

ACTS

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA;

AT THE

SESSION OF 1833-34.



RALEIGH:

PRINTED BY LAWRENCE & LEMAY,

Printers to the State.

1834.

CHAPTER XCIX.

An act concerning the building of a Court House in Carteret county.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That so much of the fourth section of an act, passed in the year one thousand eight hundred and sixteen, entitled "an act to confirm an accurate survey of the town of Beaufort, in the county of Carteret, and for other purposes," as requires the erection of the court house on lots number one hundred and twenty seven or one hundred and thirty five, be, and the same is hereby repealed; and the commissioners of public buildings of said county be, and they are hereby authorised to build a court house on any part of the public square in said town which they may deem most convenient; any other law to the contrary notwithstanding.

CHAPTER C.

An act to restore J. Madison Baird, of Buncombe county, to the rights of a free citizen.

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 J. Madison Baird, of the county of Buncombe, be, and he is hereby restored to all the rights, privileges and immunities of any free citizen of this State, in as full and ample a manner as if he never had been convicted of a violation of the act of Assembly, of one thousand eight hundred and two, against duelling.

CHAPTER CI.

An act to restore Daniel Murray, of Chatham county, to the rights of a free man.

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 Daniel Murray, of the county of Chatham, shall hereafter be entitled to all the rights and privileges of any free man in this State, in as full and ample a manner as if he had never been convicted of the crime of petit larceny.

CHAPTER CII.

An act to restore to credit Isaac Weston, of Duplin county.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That Isaac Weston, of the county of Duplin, shall hereafter be entitled to all the rights and privileges of any free citizen within this State, in as full and ample a manner as if he never had been convicted of the crime of petit larceny.

CHAPTER CIII.

An act to restore to credit John Andrews, of Iredell county.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That John Andrews, of the county of Iredell, shall hereafter be entitled to all the rights and privileges of a free citizen of this State, in as full and ample a manner as if he never had been convicted of a conspiracy.

CHAPTER CIV.

An act to divorce Ann Eliza Viverett.

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 Ann Eliza Viverett, who was Ann Eliza Armstrong, of the county of Edcombe, be,

and she is hereby declared to be divorced fully and absolutely from her husband, Micajah Viverett; and that she be restored to all the privileges and immunities of a feme sole, and enjoy the same, as amply and entirely as if she had never been connected by the bonds of matrimony with her said husband, Micajah Viverett.

II. *Be it further enacted*, That this act shall take effect from and after the ratification thereof.

CHAPTER CV.

An act to secure to Kesiah Singleton, of Burke county, such property as she may hereafter acquire.

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 Kesiah Singleton, (wife of Christopher Singleton) of Burke county, be, and she is hereby entitled to hold, possess and enjoy, in her sole right, any estate, either real or personal, which she may hereafter acquire by purchase, gift or otherwise, in as full and ample a manner as if she had never been married to her said husband; and she is hereby authorised to prosecute or defend any suit, in her own name, in any court within this State, in the same manner as if she never had been married to the said Christopher Singleton; any law to the contrary notwithstanding.

CHAPTER CVI.

An act for the relief of Sarah Ann Keeth, wife of William Keeth.

Whereas it doth appear to the General Assembly of North Carolina that William Keeth, since the year one thousand eight hundred and twenty eight, hath abandoned Sarah Ann Keeth, his wife, and his children, and has gone into a foreign State; and whereas it doth also appear that the said Sarah Ann Keeth, the wife of the said William, is seized of an estate in remainder in fee of her own right in certain lands in Bertie county, to commence in possession after the determination of an estate in the same lands in her husband for his own life, as tenant by courtesy, which life estate has been sold by execution and is now held by a purchaser under the creditors of said William Keeth; and whereas it doth also appear that the said Sarah Ann Keeth is in very needy circumstances, and that she hath no means of supporting herself and her children, except by the sale of said remainder in fee in said lands; and that she cannot sell the same unless her said husband join in a deed to the purchaser, according to the laws of this State now in force, or unless she can be vested with the power to make a deed as a feme sole, by a private act, for the purpose of conferring on her such privilege; and whereas it doth appear that it is just and proper that the said Sarah Ann Keeth should have relief in the premises. Therefore,

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That Sarah Ann Keeth, wife of William Keeth, notwithstanding her coverture, shall have full power and authority to sell and convey any lands she has now in her seizen in fee, to any person or persons, his or their heirs, in the same manner as if she were a feme sole; and that she may seal and deliver any deed now in use in this State for the conveyance and assurance of real estate, whereby said land of which she is now seized shall be conveyed to any person or persons for such estate or estates as may thereby be granted to them; and said deed or deeds may be acknowledged or proved as all other deeds of persons not under coverture; and upon such acknowledgment or pro-

bate, without any private examination of the said Sarah Ann Keeth, shall be admitted to registration, and said deeds so sealed and delivered by her, and so proved or acknowledged and registered, shall be good and effectual in law to divest said Sarah Ann of any estate she may have in the lands, and pass the same to her grantee or purchaser, as if she were at the times of the delivery and probate a feme sole.

II. *Be it further enacted*, That the said Sarah Ann Keeth shall have, hold and enjoy the money arising from the sale of her said lands, to her separate use, as if she were a feme sole, free from the claim of her said husband and of any creditor of his, or any person claiming by or under him; and, further, that she shall hereafter hold and possess all property, real and personal, which she may acquire by purchase, gift, devise, succession and inheritance or otherwise, to her sole and separate use, as if she were a feme sole, free and clear from the claim and right of her said husband and of any creditor of his, or other person claiming by or under him.

III. *Be it further enacted*, That the said Sarah Ann Keeth may hereafter trade and contract as a feme sole, and may sue and be sued in all actions and suits in law or in equity, as a feme sole, without joining with or being joined with her said husband.

CHAPTER CVII.

An act to divorce Mary Read from her husband, Elias Read.

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 passage of this act, the bonds of matrimony between Mary Read and her husband, Elias Read, be dissolved; and that the said Mary shall be capable in law of suing and being sued, and of acquiring property by purchase, devise, descent or in any other way, and of holding the same to her separate use, in the same manner as if she were a feme sole; and shall possess and enjoy all the privileges and immunities of a feme sole.

CHAPTER CVIII.

An act to emancipate Joe, a slave.

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 Joe, a slave belonging to Sophia L. Smith, executrix of David Smith, deceased, late of Cumberland county, is hereby, with the consent and at the request of his said owner, emancipated and set free; and by the name of Joseph Hestler shall hereafter possess and exercise all the rights and privileges which are enjoyed by other free persons of color within this State: *Provided, nevertheless*, that before such slave shall be emancipated, the petitioner shall give bond and good security to the Governor and his successors in office, in the County Court of Cumberland county, that the said slave shall honestly and correctly demean himself as long as he shall remain in the State, and shall not become a parish charge; which bond may be sued upon in the name of the Governor for the time being, to the use of the parish and of any person injured by the misconduct of such slave.

CHAPTER CIX.

An act to emancipate Ned Hyman, a slave.

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 Ned Hyman,