THE

STATE RECORDS

OF

NORTH CAROLINA.

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OF THE GENERAL ASSEMBLY.

COLLECTED AND EDITED

BY

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ONE OF THE JUSTICES OF THE SUPREME COURT OF N. C.

VOL. XVII—1781-'85.
PREFATORY NOTES.

This volume of State Records deals with questions of Federal or National importance rather than with those of local or State interest. With the end of the war and the acknowledgment of the Independence of the States by the Mother Country new subjects came up for discussion and settlement.

The Legislature met at Hillsboro on the 19th of April, 1784, and Gov. Alexander Martin, who wielded an influence, second only to that of Gov. Caswell, commended to its consideration measures calculated to cure many of the deficiencies that were observed in the loose Union of the States. The want of power in the general Congress with respect to many subjects of common concern had now become plainly evident and thoughtful men, who realized the situation were seeking to extend the jurisdiction of Congress as a remedy for the evils. Besides there were well grounded fears lest Great Britain who had been defeated in her effort to subjugate our people by force of arms, would seek by diplomacy and policy to bring our American States at least into commercial bondage, and again establish their commercial dependency upon her. And those apprehensions were strengthened when by her Orders in Council, it was decreed that all trade with her West Indies Islands should be carried on in British bottoms. This trade was of great importance to all the American ports and these new regulations aroused feelings of resentment from Boston to Charleston. Retaliatory Acts were adopted by some States, but it was apparent that the whole subject of Commerce, together with the power of laying import duties, should be committed to the Congress instead of being under the jurisdiction of the several States, acting independently of each other.

As some reflex of the thought prevailing among our public men at that juncture of affairs, the following extracts from Gov. Martin's message to the legislature may be interesting:

"Let me call your attention," said he, "to the education of our youth: May seminaries of learning be revived, and encouraged, where the understanding may be enlightened, the heart amened and genius cherished, whence the State may draw forth men of abilities to direct her Councils and support her government."
"Religion and virtue claim your particular care. Legislators in all ages and nations have interwoven these essential materials; to preserve the morals of the people is to preserve the State; may men of piety and exemplary life who conduct affairs of religion, meet your countenance and receive support not incompatible with the principles of the Constitution. At this auspicious period of our affairs when the noise of arms and war are no longer heard, a glorious opportunity presents of cultivating the arts of Peace and good government on principles of the soundest policy, by which nations have been conducted to greatness and become the envy and admiration of the world.

"You have before you the wisdom and experience of Ages, sources from whence what is good and great may be drawn, which added to your own treasures of political knowledge, may be wisely applied in bringing the State in some degree towards perfection.

"I need not mention that you are building for futurity, and that your wisdom and caution will hand down only proper materials as monuments of your transactions. For centuries to come the infant annals of these times no doubt will be traced back with eagerness by inquisitive posterity for precedents, for maxims to which the future government may still conform. Let them not be disappointed. Now is the important moment to establish on your part the Continental power on its firmest basis, by which the people of these States rose and are to be continued a Nation. Now, it behooves you to render permanent the security and the honor of the State: to form such laws that public virtue may be encouraged to diffuse its spirit through all ranks, and be pleased with the government which it hath erected, that the guilty may be punished and the just rewarded: that every citizen may enjoy those equal rights promised him by the Constitution and which God and nature have given him. By these you will discover to the world the Excellency of an American Republic and evince that the Government of Kings is not always necessary to make the people happy."

While the Assembly contained several men of considerable influence, its leading spirit was doubtless Gov. Caswell. And it would seem that he cordially sympathised with the views of Gov. Martin. The session was protracted to June 3,—being the longest session since the Revolution began.
This Assembly fixed the time of holding elections in August and consolidating all the Treasury Districts it elected only one Public Treasurer, Memucan Hunt being the first incumbent; and besides much other State legislation of importance, it passed seven acts that had been recommended by the Congress, most of them being in connection with financial matters.

The non-attendance of delegates to the Congress was the cause of great trouble in that often important legislation was delayed and sometimes defeated, because the States were not properly represented. While the position was a highly honorable one, the compensation in the depreciated currency of the times was entirely insufficient. Efforts were made to secure attendance, by appointing five or six delegates for the term of one year, and these were to go to the seat of government in rotation—taking turns—instead of remaining through the entire session.

In September, 1785, Gov. Caswell wrote to Hon. Timothy Bloodworth, "As I have been requested by Congress to prevail on the delegates of this State to attend in their places which have been unfilled for several months, &c., &c., I conceive it to be my duty earnestly to recommend that you or one of the delegates will attend, &c. Please to let me know as soon as practicable whether it will be convenient for you to go to Congress."

Mr. Bloodworth's reply throws some light on the situation: "I received yours, and not being fully satisfied with respect to the time of my attendance thought proper to wait on your Excellency for an explanation. Agreeable to Resolve at Hillsboro, the Delegates are to attend in rotation as they stand in number on the roll.

"According to this regulation, my attendance will not be required until the Spring, as Mr. Blount, Mr. Sitgreaves, and Mr. Johnston were first in number. If it be your desire that I should give immediate attendance, I shall be under the necessity to request warrants on the holders of public moneys for the amount of my wages during the time of my attendance, being at present quite unprepared to support myself."

The Governor sent him the warrants: The other gentlemen all having refused to take their turns first.

Congress was particularly anxious that the terms of the treaty of Peace in regard to restoring the property and the rights of refugees,
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loyalists who had fled from their homes rather than aid in establishing the Independence of their country, should be carried out in good faith by the States. But in this one respect the legislature was not complacent. There was a great deal of feeling manifested on both sides for there were some disposed to be merciful to the unfortunate loyalist but the legislature drew the line there—and would not legislate in favor of that obnoxious class.

Some of the States to the Northward for the purpose of aiding Congress to establish a fund that would relieve its financial embarrassment, had ceded or agreed to cede to the Congress territories that they claimed in the Western Wilderness, as yet unoccupied by any settlers.

North Carolina actuated by the same public spirit passed an act ceding all that portion of the State beyond the mountains, although a considerable population had long been settled there and it was an important section of the State. The Act of Cession authorized our delegates to execute the grant or conveyance to Congress. But before the conveyance was executed, or Congress had accepted the territory proposed to be ceded, the people resident there met together, formed a government, and established the State of Franklin.

They elected John Sevier their Governor and their Assembly passed Acts and undertook to make treaties with the Indian Nations within their territory. At the next meeting of the North Carolina Assembly the Act of Cession was repealed, and in April, 1785, Gov. Martin issued his proclamation warning the people across the Mountains that they were in revolt, and would be forced to submit to the authority of the State by force of arms if necessary. At the following session Gov. Caswell was elected Governor and he was able to restore the authority of the State and the State of Franklin passed away.

THE APPENDIX. The Editor congratulates himself that he has been able to print as an appendix to this volume the Journal of the Legislature of 1781, and other interesting matter, which he was unable to obtain in time to insert in Volume XV, where they more properly belong. The January Session of the Legislature was held at Halifax. During the sitting of the legislature Cornwallis invaded the State, and the Legislature resolved that it would defend the
State to the last extremity. Gen. Caswell was on Feb. 7th, appointed by the legislature to be Major General of the entire Militia of the State, and he was directed to raise a regiment of Light Horse from the Districts of Wilmington and New Bern, and Gen. Butler was directed to raise a volunteer Regiment of Light Horse from the Hillsboro District. Col. Malmedy was appointed to the command of the latter and James Williams and Pleasant Henderson were appointed its majors. General Jones was directed to embody the militia of Halifax and march them to the front. Gen. Caswell, Gov. Alex. Martin and Gen. Allen Jones were elected members of the Council Extraordinary, to succeed the Board of War.

The legislature adjourned on Feb. 14, having resolved that the new Assembly then to be elected should meet at New Bern.

But events now followed rapidly. Cornwallis soon took post at Hillsboro, and after the battle of Guilford C. H. he retired to Wilmington and thence went Northward to Virginia, leaving Major Craig at Wilmington, while Tory bands became active in the interior of the State.

The new Assembly could not with safety meet at New Bern on April 1st, and on June 23d, it convened at Wake Court House.

Gov. Nash's term had now expired. He did not stand for a re-election and Thomas Burke was chosen Governor.

The Legislature felt a sense of insecurity and troops of Light Horse and detachments of militia were embodied in the vicinity of Wake C. H. for its protection. A regiment of State Troops was directed to be raised and Benjamin Williams was chosen Lieut. Commander, Joel Lewis, First Major and Baron de Globeck, Major of Horse.

Under the Confiscation Acts, the property of many who had been disaffected had been seized. A resolution was passed, as follows:

"Whereas, numbers of the Inhabitants of the several Counties in this State who have heretofore joined and attached themselves to the enemies thereof, having come to a proper sense of their duty and being duly penitent wish again to be admitted to the privileges of citizenship, many of whom are now in the Continental service and others have voluntarily enlisted with Brig. Genl. Sumner for the space of ten months, and many of the families of such persons are reduced to poverty in consequence of the Confiscation Acts,
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"Resolved, That the property of such persons be restored to them, &c."

The depreciation of the currency is illustrated by the compensation which the Assembly voted themselves. They resolved that the allowance of the members be five hundred dollars per day for going to attend and returning from the Session that was to have been held at New Bern April 1st, and Five Hundred Dollars for coming to and returning from the present session, and two hundred and fifty dollars a day for per diem.

They allowed Robert Bignal 14,754 pounds for attending on the late Council Board. And Joel Lane was allowed the sum of Fifteen thousand pounds as a compensation in full for house rent, pasturage, &c., for the present Assembly. The house occupied by the Assembly was the residence, yet standing on Boylan Avenue, in the City of Raleigh, until recently occupied by the Misses Boylan.

Mr. Macon, from the Committee appointed to take under consideration the Memorial of Vincent Vass, reported as follows: "That it is the opinion of this Committee that the said Mr. Vass be allowed for Candles, Fowls, &c., which he purchased for the use of this Assembly One thousand eight hundred dollars."

"It is further the opinion of the Committee that the said Vass was justifiable in the agreement he made with several persons for superintending the cooking, &c., and that Nicholas Atkins be exempted from two tours of Militia duty, and that Joshua Sugg, Kemp Goodloe, &c., &c., &c., be also exempted from a tour of Militia duty, and that the said Vass be allowed for his trouble, expenses and losses, for things borrowed and hired, the sum of thirty-five thousand pounds." The value of a horse, it appears was about Twelve thousand pounds.

On the 14th day of July the Assembly adjourned to meet at Salem on the first Monday in November.

The Editor has also been able to put in this Appendix extracts from the correspondence of Lord Cornwallis covering the period of his invasion of North Carolina until his departure for Virginia.

This correspondence will be found to be of particular interest. Reading between the lines, one realizes how terribly the British suffered at Guilford C. H. and it is apparent that although Greene left
the enemy in possession of the field, that day's battle destroyed Cornwallis' army. On arriving at Wilmington, Cornwallis determined to proceed to Virginia and join Gen. Phillips who had a very fine army at Petersburg.

After speaking of his great apprehensions from the movement of Gen. Greene towards Camden, he wrote on April 23d to Sir Henry Clinton: "Neither my cavalry or infantry are in readiness to move: the former are in want of everything. The latter of every necessary, but shoes, of which we have received an ample supply. I must however, begin my march to-morrow. ** My present undertaking sits heavy on my mind. I have experienced the distresses and dangers of marching some hundreds of miles, in a country, chiefly hostile, without one active or useful friend: without intelligence and without communication with any part of the country. The situation in which I leave South Carolina adds much to my anxiety: Yet I am under the necessity of adopting this hazardous enterprise hastily and with the appearance of precipitation; and find there is no prospect of speedy reinforcement from Europe and that the return of Gen. Greene to North Carolina, either with or without success, would put a junction with Gen. Phillips out of my power."

On the next day, April 24th, he wrote to Gen. Phillips: "My situation here is very distressing. Greene took advantage of my being obliged to come to this place, and has marched to South Carolina. My express to Lord Rawdon on my leaving Cross Creek, warning him of the possibility of such a movement, have all failed. Mountaineers and Militia have passed into the back part of that province, and I much fear that Lord Rawdon's posts will be so distant from each other, and his troops so scattered, as to put him in the greatest danger of being beaten in detail. ** ** **

"By a direct move towards Camden, I cannot get there time enough to relieve Lord Rawdon, and should he have fallen back, my army would be exposed to the utmost danger from the great rivers I should have to pass, the exhausted state of the country, the numerous Militia, the almost universal spirit of revolt which prevails in South Carolina, and the strength of Greene's army, whose continentalists alone are as numerous as I am.

"I shall therefore march immediately up the country by Duplin Court House, pointing towards Hillsboro, in hopes to withdraw
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Greene. If that should not succeed, I should be much tempted to try to form a junction with you. The attempt is exceedingly hazardous, and many unforeseen difficulties may render it wholly impracticable, so that you must not take any steps that may expose your army to the danger of being ruined.”

In his letter to Lord Geo. Germain, of April 18th, some ten days after his arrival at Wilmington, he said: “The principal reasons for undertaking the winter’s campaign, were the difficulty of a defensive war in South Carolina, and the hope that our friends in North Carolina, who were said to be very numerous, would make good their promises of assembling and taking an active part with us, in endeavoring to establish his Majesty’s government. Our experience has shown that their numbers are not so great as had been represented, and that their friendship was only passive, for we have received little assistance from them since our arrival in the province; and although I gave the strongest and most public assurances that after refitting and disposing of our sick and wounded, I should return to the upper country, not above two hundred have been prevailed upon to follow us either as provincials or militia. This being the case, the immense extent of this country, cut with numberless creeks and rivers, and the total want of internal navigation, which renders it impossible for our army to remain long in the heart of the country, will make it very difficult to reduce this province to obedience by a direct attack upon it.” He therefore suggested a campaign in Virginia. Baffled, disappointed, defeated and distressed, he pressed on to Virginia, only to meet there a worse fate—the surrender of his entire army.

Walter Clark
THE STATE RECORDS
OF
NORTH CAROLINA.

1784.

GOVERNOR MARTIN TO THE MASONIC LODGE OF FAYETTEVILLE.

[Fram Executive Letter Book.]

FAYETTE VILLE, Jan'y 3d, 1784.

To the Right Worshipful the Master, the Gentlemen Wardens and
Gentlemen of the most ancient and Honorable Fraternity of
Free and Accepted Masons, who constitute the lodge at Fayette
Ville:

With singular pleasure I accept your congratulations on my ar-
rial at this place more especially when I am told my presence
hath contributed to your felicity.

To heal the wounds of a late, cruel and intestine War, to repair,
and smoothe its ravages too deeply marked in this part of the State,
and to reconcile a number of our late revolted Citizens to our happy
Government too inoffensive for prosecution, and over whom the act
of pardon and oblivion hath cast a veil, are the principal objects of
my visit; and if I am so fortunate as to accomplish this desir-
able end, I shall be discharging the high trust reposed in me by
my Country, and answering the great purposes of the Legislature.

The favorable opinion you entertain of me, in the chief Majes-
tracy of the State cannot but be flattering and acceptable; in
return to those friendly sentiments I can only wish, that my public
conduct may be equal to the expectations of my fellow Citizens in
general, and to those of your ancient and honorable Society in par-
ticular.

To cultivate the arts of peace and diffuse its blessings round the
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State by a due execution of the Laws, by extending trade, by promoting unanimity and good order & affording protection to all ranks worthy of it are the first objects of my administration; and your concurrence and assistance in these salutary measures, afford me the highest satisfaction.

Rest assured that while I have the honor to preside in the Government of the State, or in the private walk of life, that the Town of Fayette Ville and the Interest of its Inhabitants shall receive my warmest support and your ancient and honorable fraternity my particular countenance.

I return you my grateful acknowledgments for your friendly wishes in my Administration, at the same time accept Right Worshipful my hearty thanks for the polite and handsome address, in which you have conveyed to me the Sense of the Fraternity.

Yours, &c.,

ALEX. MARTIN.

HON. CHAS. THOMSON TO GOVERNOR MARTIN.

[From Executive Letter Book.]

SECRETARY'S OFFICE, Jan'y 10th, 1784.

SIR:

In pursuance of an order of the United States in Congress assembled I have the honor of transmitting you the enclosed proclamation and recommendation, and am with all due respect, &c.,

CHAS. THOMPSON.
RESOLUTION OF CONGRESS.

[From Executive Letter Book.]

BY THE UNITED STATES IN CONGRESS ASSEMBLED,
January 14th, 1784.

Resolved unanimously, nine States being present, that it be and it is earnestly recommended to the Legislatures of the respective States to provide for the restitution of all estates, rights and properties which have been confiscated, belonging to real British subjects, and also of the estates, rights and properties of persons resident in districts which were in the possession of his Britannic Majesty's Arms, at any time between the 30th day of November, 1782, and the 14th day of January, 1784, and who have not borne arms against the said United States; and that persons of any other description shall have free liberty to go to any part or parts of any of the thirteen United States, & therein to remain twelve months unmolested in their endeavours to obtain the restitution of such of their rights and properties as may have been confiscated: and it is also hereby earnestly recommended to the several States, to reconsider and revise all their Acts and Laws regarding the premises, so as to render the said Acts and Laws perfectly consistent not only with justice and equity, but with the spirit of conciliation which on the return of the blessings of Peace should universally prevail; and it is hereby also earnestly recommended to the several States, that the estates, rights and properties of such last mentioned persons should be restored to them, they refunding to any persons who may now be in the possession, the bona fide price "where any has been given," which such persons may have paid on purchasing any of the said lands, rights or properties since the confiscation.

CHAS. THOMSON, Secy.
STATE RECORDS.

A PROCLAMATION

[From Executive Letter Book.]

BY THE UNITED STATES IN CONGRESS ASSEMBLED.

Whereas definitive articles of peace and friendship, between the United States of America and his Britannic Majesty were concluded and signed at Paris, on the 3d day of September, 1783, by the Plenipotentiaries of the said United States, and of his Britannic Majesty duly and respectively authorised for that purpose; which definitive articles are in the words following:

In the Name of the most Holy and Undivided Trinity:

It having pleased the divine Providence to have disposed the hearts of the most sincere and most potent Prince George the Third, by the grace of God, King of Great Britain, France and Ireland, Defender of the faith, Duke of Brunswick and Lunenburg, Arch Treasurer and Prince Elector of the Holy Roman Empire, &c., and the United States of America, to forget all past misunderstandings and differences, that have unhappily interrupted the good correspondence and friendship which they mutually wish to restore; and to establish such a beneficial and satisfactory intercourse between the two Countries, upon the ground of reciprocal advantages & mutual convenience, as may promote and secure to both perpetual Peace and Harmony: and having for this desirable end, already laid the foundation of Peace and reconciliation, by the Provisional articles signed at Paris, on the 30th of November, 1782, by the Commissioners impowered on each part, which articles were agreed to be inserted in, and to constitute the Treaty of Peace proposed to be concluded between the Crown of Great Britain and the said United States, but which Treaty was not to be concluded until the terms of Peace should be agreed upon between Great Britain and France and his Britannic Majesty should be ready to conclude such Treaty accordingly; and the Treaty between Great Britain and France, having since been concluded, his Britannic Majesty and the United States of America, in order to carry into full effect the provisional articles above mentioned according to the Tenor thereof, have constituted and appointed, that is to say His Britannic Majesty
on his part, David Hartley, Esquire, Member of Parliament of Great Britain and the said United States on their part, John Adams, Esquire, late a Commissioner of the United States of America at the Court of Versailles, late Delegate in Congress from the State of Massachusetts, and chief Justice of the said State, and Minister Plenipotentiary of the said United States, to their High Mightinesses the States General of the United Netherlands; Benjamin Franklin, Esquire, late Delegate in Congress from the State of Pennsylvania, President of the Convention of the said State, & Minister Plenipotentiary from the United States of America at the Court of Versailles; John Jay, Esquire, late President of Congress, and Chief Justice of the State of New York, and Minister Plenipotentiary from the said United States at the Court of Madrid, to be the plenipotentiaries for the concluding and signing the present definitive treaty; who after having reciprocally communicated their respective full powers, have agreed upon and confirmed the following Articles.

Article 1st. His Britannic Majesty acknowledges the said United States, viz, New Hampshire, Massachusetts Bay, Rhode Island and Providence plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina & Georgia, to be free sovereign and independent States; that he treats with them as such, and for himself, his heirs & successors, relinquishes all claims to the Government proprietary & territorial rights of the same and every part thereof.

Article 2nd. And that all disputes which might arise in future on the subject of the boundaries of the said United States may be prevented, it is hereby agreed and declared, that the following are and shall be their boundaries, viz:

From the north west angle of Nova Scotia, viz: that angle which is formed by a line drawn due north from the source of St. Croix river to the highlands; along the said highlands which divide the rivers that empty themselves into the river Saint Lawrence from those which fall into the Atlantic Ocean, to the north westernmost head of Connecticut river, thence down along the middle of that river to the forty fifth degree of north Latitude; from thence by a line due west on said Latitude, until it strikes the river Iroquois or Cataquaquy; thence along the middle of said river into Lake Ontario through the middle of said Lake until it strikes the communication
by water between that Lake and Lake Erie, thence along the middle of said communication into Lake Erie through the middle of said Lake until it arrives at the water communication between that Lake and Lake Huron, thence along the middle of said water communication into the Lake Huron, thence through the middle of said Lake to the water communication between that lake and lake Superior, thence through lake Superior Northward of the Isles Royal and Philipaux to the Long lake; thence through the middle of said Long lake and the water communication between it and the lake of the Woods, to the said lake of the Woods; thence through the said lake to the most northwestern point thereof, and from thence on a due West course to the river Mississippi; thence by a line to be drawn along the middle of the said River Mississippi, until it shall intersect the northernmost part of the thirty first degree of North Latitude. Thence by a line to be drawn due East from the determination of the line last mentioned, in the latitude of thirty-one degrees North of the Equator, to the middle of the river Apalacheola or Chatahouche; thence along the middle thereof to its junction with the Flint river; thence to the head of St. Mary's river; and thence down along the middle of St. Mary's river to the Atlantic Ocean. East by a line to be drawn along the middle of the river saint Croix, from its mouth in the bay of Fundy to its source, and, from its source directly North to the aforesaid highlands which divide the rivers that fall into the Atlantic Ocean from those which fall into the River St. Lawrence: comprehending all Islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due East from the points where the aforesaid boundaries between Nova Scotia on the one part, and East Florida on the other, shall respectively touch the bay of Fundy, and the Atlantic Ocean; excepting such Islands as now are or hereafter have been within the limits of the said province of Nova Scotia.

Article 3d. It is agreed that the people of the United States shall continue to enjoy unmolested the right to take fish of every kind on the grand bank and on all the other banks of Newfoundland, also in the gulf of St. Lawrence, and at all other places in the sea where the Inhabitants of both Countries used at any time heretofore to fish; and also that the Inhabitants of the United States
shall have liberty to take fish of every kind on such part of the coast of Newfoundland as British fishermen shall use (but not to dry or cure the same on that island) and also on the coasts, bays and creeks of all other his Britannic Majesty's dominions in America: and that the American fishermen shall have liberty to dry and cure fish in any of the unsettled bays, harbours & creeks of Nova Scotia, Magdalen Island, and Labrador so long as the same shall remain unsettled; but so soon as the same or either of them shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such settlement without a previous agreement for that purpose with the Inhabitants, proprietors or possessors of the ground.

Article 4th. It is agreed that creditors on either side shall meet with no lawful impediment to the recovery to the full value in Sterling money of all bona fide debts heretofore contracted.

Article 5th. It is agreed that the Congress shall earnestly recommend it to the Legislatures of the respective States to provide for the restitution of all estates, rights and properties which have been confiscated, belonging to real British Subjects; and also of the estates, Rights and properties of persons resident in districts in the possession of his Majesty's Arms, and who have not borne Arms against the said United States, and that persons of any other description shall have free liberty to go to any parts of the thirteen United, therein to remain twelve months unmolested in their endeavours to obtain the restitution of such of their estates, rights and properties as may have been confiscated; and that Congress shall earnestly recommend to the several States a reconsideration and revision of all Acts or laws regarding the premises so as to render the said laws or acts perfectly consistent, not only with justice and Equity, but with that spirit of conciliation, which on the return of the blessings of peace should universally prevail. And that Congress shall also earnestly recommend to the several States that the estates, rights and properties of such last mentioned persons shall be restored to them; they refunding to any persons who may now be in possession the bona fide price (where any has been given) which such persons may have paid in purchasing any of the said Lands, rights or properties since the confiscation. And it is agreed that all persons who have any interest in confiscated lands either by debts, marriage
settlements, or otherwise shall meet with no lawful impediment in the prosecution of their just right.

Article 6th. That there shall be no future confiscations made nor any prosecutions commenced against any person or persons for or by reason of the part which he or they may have taken in the present War; and that no person shall on that account, suffer any future loss or damage either in his person, liberty or property, and that those who may be in confinement on such charges, at the time of the ratification of the Treaty in America, shall be immediately set at liberty, and the prosecutions so commenced be discontinued.

Article 7th. There shall be a firm and perpetual peace between his Britannic Majesty and the said States, and between the subjects of the one, and the citizens of the other, wherefore all hostilities both by sea and Land shall henceforth cease; all prisoners on both sides shall be set at liberty, and his Britannic Majesty shall with convenient speed, and without causing any destruction, or carrying away any negroes or other property of the American Inhabitants withdraw all his Armies, garrisons and fleets from the said United States and from every post, place and harbour within the same; leaving in all fortifications the American Artillery that may be therein, and shall also order and cause all archives, records, deeds and papers, belonging to any of the said States, or their citizens, which in the course of war may have fallen into the hands of his officers, to be forthwith restored and delivered to the proper States and persons to whom they belong.

Article 8th. The navigation of the River Mississippi, from its source to the ocean, shall for ever remain free and open to the subjects of Great Britain and the Citizens of the United States.

Article 9th. In case it should so happen that any place or territory belonging to Great Britain or to the United States, should have been conquered by the arms of either from the other, before the arrival of the said provisional articles in America, it is agreed, that the same shall be restored without difficulty, and without requiring any compensation.

Article 10th. The solemn ratification of the present Treaty, expeditated in good and due form, shall be exchanged between the contracting parties in the space of six months, or sooner if possible, to be computed from the day of the signature of the present Treaty.
In witness whereof we the undersigned, their Ministers plenipotentiary, have in their name and in virtue of our full powers, signed with our hands the present definitive treaty, and caused the seals of our Arms to be affixed thereto.

Done in Paris, this third day of September, in the year of our Lord one thousand seven hundred and eighty three.

(L. S.) D. HARTLEY,
(L. S.) JOHN ADAMS,
(L. S.) B. FRANKLIN,
(L. S.) JOHN JAY.

And we, the United States in Congress assembled, having seen and duly considered the definitive articles aforesaid did by a certain Act under the seal of the United States, bearing date this 14th day of January, 1784, approve, ratify and confirm the same and every part & claims thereof, engaging and promising that we would sincerely and faithfully perform and observe the same, and never suffer them to be violated by any one, or transgressed in any manner as far as should be in our power; and being sincerely disposed to carry the said articles into execution truly, honestly and with good faith, according to the intent and meaning thereof, we have thought proper by these presents, to notify the premises to all the good citizens of these United States, hereby requiring and enjoining all bodies of Magistracy, Legislative, Executive and Judiciary, all persons bearing office, civil or military, of whatever rank, degree or power and all others the good citizens of these States of every vocation & condition, that reverencing those stipulations entered into on their behalf, under the authority of that federal bond by which their existence as an independent people is bound up together, and is known and acknowledged by the nations of the world, and that good faith which is every man's surest guide within their several offices, jurisdictions and vocations, they carry into effect the said definitive articles, and every clause and sentence thereof, sincerely, strictly and completely.

Given under the seal of the United States.

Witness His Excellency Thomas Mifflin, our President, at Annapolis this 14th Day of January, in the Year of our Lord one thousand seven hundred and eighty four, and of the sovereignty and Independendence of the United States of America the eighth.
GOV. MARTIN TO RALPH MCNAIR, ESQ.

[From Executive Letter Book.]

HILLSBOROUGH, JANUARY 21ST, 1784.

SIR:

I am favored with your Letter from Philadelphia together with one from General Greene in your behalf. I am sorry to inform you that the Treason Law of this State prevents my granting you the passport & leave to return as you request.

It is not my business to criminate you on the part you have taken in the late contest between Britain and America—but only suggest you have been decisive in the choice. You have deserted the Country in which you say you wished to have spent your Days. What satisfaction can you have in returning to her in her triumphant prosperity, when your late principal desire is frustrated which was to subjugate her to British depopism? Let your own feelings be the Judge.

From my former acquaintance with you I am still your personal friend, but it is out of my power to grant your request. An application must be made to the General Assembly, who will consider your case, & perhaps will indulge your return, but of this I am doubtful, as the sense of the last Assembly was generally to exclude all British refugees from returning to the State.

However, the services you rendered our prisoners on Long Island have some weight & should you send forward a Petition to that body, I will lay the same before them, together with General Greene’s Letter in your Favor at their meeting on the first of April next.

I am Sir, &c.,

ALEX. MARTIN.
COL. JOSEPH MARTIN TO GOV. MARTIN.

[From Executive Letter Book.]

SULLIVAN, 25 January, 1784.

Sir:

Since my last to your Excellency Springston who I sent Chickannmogguy has returned with a letter from Arthur Coody which I enclose. He, Springston, says that McDonald with several others is now living within twenty miles of Chickannmogguy. That a certain Alexander Campbell is living with him also, and is supplied with goods and ammunition from some merchant either at Savannah or Augusta. Mr. Donald's character is so well known I need not say nothing about it. Campbell in the course of this War, has been both a robber and murderer, frequently went to War with the Indians, murdering Women and children. The acts is certain—Several horse loads of goods went to them while I was in the towns under the care of Levi Duval. Would it not be well for your Excellency to make it known to the Assembly of Georgia as no peace can be lasting while such villains are among the Indians, and are supplied. A few days ago there was three men killed near Cumberland Gap on their way from Kentucky, it is not yet known who they are being no more in company—they were cut into pieces in a most inhumane manner—their heads, arms, &c., cut off and thrown some distance from their bodies.

The Indians in the near Towns remain as I mentioned in my last. The old Tassel and hanging Maw came as far as my house in October last to wait on the Assembly, but as I was from home they returned—they are anxious to see you.

From the latter part of Coody's letter where he refers to Springston, it seems there were seven men from different parts of this State. Walker Gibson, Snudd, Mr. Feters with three others whose names I do not know went to Chickannmogguy (as they said on their way to Pensacola), after getting there five of them, was prevailed upon to go to a Town called Tuskega, where they were examined by the head man of the town called the bloody fellow, who told them as it was peace he should not concern with them—but added, that he sup-
posed they were men hunting lands—that he was informed, the people from Nolechucky were improving lands over French Broad River. That as soon as the leaves grew a little, if their Governor did not make them come off, that he would go with a party and kill every man, woman & child that should be found over the said river. That next morning the said fellow came to the where they were in order to kill them; but they got notice by the women in time to run off, left their guns, Blankets and saddles. The Indians after being disappointed in getting them, broke their guns, burnt their saddles and blankets. That their is one Bench which the Indians say is the cause of it. The above account I had from two of the party who made their escape. This Bench is a man who has lived many years with the Indians, and has made himself rich with the plunder that has been taken by the Indians this War. Had a Son (half breed) killed by the Army under Colonel Shelby when he went against the Chickammoggas; for which he says, he will never be at peace with the Americans and is daily encouraging the young fellows to murder, and steal horses, which he buys at a low rate and sends to the Creeks & sells for goods, ammunition, &c. He has made several attempts to raise a party and kill Coody who lives in Chickammoggy, because he furnishes me with accounts of his behaviour, &c., from time to time.

I expect to be in the nation again, some time in March, if anything turns up worth notice I shall give your Excellency immediate information.

I have the honor to be, &c.,

JOSEPH MARTIN.

[From Executive Letter Book.]

Coody's letter referred to in the foregoing.

Jany. 11th, 1784, Chickammoggy.

SIR:

Your letter I received by the hand of Springston dated the 28 December which surprised me to think that those Towns stand charged with the Kentucky robberies & mischief, which I know
they are not guilty of. I called the heads of the nations & told them
the charge which they declare themselves not guilty of. There has
not been one horse brought into these Towns since the time you say
there has been so many taken from the Kentucky road, except them
that I left at Capt. Looney’s when up last. They say that they would
be glad that you would either come, or send a deputy to live among
them, & to inspect their conduct, for they do not like to be charged
with so many misdemeanours without some grounds. They say
they expect you would not be satisfied for them to choose their own
deputy and if you would do it for them they would take it as a favor.

What happened the day Springston came down he can inform
you. My life is in danger every day by both white & red men—
and I blame Bench for the whole. If he is not chastised soon there
will be mischief done.

GOV. MARTIN TO GOV. LYMAN HALL, OF GEORGIA.

[From Executive Letter Book.]

NORTH CAROLINA, FEBY. 1st, 1784.

Sir: I have had the honor to receive your Excellency’s circular letter
respecting those persons who have been banished this State for
being obnoxious to the laws during the late War between Britain &
America, together with the Transactions of your Legislature rela-
tive to persons of the like description belonging to the State of
Georgia.

Pursuant to your Excellency’s request I transmit herewith the
names of all those persons whose estates were forfeited to the State,
by an act of our assembly, of whom there are two classes to wit they
who were former residents and failed to make their appearance at
the time limited by Law & become Citizens, and they who for ref-
fusing to take the oath of allegiance, and their general unfriendly
position, were banished.

Colonel Joseph Martin, agent of Indian affairs of this State, noti-
ties me that he has received information from the Red King of the
Chickasaws with whom he had lately been in Treaty, that the Spaniards and a party of the Delawares were making settlements at a place called the Muscle Shoals on Tennessee, whose latitude is not yet ascertained, but supposed to be about the 35° consequently doubtful whether in North Carolina or Georgia. Yet evidently North a considerable distance from the Spanish Boundary by the late Treaty of Peace. As the western bounds of your State are encroached upon, as perhaps those of North Carolina by such procedure, the truth of which I have no doubt, I beg leave to give your Excellency the above information that you may urge your remonstrance, with mine, to the Governor of Louisiana, or take such measures your prudence will suggest, against such intrusion made in open violation of the said Treaty, that the same be removed & prevented in future, that lasting peace and harmony be cultivated and preserved between the subjects of His Most Catholic Majesty and the Citizens of Georgia & North Carolina, and the United States in General.

I have the honor to be,

ALEX. MARTIN.

 Vide names in the confiscation acts, &c.

GOVERNOR MARTIN TO COLONEL JOHN SEVIER.

[From Executive Letter Book.]

DANBURY, FEBRUARY 11TH, 1784.

SIR:

I am distressed with the repeated complaints of the Indians, respecting the daily intrusion of our people on their Lands beyond French Broad River. I beg you Sir, to prevent the injuries these Savages justly complain of, who are constantly imploring protection of the State, and appealing to its Justice in vain.

By interposing your influence on these our unruly Citizens I think will have sufficient weight without going into extremities disgraceful to them and disagreeable to the State. You will therefore please to warn these intruders off the Lands reserved for the Indians by the late Act of the Assembly, that they remove immediately, at least
by the middle of March, otherwise they will be drove off. If you find them still refractory at the above time, you will draw forth a Body of your Militia on Horseback, and pull down their Cabbins, & drive them off laying aside every consideration of their entreaties to the Contrary. You will please to give me the earliest information of your proceedings.

The Indian Goods are not yet arrived from Philadelphia, through the inclemency of the late Season. As soon as they will be in the State, I shall send them to the great Island & hold a Treaty with the Cherokees.

I am Sir, &c.,
ALEX. MARTIN.

GOVERNOR MARTIN TO COLONEL JOSEPH MARTIN.

[From Executive Letter Book.]

Danbury, February 11th, 1784.

Sir:
I have received your Letter from Henry County without a date, also your Letter from Sullivan of the 25th of January last. The information contained in the last is of such importance to the State, that it calls for my aswell as your immediate attention. The murders in Cumberland Gap must be inquired into and the nation ascertained (if Indian) who have done the same, this you will engage in as soon as possible and transmit me an account of your discovery the earliest opportunity. Should these murders be fixed upon the Cherokees or Chickamomogys, you will in my name demand the persons guilty, to be surrendered up to the Justice of the State, informing them that on their refusal an expedition will immediately be leveled against them for satisfaction, which perhaps will expel them their Country.

In the mean while you will demand Bench from the Chickamomogys to stand his trial for the charges you suggest against him in the Superior Court of Morgan District. Should they refuse you will inform them that this State will consider them still Hostile,
and that they have no intentions of making peace. To remove every suspicion of ill will they may still retain, Bench must be surrendered. If he is innocent, his acquittal will be his Justification and a satisfaction to the public.

I shall write to the Governors of South Carolina and Georgia also on this Subject, and give them the information of the Spaniards and Delawares making a settlement at the Muske Shoals on Tennessee. As that part of the River is supposed to be out of this State, I think proper to give them the information you have sent me.

You will call on General McDowell, and Colonel Sevier and the commanding Officer of Sullivan to order and drive off those evil minded persons, who have intruded and still continue to intrude, on the Indian Lands beyond French Broad River. I have again repeated my orders to them. I wish the Indians to have no complaint from our people. The Indian Goods are not arrived from Philadelphia. As soon as they will arrive I shall give you notice, and ascertain the time of holding the Treaty.

ALEX. MARTIN.

P. S. You will also demand McDaniel and Campbell to be surrendered to take their Trials.

HON. THOMAS MIFFLIN TO GOV. MARTIN.

[From Executive Letter Book.]

ANNAPOLIS, 20TH FEBR., 1784.

SIR:

I think it a duty I owe to the office I am honored with as well as to the Union to inform your Excellency, and thro' you the State over which you preside; that the great business of the United States is at a stand; for want of a representation agreeable to the Articles of Confederation. The Journal transmitted by the Secretary to your Excellency, and which contains the proceedings of Congress and an account of the States and Members present, from the first Monday of November last to this day, will convince your Excellency of the state of inactivity, to which the affairs of the United States are reduced for want of a full representation.
STATE RECORDS.

At this moment there are many matters of the highest importance to the safety, honour and happiness of the United States, which require immediate attention. Among these I need only mention the establishing a general peace with the Indians, and settling the Western Territory; the arranging our foreign affairs, and taking measures for securing our frontiers: preserving our Stores and Magazines: making requisitions for the expences of the current year: and for satisfying the public creditors.

I have only to add that by the sickness of some of the Members attending at Annapolis, we have had seven States represented in Congress only three days since the sixth Instant; as your Excellency will observe by the enclosed Certificate of the Secretary and that the Members present are dissatisfied with attending to no purpose and are very impatient under their present situation. I am,

THOMAS MIFFLIN.

[From Executive Letter Book.]

On Saturday February 7th only five States attended.
Monday February 9th only six.
Tuesday and Wednesday 10th & 11th seven States attended.
Thursday February 12th only five States attended.
Friday February 13th seven States attended.
Monday February 16th only five.
Tuesday, Wednesday & Thursday only six.
The States unrepresented are New Hampshire, New York, New Jersey, Delaware, Maryland, North Carolina & Georgia,

CHARLES THOMSON, Secy.

HON. RICHARD D. SPAIGHT TO GOV. MARTIN.

[From Executive Letter Book.]

ANnapolis, 24th Feb., 1784.

Sir:

In my letter of the 15th Jany. I informed your Excellency of the ratification of the definitive treaty, and the mode adopted by Con-

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gress forwarding those despatches to our Commissioners at Paris, for exchange. The French packet in which Colo. Harmer goes had not sailed on the 7th instant. In attempting to go out of the hook some days before the quantity of ice was so great, she missed stays and got aground on Governor's Island; she has since got off and ready to proceed to sea as soon as the wind and weather will permit. Lieut. Colo. Franks is also at New York. He intends going in the Edward Capt. Cowper bound to London. Yours of the 8th Decemr. directed to the Delegation came to hand only this day owing to the irregularity of the Southern post which has almost been stopped by the great falls of snow and the severity of the season; there has been no mail from North Carolina since 25th Decemr. I can not at present inform in what manner the Continental Money is to be destroyed. I am sorry we have so small a proportion of our quota in the Treasury. The attention of Congress has been called to that subject, by a remonstrance from the State of Massachusetts Bay, requesting Congress to fix the rate of Depreciation at which it shall be sunk, the Citizens of that State, having in their hands a large proportion of it, over and above their quota want it fixed at a small depreciation; the business is in the hands of a Committee who have not yet reported. Of the many requisitions for money, not one as yet has been complied with by our State, nor any steps taken for that purpose which will greatly increase our debt in the account with the United States, as I understand each State is charged with its proportion of the requisition and interest thereon from the time on which it ought to be paid. I hope the General Assembly at their annual meeting will do everything in their power to expedite the settlement of our acct's. with the United States as by that means the exertions of No. Carolina will be best shown and the little attention she has paid to the requisitions of Congress for money in some measure accounted for or at least palliated.

The necessity of complying with the recommendations of Congress of the 18th of April, 1783, is so evident that can't think it will meet with any opposition from our Legislature, it is certainly a mode by which we can pay our quota of the debt much easier than in any other way. I think that the money that is required exclusive of the 5 pr. ct. had better be raised by a Tax separate and distinct from our State Tax, and entirely appropriated for that purpose.
Your Excellency will please send forward to the delegation as soon as it can be obtained an account of the number of the white and Black Inhabitants of the State distinguishing the freemen from the Slaves as we are of opinion, it will be a means of reducing the quota of the State, which we think is at present too high.

I have the honor to be your Excellency’s
most obt. Hum. Servt.,
RICHD. D. SPAIGHT.

A PROCLAMATION BY THE GOVERNOR.

[From Executive Letter Book.]

STATE OF NORTH CAROLINA,

MARCH 1ST, 1783.

By his Excellency Alexander Martin, Esqr., Governor, Captain General and Commander in Chief in and over the said State.

Whereas, the *Proclamation hereunto subjoined, hath been transmitted to me by the Secretary of Congress, containing the Definitive Articles of Peace and Friendship ratified between his Britannic Majesty and the United States of America in Congress assembled: I have thought proper to issue this my Proclamation, announcing the same to all officers civil and military, and other the good citizens of this State: who are hereby required and commanded to pay due obedience thereto, and conduct themselves accordingly.

Given under my Hand and the great Seal of the State, at Danbury the first day of March in the year of our Lord, one thousand Seven hundred and eighty four, and the eighth year of our Independence of the said State.

ALEXANDER MARTIN.

By his Excellency’s command,

JAMES GLASGOW, Secretary.

God Save the State.

* Vide definitive Articles, &c., above.
HON. RICHD. D. SPAIGHT DELEGATE IN CONGRESS TO GOV. MARTIN.

[From Executive Letter Book.]

ANnapolis, 12th March, 1784.

SIR:

Your letter of the 21st of January to the Delegation was received ten or twelve days ago. The ratification of the definitive Treaty was forwarded to you by the Secretary of Congress. Congress have not as yet passed any resolve or recommendation in consequence of our trade to the British West Indies being prohibited in other than British bottoms. I have not seen the Virginia Law you mentioned, respecting the British trade; the Assembly of this State at their last Session past an Act laying a duty of 5 p. Cent. over and above the duties paid by other nations, upon all British goods imported in British bottoms, and five Shillings per Ton on all British Shipping—and have also authorised their Delegates in Congress to agree to and ratify an additional article or articles to the confederation for vesting the United States in Congress assembled with sufficient power to regulate the trade of the United States; which shall be in force and binding on them as soon as the other States have ratified the same.

On Saturday last arrived the Washington Capt. Barney from France, by her we received letters from Doctor Franklin as late as the 25th December of which the following are extracts. "The affairs of Ireland are unsettled; the Parliament and volunteers at variance; the latter are uneasy, that in the late negotiation for a treaty of Commerce between England and America, the British Ministry had made no mention of Ireland, and they seem to desire a separate treaty between America and that Kingdom.

"With respect to the British Court we should I think be constantly on our guard, and impress strongly on our minds, that tho' it has made peace with us, it is not in truth reconciled either to us, or the loss of us; but still flatters itself with hopes, that some change in the affairs of Europe, or some division among ourselves may afford them an opportunity of recovering their dominion, punishing those who have most offended, and securing our future dependence. It is easy to see by the general turn of the ministerial newspapers; (light things indeed, as straws and feathers but like
"them they shew which way the wind blows) and by the malignant
"improvements their ministers make in the foreign Courts of every
"little accident or dissension among us; the riot of a few soldiers in
"Philadelphia, the resolves of some Town meetings, the reluctance
"to pay taxes, &c., &c., all which are exaggerated to represent our
"Governments as so many anarchies, of which the people them-
"selves are weary, the Congress as having lost its influence being no
"longer respected; I say it is easy to see from this conduct that they
"bear us no good will, and that they wish the reality of what they
"are pleased to imagine. They have too a numerous royal progeny
"to provide for, some of whom are educated in the Military line. In
"these circumstances we cannot be too careful to preserve the friend-
"ship we have acquired abroad and the union we have established
"at home to secure our credit by a punctual discharge of our obliga-
"tions of every kind, and our reputation by the wisdom of our
"Councils since we know not how soon we may have a fresh occasion
"for friends, for credit and for reputation."

As I make no doubt but that the attention of the General Assem-
bly has been called to the restoration of the property of the refugees,
in consequence of the 5th article of the definitive Treaty; I think it
my duty to transmit to your Excellency Copies of two Letters
which passed between our Commissioners & the British Commissi-
"onner previous to the signing of the provisional articles: It plainly
"appears from these that the restoration of the property of the refu-
"gees, or compensation for the same was never intended to be made
"by our Commissioners nor expected by the British.

I am your Excellency's most obedient, &c.,

R. D. SPAIGHT.

R. HUGH WILLIAMSON DELEGATE IN CONGRESS TO GOV. MARTIN.

[From Executive Letter Book.]

ANAPOLIS, 19TH MARCH, 1784.

Sir:

On the 26th of September last the Delegates had the honor of explain'g to your Excellency some of the reasons that induced Con-
gress to recommend certain measures to the several States in the Union, and expressed their hope that North Carolina would not be among the last in adopting the proposed impost in particular, which would not only be of all taxes the least burthensome to the Citizens but must strongly operate in favour of our State.

For the general detail of occurrences during the last year, or for the particular explanation of any matters referred to in that or any other of our joint letters, I shall now take the liberty of referring you to my worthy friend & honorable colleague Mr. Hawkins who has served during the whole of the last year with so much reputation to himself and advantage to the nation.

Your Excellency and the State may wish to be informed of the circumstances of the ratification of the definitive Treaty and the consequent recommendations which are sent to the States, and of such other important matters as are yet pending before Congress. From the papers which are forwarded by our Secretary you will learn that the definitive Treaty was not ratified before the 14th of January; by a series of neglects and accidents it had long been coming to our hands and some weeks afterwards elapsed before we had nine States present. The officers whom we sent in different Vessels with the ratification were both so long detained by the ice and bad weather, that we have reason to fear lest they should not arrive in Paris before the 3d of March the last day allowed for the exchange of ratifications. Apprehending that an accident of this sort might occur, and that other terms less palatable might be offered us in case the Treaty was lost by our laches, the most pressing measures were attempted to bring forward a full representation. The Journals for the 23d of December will explain some of the steps that were taken. After waiting some days longer, I confess that I was one of those who would have submitted to the risque of ratifying by seven States rather than lose the Treaty. Our reasons are contained in the paper annexed No. 1 which was for some days the subject of debate, at length an officer whom we had dispatched for the purpose brought Members enough to make nine States. Our opinion was, that the ratification by seven States was good on the behalf of the United States; and Great Britain who is not to judge of our constitution must have received it as good, but we might have incurred the displeasure and censure of our constituents on the supposition
that we had violated the spirit of the confederation. We conceived however that on great and pressing occasions the man who is honored with the dearest concerns of his Country would ill deserve that honor if he was not willing to risque his political existence or even his temporal existence in order to preserve the peace and happiness of his country.

With respect to the recommendations which are sent to the States in consequence of the Treaty, you will be pleased to observe that Congress had many reasons for deferring them to this late hour. They have indeed been zealously pressed by the commander in chief of the British forces in America to make these recommendations immediately after the preliminary articles came to hand, and it was alleged that in the terms of the articles we were bound so to do. We alleged however that the period was not arrived at which the recommendation ought to go forth. We apprehended that some of the measures recommended might not be very acceptable to the States, and their refusing to comply might be explained by the British Court as a breach of Treaty; and while they had an army in the Country there was much reason to believe that they were watching for an excuse to recover part of what they had lost by the Treaty. For these reasons we referred the recommendations to the accomplishment of the definitive and not the preliminary Treaty. In the mean while the British Troops have been withdrawn from the Country and the hour has arrived when we are in good faith bound to recommend. It will certainly be admitted that the spirit of violence which prevailed in the last year in some of the States had a great tendency to make strangers think ill of our Government; that spirit seems now to subside, and the Laws have their due effect. You will observe that British debts and the refugees are the two subjects of recommendation. The term real British subjects used in the 5th Article was clearly understood by the British Ministers as well as by ours to mean neither Tories or Loyalists; it is applicable to those who had never incurred any blame, as they had never owed any duty to the States. That you may clearly understand what are the ideas and expectations of Congress on the subject of British Debts I must refer you to the annexed paper No. 2 which is a part of a representation made by our Ministers to the British Minister on the subject of forbearance and inter-
est. Was a Mercer to sell you a piece of cloth and on the next
day employ a thief to steal half of it from you, he would certainly
come with a bad grace at the end of twelve months to demand pay-
ment for the whole piece and 6 per Cent for his indulgence.
The stipulations concerning refugees were the first that were at-
ttempted and the last agreed on in the Treaty. The British Court
at first demanded the General return of the refugees, and the resti-
tution of all their property. The reply of our Ministers might be
comprehended in a few words viz., that Congress neither had the
power nor inclination to agree to such terms. You will find some
of their reasonings on this subject in the paper No. 3; after much
time being spent a proposition was made by our Ministers to this
import viz., Tho' the refugees could not be suffered to return, yet a
faithful inventory should be taken of all the Property which they
had forfeited; a faithful inventory should also be taken of all the
property belonging to the Citizens of the United States, which had
been destroyed or carried off by tories or other adherents of Great
Britain. If the tories on settling the acct. had suffered the most,
the balance should be paid them by the United States, but on the
contrary, if our Citizens had suffered most the difference should be
paid by the British Nation. The recommendation of Congress to
the several States to cause an account of their losses to be taken
was put into the hands of the British Ministers as a proof that we were
collecting materials, that we might be ready to settle such accts.
From that hour no further demands were made of the restitution
of tory property and a long negotiation terminated as you have it in
the 5th, 6th and 7th Articles. The proposition I have referred to
is annexed to No. 4. * our Ministers in their joint Letter say "It
"is much to be wished that the Legislatures may not involve all the
"tories in banishment & ruin but that such discriminations may be
"made as to entitle their decisions to the approbation of disinterested
men." It gives much pleasure to cool dispassionate observers to
see that the Legislature of North Carolina has not gone into the
banishment of that numerous class of misguided people who con-
tinued lurking in the State, though in the eye of Justice they might
have forfeited both property and life. Though there have been
times in which it was necessary to cut off a limb in order to save the

* Vide Mr. Spaight's reference above.
body politic, we are now happy in having arrived at that period in which, to imitate the author of our beings, offenders who are not of the worst class may be suffered to repent and return to their duty.

On the last summer the Delegates received a Letter from H. E. McCulloch who seems to be fully persuaded that his estate will be restored to him. I believe that we were quite as well persuaded that his estate will not be restored to him, however that may be, the Letter is enclosed.

In our Letter of the 26th of September we took the liberty to represent to your Excellency the fatal mistake of many of our Merchants in pushing their Vessels into British ports and the more fatal mistake of some of the States in opening their ports to the British Vessels without waiting for advice or giving Congress time to negotiate a Treaty, which at that period Great Britain would have acceded to on very desirable terms. By these errors our trade is destroyed and experience has taught those Merchants, so covetous of British connections that they were mistaken. Certainly experience keeps a dear school though we daily see people who will not learn in any other. By the annexed papers No. 5 you will see what prospects we had of a favorable Commerce before it was known in England that our ports were open to their Vessels. By the paper No. 6 (separate) you will observe that many of the States are now convinced that it is necessary to vest Congress with the power of protecting Commerce by merchantile Treaties. Great Britain has presumed that in the hour of Peace the States would not support one another. On this supposition her proclamation was issued for cutting off our trade with the West Indies. The spirit that is now rising in the States will be apt to convince her that she has been mistaken, as on many former occasions, when she counted on our want of union. From the good sense of the Legislature of N. Carolina & their uniform desire to support federal measure I am not to doubt what part they will take on this occasion.

Congress are now engaged in preparing instructions for their ministers abroad for negotiating Treaties with the several Commercial powers in Europe with whom we have none at present. Virginia has completed her Cession of Territory to the United States, by which we may be enabled to pay off no small part of the National Debt. I have taken some pains by comparing the most
accurate maps with observations of Gentlemen who have been in the Western Countries, to estimate the quantity and value of the territory now belonging to the United States on the West of the Ohio. There are somewhat more than 186 millions of acres, of this quantity 44 millions of acres are to the Northward of latitude 45°. This Country being neither very fertile nor well timbered will not for ages be of much use except for hunting ground. Between the latitude 45° and 42° there are above 44 millions of acres. This Country is in general fertile & well timbered but the Indians will expect the exclusive use of it for a considerable time. Between the parallel of 42 degrees Latitude and the river Ohio, extended between the State of Pennsylvania and the river Mississippi there are about 85 millions of acres. In this country the Lands are extremely fertile and there is hardly any part of America so little broken by mountains. I presume that it may be sold for at twenty five Dollars for the hundred acres, by which a debt of twenty Millions may be paid off after 5 Millions of acres have been deducted, which is more than sufficient for paying our late Army the lands due them. An object which holds out the prospect of sinking near half of our national debt certainly claims the most serious attention. In pursuance of this object the next thing to be attempted is a treaty with the Indians who are daily soliciting that they should enter into such treaty. We have reason to expect that they will yield us a considerable tract in consequence of the outrages they have committed during the late War, and we propose buying as much more as they can be prevailed on to sell. Congress are desirous of being ready to treat whenever the Summer approaches. In whatever light from time and habit we may view a large nation in debt, it is certainly a chain of slavery. It will constantly be found that “the borrower is a servant to the lender” and these debts which on the necessary cause of taxation must prove the necessary source of grief. For these reasons I presume it is our duty to leave no honest measures unattempted by which we may pay off the national debt.

As the Citizens of our State have little foreign commerce, have little intercourse with strangers and have not so many opportunities of receiving information concerning national & foreign occurrences as are presented to people in large Commercial Cities, I have the rather thought it my duty to trouble you with so long a letter and to
forward so many extracts. The State has an undoubted right to expect information from its servants, not only of what they have done, but of their general views and principles of conduct. And in case where like the present it is necessary that the State should take a part, it is certainly our duty to furnish her with all necessary information that has been presented to us. As some of the Letters to which I have referred, have treated the subject much better than I can pretend to do, I certainly should have given larger extracts, but you will readily believe that considering the necessary attendance and duties of Congress, I have already written as much as may consist with regard to health. I fear that I have written more than will consist with your patience.

I have the honor to be 

HUGH WILLIAMSON.

