

NORTH CAROLINA GENERAL ASSEMBLY
1963 SESSION

CHAPTER 196
HOUSE BILL 299

AN ACT TO CREATE THE HISTORIC HILLSBOROUGH COMMISSION FOR
THE PURPOSE OF THE ACQUISITION, RESTORATION, AND
PRESERVATION OF HISTORIC SITES AND BUILDINGS IN THE TOWN OF
HILLSBOROUGH AND ITS ENVIRONS.

WHEREAS, the Town of Hillsborough, now standing on or near the site of an early Indian village called Achonechy (Occonechee), was first laid out in 1754 on 400 acres on the North bank of the Eno River in the County of Orange by William Churton, Gentleman, Surveyor to John Earl of Granville, and then designated as the permanent county seat, and was first called Orange to honor William III of the House of Orange; then Corbin Town in honor of Francis Corbin, member of the Governor's Council and land agent for the Earl of Granville; and then incorporated in 1759 as Childsburg to honor Dr. Thomas Child, also the Earl of Granville's land agent and Attorney General of North Carolina, 1751-1760; and finally in 1766 called Hillsborough to honor Wills Hill, Earl of Hillsborough, then the President of the British Board of Trade and Foreign Plantations and later Secretary of State for the Colonies; and then in 1770 recognized as a borough thereafter entitled to a representative in the House of Commons; and

WHEREAS, the Town of Hillsborough was the center of the War of the Regulation, 1768-1771, culminating in the Battle of Alamance, May 16, 1771, and the trial for treason and conviction of twelve (12) Regulators, and the execution of six (6) of them on June 19, 1771, at Hillsborough; and

WHEREAS, the Third Provincial Congress met in Hillsborough on August 23, 1775; and

WHEREAS, the General Assembly met in Hillsborough three (3) times in 1778, 1782, and 1783; and

WHEREAS, the Board of War met continuously in Hillsborough in the latter months of 1780; and

WHEREAS, Hillsborough became a focal point for Revolutionary military activities for North Carolina and General Horatio Gates, Commander of the Southern Department, made his headquarters there in 1780; and

WHEREAS, on February 20, 1781, Lord Cornwallis marched into Hillsborough and on February 22, 1781, raised the Royal Standard in front of the Courthouse; and

WHEREAS, Governor Thomas Burke was captured at his home in Hillsborough September 12, 1781, and died and was buried at his home Tyaquin near there; and

WHEREAS, in November 1786, the Treasurer and Comptroller of the State was directed to move their offices and records to Hillsborough "in order that those offices may be convenient to the greater part of the State"; and

WHEREAS, in 1788 the Constitutional Convention met in Hillsborough to consider the ratification of the Constitution of the United States, and recommended that a Bill of Rights be included in the Constitution, submitting a total of twenty-six (26) amendments for consideration; and

WHEREAS, Hillsborough and its environs contains at least twenty-three (23) important historic sites such as the site of the first paper mill in North Carolina and the historic Old Town Cemetery (1757); and

WHEREAS, Hillsborough was the home of William Hooper, first of North Carolina's three signers of the Declaration of Independence, Francis Nash, Brigadier-General of the Continental Line, killed in the battle of Germantown, October 4, 1777; James Hogg, Scottish merchant-patriot; Alfred Moore, Justice of the U. S. Supreme Court; Chief Justice Thomas Ruffin; Thomas Burke, third Governor of the State; Archibald DeBow Murphey, father of the State's system of public education; Chief Justice Frederick Nash; Dr. James Webb and Dr. Edmund Strudwick, founders of the State Medical Society; Duncan Cameron, president of the N. C. State Bank; Willie P. Mangum, U. S. Senator, William A. Graham, Governor and Secretary of the Navy and U. S. and Confederate Senator; and Harriet M. Berry, "the Mother of North Carolina Good Roads"; and

WHEREAS, Hillsborough has from the beginning sent out from its courts and its law offices scores of distinguished lawyers, jurists, and judges who have contributed richly to the history of the State Bar; and

