ⁵⁹
Marriage license,		72 ⁵⁰
Mortgage deeds,		1
Deeds admitted to registration,		56 ⁴²

Special Taxes :

Williamston & Tarboro' Railroad Co.,		268 ⁰⁶
Western North Carolina Railroad Co.,		1,407 ³⁴
Wil., Charlotte & Rutherford R. R. Company,		1,005 ²⁴
Northwestern N. C. Railroad Co.,		402 ⁰⁹
Western Railroad Company,		301 ⁵⁷
Marion and Ashville Turnpike Co.,		40 ²⁰

Gross amount,	\$	7,452 ⁵¹
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County Taxes.

All county purposes,	\$	3,375 ⁰⁰
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1869.

No. 36.—HENDERSON COUNTY.

Statement E.

T. W. TAYLOR, Sheriff.

State Taxes :

Polls,	\$	857
Land,		2,324 02
Town lots,		186 38
Horses,		169 95
Mules,		79 98
Cattle,		201 23
Hogs,		75 08
Sheep,		24 41
Farming utensils,		57 68
Money on hand or on deposit,		52 93
Solvent credits,		179 83
Other personal property,		284 33
Net incomes and profits,		11 25
Collateral descents, demises, &c.,		5 45
Merchants and other dealers,		167 90
Retail liquor dealers,		65 68
Marriage license,		18 05
Deeds admitted to registration,		36 50

Special Taxes :

Williamston & Tarboro' R. R. Co.,		357 90
Western North Carolina R. R. Co.,		1,878 98
Wil., Char. & Rutherford R. R. Co.,		1,342 13
Northwestern N. C. R. R. company,		536 85
Western Railroad company,		402 64
Marion & Asheville Turnpike Co.,		53 65

Gross amount,	\$	9,370 03
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County Taxes :

All county purposes,	\$	4,185 58
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Statement E.

1869.

No. 37.—HERTFORD COUNTY.

ISAAC PIPKIN, Sheriff.

State Taxes :

Polls,	\$	1,089	10
Land,		1,643	88
Town lots,		255	37
Horses,		205	50
Mules,		88	75
Cattle,		77	22
Hogs,		59	09
Sheep, \$9.89 ; Farming utensils, \$92.70.		102	59
Money on hand or on deposit,		205	15
Solvent credits,		497	73
Stock in incorporated companies,		33	39
Other personal property,		462	30
Net incomes and profits,		37	50
Circus or menagerie,		40	
Retail liquor dealers,		53	
Distillers from fruit,		70	
Merchants and other dealers,		180	
Hotels and boarding houses,		10	15
Studs and jacks,		10	
Keepers of horses or vehicles for hire,		5	
Licensed retailers,		70	
Marriage license,		100	
Mortgage deeds,		7	60
Deeds admitted to registration,		49	78

Special Taxes :

Williamston & Tarboro' Railroad Co.,		356	03
Western North Carolina Railroad Co.,		1,869	18
Wil., Char. & Rutherford R. R. Co.,		1,335	13
Northwestern N. C. R. R. Co.,		534	05
Western R. R. Co.,		400	53
Marion & Asheville Turnpike Co.,		53	40

Gross amount,

\$ 7,901 41

County Taxes :

All county purposes,	\$	158	67
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1869.

No. 38.—HYDE COUNTY.

Statement E.

GEORGE CREDLE, Sheriff,

State Taxes :

Polls,	\$	875 70
Land,		1,288 61
Town lots,		22 13
Horses,		165 84
Mules,		29 74
Cattle,		93 58
Hogs,		38 79
Sheep,		7 53
Farming Utensils,		29 41
Money on hand or on deposit,		95 08
Solvent credits,		217 45
Stock in incorporated companies,		13 07
Other personal property,		128 63
Net incomes and profits,		2 50
Collateral descents, demises, &c.,		2 50
Retail liquor dealers,		205 92
Merchants and other dealers,		180
Licensed retailers,		177 59
Marriage license,		43 70
Mortgage deeds,		3 80
Deeds admitted to registration,		37 77

Special Taxes :

Williamston & Tarboro' R. R. Co.,		195 37
Western N. C. Railroad Company,		1,025 69
Wil. Char. & Rutherford R. R. Co.,		732 19
Northwestern N. C. R. R. Company,		293 06
Western Railroad Company,		219 79
Marion and Asheville Turnpike Co.,		29 30

Gross amount, \$ 6,154 74

County Taxes :

All county purposes,	\$	2,942 10
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Statement E.

1869.

No. 39.—IREDELL COUNTY.

W. H. MASON, Sheriff.

State Taxes :

Polls,	\$ 1,587 45
Land,	2,815 36
Town lots,	323 42
Horses,	340 36
Mules,	329 50
Cattle,	219 13
Hogs,	111 73
Sheep,	34 70
Farming utensils,	97 63
Money on hand or on deposit,	161 47
Solvent credits,	890 94
Other personal property,	147 21
Net incomes and profits,	89 05
Collateral descents, demises, &c.,	11 50
Retail liquor dealers,	20
Distillers from fruit,	40 50
Tobacco manufacturers,	25
Merchants and other dealers,	192
Hotels and boarding houses,	14
Studs and jacks,	35
Keepers of horses or vehicles for hire,	10
Licensed retailers,	70
Marriage license,	151 05
Mortgage deeds,	10
Deeds admitted to registration,	142 95

Special Taxes :

Williamston & Tarboro' R. R. Co.,	692 62
Western N. C. Railroad Company,	3,636 27
Wil., Char. & Rutherford R. R. Co.,	2,597 33
Northwestern N. C. R. R. Co.,	1,038 93
Western Railroad Co.,	779 52
Marion and Asheville Turnpike Co.,	103 88

Gross amount, \$ 16,678 50

County Taxes :

All county purposes. \$ 8,243

1869.

No. 40.—JOHNSTON COUNTY.

Statement E.

E. G. HILL, Sheriff.

State Taxes :

Polls,	\$ 2,171 40
Land,	4,033 66
Town lots,	219 26
Horses,	335 52
Mules,	236 18
Cattle,	366 15
Hogs,	134 35
Sheep,	21 89
Farming utensils,	105 24
Money on hand or on deposit,	148 73
Solvent credits.	610 09
Stock in incorporated companies,	16 80
Other personal property,	417 90
Net incomes and profits,	33 75
Retail liquor dealers,	336 28
Distillers from grain, &c.,	96 80
Merchants and other dealers,	414
Hotels and boarding houses,	7 23
Commission merchants,	13
Licensed retailers,	260
Itinerant dentists, &c.,	10
Marriage license,	167
Deeds admitted to registration,	100

Special Taxes :

Williamston and Tarboro' R. R. Co.,	626 67
Western N. C. Railroad Company,	3,290 03
Wil. Char and Rutherford R. R. Co.,	2,350 02
Northwestern N. C. R. R. Company,	940 01
Western Railroad Company,	705
Marion and Asheville Turnpike Co.,	94

Gross Amount, \$ 18,260 97

County Taxes :

All county purposes, \$ 11,801 61

Statement E.

1869.

No. 41.—JONES COUNTY.

JOHN PEARCE, Sheriff.

State Taxes :

Polls,	\$	765 45
Land,		1,536 25
Town Lots,		46 98
Horses,		96 95
Mules,		83 33
Cattle,		72 58
Hogs,		41 39
Sheep,		8 31
Farming utensils,		64 12
Money on hand or on deposit,		14 03
Solvent credits,		93 79
Other personal property,		69 61
Net incomes and profits,		5 00
Subjects unlisted,		313 29

Special Taxes :

Williamston & Tarboro' Rail Road Company,		228 84
Western North Carolina Rail Road Company,		1,201 44
Wilmington Charlotte & Rutherford Rail Road Company,		858 17
Northwestern North Carolina R. R. Company,		343 27
Western Rail Road Company,		257 45
Marion & Asheville Turnpike Company,		34 32
Gross amount,	\$	6,410 59

County Taxes :

All county purposes.	\$	14,755 19
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1869.

No. 42.—LENOIR COUNTY.

Statement E.

W. W. N. HUNTER, Sheriff.

State Taxes.

Polls, 1,082.55; Land, 2,721.87,	\$	3,804	32
Town lots, 392.27; Horses, 177.25,		569	52
Mules, 170.65; Cattle, 86.52,		257	17
Hogs,		68	94
Sheep,		7	67
Money on hand or on deposit,		33	34
Solvent credits,		339	17
Stock in incorporated companies,		10	96
Net incomes and profits,		100	
Collateral descents, demises, &c.,		10	82
Retail liquor dealers,		95	
Merchants and other dealers,		415	62
Hotels and boarding houses,		1	35
Studs and jacks,		5	
Horse or mule drovers,		3	75
Auctioneers,		26	57
Keepers of horses or vehicles for hire,		5	
Licensed retailers,		221	13
Itinerant dentists, &c.,		5	
Peddlers,		20	
Marriage license,		167	
Deeds admitted to registration,		175	50
Delinquents,		64	44
Atlantic & North Carolina Railroad,		98	43

Special Taxes:

Williamston & Tarboro' Railroad Co.,		399	
Western North Carolina Railroad Co.,		2,094	76
Wil., Char., & Rutherford R. R. Co.,		1,496	28
North-western N. C. Railroad Co.,		598	50
Western Railroad Company,		448	87
Marion & Asheville Turnpike Co.,		59	85

Gross amount, \$ 11,503 98

County Taxes:

All county purposes, \$ 10,233 59

1869.

Statement E.

No. 43.—LINCOLN COUNTY.

J. H. KING, Sheriff.

State Taxes:

Polls, 1,044.75 ; Land, 2,544.79,	\$ 3,589 54
Town lots, 381.41 ; Horses, 260.60 ;	632 01
Mules, 184.25 ; Cattle, 115.59,	299 84
Hogs, 56.48 ; Sheep, 16.74,	73 22
Farming utensils,	69 72
Money on hand or on deposit,	231 26
Solvent credits,	359 60
Stock in incorporated companies,	52 54
Other personal property,	262 51
Net incomes and profits,	29 62
Side shows,	10
Retail liquor dealers,	110
Merchants and other dealers,	231
Hotels and boarding houses,	7
Gates across highways,	5
Studs and jacks,	5
Marriage license,	102
Deeds of real estate,	66 87
Subjects unlisted,	77

Special Taxes:

Williamston & Tarboro' Railroad Co.,	456 93
Western North Carolina Railroad Co.,	2,398 90
Wil., Char. & Rutherford R. R. Co.,	1,713 50
Northwestern N. C. Railroad Co.,	685 40
Western Railroad Company,	514 05
Marion & Asheville Turnpike Co.,	68 54

Gross amount,	\$ 12,042 06
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County Taxes:

All county purposes,	\$ 5,314 07
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1869.

No. 44.—MACON COUNTY.

Statement E.

W. H. HIGDON, Sheriff.

State Taxes :

Polls,	\$	825	10
Land,		1,358	61
Town lots,		70	95
Horses,		283	51
Mules,		69	89
Cattle,		203	24
Hogs,		68	70
Sheep,		28	21
Farming utensils,		56	33
Money on hand or on deposit,		57	82
Solvent credits,		193	35
Other personal property,		68	62
Net incomes and profits,		5	35
Collateral descents, demises, &c.,		14	53
Merchants and other dealers,		100	
Hotels and boarding houses,		3	00
Studs and jacks,		35	00
Licensed retailers,		17	50
Marriage license,		81	70
Deeds admitted to registration,		27	25

Special Taxes :

Williamston and Tarboro' R. R. Co.,		227	02
Western North Carolina R. R. Co.,		1,192	82
Wil., Char. & Rutherford R. R. Co.,		852	03
Northwestern N. C. R. R. Company,		340	81
Western Railroad Company,		255	60
Marion and Asheville Turnpike Co.,		34	08

Gross amount, \$ 6,470 30

County Taxes :

All county purposes, \$ 10,407 73

Statement E.

1869.

No. 45.—MADISON COUNTY.

A. G. TWEED, Sheriff.

State Taxes.

Polls,	\$ 851 55
Land,	1,120 82
Town lots,	17 79
Horses,	151 65
Mules,	58 55
Cattle,	162 30
Hogs,	51 40
Sheep,	24 46
Farming utensils,	7 53
Money on hand or on deposit,	31 24
Solvent credits,	70 60
Other personal property,	18 60
Merchants and other dealers,	85 43
Gates across highways,	5
Studs and jacks,	20
Licensed retailers,	85
Marriage license,	80 75
Deeds in trust and mortgage deeds,	4 80
Deeds admitted to registration,	10 95

Special Taxes.

Williamston and Tarboro' R. R. Co.,	149 64
Western North Carolina R. R. Co.,	785 64
Wil. Char. and Rutherford R. R. Co.,	561 17
Northwestern N. C. Railroad Co.,	224 47
Western Railroad Company,	168 35
Marion and Asheville Turnpike Co.,	22 44

Gross amount, \$ 4,770 13

County Taxes :

All county purposes, \$ 3,133 47

1869.

No. 46.—MARTIN COUNTY.

Statement E.