P. S.—You observe that the business which now presses for dispatch is very important. No part of it can be done by less than nine States. During the whole winter we have not had nine States except for three or four days. I had fully expected to return to the State by the first of April, but as I see no prospect of being relieved at that time or before it, I conceive that it will be a duty that I owe to the State and to the Union to continue until the adjournment for a vacation or at least while I am in the delegation, as we now have a sufficient Congress for the dispatch of business. It would be cruel to withdraw a State 'til the business is finished and it might happen that by the absence of the representation of our State the most important national concerns would not only be postponed and deferred for a considerable time, but some of the opportunities must be forever lost. I flatter myself that any national misfortune will never pass to the acct. of the Delegates from our State. Whether we have suffered any personal inconveniences from our attendance during the last 12 months is a question that Mr. Hawkins will be able to explain. If several Gentlemen had not shrank from such inconvenience we should have had a larger representation for the last eight months and our business might now have been finished, by which means our finances would have been greatly improved and our national honor placed in a favorable point of light.

It is now expected that Congress will be ready to adjourn by the end of May. The federal year begins on the first Monday in Novem-
ber; wherefore we cannot adjourn over that period. It is expected from that time forward while Heaven is pleased to give us peace, Congress will never have occasion to sit except on the winter season. A Committee to consist of one Member from every State, is to sit during the recess of Congress. If Mr. Spaight should be continued in the delegation, as he has not been long from home, I presume it will be convenient for him to be on the Committee; for though I have no claim to any other merit than that of a fervent desire to serve the State accompanied by the most speedy attention to my duty, in hopes of serving them the more effectually, yet I flatter myself that I shall not be considered as ungrateful or inattentive to their interest when I express my wish of being at home the next summer.

H. W.

N. B. No. 7 is an extract of the last letter received from one of our Ministers, and contains an undubitable truth which should be regarded with the most vigilant attention.

* See Mr. Spaight’s Letter.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA TO THE DELEGATES IN CONGRESS.

[From Executive Letter Book.]

No. 6. Extract of instructions from the General Assembly of Pennsylvania to their Delegates in Congress dated December 9th, 1783.

“Certain measures now pursuing by some European States having a tendency materially to injure the general trade of America, the attention of this house is naturally turned to the affairs of Commerce, & therein we are struck with an apparent defect in the constitution of Congress: for as the local exercise within the States, of the powers of regulating & controlling trade, can result only in discordant systems productive of internal jealousies which are the effect of a lack of unity of Council; this house are clearly of opinion, that the
individual as well as general good will be best consulted, by relinquishing to Congress all these separate and independent powers."

"And this house are willing and desirous on the part of Pennsylvania, to concur in substantiating this idea by the necessary legal Acts."


PRESIDENT THOS. MIFFLIN TO GOV. MARTIN.

[From Executive Letter Book.]

ANAPOLIS, 25 March, 1784.

SIR:

I have the honor to enclose to your Excellency an Act of Congress of the 23d Instant relative to the appointment of Delegates to meet in Congress.

I have the honor to be, &c.,

THOMAS MIFFLIN.

AN ACT OF CONGRESS.

[From Executive Letter Book.]

BY THE UNITED STATES IN CONGRESS, ASSEMBLED,
March, 23d., 1784.

Whereas by the 5th of the Articles of Confederation & perpetual union of the United States, it is agreed, "that for the more convenient management of the general interest of the United States, Delegates shall be annually appointed in such manner as the Legislature of each State shall direct, to meet in Congress on the first Monday in November next in every year; with a power reserved to each State to recall its Delegates or any of them at any time within the year, and to send others in their stead for the remainder of the year."

Resolved that the several States be requested annually to appoint
their delegates to serve in Congress for one year: to commence on the first Monday in November next ensuing the time of their appointment: and when vacancies shall happen, by the removal or resignation of any of the said Delegates, within the year, such States be requested to appoint others in their stead to serve only for the remainder of the year, and to furnish their Delegates so appointed with Commissions or other credentials, under the seal of the State, particular by specifying the time for which they are appointed.

CHARLES THOMPSON, Secy.

GOV. MARTIN TO GOV. GIRARD OF SOUTH CAROLINA.

[From Executive Letter Book.]

NORTH CAROLINA, March 28th, 1784.

Sir:

As it behooves the United States in general, but more especially these Southern States to be uniform in whatever Measures they may adopt against the late prohibition of the West India Trade by the King of Great Britain; I have to request that your Excellency will please to favor me with Copies of such Acts your Legislature shall pass on that Subject, together with whatever early Intelligence you shall receive from Europe, or elsewhere touching the same. The Act for laying a Duty ad valorem on Merchandise, I wish also to be favored with; with pleasure I shall transmit your Excellency a reciprocal Communication.

I have the Honour to be

with very great Esteem and Respect, your &c.,

ALEX. MARTIN.
HON. RICH. BERESFORD TO GOV. MARTIN.

[From Executive Letter Book.]

ANNAPOlis, March 30th, 1784.

SIR:

As Chairman of a Committee of Congress appointed to take into consideration the state of Indian affairs in the Southern Department; I do myself the honor to request that your Excellency will transmit as speedily as possible any information which may throw light upon this subject, and more especially to furnish an accurate acct. of the boundary lines at present established between the Citizens of North Carolina and the several nations of Indians which inhabit that State with the dates of the same.

I have the honor to be, &c.,

RICH. BERESFORD.

SAMH. SMITHWICK TO GOV. CASWELL.

(Governor Caswell’s Letter Book—1779–86).

MARTIN COUNTY, April 2nd, 1784.

SIR:

I take this opportunity to write to you that I have not as yet settled my account as Commissioner of the Specific Tax, for the year 1781—and not having it in my power to come at this present, that I will render my account to you at Hillsboro at the Assembly, in order to have them settled.

I am with due respect,

Your mo. ob. humb. servt.,

SAML. SMITHWICK.
STATE RECORDS.

HON. HUGH WILLIAMSON DELEGATE IN CONGRESS
TO GOV. CASWELL.

[From Executive Letter Book.]

ANAPOLIS, 8th April, 1784.

Enclosed is a Letter which the Delegates have just received from the Minister of France. This is the third Letter the Delegates have received from Mons. le chr. de la Luzerne on the same subject. The first was dated 8th September, 1783, the second was dated on November, to which they wrote an answer, the Copy of which is enclosed. As the Minister's first Letter was forwarded in due time I am to presume that you have recd. it together with the Governor of Martinico's acts. However unfortunate we may be in not being able immediately to discharge our domestic debt I am not even to suspect that our State will suffer its character to be stained or its faith to be questioned by foreigners; much less that they would suffer the Governor of a French province to incur the displeasure of his Prince or to injure his private fortune by having trusted them.

Mr. Marbois, the Secretary of the French Legation and Consul General who handed me the Letter from the Minister requested me at the same time to inform your Excellency that if the State should find it more convenient to remit the money to Philadelphia which is due to the Governor of Martinico & pay it either to the Minister of France or to himself they will give proper receipts for the same. I presume remittances may at present be made on easier terms to Philadelphia than to Martinico; be this as it may, it became my duty to repeat the proposition which seems to promise a facility to the State.

I have the honor to be, &c.

HUGH WILLIAMSON.
HON. ROBERT MORRIS TO GOV. MARTIN.

[From Executive Letter Book.]

OFFICE OF FINANCE, 13th April, 1784.

SIR:

I do myself the honour to enclose to your Excellency the Copy of a Letter from Thomas Montgomery, Esquire, (of his resignation only,) and in consequence thereof to nominate to you as Commissioner for the accounts of your State Mr. William North, a Citizen of the State of Massachusetts who is recommended to me as being well qualified by his talents, education and integrity for the due execution of the duties of that department.

I have the honor to be, &c.,

ROBERT MORRIS.

RESOLUTION OF CONGRESS.

[From Executive Letter Book.]

BY THE UNITED STATES IN CONGRESS, ASSEMBLED,
April 19th, 1784.

Resolved that the Legislatures of the several States be informed that whilst they are respectively represented in Congress by two Delegates only, such an unanimity for conducting the most important public concerns is necessary as can rarely be expected: that if each of the thirteen States should be represented by the two Members five out of twenty-six being only a fifth of the whole may negative any measure requiring the voice of nine States. That of eleven States now on the floor of Congress, nine being represented by only two Members from each, it is in the power of three out of twenty-five making one eighth of the whole to negative such a measure notwithstanding that by the articles of confederation, the dissent of five out of thirteen, being more than one third of the number, is necess-

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sary for such a negative. That in a representation of three Members from each State, not less than ten of thirty-nine could so negative a matter requiring the voice of nine States. That from facts under the observation of Congress they are clearly convinced that a representation of two Members from the several States is extremely injurious by producing delays, and for this reason is likewise much more expensive than a general representation of three Members from each State. That therefore Congress conceive it to be indispensably necessary and earnestly recommend that each State at all times when Congress are sitting, be hereafter represented by three Members at least; as the most injurious consequences may be expected from the want of such representation.

CHARLES THOMSON, Secy.

GOVERNOR MARTIN'S MESSAGE TO THE GENERAL ASSEMBLY.

[From Executive Letter Book.]

20th April, 1784.

Gentlemen of the Honorable the General Assembly:

I am happy to meet so respectable a representation of the State at this important crisis, when objects of great national as well as internal concern are to employ your Counsels, and attend your decisions; from the wisdom of which I have the highest confidence that those establishments necessary for the interest of the United Empire and the prosperity of this State will be formed.

The several communications necessary for your information on this occasion I do myself the honor to lay before you; among which with great satisfaction I first present you with the definitive Treaty, concluded at Paris between the United States of America and his Britannic Majesty by their respective Commissioners, the 3d day of September last, transmitted to me by the Secretary of Congress. By which under God our Sovereignty and Independence are fully confirmed, a conflict with one of the first nations of Europe gloriously terminated and a revolution produced, scarce equalled in the annals of mankind. By which we have also secured the inestimable
rights of humanity and the enjoyment of those domestic & political blessings which contribute to render freemen happy. A recommendation from Congress pursuant to the tenour of the said Treaty accompanies the same, which will require attentive consideration suitable to its great importance.

With pleasure I communicate to you from above authority; a treaty of amity and commerce, concluded between the United States and his Majesty the King of Sweden, the 3d day of April, 1783. The alliance with this great Northern power, at the then situation of our affairs was somewhat unexpected, and becomes the more engaging and interesting as that Monarch, with generous and Princely affection for these States requests that it may be known that it was unsolicited by them. This new friend to the American Republic joined to her other illustrious allies raises her to still higher importance, and intitles her to rank among the most favored nations of the Earth. The jealousy of Britain seems yet to be awake at these distinguished marks of friendship and respect we are honored with from her Neighbours; still uneasy at our separation from her, she wishes by her Commerce to accomplish what she failed by her arms, that we may become her tributaries. I lay before you a proclamation of his Britannic Majesty in Council, under the authority of his parliament, restricting the American trade to his West India Islands in British Vessels: a measure not only injurious to the commerce and navigation of the United States, but highly derogatory to their national honor.

An act of the honorable the Legislature of Virginia, together with the communications of his Excellency the Governor of that State, and our Delegates in Congress on this subject, I submit to your deliberations; urging the necessity and propriety of granting to Congress powers similar to those mentioned in said Act, or adopting such uniformity of measures as may be pursued by other States, that this great commercial wound be healed, in the meanwhile that you remove every obstacle in the way on our part, in cultivating harmony and good will between the two powers agreeable to the Spirit of the late Treaty, and those principles of reciprocity, on which it is expressly founded.

I present you with a circular Letter from his late Excellency, General Washington, which I am honored with, for your delibera-
tions and which he is pleased to signify may be considered his "Legacy to the States" on his retirement to the class of fellow Citizens, after gaining the mighty objects of the revolution.

The interesting matters therein contained evince the able Statesman in our late illustrious Commander, and demand your serious and particular notice. We must be greatly sensible with him, that the powers delegated to Congress by the Confederation must be exercised, and supported in the several States in their fullest extent, to give life and vigor to the American Union: Otherwise they will become disjointed, feeble, and inadequate to bring to a point the federal Government: resolutions and recommendations will be only the shadow or theory of power, to which Philosophers may indeed pay obedience, when a practical coercive Government must bind the Nation. Great Wisdom hath been discovered in forming these new Common-Wealths, and connecting them under one common Sovereignty in Congress: to whose Constitutional authority however if due submission be not yielded, in regulating and directing the affairs of the United republc, a time may come, which God avert, when jealousies and competitions may arise from restless enterprising ambition, and feuds and faction rend the boasted knot too slender and too loosely tied: and thereby subject the scattered powers of the Continent to the first Tyrant who will dare to seize them.

The Laws of Solon and Lycurgus are still revered but Sparta and Athens and the other Confederated States of ancient Greece long since have been no more; pride and ambition dissolved their union, which during the continuance, caused their enemies to tremble: From those sources sprung their intestine divisions by which they became a prey to a Conqueror, whose more compacted strength and wiser Councils soon gave Law to the World. The superstructure of the vast American commonwealth is raised, we trust, on a firmer foundation; on a land unknown to Alexander or Caesar; it remains for time and experience to complete the building: the eyes of the World are on this new Phenomenon, wondering how the mighty work is so far accomplished; one of the apartments of this fabric is yours, the task will be to strengthen, ornament, and finish what is so well designed under one uniform appearance; otherwise rude disjointed materials may weaken and disfigure the whole, and one faulty pillar bring the goodly structure to the ground.
The important business of a Continental revenue from this State was left undetermined in the last session of the Assembly: I am earnestly pressed by his Excellency the president of Congress, and the financier, to urge the importance of this subject, at your first meeting; and even to call you together at an earlier day than the present for this purpose. The weighty arguments contained in the Resolutions of Congress, their addresses and other papers I present you with, anticipate any further observations of mine on this topic, but most earnestly to request your compliance with the requisitions of that Honorable Body, or form in your Wisdom some other plan of supporting on your part the Continental credit, by which the national character of these States is to be supported at home, and respected abroad.

That the poor be relieved as much as possible in the business of taxation, it may not be improper to suggest that should you approve of the impost, recommended by Congress in addition to the same, some funds be raised for public exigences, from duties on such articles of produce in which the more opulent are concerned, provided those States who cultivate the same articles accede to the measure, and extend it to themselves.

The defence of the State as well as the Union, must now be placed in our Militia, who being properly arraigned might be very respectable, and answer all the purposes of a standing army.

The boundary Line with our Sister State of South Carolina, claimed in our Bill of rights, is now a proper subject for your consideration, to ascertain which with precision becomes daily more interesting.

A Treaty was directed by an Act of the last Session to be held with the Cherokee Indians, to obtain a cession of their claim to certain Lands in the Western Country within the Chartered limits of the State, and that goods to a certain amount be bought and given them as a compensation for the same. The difficulty of procuring proper goods hath somewhat retarded this business, but this is removed as a purchase has been lately made & the goods arrived; the intention of the legislature will be answered, as soon as they can be conveyed to the place of holding the Treaty.

An Act for opening an Entry Office for the said Lands seems to
contain some ambiguities of expression which I submit to your pleasure for further explanation and amendment.

The paper emission of the last assembly having the happy effect in discharging part of the pay of the Continental Line of this State to the great satisfaction of the Officers and men, and the public in general, permit me to propose the expediency of forming a sinking fund for collecting and destroying the same yearly, or sooner, that it continue no longer than the period the Legislature have assured the public its existence will terminate; by which in the meanwhile a greater credit will be given to the residue of that emission, which may remain in circulation to the time aforesaid.

The trade and navigation of this Country are of lasting consequence, and require your immediate interposition and patronage. It is necessary our Rivers be rendered more navigable, our roads opened and supported, by which the industrious planter may have his produce carried to market with more ease and convenience. Thereby more Merchants of opulence would be induced to settle in the State, and open new resources of industry among our inhabitants; whose labor being fully compensated daily additions would be making to their respective Wealth, in proportion to which the revenues of the State would be also increased.

The inspection Laws have long been dormant. I beg leave to remind you of the necessity of their revival and amendment, that the former credit of our produce be still supported at Foreign markets.

Let me call your attention to the education of our youth; may Seminaries of learning be revived and encouraged, where the understanding may be enlightened, the heart amended, and genius cherished, whence the State may draw forth men of abilities to direct her Councils and support her Government.

Religion and Virtue claim your particular care: Legislators in all ages & nations have interwoven the Government with these essential materials: To preserve the morals of the people is to preserve the State; may men of piety and exemplary life, who conduct the affairs of religion, meet your countenance, and receive support, not incompatible with the principles of the Constitution.

The more minute objects worthy of your deliberations I shall not delay your patience to enumerate, submitting to your wisdom those
concerns of the State you shall deem more or less interesting according to their magnitude; and shall take my leave with the general observations.

At this auspicious period of our affairs, when the noise of arms and War are no longer heard, a glorious opportunity presents of cultivating the arts of Peace and good Government on principles of the soundest policy, by which nations have been conducted to greatness, and become the envy and admiration of the world. You have before you the wisdom and experience of Ages, sources from whence what is great and good may be drawn, which added to your own treasures of political knowledge, may be wisely applied in bringing the State in some degree towards perfection. I need not mention you are building for futurity, and that your wisdom and caution will hand down only proper materials, as monuments of your transactions. For centuries to come the infant annals of these times no doubt will be traced back with eagerness by inquisitive posterity for precedents, for maxims, to which the future Government may still conform. Let them not be disappointed. Now is the important moment to establish on your part the Continental power on its firmest basis, by which the people of these States rose, and are to be continued, a Nation. Now it behooves you to render permanent the Security, and the honor of the State; to form such Laws, that public Virtue may be encouraged to diffuse its spirit through all ranks, and be pleased with the Government which it hath erected that the guilty be punished, and the just rewarded; that every Citizen enjoy these equal rights promised him by the Constitution, and which God and nature have given him. By these you will discover to the World the Excellency of an American Republic, and evince that the Government of Kings is not always necessary to make the people happy.

I have the Honour to be

with very great Esteem and Respect, yours &c.,

ALEX. MARTIN.
PRESIDENT THOMAS MIFFLIN TO GOV. MARTIN.

[From Executive Letter Book.]

ANNAPOLIS, April 21st, 1784.

SIR:

I have the honor to inform your Excellency that by intelligence communicated to Congress by the Minister of France, his most Christian Majesty has determined that L'orient shall be a free port, and although the edict is not published may be so considered by the Citizens of the United States; and that the Merchants of the United States likewise enjoy the liberty of frequenting the ports of Marseilles and Dunkirk, and participate, as other nations the franchises and privileges of these two places.

I have the honor to be, &c.,

THOMAS MIFFLIN.

M. DE. ST. SAPHORIN TO MINISTER ADAMS.

[From Executive Letter Book.]

Copy.

Mr. de St. Saphorin has the honor to Communicate to Mr. Adams the answer he has received from His Excellency the Count de Rosenerone, Privy Councillor and Secretary of State for foreign affairs of his Danish Majesty relative to what Mr. Adams desired to know. He shall be happy if this answer should be agreeable to him, as well as to his Superieurs and usefull to his Fellow Citizens. He has the honor to assure him of his respect.

DE ST. SAPHORIN.

Hague, 21st April, 1784.

The preceding faithfully Translated from the Original.

BY BEN. WALKER.
STATE RECORDS.

[From Executive Letter Book.]

Copy of an Extract of a Letter from His Excellency the Count de Rosenerone, Privy Counsellor of His Majesty the King of Denmark to Mr. de St. Saphorin, Envoy Extraordinary from His Majesty to the States General.

SIR: The opinion of the Theological faculty having been taken on the question made to your Excellency by Mr. Adams. If the American Ministers of the Church of England can be consecrated here by a Bishop of the Danish Church. I am ordered by the King to authorize you to answer, that such an Act can take place according to the Danish Rites; but for the convenience of the Americans who are supposed not to know the Danish Language, the Latin Language will be made use of on the occasion; for the rest, nothing will be exacted from the Candidates, but a Profession conformable to the Articles of the English Church, omitting the oath called Test which prevents their being ordained by the English Bishops.

The preceding Translated faithfully from the Original.

BY BEN WALKER.

HON. JOHN ADAMS TO HIS EXCELLENCY, THOS. MIFFLIN ESQR., PRESIDENT OF CONGRESS.

[From Executive Letter Book.]

THE HAGUE, 22d April, 1784.

SIR: I received some time since a Letter from an American Gentleman now in London, a Candidate for Orders, desiring to know if American Candidates might have Orders from Protestant Bishops on the Continent, and complaining that he had been refused by the Bishop of London and the Arch Bishop of Canterbury, unless he would take the Oaths of Allegiance, &c.

Meeting soon after the Danish Minister, I had the curiosity to inquire of him whether ordination might be had in Denmark. He
answered me, that he knew not, but would soon inform himself. I heard no more of it untill to-day, when the Secretary of his Embassy, Mr. De Rosebrantz made me a visit, and delivered me the papers, Copies of which are enclosed.

Thus it seems what I meant as current conversation only, has been made the subject of Deliberation of the Government of Denmark, and their Faculty of Theology, which makes it necessary for me to Transmit it to Congress. I am happy to find the Decision so liberal.

I have the Honor to be, &c.,
(Signed) JOHN ADAMS.

WILLIAM NORTH TO HONORABLE ROBERT MORRIS.

[From Executive Letter Book.]

April 22d, 1784.

SIR:

I am sensible of the obligation I am under for the goodness of your intentions with respect to me; but the appointment I have lately accepted from Congress obliges me to defeat them. I shall always consider myself indebted to you, & beg your acceptance of my sincere thanks.

I have the honor to be, &c.,
WILLIAM NORTH.

TO THE HONORABLE THE GENERAL ASSEMBLY.

GENTLEMEN:

I propose to do myself the honor to wait on your honorable Body and present you in person with the public dispatches, and communicate in the usual way those matters I have to lay before you at such time & place you will please to appoint.

Yours, &c.,
ALEX. MARTIN.
You have herewith a letter from one of our Delegates in Congress covering Sundry papers presented to the Ministers of the United States at Paris to wit, one without a signature, stating the title which the heir of the late Earl Granville sets up to a certain territory in this State. A Letter from Henry Eustace McCulloch, Esquire, to our Delegates in Congress, soliciting a restoration of his property, &c.: the Letter referred to therein hath not come forward.

Also the Memorial of Doctor David Bary and Anne his wife, formerly Anne Helier of Wilmington, setting forth their claims to certain Lands, &c.

A Letter accompanies this from His Excellency Benjamin Franklin, Esquire, Minister Plenipotentiary from the United States at the Court of Versailles recommending a restitution of property to Mr. Bridgen a Merchant of London. Also a Letter from Major General Greene on behalf of Ralph McNair late of this State, together with a Letter from said McNair respecting himself, &c.

I also lay before you another Letter from one of our Delegates late received: I submit to your prudence the propriety of suffering copies to be taken of the Extracts of Letters referred to therein.

ALEX. MARTIN.

22 April, 1784.

GOV. BENJAMIN GUERARD TO GOV. MARTIN.

[From Executive Letter Book].

GOVERNMENT HOUSE, CHARLESTON, S.C., APR. 23d, 1784.

SIR:

With the greatest pleasure I enclose you the requested Copies of two of the Acts passed by our Legislature in their last Sessions highly essential in their respective intents to our national importance, viz,
"An Act to authorize the United States in Congress Assembled to regulate trade from the British West Indies," and "An Act for investing the United States in Congress assembled, with a power to levy, for the use of the United States, certain duties upon goods imported into this State from any foreign Port, island or plantation."

I perfectly coincide in sentiments with you, therefore, & especially upon your promise of a reciprocal communication, you may depend that I shall most cheerfully convey you any intelligence on that subject that shall arrive from Europe, which I may imagine you had not received.

I have the honor to be, &c.,

BENJAMIN GUERARD.

AN ACT OF THE SOUTH CAROLINA LEGISLATURE.

[From Executive Letter Book.]

STATE OF SOUTH CAROLINA.

An Act for investing the United States in Congress assembled, with a power to levy for the use of the United States, certain duties from goods imported into this State from any foreign port, island or plantation.

Whereas, the safety, honor & interest of the United States of America, require that adequate funds be provided for the regular and punctual payment of the interest annually accruing on, & for discharging in a reasonable time the principal of, the debt contracted for the support of the late War; so that full & compleat justice may be done to Creditors, by whose personal services and pecuniary aid under the blessing of divine providence, the freedom and Independence of these States were achieved.

And whereas, the investing Congress with the power required by their resolve of the 18th day of April last, to levy the duties therein mentioned, will effectually restore and support Public credit, and discharge the public debt; and it appears to be the most just, and
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reasonable, & eligible mode that can be devised for that purpose.

Be it therefore enacted by the Honorable the Senate and the
House of Representatives, met in General Assembly, and by the
authority of the same. That there be, & there is hereby granted to
the United States in Congress assembled, power to levy within this
State, for the use of the United States, the following duties upon
goods imported into this State from any foreign port, island or plan-
tation.

That is to say.

Upon all rum of Jamaica proof; per Gallon four ninetieths of a
dollar and upon all other spirituous liquors three ninetieths of a
dollar per Gallon.

Upon every Gallon of Maderia wine, twelve ninetieths of a dollar.
Upon every gallon of all other wines six ninetieths of a dollar.
Upon every pound of common bohea tea six ninetieths of a dol-
lar.

Upon every pound of other India tea, 24 ninetieths of a dollár.
Upon every pound of pepper, three ninetieths of a dollar.
Upon every pound of brown sugar half a ninetieth.
Upon every pound of loaf sugar two ninetieths of a Dollar.
Upon every pound of all other sugar one ninetieth of a Dollar.
Upon every gallon of Molasses one ninetieth of a Dollar.

Upon every pound of Cocoa or Coffee one ninetieth of a Dollar.

And upon all other goods a duty of 5 per centum ad valorem at
the time and place of importation; to be collected under such reg-
ulations as the United States in Congress Assembled shall direct.

Provided that such regulations do not extend as far as to subject
any Citizen of this State to be carried out of the same for trial, or
to compel him to answer to any action without the State, or to de-
prive him of a trial according to the Constitution and Laws of this
State, or to convict him criminally without a trial by jury, or his
own voluntary confession in open Court, or to impose excessive
fines, or to inflict punishments which are either cruel or unusual in
this State, or to break open any dwelling-house, store or ware-house
at any other than the day time, and between the rising and setting
of the sun, or then without a warrant from a lawful Magistrate, &
upon the oath of the party respecting the same:—and also provided
that the trial on all seizures and questions under this Act shall be
before the Court of common pleas, or one of the Circuit Courts of this State; and that a forfeiture shall not in any case exceed the goods seized, & the vessel in which such goods may be imported, with the cargo, or the values of such goods & vessel:—and provided also that the Collectors of said duties shall be appointed by the General Assembly of this State, or during their recess by the Governor, with the advice of the Privy Council; which said Collectors shall be Citizens of the same; and no person shall proceed to execute the office of Collector who holds any office of trust or profit, either in this, and any of the United States, nor be directly or indirectly concerned in trade; and the said Collectors shall, whenever required by the Legislature, produce their books, or a fair Copy of them, for their inspection; & which collectors, when so appointed, shall be amenable to, & removable by the United States in Congress assembled alone; and in case of the death, resignation or removal of any collector, his successor shall be appointed, within thirty days after the United States in Congress Assembled shall give notice for that purpose, by the General Assembly, if sitting, and if not, by the Governor with the advice of the Privy Council. And if in case the General Assembly, and the Governor and Council, shall neglect to supply a vacancy occasioned as aforesaid within the term of thirty days after notice as aforesaid, power is hereby given to the United States in Congress assembled to supply and fill the same with some Citizen of this State, but which Citizen shall not proceed to execute the office of Collector if he hold any place of trust or profit either in this, or any of the United States, nor until he hath taken the following oath, viz., "I, A. B. do solemnly swear or affirm, as the case may be, that I will not directly nor indirectly in my own name nor in the name of any other person or persons, carry on, or be concerned in interest in carrying on any trade or commerce during my continuance in office: So help me God;" which oath the Governor or Commander in Chief for the time being, is hereby directed and authorised to administer. Provided also that none of the said duties shall be applied to any other purpose than the discharge of the interest or principal of the debts contracted on the faith of the United States for supporting the late War; and that an annual acct. of the proceeds, and application of the aforesaid revenues, shall be made out and transmitted to this State, distinguishing the proceeds
of each of the specified articles, and the amount of the whole revenue received from each State, together with the allowances made to the several officers employed in the collection of the said revenue. And be it further enacted by the authority aforesaid, that this Act shall be in force and begin to operate as soon as the United States in Congress assembled shall notify to the General Assembly of this State, or to the Governor or Commander in Chief during their recess, that all the other States in the Confederation have passed Acts vesting the United States, in Congress Assembled, with power to levy on the respective States like duties, to be appropriated in like manner, and for the space of twenty five years, and that it shall continue in force from that time for the space of twenty-five years; in the nature of a grant sacred and irrevocable by any one or more of them, without the concurrence of the whole or a majority of the United States, in Congress Assembled; Provided likewise that the monies arising from the said revenue, and other monies that may be appropriated for the like purposes, shall not be sufficient to discharge the said principal debt and interest, before the said term of twenty five years is expired; provided also that nothing herein contained shall extend or be construed to extend, to give the United States, in Congress assembled, a power to impose a levy, any duty on negroes, or other slaves imported into this State. And be it further enacted by the authority aforesaid, That an Act passed on the thirteenth day of August in the year of our Lord one thousand seven hundred and eighty three, entitled "an Act to impose certain duties on goods to be imported into this State", be, and is hereby declared to be repealed.

In the Senate and House, the 21st day of March, 1784, and in the 8th year of the Independence of the United States of America.

JOHN LLOYD,
President of the Senate.

HUGH RUTLEDGE,
Speaker of the House of Representatives.
AN ACT TO AUTHORISE THE UNITED STATES IN CONGRESS ASSEMBLED, TO REGULATE TRADE FROM THE BRITISH WEST INDIES.

[From Executive Letter Book.]

Whereas, the King of Great Britain by his order in Council, bearing date the second day of July, one thousand seven hundred and eighty three, did prohibit the growth or produce of and of the United States from being carried to any of the West India Islands subject to his Crown, unless the same were carried by British subject in British built ships, owned by British Subjects; and navigated according to the Laws of Great Britain: which order manifestly tends to prejudice the Commerce, & suppress the maritime progress of the United States, and, if adhered to, must destroy those advantages which would otherwise result to both Countries from a liberal Commerce on reciprocal benefits;

Be it therefore enacted by the honorable the Senate and House of Representatives, now met and sitting in General Assembly. That the United States in Congress assembled, may, and they are hereby empowered to prohibit all vessels in which any British subject or subjects is, or are, any part, or sole, owner or owners from entering into any American Port, and unloading any goods, wares or merchandise, being the growth or produce of the British West India Islands, and to effectuate such prohibition by imposing every regulation and restriction which shall appear to them to be just & necessary—Provided that this Act shall not be in force until all the States in the Union shall have vested the Congress with the similar powers.

In the Senate and House, the 21st day of March, 1784, and in the 8th year of the Independence of the United States of America.

JOHN LLOYD,
President of the Senate.

HUGH RUTLEDGE,
Speaker of the House of Representatives.
GOVERNOR MARTIN TO THE HONORABLE HUGH WILLIAMSON &
RICH. D. SPAIGHT, ESQUIRES, DELEGATES IN CONGRESS.

[From Executive Letter Book.]

HILLSBOROUGH, APRIL 24TH, 1784.

GENTLEMEN:

The General Assembly of this State met at this place the 19th
Instant when I did myself the honor of laying before them your
several public Letters, which to the date of the 25th ultimo have
come to hand together with other public dispatches. The assembly
are about entering into business. The impost recommended
by Congress seems to be generally agreed to. The great Committee
for the public dispatches have resolved to make a Cession of some
part of the Western Country to Congress on certain conditions; but
they have not yet reported. The Governor is not yet elected for the
current year: the election is to be on Monday next. Yesterday you
were elected Delegates for this year and enclosed you have your ap-
pointments which I hope may reach you in time to continue your
Delegation from the 13th of May next for one year. Before the Session
rises Delegates will be appointed to attend Congress on November
next to begin and continue the Federal year as is recommended.
I have nothing further material to acquaint you with at present,
but, your communications have given general satisfaction especially
those which explain the sense of the Commissioners on the 5th and
6th Articles of the Treaty. The Assembly are cautioned as to ex-
tracts of Letters you mention. I shall grant Colonel Blount war-
rants for your Salary in paper money, which he will negotiate for
you. Should I be continued in the Government, I shall with pleas-
ure give you further information of the transactions of the Assem-
bly. In the mean while,

I am &c.,
ALEX. MARTIN.

17—4
GOVERNOR MARTIN TO THE HONORABLE THE GENERAL ASSEMBLY.

[From Executive Letter Book.]

28TH APRIL, 1784.

Gentlemen:

The assurances you are pleased to give of employing your deliberations on subjects of the first magnitude on this occasion, justly raise the expectations of our Country, that by the wisdom and unanimity of your Councils the great purposes intended may be happily effected.

I beg leave to return you my hearty thanks for the attention you have been pleased to pay to the recommendations in my address, and the honorable manner in which you have signified to me your sentiments and intentions on the Subjects thereof.

ALEX. MARTIN.

HON. ROBERT MORRIS TO GOV. MARTIN.

[From Executive Letter Book.]

Office of Finance, 28th April, 1784.

Sir:

Since my recommendation to Mr. William North as Commissioner for the accounts of your State, I have received from that Gentleman the Letter, of which a Copy is enclosed.* I shall endeavour to supply his place as soon as possible, but hitherto I have found it difficult to discover proper characters.

With very sincere respect,
I have the honor, &c.,

ROBERT MORRIS.

*Printed on page 42.
HON. RICHARD CASWELL & THOS. BENBURY TO GOV. MARTIN.

[From Executive Letter Book.]

IN GENERAL ASSEMBLY, 26 April, 1784.

To His Excellency Alexander Martin, Esquire, Governor, Captain General, and Commander in Chief of the State of North Carolina.

SIR:

The papers which accompanied your Excellency's address contain information of such moment, that without descending to matters of less magnitude, we should make a much longer Session than the present advanced season of the year will admit, were we to give them that degree of deliberation which their importance requires.

The internal regulations that the definitive Treaty makes indispensably necessary, the re-establishment of Commerce, and the support of the federal Union, will be the first objects of our deliberations; other matters recommended by your Excellency will during the course of the session be properly attended to.

You will be pleased, Sir, to receive our acknowledgments for the several matters contained in your address and in particular for the warmth with which you have been pleased to recommend adoption of such measures as may tend to remove all commercial jealousies between the United States and Great Britain & which shall be consistent with those principles of reciprocity on which the treaty is founded.

RICHARD CASWELL, S. S.
THOS. BENBURY, S. C.
REPORT OF THE GRAND COMMITTEE.

[From Executive Letter Book.]

THE UNITED STATES IN CONGRESS, ASSEMBLED, -
April 27th, 1784.

The Grand Committee appointed to prepare and report to Congress the arrears of interest on the national debt, together with the expenses for the year 1784, from the first to the last day thereof inclusive, and a requisition of money on the States for discharging the same which being amended to read as follows:

Resolved that there will be wanting for arrears of interest on the national debt to the end of the year 1783, and for the interest of the foreign debt, and services of the present year 1784, from the first to the last day thereof inclusive, the following sums expressed in Dollars:

The Civil Department .................. $ 107,525.33
The Military Department .............. 200,000.00
The Marine Department ................. 30,000.00
Purchases of Indian rights of soil & the incidental expenses ............. 60,000.00
Contingencies ......................... 60,000.00
Debts contracted and still unpaid for the services of 1782 & 1783 .......... 1,000,000.00

Card. forwd .............................. $1,457,525.33

FOREIGN DEBT.

1782.
Decr. 1st. Three years interest on the Spanish loan of 150,000.00 dollars at 5 per cent........ $ 22,500.00

$ 22,500.00

1783.
Decr. 31. Spanish loan one year........ $ 7,500.00
To the Farmers General of France, Livres, 840,710,5 at 5 per ct. 7,840.00

$15,340.00
1784.
June 1. Dutch loan of 1,800,000 florins
at 5 p. Cent. $ 35,000.00
Sept. 3. French loan of 24 million livres
at 5 p. Cent. 222,000.00
Novr. 5. Dutch loan of 10 million livres
 guaranteed by France. 74,074.00
Decr. 31. Spanish loan
To the Farmers General of
France, Livres, 840,710. at
5 per cent. 7,840.00
$346,414.00

DOMESTIC DEBT.

1782.
Decr. 31. Loan office debt, 11,473,802.26
at 6 p. Cent. $1,184,176.00
Liquidated debt 701,404 at do 21,042.00
Army debt 5,635,618 at ditto 676,272.00
$1,881,490.00
Deduct the requisition of Sept.
4, 1782. $1,200,000.00
$681,490.00
Carried Forward $2,523,269.33
Brought Forward 2,523,269.33

1783.
Decr. 31. Loan office debt $749,950.00
Liquidated debt estimated at 42,084.00
Unliquidated debt 8 Million
Dollars suppose $ now liqui-
dated. 160,060.00
Army debt 338,136.00
$1,289,270.00

$3,812,539.33
The Committee were apprised that the resolutions of Congress of April 18th, 1783, had recommended to the several States the raising annual revenue for the purpose of discharging the principal and interest of the national debt, by the establishment of certain imposts, and providing supplementary funds for a given term of years, to be raised in such a way as they might judge most convenient, but it occurred to them that these recommendations were still under suspense with several of the Legislatures, some of them having as yet acceded to the impost only, and others decided neither on the impost nor supplementary funds; that however desirable compliance therewith is for the preservation of our faith, and establishment of a national credit, yet as time has already elapsed, and more must elapse before their final confirmation can be hoped, as, after it shall be obtained, time will also be requisite to advance the plan to the term of actual collection, good faith requires that in the mean while other measures should be resorted to for the purpose of discharging the growing interest.

In the statement of the interest due at the close of the year 1782, the Committee have supposed its amount lessened by 1,200,000 Dollars required and apportioned by the Resolutions of Congress of September the 4th & 10th, 1782, and appropriated to the sole purpose of paying the interest of the Public debt.

This requisition gave license to the States to apply so much as should be necessary of their respective quotas of it, to the payment of interest due on Certificates issued from the loan office of their own States, and other liquidated debts of the United States contracted therein. Hence they suppose it has happened, that the actual payment of these quotas have been uncommunicated to the office of Finance of the United States. The Committee are of that opinion, that the States should be desired to communicate to the Superintendent of Finance, the payments they have made under this requisition, and where they have been incomplete, to hasten the completion; as the means still relied on by Congress for the discharge of that part of the interest of the public debt. And while on this subject, they beg leave to add that from the representation to Congress by the Minister of France referred to the Committee, they learn that in some of the States a discrimination has taken place between the Citizens of their own, and subjects or Citizens of other Coun-
tries, which was not authorized by the said Resolution. They are of opinion that such States should be required to revise and reform their proceedings herein, and to extend the benefits both past and future of this provision equally and impartially to all persons within its description.

Your Committee came then to consider in what way it would be best to call for the sums requisite for the services before stated, and they thought it their duty in the first place to enquire whether no surpluses might remain on former requisitions of Congress, after the purposes were effected to which they were originally appropriated, under an assurance that it would be both the duty and sense of Congress to apply such surpluses, in every instance, towards lessening the next requisitions on the States. They found in fact that such a surplus would remain on the requisition of October 30th, 1781 for eight millions of Dollars for the services of the ensuing year; and that this surplus would be great from the following circumstances: that requisition was estimated on supposition that the Continental Army would be completed by the States, to its full establishment; and that clothing subsistence and other necessaries for such an Army must of course be provided. The States were far short of producing such an Army: Hence the calls of money were proportionally abridged. It was estimated too on the further supposition that we might be disappointed in the endeavours we were then exerting to borrow money both at home and abroad, and of course that the whole must be supplied by taxes. Loans however were obtained, & the supplies increased by this second cause. A third circumstance has further enlarged it. The payments on this requisition have been small and slow: Hence, instead of money, those who served & supplied the United States have received Certificates only that money is due to them, and these debts have been transferred to the fund proposed to be raised by way of impost; so that though the debts exist they are removed from this to another fund. To know then the amount of this surplus the Committee extended their enquiries to the sums actually received under this requisition, the purpose to which they have been applied, and the anticipations thereof still unsatisfied. They found that 1,486,511,-71 only of the eight millions of Dollars, had been received at the Treasury at the close of the year 1788; that these had been applied
to the services of the Years 1782 and 1783, and that for other services of the same years. Debts were contracted to the amount of about one million of Dollars or more, which depend for their discharge on further receipts under this requisition, a statement of the expenditures of which sums should be made out and forwarded to the Legislatures of the several States. Your Committee then are of opinion that a surplus of 5,513,488.28 dollars will remain of this requisition, after answering all the demands which actually arose against it which were not answered by other means, nor transferred to other funds, and that that this surplus ought to be applied so far as it will go, to the common purposes of the United States, so as to prevent new requisitions on them 'til the whole shall have been exhausted, and to show to those who may have paid their whole quota of any requisition, that they will not be called on anew 'til after the other States shall have in like manner paid up their quotas.

Your Committee found also that there was a requisition of Congress of October 16, 1782, for two Millions of Dollars for the services of the year 1783, on which some small payments had been tendered, but that the Superintendant of Finance had found it better to receive and credit them as part of the eight Millions. They are accordingly comprehended in the sum before stated to have been paid in under that head.

Having thus stated the demands existing against the States, the Committee would have performed but half their duty, had they passed over unnoticed their condition to pay them. Their abilities must be measured in weighing their burthens. Their creditors themselves will view them just relieved from the ravages of predatory Armies, returning from attendance on Camps to the Culture of their fields, beginning to sow, but not yet having reaped—exhausted of habitual necessaries and comforts, and therefore needing new supplies out of the first proceeds of their labour. Forbearance then to a certain degree, will suggest itself to them. Congress as entrusted with the dispensation of justice between the public and its creditors, will suppose both parties desirous that their mutual situations should be considered and accommodated. Your Committee are of opinion that if the whole balances of the two requisitions of eight and two millions should be rigourously called into payment within
the course of the present year, a compliance with such call would produce much distress, and that a proportion short of this should be fixed on, within the reach of the last as well as of the most able States. They propose therefore that the States be required to furnish within the course of the present year, such part of their deficiencies, under the requisition of eight millions, as with their payments to the close of the last year will make up one half of their original quota thereof, and that these payments be appropriated in conformity with the statement in the first part of this report; giving (generally where accommodation cannot be effected among the several objects,) a preference according to the order in which they are arranged in the said statement.

But while this proportion of former deficiencies is of necessity called for under the pressure of demands which will admit neither denial nor delay, and the punctual compliance of every State is expected; to enable the federal administration with certainty to satisfy these demands, it is earnestly and warmly recommended to the abler States to go as far beyond their proportion in Specie, as their happier situation would admit, under an assurance that such further contributions will be applied towards discharging the public debt, agreeably to the preceding statement, and will be placed to their credit in the next requisitions, with interest thereon from the time of payment. And also that any further demand is made upon the States under the requisition for two millions of Dollars Congress will revise the quotas of the several States, mentioned in the said requisitions respectively, and will make them agreeable to justice upon the best information Congress may have when such demand is made. But as all of our exertions will probably fall short of their full object, in that case it is believed that the public creditors, seeing the load of interest accumulated during the War greater than can be discharged in the first year of peace, will be for the present contented to receive the earlier part of these arrears and to rely for the residue on the efforts of the ensuing year. Individual States have at times thought it hard that while, in their opinion they were in advance for the United States on accounts existing & unsettled between them, they should yet be called on to furnish actual contributions of money. The Committee observe in answer to this, first that almost every State thinks itself in advance: and secondly,
that it has been the constant wish of Congress that these accounts should be settled, and the contributions of each be known and credited. They have accordingly taken measures, and will continue their endeavors to effect these settlements: and as a further encouragement to hasten this desirable work, the Committee are of opinion that Congress should declare, that so soon as these accounts shall all be settled, and it shall appear in favor of what States balances arise, such States shall have credit for the same in the requisitions next ensuing. But it will be necessary also to remind the States that no materials have yet been furnished to enable Congress to adjust the ultimate ratio in which the expenditures of the late War shall be apportioned on the States. The Confederation directs that this shall be regulated by the value of the lands in the several States, with the buildings and improvements thereon.

Experiments made however since the date of that instrument, for the purposes of ordinary taxation, had induced doubts as to the practicability of this rule of appointment; Yet Congress thought it their duty to give it fair trial, and recommended to the several States, on the 17th of Feb., 1783, to furnish an acct. of their lands, buildings and number of inhabitants, whereon they might proceed to estimate their respective quotas: but apprehending that the incompetence of the rule would immediately show itself, and desiring that no time should be unnecessarily lost, they followed it with another recommendation of the 18th of April, 1783, to substitute in lieu of that article in the confederation, another, which should make the number of inhabitants, under certain modifications, the measure of contribution for each State. Both these propositions are still under reference; the latter accompanied by the earnest wishes and preference of Congress, under full conviction that it will be found in event, as equal, more satisfactory, and more easy of execution: the former only pressed if the other should be rejected. The Committee are informed that the States of Connecticut, New Jersey, Pennsylvania and South Carolina, have acceded to the alteration proposed, but have no evidence that the other States have as yet decided thereon. As it is necessary that the one or the other measure should be immediately resorted to, they are of opinion it should be recommended to the Legislatures which have not yet decided between them, to come to a decision at their next meeting. In order
to present to the eye a general view of the several existing requisitions, and of the payments made under them, the Committee have subjoined them in the form of a table, wherein the first column enumerates the States; the 2d the apportionment of the 1,200,000 dollars; the 3d that of the eight millions; the 4th that of the two millions; the 5th the sums paid by the several States in part of their respective quotas, to the last day of the Year 1783; and the 6th the sums now required to make up one half of their respective quotas of the eight millions, expressed in dollars, tenths & hundredths of dollars.
TABLE OF ESTIMATED QUOTAS—Referred to in the foregoing proceedings.

<table>
<thead>
<tr>
<th>State</th>
<th>Apportionment of the 1,200,000 Dollars.</th>
<th>Apportionment of the 8 millions.</th>
<th>Apportionment of the 2 millions.</th>
<th>Paid of the 8 millions before December 31, 1783.</th>
<th>Sums now required to make one-half of 8 millions.</th>
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</thead>
<tbody>
<tr>
<td>New Hampshire</td>
<td>48,000.</td>
<td>373,598.</td>
<td>80,000.</td>
<td>3,000.</td>
<td>183,790.</td>
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<td>Massachusetts</td>
<td>192,000.</td>
<td>1,307,596.</td>
<td>320,000.</td>
<td>247,676.66.</td>
<td>406,121.24</td>
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<td>Rhode Island</td>
<td>28,000.</td>
<td>216,678.</td>
<td>48,000.</td>
<td>67,847.95.</td>
<td>40,491.05</td>
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<tr>
<td>Connecticut</td>
<td>133,200.</td>
<td>747,196.</td>
<td>222,000.</td>
<td>131,577.83.</td>
<td>242,020.17</td>
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<tr>
<td>New York</td>
<td>54,000.</td>
<td>373,598.</td>
<td>90,000.</td>
<td>39,064.1.</td>
<td>147,734.8</td>
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<tr>
<td>New Jersey</td>
<td>66,800.</td>
<td>485,679.</td>
<td>110,000.</td>
<td>102,004.95.</td>
<td>140,534.55</td>
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<td>Pennsylvania</td>
<td>180,000.</td>
<td>1,120,794.</td>
<td>300,000.</td>
<td>346,632.98.</td>
<td>213,764.2</td>
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<td>Delaware</td>
<td>16,500.</td>
<td>112,085.</td>
<td>28,000.</td>
<td>89,302.14.</td>
<td>56,042.5</td>
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<tr>
<td>Maryland</td>
<td>132,000.</td>
<td>933,996.</td>
<td>220,000.</td>
<td>89,302.14.</td>
<td>377,695.89</td>
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<td>Virginia</td>
<td>174,000.</td>
<td>1,307,594.</td>
<td>290,000.</td>
<td>115,103.53.</td>
<td>538,693.49</td>
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<td>North Carolina</td>
<td>88,800.</td>
<td>622,677.</td>
<td>148,000.</td>
<td>311,338.5.</td>
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<td>South Carolina</td>
<td>72,000.</td>
<td>373,598.</td>
<td>120,000.</td>
<td>344,301.57.</td>
<td>12,452.5</td>
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<td>Georgia</td>
<td>14,400.</td>
<td>24,911.</td>
<td>24,000.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>1,200,000.</td>
<td>8,000,000.</td>
<td>2,000,000.</td>
<td>1,486,511.71.</td>
<td>2,670,987.89</td>
</tr>
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</table>
APRIL 28TH, 1784.

Congress resumed the consideration of the report of the grand Committee appointed to report the arrearages of interest and the paragraph respecting facilities being amended to read as follows:

It remained lastly to consider whether no facilities might be given to the payment of these sums by the several States. The Committee observed that of the purposes for which money is wanting, about three fourths can be answered by nothing but money itself; but that the fourth consisting of interest of our domestic debt, may be effected by procuring a discount of the demands in the hands of the holders; an operation which will be shorter and less impoverishing to the State. And however in times of greater plenty the accuracy of fiscal administration might require all transactions to be in actual money at the Treasury itself, yet 'til our Constituents shall have had some respite from their late difficulties, it behooves us to prefer their easement. The Committee are therefore of opinion that the several Legislatures may be admitted to so model the collection of the sums now called for, that the three fourths of any sum being paid in actual money, the other fourth may be discharged by procuring discounts of interest with our domestic creditors, always taking care that the collection of money shall proceed at least in threefold proportion with the operation of discounts. And to ascertain the evidence of discount which shall be receivable in lieu of money, the holders of loan office Certificates shall be at liberty to carry them to the office from which they issued. And the holders of Certificates of other liquidated debts of the United States to carry the same to the loan-office of that State wherein the debt was contracted, and to have the interest due thereon settled and certified to the last day of the year 1782 for which interest, the loan office shall give a Certificate in such form and under such cautions & instructions as the Superintendent of Finance shall transmit to him, which Certificates of Interest being parted with by the holders of the principal, shall be deemed evidence that he has received satisfaction for the same, and therefore shall be receivable from the bearer within the same State, and from the State when obtained from the bearer, in lieu of money, in the proportion before stated; which payment in Certificates by the State into the public Treasury in the proportion that each State avails itself of the facilities, shall be considered as a dis-
charge of so much of the Interest due upon the Domestic debt, so that the $ or greater proportion, if any State should not avail itself of the facilities in the degree hereby admitted, paid in money at the same time, shall be applied, giving preference according to the above statement, to the discharge of the expenses of internal Government, and the interest due on the foreign debt, and where loan office Certificates issued after the first day of March 1778 shall be presented to the loan officer, they shall be reduced to their specie value according to the resolutions of Congress of June 28th, 1780, that Specie value expressed in some part of the Certificates, and the interest thereon settled and certified as in other cases.

Resolved that Congress agree to the same.

APRIL 29TH, 1784.

Congress took into consideration the report of the grand Committee to whom was refered the report of a Committee on the subject of Western territory, and thereupon came to the following resolution.

Congress by their resolution of Sept. 6, 1780, having thought it advisable to press upon the States having claims to the western Country, a liberal surrender of a portion of their territorial claims, by that of the 10th October in the same year, having fixed conditions to which the Union should be bound, on receiving such Sessions, and having again proposed the same subject to those States in their address of April 18th, 1783, wherein stating the national debt, and expressing their reliance for its discharge, on the prospect of vacant territory, in aid of other resources, they for that purpose, as well as to obviate disagreeable controversies, & confusions, included in the same recommendation, a renewal of these of September the 6th and of October the 10th, 1780; which said several recommendations have not yet been fully complied with.

Resolved, That the same subject be again presented to the attention of the said States; That they be urged to consider that the War being now brought to a happy termination by the personal services of our Soldiers, the supplies of property by our Citizens and loans of money from them as well as foreigners, these several creditors have a right to expect that funds shall be provided on which they may rely for indemnification; That Congress still consider vacant territory as an important resource; and that therefore the said States
be earnestly pressed by immediate & liberal Cessions, to forward these necessary ends, and to promote the harmony of the Union.

CHARLES THOMSON, Secy.

HON. HUGH WILLIAMSON TO GOV. MARTIN.

[From Executive Letter Book.]

ANNAPOlis, 29TH APRIL, 1784.

SIR:

During the last & present week Congress have agreed on two very important Resolutions; one of them is on the subject of western territory. As our Clerks will be much hurried 'til the departure of the post I have taken the liberty of enclosing you a rough Copy of the resolve. After the first report of the Committee had been corrected & argued in Congress it was recommitted. By the enclosed paper you will note the further corrections and additions made in Congress before the report was agreed to. In a few days I shall have the pleasure of forwarding some correct Copies of it for yourself and Gentlemen of the Council. The President will forward you a Copy of the requisi tions for the expences of the year as agreed to yesterday in Congress. We are informed that some of the States not knowing what the requisi tions might be; but knowing that money surely would be wanted have already passed Laws for laying a con siderable tax: The Assemblies of some of the States are to sit very soon, the requisi tions will come before them in course. The President is instructed to cause the Post Master at Petersburg to send an Ex pre ss to Hillsboro with the hope that these requisi tions may come under the notice of the general Assembly of our State during their present Session, for though we might express our hope that the Assembly would sit again in the autumn, we could not speak of such an event as certain.

Congress had under their consideration yesterday, the report of a Committee on the subject of a recommendation to the States to vest the United States in Congress with a power to restrain the commerce of foreign nations for the purpose of putting our own trade on a
respectable footing or of obtaining reciprocity in Commerce, it is proposed "That it be recommended to the several States to vest the "United States in Congress assembled with the powers for the space "of 15 years of prohibiting any goods, wares or merchandize from "being imported into any of the States or exported from them ex-"cept in vessels belonging to or navigated by Citizens of the United "States." A resolve in those words would comprehend the amount of what seems to be desired by any of the States, but some Gentle-"men are of the opinion that powers short of these are sufficient. Perhaps this may be true, but it is not probable that other restraints will be imposed than what may be found necessary. Some Gentle-"men would only restrain foreign powers from importing & would suffer them to export. Others desire to encourage our own ship-"ping & considering that our exports are much more bulky than are imports, would restrain them also from exporting our produce. If Great Britain for instance should be prevented from sending her vessels into our ports unless she acceded to a commercial treaty which should be honorable and equal it is presumed that she would soon agree to treat. While she has the present advantages and may carry on our trade without suffering us to look at one of her Islands, it is not probable that she will treat.

We are now persuaded that the recommendations on the subject of Commerce can not overtake the present Session of our Assembly. In this case I submit it to your Excellency's consideration whether you will not recommend it to the General Assembly to pass a Law empowering their Delegates in Congress to accede to their general regulation contained in the proposition I have quoted or to any simi-"lar regulations that may be agreed to by nine States in Congress assembled, and which regulations shall equally extend to every State in the Union. Great Britain has depended much on our want of power & if she was to see the States passing Laws by which we might be enabled to restrain her trade she would be apt to save us the trouble of imposing the restraint, by giving us mutual advan-

cages.

If the General Assembly shall have passed the Law for granting the 5.2 Cent impost I hope you will cause it to be forwarded by the return of the express. South Carolina had perhaps six months ago passed an imperfect Act for an impost but they have lately amend-
ed it to the full of what was required. We are given to understand that Rhode Island only stands out till she sees whether all the other States comply. I do not know what Georgia has done, all the other States except Connecticut passed the Act.

It is resolved that Congress shall adjourn on the 3d of June till the end of October, leaving a Committee of the States. The ordinance for opening the Land office, one for regulating the Indian trade; for securing the frontier posts & sundry other very difficult & perplexing subjects are still on hands.

I have the honor to be, &c.,

HUGH WILLIAMSON.

HON. RICHARD D. SPAIGHT: TO GOV. MARTIN.

[From Executive Letter Book.]

ANNAPOLIS, 30TH APRIL, 1784.

