friends to do so. Determined to give it importance, he ordered that the Council should meet there, and also that the courts should be held there instead of at Brunswick; and, indeed, as a sort of advertisement, he made May 13, 1735, a gala day for the village. On that day he had the land office opened there, also the Court of Exchequer to meet there, as well as the New Hanover Court, and, likewise, the Council. Then he sought to have the village incorporated under the name of Wilmington. For a brief time the influence of Brunswick prevailed against him, but he finally succeeded.

The Act of Incorporation,[1] passed in 1739 by the Assembly, is as follows:

An Act, for erecting the village called Newton, in New Hanover County, into a town and township, by the name of Wilmington; and regulating and ascertaining the bounds thereof.

Section 1. Whereas, several merchants, tradesmen, artificers, and other persons of good substance, have settled themselves at a village called Newton lying on the east branch of Cape Fear; and whereas, the said village by reason of its convenient situation at the meeting of the two great branches of Cape Fear River, and likewise, by reason of the depth of water, capable of receiving vessels of considerable burthen, safety of its roads beyond any other part of the river, and the secure and easy access from all parts of the different branches of the said river, is, upon all those and many other accounts, more proper for being erected into a town or township, than any other part of the said river.

Sec. 2. Be it therefore enacted by His Excellency Gabriel Johnston, Esq., Governor, by and with the advice and consent of His Majesty's Council and General Assembly of this province, and it is hereby enacted, by the authority of the same, that the village heretofore called Newton, lying on the east side of the northeast branch of Cape Fear River, in New Hanover County, shall, from and after the passage of this Act, be a town and township, and the said village is hereby established a town and township by the name of Wilmington, the bounds whereof shall be and are circumscribed in manner following: That is to say, to the northeast, by the lands of His Excellency Gabriel Johnston, Esq.; upwards and below, by the lands of Michael Dyer; to the westward by the northeast branch of Cape Fear River; and to the eastward, by a line drawn between the

[1] Swann's *Collection Public Acts*, North Carolina, 1739, Chapter IV. p. 99.