

*Stephen Babcock*

L A W S

O F

NORTH-CAROLINA.

At a GENERAL ASSEMBLY, begun and held at the City of RALEIGH, on the thirtieth Day of DECEMBER, in the Year of our Lord One thousand seven hundred and ninety-four, and in the Nineteenth Year of the Independence of the said State: Being the First Session of the said Assembly.

1794.  
RICHARD D. SPaight, Esq. Governor.

CHAP. I.

An Act to raise a revenue for the payment of the civil list and contingent charges of government for the year one thousand seven hundred and ninety-five.

I. BE it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That for the year one thousand seven hundred and ninety-five, a tax of eight pence on every hundred acres of land in this State, and a tax of two shillings on every hundred pounds value of town lots with their improvements, and a tax of two shillings on every poll, shall be levied, collected and accounted for, in the manner directed by the several acts of Assembly for those cases made and provided.

II. And be it further enacted, That a tax on all stud-horses within this State, of the fourth part of the sum which the owner of such stud-horse shall ask and receive for the season of one mare to such stud-horse, shall be levied, collected and accounted for in the same manner that such taxes have been heretofore levied, collected and accounted for.

III. And be it further enacted, That no sinking-fund tax be collected for the year one thousand seven hundred and ninety-five.

CHAP. II.

An Act to prevent the further importation and bringing of slaves and indentured servants of colour into this State.

I. BE it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That from and after the first day of May next, no slave or indentured servant of colour shall be imported or brought into this State by land or water; nor shall any slave or indentured servant of colour, who may be imported or brought contrary to the intent and meaning of this act, be bought, sold or hired by any person whatever.

II. Be it further enacted by the authority aforesaid, That every person importing or bringing slaves or indentured servants of colour into this State after the said first day of May next, by land or water, contrary to the provisions of this act, shall forfeit and pay the sum of one hundred pounds for each and every slave or indentured servant of colour so imported or brought. And every person who shall knowingly sell, buy or hire such slave or indentured servant of colour, shall in like manner forfeit and pay the sum of one hundred pounds for each and every slave or servant of colour so sold, bought or hired. One moiety of which forfeiture shall be to the use of the State, and the other moiety to him or them who shall sue for the same; to be recovered in the name of the Governor for the time being, by action of debt, in any of the Superior Courts of law in this State.

III. Be it further enacted by the authority aforesaid, That it shall be the duty of all Justices, &c. Justices of the Peace, Sheriffs, Coroners, Constables and other judicial and ministerial officers of this State, to use all reasonable and lawful means to carry this act into effect, which if they or any of them neglect to do, it shall be deemed a misdemeanor in office. And any officer who shall fail, neglect or refuse, upon application, to perform the duties aforesaid, shall be held and deemed liable to the forfeitures inflicted on those who import.

794  
 er built or cause to be built any dam or dams, on or across the said rivers, from the mouth of Little River as far as Randolph line, and from the mouth of Urears as far up the same as the Old Trading Road leading from Salisbury to Fayetteville; or who may in any manner obstruct a free passage up said rivers, shall from the twentieth day of February until the tenth day of April, each and every year, open or cause to be opened, a passage of twelve feet wide to the middle side of every dam, in the middle thereof; and cause the same to be kept so opened, for the time aforesaid, under the penalty of forfeiting the sum of one hundred pounds, to be recovered by him or them that will sue for the same, the one half to the use of the county, and the other to him or them who may sue for the same.

## C H A P. LVIII.

*An Act for the better regulation of the town of Germantown in Stokes county, and to enlarge the same.*

**B**e it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same. That the inhabitants of the town of Germantown in Stokes county, be empowered to assemble themselves on Easter Monday next, in order to elect three Town Commissioners, persons who must be possessed of a freehold in said town; and when elected they are hereby empowered to make all such rules and regulations for the good government of the inhabitants thereof, as they shall deem necessary. Which rules and regulations when made, shall be binding, to all intents and purposes, on the inhabitants thereof, as if they were specified in this act. *Provided nevertheless,* That no such rules and regulations shall be repugnant either to the constitution or laws of this State.

And whereas the population of the said town, renders the extension thereof necessary:  
 II. *Be it further enacted by the authority aforesaid,* That the said town of Germantown shall be extended in the following manner: First, to include all those lots either laid off or improved, from the ford on Buffalo creek to the forks of the road leading to Bethany and Bethabara on the main street; also all those from the bridge on Buffalo and ford on the town fork, to those lots heretofore established, be henceforth added to the town of Germantown, and shall be in all respects whatever considered as part thereof.

And whereas the preservation of streets from filthy incumbrances, is necessary in all towns:  
 III. *Be it further enacted,* That the Commissioners so elected as before described, shall have full power and authority to lay a tax on the said town, either by poll or by the property thereof, or both if necessary, as will be thought sufficient to keep clean the streets thereof, and defray the charges of such other regulations as they may deem necessary: Which tax when laid shall be binding on all those who live, or have property therein, and shall and may by the said Commissioners, be collected in such a manner as they may devise. And all those who neglect or refuse to pay the same, the said Commissioners or their proper Collector may distrain for the same, in manner as Collectors of the public revenue of this State, any thing to the contrary notwithstanding.