SIR:

By this post you will receive the requisitions for the year transmitted to you by the Secretary of Congress. The last clause respecting facilities was carried by the Eastern and Middle States, very much against my opinion as I think it a very impolitic measure, and one that will operate very partially among the States. If we view it on the principles of general utility, we will find, it will neither afford a competent payment to the public creditor of his interest, nor will it satisfy the foreign creditor that we mean to do justice by them. It affords little or no relief to our quota of the State in the payment of our requisition, as our accounts against the Continent are not yet liquidated, but operates very much in favor of the Eastern States, whose proximity to Congress possessing a more speculative disposition and paying a greater attention to their interest, than we have done, have got Continental Securities for all monies loaned, services done or articles impressed, while to the southward, it has been made a State debt. Besides it is in direct contradiction to the former part of the report which says the money shall be appropriated to the different purposes for which it is wanted,
according to the first statement, to wit, the current expences of the year, second to the payment of the debt due from the Superintend-ent of Finance for the years 1782 & 1784—3d to the payment of the interest on the foreign debt, and lastly the interest on the domestic debt. But by the facilities one fourth of the requisition is anticipated by the discount of interest on the domestic debt, and any failure of payment of the remaining three fourths, must fall either on the current year expences, or the interest on the foreign debt, which certainly should be paid in preference to any other.

The journals being regularly transmitted to you by the Secretary as fast as they are printed, it is unnecessary for me to say anything on what has been done. The business which Congress have before them, in my opinion can not be finished, by the time which they have fixed on for their adjournment, that is the 3d of June next. You will also receive a resolution respecting Western territory. The little States cannot lose sight of that object; their size when compared to the larger ones appears so trilling, that it creates in them a degree of envy. And notwithstanding the United States have received more land from Virginia, than they will properly dispose of for these twenty or thirty years to come, they are still clamorous for more. From what has been done with the Virginia Cession, I shall be sorry to see any part of our State at the disposal of Congress; and if we do make a Cession of the property of the soil, I hope they will retain the jurisdiction in their own hands.

Some days ago the New York Delegates pursuant to instructions from that State, laid a Memorial before Congress requesting them to proceed to a decision of the dispute between that State & the Inhabitants of the New Hampshire Grants, at the same time informing Congress that if nothing was done in it, within the space of two months, that they would take up arms to do themselves justice. As the Eastern States have ever secretly encouraged the Vermonters, and opposed every thing being done in the affair by Congress I expect they will now approve every measure that may be attempted, and that in consequence of Congress not coming to any determination on the subject, the flames of Civil War will be kindled in that Country in the course of four or five months.

I am your Excellency's &

RICH D. SPAIGHT.
GOV. MARTIN TO THE HONORABLE THE GENERAL ASSEMBLY.

10TH MAY, 1784.

Gentlemen:
I send herewith for your perusal two Acts of the honorable the Legislature of South Carolina, communicated to me by his Excellency the Governor of that State.

ALEX. MARTIN.

TO THE HONORABLE THE GENERAL ASSEMBLY.

[From Executive Letter Book.]

Gentlemen:
You have herewith the Petition of Ralph McNair late recd. with some papers by him enclosed together with a petition from his Brother Ebenezer McNair which I am requested to lay before you.

ALEX. MARTIN.

GOV. MARTIN TO THE HONORABLE THE GENERAL ASSEMBLY.

16TH MAY, 1784.

Gentlemen:
I beg leave to call your attention to sundry Letters, sent herewith, received last night by express from his Excellency the president of Congress, and our Delegates: together with one from the Financier, and another from the Chairman of the Committee of Indian Affairs.

ALEX. MARTIN.
GOV. MARTIN TO THE HONORABLE THE GENERAL ASSEMBLY.

[From Executive Letter Book.]

GENTLEMEN:

When the Administration devolved on me, as Speaker of the Senate, I was importuned by the Officers of the North Carolina Continental line then in great distress in the Southern Army to procure for them clothing and camp necessaries; with this information that unless they were soon relieved, they would not be able to keep the field. I made their case known to the merchants of Edenton District, where supplies of this nature were only to be had at that time in the State, who with a generosity equal to their patriotism contributed immediately to their relief, receiving no other satisfaction for their goods but the faith of the State then in low credit which was pledged to them for payment when its exigencies would permit. On my appointment to the Government these Gentlemen called my attention: I drew Warrants in their favor on the Treasury and the County Commissioners of that District to the amount of their accounts some of which I am informed are paid, and some remain unpaid. As the present money was particularly appropriated last year by the Legislature the Treasurers are not bound to answer the warrants of the preceding without your consent. I have to request that your honorable body will consider the cases of the Gentlemen not satisfied, and order such payment you think proper, for which the officers were to be accountable to the State.

ALEX. MARTIN.

GOV. MARTIN TO THE HONORABLE THE GENERAL ASSEMBLY.

[From Executive Letter Book.]

GENTLEMEN:

I am informed a Committee of the Assembly have agreed to re-commit the 12th section of the Act for opening the Land Office
d&c., so far as the same respects the great Island in Holston River be repealed. I beg leave to lay before you the several Treaties late held with the Cherokees, where they have uniformly made a reservation of their right to that favorite spot of ground. If there appears to be a claim set up by any person under the authority of the State for the said Land—how far it may be good is not my business to inquire, but this much permit me to suggest, if the same should be granted to any person these Treaties will be violated, and rather the faith of the State should be broken sacredly pledged to those Savages in said Treaties, and the said Act of Assembly of which I have given them full information; it would be much preferable that a compensation be given to the claimant or claimants of the said lands, than the public Peace should be embroiled about a private dispute of which if the State hath been the cause it must have been occasioned through the inadvertence of former Legislatures to the said Treaties.

As a Treaty is intended shortly to be held with this people for a cession of their claim to part of the Western Lands, I request the Executive be relieved from every embarrassment in this business, being confident should the said section be repealed, they will have very little faith in what may be urged to them in future from this State; as I shall not only falsify the assurances on this subject which I have already given them, and the State of Virginia, who hath interested herself in their behalf.

ALEX. MARTIN.

EXTRACT OF A LETTER FROM JOSEPH PENNELL, ESQUIRE, COMMISSIONER FOR ACCTS. OF THE MARINE DEPARTMENT
DATED 25TH MAY, 1784.

[From Executive Letter Book.]

I cannot learn that the States generally have complied with the recommendation of Congress of the 27th February, 1782, to empower the Commissioners for the departments to recover "from individuals debts due & effects belonging to the United States." It will be answering but part of the purpose of my appointment to go into those States who have not complied with the said recommendation because I shall there be called upon by the creditors without hav-
ing it in my Power to bring the debtors in this Department to account and I think there is a preference due in the settlement of accounts to Citizens of those States who have complied with the recommendation of Congress.

JOSEPH PENNELL.

THOS. BARCLAY TO GOV. MARTIN.

[From Executive Letter Book.]

PARIS, 17TH MAY, 1784.

Sir:

I do myself the honor to enclose to your Excellency the arrêt of his Majesty's Council of State for confirming the privileges which the Ports of Dunkirk and Marseilles have for some time enjoyed; and for establishing L'orient and Bayonne as free ports. I beg leave to refer to the arrêt, & remain with great respect,

Your Excellency's &c.,

THOS. BARCLAY.

[From Executive Letter Book.]

(Translation).

The Arret of his Majesty's Council of State for confirming and establishing free ports in the Kingdom the 14th of May, 1784, taken from the Registers of the Council of State.

The King desiring to favor not only the Commerce of his subjects, but that of all nations, hath judged that the means most convenient to his views will be to augment the number of free ports in the Kingdom: for which purpose having heard the report of the Sieur de la Calonne Councillor in ordinary to the royal Council, Comptroller-general of the Finances; His Majesty being present in Council hath ordained the following:

Article I. The Port and Town of Dunkirk, also the Port, the Town, and Territory of Marseilles shall continue to enjoy the Franchises
which they respectively possess without any Innovation respecting them.

Article II. From the first of July next the Port and Town of L'orient shall enjoy the entire liberty of receiving the ships and Merchandizes of all nations, and export every kind of produce and Merchandize with every privilege equal with that of Dunkirk. Those precautions and Formalities which his Majesty shall judge necessary to prescribe in future for the Commerce of the Indies, China and the French Colonies excepting.

Article III. The Port and Town of Bayonne, those of St. John de Luz, and their Territory shall enjoy from the first of September next the same Liberty and Franchise declared in the preceeding Article for foreign Commerce, both by sea and Land, which will be more fully explained by the Letters patent that will fix the extent of the privileges of the Towns of Bayonne, of St. John de Luz, and of the manufacturing Country, and all necessary Letters will be expedited in the present Edict. Done in King's Council of State His Majesty being present held at Versailles the 14th of May, 1784.

Signed LE CAL. DE CASTRIES.

HON. THOMAS MIFFLIN TO GOV. MARTIN.

[From Executive Letter Book.]

ANNAPOLIS, 31ST MAY, 1784.

Sir:

I have the honor to transmit to your Excellency an Act of Congress of the 29th Instant relating to an insult offered to the person of Mons. de Marbois by a certain Monsr. de Lonchamps.

By a Letter received this day from the Supreme Executive of the State of Pennsylvania it appears that the said Lonchamps has been apprehended in consequence of a Warrant issued by one of the Judges of the Supreme Court of Pennsylvania, and is now confined in the common Jail at Philadelphia.

I have the honor to be, &c.,

THOMAS MIFFLIN.
RESOLVE OF CONGRESS.

[From Executive Letter Book.]

BY THE UNITED STATES IN CONGRESS ASSEMBLED,

MAY 29TH, 1784.

Whereas, Congress have been informed by a note to them by the Chevalier de la Luzerne Minister plenipotentiary of his most Christian Majesty of the 20th Instant, and the papers accompanying the same that a violation of the Laws of Nations hath been committed by one Lonchamps, who calls himself Chevalier de Lonchamps, a subject of his most Christian Majesty, by a violent assault and battery by him lately made in the City of Philadelphia, upon the person of Monsieur Marbois Consul General and Secretary to the above Legation; and that although a Warrant for apprehending the offender has been duly issued in consequence of directions given by the president of the State of Pennsylvania upon application made to him for that purpose by the said Minister, he has not yet been apprehended, but absconds, and is supposed to have fled from justice into some other of these United States.

Wherefore to the end that the said Lonchamps may be brought to condign punishment for his said offence, and that the privileges and immunities of foreign Ministers, and of their families and houses be preserved inviolate, Resolved, That it be and it is hereby recommended to the Supreme Executive authority of each of these United States forthwith to issue their proclamations, offering a reward of five hundred dollars, to be reimbursed by the United States to the State paying the same, for discovering the said Lonchamps, so that he may be arrested, and requiring their proper Civil officers to arrest him, and their Citizens in general to be aiding and assisting therein, that he may be brought to justice for his said violation of the laws of nations, and of the land, and all others may be deterred from the Commission of such offences.

CHAS. THOMSON.
STATE RECORDS.

HON. ROBERT MORRIS TO GOV. MARTIN.

[From Executive Letter Book.]

OFFICE OF FINANCE, 26 May, 1784.

CIRCULAR.

SIR:

I have just now received from Joseph Pennell, Esquire, Commissioner for adjusting the accounts of the Marine Department a Letter of the 25th from which an extract is enclosed.* The matter there mentioned will doubtless have a like operation on the conduct of other Commissioners of accounts and it therefore becomes my duty to submit the matter to the several States that those who have complied with the recommendation of Congress may have reason to approve of such compliance, and that those who have omitted may be thus early apprised of those necessary consequences which they might otherwise complain of as partial preferences.

With perfect respect, &c.

ROBERT MORRIS.

*See page 69.

RESOLUTION OF CONGRESS ON THE REPORT OF A GRAND COMMITTEE.

BY THE UNITED STATES IN CONGRESS, ASSEMBLED.

June 1st, 1784.

Resolved that the several States shall be credited in their accounts with the United States for the Specie value of all sums by them paid to their Officers and Soldiers in the Continental Army, due from the United States, provided that such payments shall have been notified to the paymaster general, and by him charged to such Officers and Soldiers in settling their accounts with the United States, and said states shall be allowed interest on the sums so paid, from the time of payment.

That the Superintendant of Finance be directed to render to Congress a particular statement of the articles comprised under the head of contingencies in his accounts already rendered, and that when
the said Statement, and also his accounts showing the expenditure of $2,486,511.71 of the 8 millions of Dollars required by a Resolve of the 30th of October, 1781, shall be rendered the Committee of the States shall transmit a Copy of the said Statement, and also of such expenditures specifying contingencies, to any state whose Delegates may require the same.

That 190,000 dollars and 687,828 dollars contained in the estimate of the 18th April, 1783, being comprised in the requisition of the present year under the article of Interest of the domestic debt to the 31st of December, 1782, are when paid agreeably to the said requisition, to be deducted from the estimate first mentioned.

CHARLES THOMSON.

GOVERNOR MARTIN TO HIS EXCELLENCY THOMAS MIFFLIN, ESQUIRE PRESIDENT OF CONGRESS.

[From Executive Letter Book.]

HILLSBOROUGH, JUNE 4TH, 1784.

SIR: I have to acknowledge the honor of receiving your Excellency's Letters 20th of February, 1st & 29th of April with a report of the grand Committee on the arrears of Interest on the national debt, together with the expenses of the year 1784: a Resolution of April 19th and your Excellency's Letter of the 21 of said month containing information of L'Orient being made a free port; all which have been laid before the Legislature. I have to inform your Excellency in return that, several of the important matters recommended in the above have been duly attended to both with respect to finance and the Western Territory, as also vesting certain powers in Congress which are expressed in the several Acts which are transmitted to our Delegates to be by them presented to your Excellency and that honorable body.

I have the honor to be, &c.,

ALEX. MARTIN.
GOVERNOR MARTIN TO ROBERT MORRIS, ESQUIRE, SUPERINTENDANT OF FINANCE.

[From Executive Letter Book.]

HILLSBOROUGH, June 4th, 1784.

SIR:

Enclosed you have a Resolution of the Legislature respecting a Continental Comptroller of accounts for this State which if it meets your approbation, you will please to appoint a Gentleman as is therein mentioned of whom should our Delegates approve, the appointment will be sufficiently confirmed, and the Gentleman may proceed forward to the State as soon as convenient. You will please to instruct him to repair to Kingston where General Caswell resides, and at present is preparing the accounts for his inspection; every thing in my power shall be contributed to facilitate the business he will be employed in.

Several Recommendations of Congress respecting Finance have been complied with by the Legislature, whose acts on this as well as other important Subjects I have transmitted to our Delegates to be presented to Congress. As soon as it is signified all the States have granted to Congress the impost on Merchandize, the Act for this purpose will take place. In the mean while a duty of 2½ p. Centum is to be collected for State purposes until the sense of the Union is obtained from Congress.

I beg leave to mention to you the Gentlemen appointed for the collection of the State duty, who are also to collect the Continental tax as soon as it is authorized as above, and becomes due. Thomas Benbury, Esquire for Port Roanoke, Captain John Daves for Port Beaufort, Captain James Read for Port Brunswick, Capt. Nathan Keats for Port Bath and Mr. Samuel Ferebee for Port Currituck. As soon as the Laws are printed I shall enclose you a Copy of the same, which will give you further information on this subject.

I have the honor to be, &c.,

ALEX. MARTIN.
GOVERNOR MARTIN TO HIS EXCELLENCY THE CHR. DE LA LUZERNE
MINISTER OF FRANCE AT CONGRESS.

[From Executive Letter Book.]

HILLSBOROUGH, June 4th, 1784.

SIR:

Your Excellency's Letters respecting the debt due from this State to the Government of Martinique I have done myself the honor to lay before the General Assembly at their last Session: enclosed is their Resolution on that Subject, which I shall comply with as soon as I am enabled out of the funds they have appropriated for this purpose: the monies reed, for 1783 in taxes are expended, the impost laid this Assembly and taxes for 1784 will take some time to come into hand; but the first collections shall be set apart to reimburse this money agreeable to your Excellency's further advice.

As the principal collection of money will be in paper some produce of the State must be purchased with the same and a remittance made to Martinique or Philadelphia as will be thought most advisable by your Excellency, this however will be attended with some delay, for which your Excellency's indulgence is requested. That part of the Resolution respecting M. DeBretigny's Agency is a matter between the State and that Gentleman and cannot interfere with the debt he has contracted and which the State is bound to honor.

I have the Honor to be, &c.,
ALEX MARTIN.

GOVERNOR MARTIN TO THE HONORABLE RICH'D BERESFORD, ESQ.,
CHAIRMAN OF COMMITTEE FOR INDIAN AFFAIRS.

[From Executive Letter Book.]

HILLSBOROUGH, June 4th, 1784.

SIR:

Your favor of the 30th of March, respecting Indian affairs, I have been duly favored with. I have to inform you the Legislature of
this State have ceded all the Territory west of the Appalachian Mountains to the Mississippi to Congress; the Act for this purpose is transmitted to our Delegates, copies are not yet printed otherwise one would have been sent you.

The enclosed Resolve mentions a Treaty that was intended to be held with the Cherokee Indians for their claim to certain Lands north of French Broad River, which business is now to be conducted under the authority of Congress if the Cession is accepted. I beg leave to inform you further, that goods to the amount of £2,500 current money of the State are now in the possession of Messrs. John Gray Blount & Comp., as a present to the Indians for their claim as aforesaid, which are to be at the disposal of Congress to enable them to manage this business with the Cherokee Indians. It will be necessary that a Treaty be held also with the Chickasaws who claim all the Lands west of the Tennessee to the Mississippi. The above Rivers are the chief between the Southern Indians and this State, as soon as I hear a Treaty is going forward by order of Congress copies of former Treaties with the Cherokees will be sent you.

I have the honor to be, &c.

ALEX MARTIN.

RESOLUTION OF CONGRESS OF THE 1ST JUNE, 1784, MENTIONED IN SECRETARY THOMSON'S LETTER OF THE 13TH APRIL, 1783.

[From Executive Letter Book.]

BY THE UNITED STATES IN CONGRESS, ASSEMBLED.

June 1st, 1784.

Resolved, That in settling the Accounts of the line of the Army the Paymaster General be, and he hereby is authorized to settle with the Commissioned Officers on their Oath, and with non-Commissioned officers and Privates on a Certificate from the Field Officer who commanded them, in cases where from Capture, or other inevitable disasters the Musters and Vouchers have been lost, and when from circumstances he shall be convinced that other Satisfactory and more regular evidence is not to be obtained.

CHAS. THOMSON.
HIS EXCELLENCY ALEXANDER MARTIN, ESQUIRE, GOVERNOR, &c.

[From Executive Letter Book.]

To all whom these presents shall come or in anywise concern,

Greeting:

Know ye, that the papers hereunto annexed are copies of seven Acts of the honorable the Legislature of this State passed and ratified at their last Session held in Hillsborough the third day of June Instant, directed by them to be transmitted to the Honorable the Congress of the United States; which in my presence were duly examined and compared with the originals by John Haywood & John Hunt, Esquires, the Clerks of both Houses, who have attested the same; to which Copies and the attestations thereupon all due faith & credit are & ought to be paid.

In testimony whereof, &c.

By His Excellency's command.

W. WILLIAMS, D. Secy.

GOVERNOR MARTIN TO HUGH WILLIAMSON & RICH'D. SPAIGHT, ESQUIRES, DELEGATES IN CONGRESS.

[From Executive Letter Book.]

HILLSBOROUGH, June 4th, 1784.

GENTLEMEN:

Yesterday the Assembly rose, having made the longest session since the revolution. The many important recommendations from Congress have chiefly employed their time. You have here seven Acts passed this session, certified under the great Seal, which I am directed to present to Congress through you. They contain almost all the substance of every principal recommendation relative to Finance, the request of Congress as to the Western Lands, their favorite object, is complied with. The Assembly having liberally ceded the whole territory with little reserve, the Act empowers you to Ex-
ecute grants for the same. Whether the cession will be accepted, is with some a doubt, as our land office hath been open for some time for entries of these lands, and large quantities have been taken up, but still there remains great tracts undisposed of beyond the Tennessee to the Mississippi claimed by the Chickasaws. It is expected should Congress accept the Cession, they will be as liberal to North Carolina as they have been to Virginia on this Subject. This business you will conduct according to your prudence, not being limited to any particular instructions more than the reservations in the act.

A Resolution respecting a treaty to be held with the Cherokee Indians you have herewith for the information of Congress; the amount of the goods purchased by Mr. Blount for this purpose is £2,500 current money and are in his possession ready for their disposal. I have acquainted Mr. Beresford, Chairman of Indian Affairs, with this particular.

The Acts herewith you will please to present to Congress from the State, printed copies will be sent you, and to the Ministers of Congress, as soon as the printer hath finished them.

Attention hath been duly paid to his Excellency, the Minister of France's Letter respecting the Marquis of Bretigny's Agency, &c., to whom I have enclosed the resolution of the Assembly on that Subject with which I shall comply as soon as monies arise from our State impost or present Tax.

I have reed. no Letters from you since those dated the 29th of April, the 25th of March; the 8th and 9th of April from Doctor Williamson are come forward; from Mr. Spaight the 12th of March & 30th of April with sundry enclosures.

The Assembly came to no Resolution as to the Refugees. Debates ran high, several bills fell through respecting them, and the confiscated property remains unsold, which were laid over to the next Session.

Five Gentlemen are added to the Delegation to represent this State, from the first Monday in November next, one year, agreeable to a recommendation of Congress, to-wit, John Sitgreaves, Thomas Person, Benjamin Smith, Adlai Osborn and William Cumming, Esquires, the first in nomination to serve first if they cannot agree otherwise as to the time of service.
The Assembly have altered the time of holding the Annual meeting which is now to be on the first of October next. An election of members is to be on the third Friday in August. The annual Officers, except the Delegates, to be then chosen who are to take place at the expiration of the year the present officers were elected for.

Your appointment was early sent forward & I hope went safe and in time. You will please to inform me whether it is the pleasure of either of you, or both to remain at Congress after November next, that I may notify the Gentlemen here when to proceed.

A State temporary impost is laid on all Merchandize until Congress certify all the States have agreed to the Continental; the Collectors for the State are also nominated for the Continental duties; General Benbury for Roanoke, Samuel Ferebee for Currituck, —— Dixon for Washington, Capt. John Daves for Beaufort, and Capt. James Read for Wilmington, Nathan Keais for Port Bath.

The Gentlemen nominated by Mr. Morris to control our Continental accounts is thought by the Assembly to be rather too far Northward for this Business, and wish not to trouble any person at such a distance with our affairs, when some Gentleman may be nearer had in some of the Southern States in the room of Mr. Montgomery. Mr. Morris is to consult you on this subject. You will please to direct whatever Gentleman is agreed upon to proceed to Kinston in this State where General Caswell, the State Comptroller, is preparing the business for him.

I am with very great esteem, &c.,

ALEX MARTIN.

HON. HU. WILLIAMSON TO GOVERNOR MARTIN.

[From Executive Letter Book]

EDENTON, 5th JULY, 1784.

Sir:

On the third of June Congress adjourned leaving a Committee of the States to sit during the recess. My Colleague was desirous of being on the Committee, and I had many reasons for wishing to
visit the State. Inclosed are two sheets of the journals which I believe by some accident had not been forwarded.

The Journals on the third of June were printed up to the 26th of May. By this time I presume they are finished. From them you will learn that Congress have left some things undone which I presume the bulk of mankind will think ought to have been done. You will find that some of the Eastern States would not admit that Congress are authorized in time of peace to raise any troops for any purpose whatever, while some of us would not on any account suffer this power to be called in question. You will also find in such haste were the Eastern members to adjourn that they have taken no measures for making peace with the Southern Indians, though a plan for negotiating with those Indians was reported and ready to be passed upon.

I have not seen the act for making a cession of Western Territory but am told to my surprise that no provision is made for passing the Indian expeditions to the credit of the State in its account with the United States. When the State reconsider this Subject and finds that no attention has been paid to the Southern Indians, and little done for securing the Western frontier, I presume they will at least suspend certain conditions in the Cession. They are certainly too wise to give the power of negotiating good terms out of their own hands. Several very extraordinary claims have lately been made by the Eastern States. Massachusetts claims to be paid for the privateering Penobscot expedition in which they lost 20 or 30 Ships. Connecticut claims to be allowed for defending Greenwich, Groton and New London. New Hampshire and Massachusetts claim to be paid for extra bounties which they gave to troops enlisted towards the end of the War. Some of them received 100 dollars per annum above the usual pay. A grand Committee has reported on all these subjects, but Congress has not passed on the report, for several members, of which number I was, disliked the report throughout. For myself I wished to consult with gentlemen in the State, who are well acquainted with the condition of our accounts and extent of our claims. These being cases in which the Nation is not already bound, I think we may and should consult the particular interest of our State. I would readily indulge those frugal and watchful States provided North Carolina can gain by
such indulgence. By some future conveyance I shall state my particular objections to the report of the Committee and hope to be favored with your sentiments on the sundry Resolutions. As some millions of dollars are involved in the issue, it should not be passed over lightly.

Are you not possessed of muster rolls or other materials from which we may discover what number of militia of this State have been in service at different periods from the beginning of the revolution? The length of their several tours of duty and the Command under which they served? If other States have raised more Continental troops, perhaps we shall fully balance the acct. by militia in Continental service. Are there any Letters from General Washington, General Gates, or any other Continental officer, calling for militia to defend the Eastern part of this State, on the invasions of Philips and Arnold, 1781, by which the troops under the command of General Gregory at the North East may be passed to Continental acct. As General Gates was at Hillsborough and the Executive Committee there in October, 1780, when an account of the first invasion came to hand, I presume he may have proposed the turning out of the militia in the Eastern quarter. Are there any orders or requisitions under which the State Regiment or the troops who served separate from General Greene's army viz, near Wilmington or Halifax may be charged to the United States. If we have a right to charge any or all of those tours of duty we shall not accept the credit as a matter of favour; else we must consider whether we can negotiate for them to advantage. An extract from all the Letters from different Continental officers to the Executive of the State from the beginning of the revolution requiring troops of any kind would be of great use to the Delegates. Can such extracts be obtained? The plan for laying off and settling the Western Territory you will find on the Journals. It has not been agreed to in Congress; but is put on the Journals that the public may consider of it before the next meeting. This being our sheet anchor is to be carefully managed. I think the plan proposed will prevent innumerable frauds and enable us to save millions. The general object is to oblige the Surveyors to account for the land by parallels, dotts & meridians. However as I happen to have suggested the plan to the Committee it is more than probable that I may have parental prejudices in its favour. It has at least the merit of being original.
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I am informed that it is the desire of the State that three of the Delegates chosen shall attend together in Congress. Circumstanced as matters are, Several interesting questions depending, to which I have already given some degree of attention, perhaps my services may be as acceptable, and as useful to the State in the next Winter as those of a member perfectly new though his abilities are otherwise greater. On this supposition, and with the utmost desire of discharging the full of my duty to the State, I propose to attend Congress from the first of November till the time of the delegation expires. It may happen that the Committee will be obliged to convene Congress before the time to which they stand adjourned. In such case I propose instantly to attend.

I have the honor to be, &c.,

HUGH WILLIAMSON.

His Excellency Alexander Martin, Esq., Governor.

TO COLONEL JAMES ROBERTSON AT NASHVILLE, CUMBERLAND RIVER.

[From Executive Letter Book.]

JULY 10th, 1784.

Sir:

The 25th of last month there was a general Congress held at Mobile with the Chickasaws & Choctaws by the Spaniards, and great presents were given. The Creek Indians likewise met at Pensacola upon the same occasion and the purport was as we understand it by a Company of Chickasaws that came up yesterday from the Treaty: That the Spaniards desired of all the above Indian Nations as they looked upon them their friends and Brothers and it was impossible for any other Nation, except the King of Spain to supply their wants in every particular and that in a short time they should be at War with the Americans or Virginians & they looked upon them as allies to aid and assist when called upon. The Creeks are said to accept of the Treaty, & the Chickamamoggy's will join them. The Chickasaws say, they will not now nor never fight against Virginia. There is but this Company come up as yet, the whole will come
STATE RECORDS.

shortly. Mr. — has not heard of the news yet I am sure for he lives 30 miles from where we do & is to start tomorrow for Cumberland, in all probability he will inform you all he knows. We are not able to say as yet how the Choctaws will take the Spanish talk.

You may Sir, and all others of the settlement of Cumberland & Kentucky prepare yourselves for trouble, and take the best steps you can to secure yourselves from the ravages of the Creeks & Chickamoggy's. We will if we have an opportunity let you know the whole news as soon as we know it. But if ever the Spaniards know that we have wrote you on this subject, we may say farewell forever, because the Commandant of the Natches has sent for us to come home and he would look upon us with the same respect as before the revolt. But we shall forbear going if the Spaniards are going to War with America.

We shall remain Sir Yours,

COL. JOSEPH MARTIN TO GOV. MARTIN.

[From Executive Letter Book.]

LONG ISLAND, SEPTEMBER 2D, 1784.

Sir:

Yesterday I received from the Chickasaw Nation a Letter of which the following is a Copy*:

This is certainly the earliest piece of intelligence that could be had. I expect several of the Chickasaw Chiefs here every hour and shall have the particulars of the Treaty, which shall without loss of time communicate by express to your Excellency. In the mean time shall take every step, necessary, to find out the intentions of the Spaniards; and likewise make myself acquainted with the most private intrigues of the Indians. I shall set off to the Nation immediately. William Lytle and Samuel Rooley, who trade with the

* Vide letter pages 83-84.
Chickamoggy's, inform me, that at a Treaty held at Pensacola by
the Spaniards in June, 1783, they heard the Governor tell the In-
dians in open Treaty, "not to be afraid of," that they, the Indians,
were not without friends. That "the Americans had no King and
were nothing of themselves and was now like a man that was lost
and wandering about in the woods—and if it had not been for
"them and the French the British would have subdued them long
"ago."

Some of the Cherokee Chiefs informed me the same. My connec-
tion with some of the principals of this Nation is such, that nothing
of this kind can transpire without my knowledge which will enable
me to give you a true account of what may be of benefit to the pub-
lic to know.

I am Sir, with due respect, &c.,
JOSEPH MARTIN.

THE SUBSTANCE OF A TALK HELD AT NASHVILLE WITH SOME
OF THE CHICKASAWS.

[From Executive Letter Book.]

MOUNTAIN LEADER'S TALK.

I came here formerly with my King, and have nearly the same
talk now as I had then; the talks he gave, for he is since dead, still
live in mine and my people's remembrance—the sun shines clear
on us all, the children may walk about and not be afraid—the
Chickasaws' King and the great men of Virginia have talked & I
hope the great men of Carolina will agree to it. I have heard that
a settlement is to be made in the bend, & that the Cherokees have
given up the Land on Tennessee to the White People, which sur-
prises me, as it is mine and my children's land from which we get
our living. It is not today we talk—our head men have talked
with you already and we abide by it. I give these Beads as a token
of peace & hope they will be accepted.
Glover then delivered Belts and talks sent by the following principal heads of the Chickasaws.

**THE KING'S TALK.**

Because the Chickasaws have lately lost their King I would not have my Brothers the Americans think their former talks lost as I stand in his place & all is straight as before. I have no long talk only as it always was, so it now remains.

**Piametahaw's Talk.**

Though we have lost our King I would have the Americans think us as much their friends as before: tho' we were not brought up together yet we are friends and Brothers and though there has been bad talks and War between us I hope it will never be so again. I would have the white people go & kill Buffalo, and we will do the like and not interrupt one another.

**Paskapatawpo's Talk.**

I hope though our King is dead the former talks are good. The Spaniards sent for our people & me in particular to hold a Treaty with them, but I had rather talk with my old friends the Americans. I do not know there would have been any harm in talking with Spaniards but I have been used to the talk of the Americans & hope our talks now and that of the next generation will always be the same. I send this Belt to the Governor of Carolina, the black beads in it being a token of the death of our King, and hope it will never be lost, that if your Governor should die his successor may see this belt & think of our former talk and I shall tell my Children and it will always be peace between us.

**Piamingo's Talk.**

I never had much talk but as I am now a leader, such men as I make Children afraid—but I am not at all for that at these times. I have but a short talk. I hope you will accept my Beads and give good talk as I do.
GLOVER'S TALE.

Friends and Brothers:
You came here and thought no harm, and I come now to see you and talk with you. The land on this River we do not call ours and you are settled on it, and are welcome to it. But the land from which we get our living on Tennessee we never gave to you nor no body else, tho' we hear the Cherokees have. I have heard a talk from the Spaniards, advising us to kill you; but do not be afraid of it for they are our old enemies—we never had any thing from, nor never will join them.

I told the Spaniards you were both white people alike, and if they had any quarrel with you to fight their own Battles.

DE MARBOIS TO GOVERNOR MARTIN.

PHILADELPHIA, July 13th, 1784.

I have received in the absence of the Chevalier de la Luzerne the Letter which your Excellency hath taken the trouble to write to him the 4th of last month. I receive with pleasure the measures taken by the State of North Carolina for the payment of the debt contracted with the colony of Martinique, and will not be delayed in their execution from which I shall be able to draw for the sum of 6,000 Dollars or for part of this sum. I pray you that you will be pleased to inform me as to the terms of the Bills of Exchange which I may draw upon your Excellency. If it should be more convenient for you to cause the payment to be made here, I shall be equally ready to receive it, and which indeed will be more convenient for me.

I shall hasten to inform the Minister of the Marine department of the arrangement which the State has taken for this payment. I am persuaded that it will be very easy for you to remove every kind of difficulty that may obstruct the officers of his Majesty, of Martinique in the settlement of their accounts. I am informed that the Isles of France and Bourbon (Mauritius) will be opened to
the Ships of the United States. This news is interesting to North Carolina, on which act. I hasten to communicate to your Excellency.

I am with respect Sir, Your Excellency's &c.,

DE MARBOIS.

Charge des affaires of France at Congress & Consul General.

His Excellency

Alexander Martin, Esqr., Gov., &c.

SAM HARDY TO GOVERNOR MARTIN.

ANAPOLIS, 17th July, 1784.

SIR:

In conformity to the direction of the Committee of the States, I do myself the honor to acknowledge the receipt of your Excellency's favour. The acts of the General Assembly of North Carolina are registered on the journals of the Committee and filed among the papers of Congress.

With every sentiment of esteem and respect,

I have the honor to be, &c.,

SAM HARDY.

His Excellency

The Governor of North Carolina.

HON. RICHARD D. SPAIGHT TO GOVERNOR MARTIN.

ANAPOLIS, 23rd July, 1784.

Since my last to your Excellency, the Committee have received a Letter from Mr. de Marbois, Charge des affaires for the Court of France informing us that his most Christian Majesty had opened the ports of Isle of France and Bourbon to the American Vessels in order to facilitate our Commerce to the East Indies, he has not received the intelligence officially, but it may be depended on. I have enclosed a copy of his Letter.
STATE RECORDS

I formerly mentioned to you the situation of our Indian affairs in the Northern and middle department were by no means agreeable. To give you some idea of them I send you a Copy of a Letter from General Muhlenburg; he thinks unless a treaty is made with them this Fall, we shall be unavoidably involved in a war. That a treaty will be made this Fall is a matter of great doubt with me; it depends entirely on the Commissioners getting a sufficient number of troops for their protection, from the 700 which Congress recommended to the States of Connecticut, New York, New Jersey and Pennsylvania to raise from their militia for 12 months. None of the States have as yet ordered them to be raised. Their Assemblies are called to deliberate on the measure; if they should even comply with the recommendation I don't think the troops can be raised, arranged, &c., before the Season for holding a treaty would elapse.

I enclose your Excellency a Copy of a Letter from Thomas Chat- tendon, Governor of the Vermontes. The four Eastern States are in favour of making Vermont a free, Sovereign & Independent State, as it will not only weaken New York but throw a fifth vote in their scale; from the language of the latter, it would seem that they were sensible of this support; if it has no other effect, it has certainly added to their importance. Should the New Yorkers have recourse to arms, as they have informed Congress they would, unless their differences should be determined within a limited time (which has now expired) I expect we shall have a little dust kicked up during the Fall between them and Vermont.

We have received Letters from Colo. Harmen and Lieut. Colonel Franks, giving us an acct. of their arrival, the former in France, the latter in England. Mr. Laurens in his last Letter informs us that Mr. Hartley was setting off for Paris to exchange the ratification with our ministers, preferring that place to London, as he receives a handsome stipend for every journey.

I have the honor to be, &c.,

RICHARD D. SPAIGHT.

His Excellency

The Governor of North Carolina.
HON. HUGH WILLIAMSON TO GOV. MARTIN.

[From Executive Letter Book.]

PRINCETON, 4th August, 1784.

SIR:

Your Excellency has been very unfortunate in the means you employed for conveying intelligence. Yours of the 20th May came to hand 10 or 12 days ago & not sooner. Of course the Philadelphia printers had copies of it from other newspapers before we could send them a manuscript. Inclosed is Master Rivington's veritable Gazette, not Gazette of verity, in which you will observe the speech is reprinted. Had the Executors of other States at an early hour recommended those generous and manly sentiments which you have proposed to the General Assembly much confusion might have been prevented in the United States, and those vagabonds would properly have been considered of little importance who like flies on the political wheel have, poor Devils, in vain attempted to retard the progress of Liberty.

The definitive Treaty has indeed been strangely delayed but we have not received a single line from one of our Ministers on that subject since (I think) the 7th of April. We knew that the extraordinary political Phenomenon, the absolute want of a Ministry in England for near seven weeks, delayed all negotiations. Our last account stated that negotiations seemed to go on seriously. There is reason to believe that the definitive Treaty was signed at Paris on the 27th May, near 20 Days might be required for ratification in the Several European Courts concerned, before which no publication could be made. We however may daily look for a copy to be ratified here.

The reasons which induced Congress to adjourn to this place have been fully explained in a public Letter from the Delegates. Concerning our future motions I cannot even give you conjectures, except that I suppose we shall leave this before Winter, because I think we cannot continue here with any degree of comfort during the Winter. Invitations for going to different places crowd thick upon us. I have written to the Post Master General respecting the
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Letters which are detained in the office at New Bern. Should you have received these Letters before this comes to hand I shall be obliged to you for an exact Copy of the endorsement on each of those Letters. If they are still detained you will be so good as to cause a friend in New Bern to take a Copy of the whole superscription & send it to the Delegates. If the Post Officers are clearly culpable we shall know what measures should be taken, if the detention arises from some ambiguity, in the words of the ordinance, the ambiguity must be removed. If the name of a member of Congress is on the Letter of one of our public Ministers, or if it is to the Governor of a State it should doubtless be free provided it is said by the inscription to be free or to be on public service. But there have been several complaints of Letters detained in the first of these predicaments merely because they had not also the marks free or public service on them. In all such cases however a Habeas Corpus has issued.

I have the honor, &c.,

HUGH WILLIAMSON.

His Excellency Governor Martin.

(COL. JAMES ROBERTSON TO GOV. MARTIN.

[From Executive Letter Book.]

NASHVILLE, August 5th, 1784.

Sir:

Since I had the honor of writing to you I have received several accounts from the Southward, (a Copy I enclose) from two persons resident with the Chickasaws, which seems confirmed by a multitude of corroborating circumstances.

Mr. ——— showed me a letter from Alexander McGillvery, a half breed and chief of the Creeks; in which he mentions having put the Creek nation under the protection of the King of Spain, who is to assist them in case of a rupture with the Americans which he thinks inevitable, as he says the dispute between the Creeks and Georgia concerning Lands grows every day more serious.
I can hardly imagine the Court of Spain can countenance these proceedings; but rather think it proceeds from the rapacity of the Spanish officers desirous to make a breach betwixt us and the Indians in order to engross the whole of their trade.

The Chickamoggas have joined the Creeks and I am informed they intend to begin hostilities immediately; were it possible to carry on a Campaign against them I think it would strike terror into the Indian nations & be a sure means of obtaining peace with the whole. Nothing would more conduce to obtain influence over the Chickasaws and Choctaws than an appointment of an agent in those Nations who might carry on trade with them—and as I imagine these Countries will fall under the immediate direction of Congress, I beg your Excellency to represent this matter to our Delegates in Congress. If they should think it advisable to appoint one, Mr. John Turnbull from his long residence and influence with these nations would I apprehend be very servicable in that capacity.

There is now about thirty Chickasaws here with two of their chiefs, the Mountain Leader and Glover with whom we have lately had a talk, the substance of which I have enclosed together with the Belts delivered which they beg your Excellency will accept. I cannot yet learn whether the Choctaws have yet agreed to submit to Spanish protection or not, but expect to know in a few days of which I shall inform your Excellency by the earliest opportunity.

I am with the greatest respect, &c.,

JAMES ROBERTSON.

HON. RICHARD D. SPAIGHT TO GOV. MARTIN.

Annapolis, 6th August, 1784.

SIR:

Since my letter to your Excellency of the 22nd ult., we have received a letter from Doctor Franklin giving us official information of the exchange of ratifications of the definitive Treaty of peace between the United States of America, and his Britannic Majesty; and enclosing a Copy of the same. This event took place on the 12th
of May last at Pansi near Paris. A Copy of his Britannic Majesty's ratification is inserted in the inclosed newspaper.

I informed you in my last that I had enclosed to the Superintendant of finance, a Copy of the Resolutions of the General Assembly, respecting the settlement of accounts and the appointment of a Commissioner; the inclosed is a Copy of his answer to me, and will show you his ideas on that subject. He says the Resolves do not perfectly square with those of Congress.

Your Excellency may have it in your power to recommend some person from the State of Virginia or South Carolina, according to his desire, and give him information of it.

I am Sir, Your Excellency's, &c.,

RICHARD D. SPAIGHT.

His Excellency
Alexander Martin, Esqr.

HON. CHARLES THOMSON SEC'Y OF CONGRESS TO GOV. MARTIN.

PHILADELPHIA, September 27th, 1784.

SIR:

The Chairman of the Committee of the States in his Letter of the 19th August informed your Excellency of the situation of the Committee and the arrangements taken for the removal of the papers and records of Congress from Annapolis. Five States, namely Georgia, South Carolina, Virginia, Delaware and Pennsylvania have in pursuance of the recommendation contained in the said Letter Met at Philadelphia where the papers and records are at present. And being of opinion that it is of great importance to the Confederacy that a Committee of the States should assemble as speedily as possible, They have desired me to inform Your Excellency of their meeting and most earnestly request you to send on a Delegate from your State to meet them at this place. They wish for an immediate answer to this, that if there be no hopes of a Committee assembling they may not be unnecessarily detained.

I have the honor to be, &c.,

CHARLES THOMSON.

His Excellency
The Governor of North Carolina.
HON. HUGH WILLIAMSON TO GOVERNOR MARTIN.

EDENTON, 30th September, 1784.

SIR:

By the printed journals of Congress you will observe that a little before the adjournment sundry important subjects were agitated and the questions lost on principles which some of us could not have suspected. It was generally admitted to be essential towards the discharge of the National debt that the lands ceded to Congress by New York and Virginia should be purchased from the Indians; and a military force somewhat respectable is necessary either to holding an advantageous treaty taking possession of the Western ports, or keeping the Indians in check. But some of the States would not admit that Congress has any right to make a requisition of troops during peace. The Southern and middle States were of opinion that such a right could not be given up. It is provided in one of the Articles of Confederation that "the United States in Congress assembled shall have the sole power of raising troops." There are no words by which this power is restrained to the time of War; hence we supposed it to be perpetual: especially when we considered that the existence of such a right may be essential; for the very independence or safety of an Empire may depend on its arming in time of peace to prevent an invasion. The minority however would not recede and we had recourse to a poor expedient, but the only one remaining, viz: To calling on certain States for Militia. The inefficacy and expense of this measure may probably give rise to better ones. The enclosed paper, No. 1, is an extract of a Letter from the Legislature of Massachusetts: No. 2, is an Act of the General Assembly of Connecticut. These papers have been referred to a grand Committee who have reported on the several articles to which they refer, but I cannot allow myself to believe that Congress will adopt the report without great amendments. For myself I confess that I am not possessed of such information, though I have sought for it with diligence as to enable me on those questions to determine with any degree of certainty what is the true Interest of the State. Hence it is that I am to trouble Your Excellency with a few questions, whose solution I cannot otherwise obtain.
You will observe that the propositions of Massachusetts open a field for extensive charges by that State against the United States. New Hampshire too has claims similar to those of Massachusetts for bounties and old Continental Money. There is a redundancy of old money in Rhode Island, and Connecticut has large claims for Militia service. If these several claims are allowed the debt of the United States must be increased by several Millions of Dollars, some thing must doubtless be done on these several heads but if my calculation is right our State must gain or lose half a Million of Dollars according to the principles on which the different resolves may be founded. I am aware that since I have had the honor to serve the State some of the same questions that I am going to propose have been stated by the Delegates and no answer returned. However as I conceive the subject very important and as the time approaches when a final settlement must be made of the late military expences of the United States I flatter myself that more attention will now be paid to those different Subjects.

The claim of Massachusetts that she may be allowed for all the bounties that were paid for recruiting the Continental Line in the last years of the War is said to be very large, and New Hampshire has a similar claim. We are told that a bounty of 100 dollars per Annum was paid by the several classes to the recruits whom they raised for three years. In support of the claim Massachusetts alleges that she has raised more than her quota of the Continental Line and that Congress has promised to indemnify any State for such exertions.

I presume this single charge may amount to a Million of Dollars. But it is inquired has Massachusetts done more of her quota or has North Carolina done less than her quota of Military Service? At present we are not furnished with materials by which we can answer those questions.

The personal service to be performed by the Citizens of any State was to have been according to the number of its white inhabitants. And no account can be procured of the number of our Inhabitants. Early in the resolution our Delegates for obvious reasons, stated the number of our militia at 40,000, but the motives to such large statements have long since vanished and it is now our duty and interest to be more correct.
The number of inhabitants in some of the States have been taken from the militia rolls by counting five Inhabitants for every Man on the roll. On this principle we may venture to fix the number of our white Inhabitants, without any risque of its exceeding the truth; especially if we take the very last Musters that were made on the year 1782, when the effective Militia in the Several counties were divided into Classes for the sake of making the 18 Months Continental draughts. Certainly the several Brigadiers could furnish you with such a return within a few weeks. As the Militia were classed in the same manner in the year 1781, either of the Muster Rolls would answer our purpose and they must be considered as correct for they were taken on oath. In such a return it would hardly be fair to include the Settlers in the new Counties over the Mountains who were not there during the War nor would any list taken in the present Year be so perfectly unexceptionable. I have some reason to believe that our feasible Militia were much nearer 25 than 40 thousand. Having discovered what was the number of our feasible Militia perhaps we shall find that near the beginning of the War we raised too great a proportion of Continental troops and when the vast bodies of Militia are considered who did duty towards the end of the War, who are chargeable or who may hereafter be charged to Continental account, it is probable that North Carolina will not appear to have been deficient.

If so she will hardly be the first in objecting to the claim of Massachusetts, provided she obtains a credit for similar bounties. There are other facts of which the other Delegates may need to be informed viz, What are the different tours of duty that have been performed by the militia of this State during the War? What are the number of men who have served on those several tours and the length of their service? At whose Instance was the Militia called out on the Several Occasions?

Your Excellency will immediately observe the use of this last question for according to the Resolves of Congress all militia service that has been performed in consequence of recommendations of Congress, or at the request of a Continental officer Commanding in a Separate department are to be charged to the account of the United States. I presume that all the militia who have served in Georgia or South Carolina, all those who were draughted in 1780 to serve
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under Major General Caswell and those who served at any time with General Greene are chargeable to Continental Account. But I fear that they who served at the North East in Virginia under General Gregory and those who served in 1781 near Wilmington and in other parts of the State, also the State Regiment may not at present be chargeable to the acts of the United States. It is curious but not very pleasing to observe, that while some of the Northern States never turned out a Serjeants guard of Militia without obtaining the Sanction of Congress or of some Continental officer our State in the true Spirit of a patriot but not of an accountant has been expending Militia and raising State troops without taking any heed concerning the day of retribution. The Delegates can easily find what Militia have been called for by Congress, but they do not know how many have served in consequence of such calls nor do they know what numbers have served in consequence of the calls or recommendations of different Continental Officers. By an Extract from the Letters of the Several Continental Officers who have command in the Southern department, on the subject referred to we shall know what part of our Militia service is to be charged to the United States. As the Camp was formed on the borders of Virginia by order of the Executive Council sitting at Hillsboro, perhaps the measure was sanctioned by the Continental Commander who was then with them at Hillsborough.

Being possessed of the different informations to which I have alluded we shall be enabled to reason mathematically on the following heads viz. We shall know whether the amount of service performed by our State either by its Continental Line or by its Militia in Continental pay is equal our quota of military service. If we find that we have done much service which we are not at present authorized to charge perhaps we may find that it will be our interest to indulge Massachusetts in her Penobscot claim, and Connecticut in her claim.

If Congress should agree that all tours of Militia duty that have been undertaken to repel an enemy or to stop his progress shall be charged to Continental account our Indian expeditions will be charged in course, but I suspect that some difficulty may arise in obtaining such a Resolve. The agreement of nine States is necessary. New Hampshire has already obtained credit for all the Mi-
litia service she has done. Rhode Island is nearly in the same predicament as also New York. Pennsylvania has obtained a full credit. Delaware has rendered very little Service of that kind and Maryland none or none that can be mentioned. All these States or a majority of them may object to admitting any new charges by which their quota of the national debt must be considerably increased and nothing added to their own credit.

Having mentioned the difficulties that may arise in obtaining credit for the amount of our Militia Services I cannot help referring to the act of Cession that was passed by the last General Assembly and though I see by the journals that a great diversity of opinion prevailed in the House on that subject, I am not in the least apprehensive of giving offence to Gentlemen who have been on either side of the question, for I am fully persuaded that they were equally desirous to promote the true interest and honor of the State and the harmony and strength of the Union; they only differed in their opinions concerning the best means. It happens however that some very strange and unexpected incidents have presented themselves since the last Spring which may impress the minds of men considerably; must affect our finances greatly and may render it proper for the State to embrace measures or to use cautions which in the last Spring were not indicated. Be this as it may, it is my duty to mention the incidents or changes that have occurred, or, if they should appear of little importance they will occasion the less trouble.

Congress or several of the States were in such haste to adjourn on the 3rd June last that we could not obtain a vote for appointing Commissioners to treat of Peace with the Southern Indians though the plan of a treaty had for some weeks been prepared by a Committee. Should an Indian War break out by such neglect, the Western Inhabitants of our State would be among the Chief Sufferers. When I consider the political and military Virtues of those brave Citizens who live over the Mountains and recollect that we are in a great measure indebted to them for one of the greatest actions that has been achieved during the late War, I am not a little hurt by any want of attention to their safety. Massachusetts has at this late hour put in her claim to an extent of two degrees of latitude across the Country that is claimed by New York and immediately before the adjournment she petitioned to have the question
determined by a federal Court, which is to be appointed. This claim I conceive is to extend to the South Sea or at least to the Mississippi and will include part of the New York and Virginia Cession though it will not come Southerly of the present Massachusetts. Connecticut having failed in her attempts to cut one degree out of the State of Pennsylvania, has just entered her claim to the same degree Westward of Pennsylvania. Her South boundary is somewhere near the latitude 41, and she extends to the Mississippi. Indeed she is willing to cede that degree to Congress on condition that they will give her 100 miles in length of it from the border of Pennsylvania. This curious act of Cession arrived at Congress on May last. It may seem strange that Connecticut should have accepted of the Virginia Cession when she yielded that very land to Congress, without disputing her title which might have been tried by federal Court, tho she now claims it from Congress when no such Court can be entitled; for there are no indifferent Judges. Another event of great importance has drawn the attention of the public since the adjournment. Rhode Island is said once more to have rejected the 5 per Cent Impost by a great majority in her Assembly. If this Impost shall finally be lost North Carolina has a bad prospect of being able to pay her quota of the National debt. Virginia and South Carolina will immediately impose a duty of 5 per Cent for their separate use by which they will be enabled to pay a considerable part of their quota. We too shall impose a duty and what will be the consequence? Near half of the goods we consume are imported by land from Virginia and South Carolina, and as our sea trade is carried on chiefly in small Coasters near half of the remainder will be smuggled through our numerous inlets. The goods we import by land have paid a tax of 5 per Cent for the benefit of Virginia and South Carolina but they will hardly pay one half per Cent into our Treasury; for it will not be possible to guard an entrance into the State of 150 miles in length on each boundary. The goods that come by water will in General have paid a Tax of 5 per Cent to some of the Northern States, but by the address of Coasters and small adventurers they will pay little into our Treasury. These are not very pleasing prospects.

It is well known that Georgia, who has done very little service during the War has obtained a very extensive territory by the man-
ner in which our bounds were settled at the Peace. She might yield to the United States at least 63 millions of acres after retaining to herself an Extent of 300 Miles from the Sea. Our share of such a Cession, if she could be prevailed on to make it in Concert would be I think equal to the greater part of what remains for us to give.

To the different considerations that have been mentioned we may add the situation of our Indian expeditions. You may recollect that on the 22nd of October, 1782, the delegates had the honor to express to your Excellency their hopes that if a Cession of Western territory should take place it would be on certain Conditions of which the first was "That the whole expence of our Indian expeditions shall pass to account in our quota of the Continental expences." And on the 11 September on the same year the Delegates expressed their uneasiness that they had not been officially informed of an expedition then going on against the Indians nor authorized to apply to Congress for their approbation as Pennsylvania was doing at the very time so that she might pass the service to account. But no such approbation has been obtained and the whole of our expedition with a good part of our other Militia service continues to be a State expence. I perceive that a great part of the late general Assembly viewed this subject in a different light which doubtless was the reason why they omitted the stipulation that has been mentioned or some conditions to that amount, they seem to have thought that all Militia services whether they were pointed against tawney or the white savages ought to pass to the Continental account. If ever that should be the case it will cost us much trouble to obtain such a credit.

You observe that there are three measures which we are greatly interested in promoting viz, That Rhode Island and Georgia should agree to the 5 per Cent Impost. That Georgia should cede part of her territory and that the expences of our Indian Expeditions should be paid by the United States. Can the Western territory belonging to our State be so managed as to promote those several interests? The last mentioned we may doubtless secure. If we should immediately complete the Cession we shall give up the power of making advantageous terms and shall lose the argument which may bring others to adopt federal measures; on the other hand should we sell out what remains of this territory to the Western Inhabitants what-
ever inconveniences they may suffer, they will lose the prospect of becoming a Separate State; the quota of our State will be doubled though we shall hardly have the means of paying half of our present quota. In that case too we should give up the means of making terms, or the power of adopting better measures if better should present themselves. The situation is critical. Perhaps it is most consistent with prudence and sound policy to make a pause. Whatever shall finally appear to be for the honor and true interest of the State may be done 12 months hence as well as now. But we may do wrong things which may not be undone.

Among the acts of the last Assembly there is one for empowering Congress in the final settlement of the proportion this State is to bear of the whole expenses of the War the foreign loan excepted, to adopt such principles as may seem just, without being wholly governed by the rule laid down in the 8th Article of the Confederation. From this it appears to have been the expectation of the State, that Congress would come to a settlement and allot to each State the portion it is to pay of the National debt, the foreign loan excepted, which quota each State might discharge as it could or at least the balance of its quota. Doubtless the Delegates will press for such a settlement as nothing could be more fortunate for our State, but such a measure will be warmly opposed by most or all of the States who have no vacant Lands. The question has already been agitated. The reason is pretty clear why such States may refuse to divide the National debt. According to the present allotments Maryland which is one of the States that has no vacant territory, would have to pay 94 Dollars out of every thousand; and North Carolina would have to pay 72. But as soon as our vacant territory shall all be located and surveyed, our quota according to the existing rule would be near 148. I need not say that Georgia would pay above 200 whose quota is at this hour is 10, nor that the quota of Maryland must decrease while ours was increasing. However ungenerous it may seem to think of burdening posterity with our national debt, and of throwing half of it around the neck of those Infant States who rising on the other side of the Mountains, there are people who are not ashamed to cherish sentiments of this kind. By the Letter from Massachusetts you will observe that Congress are still haunted by the old Continental Money. Justice and sound policy require that its monies
should get some repose. Massachusetts having called in 40 millions
which was her quota, asserts that there are near 30 millions more re-
main in the hands of Individual Citizens. Your Excellency may
wonder how she made such a discovery, when we find so much diffi-
culty in obtaining any information that can be of use as to funds or
claims, but those people lose nothing by the want of industry.
Massachusetts and the other States, who have too much of the old
money propose that it should be sunk according to the resolves of
Congress at 40 for 1. There are other States in which the money
circulated at 5 or 600 for 1, who propose to sink it at that rate. Per-
haps neither plan is founded on strict justice. It is very clear that
a considerable part of the old money was carried into Boston after
the value had sunk below forty but it is also affirmed that no part
of it ever circulated after it had sunk to 100 for one. The States
who have more than their quota of this money allege that justice
is refused them because it is the Interest of the Majority to do wrong.
In whatever manner this question may be determined I think we
shall find that our situation would not have been worse if there had
been a few millions more of the old Continental money in our
Treasury.