R. B. SALISBURY, Sheriff.

State Taxes :

Polls,	\$ 1,264 20
Land,	3,190 83
Town lots,	544 83
Horses.	247 47
Mules,	110 96
Cattle,	107 66
Hogs,	94 03
Sheep,	9 02
Farming utensils,	94 63
Money on hand or on deposit,	76 54
Solvent credits,	174 64
Stock in incorporated companies,	58 30
Other personal property,	547 72
Net incomes and profits,	101 25
Circus or menageries,	40 00
Retail liquor dealers,	293 30
Distillers from grain, &c.,	15 00
Merchants and other dealers,	321 59
Hotels and boarding houses,	9 50
Horse or mule drovers,	11 19
Auctioneers,	5 00
Licensed retailers,	117 00
Marriage license,	115 00
Mortgage deeds,	7 60
Delinquents for 1868,	250 00

Special Taxes :

Williamston & Tarboro' Railroad Co.,	512 72
Western North Carolina Railroad Co.,	2,692 83
Wil., Charlotte & Ruth. R. R. Co.,	1,923 45
Northwestern N. C. Railroad Co.	769 38
Western Railroad Company,	577 03
Marion & Asheville Turnpike Co.,	76 93

Gross amount,, \$ 14,368 61

County Taxes :

All county purposes, \$ 12,138 39

Statement E.

1869.

No. 47.—McDOWELL COUNTY.

A. H. SIMMONDS, Sheriff.

State Taxes :

Polls,	\$	783 30
Land,		1,712 98
Town lots,		55 17
Horses,		144 30
Mules,		182 21
Cattle,		108 61
Hogs		51 14
Sheep,		13 23
Farming utensils,		21 72
Money on hand or on deposit,		35 47
Solvent credits,		215 73
Other personal property,		51 33
Merchants and other dealers,		130
Licensed retailers,		105
Marriage license,		16
Deeds in trust and mortgage deeds,		3
Deeds of real estate,		5

Special Taxes :

Williamston and Tarboro' R. R. Co.,		240 83
Western N. C. Railroad Company,		1,264 37
Wil. Char. and Rutherford R. R. Co.,		903 12
Northwestern N. C. Railroad Co.,		361 25
Western Railroad Company,		207 93
Marion and Asheville Turnpike Co.,		36 12

Gross amount,	\$	6,647 64
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County Taxes :

All county purposes,	\$	3,057 41
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1869.

No. 48.—MECKLENBURG C'TY.		Statement E.
R. M. WHITE, Sheriff.		
<i>State Taxes:</i>		
Polls, 2,476.60; Land, 5,335.07,	\$	7,811 67
Town lots, 2,914.45; Horses, 413.21,		3,351 66
Mules, 389.37; Cattle, 247.61,		636 98
Hogs, 145.82; Sheep, 19.80,		165 62
Farming utensils,		1,019 48
Money on hand or on deposit,		547 44
Solvent credits,		2,884 01
Stock in incorporated companies,		147 20
Other personal property,		1,653 07
Net incomes and profits,		122 40
Concerts and musical entertainments,		10
Circus, 80; Shows, 20,		100
Billiard saloons,		75
Retail liquor dealers,		116
Distillers from grain, &c.,		90
Merchants and other dealers,	1,553	86
Hotels, &c., 135; Gas companies 30.80,	165	80
Money exchange,	100	
Horse drovers,	31	78
Auctioneers,	25	
Commission merchants	45	25
Keepers of horses to hire,	80	
Insurance companies,	1,080	52
Seals of notaries public, &c.,	69	
Marriage license,	150	
Deeds in trust and mortgage deeds,	74	
Deeds admitted to registration,	198	90
Distress,	50	
Delinquents, for 1868,	425	63
Arrears for insolvents,	25	
Railroad not otherwise listed,	519	48
<i>Special Taxes:</i>		
Williamston & Tarboro' R. R. Co.,	1,484	70
Western N. C. Railroad Company,	7,795	14
Wil., Char. & Rutherford R. R. Co.,	5,567	97
Northwestern N. C. R. R. Company,	2,227	18
Western Railroad Company,	1,670	39
Marion and Asheville Turnpike Co.,	222	71
Gross amount, \$ 43,317 25		
<i>County Taxes:</i>		
All county purposes,	\$	63,006 70

Statement E.

1869.

No. 49.—MITCHELL COUNTY.

C. GARLAND, Sheriff.

State Taxes.

Polls,	\$	509	25
Land,		773	70
Town lots,		5	22
Horses,		150	57
Mules,		15	84
Cattle,		129	23
Hogs,		33	43
Sheep,		26	25
Farming utensils,		2	56
Money on hand or on deposit,		13	34
Solvent credits,		17	46
Stock in incorporated companies,		2	10
Other personal property,			13
On liquors distilled from fruit,		10	
Merchants and other dealers,		60	
Marriage license,		50	

Special Taxes:

Williamston & Tarboro' R. R. Co.,		110	08
Western North Carolina R. R. Co.,		577	93
Wil., Char. & Rutherford R. R. Co.,		412	81
North-western N. C. R. R. Co.,		165	12
Western Railroad company,		123	84
Marion and Asheville Turnpike Co.,		16	51

Gross amount, \$ 3,205 37

County Taxes:

All county purposes, \$ 2,973 16

1869.

No. 50.—MONTGOMERY C'NTY.

Statement E.

P. C. RILEY, Sheriff.

State Taxes :

Polls,	\$	834 50
Land,		1,582 40
Town lots,		24 28
Horses,		227 93
Mules,		83 14
Cattle,		141 18
Hogs,		47 20
Sheep,		24 53
Farming utensils,		16 72
Money on hand or on deposit,		130 68
Solvent credits,		191 81
Other personal property,		36 38
Retail liquor dealers,		20
Liquors distilled from fruit,		2
Merchants and other dealers,		100
Hotels and boarding houses,		7
Studs and jacks,		5
Retail liquor dealers,		70
Marriage license,		96
Deeds in trust and mortgage deeds,		1
Deeds of real estate,		42 70

Special Taxes :

Willamston & Tarboro' Railroad Co.,		239 69
Western North Carolina Railroad Co.,		1,258 38
Wil. Char. & Rutherford R. R. Co.,		898 84
Northwestern N. C. Railroad Comp'y,		359 54
Western Railroad Company,		269 65
Marion & Asheville Turnpike Co.,		35 93

Gross amount, \$ 6,746 60

County Taxes :

All county purposes, \$ 3,139 68

Statement E:

1869.

No. 51.—MOORE COUNTY.

C. I. ALFRID, Tax Collector.

State Taxes :

Polls,	\$ 1,172 85
Land,	2,122 66
Town lots,	43 84
Horses,	301 12
Mules,	135 71
Cattle,	186 35
Hogs,	59 13
Sheep,	31 70
Farming utensils,	40 76
Money on hand or on deposit,	47 20
Solvent credits,	257 36
Other personal property,	31 79
Marriage license,	93 10
Deeds admitted to registration,	39 90
Distress,	181 87

Special Taxes :

Williamston & Tarboro' Railroad Co.,	314 18
Western North Carolina Railroad Co.,	1,649 48
Wil. Char. & Rutherford R. R. Co.,	1,178 20
North Western N. C. Railroad Co.	471 28
Western Railroad Company,	353 46
Marion & Asheville Turnpike Co.,	47 13

Gross amount, \$ 8,759 07

County Taxes :

All county purposes, \$4,086 50

1869.

No. 52.—NASH COUNTY.

Statement E.

G. N. LEWIS, Sheriff.

State Taxes :

Polls, \$1.440; land, \$2.657,3 1,	\$ 4,097 31
Town lots, \$40.90, horses, \$218.63,	259 53
Mules, \$140.28; cattle, \$206.77,	346 05
Hogs,	98 34
Sheep,	12 18
Farming utensils,	69 09
Money on hand or on deposit,	143 31
Solvent credits,	572 24
Other personal property,	442 88
Net incomes and profits,	12 50
Retail liquor dealers,	107 23
On liquors distilled from fruit,	386 64
Merchants and other dealers,	174
Hotels and boarding houses,	7 50
Playing cards,	1 50
Studs and jacks,	10
Licensed retailers,	281 59
Peddlers,	8 30
Marriage license,	1 03
Deeds in trust and mortgage deeds,	25
Deeds admitted to registration,	23 25

Special Taxes :

Williamston & Tarboro' Railroad Co.,	439 28
Western North Carolina Railroad Co.,	2,306 23
Wil., Charlotte & Rutherford R. R. Company,	1,647 31
Northwestern North Carolina R. R. Company,	658 92
Western Railroad Company,	494 19
Marion & Asheville Turnpike Co.	65 89

Gross amount, \$ 12,798 26

County Taxes :

All county purposes, \$ 5,612 58

Statement E.

1869.

No. 53.—NORTHAMPTON C'TY.

H. T. GRANT, Sheriff.

State Taxes:

Polls,	\$ 2,198 70
Land,	4,904 98
Town lots,	113 98
Horses,	432 02
Mules,	270 68
Cattle,	196 53
Hogs,	158 46
Sheep,	15 26
Farming utensils,	117
Money on hand or on deposit,	204 10
Solvent credits,	700 01
Stock in incorporated companies,	351 22
Other personal property,	530 01
Net incomes and profits,	67
Retail liquor dealers,	299 36
Merchants and other dealers,	294 97
Gates across highways,	10
Studs and jacks,	65
Licensed retailers,	105
Marriage license,	158 46
Mortgage deeds,	53 60
Deeds admitted to registration,	78 02

Special Taxes:

Williamston & Tarboro' R. R. Co.,	792 36
Western North Carolina R. R. Co.,	4,159 94
Wil., Char. & Rutherford R. R. Co.,	2,971 36
Northwestern N. C. R. R. company,	1,188 55
Western Railroad company,	891 42
Marion & Asheville Turnpike Co.,	118 86

Gross amount, \$ 21,546 30

County Taxes:

All county purposes, \$ 11,567 51

1869.

No. 54.—NEW HANOVER C'TY.

J. W. SCHENCK, Sheriff.

Statement E.

State Taxes :

Polls, 3,089.10; Land, 3,379.90,	\$ 6,469
Town lots, 12,539.87; Horses, 291.59,	12,831 46
Mules, 169.93; Cattle, 214.23,	384 16
Hogs, 107.89; Sheep, 17.97,	125 86
Farming utensils,	649 34
Money on hand or on deposit,	442 60
Solvent credits,	875 92
Stock in incorporated companies,	91 40
Other personal property,	2,619 48
Net incomes and profits,	2,266 30
Collateral descents,	2 30
Travelling theatrical companies,	60
Concerts, 20; Billiard saloons, 87.50,	107 50
Ten pin alley, &c.,	25
Retail liquor dealers,	538 96
Wholesale liquor dealers,	178 50
Merchants and other dealers,	3,427 23
Hotels, &c.,	83 91
Money exchange,	150
Auctioneers,	34 31
Commission merchants	1,036 65
Keeper of horses for hire,	75
Licensed retailers of liquors,	1,342 43
Peddlers,	20
Banks,	200
Insurance companies,	1,736 84
Seals of notaries public,	5 50
Marriage license,	450 30
Deeds in trust,	59 85
Deeds of real estate,	104 02
Distress,	70 69

Special Taxes :

Williamston & Tarboro' R. R. Co.,	1,998 88
Western N. C. Railroad Company,	10,493 77
Wil., Char. & Rutherford R. R. Co.,	7,495 57
Northwestern N. C. R. R. Company,	2,998 23
Western Railroad Company,	2,248 65
Marion and Asheville Turnpike Co.,	299 82

Gross amount, \$ 61,999 43

County Taxes :

All county purposes, \$ 23,659 51

1869.

Statement E.

No. 55.—ON SLOW COUNTY.

E. MURRELL, Sheriff.

State Taxes :

Polls,	\$ 1,009 05
Land,	1,764 44
Town lots,	79 76
Horses,	133 98
Mules,	96 81
Cattle,	124 05
Hogs,	72 82
Sheep,	14 50
Farming utensils,	18 30
Money on hand or on deposit,	58 87
Solvent credits,	261 76
Other personal property,	306 91
Net incomes and profits,	2 50
Merchants and other dealers,	171
Gates across highways,	10
Retail liquor dealers,	166 49
Marriage license,	85
Deeds in trust and mortgage deeds,	15
Deeds of real estate,	56
Delinquents for 1868,	12 16

Special Taxes :

Williamston and Tarboro' R. R. Co.,	284 72
Western N. C. Railroad Company,	1,494 78
Wil. Char and Rutherford R. R. Co.,	1,067 72
Northwestern N. C. R. R. Company,	427 08
Western Railroad Company,	320 32
Marion and Asheville Turnpike Co.,	42 70

Gross Amount, \$ 8,097 22.

County Taxes :

All county purposes, \$ 4,614 24

1869.

No. 56.—ORANGE COUNTY.

Statement R.

JOHN TURNER, Sheriff.

State Taxes:

Polls,	\$ 1,961 40
Land,	4,148 90
Town Lots,	622 57
Horses,	499 66
Mules,	209 90
Cattle,	251 08
Hogs,	126 47
Sheep,	32 48
Farming utensils,	133 47
Money on hand or on deposit,	186 17
Solvent credits,	715 21
Other personal property,	20 69
Net incomes and profits,	326 45
Collateral descents, demises, &c.,	6
Circus or menagerie,	40
Tobacco manufacturers,	180
Merchants and other dealers,	282
Playing cards,	1 50
Studs and jacks,	10
Retail liquor dealers,	155
Marriage license,	160 55
Deeds in trust and mortgage deeds,	9 50
Deeds admitted to registration,	35 39

Special Taxes:

Williamston & Tarboro' R. R. Co.,	680 30
Western N. C. Railroad Company,	3,571 57
Wil., Char. & Rutherford R. R. Co.,	2,551 12
Northwestern N. C. R. R. Co.,	1,020 45
Western Railroad Co.,	765 33
Marion and Asheville Turnpike Co.,	102 04

Gross amount, \$ 11,805 20

County Taxes:

All county purposes, \$ 8,980 49

Statement E.

1869.

No. 57.—PASQUOTANK COUNTY.

J. L. WOOD, Sheriff.

State Taxes.

