of residence of every benefactor to this seminary, in order that posterity may be informed to whom they are indebted for the means of learning and good morals that may prevail in the state.

CHAP. XXI.

AN ACT FOR RAISING A FUND FOR erecting the Buildings and for the Support of the University of North Carolina.

Whereas the General Assembly by their act, entitled "An act to establish a university in this state," passed on the eleventh day of December,Instant, have declared that a university shall be established and erected in this state, which shall be called and known by the name of The University of North Carolina; and whereas adequate funds will be found to be the means which will most effectually ensure to the state the advantages to be hoped for and expected from such an institution.

II. Be it therefore enacted by the General Assembly of the state of North Carolina, and it is hereby enacted by the authority of the same, That a gift of all monies due and owing to the public of North Carolina, either for arrearages under the former or present government, up to the first day of January, one thousand seven hundred and eighty-three dollars, certificates due for confiscated property purchased excepted shall be and hereby declared and absolutely made, for the purpose of erecting the necessary buildings, employing professors and tutors, and carrying into complete effect the act before recited. And the Treasurer is hereby directed and required to commence suits, and to prosecute all persons owing as above mentioned, and the monies recovered in consequence thereof to pay into the hands of the Trustees named in said act, or their successors, to be applied to the purposes aforesaid. Provided, That nothing herein contained shall be construed to prevent the Treasurer or Comptroller from settling with and collecting from the executors of Robert Linner, deceased, late Treasurer of Salisbury district, such sums in cash or certificates as may on a final settlement of his accounts be found to be due to the public; nor shall it extend to prevent their collecting from the Sheriffs of that district, their arrears of taxes which became due under the present government, and which ought to have been paid into the office of the said Linner as Treasurer aforesaid; provided they make such collection within the space of two years, after which time the arrears of that district also shall be considered as being included in this gift.

If and be it enacted, That all the property that has heretofore or shall hereafter escheat to the state, shall be and hereby is vested in the said Trustees, for the use and benefit of the said university.

III. And be it further enacted by the authority aforesaid, That the lands and other property belonging to the university aforesaid, shall be, and the same is hereby exempt from all kind of public taxation.

CHAP. XXII.

AN ACT to alter the Time of electing the Members of the General Assembly in this State.

Whereas it has been made appear to this General Assembly, that in large counties it is found most convenient for the Sheriff and Inspectors to proceed on the first Monday in August, until Sunday morning, which occasions the breach of the Sabbath day: For remedy whereof,

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 annual election for the purpose of electing members of the General Assembly, shall be held in each and every year on the second Thursday and Friday of August; provided, That where there are two or more elections in any county, such elections shall be held in the same week that the other elections are, and one day earlier in the week than what they have heretofore been by law: The Sheriff and returning officers in each county in this state shall conduct themselves accordingly; any law, usage or custom to the contrary notwithstanding.

CHAP. XXIII.

AN ACT to amend an Act, entitled "An Act concerning proving of Wills and granting Letters of Administration, and to prevent Frauds in the Management of Intestate Estates."

Whereas by the act so, entitled "An act concerning proving of wills and granting letters of administration, and to prevent frauds in the management of intestate estates," the method of proceeding hath not been defined with sufficient precision, whereby great irregularities have crept into practice; and complaints have been made of oppressive and injurious decisions: For remedy whereof,

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 all wills shall be proved and administrations granted in the court of the county where the testator or intestate had his usual residence at the time of his death, or if he or she had fixed places of residence in more than one county, in either of said counties; and in case of a written will, with the witnesses thereunto, the same shall be proved by at least one of the subscribing witnesses if living, but if conclavel, shall be proved by all the living witnesses, if to be found, and by such other persons as may be.