Your Excellency will see by the journals that Congress has not
yet agreed on a plan for opening the land office for the sale of West-
tern territory. Much of our hope depends on the prudent manage-
ment of that business; however as I have more than once mentioned
the Western territory as a fund by which a great part of the Na-
tional debt might be extinguished I shall try to explain my ideas
on that subject. We are apt to estimate the value of Vacant land
by considering what it sold for under the regal Government; with-
out considering that the object of the Crown was to settle Colonies
and not to raise money; that the property is now conveyed in fee
simple but the Crown used to reserve a perpetual quit rent, and
that the value of land increases in such proportion as the Govern-
ment is more free. From the States which were formerly propriety
Governments where the soil belonged to a Subject who was
attentive to the improvement of his estate, we may form some esti-
mate of the true value of Vacant Land. In Maryland the price of
Land was £5 sterling per hundred acres with a reserved quit rent
of 4/ per Thousand. The amount was equal to 37 dollars & 3d. In
Pennsylvania where the form of government was more free, with
the advantage of having no Ecclesiastical establishment such as
prevailed in Maryland, land was readily sold for a greater price.
In the year 1769 the land office was opened for the sale of several
millions of acres that had just been purchased of the Indians. The
price was £5 sterling or £8.6.8. with a quit rent of 8-4 sterling or
13·10½ Currency; but 13·10½ per annum is the interest of £11, 10½-8,
hence the purchase if the quit rent had been bought out would have
been £19,17 4½ or 53 Dollars lacking four pence per hundred acres.
On those terms above three thousand tracts were sold in one day
and more entries made in a fortnight than the whole of the Vacant
lands. A Considerable part of the land referred to lay over the
Mountains, Some of it on the Ohio and is exceeded in value by at
least 50 millions of acres of ceded Land that is not controverted on
tother side of the Ohio. Surely the present form of Government is
more free than what formerly prevailed in Pennsylvania or any
other Province and a silver Dollar was of more value either in
Europe or America 15 years ago than it is at present, wherefore our
lands ought to sell for much more than 53 Silver Dollars; but our
Lands are to be sold for public securities not for Specie, and
no man will say that money in the public funds is to be valued as
money in the pocket. In Great Britain whose funds are among the
best in Europe, a man could not in the last year get more than
£65 in Cash for 100 pounds National Stock. In the United States,
where the public funds have not acquired any system, national
Stock is much lower. It is at 20 or 25 per Cent. Is it not certain
that we may sell our lands at 100 dollars per Hundred acres with¬
out any difficulty? The money to be paid in public securities.

Your Excellency may possibly wish to know the present Situation
of the public Arms, especially as that Situation may chance to
draw the attention of the State. There are from 30,000 to 40,000
stands of arms besides a large train of artillery, deposited in different
places. At Springfield in Massachusetts, at West Point in New
York and at Carlisle in Pennsylvania there are large magazines and
 arsenals which have been erected at the Expence of the United
States. In those places a sufficient quantity of arms is deposited
for the Northern and Middle States. The proportion of public arms
which ought to be laid up in the Southern States is stored at a
heavy expence in private ware houses in Philadelphia and at the Sea ports. It was proposed to build Arsenals and magazines at the point of Fork at James River, and at Camden in South Carolina to which those arms were to have been transported, but we have not been able during the last two years to obtain a vote for the expence of sufficient buildings; in fact money has been deplorably scarce in the Treasury, nor is the case like to alter much for the better. Hence it is probable that some other measures must be adopted for the disposition of our quota of the public arms. If our State was provided with an arsenal and magazines sufficient for holding them or if it had appropriated sufficient funds for the purpose, I think it probable that the Delegates would move to have our proportion immediately brought into the State for we should then understand it to be the wish of our Constituents. I need not mention that the Confederation requires nor that political prudence requires that our militia should be well armed and that we lay up military stores in time of peace so as to prevent insults by a respectable State of defence. If it is the opinion of our State that some kind of military preparations are necessary, perhaps no time can be so fit as the present for beginning to erect the buildings, for a small part of the State arsenal may be set apart for storing our quota of the Continental arms. In cold climates it is found that two men are sufficient to keep 4,000 stands of small arms free from rust. In a warmer climate 3 may be required. This is a small expence. I am aware that the low rate of our finances will be objected to this useful undertaking. But it appears to me that if 5 or 6,000 pounds worth of forfeited property was vested in the hands of Commissioners to be immediately sold for the sole purpose of erecting arsenals and magazines it would be a sum well disposed of.

And a military or political forfeiture would naturally be applied to a military use. You will be so good as to excuse this digression. It appeared to be my duty to represent the Situation of the public Arms and our embarrassments on that account. I have merely hinted at a measure by which some of those difficulties might be removed.

This Letter has insensibly grown very long. If the subjects to which it refers claims the attention of the State it needs no apology; if otherwise an apology would not save it. In every case where I
have ventured to give an opinion I have stated the facts on which that opinion is founded; from such evidence if the conclusions are ill drawn you will readily correct them.

In what manner shall this State obtain full credit for the services it has performed during the late War? In what manner shall our claims be supported so that our quota of the National debt may be diminished and our Citizens be rescued from heavy Taxation?

To this particular object I would turn your attention and for this purpose it is that I repeat the original request, that the Delegates may be informed what have been the number of effective militia in the State? What tours of duty they have performed? And what is the Continental Sanction under which they have served on different occasions? It is with much reluctance that I have troubled your Excellency, or the State with such a detail of questions, but the property of our Constituents is deeply concerned in subjects to which those questions refer and in the determinations to which they may lead; hence it is of the utmost importance that the Delegates be well informed. It is humiliating in a Statesman to be reduced to conjectures, and perfectly shameful for an accounant to be stumbling in the dark when certainty is to be obtained.

I have the honor to be, &c.,

HUGH WILLIAMSON.

His Excellency
Alexander Martin, Esqr.

PROCLAMATION BY THE GOVERNOR.

[From Executive Letter Book.]

STATE OF NORTH CAROLINA,
November 26, 1784.

By His Excellency Alexander Martin, Esquire, Governor, Captain General, and Commander in Chief of the State aforesaid.

A PROCLAMATION.

In compliance with a request of the Honorable General Assembly, by their resolution dated at New Bern the 21st of this Instant.
I do hereby issue this my Proclamation, requiring all the Citizens of this State, more especially those in the Western Country, to be of good behavior to, and to treat the neighboring Indians in the most friendly manner, agreeable to the treaties subsisting between them and the people of this State; Hereby ordering all intruders and encroachers to remove off the Indians’ lands and hunting grounds within the limit of this State; giving them this information that the General Assembly will not think themselves bound to support or lay any expense that may be incurred by a war brought on by the injustice and rapacity of the individuals. And I do further will and command all officers, civil and military, within this State especially those in the Western Country aforesaid, to carry this proclamation into effect agreeable to the resolution aforesaid, and that all the good citizens of the same, render due obedience thereto, and be aiding and assisting in this service, as they will answer the contrary at their peril.

Given under my Hand and the Great Seal of the said State, which I have caused to be hereunto affixed at New Bern the twenty-sixth day of November, in the year of our Lord, 1784, and in the Ninth year of the Independence of the said State.

ALEXANDER MARTIN.

By Order,

JAMES GLASGOW, Sect’y.

God save the State.

A PROCLAMATION BY THE GOVERNOR.

[From Executive Letter Book.]

STATE OF NORTH CAROLINA,
November 26, 1784.

By his Excellency, Alexander Martin, Esquire, Governor, Captain General and Commander in Chief of the State aforesaid.

A PROCLAMATION.

Whereas it has been represented to the Honorable, the General Assembly, that Rice Bass, John Bass, Harrison Bass, William Roberts,
Thomas Dean, jun., and Daniel Millor, stand indicted in the Superior Court of Law and Equity, for the district of New Bern for the murder of Martin Franks and James Blackshare, two of the citizens of this State, and although process of Law hath several times issued against them, yet by their continuing in arms, shifting from County to County, they have hitherto eluded the execution thereof, and still lie out in obscure places, committing thefts and other depredations on the property and sometimes violence on individuals. Therefore in compliance with the request of the Honbl. Legislature, by their resolution of the 25th inst, I hereby issue this my Proclamation, requiring the said Rice Bass, John Bass, Hornan Bass, William Roberts, Thomas Dean, jun., and Daniel Millor, and each of them to surrender him or themselves to some one of the Judges of the Superior Courts, or Justices of the Peace in this State, within ninety days after the date hereof, to be dealt with according to the nature of his or their offence. And in case the said Rice Bass, John Bass, Hornan Bass, William Roberts, Thomas Dean, jun., and Daniel Millor, do not surrender themselves agreeable to this the tenor of my Proclamation, I hereby offer a reward of fifty Pounds, current money, pursuant to the resolution aforesaid, to any person or persons, for each and every of the said offenders, whom he or they shall apprehend and bring to Justice. And that this service shall have full aid and assistance, I do further command all officers, civil and military together with others, the good citizens of this State, to use their utmost endeavours to apprehend the said persons for the purposes aforesaid, as they will answer the contrary at their peril.

Given under my Hand and the Great Seal of the said State, which I have caused to be hereunto affixed, at New Bern the twenty sixth day of November, in the year of our Lord 1784, and in the ninth year of the Independence of the said State.

ALEXANDER MARTIN.

By his Excellency's command.  

JAMES GLASGOW, Sect'y.  

God save the State.
TO THE HONORABLE BRIGADIER GENERALS.

[From Executive Letter Book.]

New Bern, December, 1784.

(Circular)

SIR:

Whereas, I am directed by the General Assembly to issue orders to the Brigadiers or commanding officers of the respective districts, to collect from the different officers in such district, and from such as have been officers at any time during the War, or their representatives, complete Master Rolls of all the Militia that have at any time been in service since the 19th day of April, in the year 1775, or other sufficient documents thereof, in which shall be specified, the number of men, the continuances of each tour of duty, and under what command called out, and continued in service.

You will therefore, in compliance with the above, call on all officers within your district, and all others who have acted as officers at any time during the War, or their representatives, if dead, as well as those who have filled the office of Brigadiers as others, for all such Muster Rolls, letters from Superior Officers, and other documents of whatever kind, whether from civil or Military authority which were, or may be in the possession of any of them, or which they or any of them have in their power to procure, with this information that on their refusal or neglect, they will be liable to the forfeiture of fifty pounds current money.

This business you will have transacted with all possible dispatch that the claims of this State against the United States may be ascertained and a statement thereof carried to their account; and also, that I may have the same in readiness to forward on to the Delegates of State in Congress, on or before the first Day of October next.

I have the honor, &c.

ALEX. MARTIN.
GOV. MARTIN TO BRIGADIER GENERAL SEYIER.

[From Executive Letter Book.]

DANBURY, December, 1784.

SIR:

By Major Outlaw I sent your Brigadier's Commission, which I expect you have received, and which I hope will be acceptable to you; as also some proclamations agreeably to a request of the Legislature to have all intruders removed off the Indian Lands. I request your attention to this business, as I have received a talk from the Cherokeee Nation greatly complaining of tresspasses daily committing against them, and that their your men are afraid to hunt, as our people are continually ranging their woods, and marking their trees. The Northern Indians are ripe for mischief by the last information from Congress, and are expected to be very troublesome in the Spring, they having lately sent talks to the Cherokees and the Southern Indians on this subject, requesting their alliance, which they have as yet refused, no doubt through fear, but receiving these daily injuries they may be at last provoked to be a very dangerous enemy, when at a small trouble & expense they may be made a peaceable and friendly neighbour.

The British holding the post on the Lakes and other frontiers of the United States, and not surrendering them on the demands of Congress lately made agreeably to the Treaty, shows though they have made Peace, they are not reconciled, and are seeking no doubt some favourable advantage when they again may let loose their vengeance by first embroiling the savages against us, and also the Spaniards, and thus attempt to repeat the blow which heretofore has been so gloriously warded off.

I need not mention these things to you but only for information. The importance of keeping peace with the Indians you are sufficiently impressed with, and the powers with which you are armed are sufficient to check the licentious & disobedient, and remove every impediment, out of the way which may give the Indians uneasiness. You will therefore pursue my instructions on this subject last winter, now enforced by a Resolution of the Legislature.
I am informed a daring murder has been committed on one Butler, a Cherokee Indian, by Major Hubbard, of Greene County, without any provocation. I have given directions for his being apprehended and conveyed to Burke Gaol for security, until the setting of Washington Superior Court, when he will be remanded back: Col. Gist of Greene County is entrusted with this service. I have directed him to call on you for guards, if the same be necessary for the Sheriff or other officers immediately concerned in this business. I beg you to lend every assistance in this service, of the most important kind, that such inhumanity & Barbarity be punished not only to give satisfaction to a people injured, but to support Government in your part of the State where it has for some time been dormant.

You will please to write to me the first opportunity on this subject. I propose to hold a treaty with the Indians about the 25th of April at the Great Island. Governor Caswell and Col. Blount will be Commissioners to assist at the treaty where I shall expect you to attend with such Guard as will be thought necessary, and of which you will hereafter have advice.

I am Sir, yours, &c.,

ALEX. MARTIN.

GOV. MARTIN TO HIS EXCELLENCY THE PRESIDENT OF CONGRESS.

[From Executive Letter Book.]

STATE OF NORTH CAROLINA,
New Bern, Decr. 4th, 1784.

SIR:

Your Excellency hath enclosed an Act of the Legislature of this State, repealing an Act of last Session ceding to Congress the Western Lands, for the reasons mentioned in the preamble of the said act; which I am requested to forward on to your Excellency with the utmost dispatch. The Delegates will be ready to give the Honorable, the Congress, further information on the subject if necessary.
I am directed to inform your Excellency that the General Assembly have laid a tax to discharge the interest of the Foreign debt, &c., which is to be collected with the State Taxes and remitted to Congress.

I have the honor to be, &c.,
ALEX. MARTIN.

His Excellency
The President of Congress.

GOV. MARTIN TO THE HONBL. THE DELEGATES OF N. C. IN CONGRESS.

[From Executive Letter Book.]

NEW BERN, Decem'r 4th, 1784.

GENTLEMEN:

Enclosed you have an Act of the Legislature repealing the Act for ceding to Congress the Western lands, for the reasons mentioned in the preamble of the said act, which I am requested by the Assembly to forward on to you with the utmost dispatch.

The Assembly flatter themselves that the Delegates have not yet proceeded to complete the title of the Cession from Doctor Williamson's last letter wherein he recommends a pause to be made, and my request to Messrs. Spaight and Sitgreaves to delay this business until they heard from the Legislature. The powers given to the Delegates on this subject, in the opinion of the Assembly are no more than those of a Letter of Attorney and are revocable at any time before the Execution of the trust reposed in them be completed.

The Assembly have laid a Tax to discharge the interest of the Foreign loan which is to be collected with the State Taxes, and be remitted to Congress.

The Assembly adjourned yesterday, to the first Monday in November next, to meet at this place. During the Session, the Hon. Richard Caswell was Elected to succeed in the Government at the expiration of the present appointment. The Hon. William Blount, Esquire, was appointed Speaker of the Commons, who with John
Sitgreaves, Charles Johnson, Timothy Bloodworth, Adlai Ozborn and Richard D. Spaight, Esqrs., were elected Delegates to commence their delegation on the first Monday in November next; the Commissions will be sent on to Congress by Post, or some other safe conveyance, together with particular Commissions to such of you Gentlemen they concern.

I have received a rich belt of Wampum from the Chickasaws expressive of their friendship, for which I am to make a return in clothing to the amount of £100, a Copy of their Talks I shall forward on to you some other opportunity.

Upon repealing the Cession Act the Assembly have resolved that a Treaty be held with the Cherokees for their claim to the western Lands, & that the Goods purchased for them be sent forward for this purpose. In April I propose to hold the Treaty with them at the Great Island in Holston; or some convenient place in that Country. The Indians are very uneasy at our delay in this business, which was occasioned by the Cession aforesaid. I have to acknowledge the favor of Mr. Spaight's Letter dated at Philadelphia 3rd November, and Doctor Williamson's from Edenton, which I laid before the Assembly—just as the Assembly rose Doctor Williamson's Letter of the 3rd of October came to hand. The intelligence communicated in the last is very interesting respecting the British Troops retaining the Posts on the frontiers of the United States. The Militia Bill fell through for new arranging the Militia, an object recommended to them at the opening of the Session.

You will please agree with the Financier for some person in the Southern States to come forward and settle our Continental accounts with General Caswell who continues in the Comptroller's office until he takes the Government, and then Mr. Child his first Clerk is to succeed him. I shall write you by Capt. Craddock, bound to New York from this port, more particularly, who has my instructions to wait upon you in person with a Duplicate of the act enclosed.

I have the honor to be, &c.,

ALEX. MARTIN

To the Hon'ble,
The Delegates in Congress.
M. DE MARBOIS TO THE DELEGATES IN CONGRESS ASSEMBLED.

[From Executive Letter Book.]

Note.

The Chevalier de la Luzerne & since his departure the undersigned charge des affaires of His Majesty have received frequent orders to press the officers, Agents and other accountants employed for the service of the Land and Sea forces on this Continent during the late War, to render their accounts. These Agents and others delay rendering their accounts for divers causes; but most of them allege the difficulty they meet with in bringing to account the Agents or Correspondents in America whom they have employed. They add that when process is commenced for settling the Accounts between them and the Americans, the latter avail themselves of the slowness in the usual forms of Justice in order to gain time and fatigue their Adversaries with all sorts of delays, until their affairs indispensably call them to France & force them to submit to an unjust accommodation.

Whatever may be the Grounds of these allegations the undersigned has the Honor to inform Congress that the French Agents employed on this Continent by refusing to render their Accounts put it out of the power of the Treasurers General of the Departments of War and Marine to settle theirs, and of consequence that the distribution of Prizes cannot be made to the officers and seamen of the different squadrons. To remove every pretext or excuse from the Agents, the undersigned entreats that Congress would be pleased to consider whether it might not be proper, for them to recommend to the several States the passing of Laws for determining in a summary way in their Supreme Courts the differences of this nature which exist or may arise on account of the Fleet & Army of His Majesty during the late War. If Congress shall think proper to adopt this measure the undersigned entreats that they would be pleased not to delay the recommendations to the several States which are now assembled in their Legislative Capacities, and he considers this as the principal means of executing the orders which he has received not to admit of any further delay of the Agents of the French Fleet & Army in rendering their accounts.

Signed

DE MARBOIS.

Philadelphia, 1st December, 1784.

17—8
RESOLUTIONS OF CONGRESS RESPECTING M. DE MARBOIS' NOTE.

[From Executive Letter Book.]

By the United States in Congress Assembled, December 16, 1784.

On the report of a Committee to whom was referred a note from the Charge des Affaires of His Most Christian Majesty dated the 1st December, 1784, respecting delays and difficulties complained of by French Agents in settling their accounts in this Country.

Resolved, That Copies of the said note be immediately sent to the different States and that it be recommended to them to pass such remedial Laws on the subject as their respective Constitutions may permit; and that a Copy of this resolution be transmitted to the said Charge des Affaires.

CHAS. THOMPSON, Sec.

GOV. MARTIN TO COLONEL JOHN GRIST OF GREENE* COUNTY.

[From Executive Letter Book.]

DANBURY, DECEMBER 18TH, 1784.

Sir:

I have received information that a murder has been perpetrated on one Butler, a Cherokee Indian, by Major Hubbard of Greene* County, without provocation, which if not enquired into, may shortly be productive of very serious consequences, and involve the Western Country in an Indian war. I have thought proper to re pose special trust and confidence in you for this enquiry, that you will please to convene the witnesses before you, and take their examinations on Oath, who, if they prove the killing you will issue your warrant to apprehend the said Hubbard directed to the Sheriff or such other officers you judge proper, to be brought before you,
and if he cannot shew any excusable reasons for this act, You will commit him under a strong Guard to Burke Gaol, and to be under the care of General McDowell there to remain until Washington* Superior Court to which he will be remanded to take his trial for said offence. But if Testimony can be produced that the killing was in his own defence, and the same effected through necessity or unavoidable accident, you will admit him to bail to appear at the said Superior Court of Washington there to abide by such determination as will be awarded respecting him. Should you find it necessary in the first case to commit him, I have thought Burke Jail more secure than in Washington, where he may be rescued, and should you want a Guard out of the County You will apply to Genl. Sevier, who will order such you may think necessary, as also General McDowell. I am much concerned at this event, especially at this time when the Cherokees are tampered with by the Northern Indians to join them in making war upon the Americans, which by my last information from Congress they are encouraged by some British emissaries to begin in the Spring. The Cherokees have as yet refused to listen to them, but how long this may be, is uncertain, as this act of Hubbard may raise a flame not to be extinguished but at the expense of a great deal of blood and trouble, which by prudent management may be prevented.

You will therefore conduct this business with such Secrecy, prudence & address that if Hubbard be guilty of criminality (of which I have great reason to believe he is) he shall be brought to exemplary punishment, not only to give the Indians satisfaction, but to support Government where it has of late been asleep. You will please to write me on this subject the first opportunity, and your transactions thereupon.

I am Sir, &c.,

ALEX. MARTIN.

*Now, Greene and Washington Co's., Tenn.
RESOLUTION OF CONGRESS.

[From Executive Letter Book.]

BY THE UNITED STATES IN CONGRESS ASSEMBLED,

December 23, 1784.

Be it ordained by the United States in Congress Assembled:

That the resolutions respecting the buildings for the use of Congress be carried into effect without delay, that for this purpose three Commissioners be appointed with full powers to lay out a district of not less than two miles nor exceeding three miles square on the banks of either side of the Delaware, not more than eight miles above or below the lower falls thereof, for a federal Town, that they be authorized to purchase the soil or such part of it as they may judge necessary to be paid at proper installments, to enter into contracts for erecting and completing in an elegant manner a federal house for the accommodation of Congress and for the Executive officers thereof, a house for the use of the President of Congress, and suitable buildings for the residence of the Secretary of Foreign affairs, Secretary of War, Secretary of Congress, Secretary of the Marine and officers of the Treasury; that the said Commissioners be empowered to draw on the Treasury of the United States for a sum not exceeding one hundred dollars for the purpose aforesaid; that in choosing a situation for the buildings due regard be had to the accommodation of the States with lots for houses for the use of their Delegates respectively; that on the 24th day of December inst. Congress stand adjourned to meet at the City of New York on the 11th day of January following for the dispatch of public business and that the Sessions of Congress be held at the places last mentioned until the buildings aforesaid shall be ready for their reception.

Done &c.,

CHARLES THOMSON, Secy.
RICHARD HENRY LEE TO HIS EXCELLENCY ALEXANDER MARTIN.

[From Executive Letter Book.]

TRENTON, December 24, 1784.

SIR:

I have the honor to inclose to your Excellency an ordinance of Congress passed Yesterday for fixing the permanent and temporary residence of that Body.

With Sentiments, &c.,

RICHARD HENRY LEE, President.

M. DE MARBOIS TO HIS EXCELLENCY ALEXANDER MARTIN.

[From Executive Letter Book.]

PHILADELPHIA, December 24, 1784.

SIR:

I have been ordered several times by the King's ministers to urge the payment of the sums due to the Island of Martinico by the State of North Carolina. I have received from your Delegates in Congress intimations that such payments would have taken place in the course of last Summer; the Chevalier de la Luzerne having transmitted the same information to the minister at his arrival in France, the administrators of the Colony are in expectation that no further difficulty will stop the settling the accounts of the Officers employed under their orders. It is essential I may be enabled to transmit to them as soon as possible a final determination, I wish your Excellency may be so kind as to let me know it, whatever it may be.

I am with respect &c.,

DE MARBOIS.
MISCELLANEOUS LETTERS---1784.

RESOLUTIONS OF GEN. ASSEMBLY OF CONN.

(Transmitted by N. C. Delegates in Congress.)

At a General Assembly of the Governor and Company of the State of Connecticut in America, held by adjournment at New Haven in said State on the 8th of January, 1784.

Whereas, this State during the late contest in support of the Common rights of the United States never set any other limits to their exertions but what were circumscribed by their want of more force to employ in the general defence, and have therefore at their own expense not only defended an extensive Sea Coast of their own very accessible by the British forces, but also have maintained a barrier at Greenwich nearer the principal Possessions of the late enemy than any other on the East side of the River Hudson, which barrier has not only been necessary for the security of the State but the troops stationed there have given protection to great numbers of the Inhabitants of the State of New York, and have acted in subserviency to the views of the Army lying on the East of the Hudson.

And whereas, the defence which this State has given to the harbor of new London, and thereby preventing a lodgement of the enemy in that town, and Grattoon has been essentially necessary to prevent the British Ships from enjoying a haven there equally secure at all seasons as any port within the United States, and consequently would have been a most proper object of general attention.

And whereas, notwithstanding the great expense which this State has been at for their own defence unassisted by the troops of the United States or the aid of the neighboring militia, except a small number upon a few particular occasions, this State has very frequently sent out large numbers of their militia for the aid of their neighbors and upon the calls of the Army by which extraordinary excursions and expenses of this State, notwithstanding their Inhabitants have been taxed during the War to the utmost extent of their abilities, yet they find themselves loaded with an immense local debt which imposes such a burthen upon their Inhabitants that they are endeavoring to avoid the weight of it by emigrating in vast numbers into States where the burden of taxation is much less.
And whereas, this State have settled with their line of the Army agreeably to what they apprehended the acts of Congress were, up to the 1st of Jan. 1782, and therefore been much disappointed when they were informed that an act of Congress has passed the last Jan. Resolving that the pay of the Army after the first of August, 1780, should be made by the United States only, and therefore find that no provision has been made to enable this State to charge the United States with the payment made to their line within the before mentioned period.

This State therefore from the foregoing premises, conceive that they have an undoubted claim upon the justice of the United States that the expenses of defending the harbour of New London and the port of Greenwich be made a charge against the United States. And as the payment made to their line of the army from the first of Aug., 1780, to the 1st of Jan., 1782, has been incurred for the benefit of the United States, it is impossible for the State to doubt but that they will be authorized to charge said payment together with the interest from the time in which it has been made to the United States.

Therefore, it is resolved by this Assembly that his Excellency the Governor of this State write to our Delegates in Congress to move that honorable body that the before mentioned expenses, payments & Interest be allowed as a charge against the United States. And that he represent to them that it is the expectation of this State that an attention should be given to their application, and such an answer obtained thereto as this State conceive themselves justly entitled to receive.

A true Copy of Record.
Signed. Geo. Wyllis, Sec'y.

By the United States in Congress, Assembled.
June 3rd, 1784.

On the report of a Committee consisting of Mr. Spaight, Mr. Gorry, Mr. Lee, Mr. Beatty and Mr. Sherman to whom was referred a report of a Committee on a report of the Superintendent of Finance, dated the 5th of November, 1783 in answer to questions proposed by the Commissioner for settling the accounts of the State of Pennsylvania with the United States: and also a report on the peti-
tion of James Smith, praying for a sum of money to be advanced to him on account.

Resolved, That all monies or articles supplied by the United States to any particular State shall be charged to such State at their just value in Specie with an interest of six per Cent per annum from the date of such supplies, until the final adjustment and payment of the account; but the former requisitions of Congress for supplies from the States, not being considered as their real quotas of the common expence are not to be charged. That all monies or Continental bills of credit furnished by any particular state to the United States to be reissued and all other articles supplied to, or charges made against the United States by any particular State, and allowed in the adjustment of its account, shall be credited to such State at the Specie Value, with an Interest of six per Cent per annum from the date of such supplies, until the final settlement of the account.

That if bills of credit advanced to any State or person to be expended for the use of the United States, shall have depreciated before the same were so applied, the receiver shall not be charged with the depreciation if satisfactory evidence be given to the Commissioner by such receiver had not been applied to any other use, and where applied to the purpose designed as soon as occasion required; otherwise such receiver will be chargeable with such bills at their value when received, or at such lesser value as the Commissioner, on Consideration of all circumstances attending the case, shall judge equitable.

That in cases where no written vouchers are or can be produced, and the Commissioner shall receive Satisfactory evidence that such vouchers have been destroyed or lost, or that from the circumstances of the case they have never been obtained he may receive such other evidence as shall be satisfactory to him, and the best the circumstances of the case will admit, and at his discretion may examine the claimant or claimants under oath, respecting any accounts exhibited to him for settlement whether accompanied with written vouchers or not when the other evidence is not sufficient to satisfy him as to the truth or justice of the charge; and in case he shall doubt the truth or justice of the charge or the authenticity of any voucher it shall be his duty to enquire into the matter by the
best evidence that can be obtained and to allow such claims only as shall be supported by satisfactory evidence. That the specie value of supplies furnished, or services rendered by individuals on unliquidated accounts to the United States before the 26 Aug., 1780, shall be ascertained so far as may be by the rule prescribed by a resolution of Congress of that date: and in all cases wherein that rule cannot be applied, and no other is given by Congress the just value in specie must be ascertained by the judgment of the Commissioner, on the best evidence that can be had.

That the accounts for supplies be settled by the commissioners in the state where the same were furnished, except that in cases where the same person may have an account for Supplies furnished in several States, the Superintendent of Finance may, if he shall think proper, order the whole of the account to be settled by one Commissioner or by the Comptroller.

That it shall be the duty of the Commissioner to attend in different counties or districts, when in his opinion it will save expense, and expedite the settlement of accounts, or when thereto requested by the Legislature or the Supreme Executive of the State for which he is appointed. That the several Commissioners be instructed to proceed in the business of settling accounts with all possible dispatch.

That the Commissioners make reasonable allowance for the use of stores and other buildings hired for the use of the United States, by persons having authority to contract for the same; but that rent be not allowed for buildings which being abandoned by the owners, were occupied by the troops of the United States.

That such compensation as the Commissioner may think reasonable be made for wood, forage or other property of individuals taken by order of any proper officer, or applied to, or used for the benefit of the army of the United States, upon producing to him satisfactory evidence thereof, by the testimony of one or more disinterested witnesses.

That according to the Laws and usages of Nations, a state is not obliged to make compensation for damages done to its Citizens by an enemy or wantonly and unauthorized by its own troops; yet humanity requires that some relief should be granted to persons who by such losses are reduced to indigence and want, and as the cir-
cumstances of such sufferers are best known to the States to which they belong, it is the opinion of the Committee that it be referred to the several States, (at their own expense) to grant such relief to their Citizens who have been injured as aforesaid, as they may think requisite; and if hereafter it shall appear reasonable that the United States should make any allowance to any particular State who may be burthened much beyond others, that the allowance ought to be determined by Congress; but that no allowance be made by the Commissioners for settling accts. for any charges of that kind against the United States.

That the Superintendent of Finance be authorized to give such further instructions to the Commissioners for facilitating the settlement of the accounts of individuals with the United States and issuing Certificates on interest for what may be found due to them, as may be necessary, and not repugnant to the resolutions of Congress.

That new certificates on interest shall be issued in exchange for those that may have heretofore been issued by any Commissary or quarter master general, or deputy Commissary or Deputy Quarter Master General, or other officer who had a right to give such certificates for supplies or services rendered to the United States previous to or in pursuance of the resolution of Congress of the 26th of Aug., 1780, to the amount of such former certificates in specie; & Specie Certificates issued to any person in his own name for services or supplies which he has furnished for the United States, shall be received of him in payment of any demand which the United States have against him upon the settlement of his account.

That an interest of six per cent per annum shall be allowed to all creditors of the United States, for supplies furnished or services done from the time the payment became due.

That the Superintendent of Finance give order for the speedy settlement of the accounts of James Smith by the proper commissioner, and take the order for payment of what may be found due to him, or such part thereof as the State of the finances will admit, without giving him any undue preference to other creditors.

That the Commissioner for settling the marine accounts be directed to proceed to Boston to adjust those of the Navy Board, and all other marine accounts of the United States in the Eastern department.
That the paymaster general in settling the old accounts of the line of the army be instructed to have recourse to the principles of the above resolutions, so far as they may apply.

CHARLES THOMSON, Secy.

HON. A. MACLAINE TO GEORGE HOOPER.

17th Jany. 1784.

Dear Sir:

The post having been detained by the hard weather, I received only yesterday your letters of 29th Decr. and 6th instant. As Mr. Burgwin has not yet arrived, I have some hopes that he has got into Charleston, which I sincerely wish may be the case, as Mrs. Burgwin's situation is so very critical. You will by this time have received mine by Mr. Moore (a clerk to your sheriff) inclosed by Mr. Blount to Messrs. Scarborough & Cooke. In it there is a letter for my friend John which will be of service to him.

From what I have written to you and him, you will probably retract your opinions, "that the mobility has got the ascendant." When a man in power discovers egregious folly, the foolish themselves will be ashamed of him.

I have had some account of my cousin Winter. Dr. Claypoole was his schoolfellow, & knows Jack perfectly well. He is, as he says, the son of a master of a vessel; but whom I never heard of before. As to their knowing me on my arrival in Philadelphia; it is possible; but I do not recollect a single circumstance of either of them nor did I ever know a man of the name. I am well assured that I never had any relations of the name of McLeron, or McLaurin, though I remember that there were some of the name of McLelland, one of whom (a very young man) I saw when I was a lad. I told this to the doctor, & he thinks that McLelland is her name. If so, she may be my relation, & in that case I think she is a first cousin to old Woods, whom if you do not recollect Kitty does. The doctor says
she is a decent though a poor woman. Has kept a school for small children; that he was with her when he was little, and a young sister of his a few years ago. But the son it seems had been charged with stealing some clothes, which were drying, & which I suppose obliged him to decamp. Though this fellow may possibly have some drops of my blood in his veins, I do not wish to be of his acquaintance. I never had a letter from his mother. It is 33 years last June since my arrival in Philadelphia.

I do not know where Armstrong is just now; but I will write to him. In the meantime, I am preparing long letters for Cochran & Winslow, your brother and Mr. Hogg upon the subject of the negroes. To the former I am obliged to use some address, at the same time that I am very explicit; for it is better to draw them into what is proper, than to attempt to get redress by harsh means.

As you are liable for the whole debt there, I should think you might get the bond up upon giving another; or if that should not be advisable, you can get it proved before a Judge, and a copy of it sent under the great seal, with a power from the parties in S. Carolina who are liable. You may I suppose procure a power from those to whom the bond is payable against the debtors here. If the bill of sale is with Mr. Rose it should by all means be sent in. That and every other necessary proof must be certified under the seal of the State. If Rose has it not, perhaps it may be among Gillie's papers. You have one thing in your favour, that the Company at Fayetteville are not parties who signed the bond; and though they may be mentioned as purchasers with Gillies, yet not having paid any money, and their acting partner being dead, the survivors, especially those who have signed and are on the spot, being the majority in point of value (for I throw Gillie's part out) have a right to dispose of the property, & for that purpose to take it into possession. Your letter of attorney should go to take possession of the negroes, as well as to recover the value. As this case is circumstances, possibly I may be obliged to file a bill in equity for a delivery of the property and to oblige them to give security, as well as to prevent a sale of any part of it. As to a division it is impossible to take place without consent of the parties, & that cannot be had till the debt is discharged. Can you tell me all the persons concerned with Cochran, Winslow & Co.?
I rejoice as much in Tullon's (?) double disappointment as in the particular distinction with which you were honoured. If the fellow had any feeling, the last must gall him as much as the first. I have not lost sight of him. But what is become of Hugh Kelly? Has Tullon been able to huddle up matters with his cousin & country man?

I have just had a letter from your brother. He tells me that doctor Burke has by will given his wife one half during her widowhood. In case she marrying it is lessened one half. Should his daughter die under 21 or before marriage, the whole goes to the children of Mr. Hogg and Willie Jones; & these gentlemen are executors and guardians. By this you may perceive that his wife's former conduct affected him deeply.

What you say with respect to the extinguishment of interest on British debts, will I apprehend be pretty general. Q. Will it not militate against the spirit of the treaty? Col. Stephen Moore is returned to Hillsborough from New York, and says that it is talked openly there that the carrying our negroes to Nova Scotia is an infraction of the treaty; and it certainly is unless they are paid for. The Virginians are so exasperated that they have passed a law not to pay any British debts. They should have added, till the property or the value of it should be restored. Possibly it may be so. Mr. Hogg says it is.

Congress have it in contemplation (as it is said) to recommend the withholding all trade from Britain till their ideas are more liberal; but I understand from the papers that negotiations are still on foot at Paris.

I am not a little delighted that you have got a good master for Archy; but I hope he has not recommended Lilly's grammar, &c. It was indeed taught a great many years ago, when you were a boy, and before wisdom had found out what is now evident to common sense that when any person attempts to acquire a knowledge in any unknown language, he should have it explained in one that he does understand. Do you not remember the vicar of Wakefield's son, who went to Holland, to learn the people English, without reflecting that it was previously necessary for him to understand Dutch?

My business is so urgent at present, that I cannot now leave home to go to a county court, & besides what I have to prepare for Wil-
mington & New Bern next terms, I have my accounts to adjust, which I have not done since the evacuation of this place. Very considerable sums are due to me, for which I have not the scrap of a pen, and money is more scarce if possible than before the paper emission. Yet it is in discredit. Let this be a warning to South Carolina. I will however see you as soon as I can; but I am not in the least solicitous for the privilege of appearing in your courts. As I grow old I grow indolent, and what is worse, I am so much engaged with my present business, with popular folly and the affairs of other people (of which I must rid myself) as well as with numberless trifling applications, which I shall always have in this town, that I cannot have a moment's leisure to think. There is no person more ardently pants for a retreat than I do.

19th Jany.

I have written to Cochran & Winslow very fully, & have made them three proposals, which I have communicated to Mr. Rowan as follows:

1. To send the negroes immediately to Charlestown, under the care of trusty persons, at the expense of the purchasers; or

2. To send an exact list of the negroes with their different ages, qualification and abilities, that a sale may be made in S. Carolina & a delivery at Fayetteville; or

3. (For which however I have no authority) to pay off the debt or take up the bond, by giving fresh security, & keep the negroes to themselves.

In this last case I am to communicate the acceptance to you for your approbation.

I have requested Mr. Rowan to procure, at all events, a descriptive list of the negroes. My intention is to let you try what you can get for them, if delivered in S. Carolina, in order to oblige the parties here to make up the less, if they will not consent to send them in.

My love to Kitty & the children.

Yours very affectionately,

A. MACLAINE.
HON. A. MACLAINE TO GEORGE HOOPER.

WILMINGTON, 4TH FEBR. 1784.

MY DEAR SIR: 

I wrote you a few lines two days ago by post, in answer to your two letters by Dickinson. Every thing that you wish shall be done when your brother arrives.

My letters to Cochran & Winslow, Mr. Rowan & Mr. Hogg (who is now at Fayetteville) would arrive before your messenger, & will I think have such an effect, that I am persuaded you will succeed. I have no doubt but Mr. Hogg & Mr. Rowan, with Armstrong, if he is there, will be able to remove all difficulties. I also wrote to your brother on the same subject & I conclude he will throw his weight into the scale.

I have at last seen Mr. Grimke's charge, & am pleased that it has had such a good effect; but he is not a Burke. He has attempted that for which he is by no means qualified, and which is in itself improper on the occasion.

I do not know what Mr. Burgwin's schemes are; and between ourselves I question whether he knows himself. That he should stay in Charlestown when he thought he could not come here in safety, was not only natural but proper. That he should think of disposing of his whole cargo there, is to me astonishing; as it not only renders ineffectual the purposed scheme of establishing a trading house here, but impedes the collection of his debts and the settlement of his old accounts, which were undoubtedly his grand objects: But the ways of J. B. like those of J. are inscrutable and past finding out. Since he received my letter inclosed to you by Stephen's clerk, there is not a line from him; so that it is not known what change it may produce.

The weather you may suppose has been as severe here as with you; but I think it was full as cold, & more uniformly so four years ago. We have had no northern mail for three weeks. Albemarle sound has been frozen, which has prevented any person passing; for it is not strong enough to bear any considerable weight.
I suppose your firewood & house rent, with the expensive dresses necessary for a lady in Charlestown will consume all your profits; for though rent is considerably raised here, it is still a mite compared to your rates. What vast advantages does your trade hold out (I mean barely retailing goods) which can support such a great expense?

Mr. Alexander has taken his passage for Charlestown, & expects to sail in two days, if in that time letters from thence should not prevent him. Should he go he will deliver you this.

Will you oblige me with a new almanack, & a British register, if any are arrived for the present year? And let me know what I must pay for Miller's paper, which I wish to have. That published at New Bern is not worth having. You never think of sending me any new publication, though you know how much I like such things; nor have you said a word since November of the sterling stuff which you intended for my own drinking.

I take it for granted that Kitty will make but a very small figure beside her sister-in-law; for I conclude that the latter is returned in all the brilliant elegance of the mode, & must necessarily totally eclipse such a domestic animal as your spouse. Unless Kitty can console herself with mental reflection, she must be in a state of utter mortification. Let her know how much I compassionate her deplorable situation. I feel it the more as I am not able to provide such a number of guineas as you sometime ago told me would be necessary to keep up her state with proper dignity.

Yours affectionately,

A. MACLAINE.

There is not an ounce of salt peter in this place, and I expect my hogs every hour.

5th Febry.

I am very unwilling to trouble you with trifling commissions, for more reasons than one; but my niece cannot find lining for the cloak you sent for her except at Blount's and he sells so extravagantly high that there is no purchasing from him. If you have not what is proper yourself, probably Mr. Burgwin may be able to send me 5 yards of white sarcenet or 6 of persian. I have already wrote to him for a few articles.

A. M.
STATE RECORDS.

GENERAL GADSDEN TO GENERAL HARRINGTON.

CHARLESTOWN, 10 Feb'y., 1784.

Dr. Sir:

I hope you have enjoyed your Health since I had the Pleasure of seeing you last. The Times had a dismal aspect when we parted but thank God they are now quite reversed, & nothing I think but our own Faults, our Indolence & Inattention to publick Business can prevent our being as happy a People as any that were ever under the Sun, & Securing that Happiness to our Posternity. The Cup is in our Hands & if we prove so lazy as not to bear it up to our Lips, we must deservedly be ruined, & so far from meriting any Pity cannot but expect the highest Degree of Laughter & Contempt. So much for the Times to an old Acquaintance.

My reason for troubling you with this is a small bond in my Possession, as Heir of the late Mr. Thos. Godfrey of George Town, of the late Majr. Saml. Wise, dated the 25th Nov'r., 1774, for fifty-five pounds our then Curry. no part of which Principal or Interest has been paid; I understand you are an Exec. & shall be obliged to you if any Effects in your Hand to order payment, or put me in a Train to get it.

Pray Remr. me to our old Friend Coll. Pegues.

I am Dr. Sr.,
Yr. mos't hble. serv't.,
CHRIS. GADSDEN.

HON. A. MACLAINE TO GEORGE HOOPER.

WILMINGTON, 11th Feb'y., 1784.

Dear Sir:

I wrote you lately by Mr. Alexander who went by water, & I conclude is in Charleston before this time. There is little news here. A vessel coming round from your town to a Mr. Musley got aground on the Frying Pan, or the Middle Ground. I know not which. The
hands left her and I understand she went off with the tide of flood; & is gone God knows where.

There are two new candidates for the town of Wilmington. Walker sometime ago persuaded Young (who wishes to be Captain of Fort Johnston) to set up. And Read I am told has this day declared himself. Yet I believe my interest will be too strong for them both. Walker contests the seat in the Senate with Grainger; & if the former has Bloodworth's interest, which I suspect, it may be doubtful who will be the man. I should have told you that Read has in view the collection of the continental duty; & though Walker is naval officer, that he is also aiming at the same office; so that you see our flaming patriots are pushing for offices of profit. I am not sorry that Read and Walker clash in point of interest. The latter you will well know; & the former has in spite of his affected virtue, long since discovered the cloven foot.

Mr. Rowan, Mr. Burges & Mr. Winslow bid fair to represent Cumberland. There is little or no doubt of any of them.

Though I have in reality no interest in Mr. Burgwin's coming here, except that of getting rid of some troublesome business, I am very anxious to know what he will do. He is so unsteady that I am not able to form an opinion from circumstances. I expect however that Mr. Alexander will have something permanent fixed upon. My compliments to John, & tell him if you have it not, to send me some salt petre. My wine is out. We are all well. Mrs. M. is preparing to send Kitty sausages & black puddings. I expect that Dickinson will sail in two or three days.

Three gentlemen from Germany set off to-morrow for Charleston. The Baron Vos van Strenwyk & Messrs. Godin & Barker. They were warmly recommended to me by Willie Jones, & have been here only a day. He says they are persons of distinction, and I understand they are travelling to see the country.

Yours,

A. MACLAINE.
HON. A. MACLAINE TO GEORGE HOOPER.

WILMINGTON, 14th Febry., 1784.

DEAR SIR:

I have lately wrote you two letters; one by Mr. Campbell (who will be the bearer of this) the other by some dutch gentlemen by whom I wrote an introductory letter. I was somewhat mistaken about these gentlemen; the Baron, who is a young man, & Mr. Barker were the two who came over with Mr. Van Berkel. Barker has an English countenance, & speaks our language tolerably well. Godin is the eldest & shortest of the three, inclining to be fat; & is the person who intends to settle in America. I thought thus much necessary, that you might not be at the same loss, in applying the proper names, which we have been here.

Young has declined the contest, & I am told Read has done the same. If this is really so, I am persuaded that it arises from a conviction that the opposition will not be attended with success; nay that it must end in disgrace. The whole town is alarmed at the folly & effrontery of these people. The former however was, I am persuaded set to work by Walker.

Another candidate has been mentioned to-day; and as he has been mentioned by Read, I am inclined to think that it is not without foundation. I have besides some private reasons to think there is something in it. But who do you think this candidate is? You cannot guess; & therefore I will tell you. No less than parson Boyd. He dined with me to-day and is now sitting by the fire reading a newspaper. He did not, when asked, expressly deny the charge, & had told me before I asked him that he intended to go out of town to-morrow, & not return for a month. Is it improbable that the scheme is to keep me out, & that my opponent is to be out of the way, so as to free himself from all blame in contesting a seat with his friend? Would you think he wants to be a delegate?

Let Mr. Burgwin know that I wait to hear from him before I will venture to send him any servants.

Yours,

A. MACLAINE.
JOS. CARLETON TO GENERAL SUMNER, AT HALIFAX.

WAR OFFICE, FEBRUARY 18TH, 1784.

Sir:

I have been honored with your letter of the 18th December last, addressed to the late Secretary at War.

The Resolution of Congress of the 30th September giving promotion by Brevet extends only to such Officers as were continued in Office after the 1st January, 1783. By comparing your return with the last arrangement of the North Carolina Line, I find that Col. Clark, Lt. Colonel Lytle, Major Hogg, Captains Raiford, Hall and Sharp and Lieutenant Campen have a claim under that act, the Brevets for these Gentlemen as well as parchment Commissions ascertaining the former rank of the other Officers contained in your return, shall be issued and forwarded to you without delay.

I have the honor to be Sir,

Your most Obedt. and very Hbl. Servt.,

JOS. CARLETON,

Executing the business of the War dept. by anthy. from Congress.

CAPT. W. LINTON TO GENERAL SUMNER.

April 17th, 1784.

Dr. General:

I beg leave to mention to you by General Persons that I wish to employ your services and interest this Assembly by way of extricating me from my present unhappy situation, which circumstances I need not rehearse to you as you are I expect well acquainted with them. I mean that unhappy affair respecting Quinn, and as General Person and some more of my friends will endeavour to pass some Law this Assembly in my Favour and for the matter to appear as clear as possible, I would wish these Gentlemen to call on you for my Character whilst under your command and in the Continen-
tal Service; for I flatter myself as long as I served under you; you will not apeach me with anything, whilst in service unbecoming an Officer, nor any one Elce of my Old Brother officers; for I am convinced that every publick spirited Officer and Gentlemen that is a friend to his Country wish me and every other person that has bin active in defence of his Country to routher be applauded than Prosecuted, but envy and mallace which presides in the breast of many men overrules all kind of Justice, throws her quite out of her Seat and places herself there as a Prosecuting Judge; paying no regard to merit, but decreeing Vengeance on all those that they Envy or wish Ill. But this Sir, I by no means think to be your disposition but am satisfied to the Contrary, and conclude with the greatest assurance of your Friendship on this Occasion which will ever Confer obligations on Sir,

Your Very Hum. Servt.,
W. LINTON.

DELEGATES OF THE STATE SOCIETY OF THE CINCINNATI TO THE GENERAL CONVENTION.

HILLSBOROUGH, April 18th, 1784.

Lt. Col. Cont. Lytle, Major Blount and Major McRee are Delegates to represent the State Society of the Cincinnati in the General Convention to be held in Philadelphia on the first Monday in May next.

JETHRO SUMNER, Prest.

C. Ivey, Secty. P. T.

I cannot decipher the name of the Secretary but suppose it to be Ivey for I have often heard my grandmother say that a soldier of that name was in the Regular Line with my grandfather. Ivey was the ancestor of Thomas Ivey Faison of Sampson. I send you also a list, which it is possible that you have never seen that I take from Niles Register. I have taken down only those from N. C.

"Revolutionary Regular Army," Niles' Register, Vol. 2d, p. 292.
"List of Gen. & Field officers in the army of the United States, who
continued in Service to the end of the War, or were deranged in pursuance of acts of Congress."

NORTH CAROLINA.


Lt. Cols.:—John Armstrong, William Davidson, Hardy Murfree.


In looking at the Journal of the N. C. Congress at Halifax, 1776, I observe most of these names.

With regard & esteem Yours respectfully,

G. McREE.

HON. DAVID L. SWAIN,
Chapel Hill, N. C.

HON. A. MACLAINE TO GEORGE HOOPER.

HILLSBOROUGH, 21st April, 1784.

My Dear Sir:

The assembly have been sitting only three days, so that you cannot expect any information of much importance.

A grand committee of both houses begins tomorrow to prepare business. Mr. Johnston, your brother, W. Jones & myself are of the number. Several of the western members are not yet arrived; and I am told that Rutherford is still a member, & expected.

I do not believe there will be much trouble in composing popular heats; but I much fear that the estates of those which have been confiscated by name, will not readily be restored. I am most solicitous for the unoffending British subjects, as I think the honor of the State is concerned in the restoration of their property. Let the British government pay the others.

Yesterday your old friend Jack Moore took his seat as member for New Hanover county, and consequently John James is once
more disappointed. This day a committee of the Senate resolved that F. Campbell's election is void, and that he be expelled the House. The election was palpably illegal, and some things appeared against his political character, which occasioned the resolve for expulsion; but which was no otherwise necessary than to fix a mark of disgrace upon him.

There can be no doubt but the report of the committee will be concurred with, as there is scarcely a man in the Senate who does not view Campbell with a mixture of indignation & contempt.

I am with affectionate remembrance to you and yours.

A. MACLAINE.

All here are well. J. Huske is become Benedict, the married man.

23rd April.

Campbell is sent back, & has made a solemn declaration against a like attempt. Scarcely one of his old acquaintances spoke to him.

The committee have unanimously agreed to the continental duty on imports; to a cession to the United States of Western territory, to an alteration in one of the articles of confederation, and to some other important matters.

The 5th article of the treaty will come on tomorrow, and I suppose something be done about British debts, so as to prevent an immediate recovery of the whole. In truth we are not able to pay all at once.

A. MACLAINE.

HON. R. CASWELL TO BRIG. GEN. CASWELL.

HILLSBORO', 21 April, 1784.

DEAR SON:

This acknowledges the receipt of yours by Capt. Craddock by whom this will be returned to you. I will Attend to what you re-
quest, there is not anything Material here, the Cincinnati make some Noise principally owing to a piece written 'tis say'd by Mr. Burke one of the Judges in So. Carolina in opposition to the Order Suggesting it will be establishing a Peerage in each Member & his Post- terity, &c.

The General Assembly formed Monday last. Mr. Benbury & myself are Speakers; much work is cut out, but little entered upon. Clamours seem to prevail agst the present executive, who will suc- ceed (I cannot guess) to that appointment, but I incline to think 'twill not be continued in the same person. A Gentn. from E——n will I presume be a Candidate and I don't know but one with whom you are better acquainted may also, but this is not yet settled.

My love attends you & yours.

Yours affecte,

R. CASWELL.

B. G. Caswell.

HON. THOMAS CHITTENDEN TO THE PRESIDENT OF CONGRESS.

STATE OF VERMONT,
Arlington, April 26, 1784.

Sir:

With that respect for Congress which the Citizens of this State have ever maintained, I beg leave to transmit to your Excellency the sentiments of the Council of this State, on the late proceedings of the Senate and Assembly of the State of New York, respecting this State, that your Excellency may lay the same before Congress. On the 21st of October 1779, the Legislature of the State of New York passed a special Law empowering Congress to hear and de- termine the controversy between that State and this, not upon the principles of confederation but according to equity and on the 7th and 21st of August 1781 Congress proposed preliminaries of a set- tlement of the said controversy, to this State, which was accepted and fully complied with by the Legislature of this State at their Session in Feb. 1782.

The Legislature of the State of New York in the November pre- ceding had very spiritedly remonstrated against the preliminary set-
STATE RECORDS.

The settlement of Congress aforesaid, an extract from which remonstrance is as follows: "Resolved that in case of any attempts of Congress to carry "into execution their said acts of the 7th and 21st of August, this Legis- "lature with all due deference to Congress, are bound in duty to their "constituents to declare the same an assumption of power in the "face of the said act of submission of this State, and against the "clear letter and spirit of the second, third, ninth and eleventh articles "of confederation and a manifold infringement of the same, & do "therefore hereby solemnly protest against the same."

But of late it appears the Senate and the Assembly of the State of New York are again urging Congress to decide their controversy, with this State. It seems they are willing Congress should settle their dispute as they have a mind; but not otherwise.

It appears from the late journals of the Senate of the State of New York "That the Delegates be further instructed to press Congress for a decision in the long protracted controversy, respecting "the right of this State to the District commonly called the New "Hampshire grants." And further "But that if she must recur to "force for the preservation of her lawful authority, the impartial "world will pronounce that none of the Bloodshed disorder or dis- "union which may ensue can be imputable to this Legislature."

As to the bloody proposition the Council of this State have only to remark that Vermont does not wish to enter into a War with the State of New York, but that she will act on the defensive; and expect that Congress and the twelve States will observe a strict neutrality, and let the two contending States settle their own controversy. As to the allegations of the State of New York against the conduct of this State in bringing a few malecontents to justice, and obedience to Government, whom they had inspired with Sedition, I have only to observe, that this matter has been managed by the wisdom of the Legislature of this State, who consider themselves herein amenable to no earthly tribunal.

Before I conclude this Letter I beg leave to remind your Excellency that, it appears to the council of this State, improper that the States of New York and New Hampshire, who are competitors for the jurisdiction thereof, should vote in Congress on any motion which respects Vermont And also contrary to an express resolution of Congress of the 24th Sept. 1779, in the following words "And that
neither of the said States shall vote on any question relative to the
decision thereof" that is, relative to the independence of Vermont,
although it appears from the journals of Congress, that these claim-
ing States have ever since, voted on all matters in which the inter-
est of this State has been concerned.