Polls,	\$ 785 40
Land,	2,205 58
Town lots,	729 68
Horses,	161 04
Mules,	75 35
Cattle,	80 73
Hogs,	41 11
Sheep,	3 26
Farming utensils,	73 24
Money on hand or on deposit,	19 26
Solvent credits,	284 59
Other personal property,	167 37
Net incomes and profits,	150 50
Colateral descents, demises, &c.,	473
Circus or menagerie,	40
Itinerant companies,	5
Retail dealers,	107
Merchants and other dealers,	408 43
Hotels and boarding houses,	4 73
Keepers of horses or vehicles for hire,	12 50
Licensed retailers,	130 37
Marriage license,	97
Deeds admitted to registration,	104 74

Special Taxes.

Williamston and Tarboro' R. R. Co.,	376 41
Western North Carolina R. R. Co.,	1,967 02
Wil., Char. and Rutherford R. R. Co.,	1,404 39
Northwestern N. C. Railroad Co.,	562 90
Western Railroad Company,	420 84
Marion and Asheville Turnpike Co.,	56 46
Gross amount,	\$ 10,948 22

County Taxes :

All county purposes,	\$ 10,754 45
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1869.

No. 58.—PERQUIMANS CO'TY.

Statement E.

HENRY WHITE, Sheriff.

State Taxes.

Polls,	\$ 791 65
Land,	2,228 96
Town lots,	201 16
Horses,	182 97
Mules,	82 75
Cattle,	92 72
Hogs,	58 97
Sheep,	6 09
Farming utensils,	51 74
Money on hand or on deposit,	21 54
Solvent credits,	172 62
Other personal property,	103 99
Net incomes and profits,	16 25
Circus and menagerie,	40
Side shows,	20
Retail liquor dealers,	71 75
Merchants and other dealers,	213 42
Sellers of riding vehicles,	7 87
Licensed retailers,	105
Itinerant dentists,	10
Seals of notaries public, &c.,	1 18
Marriage license,	59 85
Mortgage deeds,	20 90
Deeds admitted to registration,	30 40

Special Taxes :

Williamston & Tarboro' R. R. Co.,	315 15
Western North Carolina R. R. Co.,	1,654 55
Wil., Char. & Rutherford R. R. Co.,	1,181 83
Northwestern N. C. R. R. Co.,	472 73
Western Railroad company,	354 53
Marion and Asheville Turnpike Co.,	47 27

Gross amount, \$ 8,617 84

County Taxes :

All county purposes, \$ 17,450 79

1869.

Statement E.

No. 59.—PERSON COUNTY.

J. L. HARRIS for sureties of J. Barnett
late Sheriff.*State Taxes:*

Polks,	\$ 1,351 35
Land,	2,324 97
Town lots,	80 67
Horses,	315
Mules,	157 80
Cattle,	154 10
Hogs,	81 26
Sheep,	22 36
Farming utensils,	65
Money on hand or on deposit,	153 83
Solvent credits,	325 80
Other personal property,	640 15
Net incomes and profits,	58 75
Concerts, &c.,	5
Merchants and other dealers,	132
Hotels and boarding houses,	5
Studs and jacks,	10
Licensed retailers,	124
Marriage license,	94
Deeds admitted to registration,	40

Special Taxes:

Willamston & Tarboro' Railroad Co.,	430 32
Western North Carolina Railroad Co.,	2,260 93
Wil., Char. & Rutherford R. R. Co.,	1,604 66
Northwestern N. C. Railroad Comp'y,	645 98
Western Railroad Company,	484 47
Marion & Asheville Turnpike Co.,	64 59

Gross amount, \$ 11,639 99

County Taxes:

All county purposes, \$ 17,546 20

1869.

No. 60.—POLK COUNTY.

Statement E.

N. B. HAMPTON, Sheriff.

State Taxes :

Polls,	\$	328 65
Land,		973 22
Town lots,		29 05
Horses,		73 43
Mules,		64 40
Cattle,		71 43
Hogs,		31 79
Sheep,		7 60
Farming utensils,		46 95
Money on hand or on deposit,		12 51
Solvent credits,		39 75
Other personal property,		2 49
Merchants and other dealers,		80
Retail liquor dealers,		105
Marriage license,		18
Deeds of real estate,		5 50

Special Taxes :

Williamston & Tarboro' Railroad Co.,	141 95
Western North Carolina Railroad Co.,	745 22
Wil., Char. & Rutherford R. R. Co.,	532 34
Northwestern N. C. Railroad Co.	212 93
Western Railroad Company,	159 69
Marion & Asheville Turnpike Co.,	21 29

Gross amount, \$ 3,703 24

County Taxes :

All county purposes, \$1,580 20

1869.

Statement E.

No. 61.—RANDOLPH COUNTY.

R. J. TROGDON, Sheriff.

State Taxes :

Polls,	\$ 2,215 45
Land,	4,900 95
Town lots,	169 30
Horses,	746 32
Mules,	170 72
Cattle,	253 06
Hogs,	85 51
Sheep,	56 85
Farming utensils,	9 52
Money on hand or on deposit,	215 02
Solvent credits,	706 65
Other personal property,	174 35
Net incomes and profits,	73 50
Merchants and other dealers,	216 64
Licensed retailers,	102 08
Marriage license,	154
Deeds admitted to registration,	117

Special Taxes :

Williamston & Tarboro' Rail Road Company,	707 60
Western North Carolina Rail Road Company,	3,714 91
Wilmington, Charlotte & Rutherford Rail Road Company,	2,653 50
Northwestern North Carolina R. R. Company,	1,061 40
Western Rail Road Company,	796 05
Marion & Asheville Turnpike Company,	106 15

Gross amount, \$ 19,406 53

County Taxes :

All county purposes. \$ 11,839 85

1869.

No. 62.—RICHMOND COUNTY.

Statement E.

R. S. LEDBETTER,, Tax Collector.

State Taxes :

Polls,	\$ 1,186 50
Land,	3,109 85
Town lots,	158 27
Horses,	233 11
Mules,	228 65
Cattle,	184 85
Hogs,	69 73
Sheep,	9 25
Farming utensils,	69 54
Money on hand or on deposit,	175 57
Solvent credits,	395 29
Other personal property,	437 69
Net incomes and profits,	87 90
Collateral decents, demises, &c.,	12
Itinerant companies,	5
Merchants and other dealers,	24 50
Horse or mule drovers,	9 45
Retail liquor dealers,	51 05
Itinerant liquor dealers,	9 37
Marriage license,	47 50
Deeds in trust and mortgage deeds,	2
Distress,	134 11

Special Taxes :

Williamston & Tarboro' Railroad Co.,	478 86
Western North Carolina R. R. Co.,	2,514 54
Wil., Char. & Rutherford R. R. Co.,	1,796 13
Northwestern N. C. R. R. Co.,	718 45
Western Railroad company,	538 83
Marion & Asheville Turnpike Co.,	71 84

Gross amount, \$ 12,769 92

County Taxes :

All county purposes, \$ 12,330 83

Statement E.

1869.

No. 63.—ROBESON COUNTY.

B. A. HOWELL, Sheriff.

State Taxes :

32 322	Polls,	\$ 2,324 80
21 020	Land,	3,106 06
78 782	Town lots,	197 37
272	Horses,	362 05
40 182	Mules,	272 26
28 074	Cattle,	252 46
42 301	Hogs,	121 47
07 72	Sheep,	33 46
52 06	Farming utensils,	42 02
14 221	Money on hand or on deposit,	78 29
42 81	Solvent credits,	296 77
82 82	Stock in incorporated companies,	78
47 07	Other personal property,	353 20
78 17	Net incomes and profits,	10
002	Itinerant companies,	5
5	Retail liquor dealers,	827 90
52 8	Merchants and other dealers,	460
210	Hotels and boarding houses,	20
110	Studs and Jacks,	10
	Horse or mule drovers,	7 14
	Itinerant dentists,	10
	Insurance companies,	13 37
22 477	Marriage license,	173
18 470	Mortgage deeds,	143 85
20 210	Subjects unlisted,	20

Special Taxes:

26 311	Williamston & Tarboro' Railroad Co.,	490 59
	Western North Carolina Railroad Co.,	2,575 62
08 111	Wil., Char. & Rutherford R. R. Co.,	1,839 72
	Northwestern N. C. R. R. Co.,	735 89
	Western R. R. Co.,	551 91
	Marion & Asheville Turnpike Co.,	73 58

Gross amount, \$ 15,498 56
County Taxes :

All county purposes, \$ 9,623 90

1869.

No. 64.—ROCKINGHAM COUNTY.

Statement E.

T. W. PATTERSON, Sheriff.

State Taxes :

Polls,	\$ 1,328 25
Land,	5,050 12
Town lots,	227 87
Horses,	272
Mules,	231 04
Cattle,	190 78
Hogs,	105 88
Sheep,	27 70
Farming Utensils,	52 66
Money on hand or on deposit,	129 41
Solvent credits,	485 81
Stock in incorporated companies,	333 34
Other personal property,	779 18
Net incomes and profits,	79 75
Merchants and other dealers,	200
Gates across highways,	5
Horse or mule drovers,	8 63
Retail liquor dealers,	240
Marriage license,	330
Deeds of real estate,	110

Special Taxes :

Williamston & Tarboro' R. R. Co.,	776 82
Western N. C. Railroad Company,	4,078 31
Wil., Char. & Rutherford R. R. Co.,	2,913 08
Northwestern N. C. R. R. Company,	1,165 23
Western Railroad Company,	873 92
Marion and Asheville Turnpike Co.,	116 52

Gross amount, \$ 20,111 30

County Taxes :

All county purposes, \$ 21,487 81

Statement E.

1869.

No. 65.—ROWAN COUNTY.

W. A. WALTON, Sheriff.

State Taxes :

Polls, 2,071.65 ; Land, 4,655.43	\$	6,727 08
Town lots, 1,251.35 ; Horses, 513.42 ;		1,764 77
Mules, 206.03 ; Cattle, 183.14,		389 17
Hogs, 116.09 ; Sheep, 21.77,		137 86
Farming utensils,		168 24
Money on hand,		199 72
Solvent credits,		1,129 89
Stock in incorporated companies,		149 45
Other personal property,		22 94
Net incomes, 370.62 ; Concert, 5,		375 62
Circus, 120 ; Ten pin alley, 37.50,		157 50
Retail dealers,		88 10
Wholesale dealers,		199 48
Distilled fruit,		100 10
Tobacco manufacturers,		92 12
Merchants, 790.17 ; Hotels, &c., 56.70 ;		846 87
Gas companies, 60 ; Money exch'ge, 50,		110
Studs, 35 ; sellers of vehicles, 31.50,		66 50
Auctioneers, 11.12 ; Com. mer., 107.80 ;		118 92
Keepers of horses for hire,		35
Licensed retailers,		385
Seals of notaries public,		2
Marriage license, 143.45 ; deeds, &c, 95c.		144 40
Deeds admitted to registration,		5 47
Subjects unlisted, 63.69 ; arrears, 20.50,		84 19

Special Taxes :

Williamston & Tarboro' Railroad Co.,	822 77
Western North Carolina Railroad Co.,	4,319 53
Wil., Char. & Rutherford R. R. Co.,	3,085 38
Northwestern N. C. Railroad Co.,	1,234 16
Western Railroad Company,	925 61
Marion & Asheville Turnpike Co.,	123 41

Gross amount, \$ 24,011 25

County Taxes :

All county purposes, \$ 9,739 16

1869.

No. 66.—RUTHERFORD CO'TY.

Statement E.

MARTIN WALKER, Sheriff.

State Taxes :

Polls,	\$	1,232	70
Land,		2,742	83
Town lots,		178	63
Horses,		264	86
Mules,		187	37
Cattle,		187	37
Hogs,		87	19
Sheep,		21	46
Farming utensils.		49	67
Money on hand or on deposit,		72	33
Solvent credits,		410	70
Other personal property,		435	41
Merchants and other dealers,		130	
Gates across highways,		10	
Studs and jacks,		10	
Licensed retailers,		105	
Marriage license,		50	
Deeds in trust and mortgage deeds,		3	
Deeds admitted to registration,		45	50

Special Taxes :

Williamston & Tarboro' Railroad Co.,	440	45
Western North Carolina Railroad Co.,	2,312	26
Wil., Char. & Rutherford R. R. Co.,	1,651	69
N. Western North Carolina R. R. Co.,	660	67
Western Railroad Company,	495	50
Marion & Asheville Turnpike Co.,	66	06

Gross amount, \$ 11,850 97

County Taxes :

All county purposes, \$ 7,099 29

Statement E.

1869.

No. 67.—SAMPSON COUNTY.

A. S. C. POWELL, Sheriff.

State Taxes :

Polls,	\$ 2,072 70
Land,	2,415 47
Town lots,	156 59
Horses,	363 73
Mules,	186 14
Cattle,	211 55
Hogs,	93 71
Sheep,	19 90
Farming utensils,	69 21
Money on hand or on deposit,	53 60
Solvent credits,	297 27
Other personal property,	609 59
Circus or menagerie,	40
Retail liquor dealers,	111 50
Hotels and boarding houses,	14 40
Studs and jacks,	30
Licensed retailers,	185
Marriage license,	114
Deeds in trust and mortgage deeds,	1
Deeds of real estate,	72 23

Special Taxes :

Williamston and Tarboro' R. R. Co.,	428 37
Western N. C. Railroad Company,	2,248 97
Wil., Char. and Rutherford R. R. Co.,	1,606 41
Northwestern N. C. Railroad Co.,	642 56
Western Railroad Company,	481 92
Marion and Asheville Turnpike Co.,	64 25

Gross amount, \$ 12,590 09

County Taxes :

All county purposes, \$ 9,762 07

1869.

No. 68.—STANLY COUNTY.

Statement E.