## C H A P. LVIII.

*An Act to amend an act, entitled "An act for establishing a town at the narrows of Pasquotank river, in the county of Pasquotank," passed at Fayetteville, in the year of our Lord one thousand seven hundred and ninety-three.*

**W**HEREAS it is signified to this General Assembly, that it is the wish of the former proprietor, and the Commissioners of the said town, that the name thereof should be altered from Reading to Elizabeth:

I. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That from and after the passing of this act, the said town established at the Narrows of Pasquotank river under the authority of the before mentioned act, shall be known and distinguished by the name of Elizabeth town, subject nevertheless to all the regulations and restrictions, and entitled to all the privileges expressed in the said act above recited; any thing in the same to the contrary notwithstanding.

## C H A P. LIX.

*An Act for the regulation of the City of Raleigh.*

**B**e it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same. That John Haywood, Dugal M. Keethan, John Marshall, John Rogers, John Palm, James Mares and John Craven, be and they are hereby appointed Commissioners of the city of Raleigh, and they and their successors in office chosen and qualified agreeable to the direction of this act, shall be and they are hereby incorporated into a body corporate and politic by the name of the Commissioners of the city of Raleigh; and by that name to have succession by the election of the freemen as by this act is directed, and a common seal; and they and their successors by the name aforesaid, shall be able and capable in law to have, purchase, receive, possess and retain to them and their successors forever in trust for said city, any lands, rents and tenements of what kind, nature or quality soever: And also grant, sell, devise, alien and dispose of the same, and to receive and take any gift or donation whatever to the said city; and also by the same name to sue and be sued, plead and be impleaded, answer and be answered in all courts of record whatever; and from time to time, at all times hereafter, to make such rules, orders and regulations and ordinances, as to them shall seem meet for repairing the streets, appointing a Constable or Constables, city Watches or Patroles, and making proper allowances by fee or otherwise for such services; and for all such other necessary ordinances, rules and orders which may tend to the advantage, improvement and good government of the said city: And the said rules, ordinances and regulations from time to time to alter, change, amend and discontinue as to the said Commissioners or a majority of them shall appear necessary: and shall also have full and ample power to enforce a compliance and observance to such regulations by laying fines and penalties on those who shall refuse or neglect to conform to such rules and regulations not exceeding five pounds: And in case of fines, the punishment of thirty-nine lashes, the said penalty to be recovered, and the punishment to be inflicted in manner hereafter mentioned: That in case of the death, removal or refusal to qualify of any of the Commissioners appointed by this act, a Commissioner shall be elected by the freemen of said city, in the room of the person so dead, removed or refusing to qualify; for which purpose it shall be the duty of the Intendant of Police, and in his absence of the remaining Commissioners, to notify the Sheriff of the county of Wake of such death or removal, who upon receiving such notice shall as soon as possible, after giving ten days previous notice by public advertisement, attend by himself or deputy at the court-house or some convenient place in the city of Raleigh, and at ten o'clock of the day so appointed by advertisement, open the poll and receive the tickets in the presence of two inspectors; and when the election shall be finished, such officer and inspectors shall examine and number the ballots, and the person having the greatest number of ballots shall be declared duly elected to the office of Commissioner: And the said Sheriff of the county of Wake shall perform the duties aforesaid, under the penalty of fifty pounds for every neglect or refusal, to be recovered by action of debt before any jurisdiction having cognizance thereof, by any person who shall sue for the same. In one year after such neglect or refusal, one half to the prosecutor, the other to be paid to the Treasurer of the city for the use of the city. And the Commissioners so chosen, and those appointed by this

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the twentieth day of February until the tenth day of April in each and every year, open or cause to be opened, a passage of twelve feet wide to the middle side of every dam, in the middle thereof; and cause the same to be kept so opened, for the time aforesaid, under the penalty of forfeiting the sum of one hundred pounds, to be recovered by him or them that will sue for the same, the one half to the use of the county, and the other to him or them who may sue for the same.

C H A P. LVII.

*An Act for the better regulation of the town of Germanton in Stokes county, and to enlarge the same.*

I. **B**E it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the inhabitants of the town of Germanton in Stokes county, be empowered to assemble themselves on Easter Monday next, in order to elect three Town Commissioners, persons who must be possessed of a freehold in said town; and when elected they are hereby empowered to make all such rules and regulations for the good government of the inhabitants thereof as they shall deem necessary. Which rules and regulations when made, shall be binding, to all intents and purposes, on the inhabitants thereof, as if they were specified in this act. *Provided nevertheless,* That no such rules and regulations shall be repugnant either to the constitution or laws of this State.

And whereas the population of the said town, renders the extension thereof necessary:

II. *Be it further enacted by the authority aforesaid,* That the said town of Germanton shall be extended in the following manner: First, to include all those lots either laid off or improved, from the ford on Buffaloe creek to the forks of the road leading to Bethany and Becharara on the main street; also all those from the bridge on Buffaloe and ford on the town fork, to those lots heretofore established, be henceforth added to the town of Germanton, and shall be in all respects whatever considered as part thereof.

And whereas the preservation of streets from filthy incumbrances, is necessary in all towns:

III. *Be it further enacted,* That the Commissioners so elected as before described, shall have full power and authority to lay a tax on the said town, either by poll or by the property thereof, or both if necessary, as will be thought sufficient to keep clean the streets thereof, and defray the charges of such other regulations as they may deem necessary: Which tax when laid shall be binding on all those who live, or have property as they may deem necessary: Which tax when laid shall be binding on all those who live, or have property as they may deem necessary: Which tax when laid shall be binding on all those who live, or have property as they may deem necessary: And therein, and shall and may by the said Commissioners, be collected in such a manner as they may devise. And all those who neglect or refuse to pay the same, the said Commissioners or their proper Collector may distrain for the same, in manner as Collectors of the public revenue of this State, any thing to the contrary notwithstanding.

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