Sir, I conclude this Letter with the satisfaction of reminding Con-
gress that, this State is Still desirous of a confederation with the Un-
ited States.

I have the honor, &c.,

THOMAS CHITTENDEN.

His Excellency
The President of Congress.

HON. R. CASWELL TO BRIG. GEN. CASWELL.

HILLSBORO', 27 APRIL, 1784.

DEAR SON:

I have written you twice since I came here & recd. from you a
Letter by Capt. Craddock since which I have no Accots. from Kings-
ton or its neighbourhood.

The Assembly has been sitting since Monday was a Week, a Grand
Committee has been appointed to take under Consideration public
Dispatches & informations also to report the Bills, of a public Na-
ture, necessary to be passed into Laws. They have made few Reports
yet. We have a very full representation, about 100 Members of the
House of Commons & 46 of the Senate. Disputes will run high res-
pecting the return of Loyalists, refugees, &c. A Governor is to be
elected on Monday next, Govr. Martin, Mr. Johnston & myself were
put in Nomination, Mr. Johnston has declined and I shall do the
same before the day of election. The Assembly mean to fix the Gov-
ernor's Salary before the election, a Bill is now before them, it will
be reduced to 7 or 800\£, I expect the Comptroller's will be reduced
in proportion, if it is, I shall resign, and then be at Liberty to fol-
low my own pursuits, in which case, I think to visit the Western
Waters. Comrs. from Georgia are to be at the Long Island of Hols-
ton the 15th of June to proceed down to the Tennessee & settle the
Claim of Wm. Blount & Com. to that Territory. I should be will-
ing, if able, to Attend them. They will go by Kentucky & Cumber-
land and I might not only see those Countries but also, return
from the Bend by way of Chichamaga & the old Cherokee Towns to
the Long Islands, where I might be able to settle the little disputes
we have about Lands in that Country, but these, you will say, are
mere visionary prospects & will Soon be Obliterated from the mind,
may be so. I can do nothing about Tower Hill or Kinston for want
of the Laws, if you can possibly get Copies of those two Laws At-
tested, the former, by the Secretary, pray Transmit them to me. Mr.
Williamson & Mr. Spaight are Continued Members of Congress two
others are to be Chosen, Messrs. Nash, Person, Parson Boyd, Cum-
ning, Bloodworth, Irwin, &c., are talked of, but no nomination in
the Assembly has taken place. Much talk about the seat of Gov-
ernment, I believe if its Attempted Fayetteville, Tarboro & this
place will be in nomination.

I have written to your Mother & Capt. Child by this conveyance.
I hope you & Gatesy are well. I begin to be uneasy on her Acct. &
Shall be glad to hear from you respecting her. Remember me to your
Brother & Polly, tell him he may Spare a few minutes to give me a
line. I have now exhausted my Spare Time as well as the Subjects
on which I have written. My sincerest Love Attends you all from

My dear Son, Your ever Affect,

R. CASWELL.

B. G. Caswell.

HON. R. CASWELL TO WM. CASWELL, ESQ.

HILLSBORO', 3D MAY, 1784.

DEAR SON:

Your favor of the 27th Ulto. I received two days ago by Capt.
Hearon. He I am told is to set out on his return this morning. I
therefore intend this by him. I rejoice to hear all are well in and
about Kingston & I hope they continue so. If my Brother Ben's wife
dies his loss will be much to be consoled as his Family will thereby be greatly distressed.

There is not any probability of your Lands selling to the Westward, most of the Settlers in that part of the Country its said, are going down the Tennessee & to Cumberland. Certificates are selling there from 2 to 3, in the pound, so that you will not have any expectations of yours being sold. The Members of the Cincinnati are chiefly gone from this (infernal) place and few people except the Inhabitants, the Members of the Assembly and the Attendants thereon are to be seen. I live at Mr. W—t's, the House where the Senate sat when you was here and Occupy Coll. Fanning's office & Sleep there in quietness, but we have wretched living.

This day, I expect, we begin on Business of importance, preparatory steps only have been hitherto taken; the Grand Committee reported on Saturday last Sundry Bills of a Public nature as necessary to be brought in & Passed into Laws, among them, one favorable to Refugees, Banished men, &c. The reports were generally concurred with in both Houses, except that respecting Refugees, &c., founded on the fifth Article of the Peace which was rejected. The Gentlemen who were favorable to that report are viewed by a large Majority as unfriendly. How these matters will end Time will discover.

I wrote you to procure me copies of the Tower Hill Law & that for establishing Kingston, the former I still want, but the latter I have obtained, have drawn a Bill & it will be presented in a Day or two, for amending the Kingston Act. From all appearances I think we shall not leave this till June. New modes of Courts, Court Laws & Judges are much talked of as well as fixing the Seat of Government. Tarboro' & Fayetteville seem, at present, to have the advantage & will be opposed to each other.

I shall be glad to hear from you on all Occasions, and as occurrences may happen, and particularly, one that is most dear to you, to whom as well as yourself, my sincere affection is presented.

I am Dr. son Your Affect. Father,

R. CASWELL.

Win. Caswell, Esqr.
STATE RECORDS.

COL. JAS. THACKSTON TO GENERAL SUMNER.

HILLSBOROUGH, 6TH MAY, 1784.

DR. GENL:

I am sorry, and really ashamed that it is not in my power to send you more money for Mr. Burgess & myself, on acct. of Toney's wages, I never was more disappointed in my life. I expected; and made no doubt of receiving upwards of a Hundred pounds at this place, and have not got more than will bear my expenses. I was disappointed also in receiving a considerable sum that is due to me in Specie from South Carolina before I came here. I hope you will not suffer any inconvenience for the want of it till the 4th July next when I will use every means to pay you in my power. This will I suppose be delivered you by Mr. Hawkins with two half Joes which please to give Mr. Burgess credit for in part discharge of Toney's Wages. I am Dr. Genl. with esteem & respect,

Yr. Obt. Servt.,

JAS. THACKSTON.

COMMISSIONS REC'D. 11TH OF MAY, 1784, FOR THE STATE OF NORTH CAROLINA.

Peter Basecot, Capt. 8th Sept., 1781.
Elijah More, Capt. 13th Ocr., 1781.
Alexr. Brevard, Capt. 20th Ocr., 1780.
John Patten, Col. 22 Novr., 1777.
Thos. Clark, Lt. 10 Febry., 1779.
Archibald Lyttle, Lt.Col. 26th Jany., 1779.
Jas. Mills, Capt. 9 Jany., 1779.
Thos. Evans, Capt. 1 July, 1781.
Joseph Hadley, Capt. 13th June, 1779.
Robt. Raiford, Capt. 20th Novr., 1776.
Wm. Alexander, Lieut. 8th Sept., 1781.

Brevet Commission,
11th May, 1784.

Anthony Sharp, Maj.
Robert Rayford, Maj.
James Campen, Capt.
Thos. Clark, Brig.Genl.
Archibald Lyttle, Col.
Clement Walker, Maj.
HON. R. CASWELL TO WM. CASWELL, ESQ.

Hillsboro', 23d May, 1784.

Dear Son:

Your Letters by Collins & Peoples I rec'd. but the former first. I have been and still am much distressed for you & your Dear Gatsey tho' before this I hope you are both relieved from the Anxiety and Pain incident to the late Situation, but this is Bearly hope in me & 'tis likely will remain so 'till my Arrival in Dobbs. I have been very much Distressed on another Accot., the very day I wrote you
by Capt. Hearson I was Seized with my old disorder of a Giddiness in the head which I could not in a Crowd, throw off in my former way by frequent puking, which has Occasioned very frequent returns & Violent pains in my head which I have endured rather than take Tarter, the only Emetic I could procure here this I shall without an unusual Attack continue to suffer until I leave this Detested place, which may happen this day week, before I am almost certain it cannot as the most material Business is by no means finished. It would be endless to go into a Detail of the business which is & has been before the Assembly, let it for the present suffice, that I inform you, a Bill for ceding all the Western Territory in this State beyond the Appelachean Mountains to Congress for the purpose of defraying a part of the expences of the War & to enable them to establish New State or States, has been much debated Particularly in the Commons, it hath however been twice read in each House but 'tis much Doubt whether it will pass, a Bill for laying Duties on Imports Agreeable to recommendation of Congress for the use of the United States & another for the same purpose to the use of this State, a Court Bill, inspection Bill, Bill for Expulsion of Tories, with several others of Consequence and many small Bills are yet but under way and the most Sanguine do not expect to leave this in less than a Week & some think it will be a fortnight first, be it as it may I suppose I shall be among the last, as a very great deal of Business in my Office is before me & will not be Completed as long as any of these People remain here. Colo. Exum has promised to send a Boy with this, he was last night again Chosen Treasurer, all the old ones are Continued except Colo. Lanier who declined serving, in his place is Wm. Locke a Son of the General. Nat. Macon, P. Hawkins, Sen., Robert Burton, Jas. Sanders, Thos. Polk, Robert Bignall & Thos. Eaton are Counsellors. R. D. Spaight, John Sigreaves; Thos. Person, Ben Smith & Adlai Osborne are elected Delegates; the 2d Monday in October the next meeting of Assembly the place not fixed; a Joint Ballot was last night had, 141 Voters, Majority of Course 71. when Hillsboro' had 69 & Newbern 65. I suppose we shall try again tomorrow, but 'twill be very Close Pushing & according to the phrase this place will be hard pushed, but I fear it will carry it, much has been done towards fixing the Seat of Government but a few Neuse Men have hitherto put a Stop to it. Tarboro was within
three of a Majority once in three Times Voting. Fayetteville was in Competition. We had for Smithfield in the Course of the Three times polling 18, 13 & 17 which effectually has yet stopped their farther progress, indeed I do not know if it will be again attempted. I do not expect to give up my appointment, they Seem more disposed to add to the business of my office than diminish it, of Course I shall want my office done pray speak to Mr. Coart to get the plank down and to Mr. Cobb to have my Bill finished sawing if it is not done. I hope to see you 1st June. Mean Time my love Attends you & yours.

I am your Affect,

R. CASWELL.

Wm. Caswell, Esq.

HON. A. MACLAINE TO GEORGE HOOPER.

WILMINGTON, 14TH JUNE, 1784.

My Dear Sir:

Upon my return home the 10th, I found yours of the 14th of May, and yesterday Mr. McLeod delivered your last of the 5th instant.

As I write by post I cannot give you a full account of what passed at the Assembly. It would be too voluminous. Early in the session a grand committee among other things, reported the necessity of bills to repeal such laws as might tend to contravene the 4th and 6th articles of the treaty, and to reduce into system the treason and confiscation acts. Both houses concurred unanimously with the report. Notwithstanding this the bills were warmly opposed even by some of those who had consented to them on the committee. At the head of these were Nash & Blount: destitute of principle, & swayed only by motives of interest. We did not venture at that early period to put them on their passage, and in the mean time a bill of banishment was introduced in the commons, and in the senate, a bill for selling confiscated property. The latter was so exceptionally framed (it was indeed a job to inrich a few) that on the last
day of the session it was laid over. The other was entirely altered by a committee of both houses. All the names in the confiscation acts were in it; but such as were known to be dead, and a few others, were struck out. A long list however was added. Among these Rutherford named only four;—Booth Boole, Giffard, & the two Kers. The old Brigadier was quite outdone by Tim Bloodworth, who, (as Rutherford himself expressed it) meant to depopulate New Hanover county. Bloodworth pretended instructions from his constituents for what he did, expressing his regret for being obliged to name so many good men; but his duty obliged him to it. This was on the committee. Ben. Hawkins who is more improved than any young man I know, and one of the most honest and judicious in the State, placed the conduct of Bloodworth & his instructions in a proper point of view & made both appear perfectly ridiculous. Yet most of the names in his list were received. Among these were F. Brice, J. Burgwin, G. Hooper, T. Hooper, Thos. Cobham, L. DeRosset, J. Crudenpin, S. Campbell, D. Sutherland, and Isaac DuBois. Several violent people cried aloud against the insertion of some of these, & I was told that W. Blount mentioned you in particular. London & Jewkes were mentioned, & the first man in the State took no little pains to have Mallett inserted. Mean & base beyond expression; but his motives were easily discoverable. On the other hand, he did every thing he could to prevent your name and your brothers from appearing. I believe he wished to serve his friends, but his character was concerned in this. He has however renewed his offers to serve you.

There was an amendment added to this bill by Mr. Johnston in pursuance of the committee, which contained a pardon to all who were not convicted, and a restoration to all rights, &c. The bill was rejected in the Senate by a great majority;—some voting against it as having too many names, and others, because there were too few. Had a very few been left out, I could have wished the bill to pass, tho' it is unconstitutional. The country would have been quiet, & several of the banished persons would probably have been permitted to return in a session or two. I was not indeed in the least apprehensive for you. A very powerful party composed of both sides was in your favor; & I did not apprehend any difficulty with your brother Thomas, & little with respect to Cobham; but there are very
large sums due to J. B. & he is looked upon as a dangerous rival in trade. This might have been attended with some difficulty, perhaps danger, I therefore think it best that the bill was rejected.

I propose immediately interesting my friends in this & the neighbouring counties to procure constitutional instructions for next assembly, in which I do not fear success in the principal object of them. I am sure you will have in your favor, in this county three to one. The annual Assemblies are altered from April to October which is much more suitable to the people in general but makes no alteration with respect to the lawyers. We have a general election in August, & we meet at New Bern. I scarcely expect your brother & Mr. Johnston, as it will interfere with their circuit courts. Mr. Hay will unquestionably represent Sampson county (late part of Duplin) & I shall probably offer myself once more. We have ceded to Congress the country from the Alleghany Mountains Westward. We have altered the descent of lands which go to all the sons equally; destroyed intails & the benefit of survivorship in joint tenancies, & put the half blood upon a footing with the whole—passed the necessary acts for impowering Congress to levy the 5 pr. ct. duties & other taxes & to make some alterations in the confederation, &c., and done away assessments, except in towns,—lands pay by the quantity.

I want immediately to have the acts of your last session & to know what is done in Georgia with respect to British debts.

Your account of Rose's conduct gives me a very bad opinion of him; but as you say your law has no retrospect to former settlements, I do not know what his scheme will avail him. I am sure ours has none; & I do not suppose he alleges that he was overreached, or out witted.

Mr. McGwire who expects to leave this country soon is desirous of settling all his accounts. He says he has one unsettled with G. & T. Hooper, which he believes is very nearly balanced. As you have the ledger, I wish you to give me a sketch of the account by which I can apply to the Journal for particulars.

I found Mr. Rowan's journal some time ago and will send it to him.

I had an application some time ago for your lot (the title of which is now in me) & offered it for £200, provided the gold was paid
down. I was offered half that sum. But I am not solicitous to sell it soon. I know it will rise in value, tho' perhaps you had better have £200 than wait for an advance. It would suit Mallett extremely well, & I am persuaded that he cannot procure such another spot for his purpose. When he applies to me, I shall know how to manage him.

Are Cruden & Brown mad? Do they mean to go to war with Spain? Unquestionably they can have no authority for what they do. Indeed their seizing the transports, &c., is a proof that they have not.

I am sorry that we shall not see Kitty as soon as I expected. I hope you will make it up by coming together. I have not time to add.

Yours affectionately,

A. MACLAINE.

However clever & designing you have represented a certain lady, she wants ballast. After a great deal of what I had reason to expect she spoiled it all by telling me that my sweet little Poll was the very picture of me. This came upon me so unexpectedly, that I very bluntly exclaimed,—O good God! She's the picture of her father. My love to Kitty and the little ones, & compliments to Mr. Alexander.

HON. A. MACLAINE TO GEORGE HOOPER.

WILMINGTON, 18TH June, 1784.

My Dear Sir:

I wrote you last post, and gave you an account as shortly as I could of our proceedings at Hillsborough. The more I think of what is necessary to be done, and not be done, I am the more convinced that I must consent once more to be a member, if the people will elect me. Besides the necessity of preventing mischief, not only at the next Session, but ever afterwards, I shall not probably have such a good opportunity of attending. If the Assembly should sit after the 15th of November (which is not probable) I shall be on the spot at New Bern court, without deserting the public business.
I have not leisure just now to enter into any further particulars relative to our Assembly last session; but I must renew my request, that you will procure me the last acts of your State, and any resolutions (not included in the acts) relative to those under confiscation or banishment. The Georgia proceedings on the same head, and with respect to British debts. I wish to publish immediately whatever may appear to be favorable, or moderating. Before the next session, I must have authentic testimonials that you and others are citizens of S. Carolina. Mr. London has no more than a certificate from the secretary. I believe it will be necessary to have such under the great seal: though it may appear a little extra ordinary for citizens of N. Carolina to apply for such testimonials in S. Carolina to prevent their being banished here. They must however be had by some means. A. Miller never was a citizen here, & may therefore with the more propriety apply.

Mr. Bain and Miss Hall are to go together in about ten or twelve days. What the devil they will do I do not know but I think she will do little good for him.

As you do not say anything of your Spring cargo, I suppose that it was not arrived when you wrote last. This is a little extraordinary, as you ordered it so early.

Mr. & Mrs. B. & their family seemed determined to go to R. Island during the summer heats. We have had some extremely hot days, not exceeded in any season nor in any year I ever knew. Mrs. B. was moving in the house exactly like a turkey in a hot day, but with a more significant countenance, gasping for breath. The hot weather was succeeded by some days as remarkably cool. Warm clothes and a blanket have been necessary, & the weather is but now changing. All well.

Love to you & yours,

A. MACLAINE.

HON. A. MACLAINE TO GEORGE HOOPER.

WILMINGTON, 25TH JUNE, 1784.

MY DEAR SIR:

Having gone over to Lockwood's folly on Sunday, I was agreeably surprised on my return yesterday, to find your wife and
daughter here. The latter is in perfect health and spirits, & has been my constant companion since I came home, except when we were asleep. Kitty appears not so well as when she left us, but her spirits seem to be good.

You must have received both my letters by this time, one by post, & the other by water. By these, you will have a more clear idea of our politics than you could otherwise form; though your intelligence seems to be pretty good. I believe I wrote you that Mr. London was mentioned on the committee, but his name not received as he had been here before the definitive treaty was signed. Jewke's name was rejected, as he had been always here. You are in the same situation as the former; but that was not known to those who would have availed themselves of it. Mallett's name was rejected, because he had been acquitted, & the name of one Murphy, because he had been pardoned by Governor Burke. I told you that Martin offered his further services for you. Perhaps it would be prudent to accept the pardon which he is ready to grant; though I am persuaded that your own conduct, the time of your return here, and your being a citizen of S. Carolina, will be sufficient for you. To this I can add the recommendations & instructions which I know can be easily procured. These must far outweigh the feeble attempts of Bloodworth's party. In truth his influence and interest depend altogether upon joining in the popular cry. In other matters is insignificant.

I do not believe that any thing can be effected against you and others in a similar situation, especially as we are prepared to counteract the designs of violent men. Perhaps it may be otherwise with respect to those who have had large estates, which have been expressly confiscated by act of Assembly, I think there is however some hopes that where such estates belong to real British subjects what remains unsold may be restored; but this is a subject that was very unpalatable last session; though every man of common understanding sees that (exclusive of the injustice of such a measure) the State never will be benefited by retaining those estates.

Brice is an exception to the rule adopted by the committee but besides that we do not always act very consistently, the folly of his conduct had made him extremely obnoxious. The rule however is a convincing proof that I was right in urging to all my friends, an immediate return. By this, even some of those who were seen in
a very unfavorable point of view, are now regarded as citizens, against whom there are no objections. Had you returned I am convinced you would have been as easy as most men in the State; but you would probably have been much the poorer for it.

Our assembly unanimously resolved that all acts tending to contravene the treaty of peace should be repealed, and that the treaty should be carried into effect in every part, but the 5th article with good faith. Upon this resolve, but more upon the treaty itself, Mr. Johnston, your brother, & myself have agreed that suits brought for British debts, & by persons who during the war lay under disabilities, may now be maintained. One of the Judges will be decisively against us and we fear that the other two are too contracted in their notions of law to proceed to judgement without a repeal. I have determined to try it if any British creditor applies. I would not for prudential reasons wish to bring suits for the other class, if it could be avoided without danger of losing the debt. I will not however any longer delay calling upon the creditors of G. & T. H. to renew their obligations;—unless I should find upon examination that any of them are violent; in which case, perhaps I may indulge them a few months longer. In the mean time, I should be furnished with your unsettled accounts, as I may have it in my power to get the debts secured, & my brother will have frequent opportunities of seeing the debtors. You know that I have not the leger. I shall certainly to see you when your business will permit; but from what I have said; I believe you will be of opinion that your affairs here do not require your presence.

Mrs. Burgwin appears to suffer so much from the warmth of the climate, that the family are preparing to sail for Rhode Island next week. I suppose they will not return before October. Mr. B. seems to think that he cannot possibly get his affairs adjusted here so as to return to Europe before Spring; and laments that his presence in England is in the mean time necessary, especially to promote the business of the house in Charleston. I am persuaded that he will not attempt returning sooner, & that he cannot consistently with his interest here; at the same time I am as fully persuaded that his engagements with you and Mr. A. should oblige him to return in less time. You may judge which he will prefer.

I have sent by Capt. Withers, memoirs of the cardinal de Retz,
lent me by Dr. Cobham. I have not had time to read a single volume (there are four) and before I went to Hillsboro’ I had locked them up so carefully that they could not be found. My business put books out of my head. I should not be concerned for such a trifle had not the doctor told me that the books had been lent to amuse him on the passage. Whether he borrowed them in Charleston or St. Augustine I do not recollect. If in the former you probably know who the owner is. Present my compliments to the doctor, & let him know that he must impute my neglect to the times. I have not usually been so negligent; but our firebrands are ever creating work for me, and taking my attention from my own affairs, which frequently run into confusion.

My compliments of congratulation to Major Butler on the successful issue of his suit. It was a stake worth contending for.

Yrs. affectionately,

A. MACLAINE.

I inclose you a copy of the last clause of the banishment bill which would have had a very desirable effect, could we have got rid of a few names. It was drawn by our worthy friend Mr. S. Johnston.

My brother tells me that it was generally talked of when he was in Charleston than Fallon was about leaving the place. Have you secured the money due from him to Wilkinson?

There were about 120 names in the banishment bill; some of them real British subjects; (the governor’s Tryon and Martin led the van) some of them very inoffensive characters, & the most of them I did not know.

I should have told you in express terms that there can be no impropriety in your coming here. Burgwin’s stay unmolested and unquestioned is a proof of it. At the same time you should know (if I have not already mentioned it) that the Governor wishes absentees to remain so; or if they do come, to stay no longer than may be necessary to transact their business. You see what a poor thing it is. What the devil has he to do with the matter?
HON. A. MACALINE TO GEORGE HOOPER.

WILMINGTON, 30th June, 1784.

MY DEAR SIR;

Mr. Burgwin and his family sailed from this town yesterday for Rhode Island. His wife has been uncommonly affected by the heat of the weather, & the child has been at death's door & left this with very little if any probability of recovering. I understand that he wrote to you of his intention. This movement will necessarily retard his return to England; and when he does return I think his continuance there very doubtful, notwithstanding his obligations to fix his residence in that country.

I learn from Kitty and my brother that it was with great difficulty you and Mr. Alexander fixed the agreement in the manner which it now stands. That the latter had given Mr. B. & his better half great offence. My own observation would have informed me of this; for I never but once heard the name of Mr. A. mentioned by any of the family. Mr. B. always said he would write or had written to Mr. H., not a word of his other partner. I learn that Mrs. B. frequently expresses her wishes that the country may agree with her; signifying how much she should like to live here, as she knows it would be agreeable to her husband's inclinations. He has told me that he should like to put a parcel of negroes upon turpentine; but what with me puts his intention out of doubt, he asked me if Mr. Tryon's plantation called Lilliput was to be sold, & said that he should like to purchase it. I cannot conceive he has any view in this but to secure a summer retreat without a great expense, & at the same time possess himself of a place of value. I would have you look forward to a breach of your partnership; and if J. B. does not literally perform his part of the agreement in a short time; I do not see why you should be bound to continue the connection at your own expense.

Immediately before J. B. went on board yesterday, he requested me to write you that if you could receive the value of £300 Sterl. of his debts in Charleston, he would endeavour to purchase a vessel before his return. That she might make a trip to the W. Indies, &
then load with rice (500 brl.) for Europe. This he represented as advantageous to you, & said he could make out the rest of the price himself, though at other times he is complaining grievously of the want of remittances to support his credit. He makes great lamentations about the Waddells, who I believe are supported rather upon his credit, and the credit of their own property than his money. I take it that they will have swingeing interest to pay. Yet I believe he has applied a bill of £80 (which I gave him) to his own use.

Mr. B. showed me Mr. Stanley's letter, and had begun an answer; but the situation of his child and the fear of paying demurrage sent him off without completing it. I am to apologize for him, & in the mean time to give a general answer till a more particular one can be sent. Mine will be very general indeed.

The house here have formed a connection at Fayetteville with Col. Thackston. This J. B. thinks will be advantageous to you; but how, in particular, I do not learn.

When I found on my return from Lockwood's Folly that this gentleman was to go to R. Island in a very few days, I set myself at work to give him an account of the receipts and expenditures since I was in possession of his property. When I told him my intentions, he seemed pleased, & said that until he saw that, he did not know how to make me compensation. Could he not have said that he considered himself my debtor for a certain sum, & requested me to make out my account, & he would make payment to my satisfaction? The account was made out with the above title, & including about £100 which was lodged in my hands by one of his debtors immediately before my going to Hillsborough (& which C. J. had refused) it appeared that I had received about £14 more than I had actually paid. He then apologized that he had it not in his power (but immediately retracted that expression) to make me an adequate recompense for my services. He seemed to mean that he could not do it as he would wish. I shall immediately adjust all my old accounts with him, & if I live till his return, will have a settlement in some way. I have been now laboring with great anxiety for upwards of two years, at a time (or at least part of it) when my mind was not a little tortured with what concerned me more nearly than the preservation of his property. I suppose the third year will be completed
before I shall get rid of the plague of his business; for I have now a number of old debts for which new securities are to be obtained. Madame very generously requested me to employ Jenny during their absence hoping she would be useful to me but I told her as I had done before, that the wench was of no service to me. I should however take the necessary care of her, and so much for J. B. and his suite. But upon recollection I have not done. I suppose you may know that my brother proposed purchasing from J. B. a small lot joining his own. You may also know that it was promised to him. When Mr. B. came here he gave it to D. Bain; probably upon finding that he was connected with my brother. But it will not answer any purpose, as these two persons, however connected at present, will not I believe continue very long together; consequently it will not do for them to join in building a house. Mr. Bain, contrary to my expectations & my brother's is hastening his intended marriage, which is to be completed to-morrow. The imprudence of this in his situation is manifest; but I have not been consulted either in the match or when it should take place. A young man just entering into business, without a shilling of capital, to marry a girl without a fortune & one who at the same time is as much unqualified for the management of a family, as if she had just dropped from the moon (a circumstance which he perfectly well knows) is one of the many instances of folly exhibited on such occasions.

Before he has had time to make any payments, or to know what profits he will have after payment made, he has every necessary to purchase. Though this can never be justified, it might in some cases be excused: such for instance marrying a prudent managing woman, but his case is the very reverse. I am persuaded that the connection between him and my brother will be of short continuance; for though Bain is honest & diligent, he is easily ruffled and confused; and though by no means ungenerous, I am persuaded he will lose all temper when he sees his property wasted. In the mean time my brother for his own sake will take care of remittances.

Bain as usual was filled with gratitude upon receipt of a conveyance for the lot, which is worth about £250; but upon recollection he thinks he should have more & I think so too. He was to have had £100 Sterl. pr. year; he returned at my request, & he has sacrificed his time and some advantageous offers in expectation that
his services would be advantageous to Mr. Burgwin. Before & at the time of the evacuation, he received about £120 from Mr. J. and if that is not charged him he may probably be contented, tho' his friend John intimated a question to me as if he did not know whether he had given enough; But M. & Bain have had from J. B. £500 Sterl. worth of goods, payable in an easy manner.

I have troubled you with a tedious and circumstantial detail of facts, which however may be useful as to some of them; at least in their application.

16th July.

When I wrote the foregoing, I expected to have sent it in a few days. I have now before me yours of the 4th. When you send your testimonials of citizenship, I hope your brother's will not be omitted; not only as he is your brother, but as he was your partner. I wish to remove every difficulty that lies in the way of recovering your debts; and though I have no idea that your names will be in any banishment act, if such should be adopted, I wish to be prepared to counteract the wicked. If I should think a pardon of any service, I will procure it. It can never be of any service but with the assembly. As to the Judge the business of future accusations for matters arising out of the war, seems to be over. Burgwin has not been questioned. Yet these sages not very consistently have continued London Brice and Jewkes upon their recognizances. How they reconcile this, I do not know; for the treaty is express as to those who may be in confinement when it should arrive in America. On the other hand our laws are as much in force to accuse as to try. But little minds are incapable of seeing a whole. They piddle at it by parts, and thereby render themselves ridiculous.

I had long since determined to sell the property you mention. Sambo perhaps will bring something in produce worth receiving; but it is rather too soon to sell the lands. For the lot, I expect in a short time something considerable. The place at the sound, I shall sell altogether; & I hope by the next winter or spring to be able to get rid of them both upon advantageous terms.

Kitty says (and it appears so) that Peggy behaves herself so orderly and is so useful, that she does not wish to hire her out, but I sup-
pose she will write you herself. Whether I shall get a double chair here is doubtful; but I will try.

I am sorry to hear that the profits of your business are so very inconsiderable. It is hard to be a slave for years without being able to save a competency. Should this continue I shall the more earnestly wish your return here, where I am sure you can make money, & where I have no doubt you may soon come without any apprehensions. The expenses of common living in Charleston is almost incredible; and when dress and company are added, there is nothing less than a nabob can support it.

The snuff, cheese &c., came safe. I thank you particularly for the former; but I wish you had asked my advice as to the kind you should import. I would have ordered some of Sainsbury's (late Hardham's No. 37.)

Judge Spencer has not yet paid his note to C. H. & Co. He and his brother have not been well used by the assembly. It is true, they are now paid pretty regularly; but depreciation has not yet been made good to them.

Captain Withers gives us hopes of seeing Archy next trip. We shall be happy to see him even for a few days, and I am sure his grandmother will load him back with eatables.

I had by Withers (I know not by whom forwarded) a letter from John Cruden of the 18th of June. He does not say one word of leaving Augustine; or of what is doing there; but after a strain of very extraordinary (not to say fustome) compliments, he is plain enough with respect to America, which he wishes to see under the same form of government as Ireland. He is even so ridiculous as to say, that he has taken great pains to effect that desirable purpose, & is of opinion that if he could meet me, he could prevail on me to think as he does. The conclusion is as curious as it is romantic.

"Rank (says he) and consequence await you. Fortune, the reward of your great merit and abilities is within your reach; and I know none better qualified to support the highest dignities that a monarch can bestow." Had any man of real power, and in his sober senses, have written to me in this style, I should have been apt to conclude that I was indeed a person of great consequence. When I sat down to give you an account of this letter, I had determined to inclose an answer open for your perusal; but I have for many
reasons declined it for the present. I can never believe that J. C. can be intrusted by any person in power to offer emoluments and rewards to American citizens to betray their Country. Some deeper politician would have been employed in such a business. I can however readily suppose that such a man as Jos. Martin may be concerned in such business. It is perfectly of a piece with his own conduct. I have upon second thoughts inclosed you a copy of this curious letter, which you will probably laugh at, as the production of a madman; but though this is probably enough the case.

I see it in a very serious light. Were it known it would probably ruin me, and would certainly cut off all hopes from the writer, & perhaps from every other obnoxious person. Were I to lay it before those in authority, I might establish my own political character, but I should ruin the scheme which I have been laboring to effect. I have not shown it to any person but my brother; but I shall lay it by for the present with a proper answer, which I may send hereafter. Could I think that such a scheme as is there hinted at was in agitation among those who have power to attempt it, I would not keep the secret five minutes. Your own prudence will direct you to destroy the copy.

How many good things you may have that will be agreeable to me I cannot say. You have one however which I very much want. You will please by return of Captain Withers to send me half a dozen pounds of the best Souchong tea, for which I have inclosed you two Guineas. Whether it will be enough I do not know, & I suppose I might have had the tea without the money; but you may as well have the guineas as let them lie in my pocket. If you have any thing else that you may think I shall want, I shall not take it amiss that you send it.

Donald and Fanny are become one flesh; & I expect & hope that in a few days she will grace the head of her own table; but unless omnipotence should enlighten her mind & new-mold her body, I will venture my ear to a farthing, that she will continue a lazy slattern to the end of the chapter; and if her husband should make £500 a year, she will waste £499 of it.

Before I close this, I shall receive a bill from the son of the late Dr. Richard (perhaps you remember Jacky who was here with his father) for something above £100. About four years ago, he was
at the age of 15 drafted into the service & is lately returned from Pennsylvania. It seems he was sick upon the road, and as poor as Job. He says Genl. Bull is concerned in the care of his estate as a trustee or guardian; that he saw the Genl. before the arrival of the latter here, who directed him to Meek. Meek acknowledges that the General requested him to supply Richard with necessaries, but seemed rather backward in doing it. The lad lodged with James Walker who rigged him out in his own clothes (for he was almost naked), & I have supplied him with necessaries. The foolish boy has taken up much more than was necessary, and possibly there may be an objection to his bill; but his friends should consider that I had nothing further to do than to pay the debts he had contracted, I was willing too to run a little risque to get the money paid to you, as I find it difficult to remit to Charleston.

Richard tells me that if he sees Genl. Bull in Charleston, he expects to get the money paid there, though he draws on a Mr. O'Bryen at Savannah.

Have you ever done or attempted any thing effectual about my land? If it is recoverable, I wish a suit might be prosecuted, if not, there is an end of the matter.

We have no good cheese here.

19th July.

I have just received Richard's bill on Wm. O. Bryen, of Savannah for 2724 dollars. This man he says manages his mother's affairs in Georgia, & Genl. Bull in S. Carolina. Should you fortunately receive the money, you will place it to my credit. The bill is enclosed, & a letter from me to Genl. Bull.

Since I wrote the above I met accidentally with Mallett. He has offered me 500 dollars in Charleston the 14 of February, for your lot; but I told him it must be £300 this money paid there. I think he will take it, though perhaps not at present. I do not know where else he can live convenient to his business, unless he should purchase from W. Campbell (the other half) at a much higher rate.

Yours affectionately,

A. MACLAINE.
GEN. P. MUHLENBURG TO HIS EXCELLENCY, THE PRESIDENT OF CONGRESS.

PHILADELPHIA, July 5th, 1784.

Sir:

I have the honor to inform your Excellency that I am just returned from the Falls of Ohio, where during my stay of two months, I endeavored to make myself acquainted as much as circumstances would admit of with the present disposition of the Indians in that quarter relative to a peace with America. I take the liberty of troubling your Excellency with the few remarks I have made, wishing to conduce towards hastening the Treaty with the Indians as it is the opinion of those best acquainted with Indian affairs this is the critical time in which the best opportunity offers either to establish a peace or to prevent them from forming a combination against us.

From the best accounts we could get at the Falls, several attempts have been lately made by some of the Indian nations to form a general confederacy which was prevented by the Shawanese who refused to join, until they should be fully apprised of our intentions, and by a quarrel which arose between the Kickapoos and Chickasaws who are now engaged in a desperate War. A public embassy from the Shawanese arrived at the Falls during my stay there; they informed us that it was the general wish of the Nation to engage in a firm and lasting peace, but so much time had elapsed since hostilities between America and Great Britain had ceased in which nothing had been done in regard to them, that they suspected our intentions with regard to them were not friendly. And in their private discourse, they gave us repeated hints, that if we meant to take any of their lands on the West side of the Ohio, it would not be given up without a contest; they have however delivered up a part of the prisoners among them and have promised to bring in the whole.

The Piankshaws likewise sent an embassy requesting a treaty, but their numbers and influence are small and I believe their coming was occasioned by a report that an armed force was coming against them, to chastise them for some depredations they had committed near the Falls.
In April last a Council was held at Oposet, to which the different Tribes on the Wabash were invited, but none attended except the Piankshaws. The Owiottonons, Maumicas, Kickapoos, and lower Delawares refused and not only threatened the Piankshaws if they went to council but openly declared that they intended to commence hostilities against us, and I have reason to believe that nothing hitherto prevented them but the hope they still entertain of being joined by the Shawanese and their allies.

The Chickasaws have been and still show themselves friendly, giving every assistance to our people coming into the Nation. They sent me a message to the Falls in May requesting our assistance against the Kickapoos, and informed us that the Kickapoos had lately killed 5 or 6 white men at the mouth of the Ohio, and burnt one man where fort Jefferson lately stood. They gave us likewise another piece of information on which I however lay no great stress. That the Spaniards had promised them, and some of the neighboring Nations to supply them with ammunition, &c., provided the Americans should attempt to dispossess them of any of their lands.

From every observation that I have made, I am lead to believe that the Shawanese at present take the lead, among the Indian Nations on the Western waters, &c., that if a general Treaty cannot be held at this time a partial treaty with them would keep the other Nations quiet and give us so much time at least as will be necessary to provide against the worst. If this is not done before the Fall I am convinced from the present situation of affairs that a War is unavoidable. The frontier Inhabitants show as much inclination for it as the Indians, expecting that troops from every quarter will be sent to their assistance.

The Gentlemen who received the Illinois Grant of 150,000 acres opposite Louisville on the west of the Ohio, have already laid off a Town in that district, which is settling fast, and this would probably give rise to an immediate quarrel.

I should not trouble your Excellency with these remarks, did I not plainly foresee the miserable situation to which the frontiers will be reduced by a War, breaking out at this time, when the Inhabitants are totally unprepared; lulled into Security by depending on a general treaty; and on succors, which at any rate must come too late, if the Indians act decidedly.
STATE RECORDS.

Permit me further Sir, to express my fears with regard to the places at which it is said the treaties are to be held, Fort Pitt and Louisville. The Inhabitants near the first have not forgot poor *Crawford and his fellow Sufferers; those at the latter still remember the Blue Lick and other places where the Indians exercise their cruelties upon them, and private revenge will certainly take place especially in a Country where every man thinks he has a right to do, what seemeth best in his own eyes. Fort McIntosh the mouth of great Miami or the new Town opposite Louisville, would be much more eligible and prevent the mischiefs that might otherwise arise. As I mean to become a residenter on the Western Waters, and shall set out again for the falls in September next, I shall be happy to be the bearer of any orders, either from Your Excellency, or the Honorable the Committee of Congress.

I have the honor to be, &c.

P. MUHLENBURG.

His Excellency,
The President of Congress.

D. MARBOIS TO THE HONBL. SAM'L HARDY.

Philadelphia, 15th July, 1784.

Sir:

Since the conclusion of the peace many merchants of the United States, have made adventures to China and they are in a disposition to renew them and to extend that branch of commerce. But they have represented about the middle of last year, that the thirteen States having no ports in the East that they could put into, on their voyage to China; they requested that his Majesty would permit them to enter into the Islands of France and Bourbon: The King informed of these circumstances, has determined in Council, that the American Vessels should have permission to put into those Islands where they will find every protection and liberty. This admission Sir, will prove to the United States, that we wish to extend and

* Colonel Crawford lately taken prisoner and cruelly murdered by the Delawares.

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and facilitate their commerce and increase as much as depends upon us, the friendship which subsists between the two Nations. Those measures being important to the commerce of the thirteen United States, I have not been willing to defer giving you an acct. of it. Tho' it has not been yet officially communicated to me. The Delegates who compose the Committee of the States may in the meantime, if they think proper inform their States of it, in a private manner.

I am with respect, &c.,

DE MARBOIS.

The Honbl. Sam'l Hardy,
Chairman of the Committee of the States.

A RESOLUTION OF CONGRESS.

BY THE COMMITTEE OF THE STATES,
JULY 26, 1784.

On the report of a Committee to whom was referred part of a report of a Committee on Letters from the Superintendent of Finance and the Hon'bl. B. Huntington.

Whereas, there is reason to apprehend there are in different parts of the United States articles of Quarter masters and military stores, Cloathing, &c., the property of the United States which have accidently fallen into the hands of private Citizens or remained in the possession of persons formerly, but not at present in office of, which the heads of the several departments have no account.

Resolved, that it be and hereby is recommended to the Executives of the Several States, to call on the citizens of their respective States, to make return forthwith of every species of public property which may be in their possession; and the said Executives are requested to forward to Congress or the Committee of the States a general return of such articles, the property of the United States as they find to be in the possession of their Citizens or any of them, in which shall be specified the names and places of residence of the persons in whose possession they are.

CHARLES THOMSON.
STATE RECORDS.

HON. ROBERT MORRIS TO THE HON. MR. SPAIGHT, DELEGATE IN CONGRESS FROM N. C.

Office of Finance, 27th July, 1784.

Sir:

I am to acknowledge your favors of the 9th & 19th inst. The former inclosed a letter from Governor Martin, covering the resolution of your State upon the settlement of accounts. I very early had the honor of nominating for that purpose Mr. Montgomery of the State of Delaware. This Gentleman was held so long in suspense that when at length (after many months,) the approbation of the State arrived he had formed other engagements. At present I cannot meet with a proper character but am earnestly desirous of it, as the closing these old accounts appears to me, to be a measure of very great utility. I should prefer nominating a person from Virginia or South Carolina for your State and should be very happy to have a Commissioner well recommended from either.

At the same time I must observe that the Resolutions of which you do me the honor to transmit a Copy do not perfectly square with the acts of Congress.

I am, &c.,

ROBT. MORRIS.

The Honbl. Mr. Spaight,
Delegate in Congress.

A RESOLUTION OF CONGRESS.

By the Committee of the States,
July 27, 1784.

The Committee to whom was referred the report of a Committee of Congress upon their order of the 17th June, 1783, "That a Committee be appointed to consider what further measures may be necessary to compel persons who have received public monies to account" report; that upon inspecting the journals of Congress they
find that Congress did on the 27th Feb., 1782, resolve "That it be recommended to the several Legislatures of these United States to make provision by Law for the speedy and effectual recovery from individuals of debts due and effects belonging to the United States. "That on searching the files in the office of the Secretary of Congress, Your Committee do not find that any of the Legislatures of the respective States, have made the provision recommended to them to be made by the said Resolution of Congress; And as it is the opinion of your Committee that the Interest of the United States hath already suffered greatly for want of such provisions, and doth require that it should be made by the several Legislatures without loss of time, therefore

Resolved, that it be most earnestly recommended to such of the Legislatures of these United States, as may not have yet complied with the said recommendation of Congress, to enact laws in compliance therewith as soon as may be, and for empowering such person or persons as already are or hereafter shall be appointed by the United States in Congress Assembled for that purpose, in their name and in their behalf to commence and to prosecute to final decree judgement and execution any action or actions, bill, suit or plaint either in Law or Equity which may be proper and necessary to recover from individuals not only debts due and effects belonging to the U. S., but to recover, secure and maintain any rights, properties or interests to the said United States appertaining, or for any injury or damages whatsoever which they have sustained or may sustain therein. And that it be further recommended to the Legislature of the several States to frame any act or acts which they may pass in pursuance of the foregoing recommendation in such manner as may produce a speedy and effectual decision of all such Bills, actions, suits or plaints as may be commenced, sued or prosecuted for the purposes aforesaid.

CHARLES THOMSON.
HON. ROBERT MORRIS TO THE GOVERNOR.


SIR:

I have the honor to acknowledge your Excellency's favor of the 4th of June last, I will endeavor to fix upon a proper person for the Commissioner to settle the accounts of your State with the United States. At the same time I must take the liberty to mention that the Resolutions of your Legislatures on this subject do not perfectly square with the Resolutions of Congress. These have now been generally adopted by all the States and the idea on which they are founded is that the commissioner being nominated by the Superintendent but deriving his authority from the approbation of the Legislative authority stands in temper and judgment unbiased, and being sworn to do what is equitable and empowered so to do by Congress as far as the property of the Union is concerned he is in this respect as it were a Chancellor, but one from whose decision lies no appeal.

Your Legislature seem to have adopted the idea of an arbitration but with this remarkable circumstance that, they have named one arbitrator and possess a liberty of rejecting the other. There appears also another circumstance which perhaps may very much impede the settlement of the accounts. You have determined that monies advanced, Supplies furnished, or services performed shall be estimated by the Continental scale of depreciation, but Congress have determined that supplies and services shall be estimated according to the real value at the time and place of furnishing and performing them. I shall not go deeply into this subject because it is time enough when difficulties arise with the commissioner. And I fear they will arise and not perhaps be surmounted unless the Legislature should think proper to revise the Law, for I do not conceive it possible that Congress should change their Resolutions because numerous accounts have been already settled in conformity thereto.

With perfect esteem & respect,

ROBERT MORRIS.

His Excellency
The Governor of North Carolina.
GENERAL PINCKNEY TO GENERAL HARRINGTON.

CHARLESTON, AUGUST 24, 1784.

Dear Sir:

I am much obliged to you for the Dog's foot grape Seed, & shall take great Care in the Cultivation of it; I now send by the Post the Seeds I promised.

Johnson refused to give Security to pay the Money in October, but insisted it was an old Debt, & that he could only give Security for the payment of it by installments in four years agreeable to the ordinance. This security I declined accepting without Instructions from you, & therefore issued the writ. I have not heard from Lieut. Campbell, but shall observe your directions on that subject.

I am exceedingly glad to hear that Sawney Crawford is convinced of his injustice & means to make you amends.

I shall write to Capt. Fishburn about the Rice Plantation & hope there will be no objection to have the Court determined in February. I remain with great regard & Esteem,

Your most obedt. Servt.,

CHARLES COTESWORTH PINCKNEY.

HON. A. MACLAINE TO GEORGE HOOPER.

WILMINGTON, 20TH SEPT., 1784.

My Dear Sir:

I should scarcely have thought of writing you before Kitty's departure, were it not that I am anxious to attend to the affairs of my friends. The letters which I inclose to you are from Mr. Hay, & I beg you will forward them by the first conveyances. If vessels for both England and Ireland, you will separate them according to their direction.

The late Dr. Mortimer of this place (whose widow Dr. Geekie mar-
ried) left, after the death of his wife and daughter, his house, and
some other parts of his estate, to his nephew, John Conaway, of S.
Carolina. Upon the death of Mrs. Geekie, the house, &c., became
his property. Some years ago this nephew, (who is a poor insig-
nificant creature) wrote to Dr. Green (then dead) as one of Mortimer's
executors to know what his uncle had left him. He signed himself
John Connerly. Whether he is totally illiterate and procured some
person to write for him, or that his uncle who was eminently illit-
erate himself, mistook the name I do not know. Should his name
be really Connerly, I am of opinion, if he proves himself the nephew
of Mortimer, & there is no nephew of the name of Conaway, that he
would succeed to the bequest. Doctor Geekie is at present in a dis-
agreeable situation. He may be in immediate danger of losing his
place of habitation, & be obliged to pay the profits since the death of
his first wife.

From what Mortimer's nephew writes, he seems not to know what
he is entitled to under his uncle's will, & I understand that he is
not only insignificant but a drunkard. I believe Dr. Geekie has
heard of him lately. I therefore wish that you could continue to
have some conversation with him, & without mentioning Dr. Geekie's
name, or the death of his uncle's widow and child (if he should be
ignorant of these circumstances) find out from himself what con-
nexions or expectations he had in this place. You could easily
manage it so as to bring about a treaty for the purchase of his claim.
If you advance so far, it will not be amiss to let him know you un-
derstood that the name of Mortimer's nephew was Conaway, not Con-
nerly, (if the latter is really his name) and insist as a preliminary,
that he prove his propinquity to the deceased, so that the proof may
be transmitted here under the seal of the State. Perhaps this affair
may not bear the most equitable aspect; but if the man is
such a creature as I have heard and believe (and this belief is
founded upon the want of personal application in the claimant)
there will be little injury done to him. I would not by any means
have this business so conducted, that it should transpire here; as
there are several who would endeavour to get the property from
Geekie; and Walker, exclusive of his insatiable avarice, would risque
damnation to injure any man who has uniformly and openly op-
posed him. Where this Connerly is now to be found I do not know;
but his letter of —— 1778, requests an answer to him at John Vineyard, leather-breeches maker, in Charleston. When Kitty sets off I will transmit you his letter or a copy of Mortimer's will, and the form of a conveyance, in case you should purchase. When you left this you had such a fine tide, and such a steady wind for at least 36 hours, by my calculation, that I think you must have been in Charleston the next day by noon. The second night after you left us, it blew a storm, at almost all points of the compass. I hope and believe you were entirely free from Danger.

We have now a dreadful fresh in the N. West. Except one, I believe the highest that has been known. This of course carries off the most of the grain that had escaped. In the neighbourhood of B. Smith and T. Clark, they were all busy in with boats saving what they could. This has prevented the latter from coming to town for Mrs. Forbes. He has however wrote to her (I am told) very affectionately, but not with that politeness which she expected. Tom however is not remarkable for address. Mrs. Forbes I believe despairs of staying here to any purpose, and thinks to accompany Kitty to Charleston, from whence she expects a more ready passage than she could have here.

I must mention a circumstance which may eventually be of importance. Dr. Claypoole who has lately complained of the toothache, says that he never had a hollow tooth till since he came here. That he attributes it to smoking, that the heat occasioned and kept up by tobacco smoke, must necessarily affect the teeth, as all extremes do. Notwithstanding this opinion he cannot deny himself the pleasure of a pipe, of which he is remarkably fond. If the doctor is right, perhaps it is owing to such a circumstance, that I have never had the toothache. I never could smoke without sickness, & I never could drink anything very hot or very cold.

Catherine & Poll are as you left them.

Yours affectionately,

A. MACLAINE.

I think Connerly would be satisfied if he could get 50 or 100 guineas, & Geckie would be well off to get clear of him for the largest of the two sums; though he will probably take less.
HON. A. MACLAINE TO GEORGE HOOPER.

WILMINGTON, 28TH SEPT., 1784.

My Dear Sir:

You will find from my letter by Mr. Tomkins that we were altogether unapprehensive of your danger, for though it rained the morning after you left this, the day cleared up long before noon, & had a good appearance. I most cordially congratulate you on your happy escape. Spaight was here the other day, and is to return to Congress about the 12th of next month; but I could not get any intelligence of moment for him. He seemed always confident of his own abilities, and I suppose he is now so elated with his present dignity, that he chooses to be courted to communicate the important matters with which he is intrusted.

Gillon's defeat by such a great majority is flattering to all lovers of good government. I hope soon to assist in routing the arch-fiend. General Greene is very solicitous to have authenticated the fact with which Tallon is charged, of attempting to carry off the money of Kelly (the lame man) at Hillsborough, with which he was intrusted. I shall write in a day or two for that purpose; and I do not fear getting ample testimonials; which I shall transmit without loss of time.

You astonish me by your account of the decisions in your court of pleas. As you say it is pointedly in favour of Rose, I must suppose the suits were brought upon settled accounts. But is it possible that the Judges, or any rational jury will give a plaintiff more than he himself has acknowledged to be due to him?

It is very difficult, if not impossible, for me to give you advice in such a case. I do not see how a judgement can be had against you, a single partner of a numerous company, long since dissolved, and their affairs settled. But from what I can find, the laws and courts of S. Carolina can do anything. If you are sued, I think you should plead the facts specially, that you were one of such a trading company, mentioning their names, & firm, that you and S. Campbell transacted the business, that at such a time, the company were dissolved, or expired, as the case was; that during its continuance you
settled accounts with Rose & Torans, & from the balance of that settlement and subsequent transactions the company were in their debt so much; which sum with other trifling balances due by the company (at the settlement by the partners) you retained in your hands as one of the responsible partners; and that each of the partners at that time withdrew from you his share in the joint stock & that you had not any of the co. property other than what is mentioned, but what was appropriated to the payment of other debts. You must however plead the settled account in bar in the first place. If you are sued; I suppose I shall be obliged to go in though I shall not probably be admitted to the bar; but I may be of service to you. I shall write your brother fully upon this subject. The first thing is to procure time to plead, in which I believe the rules of your courts are favorable. That a court of common law should be so long in determining a single point, which depends upon an act of assembly, and a single act of the parties concerned, is with me a strong presumptive proof that the Judges labored to wrest the act in favor of their own country; for with us, & some other states, they are all creditors.

I have looked into the act, or ordinance as it is called for settling a depreciation table: in the preamble it says that, “many contracts had been made between the citizens of the State whilst paper money was in circulation, which contracts are still unsettled.” Now a running acct. is no otherwise unsettled than that the balance is to be reduced to good money, and paid, and the contract was made at the time the account was settled & signed. These are positions which will admit of no dispute in a court of law; and though the ordinance is evidently calculated to serve the S. Carolina creditors, yet it never meant (if we can judge from the words of it) to go further back than the acknowledgement of the defendant, nor to give the plaintiff more than he acknowledged was due to him. Pray how does your friend Burke act in disputes of this kind?

After writing part of a letter to Mr. Eveleigh, with which I intended to send Mrs. Gordon’s papers to you, with an offer to deliver them up to him, upon his giving an acknowledgement that he would be accountable to her, after deducting the value of the bond, to be ascertained by its date; I recollected that I should give him a palpable advantage. As administrator of Gordon in that State, he
might insist upon the papers; and if you refused a delivery, might sue you for detaining them. And though the papers would have been sent by the proper owner of them, under certain conditions, yet it is not improbable but he would have recovered them. At all events, he would have pestered you. I have therefore inclosed a letter from him, & if he agrees, in a letter to me, that he will take the papers upon the only terms on which they can be sent, he shall have them. If therefore he has paid, or should offer to pay you, any money for me, in the first case you must return it, & in the latter refuse it. Let him sue here, and try how he will get his money; at least such a sum as he demands.

29th Sept.

Yesterday I discovered by accident (very safely locked up where I never should have looked for them) G. & T. Hooper's daybook from Dec., 1773, to Augt., 1776: and your office account book, where I see Mr. McGwire's acct. is balanced; and I do not perceive his name in the new ledger which you left with me. I send these books, & if either of them should be of service here, it can be returned.

The grate or stove, fits the hall chimney pretty well, though rather wide for the back part. The two others must not exceed 22 inches in width, if any such are to be found; at any rate not above two feet. They come much higher than I expected, but I cannot help myself.

My congratulatory compliments to Mr. Alexander upon his recovery and to Archy upon the safe arrival of his cocks.

I have concluded to send my letter to Eveleigh by Withers. It will perhaps be better that nothing should go through your hands, unless we can agree better than I expect.

A single additional grate will do. Mrs. M. it seems dislikes the smell of coal.

Yours affectionately,

A. MACLAINE,

Old Rutherford is out of the assembly, & Sharpe in his place.
HON. RICHARD D. SPAIGHT TO HIS EXCELLENCY GOVERNOR MARTIN.

Oct. 16, 1784.

Sir:

I wish through your Excellency to communicate to the hon'ble. the general assembly the cause of the dissolution of the Committee of the States, appointed by Congress to sit during their recess. Its effects I fear, will prove very disadvantageous to the interest of the United States, at this particular and important period.

It has already been spread throughout Europe by the emissaries of the British Court "that the United States are only united in name and "that a little time will show that we are incapable of governing our-"selves, that great dissensions prevail in the different States and that "we are unwilling if not unable, to pay the debts we have contract-"ed during the War."

Many circumstances which have taken place on the Continent tend to confirm these reports; but none has more fully answered that purpose than the dissolution of all Continental Government by breaking up of the Committee of the States.

It is expected that the Commissioners of the United States have opened or shortly will open Negotiations for forming treaties of amity and Commerce with the European powers. Under what disadvantages they must negotiate with a people prejudiced against us as a Nation divided in itself, and whose Government has not suffi-

"cient power to compel even its own Citizens to keep the articles of a treaty when made.

