the County of New Hanover, and the election of the Representatives to be sent to the General Assembly, and the election of Vestrymen, and all other public elections, of what kind or nature soever, for the said county and town, shall be held and made in the town of Wilmington, and at no other place whatsoever, any law, statute, usage, or custom, to the contrary, notwithstanding.

Sec. 8. And be it further enacted, by the authority aforesaid, that from and after the passing of this Act, the Collector and Naval Officers of the port of Brunswick (of which port the said town of Wilmington is the most central and convenient place, both for exportation and importation, by reason of its navigation and situation), shall constantly reside in the said town, and there keep their respective offices, until His Majesty shall be pleased to give his directions to the contrary. And likewise, the Clerk of the Court of the County of New Hanover, and the Register of the said county, shall constantly hold and execute their respective offices in the said town of Wilmington; and that if either of the said officers neglect or refuse so to do, he so neglecting or refusing, shall, for every month he shall be a delinquent, forfeit and pay the sum of five pounds proclamation money; to be sued for and recovered, by him who shall sue for the same, in the general court of this province, or in the County Court of New Hanover, by action of debt, bill, plaint, or information, wherein no essoin, protection, injunction, or wager of law shall be allowed, and one-half of such forfeiture shall be for the use of the person who sues for the same, and the other half shall be paid to the commissioners, for the time being, appointed for regulating the said town.

Sec. 9. And for the due regulating the said town, be it further enacted, by the authority aforesaid, that Robert Halton, James Murray, Samuel Woodard, William Farris, Richard Eagles, John Porter and Robert Walker, Esquires, are hereby established and appointed commissioners for the said town; and the said commissioners, or a majority of them, and their successors shall have, and be invested with all powers and authorities within the bounds of the said town of Wilmington, in as full and ample manner as the commissioners for the town of Edenton have or possess, by virtue of any law heretofore passed.

Sec. 10. And whereas the justices of the County Court of New Hanover, at the court held at Brunswick, on Tuesday the eleventh day of December last, have imposed a tax of five shillings per poll, to be levied on the tithable inhabitants of the said county, between the first day of January and the first day of March, one thousand seven hundred and thirty-nine; and afterwards, one other tax of five shillings per poll, to be levied on the said inhabitants, between the first day of January and the first day of March, one thousand seven hundred and forty, towards building a courthouse and gaol in the town of Brunswick, for the said county.

Sec. 11. Be it enacted, by the authority aforesaid, that the justices of the said County Court shall, and are hereby directed to apply the said levy or tax towards finishing and completing the courthouse already erected in the said town of Wilmington, and towards building a gaol in the said town.

Sec. 12. And be it further enacted, by the authority aforesaid, that if any one or more of the said commissioners shall die, or remove out of the county, that then and in such case, the surviving or remaining commissioners shall, within six months after the death or removal of such commissioner, present to His Excellency the Governor, or Commander-in-Chief for the time being, three persons, one of which the said Governor or Commander-in-Chief is hereby empowered to nominate and appoint; and the commissioners so appointed shall be invested with the same powers and authorities as any commissioner nominated by this Act.

Gabriel Johnston, Esq., *Governor.*
William Smith, *President.*
John Hodgson, *Speaker.*

THE SPANISH INVASION, 1747.

On November 20, 1740, a considerable force, enlisted on the Cape Fear, left Wilmington under the command of Capt. James Innes to fight the Spaniards at Cartagena; they were carried off by disease and but few returned. The next year the Spaniards in retaliation seized Ocracoke Inlet and committed tremendous depredations. And again, in 1744, they scoured the coast. Three years later, they made another foray. In July, 1747, they entered the Cape Fear, but the militia were prompt in meeting them, and held them in check, taking some prisoners. From there they went north, entered Beaufort Harbor, and, on August 26, after several days' fighting, gained possession of the town. Emboldened by this victory, they returned to the Cape