JOSEPH MARSHALL, Sheriff.

State Taxes :

Polls,	\$	842	10
Land,		1,523	45
Town lots,		30	66
Horses,		276	90
Mules,		86	27
Cattle,		125	62
Hogs,		58	40
Sheep,		25	01
Farming utensils,		17	96
Money on hand or on deposit,		65	69
Solvent credits,		123	32
Retail liquor dealers,		94	50
Merchants and other dealers,		54	26
Hotels and boarding houses,		70	
Licensed retailers,		71	94
Itinerant dentists,		10	
Marriage license,		52	25
Mortgage deeds,		14	02
Arrears for insolvents,		7	65

Special Taxes :

Williamston and Tarboro' Railroad Company,		227	53
Western North Carolina Railroad Co.,		1,194	56
Wil., Charlotte & Rutherford R. R. Company,		853	26
Northwestern Railroad Company,		341	30
Western Railroad Company,		255	58
Marion and Asheville Turnpike Co.,		34	13

Gross amount,	\$	6,505	93
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County Taxes :

All county purposes,	\$	11,101	81
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Statement E.

1869.

No. 69.—STOKES COUNTY.

W. H. GENTRY, Sheriff.

State Taxes :

Polls,	\$	1,229	55
Land,		2,041	41
Town lots,		55	39
Horses,		181	34
Mules,		116	85
Cattle,		147	02
Hogs,		81	57
Sheep,		27	31
Farming utensils,		16	05
Money on hand or on deposit,		93	75
Solvent credits,		193	01
Other personal property,		431	59
Retail dealers,		13	
Distilled fruit,		163	56
Tobacco manufacturers,		217	
Merchants and other dealers,		110	
Licensed retailers,		140	
Marriage license,		37	
Deeds in trust,		1	
Deeds admitted to registration,		3	25
Subjects unlisted,		10	26

Special Taxes :

Williamston & Tarboro' Railroad Com- pany,		348	38
Western North Carolina Railroad Co.,		1,828	96
Wil., Charlotte & Rutherford Railroad Company,		1,306	41
Northwestern N. C. Railroad Co.,		522	56
Western Railroad Company,		391	91
Marion and Asheville Turnpike Co.,		52	25

Gross amount, \$ 9,760 37

County Taxes :

All county purposes,	\$	4,458	73
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1869.

No. 70.—SURRY COUNTY.

Statement E.

WM. HAYMORE, Sheriff.

State Taxes.

Polls,	\$	1,055	20
Land,		2,761	08
Town lots,		128	25
Horses,		299	26
Mules,		121	69
Cattle,		227	17
Hogs,		80	55
Sheep,		30	01
Farming utensils,		29	84
Money on hand or on deposit,		156	20
Solvent credits,		492	63
Other personal property,		55	90
Retail dealers,		173	01
On liquors distilled from fruit,		123	33
Tobacco manufacturers,		13	40
Merchants and other dealers,		135	84
Studs and jacks,		15	
Marriage license,		169	10
Deeds in trust and mortgage deeds,		13	
Delinquents for 1868,		10	

Special Taxes :

Williamston & Tarboro' Railroad Co.,		434	31
Western North Carolina Railroad Co.,		2,280	12
Wil., Char. & Rutherford R. R. Co.,		1,628	68
Northwestern N. C. Railroad Co.,		651	46
Western Railroad Company,		488	60
Marion & Asheville Turnpike Co.,		65	14

Gross amount,	\$	11,674	37
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County Taxes :

All county purposes,	\$	5,113	
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Statement E,

1869.

No. 71.—TRANSYLVANIA C'TY.

ROBERT HAMLINTON, Sheriff.

State Taxes :

Polls,	\$	486	15
Land,		835	56
Town lots,		12	14
Horses,		93	83
Mules,		38	16
Cattle,		105	02
Hogs,		35	66
Sheep,		16	28
Farming utensils,		14	96
Money on hand or on deposit,		9	02
Solvent credits,		89	49
Other personal property,		74	23
Collateral decents, demises, &c.,		3	60
Retail liquor dealers,		2	10
On liquors distilled from fruit,		5	
Merchants and other dealers,		30	
Hotels and boarding houses,		2	95
Playing cards,		6	
Studs and jacks,		5	
Itinerant dentists,		20	
Marriage license,		39	
Mortgage deeds,		5	
Deeds admitted to registration,		36	57

Special Taxes :

Williamston & Tarboro' Railroad Co.,		125	44
Western North Carolina Railroad Co.,		658	59
Wil., Char. & Rutherford R. R. Co.,		470	42
Northwestern N. C. Railroad Co.,		188	16
Western Railroad Company,		141	12
Marion & Asheville Turnpike Co.,		18	81

Gross amount,	\$	3,135	94
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County Taxes :

All county purposes,	\$	3,135	94
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1869.

No. 72.—TYRRELL COUNTY.

Statement E.

R. J. HASWELL, Sheriff.

State Taxes :

Polls,	\$	740	25
Land,		858	78
Town lots,		44	05
Horses,		82	68
Mules, 43.51 ; Cattle, 5833,		101	84
Hogs, 31.42 ; Sheep, 4.78,		36	20
Money on hand or on deposit,		30	60
Solvent credits,		55	59
Other personal property,		209	28
Net incomes and profits,		17	25
Collateral descents, demises, &c.,		12	
Merchants and other dealers,		170	
Horse or mule drovers,		5	
Sellers of riding vehicles,		4	50
Retail liquor dealers,		105	
Marriage license,		29	
Deeds in trust and mortgage deeds,		14	
Deeds admitted to registration,		65	05

Special Taxes.

Williamston & Tarboro' Railroad Co.,		138	86
Western North Carolina Railroad Co.,		716	44
Wil., Char. & Rutherford R. R. Co.,		474	20
Northwestern N. C. Railroad Co.,		207	71
Western Railroad Company,		169	86
Marion & Asheville Turnpike Co.,		20	08

Gross amount,	\$	4,308	22
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County Taxes.

All county purposes,	\$	5,906	77
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Statement E.

1869.

No. 73.—UNION COUNTY.

J. J. HASTY, Sheriff.

State Taxes.

Polls,	\$ 1,109 85
Land,	3,222 56
Town lots,	192 31
Horses,	461 04
Mules,	240 56
Cattle,	295 93
Hogs,	101 12
Sheep,	43 86
Farming utensils,	86 35
Money on hand or on deposit,	210 64
Solvent credits,	543 46
Stock in incorporated companies,	27
Other personal property,	497 60
Concerts,	5
Circus,	40
Side shows,	10
Retail dealers,	160
Hotels and boarding houses,	140
Studs and jacks,	10
Marriage license,	88
Deeds in trust,	16
Deeds admitted to registration,	32 30

Special Taxes :

Williamston & Tarboro' R. R. Co.,	562 29
Western N. C. Railroad Company,	2,952 10
Wil., Char. & Rutherford R. R. Co.,	2,108 64
Northwestern N. C. R. R. Co.,	843 48
Western Railroad Co.,	632 60
Marion and Asheville Turnpike Co.,	84 34

Gross amount, \$ 14,690 30

County Taxes :

All county purposes, \$ 34,011 52

1869.

No. 74.—WAKE COUNTY.

Statement E.

T. F. LEE, Sheriff.

State Taxes :

Polls, 3,323.25 ; Land, 6,521.27,	\$	9,844	52
Town lots, 5,128.69 ; Horses, 685.70,		5,814	37
Mules, 540.95 ; Cattle, 489.62,		1,030	57
Hogs, 196.68 ; Sheep, 58.08,		686	36
Farming utensils,		613	23
Money on hand or on deposit,		707	12
Solvent credits,		2,513	
Stock in incorporated companies,		50	47
Other personal property,		2,298	22
Net incomes and profits,		1,967	47
Collateral descents, demises, &c.,		83	11
Travelling theatrical companies,		50	
Concerts and musical entertainments,		103	
Circus or menagerie 100; side shows 10,		110	
Billiard saloon, 100; Ten pin alley, 25,		125	
Retail liquor dealers,		403	65
Tobacco manufacturers,		74	76
Merchants and other dealers,		2,743	97
Hotels and boarding houses,		254	33
Gas companies,		156	44
Public ferries, toll gates and bridges,		10	
Studs and jacks,		20	
Horse or mule drovers,		17	32
Auctioneers,		52	
Keepers of horses or vehicles for hire,		55	
Licensed retailers, 700 ; Peddlers, 5,		705	
Ins. co. 575.80; marriage license, 533.70		1,109	50
Mortgage deeds, 184 ; Distress 184,		368	

Special Taxes :

Williamston & Tarboro Railroad Co.,		2,016	99
Western North Carolina Railroad Co.,		10,589	20
Wilmington, Char. & Ruth. R. R. Co.,		7,563	72
Northwestern N. C. Railroad Comp'y,		3,025	48
Western Railroad Company,		2,269	11
Marion & Asheville Turnpike Co.,		302	54

Gross amount, \$ 57,300 85

County Taxes :

All county purposes,	\$	29,440	44
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Statement E.

1869.

No. 75.—WARREN COUNTY.

N. R. JONES, Sheriff.

State Taxes :

Polls,	\$ 2,037
Land,	2,868 23
Town lots,	433 48
Horses,	366 10
Mules, 187.59 ; cattle, 229.32 ;	416 91
Sheep, 16.96 ; farming utensils, 214.68	231 68
Money on hand or on deposit,	164 45
Solvent credits,	725 98
Stock in incorporated companies,	11 20
Other personal property,	33 18
Net incomes and profits,	182 50
Billiard saloons,	37 50
Retail dealers,	507 38
Merchants and other dealers,	503 03
Hotels and boarding houses,	28 95
Ferries, 1.20 ; gates across highways, 5.00,	6 20
Studs and jacks,	25
Horse drovers,	11 50
Auctioneers,	20
Licensed retailers,	96 25
Peddlers,	70 30
Insurance companies,	7 80
Marriage license,	102
Deeds in trust,	25
Deeds admitted to registration,	95 25

Special Taxes :

Williamston & Tarboro' Railroad Co.,	630 36
Western North Carolina Railroad Co.,	3,309 39
Wil., Charlotte & Ruth. R. R. Co.,	2,333 85
Northwestern N. C. Railroad Co.,	945 53
Western Railroad Company,	739 17
Marion & Asheville Turnpike Co.,	94 46

Gross amount, \$ 18,279 92

County Taxes :

All county purposes,	\$ 10,988 55
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1869.

No. 76.—WASHINGTON COU'TY.

Statement E.

J. M. BATEMAN, Sheriff.

State Taxes :

Polls,	\$	916 65
Land,		1,140 72
Town lots,		280 84
Horses,		122 87
Mules,		47 18
Cattle,		60 78
Hogs,		34 12
Sheep,		6 18
Farming Utensils,		31 79
Money on hand or on deposit,		70 76
Solvent credits,		160 36
Other personal property,		251 45
Net incomes and profits,		37 60
Circus or menagerie,		20
Retail liquor dealers,		221 57
Merchants and other dealers,		296 73
Auctioneers,		12 28
Licensed retailers,		150
Seals of notaries public, &c.,		8 55
Marriage license,		122 55
Mortgage deeds,		18 05
Deeds admitted to registration,		37 76

Special Taxes :

Williamston & Tarboro' R. R. Co.,		212 60
Western N. C. Railroad Company,		1,116 13
Wil., Char. & Rutherford R. R. Co.,		797 25
Northwestern N. C. R. R. Company,		318 90
Western Railroad Company,		239 17
Marion and Asheville Turnpike Co.,		31 88

Gross amount, \$ 6,764 72

County Taxes :

All county purposes, \$ 3,881 87

1869.

Statement E.

No. 77.—WATAUGA COUNTY.

JOHN HORTON, Sheriff.

State Taxes.

Polls,	\$	659 90
Land,		1,172 76
Town lots,		16 46
Horses,		163 48
Mules,		20 17
Cattle,		173 90
Hogs,		28 80
Sheep,		25 74
Farming utensils,		6 88
Money on hand or on deposit,		19 86
Solvent credits,		90 34
Other personal property,		4 34
Collateral descents, demises, &c.,		26
Merchants and other dealers,		112
Studs and jacks,		40
Peddlers,		20
Marriage license,		7
Deeds admitted to registration,		7

Special Taxes.

Williamston and Tarboro' R. R. Co.,		164 16
Western North Carolina R. R. Co.,		861 84
Wil., Char. and Rutherford R. R. Co.,		615 61
Northwestern N. C. Railroad Co.,		246 24
Western Railroad Company,		184 68
Marion and Asheville Turnpike Co.,		24 62

Gross amount,	\$	4,702 36
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County Taxes:

All county purposes,	\$	6,680 27
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1869.

No. 78.—WAYNE COUNTY.

Statement E.

JOHN C. RHODES, Sheriff.

State Taxes :

Polls, 1,620.15 ; Land, 5,705.31 ;	\$ 7,325 46
Town lots, 1,097.53; Horses, 369.77 ;	1,467 30
Mules, 330.97 ; Cattle, 244.33 ;	575 30
Hogs, 144.47 ; Sheep, 18.00 ;	162 47
Farming utensils,	212 16
Money on hand or on deposit,	244 90
Solvent credits,	158 98
Other personal property,	687 27
Net incomes and profits,	138 60
Circus, 85.00 ; Concerts, 25 ;	110
Ten pin alley,	25
Retail liquor dealers,	158 62
Merchants and other dealers,	807 52
Hotels and boarding houses,	97 90
Studs and Jacks,	15
Horse drovers,	51 95
Commission merchants,	25
Licensed retailers,	575 53
Lightning rod men,	3 75
Seals of notaries public,	1 25
Marriage license,	279
Deeds in trust,	368 72
Deeds admitted to registration,	75
Delinquents for 1868,	47 70
Arrears for insolvents,	69 90

Special Taxes:

Williamston & Tarboro' Railroad Co.,	912 59
Western North Carolina Railroad Co.,	4,791 06
Wil., Char. & Rutherford R. R. Co.,	3,422 20
Northwestern N. C. R. R. Co.,	1,368 87
Western R. R. Co.,	1,026 66
Marion & Asheville Turnpike Co.,	136 88

Gross amount, \$ 25,268 29

County Taxes :

All county purposes, \$ 10,802 43

1869.