They will rather suppose that more beneficial treaties may be made with the respective States, and will cherish those ideas of in-

dependence and separation which are said to prevail among us, for their particular emolument.

Towards the last of July Mr. Dana the Delegate from Massachu-

setts, seconded by Mr. Blanchard the Delgate from New Hampshire, moved that the Committee might adjourn on the —— day of Aug,
to meet again at Trenton on the first Monday in September and that in the interim the papers of the secretary's Office and the Office of
foreign affairs should be removed to that place. To strengthen the reasons in favor of the adjournment, they said they were obliged to leave Annapolis in a short time, and it would give their colleagues an opportunity to come forward to take their places; And that they did not expect they would come so far South as Annapolis. These reasons being urged and knowing the bad effects the dissolution of the Committee, by the withdrawing of any of its members, would have in the political world on the affairs of the United States, induced me to vote for it thinking it would have a better appearance for the Committee to be dissolved (it should happen to have that effect by its not being formed again) by its own vote than by the former mode, the one would at least bear the face of unanimity the other of disunion.

Four States being opposed to the motion, negatived it. Those Delegates being still determined in their intentions of returning home, obliged the others who saw the consequence of their leaving the Committee without a competent number to do business, to fall on some mode if possible to prevent their going, or to make them postpone it until they should be relieved by their colleagues. Accordingly a motion was brought forward by General Hand seconded by myself, stating the evils that would result from a dissolution of the Committee, in order to convince them of the necessity there was for their staying until relieved, or until Delegates should come on from the unrepresented States, to fill up the Committee (a copy of the motion is inclosed). After the motion had been some time debated, and the Chairman about to put the question Mr. Blanchard the Delegate from New Hampshire left the room; there being then only eight states on the floor, we could proceed on no business: The members present sent to him requesting his return, but he declined it. He did not appear the next day, and was again sent for, but declined coming. On Wednesday the 11th of August neither Mr. Dana nor Mr. Blanchard appeared and on that evening they both left Annapolis to return home carrying with them Mr. Dick of Jersey.

This unprecedented step of the Eastern Delegates did not surprize me, it was only acting in unison with their former conduct, and seems to me to be a concerted scheme among the Delegates of the four New England States as they opposed the appointing a Commit-
tee during the recess, and would not have agreed to it, could they have had an adjournment of Congress without.

Since I have had the honor of a seat in Congress their uniform conduct has been to weaken the power of the union as much as possible, and sacrifice our national strength and dignity in hopes of rendering themselves more conspicuous as individual states. They have even attempted, to answer their particular purposes, to call in question and dispute those powers which are expressly granted to Congress by the Confederation. I do not think they wish for a dissolution of the Confederacy, but they press so extremely hard on the chain that unites us, that I imagine it will break before they are well aware of it. A separation certainly would not be to their advantage. The produce of the Southern and Middle States will ever command the friendship of the maritime powers, while the New England States depending totally on their industry and the carrying trade, in the last of which they are rivals to the British and Dutch, must ever depend upon the friendship of the Southern and Middle States for their employment and support. This event may by many be thought to be distant, but it is my opinion that unless those states lay aside their present policy, and adopt one more liberal, and which shall have for its basis the general good of the whole, un-crampt by the policy and interest of particular States, that it will happen in a very short period.

The disputes between Pennsylvania and Connecticut for the Wyoming Lands, And New York and the Vermonters with the support and promises which the New England States have given the latter, have sown the seeds of dissension which I think will not end without a Civil War.

And the conduct of the Eastern States in opposing the peace establishment, plainly appears to me, to have been with a view to put it out of the power of Congress to check those evils in the bud, as soon as they should appear.

The six States that remained at Annapolis met from day to day until the 19th of August, when finding there was not the most distant prospect of a Committee being again formed at that place, and that our remaining there without power to do any one Act, would answer no beneficial purpose, came to an agreement to recommend it to the Secretary to remove the papers of his Offices and Office of
foreign affairs to Philadelphia till places were got ready for their reception at Trenton.

I should still have thought it my duty to have remained at or in the neighborhood of Philadelphia so that if a Committee had met before the meeting of Congress, the State of North Carolina should not have been unrepresented, but receiving no Supplies from the State and my finances growing low, at the same time knowing that my private affairs wanted my presence in Carolina, I determined on returning and proposed getting back to Trenton by the annual meeting of Congress for which place I am at present on my Way.

I have the honor to be, &c.,

RICHARD D. SPAIGHT.

His Excellency
Governor Martin, Esqr.

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A TALK DELIVERED BY THE OLD TASSEL TO COL. JOSEPH MARTIN FOR HIS EXCELLENCY ALEXANDER MARTIN, ESQUIRE, GOV.
ERROR OF NORTH CAROLINA, FOR HIMSELF AND WHOLE NATION THE 10TH OCTOBER, 1784.

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Brother:

I am going to speak to you once more. I hope you will hear me. It has been a great while since I have heard from you. I used to hear from you often, but I fear you have forgot me. In your last talk to me you promised to have your people taken off our grounds, but it is not yet done. When one goes off two comes in his place. We are in a great deal of trouble about it. Our young men are afraid to go out a hunting. Your people are always rangeing through our Country, and marking our lands. We beg that you our elder Brother who is the head of all your people, will have them moved off. We are not willing to quarrel with our Brothers. I therefore beg that you will take pity on us, and not suffer your people to take all our Country from us. You promised to meet us and talk with us, but we cannot see you which makes us very uneasy. We fear you have throwed us away. There has been people
who lives a great way off with us giving us talks but we stopped our Ears to them. We don't want to make any new acquaintances, neither do we want to turn our faces from Our Elder Brother of North Carolina. I should say a great deal more, but our friend Colonel Martin promises to deliver this talk to our Elder Brother, and he knows all our business. I hope you our Elder Brother will listen to him as if I was present, as he will stand before my elder Brother in my place. And as a token of my friendship I send you a String of white beads.

TASSEL.

TO HIS EXCELLENCY ALEXANDER MARTIN, ESQUIRE, GOVERNOR, CAPTAIN GENERAL AND COMMANDER IN CHIEF OVER THE STATE OF NORTH CAROLINA.

IN GENERAL ASSEMBLY, 20 October, 1784.

SIR:

The General Assembly have received with great satisfaction your Excellency's address at the opening of the present session of the general Assembly, and they beg leave to assure your Excellency that the interesting communications you have been pleased to make them, will meet with all due and proper attention. They also thank you, sir, for the regard you manifested for the interest of the State, in recommending to their consideration many subjects of the greatest National concern. His most Christian Majesty having opened and established L'Orient and Bayonne free-ports for the reception of the Ships and Merchandizes of all Nations, but more particularly calculated for the encouragement of the American Commerce, cannot fail to be highly pleasing to the General Assembly, as it affords fresh proofs of the magnanimity and wisdom of that great monarch, and in a particular manner manifests a Continuation of his affectionate concern for the interest of the United States.

We cannot close this address to your Excellency without assuring you that in taking a review of your administration, which has continued nearly as long as the Constitution will allow of, we find every reason to be satisfied that you have con-
stantly employed your best endeavors for the general good and welfare of the people over whom you have presided; And we hope, when you retire from your present exalted station You will still continue to deserve the praise of your Country, and to exercise your talents for the further improvement of our free and happy Government.

RICHARD CASWELL, S. Senate,
WILLIAM BLOUNT, S. H. Commons.

HON. JOHN ADAMS TO THE PRESIDENT OF CONGRESS.

AUTEUIL, NEAR PARIS, NOVEMBER 3RD, 1784.

Sir:

Doctor Franklin has lately communicated to Mr. Jefferson & me a Letter he has received from the Compt de Vergennes and another from Mr. Grand; the first informed that Mr. Marbois had informed him that upon his application to the Superintendent of Finances he had received an answer from Mr. Gouvenor Morris that Letters should be written both to Amsterdam and Paris to provide for the payment of the interest of the ten-millions of Livres borrowed for the United States in Holland by the King, and reminds the American Minister that other interest is due and the first payment of the Capital will become due next Year. Mr. Grand's Letter informs that he is already in about 50,000 Livres in advance for Loan Office Certificates, Salaries, &c. These Letters the Doctor will no doubt transmit to Congress and as they relate to matters within his department, I might have been excused from mentioning them, if the mention of Amsterdam had not made it probable that Mr. Morris had it in contemplation to draw upon our bankers there for money to discharge this interest. And I cannot excuse myself from observing that if such draughts should be made I am apprehensive they will be protested. France is at present in so much danger of being forced to take part in a War in the Low Countries that I am not surprised at the Compte de Vergennes's attention to matters of revenue and that I cannot see any hope that Doctor Franklin will

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be able to obtain any relief from this Court. It will be remembered that there is a debt of near a million and a half Sterling to France and another debt of more than half a million Sterling in Holland; whose interests are constantly accruing.

There are also Salaries to Ministers, and there is another call for money which is very pressing. The commerce of the Mediterranean is of great importance to the United States and to every one of them, and this commerce cannot be enjoyed with freedom without treaties with the Barbary powers. It will not be only in vain but detrimental and dangerous to open negotiations with these powers, without money for the customary presents.

How are all these demands for money to be satisfied? If Cash, Bills or produce can be sent to Europe for the purpose it will be happy for us. But I suppose that no man believes it possible and therefore we must not only forego great future advantages but violate contracts already made and faith already pledged; and thereby totally ruin our credit if not expose the property of our Merchants to be seized abroad or we must borrow more money in Europe. Now there is no part of Europe in which we can expect to borrow, unless it be in Holland, and there we may rely upon it, all our hopes will fail us, if effectual measures are not taken to fund our foreign debt. If adequate funds were established for discharging the interest, we may hope for further credit, without them our circumstances are absolutely desperate. It is not for me to enter into the question how this is to be done. So far distant, and so long absent, it would be impossible for me to form a judgement, if the subject were within my province, which it is not. The ability of our people for this and much greater things cannot be doubted by any man who knows anything of their affairs, and it is a pity that any question about the mode should retard this most necessary provision for the existence of our credit abroad.

I have this moment a Letter from our Bankers at Amsterdam, dated 28th October in which they inform me that they have not received the ratification of my last loan. Perhaps it did not arrive till after the recess of Congress. I must earnestly request that Congress would dispatch it as early as possible after their meetings, because the delay of it may excite an alarm and dash all our hopes at once. The half million Sterling which we have obtained in Holland has
been all transmitted to America in Dollars by the way of the Havannah, or paid in redeeming Bills of exchange Sold in America for very advantageous premiums. None of it has been laid in goods and therefore every other consideration calls upon us to be punctual as well as our honor which alone ought to be sufficient.

JOHN ADAMS.

EXTRACT OF A LETTER FROM THE HON'BL. JOHN ADAMS, BENJA-
MIN FRANKLIN AND THOMAS JEFFERSON.

DATED AT PARIS, 11TH NOVEMBER, 1784.

A Letter from the Count de Vergennes and another from Monsr. Grand to Doctor Franklin of which Nos. 21 & 22 are copies give us reason to apprehend an uneasiness in this Court lest we should fail not only in the punctual payment of the interest of their particular loans but should permit the payment on the Dutch Loans which this Court Guaranteed to fall in the first instance upon them. This circumstance under the present probability of a War in Europe might be really inconvenient to them and give unfavorable ideas of the sense we entertain of their past favours. Congress will know whether measures have been taken to make timely payments here, and they can best judge of what exertions the States are capable for reducing their foreign debt even faster than their stipulations require. A hearty disposition in the people goes far towards making them equal to whatever it is their duty and interest to do; and we cannot help supposing that if our Countrymen would boldly look that part of their foreign debt in the face which they have a right to discharge, if they would view it and view themselves they would find they could master it, perhaps with a single effort. Of this we can assure them that nothing would produce such a resolution in the opinion entertained in Europe of their powers, of their justice and of the tone of Government.

If a reputation for equity and gratitude, if a demonstration of our resources and of our resolutions, if the subjection of the riches of Europe to our wishes on any future emergency may be bought at half a Guinea a head cannot our Countrymen be roused to make the purchase? Add to this that it would command for us a respect
which might save us in the end millions of money and torrents of blood. Congress we hope will pardon us these reflections. We are on a field where every circumstance tends to produce them. Our instruction to gratification and indemnification to John Baptist Pequot has not yet been complied with. Mr. Grand’s letter will assign the reason.

The honor of our Country as well as our feelings will not permit us to pass unnoticed that we are now depending for daily subsistence on the bounty of a Subject of this Kingdom; A bounty which he tells us in his Letter “qu’il sera forcemetre des bornes” (he will be forced to set bounds). We trust that Congress will be so good as to order us effectual and instantaneous relief from this situation.

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A RESOLUTION OF CONGRESS.

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BY THE UNITED STATES IN CONGRESS ASSEMBLED,

JAN. 20, 1785.

On the report of the Committee to whom were referred a Letter of 3rd November, 1784, from the Honbl. John Adams & a Letter of the 11th of the same month from the Honbl. John Adams, Benjamin Franklin and Thomas Jefferson.

Resolved, that the paragraph in the joint Letter respecting the Communications they have received from the Count de Vergennes upon the subject of the Dutch Loans guaranteed by France and the particular loans of France, as also the paragraph respecting the Letter of Mr. le Grand to Mr. Franklin and the Letter of Mr. Adams be transmitted to the several Executives and they be requested to lay them before their respective Legislatures for their information upon the Subjects on which they treat, under injunctions of secrecy.

CHARLES THOMSON, Secy.
STATE RECORDS.

SPRUCE MACAY, ESQR., TO GENERAL HARRINGTON.

New Bern, Novr. 15th, 1784.

Dear Sir:

I received your Favor by Mr. Dejarnett. I am really at a loss to give you any Satisfaction relative to the Land you mention, nor can I until I shall see my memorandum. I should have wrote to you by some of the Gentlemen of the Bar who attend your County Court, if sickness had not prevented me. My Health is not yet recovered, and the unhealthiness of this Place contributes very little to my Recovery.

I attempted to arrange the County Courts in such Manner that yours might have fallen into my Circuit, but found that it would not take effect.

You must have heard from Mr. Robinson before this shall have reached you, the Reception that he met with, Mr. Allen did not choose to wait his Fate. I am sorry proper Diligence was not made use of in collecting Testimony against some others. It is a Pity, and cruel that Mr. Robinson should travel back so far by himself. Mr. Childs has not yet appeared. Perhaps the Treatment Robinson met with may convince the Tories they are not held in so high Esteem, and that a People who are free contrary to the wish, and the most violent Efforts of that Class of men, will never permit them to have any Power in Legislation.

We have expelled one Mr. Clay of Caswell County upon a Charge of I am ashamed to tell you, Petty Larceny, only eight Shillings! The Testimony appeared rather too clear though the man hitherto supported a good Character, and eight Shillings is but a small Sum to barter a good Character for, though it may be attended with one Advantage, as it was paper Money, perhaps its Credit may raise.

I shall take the first Opportunity of writing to you after my Return to Salisbury. We have had no Foreign Intelligence worth your Notice, except from Mr. Spate, that our Cession will be of no Advantage to us. I am Dear Sir, with most sincere Regard and Friendship,

Your most obedient and humble Servant,

SPRUCE MACAY.

Genl. Harrington.
JAMES RAMSEY TO GOVERNOR MARTIN.

RICHMOND, NOVEMBER 16TH, 1784.

SIR:

I take the liberty of inclosing to your honor a petition wherein you may observe, that I propose to construct a certain species of boat, upon a model calculated to sail or be propelled against the current of rapid rivers which I should thank you to lay before your honorable house of Assembly without delay.

I am constrained to adopt this mode instead of my personal attendance, as I would wish to petition as many of the assemblies in the United States as possible during the present Season; not doubting but that your ardent zeal for the prosperity of the Citizens of your State will animate you to promote a matter which in its consequences may be of such general utility to mankind, and to the Inhabitants of the State of North Carolina in particular.

By a Copy of General Washington's voucher which will accompany this will appear the high opinion His Excellency entertains of this invention; And by the honorable Mr. Henry's, which will likewise accompany this will appear the attention the honorable Legislature of Virginia have paid to it. In full confidence therefore, that you honorable house will think this discovery an object worthy of attention, and proceed in the premises in a mode consistent with the honor and dignity of the Assembly of North Carolina.

I have the honor to be, &c.,

JAMES RAMSEY.

NOTE. This anticipated Fulton's steamboat by many years.—Ed.

TO THE HONORABLE THE REPRESENTATIVES OF THE STATE OF NORTH CAROLINA IN GENERAL ASSEMBLY MET.

GENTLEMEN:

Whereas, your petitioner has formed a plan for facilitating the navigation of rapid rivers he therefore doth propose to construct a
certain species of Boat of the burthen of ten tons which shall sail or be propelled by the combined influence of certain mechanical powers thereto applied, the distance of between twenty-five and forty miles per day against the current of a rapid river, notwithstanding the velocity of the water should move at the rate of five miles per hour and upwards with the burthen of ten tons on board, to be wrought at no greater expense than that of three hands; And as a premium for so useful an invention, Your hon’b'l. petitioner, prays for an act to pass this honorable house of Assembly, granting to your Petitioner his heirs or assigns the sole and exclusive right of constructing, navigating, employing Boats constructed upon his new invented model, upon each and every Creek, river, Inlet, Bay and Harbor within the limits and jurisdiction of this Commonwealth for and during the time and term of ten years fully-to be compleated and ended to be computed from the 1st day of Jan. next; provided always that the Legislature of this Commonwealth shall have it in their option at any time within the term of ten years as aforesaid, to abolish the exclusive right herein prayed for, by the payment of ten thousand pounds in Gold or Silver.

And your petitioner as in duly bound shall pray.

JAMES RAMSEY.

Richmond, November 18th, 1784.

HON. PATRICK HENRY TO HIS EXCELLENCY GOVERNOR MARTIN.

DEAR SIR:

At the desire of Mr. James Ramsey I give you the trouble of this. His new constructed Boat is the subject of much disquisition amongst us. General Washington said to me in conversation two days ago that the construction, although plain and cheap, did really answer the most sanguine expectations; and if the proportions in forming large Boats answered with the model he saw, the invention certainly would produce the most important effects. In observing these proportions, it seems scarcely possible to err, as the machinery is so simple.

Our House of Delegates have passed a Bill to give Ramsey the exclusive privilege of building and using these Boats for 10 years
and no person else but by permission from him his heirs, &c., is permitted to do it under a high penalty. Our Senate were not met, or else I could have sent you a Copy of it as an Act. I beg leave to recommend this Subject to your Excellency, as highly interesting to your State, and have no doubt of happy effects deriving from it.

I am Sir, &c.,

PATRICK HENRY.

His Excellency
Governor Martin.

CERTIFICATE OF GENERAL GEORGE WASHINGTON.

I have seen the model of Mr. Ramsey's Boats constructed to work against Stream; examined the powers upon which it acts; been eye witness to an actual experiment in running water of some rapidity; and give it as my opinion (altho' I had little faith before) that he has discovered the art of Working Boats by Mechanism and small manual assistance against rapid current; that the discovery is of vast importance; may be of the greatest usefulness in our land navigation and if it succeeds of which I have no doubt, that the value of it is greatly enhanced by the simplicity of the works; which when seen and explained to, may be executed by the most common Mechanic.

Given under my hand at the Town of Bath, County of Berkeley in the State of Virginia this 7th September, 1784.

GEORGE WASHINGTON.

HIS EXCELLENCY BENJAMIN HARRISON, GOVERNOR AND COMMANDER IN CHIEF OF THE COMMONWEALTH OF VIRGINIA.

TO ALL WHOM IT MAY CONCERN:

I hereby certify that the above is a true copy of General Washington's certificate.

Given under my hand and the seal of the Commonwealth this 16 day of November, 1784.

BENJAMIN HARRISON.
STATE RECORDS.

COL. SHARPE TO GENERAL HARRINGTON.

Novr. 30th, 1784.

SIR:

By virtue of an act of the general Assembly of this State you are appointed a Trustee of the Salisbury academy. Be so obliging as to meet at that place on the twenty second of March in order to determine the plan of the Academy and the President of the same.

Sir Your most Obedient Humble Servant,

WM. SHARPE.

- Mr. Harrington.

HON. A. MACLAINE TO GEORGE HOOPER.

Wilmington, 1st Dec., 1784.

My Dear Sir:

I reached my own house on the evening of the 29th ulto. after a very fatiguing session. Harrassed with business and not in perfect health, I had little enjoyment, and New Bern court interfering with the other business, I had not, in the end, a single moment's rest.

On my return I found your letter of the 23rd of last month, which I have mentioned to your brother, and which I shall shew him and Mr. Toomer. Mr. Quince (?) is not yet returned from Europe, & at present I cannot tell when he is expected. If Rose should succeed I am afraid your situation will be very disagreeable, for I have not the least idea that Toomer will do any thing until he is compelled by law. Perhaps there may be some difficulty with some of the others. The longer I think of this affair I am the more astonished. I cannot conceive upon what legal or equitable principles, the Judges have opened settled accounts.

The assembly have done some good and some bad. They have very rapidly and very disgracefully passed an act to repeal the cession of the western country to Congress, which they certainly had no power to do. If the protest against this measure can be copied
in time you will receive it for publication. It was drawn by Mr. Hay.

An attempt was made by Sharpe of Rowan County, under the auspices of the Blounts to banish every one comprised in certain descriptions, but Sharpe though hot in pursuit of office, is not quite abandoned. He was heartily ashamed of his bill, which went directly in the face of the treaty. It was therefore modelled so as to prevent such persons from holding seats in the general assembly, or certain offices as low as that of sheriff. This will do them little harm. All persons (by another act) holding offices or trust or profit are precluded from being elected or taking seats in the assembly.

The mortality at New Bern has been considerable & the sickness almost universal. Love to all about your fireside, except Alexander to him my compliments.

Yours,

A. MACLAINE.

HON. RICHARD D. SPAIGHT TO GOVERNOR MARTIN.

TRENTON, 18 DECEMBER, 1784.

SIR:

Your Excellency's Letter to the Delegation of the 27th of November, enclosing an Act of the Legislature repealing the Act ceding to the United States the unlocated Western Lands, was handed to us Tuesday last by Capt. Craddock together with a Letter to the President of Congress on the same subject, which was laid before that body. I observe in your Excellency's Letter mention is made of the Assemblies having laid a tax to pay their quota of the interest of the foreign loan, but no notice seems to have been taken of the requisition of Congress of the 28th of April last, for the payment of part of the interest on the domestic debt, and for the expenses of the Year 1784. I hope the Legislature have not passed over this matter in Silence. It is certainly time that we should begin to make some payment into the Continental Treasury. Of all the
Specie requisitions that have been made by Congress we have not complied with one even in part, nor do we stand credited for a single dollar.

Nothing can be done at present respecting the appointment of a Commissioner for the settlement of the Continental accounts in our State, as Mr. Morris the financier has resigned. That department is hereafter to be intrusted to a board of treasury to consist of three Commissioners. Congress have several times balloted for them but have not yet come to any choice, next Tuesday is appointed for another trial, but I don’t expect we shall make any choice until there are more States represented; having only nine states present. As soon as they are elected we shall have either Mr. Jackson (according to your desire) or some other person sent on to settle the accounts.

Since my last Letter to Your Excellency Congress has resolved that it is necessary to send a minister to the Court of Spain, and a day is assigned for his election. Indeed our affairs with the Spaniards respecting the navigation of the river Mississippi and their claims to the lands between the 31 & 32 degrees of North Latitude demand our earliest attention, and I am only afraid much time will be lost before we agree on the person who shall be sent. The conduct of Great Britain also demands our most serious attention. Congress are at present deliberating on the measures necessary to be taken, and I expect a minister will be sent to that Court. That Nation, so far from delivering up the Western posts according to the Treaty, have by the last accounts from Canada, reinforced the nearest post to the United States and again put their Shipping on the Lakes into Commission and have for that purpose sent back the Sailors, that had been discharged and were pretty far advanced on their route to Quebec. This conduct of Great Britain seems to me to wear a very hostile appearance and ought to put us on our guard. By having a minister at that Court, we can be more readily informed of their intentions, respecting us, or if they meditate anything against us.

From the European intelligence it appears that hostilities have commenced between the Dutch and the Emperor, at least they have done that which the Emperor declared he should consider as a declaration of War; that is, they have stopped some Vessels bearing the
imperial colors from going up the Scheldt; it is further said, that they have taken the Town of Sluys.

I have the honor to be, &c.,

RICHARD DOBBS SPAIGHT.

HON. A. MACLAINE TO GEORGE HOOPER.

WILMINGTON, 20TH DEC., 1784.

DEAR SIR:

I received your packets this morning before I was out of bed, with a message (which I did not believe) that Capt. Cross would return tomorrow. For nine days past I have been extremely indisposed with a very dreadful cold, which is principally in my head. This makes it very painful to write, as there seems to be a weight which I cannot throw off. I am however taking medicine and am somewhat easier.

In my present situation, it is impossible for me to give you such an account as you want; but I can tell you that the Judges have deceived me. Tho' they have discontinued the prosecutions for treason, they have bound over some (Brice among others) to answer to a misdemeanor for returning to the State. But they will not suffer such as are to be accused of misdemeanors to bring or maintain suits. What is still more extraordinary, they quibble away the treaty in the most shameful manner, so as to prevent inhabitants of Britain from suing. But I must bid you adieu.

A. MACLAINE.

We have lately lost Jack Lillington, Frank Lucas & two other Bladen men.

My love to Kitty & the children.

What they may do in this State hereafter in the banishment way, I do not know; but I know there are some deeply interested in such a measure. I therefore think it advisable that you should become a citizen of S. Carolina.
STATE RECORDS: 189

ABSTRACT OF THE ARMY ACCOUNTS OF THE NORTH CAROLINA LINE—Settled by the Commissioners at Halifax from the 1st September, 1784, to the 1st Feb'y., 1785, and at Warrenton in the year 1786, designating by whom the claims were received for respectively.

<table>
<thead>
<tr>
<th>No.</th>
<th>Names and Rank</th>
<th>Amount</th>
<th>By Whom Received</th>
<th>Remarks</th>
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† The black number ceases and the red begins.

Observe that blanks left in the receipt column opposite the name denotes that it was drawn by himself.
ABSTRACT—The Army Accounts of the North Carolina Line.

(WARRENTON SETTLEMENTS)

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<th>No.</th>
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<th>By Whom Received</th>
<th>Remarks.</th>
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STATE RECORDS.

ABSTRACT—The Army Account of the North Carolina Line.

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## STATE RECORDS.

### ABSTRACT—The Army Accounts of the North Carolina Line.

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EXTRACT—The Army Accounts of the North Carolina Line.

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ABSTRACT—The Army Accounts of the North Carolina Line.

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**ABSTRACT—The Army Accounts of the North Carolina Line**

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STATE RECORDS.

ABSTRACT—The Army Accounts of the North Carolina Line.

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ABSTRACT—The Army Accounts of the North Carolina Line.

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### STATE RECORDS.

**ABSTRACT—The Army Accounts of the North Carolina Line.**

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ABSTRACT—The Army Accounts of the North Carolina Line.

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ABSTRACT—The Army Accounts of the North Carolina Line.

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**ABSTRACT—The Army Accounts of the North Carolina Line.**

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3142 Benjamin Partin, 41.15. 3 Pembroke.
3061 Joseph Pack, 32.10. - Philip Fishburn.
3174 Hance Piglegre, 41.15. 1 J. Marshall.
3190 William Plumer, 41.15. 1 do.
3191 John Philps, 41.15. 1 do.
3206 Charles Presley, 39.8.6 - Philip Fishburn.
3206 John Pollard, 64.10. - J Marshall.
3271 James Pollard, 64.10. - do.
3287 Henry Phillips, 41.15. 1 do.
3305 John Powers, 39.8.6 - Abalos Powres.
3326 Henry Pythus, 105.18.10 - Timothy McCarthy.
3382 Aaron Palt, 105.18.10 - do.
3422 Jacob Parker, 105.18.10 - do.
3451 Elliot Pass, 108.11.6 - do.
3491 David Quinn, 20.8.8 - H. Montfort.

for C. Dixon. for Saunders.
for C. Dixon. for Saunders.
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for C. Dixon. for Saunders.
### ABSTRACT—The Army Accounts of the North Carolina Line.

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<th>Remarks</th>
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STATE RECORDS.

ABSTRACT—The Army Account of the North Carolina Line.

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<th>Remarks</th>
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(WARRENTON).

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for W. Sanders.

no receipt.
**STATE RECORDS.**

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## ABSTRACT—The Army Accounts of the North Carolina Line.

<table>
<thead>
<tr>
<th>No.</th>
<th>Name and Rank</th>
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<tr>
<td>3118</td>
<td>&quot;Thomas Wiggs,</td>
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<td>3272</td>
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<td>J Marshall</td>
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</table>

* See original book where this account was received for Howell Tatum.
STATE RECORDS.

ABSTRACT—The Army Accounts of the North Carolina Line.

<table>
<thead>
<tr>
<th>No.</th>
<th>Name and Rank</th>
<th>Amount.</th>
<th>By Whom Received</th>
<th>Remarks.</th>
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<tr>
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<td>Phillip Wilder,</td>
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<td>Hillery Ward,</td>
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<td>do</td>
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Y and Z

ABSTRACT—The Army Accounts of the North Carolina Line.

<table>
<thead>
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<th>No.</th>
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<th>By Whom Received</th>
<th>Remarks</th>
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<td>H. Montfort</td>
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<td>Arch. Lytle.</td>
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<td>1162</td>
<td>William York,</td>
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WARRENTON.

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WARRENTON.

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<td>Joshua Zealot,</td>
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<td>do</td>
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</table>

I certify the foregoing to be truly stated from the original books and documents of the Commissioners of North Carolina at Halifax and Warrenton as recited in the caption.

AB. THOMAS, Agent
State No. Carolina.

STATE RECORDS.

Notes

1030 Thomas Fralisher, J. Craven receipts for these 2 accounts, for H. Bond. In the body of the receipt is inserted "The property of Charles Hensley, deceased," and under the name of Fralisher is inserted "this amount received for Thos. Jordan." J. C.

I cannot elucidate the ambiguity.

A. T.

1055 Jeremiah Ashley,
1053 John Floyd,
1054 Peter White, Circumstanced
1056 Francis Hubbard, as the above.
1057 Dempsey Jones,
1058 Miles Woodward,

2394 Austin Prescott, the acct. marked as "J. Hadley's."
2382 Frederick Strickland & Tho. Lewis, Mr. Craven receipts for the Due

2683 } bills only "on account of Godfrey Fowler." The account of

Lewis endorsed to Fowler, no endorsement on the other.

241 Richard White.

"This account was the property of Colo. John Armstrong, and taken in payment of his bond given to Mosser, Jones and Montfort. On account of a mistake in settlement of his own account the bond is in hand of the Comptroller," and the acct. is filed with Col. Armstrong's, No. 3 file A.

No. 40 William Covington, endorsed "Mr. Benjamin Jones account."

" 6 should be Richard Dickinson.

1389 George Waff. The surname of the receiver is not legible either in the book or on the acct. but it has the appearance as supposed.

ABSTRACT—The Army Accounts of the North Carolina Line.

<table>
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<tr>
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<td>3155</td>
<td>John Thompson,</td>
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omitted in order.

AB. THOMAS.
HOUSE JOURNAL—1785.

HOUSE JOURNAL FROM NOVEMBER 19, 1785, TO DECEMBER 29, 1785.

STATE OF NORTH CAROLINA.

To the House of Commons:

At a General Assembly begun and held at Newbern on the nineteenth day of November in the year of our Lord one Thousand Seven hundred and Eighty-five, and in the Tenth year of the Independence of the said State. It being the first Session of this Assembly.

The Returning officers for the several and respective Counties, certified that the following persons were duly Elected as members of the General Assembly, to represent the Same in this House, viz.

For

Anson County—
Beaufort—John G. Blount and Henry Small.
Bertie—Andrew Oliver and Thomas Collins.
Brunswick—
Bladen—
Burke—Waightstill Avery and Joseph McDowell.
Craven—Richard D. Speight and Abner Neale.
Cumberland—Robert Rowan and David Smith.
Carteret—David Cooper and Eli West.
Currituck—Joseph Ferebee and James White.
Chowan—Hugh Williamson.
Camden—Enoch Sawyer and Selby Harney.
Caswell—Robert Dickens and Adams Sanders.
Chatham—Joseph Stewart and Roger Griffith.
Dobbs—Benjamin Coleman and William Sheppard.
Duplin—Robert Dickson and Joseph T. Rhodes.
Davidson—William Polk and Elijah Robertson.
Edgecomb—
Franklin—Denham Hall.
Guilford—John Hamilton and Barzillai Gardner.
Gates—Seth Riddick.
Granville—Thomas Person and Phill Hawkins.
Greene—
Halifax—John Whitaker and John B. Ashe.
Hertford—James Manney and Robert Montgomery.
Hyde—John Eborne and Thomas Jordan, jun.
Johnston—
Jones—Abner Nash and John Isler.
Lincoln—John Sloan and Daniel McKissick.
Moore—
Martin—
Mecklinburg—
Montgomery—James McDonald and Charles Robertson.
Nash—John Bonds and Micajah Thomas.
Northampton—
Newhanover—
Onslow—
Orange—William Courtney and William Cain.
Pasquotank—Edward Everegin and Abraham Symons.
Perquimons—Robert Riddick and John Skinner.
Pitt—Richard Misy and John Jordan.
Rutherford—George Moore.
Rowan—
Randolph—
Richmond—
Surry—James Martin and William Lewis.
Sullivan—
Sampson—John Hay and David Dodd.
Tyrrel—Nehemiah Norman and Nathan Hooker.
Washington—
Wake—James Hinton and William Hayes.
Wilkes—
Warren—Henry Montford and Wyatt Hawkins.
For the Town of Salisbury—
Hillsborough—John Taylor.
Halifax—
Edenton—Stephen Cabarrus.
Newbern—William Tisdale.
Wilmington—

Pursuant to which the following members appeared, were ratified qualified by taking the oath by Law appointed for qualification of members of the General Assembly and took their seats, viz:

Mr. John G. Blount, Abner Neale,
Henry Smaw, David Smith,
Andrew Oliver, David Cooper,
Thomas Collins, Joseph Ferebee,
Waightstill Avery, James White,
Hugh Williamson, John Sloan,
Enoch Sawyer, Daniel McKissick,
Selbey Harny, James MacDonald,
Robert Dickens, Richard D. Spaight,
Adams Sanders, John Bonds,
Joseph Stewart, Micajah Thomas,
Roger Griffith, William Cain,
Benjamin Coleman, Edward Evergreen,
William Sheppard, Robert Riddick,
William Polk, John Skinner,
Elijah Robertson, Charles Robertson,
Durham Hall, Abraham Symons,
John Hamilton, Richard Moye,
Seth Riddick, John Jordan,
Thomas Person, George Moore,
Phill Hawkins, James Martin,
John B. Ashe, David Dodd,
James Manney, Nehemiah Norman,
Robert Montgomery, John Handley,
John Eborne, James Hinton,
Thomas Jordan, Jr., William Hayes,
Hardy Bryan, Henry Montfort,
Benjamin Williams, Wyatt Hawkins,
Abner Nash, John Taylor,
John Isler, William Tisdale,
Stephen Cabarrus, William Courtney.

Mr. Williamson proposed for Speaker, the Hon. Richard Dobbs Spaight Esquire, who was unanimously chosen, and conducted to the chair accordingly.
On motion, John Hunt was appointed Clerk and John Haywood assistant.

On motion, Peter Gooding and James Malloy were appointed Doorkeepers.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate being now formed are ready to proceed on the public business.

Ordered that the following Message be sent to the Senate in answer to the above.

Mr. Speaker and Gentlemen:

We have received the message of your House acquainting us you are ready to proceed on the public business, in answer to which we inform you that we are formed, and also ready to proceed on the same business.

Resolved, That the following rules of decorum be observed during the sitting of the House, viz:

1st. That no person shall pass between the Speaker and the person speaking.

2nd. That no Member shall be allowed to speak but in his place, and after rising and addressing himself to the Speaker, shall not proceed until permitted by the Speaker's calling him by name.

3rd. That no person shall stand up or disturb another while he is speaking.

4th. That no Member shall come into the House or remove from one place to another with his hat on.

5th. That no Member shall speak more than twice to one question upon any debate without leave, except in a Committee of the whole House.

6th. That the Speaker ought to be heard without interruption, and when he rises the Member up shall sit down.

7th. That no person shall be called on for any words of heat but on the day on which they were spoken.

8th. Whenever the members are equally divided, the Speaker shall determine the question, but not vote upon any other occasion.
9th. That no member shall depart the service of the House without leave.

10th. That the House shall not proceed to debate on any motion unless the same is seconded, and immediately reduced to writing, provided any Member requires the same.

11th. When two or more Members are up together the Speaker shall determine who rose first.

12th. When two or more Members are up that in the course of debate the Members shall treat each other with decency and respect, and whoever violates any of the above rules shall receive such censure as the House shall direct.

13th. Whenever the House shall be devided on a question two tellers shall be appointed to number the Members on each side.

On motion of Mr. Williamson seconded by Mr. Pearson, Resolved, That a Committee be appointed to consider of and report the best and most expeditious mode by which the Laws and Journals may be printed; That for that purpose, Mr. Williamson, Mr. Nash, Mr. P. Hawkins, Mr. Thomas and Mr. Blount be a Committee on the part of this House.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We propose that the Message herewith sent you be presented to his Excellency the Governor; should it meet your approbation, Mr. Harritage and Mr. Harget will on the part of this House attend him with the same.

At the same time received the Message above referred to, which being read was agreed to, and Mr. Martin and Mr. Montfort appointed on the part of the House to wait on his Excellency with the same.

On motion resolved that Mr. Person, Mr. P. Hawkins, Mr. Blount, Mr. Hamilton, Mr. Courtney, Mr. Nash, Mr. B. Williams, Mr. J. Martin, Mr. McKissick, Mr. Cabarrus, and Mr. Polk, be a Committee of Privileges and elections.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House propose that a joint Committee be appointed to consider of, and report the best and most expeditious mode by which the Laws and Journals may be printed, and have for that purpose
on their part appointed Mr. Williamson, Mr. Nash, Mr. P. Hawkins, Mr. Thomas and Mr. Blount.

On motion of Mr. Williamson, seconded by Mr. Person, Resolved, That before the House proceed to the choice of a Committee they determine of what number the Committee shall consist.

The house adjourned till Monday morning 10 o’clock.

MONDAY 21 NOVEMBER 1785.

The House met according to adjournment.

Mr. Archibald Maclaine, the Member for the Town of Wilmington, Mr. Jesse Franklin and William T. Lewis, the Members for Wilkes County, Mr. Aaron Hill, one of the Members for Randolph County, Mr. Etheldred Philips and Robert Diggs the Members for Edgecombe County, Mr. John Hay, one of the Members for Sampson County, Mr. James Bloodworth, one of the members for New Hanover County, Mr. Charles Pasteur, the Member for the Town of Halifax, Mr. Joseph McDowell, one of the Members for Burke County, Mr. Barzillai Gardner, one of the Members for Guilford County, Mr. John Whitaker, one of the Members for Halifax County, and Mr. Robert Dickson, one of the Members for Duplin County, appeared, were qualified and took their seats.

Mr. Williamson moved for leave and presented a Bill for Incorporating religious Societies, which was read the first time, passed and sent to the Senate.

Mr. Robert Rowan, one of the Members for Cumberland County, appeared was qualified and took his seat.

Received from His Excellency, the Governor, the following address.

To the Honourable the General Assembly of the State of North Carolina:

Gentlemen:

I feel a sensible satisfaction in communicating to you, at the opening of the Session, the many important matters which have come to my hands since my entering upon the executive Department of the State, and as I do myself the Honor of laying before you the several ordinances, acts and Resolutions of the United States in Congress Assemblies which have been transmitted to me by the direction of that Honourable body, with such communications and dispatches as I have received from the Delegates of this State and others which are
proper for your consideration. It will be unnecessary for me to enter into a particular detail of them here, I therefore take the liberty of referring you to the papers in the order they stand numbered on the list herewith.

I cannot however omit requesting your particular attention to the several recommendations of Congress, the propriety and necessity of which I presume I need not urge as I flatter myself every Member of the Legislature will conceive it his duty to pay that respect to the Grand Federal Head of our Republican Empire, and give them that dispatch that their Importance require.

I have by the advice of the Council of State, appointed an agent to attend in behalf of this State, the Treaties to be held by the Commissioners appointed by Congress with the Cherokees and other Indians to the Southward of them, and draw on the Treasury for the sum required by the Commissioners, which I hope to be able to obtain so as to remit the same to them in time to save the credit of the State.

A Commissioner appointed by the Board of Treasury, upon the recommendation of the Delegates of this State in Congress to settle and adjust the accounts between the United States, and this State, is lately arrived, and in order to save to the Citizens of the State, the benefit of settling their claims with him, within the time mentioned in the Resolution of Congress, it is my intention to issue a Proclamation notifying his arrival and the time in which such Claims are to be delivered in, otherwise the Claimants will be precluded from an adjustment of the same.

You will observe by General Savier's letter and other papers laid before you, the disposition of the people in the Counties of Washington, Sullivan and Greene, and that one of their complaints has been the withholding the goods purchased by the direction of the Legislature, to be given to the Cherokees as a Compensation for their claims to Land which this State has permitted to be entered by its Citizens. I thought it would not only be improper to appoint Commissioners to treat with the Indians at the place pointed out, on account of the disposition of the people, but because also the expense which might probably have attended it would have been more than the Legislature intended, and likewise that other consequences of a more disagreeable nature might have ensued. I therefore
endeavoured to avail the State of the advantage of the Treaty directed to be held by Commissioners appointed by Congress with the Cherokees, and appointed Colonel William Blount the agent who was to attend the said Treaty in behalf of this State (and Colonel Joseph Martin) one of the Commissioners on the part of the United States for treating with the said Indians at the time and place the Treaty was to be held under the authority of Congress where I have directed the goods to be Transported, and distributed under the directions of the Commissioners so appointed; a report of their proceedings I expect to receive in the course of the Session, if I do, the same shall be laid before you.

The Copies of the Laws of the State required by Congress to be forwarded to Congress are not to be procured, indeed if they were to be had in the order they were published in sheets of different sizes they could not with propriety be bound together, and to be sent in such order would be disgraceful to the State; this together with the many complaints of the citizens of the State respecting the irregular manner in which some of the Laws are published and other, withheld from the public eye, induces me to press a Revisal of the Laws and a publication of such as are in force and use to be made as soon as practicable, and that the number of Copies required by Congress may be directed to be printed on good paper with a proper Type and neatly Bound.

The frequent Complaints of Congress respecting the non-attendance of the Members so far as relates to this State, are too well founded. This I presume is owing in a great measure to the deficiency of our Finances, which in my opinion might in this particular be remedied by the General Assembly's appointing a person who should be enabled to obtain Drafts on the Treasury to the amount of the sum necessary to support the Delegation, and whose business it should be to purchase and remit to the place where Congress shall be sitting to the amount of the sum required, where the Delegates might have a certainty of receiving their Salaries. This would I presume be some inducement to their entering on the duties of their appointment with more alacrity. As matters have been heretofore conducted the whole Labour with every loss on exportation of produce or purchasing coin or Bills has been on the Delegates, and often they have not been able to obtain even the paper
Currency, which must of course have been discouraging; another reason for Gentlemen refusing to attend has been their not being consulted before their Election, and many circumstances respecting their private affairs have been so situated as not to admit of their attendance, this I hope also, in future will be remedied.

At present we are not likely to have more than a bare Representation in Congress, Mr. Blount and Mr. Bloodworth are the only Gentlemen who have signified to me they will attend. Mr. Speight has resigned, Mr. Sitgreaves having signified his acceptance of the appointment of one of the Judges of a Federal Court, between Massachusetts and New York, to sit this month at Williamsburg in the State of Virginia, cannot attend Congress, Mr. Johnson cannot attend until the second Tour, and I have been informed by my predecessor in office that Mr. Azborn declines going on that business, so that it is absolutely necessary, in order to have a full representation in Congress, that you proceed as soon as possible to the Election of such Gentlemen as you shall think proper to supply the places of those who decline the service.

The Law passed last session "to ascertain the number of white and Black Inhabitants and the Citizens of every age and condition in the State" has not, I presume been attended to by the County Courts and Sheriffs, as not a single return has been made to me, perhaps this has been owing to the Laws not being printed and published in time, be as it may, I flatter myself the General Assembly on considering the resolutions of Congress on this head will think it necessary to proceed something further by explaining and amending that act, as it appears not altogether calculated to answer the views of Congress.

It appears by the letter from Thomas Clark, Esqr., that common Justice requires something further to be done respecting the demands Colonel Simmons has against this State and the officers of the late Continental Line of the same.

This with many other matters contained in the papers now laid before you, I have no doubt will, on mature deliberation, be determined upon according to Justice and right, and as wisdom and good policy shall point out.

Rd. CASWELL.

Newbern 21 Nov., 1785.
STATE RECORDS.

A List of public papers to which His Excellency the Governor's address refers, viz.:

No. 1. Mr. DeMarbois's note laid before Congress, December, 1784.
2. Resolutions of Congress respecting Mr. DeMarbois's note.
4. Letter from the Secretary of Congress.
8. Letter from the Secretary of Congress.
9. Letter from the Secretary for Foreign affairs.
10. State of Duties payable by American vessels at sundry ports.
11. Letter from the Secretary for Foreign affairs.
12. Copy of a letter from His Excellency John Adams, Esqr., to the President of Congress with Copies and translations of a note from Mr. de St. Saphorin to him, and of an extract of a Letter from the Count de Rosonerone on the subject of ordination.
13. Letter from the Secretary of Congress enclosing Resolutions of Congress of the 13 April, 1785, & 1 June, 1784.
14. Letter from Mr. De Marbois.
15. Letter from the Secretary of Congress.
17. Ordinance for ascertaining the mode of disposing of Lands.
19. Ordinance for regulating the office of Secretary of Congress.
20. Appointment of Surveyors of Lands in the Western Territories by Congress.
21. A Letter from the Secretary of Congress.
22. Resolve of Congress containing directions to the paymaster General.
23. Resolutions of Congress recommending the Legislature to examine the services of the Agents of the Continental Loan Office and make them allowances.
24. Letter from the Secretary of Congress.
25. Act of Congress for the relief of the Officers, Soldiers and Seamen disabled during the late war.
26. Letter from the Secretary for Foreign affairs announcing the Birth of a Prince of France.

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27. Letter from the Commissioners to Treat with the Southern Indians.
30. Memorial of the Inhabitants of the Counties of Washington, Sullivan and Greene to Congress.
31. Report of a Committee of Congress and Resolutions respecting the Cession Act and the Act for repealing the same.
32. Mr. Marbois's note to Mr. Spaight respecting Debt due to Martinique.
33. Letter from Mr. Petry on the same subject.
34. Letter from the Honbl. Wm. Blount as Delegate.
35. Letter from the same as Agent.
37. Letter from the Secretary for Foreign affairs.
40. Congress's recognition of Consul from France.
41. Resignation of Richard D. Spaight, Esqr.
42. Letter from Mr. De Marbois.
43. Letter from Mr. Petry, French Consul.
44. Letter from the Secretary of Congress.
46. Letter from the Secretary of Congress.
47. &.
48. Resolutions of Congress respecting the representation of the States.
49. Abstract of the attendance of the States in Congress.
50. Letter from the Secretary of Congress.
51. Sundry Letters between Capt. Stanhope and Governor Bowdoin and Report thereon by the Secretary for Foreign affairs.
52. Letter from Governor Bowdoin.
53. Resolutions of the Legislature of Massachusetts.
54. Resolutions of the same.
55. Act for the regulation of the Navigation and commerce of Massachusetts.
56. Letter from Benjamin Hawkins, Esqr.
57. Letter from the Secretary of Congress.
59. Letter from the Secretary of Congress.
60. Resolution of Congress 20 February, 1782.
61. &.
63. Letter from the Secretary of Congress.
64. Representation in Congress August, 1785.
65. Letter from the Secretary for Foreign affairs.
67. Letter from Thos. Clarke, Esqr.
68. Letter from Mr. Petry.
70. Letter from Charles Johnston, Esqr.
71. Letter from Timothy Bloodworth, Esqr.
72. Letter from the Secretary of Congress enclosing an act of Congress (respecting the Transmitting the Laws of the State) passed 30 April, 1784.
73. Letter from the Secretary of Congress.
74. Requisition of Congress for 1785.
75. Resolve of Congress respecting the Commissioners of the Continental Loan office.
76. Letter from James Hindman, Esqr.
77. Letter from Ebenezer Jackson, Esqr.
78. Letter from the Honbl. John Sevier.
79. Letter from Joseph Martin, Superintendent of Indian affairs.
80. Cherokee Talk from the old Tassell.
81. Copy of a Letter from McDonald to Martin.

Copies of the Governor's Letters, in which are many of the foregoing.

A File of papers received from my predecessor in office, Governor Martin.

RD. CASWELL.

21 November, 1785.

At the same time received the Letters papers &c., contained in the
foregoing list, and to which his Excellency, the Governor's Message refers, which being read.

On a motion made by Mr. Phil Hawkins, seconded by Mr. Williamson, Resolved, that a Committee of nine Members on the part of this House to act jointly with a Committee to be named by the Senate, be appointed to take under consideration the said address together with the papers therein referred to, and make report thereon. The members chosen are, Mr. Williamson, Mr. Nash, Mr. Blount, Mr. Avery, Mr. Maclaine, Mr. P. Hawkins, Mr. Person, Mr. Hay and Mr. Ashe.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:
You will herewith receive an address from his Excellency the Governor to the General Assembly, together with the Letters, papers, &c., therein referred to, which we propose referring to a joint Committee and have for that purpose on our part appointed Mr. Williamson, Mr. Nash, Mr. Blount, Mr. Avery, Mr. Maclaine, Mr. P. Hawkins, Mr. Person, Mr. Hay and Mr. Ashe.

Received from the Senate a Bill for incorporating religious societies.

Endorsed in Senate 21 November, 1785, read the first time and passed.

Received also the following Message:

Mr. Speaker and Gentlemen:
General Skinner, Mr. Campbell and Mr. Gillespie, will on the part of this House, act with the Gentlemen by you appointed to consider of and report the best mode by which the Laws and Journals may be printed.

The House adjourned til To-morrow Morning, 10 O'Clock.

TUESDAY, 22 NOVEMBER, 1785.

The House met according to adjournment.

Mr. Eli West, one of the members for Carteret County, Mr. Edward Smithwick and Mr. Samuel Williams, the members for Martin County, and Mr. Howell Edmunds and Mr. Augustin Wood, the
members for Northampton County, appeared, were qualified and took their seats.

Mr. John Carroll, one of the members for Moore County, appeared, was qualified and took his seat.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

We propose that a Committee of Claims be appointed, consisting of members from each District in the State, and have on our part for that purpose appointed Mr. Harget, from the District of Newbern, Mr. Macon, from the District of Halifax, General Ramsey, from the District of Hillsborough, Mr. Armstrong, from the District of Salisbury, General Gregory, from the District of Edenton, Mr. Clinton, from the District of Wilmington and also General McDowall from the District of Morgan, who will act jointly with such of your Body as may be appointed for that purpose.

Mr. Speaker and Gentlemen:

The Senate have appointed Mr. Macon, Mr. Gillispie, General Skinner, Mr. Battle and Mr. Clinton on their part a Committee of Propositions and Grievances, who will act jointly with such Gentlemen as you think proper to appoint for that purpose.

The foregoing Messages being read, a motion was made by Mr. Blount, seconded by Mr. Franklin, that this House appoint a Committee of Claims, and a Committee of Propositions and Grievances, to-wit, for the District of

Newbern—Mr. Neale and Mr. Henry Bryan.
Hillsborough—Mr. Courtney and Mr. Dickens.
Salisbury—Mr. Martin and Mr. Hamilton.
Edenton—Mr. Williamson and Mr. Cabarrus.
Wilmington—Mr. Hay and Mr. Bloodworth.
Morgan—Mr. Avery and Mr. Franklin.
Halifax—Mr. Whitaker and Mr. Wyatt Hawkins,—as the Committee of Claims.

For the District of Salisbury—Mr. McDowal.
Morgan—Mr. Moore.
Hillsborough—Mr. P. Hawkins.
Halifax—Mr. Ashe.
Edenton—Mr. Montgomery.
Newbern—Mr. Smaw.
Wilmington—Mr. Dodd, as the Committee of Propositions and Grievances.

Ordered that the following Messages be sent to the Senate:

Mr. Speaker and Gentlemen:
This House have nominated as a Committee of Claims on their part, Mr. Neale, Mr. Henry Bryan, Mr. Courtney, Mr. Dickens, Mr. Martin, Mr. Hamilton, Mr. Williamson, Mr. Cabarrus, Mr. Hay, Mr. Bloodworth, Mr. Avery, Mr. Franklin, Mr. Whitaker and Mr. Wyatt Hawkins.

Mr. Speaker and Gentlemen:
This House have nominated as a Committee of Propositions and Grievances on their part, Mr. McDowell, Mr. Moore, Mr. P. Hawkins, Mr. Ashe, Mr. Montgomery, Mr. Smaw and Mr. Dodd.

Received from the Senate the Memorial of John Allison, the Deposition of Edwin Harris, also the Deposition of John Bartholomew, respectively endorsed, In Senate 21 November, 1785, read and referred to the Committee of Propositions and Grievances, which being read, a Motion was made by r. Blount, seconded by Mr. Franklin, that the same be referred to the Committee of Propositions and Grievances on the part of this House. Ordered that they be referred accordingly.

Mr. Hall presented a record of the trial of a Negro, the property of Benjamin Hicks, which was executed at Montgomery Court House, which being read a motion was made by Mr. Hall, seconded by Mr. Ashe, that the same be referred to the Committee of Claims. Ordered that it be referred accordingly.

Mr. Cabarrus moved for leave and presented a record of the trial of Negro Cezar, the property of Cullin Pollock, Esqr., which being read, a motion was made by Mr. Cabarrus, seconded by Mr. Blount, that the same be referred to the Committee of Claims. Ordered that the same be referred accordingly.

Mr. Monttort presented a record of the trial of a Negro, late the property of John Jones, which was executed, the same being read, a motion was made by Mr. Monttort, seconded by Mr. Cabarrus, that the same be referred to the Committee of Claims, which was referred accordingly.
Mr. Williamson presented a Memorial from sundry of the Inhabitants of the Town of Edenton, praying, &c., which being read.

Mr. Cabarrus moved for leave and presented a Bill empowering the Commissioners of the Town of Edenton to convey part of the Town common to the Trustees of Smith's Academy, which was read the first time, passed and sent to the Senate.

Mr. Hamilton presented a record of the trial of a Negro, the property of Samuel Scott, which was executed for Murder which being read was referred to the Committee of Claims.

Mr. John Bonds presented the discharges of Sion Young and John Lakes from the service of the late State Regiment, which being read was referred to the Committee of Claims.

Mr. Blount moved for leave to bring in a Bill declaring the Lots in the town of Washington saved Lots, also such Lots in the several Towns of this State as have been or may be sold by the Commissioners of Confiscated property. Ordered that he have leave accordingly.

A motion was made by Mr. Blount, seconded by Mr. Skinner that a Committee of five members of this House be appointed to examine and report the evidence which Mr. Blount may address to them relative to the Inhabitants of the Town of Washington, having paid the full value of sundry Lots therein to the proprietors of said Town. The members chosen are Mr. Neale, Mr. Taylor, Mr. Ashe, Mr. Williamson and Mr. Polk.

Mr. Nash presented the Petition of Martin & Company, Printers in the Town of Newbern, which being read.

