

ACTS

PASSED BY THE

CENTRAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA,

AT THE

SESSION OF 1828-29.

RALEIGH:

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1829.

That all suits on bonds of Clerks and Masters in Equity, if the right of action has already accrued, shall be commenced and prosecuted within three years after the passage of this act, and not afterwards; and all suits, when the right of action shall accrue hereafter, shall be commenced and prosecuted within six years after the right of action shall have accrued, and not afterwards; saving nevertheless, the right of infants, feme coverts, and persons non compos mentis, so that they sue within three years after their disabilities are removed.

Time within which suits shall be commenced where the right of action has accrued, and where it shall hereafter accrue.

CHAPTER XLIV.

An act in addition to the acts respecting Divorce and Alimony.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the Superior Courts of Law shall have jurisdiction of all applications for alimony, as well as of those for divorce or for divorce and alimony.

Sup. Courts to have jurisdiction of all applications for alimony.

II. *And be it further enacted,* That whenever a case shall be established, which may entitle a woman to claim a divorce from bed and board, or an allowance of alimony, it shall be lawful for the Court to decree alimony only, if no more be demanded, to continue so long as the justice of the case may require.

Court to decree alimony only in certain cases.

III. *And be it further enacted,* That whenever a man shall become an habitual drunkard or spendthrift, wasting his substance to the impoverishment of his family, in every such case it shall be lawful for his wife to claim, and for the court to decree alimony as aforesaid: *Provided,* that nothing herein contained shall exempt any property, which he may then possess, from the payment of all just claims against him up to the period when alimony shall be granted.

Cases in which wife may claim alimony.

Proviso.

IV. *And be it further enacted,* That the effect of every such decree shall be to secure to the wife any property which she may subsequently acquire, either by her own labour, gift, devise or operation of law, unless the court, in its judgment, shall otherwise order and decree.

Property secured to wife.

V. *And be it further enacted,* That the mode of proceeding under this act shall be the same as is directed to be observed in applications for divorce.

Mode of proceeding.

CHAPTER XLV.

An act to repeal in part the third section of an act, passed in the year one thousand eight hundred and six, entitled an act to revise the militia laws of this State relative to the Infantry; and to repeal the ninth and tenth of an act, passed in the year one thousand eight hundred and thirteen, entitled an act to amend the militia laws of this State.

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 so much of the third section of an act to revise the militia laws of this State relative to Infantry as inflicts the penalty of two shillings and six pence upon every person subject to militia duty for failing to have a pouch and powder horn on the days of musters, be, and the same is hereby repealed.

Repeals third section.

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