WHEREAS, there remain standing in 1963 in this historic town and its environs at least ten (10) public buildings, thirty-six (36) private dwellings, and forty-two (42) secondary structures, eighty-eight (88) buildings in all remaining from these historic early periods, including such well-known structures as the Nash-Hooper House, only surviving home of a signer of the Declaration of Independence in North Carolina; Moorefields, the home of Supreme Court Justice Alfred Moore; the law office of Chief Justice Thomas Ruffin; the Old Courthouse recently cited as an Historic American Building by the Department of the Interior; the Colonial Inn; the Masonic Hall; the Presbyterian Church, oldest Presbyterian Church building in North Carolina being used regularly for services; St. Matthew's Episcopal Church; Sans Souci, the home of William Cain; Burnside, the early home of James Hogg and later of the Camerons; Ayr Mount, the home of the merchant William Kirkland; the law office of Governor William A. Graham; the Dickson Place, headquarters for General Joseph E. Johnston in 1865; and

WHEREAS, the Department of the Interior, National Park Service, is now in the process of designating ten (10) additional Historic American Buildings in Hillsborough; and

WHEREAS, it is fitting and proper that these historic and ancient sites and buildings in the Town of Hillsborough and its environs be preserved and maintained as existing monuments to our early history: Now, therefore,

The General Assembly of North Carolina do enact:

Section 1. The Governor is hereby authorized, empowered, and directed to appoint on or before May 1, 1963, a Commission of not less than fifteen (15) members to be known as the Historic Hillsborough Commission who shall be appointed for a term of six (6) years, provided, however, that one-third of the initial Commission shall be appointed for a term of two (2) years, one-third for a term of four (4) years, and one-third for a term of six (6) years and that thereafter all members shall be appointed for terms of six (6) years. In addition to the members to be appointed by the Governor, the Mayor of the Town of Hillsborough, the Chairman of the Board of Commissioners of the County of Orange, the Register of Deeds of the County of Orange, the Clerk of Superior Court of the County of Orange, and the Director of the State Department of Archives and History shall serve on the said Commission as ex officio members. The Governor is authorized to fill any vacancies on the Commission from nominations submitted by the Commission who must submit at least two (2) names for each vacancy.

Sec. 2. It shall be the express chief duty of the aforesaid Commission in cooperation with the Hillsborough Historical Society, with duly elected officials of the Town of Hillsborough and the County of Orange, and with the appropriate State agencies, to use every legal aid and method to restore and preserve the Town of Hillsborough and its immediately adjacent area as a living, functioning, educational and historical exhibit of North Carolina's early life and times for the benefit of the State of North Carolina and that of the entire general public. It shall further be the duty of the Historic Hillsborough Commission to encourage by judicious, dignified promotion public interest in and travel, trade to the Town of Hillsborough and thereby to make the restoration as self-sustaining as possible. Therefore, the Commission shall have full authority and power to do and perform the following designated functions:

(a) To acquire, hold and own, by any legal means and methods, property of every kind and nature, both personal and real; and to sell, convey, give away, mortgage, and by any legal means and methods dispose of and use said property for any and all purposes in its discretion;

(b) To repair, restore or otherwise improve such properties and to maintain them until the work of the Commission be terminated;

(c) To write or cause to be written a history of the Town of Hillsborough and its adjacent areas in as accurate, detailed, and complete form as may be found possible within the means of the Commission. The Commission may also write, compile, and publish, or sponsor and encourage such other works of an historical nature pertaining to Hillsborough and its adjacent area as fall within the scope and means of the Commission.

(d) To encourage, arrange, or sponsor, as the circumstances may justify, participation in a practical and reasonable way in the celebration of important historical anniversaries.

Sec. 3. The Commission shall keep legible, permanent, and proper records of its acts and doings, and shall make an annual report of its proceedings and progress to the Department of Archives and History, to the Governor of the State of North Carolina and to the Town of Hillsborough and the officials of the County of Orange.

Sec. 4. Any appropriations voted by the General Assembly that may be for the purposes enumerated above shall be made to the State Department of Archives and History.

Sec. 5. All laws and clauses of laws in conflict with this Act are hereby repealed, provided, however, this shall not repeal any of the powers vested in the Durham-Orange Historical Commission.

Sec. 6. The members of this Commission shall meet and organize within sixty (60) days after their appointment.

Sec. 7. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 11th day of April, 1963.