A motion was made by Mr. Nash, seconded by Mr. Cabarrus, that the said Petition be referred to the Committee appointed to consider and report the best and most expeditious mode by which the Laws and Journals may be printed. Ordered that it be referred accordingly.

On motion of Mr. Hay, seconded by Mr. Cabarrus, Resolved, that the Comptroller General be directed to lay before the House a statement of the accounts of this State with the Continent as far as has come to his knowledge.

That the Treasurer be directed to lay before this House a statement of the Accounts of his office since his appointment, stating the proceeds of the several taxes and duties imposed by Law.
On motion of Mr. Person, seconded by Mr. Hay, Resolved, that all claims for Militia services and articles furnished and services rendered not heretofore allowed by any of the late several Boards of Auditors, authorized to examine the same be referred to the Committee of Claims appointed by both Houses, and that they report thereon from time to time as they shall think proper during the sitting of the present General Assembly.

Mr. Williamson moved for leave and presented a Bill for securing Literary property, which was read the first time, passed and sent to the Senate.

On Motion of Mr. Blount, seconded by Mr. Cabarrus, Resolved, that a Committee of five Members of the House, with such as may be nominated by the Senate be appointed to examine the proceedings of the late Commissioners for settling affairs and Soldiers accounts. The Members chosen are Mr. Person, Mr. Dickens, Mr. P. Hawkins, Mr. Blount and Mr. Skinner.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The House propose that a joint Committee be appointed to examine the proceedings of the late Commissioners for settling Officers and Soldier’s accounts, and have for that purpose on their part appointed Mr. Person, Mr. Dickens, Mr. P. Hawkins, Mr. Blount and Mr. Skinner.

On motion of Mr. Avery, seconded by Mr. Polk, Resolved, that a Committee of six Members of this House with such as may be nominated by the Senate be appointed a Committee to examine the Model of a Boat invented by Doctor McClure, which is represented to be calculated to improve the Navigation of this State and make report thereof.

The members chosen for this purpose are Mr. Avery, Mr. Williamson, Mr. Phillips, Mr. Polk, Mr. Martin and Mr. Jordan.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have appointed Mr. Polk, Mr. Avery, Mr. Phillips, Mr. Martin, and Mr. Jordan, a Committee who will act with such Gentle-
men as may be appointed by the Senate to examine the Model of a Boat invented by Doctor McClure, which is represented to be calculated to improve the inland Navigation of this State, and make report thereof.

The House adjourned till 4 O'Clock.

Met according to adjournment.

Mr. Jacob Leonard, one of the Members for Brunswick County, Mr. Matthew Lock and Mr. George H. Berger, the Members for Rowan County, and Mr. William T. Lewis, one of the Members for Surry County, appeared, were qualified and took their Seats.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

It is likewise the sense of this House that the Message from His Excellency, the Governor to the General Assembly, together with the papers accompanying it should be committed. We have for this purpose appointed on our part General Skinner, Mr. Bledsoe, Mr. Brown, Mr. McCulloch, Mr. Coor, Mr. Herndon and Mr. Macon, who will act jointly with the Gentlemen named in your Message on this head.

Received also the Resolutions of this House, the one directing the Comptroller and Treasurer, to lay before the General Assembly the statements therein mentioned, the other referring the unliquidated claims to the Committee of Claims, each endorsed in the Senate 22 Nov., 1785, read and concurred with.

Mr. Joseph Robins, one of the Members for Randolph County, appeared, was qualified and took his seat.

Ordered that Mr. Hay be excused from attending on the Committee of Claims on account of his being appointed on several other Committees, and that Mr. Rowan be appointed in his stead one of the Committee of Claims.

The House adjourned till To-morrow Morning 10 O'clock.

Wednesday, 23 November, 1785.

The House met according to adjournment.

Mr. Thomas Sherrod, one of the Members for Franklin County appeared, was qualified, and took his seat.
Mr. William Taylor, one of the Members for Wayne County, Mr. Caleb Phifer and Mr. George Alexander, the Members for Mecklenburg County, appeared, were qualified, and took their seats.

Received from the Senate the discharges of John Lukes and Sion Young, the records of the trials of sundry negroes which have been executed, and which were referred by this House yesterday, respectively, endorsed in Senate 22 November, 1785, read and referred as by the Commons.

On motion of Mr. Blount, seconded by Mr. Hay, Resolved, that the consideration of a more expeditious and substantial administration of the Laws and Equity of the State be submitted to the Committee to which the Governor's Message and public papers have been referred.

Ordered that the following Message be sent to the Senate.

Mr. Speaker and Gentlemen:

We propose that the consideration of a more expeditious and substantial Administration of the Laws and Equity of the State be submitted to the Committee to which the Governor's Message and public papers have been referred.

Received from the Senate the following Messages, viz:.

Mr. Speaker and Gentlemen:

We propose that the Rules adopted by the last General Assembly for the reading and engrossing Bills, be adhered to and observed during the present Session.

Mr. Speaker and Gentlemen:

Mr. Harget, Mr. Gillispie and Mr. Brown will act with the Gentlemen by you appointed to examine the proceedings of the late Commissioners for settling the accounts of the Officers and Soldiers of the Continental Line of this State.

Mr. Speaker and Gentlemen:

Mr. Easton, Mr. Lewis, Mr. Jones and Mr. Skinner, will on the part of this House act with the Gentlemen by you chosen to examine the Model of a Boat invented by Doctr. McClure, and make report.
Ordered that the following Message be sent to the Senate.

Mr. Speaker and Gentlemen:

We agree that the rules adopted by the last Assembly for the reading and Engrossing Bills be adhered to during the present Session.

Mr. Phill Hawkins presented the Petition of Messrs. Arnett and Hodge, Printers in Town of Newbewn, which being read, on Motion of Mr. Hawkins, seconded by Mr. Bonds, was referred to the Committee appointed to consider of and report the best and most expeditious mode by which the Laws and Journals may be printed.

Mr. Maclaine presented the acct. of John Devane for services as Lieutenant at Fort Johnston, which being read was referred to the Committee of Claims.

Received from the Senate the Petition of Robert Harris, Esquire, of Granville County, endorsed, In Senate 22 November, 1785, read and referred to the Committee of Propositions and Grievances, which being read was referred on the part of this House to the said Committee.

Ordered that Mr. Lock be added to the Committee appointed to take under consideration His Excellency, the Governor's Message, and the papers, &c., accompanying the same.

The House adjourned til Tomorrow Morning 10 O'Cock.

TUESDAY, 24 NOVEMBER, 1785.

The House met according to adjournment.

Mr. Franklin presented the resignations of Elijah Isaacs and John Barton, Esquires, as Justices for Wilkes County, which were read and sent to the Senate.

Mr. Polk presented the Petition of James Knox and David Wilson, which being read was referred to the Committee of Claims.

Mr. Aaron Hill presented the Memorial of Ann Field, which being read was referred to the Committee of Propositions and Grievances.

Mr. Aaron Hill presented the Petition of Margaret Balfour, which being read was referred to the Committee of Propositions and Grievances.
Mr. Williamson presented the Petition of John Brady, Robert Dunlap and William Dunlap, which being read, a motion was made by Mr. Williamson, seconded by Mr. Skinner, that a special Committee of five members of the House, with such of the Senate as may be appointed, be a Committee to examine into the facts, &c., and make report thereon. The members appointed for this purpose are Mr. Maclaine, Mr. Williamson, Mr. Person, Mr. Hay and Mr. Blount.

Received from the Senate, the Petition of Ann Field; the Petition, &c., of Reuben Scarcey; the Petition of Major Croom; the Memorial of William Field, respectively endorsed in Senate, read and referred to the Committee of Propositions and Grievances.

The said Petitions being read were referred on the part of this House to the said Committee.

Mr. Dickens presented the Petition of Mrs. Martha Dixon, widow of Lieut. Colonel Henry Dixon, which being read was referred to the Committee appointed to take under consideration the Message from His Excellency, the Governor, &c. Mr. Avery presented the acct. of Doctor Hugh Boyd. Ordered that the same be referred to the Committee of Claims.

Mr. Person presented the Petition of Ambrose Ramsey, Esquire, which being read was referred to the Committee of propositions and Grievances.

Mr. Person presented the Petition of William Jones, and the Memorial of George Lain Moore, which being read, a motion was made by Mr. Person, seconded by Mr. Hawkins, that the said Petition and Memorial be referred to a Special Committee composed of Members from both houses; The Members chosen by the House are Mr. Williamson, Mr. Person, Mr. P. Hawkins, Mr. Maclaine and Mr. Hay.

Mr. Reuben Grant, one of the Members for Onslow County, appeared was qualified and took his seat.

Mr. Neale presented the petition of James Jasper, which being read was referred to the Committee of Privileges and Elections.

Received from the Senate the Bill empowering the Commissioners of the town of Edenton to convey part of the Town Common to the Trustees of Smith's Academy, endorsed in Senate 22 Nov., 1785, read the first time and passed, also the Bill to secure literary property, endorsed in Senate 22 Novr., 1785, read the first time and passed.
The House adjourned till To-morrow Morning 10 O'clock.

FRIDAY, 25 NOVEMBER, 1785.

The House met according to Adjournment.

Mr. James Richardson, one of the members for Bladen County, appeared, was qualified and took his seat.

Ordered on motion of Mr. Bonds, that Mr. Hanley have leave of absence till Tuesday next.

Mr. Hamilton presented a petition from the inhabitants of Guilford County praying a division thereof, at the same time he moved for leave and presented a Bill for dividing the County of Guilford which was read for the first time and passed, and sent to the Senate.

Mr. Edward Starkey, one of the members for Onslow County, appeared, was qualified and took his seat.

Mr. Stewart moved for leave and presented a Bill for establishing a Town on the Lands of Mial Scurlock, deceased, in Chatham County, which was read for the first time, passed and sent to the Senate.

Mr. Bonds presented the petition of a number of the inhabitants of Bladen County, praying a division thereof, which being read. Mr. Bonds moved for leave and presented a Bill agreeable to the prayer of the said Petition, which was read the first time, passed and sent to the Senate.

Mr. Montfort presented the Petition of Abraham Barnes and John Willis of Bladen County, complaining of an undue Election of Members to represent the said County in this House, praying relief, &c.

Ordered that the same be referred to the Committee of privileges and elections.

On motion of Mr. Williamson, seconded by Mr. Hay, Resolved, that the two following Bills be read for the second reading in this House, Viz: a Bill for securing literary property, a bill for incorporating religious Societies.

Ordered that Mr. Polk and Mr. Starkey be added to the Committee appointed on His Excellency, the Governor's message.

Received from the Senate the Petition of Margaret Balfour.

The Petition of John Brady, Robert Dunlap and William Dunlap.

The Memorial of Ann Field.
The Petition of James Knox and David Wilson.
The Petition of Messrs. Arnett and Hodge and the acct. of John Devane as Lieut. &c., respectively endorsed in Senate, read and referred, as by the Commons; received also the resignations of Elijah Isaacs and John Barton as Justices.

Received from the Senate the following message.

Mr. Speaker and Gentlemen:

We agree that the consideration of a more expeditious and substantial administration of the Laws and Equity of the State be submitted to the Committee to which the Governor's Message and public papers have been referred.

Received also the resignation of John Bell as Justice of Peace, endorsed. In Senate 24 Novr., 1785, read and accepted.

The said resignation being read was accepted by this House.

And received also the representation of Henry E. Lutterloch, which being read, on motion of Mr. Lewis, seconded by Mr. Cabarrus, was ordered to lie on the Table for the perusal of the Members.

Received from the Senate the Petition of James Hogg, Esq., endorsed read and referred to the Committee appointed to consider of the Petition of John Brady, Robert Dunlap and William Dunlap, which being read was referred on the part of this House to the said Committee.

Received from the Senate the record of the Trial of a Negro the property of Thomas Garrett. Endorsed in Senate 24 Novr. 1785 read and referred to the Committee of Claims.

The said record being read was referred as by the Senate.

The House adjourned till Monday morning, 10 O'clock.

Monday 28 November, 1785.

The House met according to adjournment.

Mr. Edmunds presented the petition of the Board of Wardens of the poor of Northampton County, praying &c., which being read, Mr. Edmunds, moved for leave and presented a Bill to impower the Wardens of the poor of Northampton County to build a House or Houses in the said county for the reception of the poor and other purposes, which was read the first time passed and sent to the Senate.
Mr. Williamson presented the Memorial of Benjamin Jones, Entry-taker, &c., which being read,

Ordered that the same be referred to a Joint Committee of both Houses, that for this purpose, five members be appointed on the part of this House. The Members appointed are Mr. Starkey, Mr. Williamson, Mr. Person, Mr. Ashe and Mr. Perebee.

Mr. Avery presented the Petition of James Britain which being read was referred to the Committee of propositions and Grievances.

Received from the Senate the Petition of William Jones and the Memorial of George Laine Moore. Endorsed in Senate 25 November, 1785, read and referred on the part of this House to General Rutherford, Mr. Lewis, and Mr. Hill.

Received also the petition of Mrs. Martha Dixon, Widow, &c., and the Petition of Ambrose Ramsey, Esqr. Endorsed in Senate 25 Novr., 1785, read and referred as by the House of Commons.

Mr. Polk moved for leave and presented a bill granting further indulgence to Surveyors for surveying Lands, which was read the first time, passed and sent to the Senate.

Received from the Senate the resignation of William Kirkpatrick as a Justice of the Peace for Bladen County, endorsed, In Senate, 24 November, 1785, read and accepted, the same being read was accepted by this House.

Mr. P. Hawkins presented the Petition of sundry of the Inhabitants of Martin and Halifax Counties praying, &c., which being read, Mr. Hawkins moved for leave and presented a Bill for Erecting a Town on the Lands of Whitmill Hill in Martin County, which was read the first time and sent to the Senate.

Mr. Person presented the Petition of Jacob Richards praying, &c., which being read, was referred to the Committee appointed on the Memorial of Benjamin Jones.

Mr. Person presented the Petition of John Walker praying, &c., which being read was referred to the Committee of propositions and Grievances.

Mr. Person presented the Petition of William Linton praying, &c., which being read was referred to the Committee appointed on the Memorial of Benjamin Jones.

Mr. Person presented one other Petition from John Walker praying, &c., which being read was referred to the Committee of Claims.
Mr. McDowall presented the Petition of James Taylor White and others of Burke County praying, &c., which being read was referred to a joint Committee. The Members chosen on the part of this House for that purpose are Mr. P. Hawkins, Mr. Williamson, Mr. Phillips, Mr. Grant & Mr. Bonds.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

The Senate have added General Rutherford to the Committee to whom were referred the Message from His Excellency the Governor and the public papers accompanying it.

Mr. Speaker & Gentlemen:

It is the opinion of this House that the acct. of Doctor Hugh Boyd by you referred to the Committee of Propositions and Grievances properly comes before the Committee of Claims, We therefore propose that the adjustment thereof be referred to the Committee last mentioned.

Ordered that the following message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the acct. of Doctor Hugh Boyd be referred to the Committee of Claims as by you proposed.

Received from the Senate a Bill for the dividing of the County of Guilford and a Bill for establishing a Town on the Lands of Mial Scurlock, deed., in Chatham County, endorsed, In Senate, 25 November, 1785, read the first time and passed.

Received from His Excellency the Governor the following Message:

To the Honorable the General Assembly:

Gentlemen:

Sundry dispatches from the United States in Congress assembled and other papers of a public nature have been received by me since my former Message, and I now do myself the Honor of laying them before you for your information and consideration, vizt:

No. 83. Letter from the Secretary of Congress of the 15th of October, 1785.
STATE RECORDS.

84. Resolves of Congress calling upon the States to compleat their quotas of requisitions of 1782 & 1784.
85. Resolutions of Congress and requisitions for 1782. 4 & 10 September, 1782.
86. Resolutions of Congress respecting their requisitions of 1784, April 27 & 28, 1784.
87. Letter from the Board of Treasury 10 October, 1785, requisition of Congress for 1785, State of North Carolina, their quota of 800,000 Dollars required by act of Congress of 30 October, 1781.
88. North Carolina their quota of 1,200,000 Dollars required by act of Congress of the 4 September, 1782.
89. North Carolina, their quota of 2,000,000 Dollars required by Congress by act October, 1782.
90. North Carolina their quota of 3,000,000 Dollars required by act of Congress 27 September, 1785.
91. North Carolina, amounts due on the acts of Congress of the 27th April, 1784, and September, 1785.
92. Letter from the Secretary for Foreign Affairs 14 October, 1785.
93. Copy of a letter from the Chevr. Paul Jones to the Secretary of Foreign affairs.
97. Letter from the Secretary of Congress 7 Nov., 1785.
98. Representation in Congress October, 1785.
100. I also lay before the Laws of Connecticut, which were transmitted by that State for the use of the Legislature. I have likewise taken the Liberty of sending you an extract of a resolution of Congress of the 20th of February, 1782, recommending to the Legislature of the respective States to Grant to the Commissioners appointed to adjust and settle the accounts between the United States and each particular State certain powers therein mentioned.

The Commissioner appointed for this State is now here, and will 17—19
shortly enter upon that business. I must therefore request you will take this matter into consideration, and if you shall judge such a Law necessary you will be pleased to pass the same without loss of time, so as to prevent any delay in the business.

I also lay before you a Letter from the Governor of Rhode Island, and a Letter from General Greene recommending the case of John Freebody, who informs me he intends to lay a Petition before the Legislature, in which the same will be fully stated. These Letters are intended to show Mr. Freebody's character, and what the State of Rhode Island has done for him.

RD. CASWELL.

Newbern, 25 November, 1785.

Ordered that the papers referred to in the foregoing Message, &c., be referred to the Committee to whom the public papers, &c., were referred.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a Message this day received from His Excellency the Governor, together with the papers therein referred to, which we propose referring to the Committee appointed to consider the public dispatches, &c.

Mr. Clement Hall, one of the Members for Chowan County, appeared, was qualified and took his seat.

The Bill for securing literary property was read the second time amended, passed and sent to the Senate.

Mr. Person presented the Petition of George Laine Moore and others, praying, &c., which being read, was referred to the Committee to whom his other Petition was referred. Mr. James Terry, one of the members for Anson County, appeared, was qualified and took his seat.

On motion of Mr. P. Hawkins, seconded by Resolved, that five Members from this House be added to the Committee of Propositions and Grievances. The Members added are Mr. D. Hall, Mr. Edmunds, Mr. Hinton, Mr. Hayes and Mr. Oliver.

Mr. Cabarrus presented the Petition of Abraham Markoe, which eing read was referred to the Committee of Propositions and Grievances.
Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House have added to the Committee of Propositions and Grievances, Mr. D. Hall, Mr. Edmunds, Mr. Hinton, Mr. Hayes and Mr. Oliver.

Received from the Senate the following Bills, viz: a Bill erecting a Town on the Lands of Whitmill Hill in Martin County.

A Bill for granting further indulgence to Surveyors for surveying Lands.

A Bill to alter the place of holding the annual Elections for Members of the General Assembly, in and for the County of New Hanover respectively endorsed, In Senate 28 November, 1785, read the first time and passed.

On motion of Mr. Williamson, seconded by Mr. Cabarrus, Resolved that the Bill empowering the Commissioners of the Town of Edenton to convey part of the Town Common to the Trustees of Smith's Academy, be read Tomorrow, for the second reading in this House.

Received from the Senate the Memorial of Andrew Boss, endorsed, In Senate, 28 Novr., 1785, read and referred to a select Committee, the Members chosen on the part of this House, are Mr. McCulloch, Mr. Lewis, Mr. Skinner, and Mr. Clinton.

The said Memorial being read, was referred on the part of this House to Mr. Phifer, Mr. Oliver, Mr. Pasteur, Mr. Dodd and Mr. Williamson.

Received from the Senate—a Bill for vesting certain Lands and other Estate in Randolph in Anne Fields, wife of William Fields, and the Heirs of said William and Anne Fields in fee Simple, endorsed, In Senate, 28 November, 1785, read the first time and passed.

Received from the Senate, the Petition of John Walker.

The Petition of James Britain.

The Petition of Jacob Richards and the Petition of William Linton, respectively endorsed, In Senate 28 November, 1785, read and referred as by the Commons.

Received from the Senate the Memorial of Benjamin Jones, endorsed, in Senate, read and referred to General Rutherford, Mr. McCulloch and Mr. Coor.
Received also the following Message:

Mr. Speaker & Gentlemen:

We agree that the Message and papers from His Excellency the Governor this day laid before the General Assembly be referred to the Committee, to whom were referred his other Message and the public dispatches accompanying it.

Received likewise a Resolution of the Senate for allowing Robert Hightower fourteen pounds three shillings and nine pence, which being read was concurred with.

Received from the Senate the report of the Committee of Propositions and Grievances on the Petition of Margaret Balfour concurred with by that House.

A motion being made and seconded that the said Report be concurred with by this House, was objected to. The question being put, was carried in the affirmative, whereupon the yeas and Nays were required by Mr. Blount.

On Motion of Mr. Blount, seconded by Mr. Oliver, Ordered that the Petition of Margaret Balfour, and the report thereon be entered on the Journal previous to the Yeas and Nays.

Randolph County, State of North Carolina, September 20th, 1785.

To the Honourable General Assembly of said State to be held at Newbern on the seventh Day of November, 1785. The Petition of Margaret Balfour humbly sheweth, That her Brother Colo. Andrew Balfour, (to whose Estate she Administered) attended for a long time in the Assembly at Wake, for which service he received a certificate, which certificate was plundered by the Tories among their other papers at the same time that they murdered him.

Now Your Petitioner humbly prayeth that your Honors would cause a new certificate to be given her as her Brother’s Administrator, and the prosperity of the State shall ever be the constant prayer of your Honours

Most obedient servant,

MARGARET BALFOUR.

Randolph County, State of North Carolina.

Personally appeared before me the above named Margaret Bal-
four, and made oath that the certificate for her Brother's service in
the Assembly at Wake, was lost, and that he never received any
thing for said service.

MARGARET BALFOUR.

Subscribed before me this 5 Day of November, 1785.

AARON HILL, J. P.

Your Committee to whom was referred the Petition of Margaret

That after considering the premises, are of opinion that she be
allowed a sum equal to what was contained in the Former cer-
ificate agreeable to the Scale of Depreciation, all which is submitted.

JAMES GILLESPIE, Ch.

On the question does the House concur with this report, the Yeas
and Nays are as follows, viz:

Yeas—Messrs. Collins, Avery, Sawyer, Dickens, White, Sanders,
Coleman, Stewart, Griffith, E. Robinson, D. Hall, Person, Ashe,
Hamilton, S. Riddick, McKissick, Isler, Sloan, Symons, Cain, J.
Taylor, W. Hawkins, Hayes, Martin, Williams, Bryan, C. Robert-
son, R. Riddick, Hinton, Dodd, Moore, Tisdale, Franklin Lewis,
Hill, McDowall, Whitaker, Hay, Bloodworth, Phillips, Diggs,
Courtney, Gardner, Rowan, Smithwick, Carroll, Lock, Berger, Lew-
is, Junr., Sherrod, Pifer, Alexander, Richardson, C. Hall & Terry.

Nays—Messrs. Blount, Smaw, Oliver, Williamson, Harney,
Rhodes, Montgomery, Manney, Cabarrus, Tho. Jordan, McDowall,
Thomas & S. Williams.

Mr. Person from the Committee of Privileges and Elections deliv-
ered in a Report on the Petition of James Jasper, which being read
the consideration thereof was postponed until Tomorrow.

Ordered that Mr. Smith have leave to absent himself from the
service of this house for a few days.

The House adjourned til Tomorrow Morning 10 O'Clock.

TUESDAY, 29 NOVEMBER, 1785.

The House met according to adjournment. Received from Sen-
ate the Following Message:

Mr. Speaker & Gentlemen:

The Senate have added to the Committee of Propositions and
Grievances, Mr. Spicer, Mr. Hill and Mr. Lewis, and propose that these Gentlemen in conjunction with those this day appointed on the part of the House of Commons compose a second Committee of Propositions and Grievances.

Ordered that the following message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received your Message proposing a second Committee of Propositions and Grievances, with which we do not concur, from a supposition that the business which properly comes before such Committee can be timely completed by that already appointed.

Mr. Phifer presented the representation of Hezekiah Alexander, which being read, was referred to the Committee of Propositions and Grievances.

Received from the Senate the Petition of James Taylor White and others, endorsed In Senate 28 November, 1785, read and referred by the Senate to General Skinner, Mr. Battle, Mr. Macon and Mr. Easton.

Received also the Memorial of William Walker, and the representation of a Committee of Mecklenburg County, respectively endorsed, In Senate 28 November, 1785, read and referred to the Committee, to whom was referred the Petition of Benjamin Jones. The said Memorial and representation being read, was referred as by the Senate. And received also, the resignation of Griffith Rutherford for Rowan County and others as Justices of the Peace, which being read was ordered to lie on the Table.

Received from the Senate the Petition of George Laine Moore, and the Petition of Abram Markoe, endorsed, In Senate 28 Nov., 1785, read and referred as by the Commons.

Received also, the Petition of Mercy Bedford endorsed, In Senate 28 Nov., 1785, read and referred to the Committee of Propositions and Grievances. The said Petition being read was referred as by the Senate.

Received also the Petition of the Justices and Militia officers of Rutherford County in favour of Sodomick Wray, endorsed In Senate 28 November, 1785, read and referred to the Petition of Mr. Benjamin Jones. The said Petition being read was referred as by the Senate.
And received also, the resignation of William Gray McDannel as Justice of the Peace for Bladen County, endorsed in Senate 28 Nov., 1785, read & accepted.

The said resignation being read was accepted by this House.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that a joint Committee be appointed to receive from the late district Treasurers, Collectors and others, and cause to be destroyed all such old Dollar Bills belonging to the public as shall be delivered to them, and that they make a report of their proceedings herein for which purpose Mr. Hill, Mr. Macon, General McDowall and Mr. Brown, are appointed on the part of this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We decline for the present a concurrence with your Message as to the appointment of a Committee for burning the old Emission of bills, as we conceive those Bills ought regularly to pass into the Treasurers or Comptrollers office, and a state of their amount laid by those officers respectively before the General Assembly, when in the opinion of this House the appointment of such a Committee may be extremely proper.

Mr. John Cox, one of the Members for Moore County, appeared, was qualified and took his seat.

The House according to order resumed the consideration of the Report of the Committee of Privileges and Elections on the Petition of James Jasper, which is as follows, vizt.:

Your Committee of Privileges and Elections, to whom was referred the Petition of James Jasper, siting forth the disqualification of Thomas Jordan, Esqr., one of the sitting Members for the County of Hyde, Report,

That it appears that Mr. Jordan was at the time of his being Elected a Member to represent the County of Hyde, an Entry-taker, which office he resigned at the first Court of the County which happened after the Election, and has produced to your Committee a receipt dated October the 21st, 1785, signed by Memucan Hunt,
Esquire, Treasurer of the State, for all the monies, which by virtue of his office he had received.

Your Committee also report that at the last Session of Assembly an act was passed, entitled “an act to prevent persons holding offices of profit from enjoying seats in the General Assembly” expressed in the following words:

“Be it enacted by the General Assembly of North Carolina, and it is hereby enacted by the authority of the same, that from and after the present session of the General Assembly, every person holding a public office of profit, either by stated Salary or Commission shall be and they are hereby declared to be incapable of being Elected as Members to serve in the General Assembly, or to enjoy seats therein.”

Your Committee have thought it best, in order to save time to state the facts and the Law respecting the same to the House for their determination thereon, all which is submitted.

THOMAS PERSON, Ch.

On Motion of Mr. Hay seconded by Mr. Skinner, Resolved that the Election of Thomas Jordan, Esqr., as a Member of the present Assembly for the County of Hyde has been improvidently made, he being at the time of his election an entry-taker for said County, and being a holder of public money, was not eligible to the seat in the General Assembly, and that a writ of election issue.

Ordered that the election for Hyde County, be held on the sixth and seventh Days of December next.

Received from the Senate the following Bills, vizt.:

A Bill to empower the Wardens of the poor to build houses for their reception & maintenance and other purposes.

A Bill for empowering the Court of Randolph County to adjourn to the place which they shall think most convenient for holding the same.

A Bill for levying a Tax for the support of Government, and to continue the redemption of Continental Money, old paper currency, Specie and other Certificates.

A Bill to impair the late Commissioners, Sheriffs and Collectors of public Taxes to collect and receive the arrearages of said Taxes,
endorsed, In Senate, 29 November, 1785, read the first time and passed.

Mr. Phillips moved for leave and presented a Bill for the better regulation of the Town of Tarborough, which was read the first time, passed and sent to the Senate.

Mr. Hamilton moved for leave and presented a Bill to establish the Town laid off at Guilford Court House by the name of —— which was read the first time passed and sent to the Senate.

Mr. McKissick moved for leave and presented a Bill for erecting and establishing a Town in the County of Lincoln, which was read the first time passed and sent to the Senate.

Received from the Senate the resignation of Thomas Turner and George Bell as Justices, endorsed, in the Senate 29 November, 1785, read and accepted, which being read were accepted by the House.

Mr. Rowan presented the Memorial of William McRee, &c., which being read was referred to the Committee of Claims.

Received from the Senate the record of a Court on the trial of a Negro belonging to the Estate of George Gibbs, endorsed, in Senate 29 Novr., 1785, read and referred to the Committee of Claims.

The said Record being read was referred as by the Senate.

Mr. Hawkins presented the Memorial of Samuel Lockhart, &c., which being read was referred to the Committee appointed on the Memorial of Benjamin Jones.

Received from the Senate the representation of Hezekiah Alexander, endorsed, In Senate 29 November, 1785, read and referred as by the Commons.

Ordered that the Bill for Granting further indulgence to Surveyors, for surveying Lands, and the Bill for dividing Guilford County, be read for the second time tomorrow.

Received from the Senate a Copy of the Judgment, Absalom Tatnam against John Armstrong, endorsed In Senate 29 November, 1785, read and referred to a Special Committee, the Members chosen on the part of the Senate are Mr. Coor, Mr. Lightfoot, General Gregory and Mr. Macon. The said Copy being read, was referred on the part of this House to Mr. Lock, Mr. Avery, Mr. Lewis, Mr. Polk and Mr. Roberson.

Received from the Senate the Petition of James Kenan, endorsed, In Senate 29 November, 1785, read and referred to the Committee
of Propositions and Grievances, which being read, the following Message was ordered to be sent to the Senate:

Mr. Speaker & Gentlemen:

We cannot concur with you in referring the Petition of Mr. Kenan to the Committee of Propositions and Grievances, but propose that it be submitted to the Consideration of the Committee appointed to consider of the public dispatches, &c.

Mr. Avery presented the petition of William Price which being read was referred to a Special Committee. The members appointed on the part of this House are Mr. Tisdale, Mr. Harney, Mr. Diggs, Mr. Richardson, Mr. West, Mr. Sawyer and Mr. Coleman.

Received from the Senate a Resolve of that House directing the Committee appointed on the public dispatches, &c., to make report which being read was ordered to lie on the table.

Received from the Senate a Resolve of that House allowing Captain Robert Fenner a certain sum therein mentioned which was read and ordered to lie on the table.

Received from the Senate the following report of the Committee of Propositions and Grievances on the claims of John Bartholomew and Edward Harris, concurred with by that House, which being read was rejected.

The House adjourned til Tomorrow Morning 10 O'Clock.

**Wednesday, 30 November, 1785.**

The House met according to adjournment.

Mr. Richard Singleton, one of the Members for Rutherford County appeared, was qualified and took his seat.

Mr. Moyer moved for leave and presented a Bill for annexing a part of the County of Pitt to Beaufort County, which was read the first time, passed and sent to the Senate.

Mr. Griffith presented the Petition of Simon Terrel and Joseph Kirk, which being read were referred to the Committee appointed on the Memorial of Benjamin Jones.

The Bill to alter the place to hold the annual Elections for Members of the General Assembly in and for the County of New Hanover, which was read the first time and passed.
On motion of Mr. Bloodworth, seconded by Mr. Williamson, ordered, that Mr. Bloodworth have leave to withdraw for amendment the said Bill.

The Public Treasurer laid before the House a statement of his accts. as Treasurer, & whereupon,

On motion of Mr. Williamson, seconded by Mr. Person, Resolved, that they be referred to a joint Committee. That Mr. Blount, Mr. Starkey, Mr. Rowan, Mr. Lock and Mr. Dickens be a Committee on the part of this House for that purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

The Treasurer has laid his accts. before this House, which we herewith send you, and propose that the same be referred to a joint Committee, who shall examine and report the same. The Members chosen by this House are Mr. Blount, Mr. Starkey, Mr. Rowan, Mr. Lock and Mr. Dickens.

The Bill impowering the Commissioners of the Town of Edenton to convey part of the Town Common to the Trustees of Smith's Academy, was read the second time, passed and sent to the Senate.

The Bill granting further indulgence to Surveyors for surveying Lands was read the Second time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the Petition of Mr. Kenan be referred as by you proposed.

Received also the Memorials of Samuel Lockhart and William McRee respectively endorsed, In Senate 30 November, 1785, read and referred as by the Commons.

Ordered that Mr. Norman have leave to absent himself from the service of this House.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

This House are of opinion it would tend to expedite the business
of the Session and would be a measure fraught with no ill consequence, should the two Houses agree to consider no other than Bills of a general and public nature as being comprehended within the meaning of the second and third Sections of the Rules agreed on by both Houses to be observed in reading and engrossing Bills.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We cannot entirely agree with the Senate as to the manner of conducting private Bills, but propose that the third Section only of the rules for passing and Engrossing Bills be for the future dispensed with, with respect to them.

Mr. Wood moved for leave and presented a Bill to repeal the sixth Section of an act passed last Session of Assembly, entitled an act for the more regular collecting, payment of and accounting for the public Taxes, which was read the first time passed and sent to the Senate.

Mr. Oliver moved for leave and presented a Bill for erecting and establishing a Town in the County of Bertie by the name of Millford, which was read the first time passed and sent to the Senate.

The Bill to impower the late Commissioners, Sheriffs and Collectors of public Taxes to collect and receive the arrearages of said Taxes, was read the first time, passed and sent to the Senate.

The Bill for vesting certain Lands and other Estate in Randolph County in Anne Fields, wife of William Fields, and the Heirs of the said William and Anne Fields in fee Simple, was read the first time and rejected.

The Bill for impowering the Court of Randolph County to adjourn to the place which they shall think most convenient for holding the same, was read the first time passed and sent to the Senate.

Mr. Pasteur moved for leave, and presented a Bill to amend an act passed at Hillsborough for regulating the Town of Halifax, which was read the first time passed and sent to the Senate.

Mr. Blount presented the Petition of a number of the Justices of the Peace for Martin County, praying that John Higgins Jones, Esqr., who was suspended from executing the office of a Justice of the Peace for Martin County, be restored, &c., which being read the house came to the following Resolution, viz: 

WHEREAS, John Higgins Jones, a Justice of Peace for Martin
County, was by the General Assembly suspended from the exercise of his office, and, whereas, the accusations of upon which the assembly proceeded to suspend him have not been in any wise supported, therefore, Resolved, that the Resolution of the last General Assembly for suspending the said John Higgins Jones, Esquire, from the exercise of the office aforesaid, be and the same is hereby received.

Ordered that Mr. Smaw have leave of absence till Wednesday next.

The House adjourned till To-morrow Morning 10 O'Clock.

THURSDAY, DECEMBER, 1785.

The House met according to adjournment.

Ordered that Mr. Bloodworth have leave to absent himself from the service of this House after to-morrow.

Mr. Hill presented the petition of sundry of the inhabitants of Randolph County, praying &c., which being read, Mr. Hill moved for leave and presented a Bill for removing the public buildings of the County of Randolph from the Cross Roads to the Center, which was read the first time passed and sent to the Senate.

Mr. Montgomery moved for leave and presented a Bill to empower the Justices of Hertford County to establish free Ferries in the said County, and lay a Tax for defraying the charges thereof, which was read the first time passed and sent to the Senate.

Received from the Senate the following Bills, viz:

A Bill for erecting and establishing a Town in the County of Lincoln.

A Bill for the better regulation of the Town of Tarborough.

A Bill to establish the Town laid off at Guilford Court House by the name of a Bill, for Erecting a Town in the County of Bertie, by the name of Millford.

A Bill for annexing a part of the County of Pitt to Beaufort County respectively endorsed, in Senate 30 November, 1785, read the first time and passed.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen.

We agree that the accounts of the public Treasurer be examined
and reported on by a Committee, and have for that purpose appointed General Skinner, General Ramsey and Mr. Gillispie on the part of this House.

Received also, the Petition of Simon Terrel and Joseph Kirk, endorsed, in Senate read and referred as by the House of Commons.

The Bill for dividing the County of Guilford, was read the second time amended passed, and sent to the Senate.

Received from the Senate a Message proposing to ballot on Tuesday next, for a Governor, Delegates and Secretary, Council of State and public Treasurer, which being read was ordered to lie on the table until To-morrow.

Received also the representation of the public Secretary, endorsed, in Senate 1 December 1785 read & referred to a special Committee, the Members on the part of the Senate, are Genl. McDowall, Mr. Lightfoot and Mr. Gillispie. The said representation being read was referred on the part of this House, to Mr. Skinner, Mr. Starkey, Mr. Avery, Mr. B. Williams and Mr. Courtney, and received also the Petition of Anthony Deering and James Deering, endorsed, in Senate 30 November 1785, read and referred to the Committee of Claims, which being read was referred as by the Senate.

Ordered that the Bill for establishing a Town on the Lands of Mial Scurlock Dec'd. in Chatham County, be read to-morrow for the second reading in this House.

The House adjourned till To-morrow Morning 10 O'clock.

Friday 2 December 1785.

The House met according to adjournment.

Received from the Senate the following Bills, vizt, A Bill for empowering the Court of Randolph County to adjourn to the place which they shall think most convenient for holding the same.

A Bill to empower the late Commissioners, Sheriffs and Collectors of Public taxes to collect and receive the arrearages of said Taxes, endorsed, In Senate 1 Decr. 1785 read the second time and passed.

Received also, a bill to empower Robinson Mumford and James Porterfield to receive storage for tobacco inspected and deposited in their warehouse at Fayetteville.

A Bill to empower the Justices of Hertford County to establish
free Ferries in the said County and lay a Tax for defraying the Charges thereof.

A Bill to amend an act passed at Hillsborough for regulating the Town of Halifax, respectively endorsed in Senate 1 Decr. 1785 read the first time and passed.

Mr. Avery presented the Petition of John Jones of Rutherford County, which being read was referred to the Committee to whom was referred the Petition of William Price.

Mr. Wood moved for leave and presented a bill for establishing a Town on the Lands of Luke Mezall and William Mackay in Martin County, which was read the first time passed and sent to the Senate.

Mr. B. Williams moved for leave and presented a Bill to impower the county Court of Johnston to levy a further Tax on the Inhabitants of said County for defraying the expence of building the Court House, Prison and Stocks, which was read the first time passed and sent to the Senate.

Mr. Polk moved for leave and presented a Bill impowering Thomas Polk to convey certain Lands in Mecklenburg County, which was read the first time passed and sent to the Senate.

Received from the Senate the Resolve of this House, for rescinding a former resolution for Suspending from the office of a justice of the Peace John Higgins Jones of Martin County, endorsed in Senate 1 Decr. 1785 read and concurred with.

Mr. Maclaine, presented the Memorial of James Flemming &c. which being read was referred to a joint Committee, the Members appointed on the part of this House for that purpose are, Mr. Blount, Mr. Cabarrus and Mr. Hay.

Mr. Phil Hawkins presented the Petition of Timothy deMenroe, which being read, was referred to a joint Committee the Members, appointed on the part of this House for that purpose are, Mr. Whitaker, Mr. Polk and Mr. Person.

Mr. P. Hawkins presented the application of James Armstrong Commissioner of Confiscated property for the District of Newbern, which being read was referred to the Committee to whom was referred the public papers, &c.

Mr. B. Williams moved for leave and presented a bill to allow a further time for saving Lots in the several Towns within this
State, which was read the first time passed and sent to the Senate.

Mr. Maclaine presented the Petition of sundry of the Inhabitants of the town of Wilmington, which being read,

Mr. Maclaine moved for leave and presented a Bill to amend the several acts heretofore passed for regulating the Town of Wilmington, which was read for information.

Ordered that the said Bill be Committed to a joint Committee, that for this purpose, Mr. Cabarrus, Mr. Maclaine, Mr. Tisdale, Mr. Blount and Mr. J. Taylor be a committee on the part of this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

A Bill herewith sent you, to amend the several acts heretofore passed "for regulating the Town of Wilmington" we propose Committing to a joint Committee, in order that it may be amended so as to make it General, or extend to the principal Towns in this State, and have for this purpose on our part appointed, Mr. Cabarrus, Mr. Maclaine, Mr. Tisdale, Mr. Blount and Mr. J. Taylor, a Committee.

Mr. Nash presented the Petition of Richard Ellis, which being read was referred to the Committee of Claims.

Mr. Jordan presented the Petition of James Maxwell which being read was referred to the Committee of Propositions and Grievances.

The Bill for incorporating religious Societies, was read the second time amended and passed, and sent to the Senate.

On the question shall this Bill pass or not pass, the yeas and nays were required by Mr. D. Hill, which are as follows, viz:


Nays—Messrs. Harney, Coleman, Stewart, Griffith, D. Hall, Hamilton, McKissick, Isler, Sloan, Bonds, Cain, Moye, Montfort, W. Hawkins, Eborne, McDonald, Skinner, C. Roberson, Evereguin, Thomas, Dodd, Moore, Franklin, Lewis Senr. Hill, Whitaker, Phil-

Mr. Maclaine delivered in a report of the Committee of Propositions and Grievances on the Petition of John Walker, which being read was recommitted to the same Committee.

Ordered that the said Committee report specially the facts thereon.

Mr. Martin presented the claim of Samuel Cross, which being read was referred to the Committee of Claims.

Received from the Senate the following Bills, vizt:


A Bill for levying a tax in the District of Halifax to discharge a balance due for repairing the Court House, &c.

A Bill to impower the County Court of Johnston to levy a further Tax &c.

A Bill impowering Thomas Polk to convey certain Lands &c.

A Bill to allow a further time for saving Lots in the several Towns.

A Bill for appointing Commissioners in the County of Rutherford for building a Court House, Prison and Stocks in the said County.

A Bill for establishing a Town on the Lands of Andrew Boss.

A Bill to defray the expence of the Members of the General Assembly of this State &c., respectively endorsed, in Senate 2 December, 1785, read the first time and passed.

Received from the Senate the Petition of Richard Ellis, the Petition of James Maxwell, and the application of James Armstrong Commissioner &c. respectively endorsed, in Senate 2 Decemr., 1785, read and referred as by the Commons.

Received from the Senate the Memorial of James Flemming, endorsed, in Senate 2 December, 1785, read and referred on the part of the House to Mr. Coor, Mr. Spicer, Mr. Easton, Mr. Campbell.

Received from the Senate the Petition of Timothy de Memroe, endorsed in Senate 2 December, 1785, read and referred on the part of this House to Gen. Rutherford and Mr. Bledsoe.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

Mr. Coor, General Harrington, Mr. Lightfoot and Mr. Campbell, 17—20
will act with the gentlemen by you appointed to amend the "Bill to amend the several Acts heretofore passed for regulating the Town of Wilmington.

Mr. Person from the Committee to whom was referred the Governor's Message and Congress papers &c., delivered in a report which being read was ordered to lie on the Table until To-morrow then to be taken up for debate.

Mr. Person from the Committee to whom was referred the Governor's Message &c., delivered in a Bill for the relief of the officers, Soldiers and Seamen who have been disabled in the service of the United States during the last War, which was read the first time passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We propose that the Petition of John Jones of Rutherford County be referred to the Committee to whom was referred the Petition of Benjamin Jones.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House agree to refer the Petition of John Jones as by you proposed.

Ordered that Mr. Moya have leave to absent himself from the service of this House until Tuesday next, and Mr. Starkey for To-morrow.

Ordered that the Bill to empower the Wardens of the poor to build houses for their reception and maintenance and other purposes, be read tomorrow for the second reading in this House.

The Bill for establishing a Town on the Lands of Mial Scurlock, deceased in Chatham County was read the second time, amended, passed and sent to the Senate.

Mr. Blount presented the Petition of Edward Hall, Executor of the last Will and Testament of Ralph MacAline, Deced., which being read, was referred to the Committee appointed on His Excellency, the Governor's Message, and State papers.

The House adjourned till To-morrow Morning, 10 O'Clock.
STATE RECORDS.

Saturday, 3 December, 1785.

The House met according to adjournment.

The Honourable, the Speaker, laid before the House a Letter from Timothy Bloodworth, Esqr., which being read was referred to a joint Committee, the Members appointed on the part of this House for that purpose are Mr. Cabarrus, Mr. Blount, Mr. Person and Mr. Berger.

Mr. Robert Webb and Mr. Benjamin Covington, the Members for Richmond County, appeared were qualified and took their seats.

The resignation of William Kindall as a Justice of the Peace for Montgomery County, was read and accepted by this House.

Mr. Polk presented the Petition of a number of the Inhabitants of Anson County, complaining of the disqualification of Mr. James Terry, one of the Members for the said County, and praying relief. Ordered that the same be referred to the Committee of Privileges and Elections.

Mr. Edmunds moved for leave to withdraw for amendment, the bill to empower the Wardens of the poor to build Houses for their reception, &c. Ordered that he have leave accordingly.

Ordered that Mr. Maclaine and Mr. Blount be added to the Committee to whom was referred the representation of James Glasgow, Esqr., public Secretary.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have added to the Committee appointed on the representation of the Public Secretary, Mr. Maclaine and Mr. Blount.

Mr. Handley who had leave of absence till Tuesday last appeared and took his seat.

The order of the day for taking up for debate, the report of the Committee, to whom was referred his Excellency, the Governor's Message and State papers, being called for,

On motion of Mr. Nash, seconded by Mr. Person, Resolved, that the House resolve itself into a Committee of the whole house to take under consideration the said Report. The House Resolved itself into a Committee of the whole House accordingly and chose John B. Ashe, Esquire, Chairman, and after some time spent therein, Mr.
Speaker resumed the Chair, and Mr. Chairman Reported as follows, viz:

That the Committee had come to several resolutions on the matters submitted to them, but not having time to reduce them to form desired leave to sit again.

The House taking the said report into consideration, Resolved, that they do concur therewith, and that the Committee have leave to sit again at 4 O’clock in the evening.

The House adjourned til 4 O’clock P. M.

Met according to adjournment.

The several matters to this day referred, being postponed. The House adjourned til Monday Morning 10 O’Clock.

MONTDAY, 5 DECEMBER, 1785.

The House met according to adjournment.

Received from his Excellency, the Governor, the following Message:

To the Honourable the General Assembly:

Gentlemen:

A Letter from His Excellency, Benjamin Franklin, Esquire, to the Governor of this State will be presented you herewith, the subject of which I beg leave to recommend to your consideration, for although this earnest recommendation of Dr. Franklin was laid before the Legislature in their last Session, I do not learn anything decisive was done thereon.

I also present you with a Petition addressed to me by Robert Palmer, Esquire, accompanied by his address to the General Assembly. In the former you will observe he intimates that I was acquainted with the cause of his leaving the County, and the manner of his conducting himself whilst he resided here. In justice to Mr. Palmer, I can do no less than assure your honourable Body that what he sets forth in his Petition to you respecting the cause and Time of his leaving the County and his conduct whilst a resident here is founded on incontestable facts.

 Permit me likewise to present to you the Petition of Mrs. Elizabeth Miller, Widow of Andrew Miller, Deceased, as well as in be-
half of her children as herself from the manner in which their distresses are pointed out, I am induced to recommend the consideration of this Petition to the Legislature.

RD. CASWELL.

Newbern 3 Dec. 1785.

At the same time received the Letters and Petitions referred to in the foregoing Message which being read were referred to the Committee appointed on His Excellency, the Governor's former Message, & State Papers.

Mr. Blount from the Committee to whom was referred the Memorial of James Flemming, of Wilmington, Mercht., Reported as follows, vizl:

Your Committee are of opinion that the Ship Charlestown was thro' unavoidable necessity for the preservation of the Master, Mariners and Cargo obliged to put into Cape Fear, and that the said Ship having been legally condemned as unfit to proceed to Sea, whereby it became necessary to land her cargo evidently not intended for any of our Ports, as further appears from the same or the greater part thereof having been actually re-shipped for the Port of its original destination.

Your Committee are therefore of opinion that the Memorialist should be relieved from the obligation of his Bonds in the offices of the Collector for Port Brunswick and in the Marine Court for Wilmington District as he can produce to the Court or Collector aforesaid satisfactory proofs of the amount of the Cargo of the Ship Charlestown which hath been or shall be re-shipped for the Port of its original destination, and when he shall have given previous Security to the Collector aforesaid that no part of the Cargo so re-shipped shall be relanded within this State with intent to defraud the same of the duties therein imposed by Law, the said Memorialist paying all other costs and charges which can be lawfully demanded.

And your Committee are further of opinion that the Collector of Port Brunswick and the Treasurer of the State shall govern themselves in the premises according to this report. All which is submitted. JOHN C. BLOUNT, Chr.

The House taking the said report into consideration concurred therewith.
Received from the Senate the following Bills, viz:  

An additional Bill to an act Intituled an act for raising a public revenue for the support of Government and to repeal an act Intituled an act to suppress excessive gaming.

A Bill to prevent any person from stopping ways leading to Houses of religious worship.

A Bill for the relief of Officers, Soldiers and Seamen who have been disabled in the service of the United States, &c., respectively endorsed, in Senate 3 December 1785, read the first time and passed.

Received from the Senate the Petition of Edward Hall, Executor, &c., and the claim of Samuel Cross, respectively endorsed, in Senate 3 Dec. 1785, read and referred as by the Commons.

Received also the resignation of William Kindall as a Justice of the Peace, &c., accepted of by that House.

Received from the Senate the Letter of Timothy Bloodworth, Esqr., endorsed in Senate 3 Dec. 1785, read and referred on the part of this House to Mr. Gillispie, Mr. Campbell and General Harrington.

The House resumed the consideration of the following Message of the 1st inst., from the Senate, viz:  

Mr. Speaker and Gentlemen:

We propose that the General Assembly ballot at 4 O'Clock on Tuesday evening next for a Governor of this State for the ensuing year, and put in nomination His Excellency Richard Caswell, Esqr., and the Honorable John Williams and Samuel Johnston, Esquires, at the same time we propose balloting for a Secretary of the State, Delegates to represent this State in Congress, for a Council of State, and for a public Treasurer; and put in nomination for Secretary, James Glasgow, Esqr., for Delegates, the Honorable Wm. Blount, Charles Johnston and Timothy Bloodworth, Esquires, and Nathaniel Macon, Green Hill, John Kinchen, Abner Nash and Robert Burton, Esquires; for a Council of the State, Joseph Leech, Jacob Blount, John Hawks, Abram Sheppard, the Marquis of Bretigny, Doctor Guion, Nathan Bryan and Doctor McClure; and for a public Treasurer, Memucan Hunt, Esquire.

Should you approve of this measure you will signify the same by Message.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We cannot agree to proceed to the Election of public officers on Tuesday next, but propose entering upon that business on Saturday at 3 O’Clock in the evening at which time shall be balloted for an additional Delegate for the present year in order that this State may be represented by three until the time those now to be elected shall commence; also the place of holding the next General Assembly. We have added to your nomination for Governor, William Richardson Davie, Esqr.; for Delegates, John Sitgreaves, William Cumming and John Baptist Ashe, Esquires; for the Council of State, John Spicer, John Wright Stanley and James Armstrong, Esqr. We think it improper to elect the Council of State until after the choice of a Governor, because the Assembly will probably consult his situation in electing them, we therefore propose this last business be done after the election of a Governor on the same day.

We nominate for the place of holding the next General Assembly the Town of Hillsborough, Newbern, Tarborough, Halifax and Fayetteville.

The order of the day for taking into further consideration the report of the Committee on His Excellency the Governor’s Message, &c., being called for,

Resolved, That the House Resolve itself into a Committee of the whole House, to take under their further consideration the said report. The House Resolve itself into a Committee of the whole house accordingly, John B. Ashe, Esquire, in the Chair, and after some time spent therein, Mr. Speaker resumed the Chair and Mr. Chairman reported:

That the Report of the Committee on His Excellency the Governor’s Message, so far as relates to the alteration of the Courts of Law, except the third Section, be concurred with.

The House taking the said Report into consideration concurred therewith.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have concurred with the Report of the Committee on His
Excellency the Governor's Message, with respect to the proposed alterations in the Courts of Law except the third Section as it now stands in the Report.

That part of the report relating to the appointment of a Commissioner of the Loan office in this State we propose to lie for consideration, all the rest we concur with.

We have in conformity to this Report appointed Mr. Hay and Mr. Maclaine to prepare and bring in a Bill for altering the Courts of Law.

Resolved, That Mr. Nash be requested to prepare and bring in a bill for a revisal of the Laws agreeable to the report of a Committee on that head.

Ordered that the Bill for the relief of the Officers, Soldiers and Seamen, who have been disabled in the service of the United States during the last War, be read to-morrow for the second reading in this House.

Mr. Avery moved for leave and presented a Bill to amend an act to establish the Town of Morgan, and to direct the building of a Court House and Prison in the same for the district of Morgan, which was read the first time, passed and sent to the Senate.

Mr. Maclaine presented the petition of Caleb White, Aaron Morris and Benjamin Albertson, in behalf of the people called Quakers which being read,

Mr. Maclaine moved for leave and presented a Bill for permitting the emancipation of Slaves under certain restrictions, when the owners thereof are conscientiously scrupulous of continuing them in perpetual servitude, which was read the first time, passed and sent to the Senate.

Ordered that Mr. Gardner have leave to absent himself from the service of this House until Saturday next.

The Bill to establish the Town laid off at Guilford Court House, by the name of Martinville, was read the third time, amended, passed and sent to the Senate.

Received from His Excellency the Governor, the following Message:

To the Honorable the General Assembly:

Gentlemen:

Having this day received a Petition from Mr. John Burgwin with
a Memorial addressed to your Honourable Body, and presuming you may be on business of a similar nature, I take the liberty of recommending Mr. Burgwin's case to your consideration.

RD. CASWELL.

Newbern, 5 Decr., 1785.

The papers above referred to, being read were referred to the Committee to whom a former Message from his Excellency, the Governor, accompanied by the State papers, &c., were referred.

And Person from the Committee to whom was referred the Petition of Jacob Richards, Reported as follows, vizt:

That they have taken the same under their consideration, and are of opinion (owing to his particular circumstances) that he be at liberty to discharge his bond for the rent of a house belonging to the State in Hillsborough in Certificates due the Continental officers and Soldiers of the line of this State by their settlement with the Commissioners for that purpose, and that the holder of said bond be directed to receive the same, which shall be allowed in his settlement of public accts.

THOMAS PERSON, Chmr.

The House taking the said Report into consideration concurred therewith.

Mr. Hay moved for leave and presented a Bill empowering the Commissioners empowered to settle the accts. between the United States and the State of North Carolina or the Creditors of the United States within the same to call witnesses and examine the same upon oath or affirmation touching the said accts. which was read the first time, passed and sent to the Senate.

The House adjourned till To-morrow morning, 10 O'clock.

TUESDAY, 6 DECEMBER, 1785.

The House met according to adjournment.

Mr. John Pugh Williams one of the members for New Hanover County appeared was qualified and took his seat.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

This House have added General Rutherford, Mr. Brown and Mr.
Macon to the Committee appointed to consider of the Secretary's representation.

Received from the Senate a Resolve of that House authorising the present Treasurer to settle all accts. with the late Sheriffs of Salisbury District for the year 1783, which being read was concurred with by this House.

Mr. Williamson moved for leave to prepare and bring in a Bill for enabling the Comptroller to settle all claims against the State for services performed during the late War, which shall be presented to him before the first of Decr. next. Ordered that he have leave accordingly.