Statement E.

No. 79.—WILKES COUNTY.

J. W. HAYES, Sheriff.

State Taxes :

Polls,	\$	1,146	50
Land,		2,270	39
Town lots,		61	17
Horses,		279	09
Mules,		86	01
Cattle,		252	53
Hogs,		78	33
Sheep,		30	56
Farming utensils,		12	24
Money on hand or on deposit,		103	88
Solvent credits,		368	91
Distillers of liquors from grain,		6	65
On liquors distilled from fruit,		150	30
Tobacco manufacturers,		12	50
Merchants and other dealers,		210	
Hotels and boarding houses,		6	80
Studs and jacks,		25	
Licensed retailers,		99	88
Peddlers,		20	
Marriage license,		76	95
Mortgage deeds,		11	40
Deeds admitted to registration,		28	50

Special Taxes :

Williamston & Tarboro' Railroad Co.,		355	95
Western North Carolina Railroad Co.,		1,868	76
Wil., Char. & Rutherford R. R. Co.,		1,334	83
Northwestern N. C. Railroad Comp'y,		533	93
Western Railroad Company,		400	44
Marion & Asheville Turnpike Co.,		53	40

Gross amount, \$ 9,902 99

County Taxes :

All county purposes, \$ 6,783 70

1869.

No. 80.—WILSON COUNTY.

Statement E.

B. F. BRIGGS, Sheriff.

State Taxes :

Polls,	\$ 1,468	32
Land,	2,419	09
Town lots,	594	05
Horses,	260	47
Mules,	205	27
Cattle,	155	37
Hogs,	95	25
Sheep,	8	57
Farming utensils,	152	79
Money on hand or on deposit,	136	31
Solvent credits,	707	41
Other personal property,	749	65
Net incomes and profits,	90	
Circus or menagerie,	65	
Billiard saloons,	50	
Retail liquor dealers,	309	50
Merchants and other dealers,	290	50
Horse or mule drovers,	5	
Sellers of riding vehicles,	11	
Licensed retailers,	10	
Deeds in trust and mortgage deeds,	150	

Special Taxes :

Williamston & Tarboro' Railroad Co.,	524	82
Western North Carolina Railroad Co.,	2,755	37
Wil., Charlotte & Rutherford R. R. Company,	1,968	14
Northwestern North Carolina R. R. Company,	787	25
Western Railroad Company,	590	49
Marion & Asheville Turnpike Com- pany,	78	72

Gross amount, \$ 14,638 34

County Taxes :

All county purposes, \$ 25,169 82

Statement E.

1869.

No. 81.—YADKIN COUNTY.

GEORGE NICKS, Sheriff.

State Taxes :

Polls,	\$ 1,057 35
Land,	2,194 17
Town lots,	61 46
Horses,	258 69
Mules,	88 14
Cattle,	118 26
Hogs,	51 98
Sheep,	18 70
Farming utensils,	21 24
Money on hand or on deposit,	51 54
Solvent credits,	298 24
Other personal property,	222 69
Merchants and other dealers,	140
Studs and jacks,	12
Licensed retailers,	61 12
Marriage license,	97
Deeds in trust,	7
Deeds admitted to registration,	26
Delinquents for 1868,	22 66

Special Taxes :

Williamston & Tarboro' Rail Road Company,	325 26
Western North Carolina Rail Road Company,	1,707 65
Wilmington, Charlotte & Rutherford Rail Road Company,	1,219 75
Northwestern N. C. R. R. Company,	487 90
Western Rail Road Company,	355 92
Marion & Asheville Turnpike Co.,	48 79

Gross amount, \$ 8,990 38

County Taxes :

All county purposes. \$ 4,186 76

1869.

No. 82.—YANCEY COUNTY.

Statement E.

W. E. PEARCEY, Sheriff.

State Taxes.

Polls,	\$	616	35
Land,		735	23
Town lots,		23	25
Horses,		145	94
Mules,		39	27
Cattle,		130	20
Hogs,		33	65
Sheep,		20	83
Farming utensils,		19	61
Money on hand or on deposit,		21	20
Solvent credits,		61	88
Merchants and other dealers,		29	92
Studs and jacks,		10	
Marriage license,		26	60
Mortgage deeds,		4	75

Special Taxes:

Williamston & Tarboro' R. R. Co.,		113	09
Western North Carolina R. R. Co.,		593	74
Wil., Char. & Rutherford R. R. Co.,		424	10
Northwestern N. C. R. R. Co.,		169	64
Western Railroad company,		127	23
Marion and Asheville Turnpike Co.,		16	96

Gross amount, \$ 3,363 44

County Taxes:

All county purposes, \$ 2,023 97

STATEMENT F.

SHOWING THE AGGREGATE AMOUNT OF STATE TAXES DERIVED
FROM THE VARIOUS SUBJECTS OF TAXATION IN THE STATE,
AS TAKEN FROM SUCH LISTS AS ARE ON FILE.

Statement F.

1869.		\$
	Polls,	108,987 60
	Land,	221,367 01
	Town lots,	43,531 96
	Horses,	23,418 18
	Mules,	12,992 73
	Cattle,	14,465 89
	Hogs, 6,834.80; Sheep, 1,757.35,	8,592 15
	Farming utensils,	8,109 83
	Money on hand or on deposit,	11,931 37
	Solvent credits,	37,092 62
	Stock in incorporated companies,	1,859 12
	Other personal property,	32,067 19
	Net incomes and profits,	8,184 92
	Collateral descents, demises, &c.,	1,002 76
	Travelling theatrical companies,	115
	Concerts and musical entertainments,	190 50
	Lecturers for reward,	5
	Museums, wax-works or curiosities,	5
	Circus or menagerie,	1,735
	Side shows,	75
	Itinerant companies or persons who exhibit for amusement of the pub- lic,	5,252 50
	Billiard saloons,	566 60
	Ten pin alley, bowling saloon, &c.,	168 73
	Retail dealers in spirituous, vinous or malt liquors, selling in less quan- tities than three gallons,	8,758 63
	Wholesale dealers, &c.,	1,026 05
	Distillers of spirituous liquors from grain, potatoes, molasses and sugar cane,	1,613 55
	On liquors distilled from fruit,	1,322 27
	Tobacco manufacturers,	2,118 23
	Merchants and other dealers,	27,480 83

1869.

		Statement F.
Hotels, boarding houses, (except those for educational purposes) restaurants and eating houses,	\$ 1,182 48	
Gas companies,	346 08	
Public ferries, toll gates and toll bridges,	191 23	
Gates across highways,	108 28	
Money exchange, &c., broker private banker, or agent of a foreign broker or banker,	580 83	
Playing cards,	48 90	
Studs and jacks,	977 50	
Horse or mule drovers,	454 89	
Sellers of riding vehicles,	132 05	
Auctioneers,	122	
Commission merchants,	1,654 80	
Keepers of horses or vehicles for hire,	377 12	
Licensed retailers of spirituous liquors, wines or cordials,	12,037 06	
Itinerant dentists, medical practitioners, portrait or miniature painters, daguerrean artists,	342 10	
Peddlers,	1,040 59	
Itinerant lightning rod men,	33 75	
Itinerant sellers of spirituous liquors, &c., not product of their own farms,	9 37	
Sellers by sample,	87 50	
Banks, private bankers and Insurance Co., (incorporated by the State,)	215	
Insurance companies, (not incorporated by the State,)	3,709 89	
Seals of notaries public, &c.,	87 53	
Marriage license,	9,634 92	
Deeds in trust and mortgage deeds	1,802 88	
Deeds of real estate, and other admitted to registration,	3,993 46	
Distress,	184 10	
Subjects unlisted,	1,565 25	
Delinquents,	935 76	
Arrears for insolvents,	248 59	
Railroads not otherwise listed,	1,131 62	

Statement F.	1869.	<i>Special Taxes:</i>	
		Williamston & Tarboro' R. R. Co.,	\$ 40,601 75
		Western N. C. Railroad Company,	214,076 82
		Wil., Char. & Rutherford R. R. Co.,	153,193 72
		Northwestern N. C. R. R. Company,	60,891 36
		Western Railroad Company,	45,636 83
		Marion & Asheville Turnpike Co.,	6,218 79
		Gross amount,	\$ 1,142,691 02

STATEMENT G,

Statement G.

Showing the number of acres of land, valuation of land and the aggregate valuation of real estate, in every County in the State, from which returns were received prior to September 30, 1869.

COUNTIES.	NO. ACRES LAND.	VALUATION LAND.	VALUATION TOWN PROPERTY.	AGGREGATE VALUE REAL EST'VE
Alamance,	235,662	\$ 1,050,570	\$ 36,016	\$ 1,086,586
Alexander,	151,154	408,770	11,170	419,940
Alleghany,	119,356	273,405	1,518	374,923
Anson,	312,123	661,514	61,675	723,189
Ashe,	239,137	515,543	19,120	534,663
Beaufort,	392,078	753,017	182,350	935,367
Bertie,	351,251	947,444	60,455	1,007,899
Bladen,	508,922	775,655	17,863	793,518
Brunswick,	540,926	558,588	126,385	684,973
Buncombe,	346,274	1,036,350	244,788	1,281,138
Burke,	194,389	587,516	80,595	668,111
Cabarrus,	221,661	1,231,130	119,577	1,350,707
Caldwell,	219,035	650,308	27,160	677,468
Camden,	110,883	241,725	7,450	249,175
Carteret,	144,155	281,176	140,400	421,576
Caswell,	265,338	823,876	73,880	897,756
Catawba,	251,669	1,045,163	43,555	1,088,718
Chatham,	494,712	1,525,643	51,536	1,577,179
Cherokee,	1,205,993	495,865	25,831	521,696
Chowan,	80,948	267,691	120,290	387,981
Clay,	99,060	90,139	2,270	92,409
Cleaveland,	274,255	793,902	72,060	865,962
Columbus,	393,218	423,688	20,825	444,513
Craven,	469,640	626,128	754,786	1,380,914
Cumbl'd,	471,666	744,598	553,835	1,298,433
Currituck,	142,392	345,395	No report.	345,395
Davidson,	345,861	1,414,644	100,637	1,515,281
Davie,	162,535	638,027	49,400	687,427
Duplin,	453,562	618,111	48,993	667,104
Edgecombe,	322,295	2,338,831	238,125	2,576,956
Forsythe,	208,580	921,918	241,822	1,163,740

Statement. G	COUNTIES.	NO. ACRES LAND.	VALUATION LAND.	VALUATION TOWN PROPERTY.	AGGREGATE VALUE REAL EST'ITE
	Franklin,	300,132	\$ 1,187,072	\$ 190,970	\$ 1,378,042
	Gaston,	220,556	746,832	17,355	764,187
	Gates,	182,882	360,714	14,050	374,764
	Granville,	487,927	1,987,380	295,712	2,283,092
	Greene,	151,960	772,659	32,578	805,237
	Guilford,	407,214	2,000,157	387,689	2,387,846
	Halifax,	414,708	1,517,491	159,428	1,676,919
	Harnett,	335,921	451,926	5,149	457,075
	Haywood,	324,526	429,435	9,325	438,760
	Henderson,	188,570	698,906	53,250	752,156
	Hertford,	194,149	499,781	72,964	572,745
	Hyde,	149,915	342,704	6,328	349,027
	Iredell,	360,670	1,220,248	92,408	1,312,656
	Jackson,	315,644	377,541	10,475	388,016
	Johnston,	459,553	1,119,080	57,893	1,176,973
	Jones,	203,496	517,649	13,425	531,074
	Lenoir,	255,030	777,160	93,510	870,670
	Lincoln,	177,247	804,860	108,977	913,837
	Macon,	442,206	371,632	19,240	390,872
	Madison,	207,616	279,711	4,560	284,271
	Martin,	259,931	984,544	155,666	1,140,210
	McDowell,	200,120	471,416	15,765	487,181
	Mecklenb'g	311,006	1,493,170	824,345	2,317,515
	Mitchell,	194,307	217,071	1,492	218,563
	Montg'm'y,	278,300	455,114	6,937	462,051
	Moore,	500,758	618,289	12,525	638,814
	Nash,	310,075	760,937	11,685	772,622
	N Hanover	476,893	1,134,051	3,296,600	3,430,651
	North'pton,	316,358	1,412,418	31,850	1,444,268
	Onslow,	287,497	518,515	22,790	541,305
	Orange,	267,589	1,235,743	174,317	1,410,062
	Pasquot'nk,	124,870	650,992	208,480	859,470
	Perquim'ns,	145,950	667,011	57,475	724,486
	Person,	234,103	719,373	23,050	742,423
	Pitt,	366,302	1,160,189	54,116	1,214,305
	Polk,	130,592	317,451	8,300	325,751
	Randolph,	497,227	1,383,572	48,371	1,431,943
	Richmond,	480,915	872,366	45,222	917,588
	Robeson,	571,337	897,441	56,393	953,834
	Rock'ham,	337,547	1,520,267	65,108	1,585,375
	Rowan,	310,593	1,330,123	357,530	1,887,653
	Rutherford,	302,988	779,917	51,045	830,962

COUNTIES.	NO. ACRES LAND.	VALUATION LAND.	VALUATION	AGGREGATE	Statement G.
			TOWN PROPERTY.	VALUE REAL EST'ITE	
Sampson,	507,132	\$ 696,173	\$ 44,724	\$ 740,897	
Stanley,	238,341	440,032	8,760	448,792	
Stokes,	258,462	661,152	15,826	676,978	
Surry,	284,609	839,680	36,670	876,350	
Transylv'a	155,341	235,257	4,519	239,776	
Tyrrell,	114,157	245,367	12,588	257,955	
Union,	399,685	923,175	54,944	978,119	
Wake,	572,427	2,455,965	1,270,357	3,726,322	
Warren,	317,976	1,146,657	123,850	1,270,507	
Washingt'n,	177,039	333,513	59,855	393,368	
Watauga,	190,174	335,172	4,705	339,877	
Wayne,	339,125	1,489,983	304,213	1,794,196	
Wilkes,	383,574	681,331	18,210	699,541	
Wilson,	202,036	690,972	169,731	860,703	
Yadkin	209,874	629,764	18,668	648,432	
Yancey,	147,997	197,608	6,643	204,251	
	26,871,860	\$69,990,991	\$ 9,566,353	\$79,557,344	

Statement H.

STATEMENT H.

SHOWING THE NUMBER OF POLLS IN THE SEVERAL COUNTIES OF
THE STATE.

COUNTIES.	No. POLLS.	COUNTIES.	No. POLLS.
Alamance,	1,494	Greene,	1,045
Alexander,	658	Guilford,	2,725
Alleghany,	358	Halifax,	2,904
Anson,	962	Harnett,	1,040
Ashe,	923	Haywood,	812
Beaufort,	1,723	Henderson,	816
Bertie,	1,408	Hertford,	1,034
Bladen,	1,639	Hyde,	874
Brunswick,	1,121	Iredell,	1,669
Buncombe,	1,788	Jackson,	718
Burke,	905	Johnston,	2,074
Cabarrus,	1,644	Jones,	729
Caldwell,	764	Lenoir,	1,031
Camden,	609	Lincoln,	1,091
Carteret,	771	Macon,	786
Caswell,	2,161	Madison,	811
Catawba,	1,042	Martin,	1,294
Chatham,	1,950	McDowell,	746
Cherokee,	718	Mecklenburg,	2,256
Chowan,	754	Mitchell,	485
Clay,	336	Montgomery,	750
Cleveland,	1,072	Moore,	1,118
Columbus,	1,244	Nash,	1,335
Craven,	1,987	New Hanover,	2,510
Cumberland,	1,293	Northampton,	2,094
Currituck,	706	Onslow,	981
Davidson,	2,102	Orange,	1,868
Davie,	1,173	Pasquotank,	784
Duplin,	1,499	Perquimans,	667
Edgecombe,	2,863	Person,	1,287
Forsythe,	1,561	Pitt,	2,092
Franklin,	1,502	Polk,	313
Gaston,	1,040	Randolph,	2,109
Gates,	1,174	Richmond,	1,115
Granville,	883	Robeson,	2,190

COUNTIES.	No. POLLS.	COUNTIES.	No. POLLS. Statement H.
Rockingham,	1,265	Wake,	3,165
Rowan,	1,973	Warren,	2,197
Rutherford,	1,174	Washington,	873
Sampson,	1,919	Watauga,	637
Stanley,	802	Wayne,	1,539
Stokes,	1,117	Wilkes,	1,092
Surry,	1,014	Wilson,	1,189
Transylvania,	459	Yadkin,	1,007
Tyrrell,	705	Yancy,	587
Union;	657		

Statement I.

STATEMENT I,

SHOWING THE NUMBER AND VALUE OF HORSES, MULES, CATTLE, HOGS AND SHEEP, IN THE DIFFERENT COUNTIES OF THE STATE, AS TAKEN FROM RETURNS ON FILE IN THIS DEPARTMENT.

COUNTIES.	NO. OF HORSES.	VALUE OF HORSES.	NO. OF MULES.	VALUE OF MULES.	NO. OF CATTLE.	VALUE OF CATTLE.	NO. OF HOGS.	VALUE OF HOGS.	NO. OF SHEEP.	VALUE OF SHEEP.
Alamance,	2,106	\$ 125,227	518	\$ 36,725	50,606	\$ 45,995	12,466	\$ 20,900	5,921	\$ 5,876
Alexander,	901	57,727	368	31,615	3,731	31,171	7,856	10,049	4,124	4,177
Alleghany,	977	58,154	50	2,615	4,091	39,690	5,151	6,647	6,484	6,713
Anson,	1,069	73,383	925	73,946	6,838	57,003	11,238	21,677	4,221	4,111
Ashe,	1,778	101,771	151	6,609	8,385	84,344	10,367	13,362	13,435	14,257
Beaufort,	850	61,572	359	32,334	8,540	47,047	18,024	26,633	5,211	5,708
Bertie,	1,191	106,104	719	65,847	7,735	58,162	17,527	45,876	4,380	4,442
Bladen,	572	50,625	464	49,923	9,029	80,685	20,152	30,431	6,033	8,954
Brunswick,	353	28,238	175	13,573	8,233	70,535	15,260	36,909	3,790	5,971
Buncombe,	1,902	117,333	858	62,782	10,201	83,747	17,615	12,362	11,936	12,362
Burke,	844	43,044	692	45,129	4,810	32,570	10,026	4,178	4,178	4,178
Cabarrus,	2,075	121,240	1,064	73,413	6,543	45,499	14,924	32,408	5,203	4,702
Caldwell,	324	51,116	419	34,364	4,390	39,538	10,574	15,379	4,863	5,495
Camden,	684	34,375	222	13,340	2,955	16,840	6,348	12,659	1,351	1,355
Carters,	878	28,425	92	5,440	4,382	26,141	6,467	8,519	1,900	1,900
Caswell,	1,650	91,500	907	52,212	4,807	38,669	12,031	28,476	4,035	4,050
Catawba,	1,721	115,688	708	58,334	6,750	46,245	13,957	21,145	8,411	8,411
Chatham,	2,721	175,207	1,397	112,074	11,464	93,099	28,046	39,331	13,902	13,902
Cherokee,	819	42,942	232	17,405	6,221	57,701	9,297	18,881	7,254	8,411
Chowan,	528	29,040	272	15,838	2,033	10,289	6,892	13,360	4,438	4,438
Clay,	472	22,084	150	8,019	2,652	17,800	5,256	7,149	2,742	2,846
Cleveland,	1,675	99,929	997	73,612	7,466	59,342	14,678	24,682	8,557	8,226
Columbus,	458	33,479	276	26,449	8,278	61,221	20,233	22,574	6,688	6,621
Craven,	783	55,497	446	37,384	7,245	54,440	12,231	37,616	4,051	7,611
Cumberland,	914	63,478	671	53,705	8,008	47,787	18,051	21,676	5,710	5,322

Statement I.

Currituck,	50,459	129	8,020	5,190	29,179	9,659	14,759	3,086
Davidson,	160,816	1,127	52,838	8,286	61,632	23,235	32,971	11,950
Davie,	1,325	444	30,188	3,675	20,958	10,073	17,718	3,518
Duplin,	1,172	468	36,977	9,935	62,085	31,213	20,817	6,264
Edgecombe,	1,648	2,100	197,287	6,031	18,356	18,356	55,006	2,523
Forsythe,	1,888	508	31,806	5,527	49,366	12,409	28,510	7,436
Franklin,	1,525	621	44,541	6,482	70,545	14,260	32,655	6,471
Gaston,	1,210	928	78,436	6,523	37,421	12,050	27,692	6,178
Gates,	833	180	11,955	4,246	33,628	12,806	23,759	2,299
Granville,	3,044	879	91,932	10,634	91,932	23,004	47,890	12,835
Greene,	734	614	51,831	2,957	26,489	10,160	20,989	1,147
Guilford,	8,210	948	68,861	11,626	86,387	21,745	40,251	12,454
Hallfax,	1,568	1,472	110,217	7,703	66,930	18,063	35,836	2,684
Harnett,	713	336	29,084	6,075	46,609	13,268	16,597	3,733
Haywood,	1,248	303	29,001	6,458	75,117	11,521	20,922	11,747
Henderson,	1,783	286	22,852	5,788	57,495	9,539	21,419	6,975
Hertford,	874	321	25,359	3,712	21,636	10,833	16,833	2,827
Hyde,	897	121	8,498	4,914	26,558	6,924	11,085	2,143
Iredell,	2,413	1,016	94,145	8,691	62,609	17,321	31,925	3,000
Jackson,	1,043	146	11,312	5,081	47,888	9,426	15,839	5,703
Jones,	1,440	307	67,480	10,410	104,617	25,994	38,386	6,256
Jones,	95,863	412	23,810	3,207	20,737	7,469	11,827	2,375
Lenoir,	794	770	48,755	4,594	24,727	12,446	19,698	2,192
Lincoln,	1,177	672	23,644	4,824	33,027	11,704	14,682	4,785
Macon,	1,266	278	19,968	6,201	58,069	9,830	19,630	6,991
Madison,	833	321	16,730	5,403	46,374	10,938	14,682	8,061
Martin,	757	508	31,675	4,322	30,761	10,938	26,897	2,578
McDowell,	634	672	52,061	4,656	30,633	8,239	14,614	3,723
Mitchell,	2,266	1,885	111,571	8,911	70,872	17,998	41,711	5,660
Mecklenburg,	783	82	4,525	4,832	36,924	7,428	9,551	7,501
Montgomery,	1,084	314	23,755	5,430	40,337	9,996	18,487	7,010
Moore,	1,420	628	38,774	8,891	53,244	17,000	16,898	9,511
Nash,	1,724	559	40,080	5,982	59,077	14,852	28,098	3,834
New Hanover,	928	550	48,551	9,150	61,208	18,624	30,827	5,139
Northampton,	1,579	866	77,337	6,105	56,152	18,399	45,273	4,871
Onslow,	575	364	27,660	6,868	35,445	13,281	20,808	4,145

Statement I.

STATEMENT I—(CONTINUED.)

SHOWING THE NUMBER AND VALUE OF HORSES, MULES, CATTLE, HOGS AND SHEEP IN THE DIFFERENT COUNTIES OF THE STATE, AS TAKEN FROM RETURNS ON FILE IN THIS DEPARTMENT.

COUNTIES.	NO. OF HORSES.	VALUE OF HORSES.	NO. OF MULES.	VALUE OF MULES.	NO. OF CATTLE.	VALUE OF CATTLE.	NO. OF HOGS.	VALUE OF HOGS.	NO. OF SHEEP.	VALUE OF SHEEP.
Orange,	2,388	142,761	824	59,972	8,828	71,738	20,155	36,136	8,825	9,281
Parquotank,	819	46,013	281	21,530	3,283	23,067	7,072	11,746	985	934
Perquimans,	896	52,277	339	23,643	3,903	36,493	8,378	16,851	1,305	1,741
Person,	1,453	90,023	572	53,086	5,656	44,033	12,131	23,219	6,031	6,390
Pitt,	1,678	111,122	950	73,280	8,120	51,737	2,025	47,885	3,227	3,346
Polk,	354	30,980	201	13,416	2,938	20,411	4,549	9,084	1,724	2,174
Randolph,	3,042	213,236	625	48,778	11,309	72,305	21,404	24,433	2,910	16,243
Richmond,	895	66,605	751	65,330	6,628	52,817	11,701	19,925	2,644	2,644
Robeson,	1,389	103,445	913	77,789	10,528	72,134	30,823	34,704	9,625	9,562
Rockingham,	1,358	77,714	336	6,602	7,097	54,308	13,905	80,250	5,455	7,914
Rowan,	2,352	146,692	886	58,866	7,363	52,326	19,219	33,171	6,949	6,221
Rutherford,	1,341	75,674	767	53,535	6,484	53,534	12,299	24,910	6,130	6,133
Sampson,	1,376	103,925	619	53,185	9,797	60,444	25,221	26,775	7,462	5,687
Stanly,	1,424	96,116	320	24,650	5,210	35,893	35,893	7,343	7,343	7,148
Stokes,	1,060	51,842	395	33,385	5,159	42,002	12,315	23,306	5,204	7,804
Surry,	1,304	85,505	391	34,768	6,219	64,906	13,587	23,014	7,118	8,575
Tennessee,	453	26,810	141	10,905	3,191	30,008	7,235	10,190	4,10	4,651
Tyrell,	349	23,607	152	12,433	3,387	16,666	4,484	8,979	1,957	1,368
Union,	1,849	131,726	801	68,730	9,027	84,551	17,875	28,892	14,951	12,530
Wake,	2,611	195,916	1,687	154,558	12,063	139,892	29,267	56,197	8,714	16,569
Warren,	1,410	104,575	667	53,598	6,649	65,521	13,202	44,977	3,793	4,845
Washington,	526	35,105	184	13,480	3,202	17,365	5,806	9,749	1,802	1,766
Watauga,	811	46,710	74	5,765	5,189	49,685	7,267	8,231	6,436	7,356

Statement, I.

Wayne,	1,850 \$	105,649	681 \$	91,561	6,740 \$	69,808	10,703 \$	41,277	5,800 \$	5,133
Wilkes,	1,788	84,884	411	24,575	9,660	72,153	19,019	22,382	8,373	8,732
Wilson,	1,073	74,420	666	58,653	4,717	44,392	13,963	27,217	2,371	2,450
Yadkin,	1,483	73,914	391	25,185	4,860	33,789	10,394	14,852	5,222	5,343
Yancey,	798	41,699	185	11,221	4,953	39,200	6,642	9,616	5,769	5,951
	114,406 \$	7,195,007	51,614 \$	3,987,796	618,263 \$	4,488,138	1,194,351 \$	2,107,038	489,175 \$	539,612

Recapitulation

RECAPITULATION,

SHOWING THE AGGREGATE NUMBER AND VALUE OF HORSES,
MULES, CATTLE, HOGS AND SHEEP IN THE STATE.

	NUMBER.	VALUE.
Horses,.....	114,406	\$ 7,195,007
Mules,.....	51,614	3,987,796
Cattle,.....	618,263	4,488,138
Hogs,.....	1,194,351	2,167,038
Sheep,.....	499,175	539,612

STATEMENT J,

Statement J.

SHOWING THE AMOUNT OF CLAIMS AUDITED AND DUE ON
 SUNDRY ACCOUNTS REMAINING UNPAID BY THE PUBLIC
 TREASURER, TO THE 1ST OF OCTOBER, 1870.

On account of Presidential and Senatorial election,	\$	120	68
On account of Turnpike in Craven and Carteret counties,		2,490	
On account of Marion & Asheville Turnpike Company,		1,190	98
On account of North Carolina Agricultural Society,		1,500	
On account of keeping, maintaining and conveying convicts to Penitentiary,		5,684	28
On account of Contingencies,		5,793	17
On account of resolutions of General Assembly,		3,556	60
On account of Quarantine Regulations,		260	64
On account of wages of Common School Teachers,		4,033	30
	\$	24,629	65

APPENDIX

[Faint, mostly illegible text, likely bleed-through from the reverse side of the page. Some words like "APPENDIX" and "TABLE" are visible.]

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APPENDIX,

GIVING STATEMENTS OF SHERIFFS AND TAX COLLECTORS WHO
HAVE MADE SETTLEMENTS OF TAXES FOR 1870,
PRIOR TO SEPTEMBER 30TH.

APPENDIX

LIST OF THE NAMES OF THE STATES AND TERRITORIES WHICH
HAVE MADE APPLICATIONS FOR STATEHOOD SINCE
THE YEAR 1800

APPENDIX.

No. 1. ALEXANDER COUNTY.

H. W. MAYS, Sheriff.

Appendix to
Statement E.

State Taxes :

White polls,	639 10
Colored polls,	99
Land,	804 29
Town lots,	23 28
Horses,	100 57
Mules,	59 14
Jacks,	4 27
Jennetts,	1 03
Goats,	02
Cattle,	57 28
Hogs,	21 42
Sheep,	9 72
Farming utensils, &c.,	3 81
Money on hand or on deposit,	25 83
Solvent credits,	44 36
Other personal property,	30 55
Retail liquor dealers,	8 26
Merchants and other dealers,	9 39
Hotels and boarding houses,	2 50
Licensed retailers,	25
Marriage license,	26 12
Mortgage deeds,	95
Deeds admitted to registration,	2 38

Special Taxes :

For the erection of Penitentiary, &c.,	491 09
For the support of public schools,	491 09
Marion & Asheville Turnpike Co.,	29 46

Gross amount,	\$ 3,009 91
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County Taxes :

All county purposes,	\$ 6,186 83
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Appendix to
Statement E.

No. 2.—BURKE COUNTY.

B. C. PERKINS, Sheriff.

State Taxes :

White polls,	\$	784 60
Colored polls,		226 60
Land,		1,140 30
Town lots,		173 13
Horses,		80 21
Mules,		79 83
Jacks,		93
Jennetts,		35
Goats,		04
Cattle,		59 23
Hogs,		28 89
Sheep,		10 05
Farming utensils,		9 11
Money on hand or on deposit,		25 23
Solvent credits,		92 11
Stock in incorporated companies,		6 04
Other personal property,		21 19
Net income and profits,		52 51
Merchants and other dealers,		21 38
Retailers of liquors,	120	
Itinerant lightning rod men,	5	
Marriage license,	63	
Deeds in trust and mortgage deeds,	7	
Deeds admitted to registration,	5 50	

Special Taxes :

For the erection of penitentiary, &c.,	719 43
For the support of public schools,	719 43
Marion & Asheville Turnpike Co.,	43 16

Gross amount, \$ 4,497 25

County Taxes :

All county purposes, \$ 6,929 08

No. 3.—CALDWELL COUNTY.

Appendix to
Statement E.

R. R. McCall, Sheriff.

State Taxes :

White polls,	615 90
Colored polls,	126 50
Land,	1,284 16
Town lots,	61 19
Horses,	99 44
Mules,	65 10
Jacks,	1 20
Jennetts,	82
Cattle,	73 93
Hogs,	31 25
Sheep,	11 08
Farming utensils,	27 48
Money on hrnd or on deposit,	34 49
Solvent credits,	110 99
Stock in incorporated companies,	1 07
Other personal property,	72 35
Net incomes and profits,	12 75
Merchants and other dealers,	24 28
Marriage license,	80 60
Deeds in trust,	9
Deeds admitted to registration,	70

Special Taxes :

For the erection of penitentiary, &c.,	782 77
For the support of public schools,	782 77
Marion & Asheville Turnpike Co.,	46 96

Gross amount,	\$ 4,426 09
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County Taxes :

All county purposes,	\$ 6,360 67
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Appendix to
Statement E.

No. 4.—CABARRUS COUNTY.

A. F. HURLEY, Sheriff.

State Taxes :

White polls, 1,150.60 ; colored polls, 576.40,	\$ 1,727
Land, 2,471.61 ; town lots, 243.64,	2,715 25
Horses, 218.67 ; mules, 136.24,	354 91
Jacks, 25.04 ; jennetts, 00.23,	25 27
Goats, 00.10 ; cattle, 87.09,	87 19
Hogs, 56.92 ; sheep, 7.86,	64 78
Farming utensils, &c.,	72 15
Money on hand or on deposit,	168 80
Solvent credits,	584 65
Stock in incorporated companies,	1 40
Other personal property,	190 55
Net incomes and profits,	34 50
Railroad franchise,	50 30
Circus or menageries,	80
Ten pin alleys, &c.,	1
Retail liquor dealers,	58 40
Merchants and other dealers,	117 44
Hotels and boarding houses,	5 70
Itinerant dentist,	55
Peddlers,	1 66
Itinerant lightning rod men,	5
Itinerant liquor dealers,	50
Marriage licenses, &c.,	105 47
Delinquents for 1869,	113 83

Special Taxes :

For the erection of penitentiary, &c.,	1,766 95
For the support of public schools,	1,766 95
Marion and Asheville Turnpike Com- pany,	106 02
Gross amount,	\$ 10,250 72

County Taxes :

All county purposes,	\$ 7,702 51
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No. 5.—CASWELL COUNTY.

Appendix to
Statement E.

THOS. N. JORDAN, Tax Collector.

State Taxes :

White polls,	\$	883	30
Colored polls,		1,107	70
Land,		1,535	27
Town lots,		121	40
Horses,		174	36
Mules,		94	80
Jacks,			22
Jennetts,			26
Goats,			05
Cattle,		74	64
Hogs,		53	35
Sheep,			8 07
Farming utensils,			27 02
Money on hand or on deposit,		110	13
Solvent credits,		251	32
Other personal property,			82 55
Net incomes and profits,			22 50
Railroad franchise,			59 54
Retail dealers,		257	79
Merchants and other dealers,			67 13
Marriage license,			75 53
Deeds in trust and mortgage deeds.			18

Special Taxes :

For the erection of penitentiary, &c.,		1,080	41
For the support of public schools,		1,080	41
Marion and Asheville Turnpike Co.,			64 82

Gross amount, \$ 7,250 57

County Taxes :

All county purposes, \$ 5,561 70

1869.

No. 6.—CRAVEN COUNTY.

JOHN PATTERSON, Tax Collector.

State Taxes :

White polls,	\$ 1,289	20
Colored polls,	1,137	60
Land,	1,267	71
Town lots,	1,533	08
Horses,	134	77
Mules,	78	85
Jacks,		09
Jennetts,		17
Goats,		24
Cattle,	97	16
Hogs,	53	26
Sheep,	9	55
Farming utensils, &c.,	86	54
Money on hand or on deposit,	42	12
Solvent credits,	65	87
Stock in incorporated companies,	32	30
Other personal property,	529	59
Net incomes and profits,	205	64
Collateral descents, devises and bequests,	24	32

Special Taxes :

For the erection of Penitentiary, &c.,	1,638	04
For the support of public schools,	1,638	04
Marion & Asheville Turnpike Co.,	98	28

Gross amount,	\$ 10,162	42
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County Taxes :

All county purposes,	\$ 18,104	35
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No. 7.—CAMDEN COUNTY.

Appendix to
Statement E.

ABNER AYDLETT, Sheriff.

State Taxes :

White polls,	\$	496	10
Colored polls,		90	20
Land,		464	57
Town lots,		15	80
Horses,		53	14
Mules,		20	06
Cattle,		28	69
Hogs,		25	38
Sheep,		2	70
Farming utensils,		1	80
Money on hand or on deposit,		1	22
Solvent credits,		55	41
Other personal property,		8	01
Merchants and other dealers,		88	90
Auctioneers,			28
Licensed retailers,		177	78
Marriage license,		26	
Deeds in trust and mortgage deeds,		18	
Deeds admitted to registration,		24	

Special Taxes :

For the erection of penitentiary, &c.,		281	99
For the support of public schools,		281	99
Marion & Asheville Turnpike Co.,		16	92

Gross amount,	\$	2,181	54
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County Taxes :

All county purposes,	\$	3,976	10
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Appendix to
Statement E.

No. 8.—DAVIE COUNTY.

J. M. JOHNSON, Tax Collector

State Taxes :

White polls,	\$	876	70
Colored polls,		414	70
Land,		1,319	97
Town lots,		102	28
Horses,		161	82
Mules,		68	65
Jacks,		1	25
Goats,			08
Cattle,		55	50
Hogs,		47	24
Sheep,		7	86
Farming utensils, &c.,		93	31
Money on hand or on deposit,		36	13
Solvent credits,		110	24
Other personal property,		109	19
Collateral descents, devises and be- quests,		30	66
Retail liquor dealers,		3	40
Distillers from grain, &c.,		30	
Merchants and other dealers,		25	10
Hotels and boarding houses,		3	85
Public ferries, toll gates, &c.,		1	88
Marriage license,		76	47
Deeds in trust and mortgage deeds,		24	70
Deeds admitted to registration,		34	67

Special Taxes :

For the erection of a Penitentiary, &c.,		868	31
Marion and Asheville Turnpike Co.,		52	10
For the support of public schools,		868	37

Gross amount,	\$	5,423	49
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County Taxes :

All county purposes,	\$	4,500	
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No. 9.—DUPLIN COUNTY.

Appendix to
Statement E.

BLAND WALLACE, Sheriff.

State Taxes :

White polls,	\$ 1,122	
Colored polls,	683	10
Land, 1,236.41 ; Town lots, 133.12,	1,369	53
Horses, 159.85 ; Mules, 65.20,	225	05
Jacks,		47
Jennetts,		45
Goats,		34
Cattle,	125	41
Hogs,	59	78
Sheep,	12	16
Farming utensils,	50	30
Money on hand or on deposit,	24	70
Solvent credits,	112	19
Stock in incorporated companies,		10
Other personal property,	99	99
Net income and profits,	15	
Collateral descents,	20	16
Retail dealers,	184	59
Wholesale dealers,	1	50
Merchants and other dealers,	128	81
Hotels and boarding houses,	4	50
Commission merchants,	5	
Licensed retailers,	117	96
Itinerant dentists, &c.,	2	08
Seals of notaries public,		25
Marriage license,	115	
Deeds in trust and mortgage deeds,	16	
Deeds admitted to registration,	91	87
Delinquents for 1869,	18	74
Arrears for insolvents 1868 and '69,	84	15

Special Taxes :

For the erection of penitentiary, &c.,	865	90
For the support of public schools,	865	90
Marion & Asheville Turnpike Co.,	51	95

Gross amount, \$ 6,484 93

County Taxes :

All county purposes, \$ 8,025 08

Appendix to
Statement E.

No. 10.—GASTON COUNTY.

G. W. McKEE, Sheriff.

State Taxes :

White polls,	\$	877 80
Colored polls,		299 20
Land,		1,817 37
Town lots,		28 66
Horses,		152 60
Mules,		150 54
Jacks,		94
Jennetts,		94
Goats,		08
Cattle,		80 66
Hogs,		43 51
Sheep,		12 30
Farming Utensils,		78 97
Money on hand or on deposit,		151 61
Solvent credits,		229 58
Stock in incorporated companies,		56 45
Other personal property,		145 78
Net incomes and profits,		30
Retail dealers,		36 25
Merchants and other dealers,		11 96
Hotels and boarding houses,		2 75
Itinerant dentists,		3 33
Marriage license,		15 20
Deeds in trust and mortgage deeds,		48 45

Special Taxes :

For the erection of penitentiary, &c.,		1,241 34
For the support of public schools,		1,241 34
Marion & Asheville Turnpike Co.,		74 48

Gross amount, \$ 6,832 53

County Taxes :

All county purposes, \$ 5,914 45

No. 11.—GUILFORD COUNTY.

Appendix to
Statement E.

R. M. STAFFORD Sheriff.

State Taxes.

White polls,	\$ 2,025	46
Colored polls,	473	44
Land,	3,825	72
Town lots,	929	65
Horses,	319	06
Mules,	117	11
Jacks, 106 ; Jennets, 57c.; Goats 9c.,	1	72
Cattle, 159.60 ; Hogs, 68.75,	228	35
Sheep,	24	04
Farming utensils, &c.,	71	21
Money on hand or on deposit,	324	04
Solvent credits,	458	70
Stock in incorporated companies,	6	
Other personal property,	412	82
Net incomes and profits,	268	05
Collateral descents, devises, &c.,	14	
Railroad franchise,	215	71
Circus or menageries,	160	
Retail dealers,	242	10
Merchants and other dealers,	280	18
Hotels and boarding houses,	30	
Spirituuous, vinous or malt liquors,	114	68
Keepers of horses or vehicles for hire,	10	
Licensed retailers,	215	
Seals of notaries public, &c.,	130	28
Marriage licenses,	35	
Deeds admitted to registration,	71	83
Subjects unlisted,	57	46

Special Taxes :

For the erection of penitentiary, &c.,	2,777	05
For the support of public schools,	2,777	05
Marion & Asheville Turnpike Co.,	166	62

Gross amount, \$ 16,490 28

County Taxes :

All county purposes, \$ 12,902 13

Appendix to
Statement E.

No. 12.—GREEN COUNTY.

W. J. TAYLOR, Sheriff.

State Taxes :

White Polls,	\$	366	72
Colored polls,		351	43
Land,		1,557	97
Town lots,		66	50
Horses,		133	39
Mules,		120	18
Jacks,			04
Jennetts,			10
Goats,			23
Cattle,		66	11
Hogs,		44	47
Sheep,		3	06
Farming utensils,		70	20
Money on hand or on deposit,		48	56
Solvent credits,		154	68
Stock in incorporated companies,			10
Other personal property,		197	54
Net incomes and profits,		52	29
Billiard saloons,		10	
Retail liquor dealers,		140	20
Merchants and other dealers,		92	64
Hotels and boarding houses,		4	
Insurance companies,		43	27
Marriage license,		50	
Deeds in trust and mortgage deeds,		120	
Deeds admitted to registration,		100	

Special Taxes :

For the erection of penitentiary, &c.,		1,026	32
For the support of public schools,		1,026	32
Marion & Asheville Turnpike Co.,		61	57

Gross amount, \$ 5,907 89

County Taxes :

All county purposes,	\$	6,040	59
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No. 13.—HAYWOOD COUNTY.

Appendix to
Statement E.

J. L. SMATHERS, Tax Collector.

State Taxes.

White polls,	\$	953	70
Colored polls,		56	10
Land,		620	55
Town lots,		13	95
Horses,		133	56
Mules,		45	08
Jacks,		1	79
Jennetts,			57
Cattle,		109	95
Hogs,		31	92
Sheep,		13	31
Farming utensils, &c.,		11	67
Money on hand or on deposit,		13	83
Solvent credits,		67	76
Other personal property,		19	90
Retail liquor dealers,		4	50
Merchants and other dealers,		47	68
Public ferries, toll gates, bridges, &c.,		1	
Licensed liquor retailers,		22	87
Itinerant dentists, &c.,		2	50
Marriage license,		24	50
Deeds in trust and mortgage deeds,		1	
Deeds of real estate,		10	65

Special Taxes.

For the erection of penitentiary, &c.,		539	75
For the support of public schools,		539	75
Marion & Asheville Turnpike Co.		32	38

Gross amount, \$ 3,320 22

County Taxes:

All county purposes, \$ 3,744 76

Appendix to
Statement E.

No. 14.—IREDELL COUNTY.	
W. F. WASSON, Sheriff.	
<i>State Taxes:</i>	
White polls,	\$ 1,237 04
Colored polls,	406 77
Land,	2,428 73
Town lots,	184 81
Horses,	274 49
Mules,	152 71
Jacks,	1 87
Jennetts,	21
Goats,	19
Cattle,	121 47
Hogs,	59 96
Sheep,	19 20
Farming utensils,	26 89
Money on hand or on deposit,	94 37
Solvent credits,	303 39
Stock in incorporated companies,	1 19
Other personal property,	112 79
Net incomes and profits,	52 50
Circus or menagerie,	40
Merchants and other dealers,	49 87
Hotels and boarding houses,	5
Licensed retailers,	50
Marriage license,	62 70
Deeds in trust,	7 60
Deeds admitted to registration,	33 73
<i>Special Taxes:</i>	
For the support of penitentiary, &c.,	1,580 89
For the support of public schools,	1,580 89
Marion and Asheville Turnpike Co.,	94 85
Gross amount,	\$ 8,984 08
<i>County Taxes:</i>	
All county purposes,	\$ 10,020 18

No. 15.—MACON COUNTY.

Appendix to
Statement E.

J. M. ROANE, Sheriff.

State Taxes.

White polls,	\$	886,60
Colored polls,		52 80
Land,		777 86
Town lots,		40 08
Horses,		150 24
Mules,		39 42
Jacks,		2 68
Jennetts,		95
Goats,		05
Cattle,		114 92
Hogs,		16 22
Sheep,		33 42
Farming utensils,		19 96
Money on hand or on deposit,		26 38
Solvent credits,		74 06
Other personal property,		24 63
Collateral descents, &c.,		2
Distillers from grain,		3 52
Deeds admitted to registration,		4 95

Special Taxes :

For the erection of penitentiary, &c.,		528 74
For the support of public schools,		528 74
Marion and Asheville Turnpike Com- pany,		31 72

Gross amount,	\$	3,359 76
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County Taxes :

All county purposes,	\$	6,947 35
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Appendix to
Statement E.

No. 16.—MCDOWELL COUNTY.

J. H. DUNCAN, Sheriff.

State Taxes :

White polls,	\$	662	20
Colored polls,		137	50
Land,		894	49
Town lots,		26	33
Horses,		70	63
Mules,		76	66
Jacks,		1	50
Jennetts,			99
Goats,			03
Cattle,		59	80
Hogs,		28	64
Sheep,		6	90
Farming utensils, &c.,		2	36
Money on hand or on deposit,		14	97
Solvent credits,		32	34
Other personal property,		13	60
Deeds in trust and mortgage deeds,			3
Deeds admitted to registration,			350

Special Taxes.

For the erection of penitentiary, &c.,	508	87
For the support of public schools,	508	87
Marion & Asheville Turnpike Co.,	30	53

Gross amount,	\$	3,083	73
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County Taxes.

All county purposes,	\$	6,427	57
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No. 17.—MONTGOMERY COUNTY.

Appendix to
Statement E.

P. C. RILEY, Sheriff.

State Taxes :

White polls,	\$	631	45
Colored polls,		253	30
Land,		910	54
Town lots,		13	58
Horses,		108	08
Mules,		41	54
Jacks,			47
Jennetts,			08
Goats,			02
Cattle,		71	34
Hogs,		19	45
Sheep,		12	84
Farming utensils,			275
Money on hand or on deposit,		66	70
Solvent credits,		48	74
Other personal property,		19	01
Retail liquor dealers,			712
Merchants and other dealers,		10	10
Hotels and boarding houses,			4
Licensed retailers,		50	
Marriage license,		40	
Mortgage deeds,			2
Deeds admitted to registration,		13	60
Distress,			54

Special Taxes :

For the erection of penitentiary, &c.,		549	01
For the support of public schools,		549	01
Marion & Asheville Turnpike Co.,		32	94

Gross amount,	\$	3,458	22
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County Taxes :

All county purposes,	\$	9,262	49
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Appendix to
Statement E.

No. 18.—MECKLENBURG C'TY.

R. M. WHITE, Sheriff.

State Taxes :

White polls,	\$ 1,623 60
Colored polls, 933.90 ; Land, 3,272.81,	4,206 71
Town lots, 1,515.29 ; Horses, 269.26,	1,784 55
Mules, 227.07 ; Jacks, 1.81,	228 88
Jennetts, 0.30 ; Goats, 0.47,	77
Cattle,	145 18
Hogs, 76.81 ; Sheep, 10.15,	86 96
Farming utensils,	200 82
Money on hand or on deposit,	273 96
Solvent credits,	945 57
Stock in incorporated companies,	27 40
Other personal property,	1,224 99
Net incomes and profits,	745 18
Concerts,	25
Circus or menagerie,	80
Billiard saloons,	20
Retail dealers,	514 71
Merchants and other dealers,	766 58
Hotels and boarding houses,	92 50
Money exchange,	100
Auctioneers,	11 50
Spirituous, vinous or malt liquors,	42 50
Keepers of horses,	34
Pedlers,	5 75
Insurance companies out of State,	696 60
Seals of notaries public,	41 75
Marriage license,	4 28
Deeds in trust,	78 85
Deeds admitted to registration,	114 25
Delinquents for 1869,	38 36

Special Taxes :

For the erection of penitentiary, &c.,	3,285 37
For the support of public schools,	3,285 37
Marion & Asheville Turnpike Co.,	197 12

Gross amount, \$ 20,929 06

County Taxes :

All county purposes, \$ 22,206 89

No. 19.—ONslow COUNTY.

Appendix to
Statement E.

ELIJAH MURRILL, Sheriff.

State Taxes.

White polls,	\$	680	60
Colored polls,		301	40
Land,		1,018	33
Town lots,		40	97
Horses,		76	36
Mules,		53	78
Jacks,			22
Jennetts,			02
Cattle,		72	39
Hogs,		40	24
Sheep,			901
Farming utensils, &c.,		39	67
Money on hand or on deposit,		27	36
Solvent credits,		94	93
Other personal property,		59	17
Merchants and other dealers,		266	94
Licensed retailers,			25
Marriage licenses,		39	50
Deeds in trust and mortgage deeds,			35

Special Taxes :

For the erection of penitentiary, &c.		638	52
For the support of public schools,		638	52
Marion & Asheville Turnpike Co.,			38 31

Gross amount,	\$	4,196	54
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County Taxes :

All county purposes,	\$	8,210	53
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Appendix to
Statement E.

No. 20.—STANLEY COUNTY.

JOSEPH MARSHALL, Sheriff.

State Taxes :

White polls,	\$	647	32
Colored polls,		90	18
Land,		824	87
Town lots,		20	93
Horses,		148	81
Mules,		42	36
Jacks,			52
Jennetts,			15
Cattle,		64	32
Hogs,		24	21
Sheep,		14	23
Farming utensils, &c.,		21	42
Money on hand or on deposit,		23	96
Solvent credits,		45	45
Other personal property,		17	36
Merchants and other dealers,		103	56
Licensed liquor retailers,		107	97
Marriage licenses,		26	60
Deeds in trust and mortgage deeds,		6	65
Deeds of real estate,		11	64

Special Taxes :

For the erection of penitentiary, &c.,	520	27
For the support of public schools,	520	27
Marion & Asheville Turnpike Co.,	31	21

Gross amount,	\$	3,314	26
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County Taxes :

All county purposes,	\$	5,386	83
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No. 21.—SAMPSON COUNTY.

Appendix to
Statement E.

A. S. C. POWELL, Sheriff.

State Taxes:

White polls,	\$ 1,357 40
Colored polls,	776 60
Land,	1,219 18
Town lots,	78 18
Horses,	191 80
Mules,	92 93
Jacks,	95
Jennetts,	48
Goats,	94
Cattle,	126 36
Hogs,	46 83
Sheep,	8 83
Farming utensils, &c.,	73 93
Money on hand or on deposit,	45 35
Solvent credits,	135 31
Stock in incorporated companies,	3
Other personal property,	40 50
Merchants and other dealers,	79 04
Licensed retailers,	143 75
Marriage licenses,	64 13
Deeds in trust and mortgage deeds,	8
Deeds admitted to registration,	37 75

Special Taxes:

For the erection of penitentiary, &c.,	915 57
For the support of public schools,	915 57
Marion & Asheville Turnpike Co.,	54 93

Gross amount,	\$ 6,417 31
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County Taxes:

All county purposes,	\$ 8,442 12
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Appendix to
Statement E.

No. 22.—TRANSYLVANIA C'TY.

J. H. LANNING, Sheriff.

State Taxes :

White polls,	\$	364	10
Colored polls,		49	50
Land,		453	85
Town lots,		10	27
Horses,		50	33
Mules,		19	51
Jacks,			48
Jennetts,			35
Goats,			5
Cattle,		50	01
Hogs,		15	66
Sheep,		7	39
Farming utensils,		9	44
Money on hand or on deposit,		8	26
Solvent credits,		24	43
Other personal property,		12	22
Merchants and other dealers,		30	
Hotels and boarding houses,		3	60
Licensed retailers,		50	
Marriage license,		15	35
Deeds in trust,		1	90
Deeds admitted to registration,		8	22

Special Taxes :

For the erection of penitentiary, &c.		277	19
For the support of public schools,		277	19
Marion & Asheville Turnpike Com- pany,		16	63

Gross amount, \$ 1,755 93

County Taxes :

All county purposes, \$ 5,852 41

No. 23.—UNION COUNTY.

Appendix to
Statement E.

J. J. HASTY, Sheriff.

State Taxes :

White polls,	\$ 1,036	60
Colored polls,	162	80
Land,	1,588	80
Town lots,	98	41
Horses,	204	36
Mules,	141	16
Jacks,		50
Goats,		05
Cattle,	157	96
Hogs,	39	69
Sheep,	20	39
Farming utensils,	22	15
Money on hand or on deposit,	80	67
Solvent credits,	212	59
Other personal property,	193	86
Circus,	40	
Merchants and other dealers,	25	
Distillers of liquors,	11	03
Marriage license,	60	80
Deeds in trust,	36	82

Special Taxes :

For the erection of penitentiary, &c.,	1,227	42
For the support of public schools,	1,227	42
Marion & Asheville Turnpike Co.,	73	64

Gross amount, \$ 6,662 12

County Taxes :

All county purposes, \$ 10,436 45

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TO THE

PUBLIC ACTS AND RESOLUTIONS,

OF THE

GENERAL ASSEMBLY OF NORTH CAROLINA,

PASSED AT ITS

SESSION OF 1870-'71.

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