Received from the Senate a Resolve of that house directing the Comptroller to issue a Certificate to John Parks as therein mentioned, which being read was concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House directing the Comptroller to issue a certificate to John Parks as therein mentioned concurred with. We further propose in addition to that Resolve that the Comptroller note in the Checks, the issuing such Certificates.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate have appointed Mr. Hill, Mr. Macon, Genl. McDowall and Mr. Brown a Committee, who will act jointly with such of your body as may be appointed to receive from the public Treasurer, and from the late District Treasurers all such old Dollar money as may be handed them, together with such of the Bills of the late Emission as may be too much worn for circulation, and cause that the same be destroyed and make report of their proceedings herein.

Ordered that the following Messages be sent to the Senate:

Mr. Speaker and Gentlemen:

We have on our part appointed Mr. Skinner, Mr. Thomas, Mr. Dickens, Mr. W. Hawkins, Mr. Ashe, Mr. D. Hall, Mr. Cain, Mr. Neale, Mr. Tisdale and Mr. B. Williams a Committee who will act
with the Gentlemen by you appointed to receive of the Public Treasurer the old Dollar Money &c.

Received from the Senate the Petition of Jane Spurgen, endorsed in Senate read and referred to the Committee of Propositions and Grievances which being read was referred as by the Senate.

Received from the Senate the Petition of John Bradley endorsed in Senate, read and referred to the Committee to whom was referred the Memorial of James Flemming, which being read was referred as by the Senate.

Received from the Senate the affidavit of Catharine Shaver, and the Petition of Hannah Davis respectively endorsed in Senate, read referred to the Committee of Propositions and Grievances, which being read were referred as by the Senate.

Received from the Senate the Claim of Robert Brevard, endorsed in Senate, read and referred to the Committee of Claims, which being read was referred as by the Senate.

Mr. Martin presented two Petitions from Sundry the Inhabitants of Surry County praying to have an Tobacco Inspection established in the said County, which being read,

Mr. Martin moved for leave and presented a bill for the inspection of Tobacco in the County of Surry, which being read the first time passed and sent to the Senate.

Received from the Senate the Resolve of that House directing the Comptroller to issue a Certificate to Isaac McHenry as therein mentioned, which being read was concurrred with.

Received from the Senate the following Bills, viz:
A Bill for establishing a Town on the Lands of Thomas Relf.
A Bill to establish a Town on the Lands of Thomas Dougan in the County of Randolph.
A Bill for adding part of Craven County to Dobbs County.
A Bill for altering the place of holding Courts and other Public Meetings in the County of Wayne &c.

A Bill to empower the several County Courts within this State to establish and lay off towns at their discretion.

A Bill to preclude certain Foreigners therein mentioned from holding any office of profit or trust in this State unless for meritorious services, respectively endorsed in Senate read the first time and passed.
Mr. Edmunds, who had leave to withdraw for amendment the Bill to empower the Wardens of the poor to build houses for their reception and maintenance and other purposes delivered in the same, which was read the second time amended passed and sent to the Senate.

Received from the Senate the Message from his Excellency the Governor with its inclosures, endorsed read and referred as by the Commons.

Received from the Senate the report of the Committee on the Memorial of Andrew Bass endorsed in Senate read and concurred with, which being read was concurred with by this House.

Mr. Polk moved for leave and presented a Bill for the promotion of learning in the County of Davidson which was read the first time passed and sent to the Senate.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

This House have added General Harrington to the Committee of Claims.

Mr. Speaker and Gentlemen:

The Senate have appointed Mr. Gillispie, General Gregory, General Rutherford and General Harrington a Committee, who will act jointly with such of your body as may be appointed to prepare and bring in a bill for establishing a militia in this State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have on our part appointed Mr. Berger, Mr. Williamson, Mr. P. Williams, Mr. Ashe and Mr. C. Hall a Committee, who will act jointly, with the Gentlemen by you appointed to prepare and bring in a bill for establishing a Militia in this State.

On motion of Mr. Williamson seconded by Mr. Person, Resolved that every Bill hereafter introduced to this house shall be first read for information, and then lie on the table until a motion shall be made for its being taken up and put on its passage, in which case it shall be read Paragraph by Paragraph and subject to debate and amendment.
Mr. Cabarrus moved for leave and presented a Bill to amend an Act passed at Hillsborough the—day of—1784 intitled an Act for appointing Collectors of the imports at the several ports of this State and for regulating the duty of Naval officers, the officers of the Customs and Masters of Vessels, the Bill was read the first time passed and sent to the Senate.

Mr. Wood moved for leave and presented a Bill for the Inspection of Tobacco in the Town of Windsor, which was read for information.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have appointed Mr. Coor, and Mr. McCullock a Committee on the part of this house to examine with such of your body as may be appointed, the Engrossed Copies of such Bills as may pass two readings in each House during the present Session.

Ordered that the following Message be sent to the Senate.

Mr. Speaker and Gentlemen:

We have appointed Mr. Skinner and Mr. S. Riddick to examine with the Gentlemen by you appointed, the Engrossed Bills.

Mr. Blount moved for leave and presented a bill to alter the place of holding the County Court of of Beaufort County from Bath to the Town of Washington in said county and to erect a new Court House, Prison, Pillory and Stocks in said County, which was read for information.

Mr. Blount presented the Petition of Sundry of the inhabitants of Beaufort County praying to have an act passed for removing the Court house of the said County.

Mr. Stewart presented a petition from Sundry the inhabitants of Moore and Chatham Counties and praying &c., which being read, Mr. Stewart moved for leave and presented a Bill to prevent the stoppage of fish from running up Cape Fear, Deep River, Haw River and Rocky River, which was read for information.

Mr. C. Hall presented the Petition of Sundry Persons in favour of Thomas Garrett which being read was referred to a joint Committee, the members chosen on the part of this house are Mr. Maclaine, Mr. Avery and Mr. Hay.

Mr. Montgomery presented the Petition of Patrick Garvey praying &c., which being read,
Mr. Montgomery moved for leave and presented a Bill for impowering the Commissioners of Wynton to let or lease a Lot out of the Town Commons for a term of years, which was read for information.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

It is the wish of this House that the General Assembly should ballot for a Governor of the State. Public Secretary, Delegates to represent this State in Congress and a Treasurer on Friday evening next at 3 O'clock, and have put in nomination for Governor His Excellency Richard Caswell Esquire, and the Honbl. John Williams Esqr. for Public Secretary James Glasgow Esquire, for Delegates William Blount, Abner Nash, Charles Johnston, Timothy Bloodworth, Nathaniel Macon, Green Hill, John Kichin and Robert Burton Esquires, and for a Treasurer Memuan Hunt Esquire; and that on the following day at 3 O'clock in the afternoon a Council of State, and the place where the next Assembly shall be held be balloted for. Should this proposal meet your approbation you will signify the same by Message.

The name of Samuel Johnston Esqr. is withdrawn from the nomination for a Governor, as is likewise the town of Tarborough from the nomination of places where the next Assembly shall be held.

Mr. Coor & Mr. Macon are appointed on the part of this House to superintend the balloting.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to ballot as by you proposed for the several officers of State, and the place at which the next Assembly shall be held. Mr. Skinner and Mr. Polk will conduct the balloting.

The House adjourned till To-morrow Morning 9 O'Clock.

Wednesday, 7 December, 1785.

The House met according to adjournment.

Mr. Skinner moved for leave and presented a Bill for appointing a treasurer in the District of Edenton for the purpose of calling to act the Commissioners for building a public Gaol in the district
STATE RECORDS.

aforesaid, which was read the first time passed and sent to the Senate.

Received from the Senate a Message from his Excellency the Governor, endorsed read and referred as by the Commons.

Received from the Senate the report of the Committee on the Petition, of Jacob Richards, endorsed in Senate read and concurred with.

Received from the Senate a resolve allowing James Miller Esquire the sum of Forty two pounds for a lost Certificate for that amount, which being read was concurred with.

Received from the Senate the following Bills, vizt:

A Bill empowering the Commissioners empowered to settle the acco's between the United States and the State of North Carolina or the creditors of the United States within the same to call Witnesses and examine the same &c.

A Bill to amend an act to establish the Town of Morgan &c.

A Bill for the Inspection of Tobacco in the County of Surry.

A Bill for the promotion of learning in the County of Davidson.

A Bill to amend an act intitled an act for the better observation and keeping of the Lords day commonly called Sunday, and for the more effectual suppression of vice and immorality, respectively endorsed in Senate, read the first time and passed.

Mr. Oliver moved for leave and presented a Bill for altering the time of holding the County Court of Bertie, which was read the first time passed and sent to the Senate.

Mr. Q. Avery moved for leave and presented a Bill to amend "an Act to impower the County Courts of Pleas and Quarter Sessions of the several Counties in this State to order the laying out public Roads and to establish and settle Ferries, and to appoint where bridges shall be built, and to clear Inland Rivers and Creeks, which was read the first time, passed and sent to the Senate.

Mr. Ferebee presented the Memorial of Isles Simmons, which being read was referred to the Committee of Claims.

The House resumed the consideration of a Resolution of the Senate allowing Capt. Robert Fenner a certain sum therein mentioned, when the same was rejected.

Mr. Ash presented the Memorial of John Eaton, which being read, was referred to the Committee of Propositions and Grievances.

Received from the Senate the resignation of Stephen Williams as
a Justice of the Peace endorsed, In Senate accepted, which being read was accepted by this House.

The Bill for annexing a part of the County of Pitt to Beaufort County, was read the second time, amended, passed and sent to the Senate.

Mr. Courtney presented the Petition of James Williams, which being read, was referred to a joint Committee, the Members appointed on the part of this House, are Mr. Nash, Mr. Person, Mr. Williamson, Mr. Lock, Mr. Blount and Mr. Folk.

Received from the Senate the following Bills, vizt:

A Bill for appointing and laying out a Town on New River at or near Oneslow Court House on the Lands of William Wantland, deceased.

A Bill directing the duty of the Naval officers and of all Masters of Vessels coming into any of the Ports or inlets in this State, endorsed in Senate, read the first time and passed.

Mr. Maclaine presented the Petition of Anne Howard, Executrix of the last Will and Testament of the late Martin Howard Esquire, which being read was referred to the Committee appointed on His Excellency, the Governor’s Message and State papers.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We do not concur with the report of the joint Committee to whom was referred the Memorial of Mr. James Flemming, Mercht, of Wilmington as it now stands, but propose that it be amended by expunging that part thereof opposite which in the Margin is the Letter A, should you think proper to make this amendment, the Senate will then concur with the report.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to the amendment by you proposed to be made in the report of the Committee on the Petition of Mr. Flemming and have made the report conformable.

The Bill for the relief of the Officers Soldiers and Seamen who have been disabled in the service of the United States during the
late War, was read the second time, amended, passed and sent to the Senate.

Ordered that the Bill empowering Thomas Polk to convey certain Lands in Mecklenburg County be committed to Mr. Lock, Mr. Polk, Mr. Avery and Mr. Phifer for amendment.

Mr. Maclaine presented the Petition of divers of the Inhabitants of Wilmington, Members of the Protestant Presbyterian Church, which being read.

Mr. Maclaine moved for leave and presented a Bill for incorporating the Protestant Presbyterian Church of Wilmington, which was read for information.

The Bill for the Inspection of Tobacco in the Town of Windsor, was read the first time, passed and sent to the Senate.

The Bill for impowering the Commissioners of the Town of Wynston to let or lease a lot out of the Town Commons for a Term of years was read the first time and rejected.

The Bill to amend the several Acts heretofore passed for regulating the Town of Wilmington, was read the first time, amended, passed and sent to the Senate.

An additional Bill to an act instituted an act for raising a Public revenue for the support of Government, and to repeal an act to suppress excessive Gaming, was read the first time, amended, passed and sent to the Senate.

The Bill to impower the several County Courts within this State to establish and lay off Towns at their discretion, was read the first time, passed and sent to the Senate.

The Bill to preclude certain Foreigners, therein mentioned from holding any office of profit or trust in this State unless for meritorious services, was read the first time, passed and sent to the Senate.

The Bill for levying a Tax for the support of Government and to continue the redemption of Continental Money, old paper currency, Specie and other Certificates, was read the first time, passed and sent to the Senate.

The Bill to prevent any person from stopping ways leading to houses of religious Worship, was read the first time, passed and sent to the Senate.

The Bill empowering the Commissioner empowered to settle the accts. between the United States and the State of North Carolina or
the creditors of the United States within the same, to call Witnesses and examine the same upon oath or affirmation touching the said acts. was read the second time, passed and sent to the Senate.

Mr. Maclaine presented the Petition of Robert Simons, which being read, was referred to the Committee of Propositions and Grievances.

Received from the Senate the Memorial of John Eaton, the Petition of Ann Howard, Executrix, &c., and the Memorial of Isles Simmons, respectively endorsed, In Senate read & referred as by the Commons.

Received also the petition of James Williams endorsed In Senate, read and referred to Mr. Lightfoot, General Rutherford, Mr. Macon & Mr. Coor.

Mr. Tisdale presented the Memorial of George Alston, which being read was referred to a joint Committee. The Members chosen on the part of this House are Mr. P. Hawkins and Mr. Williams and Mr. Skinner.

Received from the Senate a Resolve of that house allowing Ambrose Ramsey, Esqr., Administrator, &c., the sum of ninety-five pounds, four shillings & four pence, which being read and concurred with.

The Bill for levying a Tax in the district of Halifax to discharge a balance due for repairing the Court House and Jail of said District, was read the first time, passed and sent to the Senate.

Received from the Senate a resolve of that house allowing George Lamkin the sum of Thirteen Pounds, Ten Shillings, which being read was concurred with.

Received from the Senate the following Bills, vizt.:

A Bill to secure and quiet in their possession all such persons, their Heirs and assigns, who have purchased or may hereafter purchase Lands and Tenements, Goods and Chattels which have been sold, or may hereafter be sold by Commissioners of forfeited Estates legally appointed for that purpose.

A Bill for establishing a Town in Duplin County on the Lands of William Houston, Senior.

A Bill for appointing a Treasurer in the District of Edenton for
the purpose of calling to acct. the Commissioners for building a Public Gaol in the District aforesaid.

A Bill for altering the time of holding the County Court of Bertie.

A Bill to erect and establish a Public School in the County of Duplin respectively endorsed In Senate, read the first time and passed.

On motion of Mr. Skinner, seconded by Mr. Maclaine, Resolved that our late Governors who have not as yet rendered their acct. our late Continental Delegates and the Superintendents for emitting the late paper currency, be required to lay their respective Accts. before the present General Assembly for their inspection.

Resolved, that it be recommended to the Grand Committee to sit from day to day by regular adjournment until the business before them be completed and that they daily report their proceedings.

On motion of Mr. Philemon Hawkins, seconded by Mr. Maclaine, Resolved, that no private Bill be received after Saturday next except such as shall be introduced in pursuance of the report of a Committee.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We concur with the report of the joint Committee to whom were referred the several Messages from his Excellency the Governor addressed to the General Assembly, &c., the State and other papers accompanying them, in every respect as it was concurred with by your house and have appointed Mr. Coor, Genl. Harrington and Mr. Lightfoot a Committee who will act jointly with the Gentlemen by you appointed to prepare and bring in a Bill for altering the Courts of Law.

Received also the report of the Committee to whom was referred the Message and State and other papers above alluded to which report agreed to is in the words following:

Your Committee are of opinion that for the more speedy trial of causes and dispatch of business in the several Judicial departments and more effectual administration of Justice several alterations and amendments are necessary and your Committee recommend the following plan:
That a single Justice of the Peace have cognizance of all sums not exceeding Ten pounds saving to the parties the right of appeal to the County Court.

That the County Court have the unlimited Jurisdiction in civil actions saving to the parties a right of appeal to the Superior Court.

That the Jurisdiction of the several Superior Courts in civil matters and pleas of the State remain nearly as at present with the addition of three more Judges.

That the time for holding the Superior Courts for the several Districts be so fixed that three may begin at a time each held by two Judges who shall proceed in the respective ridings at the same time.

That the Term be enlarged to fifteen or twenty days.

That at the end of every circuit all the said Judges shall compose a Court for the Tryal of appeals, writs of error, and other matters of Law reserved from the Superior Courts and also Courts of Equity.

That not more than one attorney shall be allowed to speak at Bar on the part of either plaintiff or defendant in any suit commenced in the County Court.

That on Judgments given by any Justice of the Peace the following rules shall be observed, viz.: for all sums of forty shillings or under, twenty days stay of execution, for all sums from forty shillings to five pounds inclusive sixty days stay of execution and for all sums from five pounds to ten pounds inclusive one hundred and twenty days stay of execution, the Justice observing to take sufficient security before the stay of execution is granted and provided the amount of the Judgment with lawful Interest from the date it is obtained be not paid at the time limited execution shall issue against principal and securities for the amount of the Judgment, Interest and Costs.

That it would tend to the General advantage of the State that all the Laws now in force in the State should be published in one or more Books. That the most eligible plan for accomplishing the same will be to advance to some individual a sum of money to enable him to collect and publish said Laws and to be invested by Law with the exclusive right of publishing and selling the same and in a certain limited time refund the said sum of money and
that copies of Laws which have passed since the year 1774 inclusive
be first printed in a separate volume.

A Bill for the relief of the Officers, Soldiers and Seamen who have
been disabled in the service of the United States during the last
War.

TH. PERSON, Ch.

The House adjourned till To-morrow Morning, 10 O'clock.

THURSDAY, 8 DECEMBER, 1785.

The House met according to adjournment.

Received from the Senate the following Bills, vizt.:

A Bill for the inspection of Tobacco in the Town of Windsor.

A Bill to prevent the distillation of Spirituous Liquors from grain
in the County of Davidson for a limited time.

A Bill to amend an act to impower the County Court of Pleas and
quarter Sessions of the several Counties in this State to order the
laying out publick Roads and to establish and settle Ferries and to
appoint where bridges shall be built and to clear Inland Creeks and
Rivers respectively endorsed In Senate, read the first time and
passed.

Received from the Senate the Resolve of that House suspending
from the office of a Justice of the Peace Thomas Espey of Lincoln
County, which being read was concurred with.

Received from the Senate a Resolve of that House impowering
His Excellency the Governor to Grant warrants on the Treasury in
favour of the District Auditors and their Clerks for services, which
being read was concurred with.

 received from the Senate the following Message:

Mr. Speaker & Gentlemen:

This House approve of this proposition of yours for amending the
resolution of the General Assembly in favour of John Parks and
have inserted the amendment accordingly.

Received from the Senate a Resolve of that house disqualifying
Robert Norris of Franklin County from exercising the office of a
Justice of the Peace which being read was concurred with.

Received from the Senate the report of the Committee on the Me-
memorial of James Fleeming, Merch. in Wilmington concurred with, by that house.

The Bill for altering the place for holding Courts and other public meetings in the County of Wayne, and for removing the Court House and Prison from West point to where John Fleetwood now lives, was read the first time, passed and sent to the Senate.

On motion of Mr. Person, seconded by Mr. Sloan, Resolved that his Excellency the Governor be requested to lay before this House a list of Warrants by him granted since the commencement of his administration which list shall specify the name of the parties to whom the warrants were granted, and the amount of the sum contained in each warrant.

Mr. Dickens moved for leave and presented a Bill to amend an act entitled an act for raising a public revenue for the support of Government, which was read the first time, passed and sent to the Senate.

The Bill for adding part of Craven County to Dobbs County, was read the first time, passed and sent to the Senate.

Mr. Person from the Committee to whom was referred the Petition of William Linton Reported as follows, to wit:

That they have considered the same together with the resolution of the General Assembly and the Governor's pardon in consequence thereof, and find that the resolution and pardon exonerates said William Linton in express terms from all pains, penalties, fines, forfeitures whatsoever upon the prosecution against him on account of his being supposed to be accessory to the Murder of Michael Quinn.

Your Committee also find that William Linton having forfeited his recognizance before the Pardon was issued has been compelled to pay for his own account and for account of his Securities to the Sheriff of Halifax County four hundred Pounds, from which forfeiture your Committee believe it was the resolution of the General Assembly that he should be exonerated; Wherefore your Committee recommend that the Sheriff of Halifax County be directed to refund the said four hundred Pounds to the said William Linton and his Securities, and that this report being concurred with by both Houses of Assembly shall be a sufficient Justification to him and discharge for that sum.

THOMAS PERSON, Chr.
The House taking the said Report into consideration concurred therewith.

Mr. Person from the Committee to whom was referred the Memorial of Samuel Lockhart delivered a report, which being read was rejected.

Mr. Polk moved for leave and presented a Bill for the Inspection of Tobacco in the Town of Nashville, which was read the first time, passed and sent to the Senate.

The Bill for appointing a Treasurer in the District of Edenton for the purpose of calling to account the Commissioners for building a Public Gaol in the District aforesaid, was read the first time, passed and sent to the Senate.

The Bill to impower Robinson Mumford, Esq., and James Porterfield to receive their storage for Tobacco inspected and deposited in their Warehouse at Fayetteville, was read the first time, passed and sent to the Senate.

Mr. Nash moved for leave and presented a Bill to appoint and enable ——— to collect and publish in one or more Volumes all the acts of the General Assembly which are now in force in this State, which was read for information.

The Bill to impower the Justices of Hertford County to establish free Ferries in the said County and lay a Tax for defraying the charges thereof, was read the second time, passed and sent to the Senate.

The Bill to impower the County Court of Johnston to levy a further Tax on the Inhabitants of said County, for defraying the expense of Building the Court House, Prison and Stocks, was read the second time, passed and sent to the Senate.

The Bill to amend an act passed at Hillsborough for regulating the Town of Halifax was read the second time, passed and sent to the Senate.

The Bill to amend an act to establish the Town of Morgan, and to direct the building a Court House and Prison in the same for the District of Morgan, was read the second time, passed and sent to the Senate.

The Bill to prevent the stoppage of Fish from running up Cape Fear River, Haw River and Rocky River was read the first time, passed and sent to the Senate.
The Bill for the Inspection of Tobacco in the County of Surry, 
was read the second time, passed and sent to the Senate.

Mr. Nash presented the Petition of Doctor Robert T. Hornby, 
which being read was referred to the Committee appointed on His 
Excellency the Governor's Message and State papers.

The Bill for the promotion of learning in the County of David-
son, was read the second time, amended, passed and sent to the 
Senate.

Mr. Tisdale moved for leave and presented a Bill to repeal the 
fourth Section of an act of the last General Assembly, intituled an 
Act to explain, amend and supply the deficiencies of an Act passed 
last Assembly at Hillsborough, intituled an Act to regulate the 
descent of real Estates, to do away any Entails, to make provision for 
Widows and prevent frauds in the execution of last Wills and Testa-
ments and for directing how deeds of Gift and Bills of Sale of 
Slaves shall be executed, authenticated, perpetuated, which was read 
for information.

The Bill for incorporating the Protestant Presbyterian Church of 
Wilmington was read the first time, passed and sent to the Senate.

Received from His Excellency the Governor the following Mes-
 sage:

To the Honorable the General Assembly:

Gentlemen:  
As I understand the election of Delegates to represent this State 
in Congress the ensuing year is to come on tomorrow, I conceive it 
to be my duty to lay before you, the letter herewith from Mr. Sit-
greaves.

RD. CASWELL.

At the same time received the letter above referred to, which be-
ing read was sent to the Senate.

Ordered that Mr. Isler have leave to absent himself from the ser-
vices of this House until Monday next.

Ordered that Mr. Williams have leave to withdraw for amend-
ment the Bill to allow a further time for saving Lotts in the several 
Towns in this State.

The Bill to appoint, collect and publish in one or more volumes 
all the acts of the General Assembly which are now in force in this 
State, was read the first time passed and sent to the Senate.
STATE RECORDS.

Received from the Senate the following Bills, vizt.:

A Bill for the inspection of Tobacco in the Town of Nashville endorsed in Senate, read the first time and passed. A Bill to preclude certain foreigners therein mentioned from holding any office of profit or trust in this State unless for meritorious services, endorsed in Senate, read the second time and passed.

Mr. Blount moved for leave and presented a Bill declaring the Lots in the Town of Washington, also the several Lots in this State which have been sold by the Commissioners of Confiscated property saved Lots which was read the first time, passed and sent to the Senate.

Received from the Senate a Bill to amend an act passed at Hillsborough the 27 of October, 1784, Intitled an act for appointing Collectors of the Imports at the several Ports of this State and for regulating the duty of the Naval officers, the officers of the Customs and Masters of vessels, endorsed, In Senate read the first time & passed.

The Bill to amend an act to empower the County Courts of Pleas and Quarter Sessions of the several Counties in this State to order the laying out public Roads, and to establish Ferries and to appoint where bridges shall be built, and to clear Inland Rivers and Creeks, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the Memorial of George Alston, endorsed, In Senate read and referred on the part of the Senate to Mr. Lewis, Mr. Hill, Mr. Moore, and Genl. Rutherford.

Received from the Senate the Petition of Robert Simms, endorsed, In Senate read & referred as by the Commons.

Received from the Senate the following Resolves, vizt.:

A Resolve recommending the Grand Committee to sit from day to day, &c., a Resolve requiring the late Governors, Continental Delegates & superintendents for emitting the late paper currency, to lay their acts, before the Assembly, &c., a Resolve for receiving no private Bills, &c., respectively concurred with.

Received from the Senate the Petition of sundry Persons in favour of Thomas Garrett, endorsed In Senate, read and referred to General Skinner, and Mr. Riddick.
Received from the Senate an additional Bill to an act intituled
an act for raising a public revenue for the support of Government,
and to repeal an act intituled an act to suppress excessive gaming
endorsed, In Senate read the second time and passed.
Mr. Williamson moved for leave to prepare and bring in a Bill
for recovering part of the Artillery belonging to this State.
Ordered that he have leave accordingly.
The House adjourned til Tomorrow 3 O'clock P. M.

FRIDAY, 9 DECEMBER, 1785.

The House met according to adjournment.

Mr. Skinner from the joint ballot for a Governor, Secretary,
Public Treasurer and Delegates to represent this State in Congress,
Reported, That by a Majority of the votes of both Houses of the
General Assembly Richard Caswell, Esqr., was elected Governor,
James Glasgow, Esquire, Secretary, Memucan Hunt, Esquire, Treas-
urer, Abner Nash, Robert Burton, William Blount, Charles John-
ston, Timothy Bloodworth and Nathaniel Macon, Esquires, Dele-
gates.
The House taking the said Report into consideration Concurred
therewith.
The House adjourned til Tomorrow Morning 10 O'clock.

SATURDAY, 10 DECEMBER, 1785.

The House met according to adjournment.

Mr. Williamson moved for leave and presented a Bill for enabling
the Comptroller to settle all claims against the State for services per-
formed during the war, which was read for information.
Mr. Williamson according to order presented a Bill for recovering
part of the Artillery belonging to this State, which was read for in-
formation.
Mr. Williamson moved for leave and presented a Bill for the re-
 lief of Widows or Children of Officers who have died in the service
of the United States, which was read for information.
The Bill to alter the place of holding the County Court of Beaufort County from Bath to the Town of Washington in said County, and to erect a new Court house, Prison, Pillory and Stocks in said County, was read the first time, passed and sent to the Senate.

Received from His Excellency the Governor the following Message:

To the Honourable the General Assembly:

Gentlemen:

I have the honor to lay before you sundry dispatches received by the last Post, vizt:

No. 101. A Letter from the Secretary of Congress respecting the settlement of Claims of the Army, against the United States.

102. Resolve of Congress on the same subject.

103. A Letter from Mr. Pierce, Paymaster, respecting Army Certificates.

104. Resolve of Congress on the same.

105. A Letter from the Secretary of Congress on the representation of the States.

106. Copy of a Letter from the Secretary for Foreign Affairs to the Secretary of Congress on the subject of representation.

The two latter Letters appear to me to require your immediate attention.

RD. CASWELL.

Newbern, 10th December, 1785.

At the same time received the Letters, &c., referred to in the foregoing Message from his Excellency the Governor, which being read.

Ordered that the two Letters No. 105 & 106 relative to the representation in Congress, be referred to the Committee on the Letter from Mr. Bloodworth; the other Letters, &c., to the Committee on His Excellency the Governor's Message and State papers.

The additional Bill to an act intituled an act for raising Public revenue for the support of Government, and to repeal an act intitled an act to suppress excessive gaming, was read the second time, passed and ordered to be Engrossed.

Mr. Hinton moved for leave and presented a Bill for confirming
titles of land therein described, which was read the first time, passed & sent to the Senate.

The Bill to allow a further time for saving Lots in the several Towns within this State, was read the second time, amended, passed & sent to the Senate.

Mr. Avery moved for leave and presented the two following Bills which were read for information, viz.: A Bill to extend the lines between Burke and Rutherford Counties.

A Bill for Inspection of Tobacco in certain Western Counties.

The Bill to prevent the distillation of Spirituous liquors from grain in the County of Davidson for a limited time, was read the first time, passed & sent to the Senate.

Mr. B. Williams presented the Petition of James Lockhart praying, &c., which being read was referred to the Committee of Propositions & Grievances.

Received from the Senate the Engrossed Copy of an additional bill to an Act for raising a public revenue for the support of Government, and to repeal an Act Intituled an Act to suppress excessive Gaming, endorsed In Senate 10 December, read the third time and passed.

Ordered that this Bill be read the third time in this House. The same was accordingly read the third time & passed and ratified.

Received from the Senate the following Bills, viz.:

A Bill for incorporating the Protestant Presbyterian Church of Wilmington.

A Bill to appoint and enable ——— to collect and publish in one or more volumes all acts of the General Assembly which are now in force in this State.

A Bill to amend the Act for making provision for the poor, respectively endorsed, In Senate, read the first time and passed.

Received also, a Bill for adding part of Craven County to Dobbs County endorsed in Senate, read the second time and passed.

Mr. Maclaine moved for leave and presented a Bill to amend the acts passed for purchasing a lot or lots in the Town of Wilmington, for the purpose of building a Jail for the district of Wilmington & for repairing the Court House of the said District, which was read for information.
Mr. Williamson moved for leave and presented a Bill for the regulation of Commerce, which was read the first time, passed and sent to the Senate.

Received from the Senate the Report of the Committee on the Petition of William Linton, and the Resolve of this House, requesting his Excellency the Governor to lay before the house a list of Warrants, respectively concurred with.

The Bill for establishing a Town in Duplin County on the Lands of William Houston, Scer., was read the first time, passed and sent to the Senate.

Mr. Diggs moved for leave and presented a Bill to impower the wardens of the poor to call to account all former Sheriffs, Clerks of County Courts and other persons who have not accounted for taxes and fines by them received, which are appropriated or intended for the support of the poor, which was read the first time, passed and sent to the Senate.

Received from the Senate the Petition of William King, endorsed, read and referred to the Committee of Propositions and Grievances, which being read was referred as by the Senate.

Received also the Petition of Doctor Robert T. Hornby, endorsed, read and referred as by the Commons.

The Bill for erecting and establishing a Town in the County of Bertie by the name of Millford, was read the second time, and laid over until the next Assembly.

The Bill for altering the time of holding the County Court of Bertie, was read the second time, amended, passed and sent to the Senate.

The Bill for adding part of Craven County to Dobbs County was read and laid over until the next Assembly.

Received from the Senate the Claims of William Webb and Conyers White, endorsed in Senate, read & referred to Genl. Harrington, General Rutherford, Mr. Bryan and Mr. Macon, which being read was referred on the part of this House to Mr. Neale, Mr. Martin, Mr. R. Riddick & Mr. Bonds.

Mr. Polk moved for leave and presented a Bill to establish a Town in the fork of the Cumberland and Red River on the East side of Red river in Davidson County, which was read the first time, passed and sent to the Senate.

Mr. Cabarrus moved for leave and presented a Bill to regulate the Town of Edenton, which was read for information.
The Bill for the better regulation of the Town of Tarborough, was read the second time, amended, passed and sent to the Senate.

The Bill for inspection of Tobacco in Certain Western Counties, was read the first time, passed and sent to the Senate.

Mr. Williamson moved for leave and presented a Bill for incorporating the Protestant Episcopal Church in the County of Chowan, which was read for information.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose to send an address to his Excellency Governor Richard Caswell, Esqr., informing him of his reappointment, &c.

Likewise we have added Mr. James Gillispie and Mr. Guilford Dudley to the nomination for Members of the Council of State.

At the same time received the address above referred to, which being read was agreed to, and Mr. Blount and Mr. B. Williams appointed on the part of this House to wait upon his Excellency with the same.

Ordered, that Mr. J. Blount, Mr. West and Mr. Coleman have leave to absent themselves from the service of this House until Tuesday next.

The Bill for establishing and erecting a Town in the County of Lincoln was read the Second time, amended, passed and sent to the Senate.

Resolved that the claim of Mr. Avery for services performed as Attorney General be referred to the Committee of Claims.

Mr. Person from the Committee to whom was referred his Excellency the Governor's Message &c., delivered in the following report, vizt:

Your Committee on examining the Journals of the Council since the commencement of the administration of the present Governor find that the following warrants have been issued vizt:

No. 1. In favour of Patrick Cleary in lieu of one granted by the General Assembly. £1425.8—

2. In favour of the Honbl. Wm. Blount to enable him to enter on the duties of the office of Delegate. £256—

3. In favor of the Honbl. William Blount as agent to attend the Treaty to be held by the
Continental Commissioners with the So. Indians for which he is to be accountable. £160.—

4. In favour of his private Secretary for defraying the expenses of express for which he is accountable. £118—9.—

5. In favour of his private Secretary to discharge such draughts as may be made by the Commissioners for holding Treaties with the Indians. £1733.6—8

6. In favor of John Hunt, Esqr., for the purpose of getting the Laws of this State printed in Virginia. £200.—

7. In Favour of the Honbl. Wm. Blount for defraying the expence Transporting the Goods appropriated by an act passed at Hillsboro in May, 1783, intituled an act for appointing an agent and holding a Treaty with the Cherokee Indians, and for other purposes, for which sum he is to account. £1 000.—

8. In favour of Thomas Davis to enable him to procure paper for printing the Laws. £5 0. Amota. of Warrants issued. £4943—3—8

And are of the opinion that it appears by the Journals now on your table that the Governor in all those cases have been directed by the advice of his Council.

THOMAS PERSON, Chn.

The House adjourned till 3 O’Clock P. M.

The House met according to adjournment.

Ordered that Mr. Carroll and Mr. McDaniel have leave to absent themselves from the service of this House for three Days and Mr. Singleton until Tuesday next.

Mr. Polk from the Joint ballotting for a Council of State, and the place at which the next Assembly shall be held, Reported.

That, James Gillispie, Joseph Leech, John Hawks, John Spicer and Doctr. William McClure, Esquires, were Elected Members of the Council of State by a Majority of the votes of the two Houses of the General Assembly.
That there is yet to be ballotted for, two Councillors and the place at which the next Assembly shall be held.

The House taking the said Report into consideration concurred therewith.

The House adjourned til Monday Morning ½ after 9 O'Clock.

MONDAY, 12 DECEMBER, 1785.

The House met according to adjournment.

Mr. Davis Flowers, one of the Members for Brunswick County appeared, was qualified and took his seat.

Received from the Senate the following Bills, vizt:

A Bill to amend an act for establishing a Town on the lands of Richard Evans, &c.

A Bill to ratify and confirm a judgment of Duplin County Court in favor of John Sampson Young.

A Bill to erect a District court of Law and Equity at Fayetteville and other purposes.

A Bill for laying out a Town on the lands of Jesse Peacock in the County of Sampson.

A Bill to vest the estate of Richard Caswell, Junr., in Trustees for the benefit of his creditors.

A Bill for establishing an Academy at Kinston in the County of Dobbs.

A Bill to amend the several acts heretofore passed for regulating the Town of Wilmington.

A Bill for Inspection of Tobacco in certain Western Counties.

A Bill to prevent the stoppage of fish from running up Cape Fear River, Deep River, Haw River and Rocky River.

A Bill to establish a Town in the fork of the Cumberland and Red river on the East side of Red river in Davidson County respectively endorsed in Senate, read the first time and passed.

Received also a Bill for levying a Tax in the District of Halifax to discharge a balance due for the repairing the Court house and Jail of said District, endorsed in Senate, read the second time and passed.

Received from the Senate the Report of the Committee for destroying Money, endorsed, read and Concurred with, which being read was concurred with by this House.
STATE RECORDS.

Received also a Message from his Excellency the Governor with sundry Letters and Resolutions of Congress, respectively endorsed, read and referred as by the Commons.

Received also the Accts. of the Honbl. Richard Dobbs Spaight, Esquire, as Delegate from this State in Congress, endorsed in Senate, read and referred to a special Committee. The members chosen are Mr. Harrington and Mr. Lightfoot, which being read was referred on the part of this house to Mr. Polk Mr. Dickens, Mr. Thomas and Mr. Montfort.

Mr. Williamson from the Committee appointed to consider the most expeditious mode by which the Laws and Journals may be printed Reported.

That the several Printers in Newbern have delivered in their proposals for printing the Laws and Journals which are herewith submitted to the consideration of the General Assembly.

                 HUGH WILLIAMSON, Chn.

On motion of Mr. Person, seconded by Mr. Williamson, Resolved that this House do accept the proposals of Arnett and Hodge for dispatching the whole of the public printing of this State and binding paper for the sum of five hundred Pounds per year.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen.

This House propose if agreeable to the House of Commons to proceed immediately to the election of two Delegates to represent this State in Congress the present year, two Councillors of State and the place at which the next Assembly shall sit, and put in nomination for Delegates, William Cumming and John B. Ashe, Esquires.

For Councillors, Spier Singleton, Green Hill, Joseph Green, Guilford Dudley, Doctor King and Abraham Shepard, Esquires; for the place at which the next Assembly shall sit NewBern and Fayetteville.

Ordered that the following Message be sent to the Senate.

Mr. Speaker and Gentlemen:

We agree to ballot immediately for two Delegates, to serve for the

17—22
remainder of the present year in the room and stead of Mr. Spaight and Mr. Osborn who have declined serving. For the place of holding the next Assembly and the Councillors, Mr. Ashe has directed his name to be withdrawn from the nomination for Delegate. We add to your nomination for Delegates James White, Esquire and William Waters, Esquire.

Mr. Polk from the joint Balloting for two Delegates, two Councillors and the place for holding the next General Assembly at:

Reported that William Cumming and James White Esquires, were Elected Delegates, and Green Hill, Esquire Councillor by a majority of the votes of the two houses of the General Assembly and that Fayetteville had a majority of votes for the place to hold the next Assembly at.

That there is yet one Councillor to be elected.

The House taking the said Report into Consideration Concurred therewith.

The Bill for laying out a town on the Lands of Jesse Peacock in the County of Sampson, was read the first time passed and sent to the Senate.

Ordered that Mr. Ashe and Mr. Neale be appointed with two Members of the Senate to wait upon His Excellency the Governor and acquaint him that the General Assembly was ready to receive him at the State House in order to see him qualify as Governor of the State agreeable to the vote of Saturday last.

Mr. Ashe and Mr. Neale with the two Gentlemen appointed by the Senate accordingly waited upon His Excellency Richard Caswell, Esquire and conducted him into the Council Chamber, where the Senate and Commons had previously assembled, and in their presence he qualified as Governor of the State, by taking and subscribing the State oath, and also an oath of office.

The Bill to alter the manner of holding Elections for Member of the General Assembly for New Hanover County was read the first time, passed and sent to the Senate.

Mr. Hay moved for leave and presented a Bill for increasing the number of judges, for dividing the Superior Courts into different Circuits, and for establishing a Court for the decision of Appeals, and Writs of Error in matters of Law and causes in Equity, which was read the first time, passed and sent to the Senate.
The Bill for the relief of the Widows or Children of officers who have dyed in the service of the United States was read the first time, passed and sent to the Senate.

The Bills for recovering part of the Artillery belonging to this State, was read the first time, passed and sent to the Senate.

Mr. Avery moved for leave and presented a Bill directing the mode of levying Executions which was read for information.

The Bill for erecting a Town on the Lands of Whitmill Hill in Martin County, was read the second time, amended passed and sent to the Senate.

Received from the Senate the following Engrossed Bills, vizt:

A Bill for impowering the Commissioners of the Town of Edenton to convey part of the Town Common to the Trustees of Smith's Academy.

A Bill for the relief of the Officers, Soldiers and Seamen who have been disabled in the service of the United States during the late War.

A Bill to establish the Town laid off at Guilford Court House by the name of Martinville.

A Bill to impower the Justices of Hertford and Tyrrell Counties to establish free Ferries in the said Counties and lay a tax for defraying the charges thereof.

A Bill to impower the County Wardens of the poor for the Counties therein mentioned to build houses in their respective Counties for the reception of the poor and other purposes.

A Bill for establishing a Town on the Lands of Mial Scurlock deceased in Chatham County.

A Bill to amend an act intitled an act for opening the Land office and other purposes.

A Bill for dividing the County of Guilford.

A Bill for securing Literary property.

The Bill impowering the Commissioners of the Town of Edenton to convey part of the Town Common to the Trustees of Smith's Academy, was read the third time, passed and sent to the Senate.

Ordered that Mr. Bonds have leave to absent himself from the service of this House after the 17th Instant.

The House adjourned til 5 O'Clock P. M.

The House met according to adjournment and adjourned til Tomorrow Morning 10 O'Clock.
The House met according to adjournment.

Mr. Williamson presented the Memorial of Doctr. Charles Pasteur, which being read was referred, to a joint Committee. The Members chosen on the part of this House, are Mr. Williamson, Mr. P. Hawkins and Mr. B. Williams.

The Sheriff of Hyde County certified that Thomas Jordan was re-elected, as a member to represent the said County in this House, whereupon Mr. Jordan appeared was qualified and took his seat.

Mr. Oliver presented the Petition of Thomas Flinn, which being read was referred to the Committee of Propositions, and Grievances.

Received from the Senate the following Bills, vizt:

A Bill to alter the manner of holding elections for members of the General Assembly for New Hanover County.

A Bill for appointing a register for registering Grants for Lands lying west of the Cumberland Mountain, &c.

A Bill for the more speedy determining disputes that hath arisen or hereafter may arise from erecting Milldams, &c. A Bill for the regulating of Commerce.

A Bill to alter the times of holding several County Courts of Pleas and Quarter Session in this State.

A Bill to prevent any person from stopping ways leading to houses of religious worship.

A Bill to impower the Wardens of the poor to call to account, all former Sheriffs, Clerks of County Courts and other persons who have not accounted for taxes and fines by them received which are appropriated and intended for the support of the Poor.

A Bill to vest the title of a piece or parcel of Land lying in Granville County in James Cash, &c., respectively endorsed, In Senate, read the first time and passed.

Received from the Senate the Resolve of this House referring the Claim of Mr. Avery to the Committee of Claims, Concurred with.

The Bill for establishing a Town on the Lands of Mial Scurlock, Deceased, in Chatham County was read the third time, passed and sent to the Senate.

The Bill for the dividing of the County of Guilford, was read the third time, passed and sent to the Senate.
The Bill for securing Literary property was read the third time, passed and sent to the Senate.

The Comptroller, General, agreeable to a former order of the General Assembly laid before this House a statement of the acct. of this State against the United States together with the following report, viz.:

In this book is contained all the charges against the United States up to November, 1780, taken from the Journals of Councils of safety, Committees of Claims, &c., by which it is to be observed that, after deducting the sum of £146,766.16.5½ the amount of sundry credits given the United States, as in Page 229, from £781,341.4.9½ the amount brought forward to page 130, there will remain due to the State the sum of £634,574.8.4.

To which we may suppose to be added ½ of the balance of the account for Certificates, &c., issued by the Auditors, Comptrollers, &c., as per accounts herewith rendered, which is,

\[
\begin{align*}
769,664.3.3. & \\
\text{which two sums amount to} & = £1,404,238.11.7
\end{align*}
\]

To which we may add for sundry allowances made by the Commissioners for settling with the affairs and Soldiers of the Continental Line and other Accounts which have not as yet been returned to the Comptrollers office the sum of £150,000—

making in the whole the sum of £1,554,238.11.7 of one million five hundred and fifty four thousand two hundred and thirty Eight pounds, eleven shillings and seven pence Specie, to the credit of the State of North Carolina in account with the United States.

The Comptroller begs leave to inform the Honorable Assembly that, the reason why further progress has not been made in these accounts is, that after they had been gone on with a considerable way by distinguishing the Militia from the Continental charges, the Assembly by their resolution dated 31st May, 1784, Resolved, that the Comptroller should intersperse the Militia with other charges. This in the accounts now before you is done, but as the Instruction from the Board of Treasury, to the Commissioner appointed to settle with this State are to settle all accounts in Dollars and nine-
tieths, the Comptroller apprehends that the whole of the accounts of this State are to be begun anew, but on this, he wishes to have the direction of the Honorable House of Assembly.

FRANS. CHILD, Comptr.

Ordered that the Statement of the acco'ts above referred to and the report of the Comptroller, be referred to the Committee appointed on the Treasurer's acco's.

The Bill to erect a District Court of Law and Equity at Fayetteville, was read the first time, amended, passed & sent to the Senate.

The Bill to establish the Town laid off at Guilford Court House by the name of Martinville was read the third time, passed and sent to the Senate.

The Bill to amend an Act Intitled an Act for opening the Land office and other purposes, was read the third time, passed and sent to the Senate.

The Bill to impower the Justices of Hertford and Tyrrell Counties to establish free Ferries in the said Counties and lay a Tax for defraying the charges thereof, was read the third time, passed & sent to the Senate.

The Bill to impower the County Wardens of the Poor for the Counties therein mentioned, to build Houses in their respective Counties for the reception of the Poor and other purposes, was read the third time, passed and sent to the Senate.

The Bill for the relief of the Officers, Soldiers and Seamen, who have been disabled in the service of the United States during the late War, was read the third time, passed and sent to the Senate.

The Bill for appointing Commissioners in the County of Rutherford for building a Court House, prison and stocks in the said County, and for levying a Tax for defraying the expence thereof, was read the first time, passed and sent to the Senate.

The Bill to establish a Town in the fork of the Cumberland and Red river on the East side of Red river in Davidson County was read the second time, passed and sent to the Senate.

The Bill for the Inspection of Tobacco in the Town of Nashville was read the second time, passed and sent to the Senate.

The Bill to establish a Town on the Lands of Thomas Duggan in the County of Randolph, was read the first time and rejected.
The Bill to defray the expence of the Members of the General Assembly of this State in traveling to, from and attending at the said Assemblies and for making allowance to the Clerks & Waiters was read the first time and rejected.

Mr. Avery in behalf of himself and others moved for leave to enter reasons of dissent against the vote of the House in rejecting the above Bill.

Ordered that he have leave accordingly.

The Bill for the Inspection of Tobacco in the Town of Windsor, was read the second time, passed and sent to the Senate.

The Bill for Inspection of Tobacco in certain Western Counties was read the second time, passed & sent to the Senate.

Received from the Senate the Memorial of General Rutherford, endorsed In Senate 13 Decr., 1785, read and referred to a joint Committee. The Members on the part of this House are General Harrington, Mr. McCawley and Mr. Gillispie, which being read was referred on the part of this House to Mr. Skinner, Mr. Lock, Mr. McKissick and Mr. Person.

Received from the Senate a Bill for levying a tax for the support of Government and to continue the redemption of Continental Money, old paper Currency, Specie and other Certificates, endorsed, "In Senate read the second time, amended and passed."

1st Order.

Ordered that the bill for the regulation of Commerce, be read the second time in this House tomorrow.

On motion of Mr. Hay, seconded by Mr. Maclaine, Resolved, that the Public printer be directed to furnish the Members of this House with the Acts of last Session of Assembly.

The Bill for appointing a Register for registering Grants for Lands lying West of the Cumberland Mountain entered in the Land office with John Armstrong, Esquire, and for other purposes.

Mr. Person from the Committee to whom was referred the Petition of James Williams delivered in a report, on the said Petition which being read was rejected.

Received from the Senate the Memorial of Charles Pasteur, endorsed In Senate 13 Decr., 1785, read and referred on the part of this House to Mr. Payne, Mr. Alexander and Mr. Hill.

Received also the Petition of Edmund McNeal, endorsed, "In Senate the 13 Decr., 1785, read & referred to the Committee of
Propositions and Grievances," which being read was referred as by
the Senate.

Received from the Senate a Message proposing to appoint a joint
Committee to prepare and bring in "a bill to amend and explain
the ambiguities in the Confiscation Laws," which being read, was
rejected.

Received from the Senate the following Bills, vizt.:

A Bill to enable the Public Treasurer more effectually to recover
public monies that are now due or hereafter may become due.

A Bill for the relief of the Widows or Children of officers who
have dyed in the service of the United States.

A Bill to establish a Superior Court of law and Equity of David-
son.

A Bill to alter the place of holding the County Court of Beaufort
County from Bath to the Town of Washington in said County and
to erect a new Court house, &c., endorsed, "In Senate read the first
time and passed."

Received also a Bill for appointing Commissioners in the County
of Rutherford for building a Court House, Prison and Stocks in said
County, &c., Endorsed, "In Senate read the second time & passed."

The House adjourned till 4 O'Clock P. M.

The House met according to adjournment.

The Bill for impowering the Court of Randolph County to ad-
journ to the place which they shall think most convenient for hold-
ing the same, was read the second time, passed and ordered to be
Engrossed.

Received from the Senate the following Bills, vizt.:

'A Bill for confirming titles to Lands therein described.

A Bill to encourage the destruction of Bears, wolves and other
wild and destructive Creatures in the several Counties in this State,
respectively endorsed, "In Senate, read the first time and passed."

The Bill for the relief of the Widows or Children of officers who
have dyed in the service of the United States was read the second
time, passed and sent to the Senate.
The Bill to erect and establish a public school in the County of Duplin was read the first time, passed and sent to the Senate.

The Bill to secure and quiet in their possessions all such persons their Heirs and assigns who have purchased or may hereafter purchase Lands and Tenements, Goods and Chattels which have been sold, or may hereafter be sold by Commissioners of forfeited Estates legally appointed for that purpose, was read the first time, passed and sent to the Senate.

The Bill to enable the Public Treasurer more effectually to recover Public Monies that are now due or hereafter may become due was read the first time, passed and sent to the Senate.

The Bill to vest the Estate of Richard Caswell, Junr., in Trustees for the benefit of his Creditors, was read the first time, passed & sent to the Senate.

Received from the Senate a bill to impower the Commissioners therein mentioned to sell the Palace and public Lots to the same belonging in the Town of NewBern, endorsed "In Senate read the first time & passed."

Received also a Bill to prevent the distillation of Spirituous Liquors from Grain in the County of Davidson for a time therein mentioned, endorsed, "In Senate read the second time & passed."

Mr. Person moved for leave and presented a' Bill for Emitting Pounds in paper Currency, &c., which was read for information.

2nd Order.

Ordered that this bill be read for the first reading in this House Tomorrow.

The Bill to ratify and confirm a Judgment of Duplin County Court in favour of John Sampson Young was read the first time and rejected.

3rd Order.

Ordered that the following Bills be read the second time in this House Tomorrow, vizt.:

A Bill to appoint and enable — to collect and publish in one or more volumes all the acts of the General Assembly which are now in force in this State.

A Bill to preclude certain Foreigners therein mentioned from holding any office of profit or trust in this State unless for meritorious services.
Ordered that the Bill for incorporating the Protestant Presbyterian Church of Wilmington be read the second time in this house To-morrow.

The Bill to amend the several Acts heretofore passed for regulating the Town of Wilmington, and to regulate and restrict the conduct of Slaves and others in the said Town and in the Towns of New-Bern, Washington, Edenton and Fayetteville was read the second time amended passed and sent to the Senate.

The House adjourned till To-morrow Morning 10 O'Clock.

**Wednesday, 14 Decr., 1785.**

The House met according to adjournment.

Received from the Senate the following Bills, vizt:

A Bill declaring the Lots in the Town of Washington, also the several Lots in this State which have been sold by the Commissioners of Confiscated property saved Lots.

A Bill for recovering part of the Artillery belonging to this State respectively endorsed read the first time and passed.

Received also the following Bills vizt:

A Bill to impower Robinson-Mumford and James Porterfield to receive storage for Tobacco &c.

A Bill for establishing a Town in Duplin County on the Lands of William Houston, Senr.

A Bill for laying out a Town on the Lands of Jesse Peacock in the county of Sampson, respectively endorsed, "In Senate read the second time and passed."

Received also the Engrossed Bill for annexing a part of the County of Pitt to Beaufort County.

The House resumed the consideration of the report of the Committee of Propositions and Grievances on the claim of John Bartholomew and Edward Harris, whereupon it was resolved to recommit the said Report.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We do not concur with the report of the Committee of Propositions and Grievances, on the claim of J. Bartholomew and Edward Harris, but propose that it be recommitted.
Received from the Senate the Claim of George Hicks, endorsed, "In Senate read and referred to the Committee of Claims," which being read was concurred with by the Senate.

Received from the Senate the report of the Committee on a Letter from Mr. Bloodworth, Concluded with by that House, which being read was concurred with by the Commons.

Received from the Senate the report of the Committee on the Petition of Hannah Davis, concurred with by that house, which being read was concurred with by the Commons."

Received from the Senate the report of the Comptroller &c., endorsed "In Senate 14 December read and referred as by the Commons."

Mr. Maclaine moved for leave and presented a Bill to direct the proceedings on proving Wills and granting Letters of Administration, which was read for information.

Mr. Maclaine moved for leave and presented a bill directing that marriage contracts shall be registered and for preventing injury to creditors which was read for information.

Received from the Senate the Report of the Committee to whom was referred the Memorial of George Alston endorsed "In Senate read and concurred with," which being read was recommitted by this House.

Received from the Senate the report of the Committee of Propositions and Grievances on the Petition of Mercy Bedford, endorsed "In Senate read and Concluded with" which being read was recommitted by this house.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House do not concur with with the reports of the Committees, the one on the Memorial of George Alston, the other on the Petition of Mercy Bedford, as they now are, but propose that they be recommitted.

Received from the Senate a Resolve of that House allowing William Wilson six Pounds fifteen Shillings which being read was concurred with.

The Bill for establishing a Town on the Lands of Luke Mezelle and William Mackey in Martin County was read the second time amended passed and sent to the Senate.
Received from the Senate a Bill for the relief of Mercy Bedford, and to vest in the heirs male of Jonas and Mary Bedford the Land-ed Estate of the said Jonas Bedford, endorsed "In Senate 14 Decr. 1785 read the first time and passed."

Received from the Senate the resignation of John Johnston as Major of Rowan County, endorsed "In Senate read and accepted" which being read was accepted by this House.

Received from the Senate a Resolve of that House, releasing the administrators on the Estate of Andrew Rostain from the payment of the Bonds therein mentioned &c., which being read was concur-red with.

Received from His Excellency the Governor, the following Message.

To the Honorable the General Assembly:

Gentlemen:

You will be pleased to received herewith an account of Warrants drawn by me on the public Treasury from the 13th of May last to the 13th instant and also my accounts for the three years in which I was employed in the Comptroller's department, the vouchers in support of the latter are ready to be presented to your Honorable Body or such persons as you shall appoint to settle these accounts whensoever the consideration of them is entered upon.

R.D. CASWELL.

Ordered that the above acco'ts referred to be referred to the Committee appointed on the Treasurer's acco'ts.

Received from the Senate a Bill to amend an act passed at New-Bern in 1884 intitled "an Act to describe and ascertain such persons who owed allegiance to this State, and to certain disqualifications on certain persons therein described," endorsed "In Senate read the first time and passed."

Mr. Maclaine moved for leave and presented a Bill to amend the Law relative to attachment of Property, which was read for infor-mation.

The Bill to enable Abner Nash, Esquire to collect and publish in one or more volumes all the acts of the General Assembly which are now in force in this State was read the second time amended passed and sent to the Senate.
Received from the Senate a Bill to empower Commissioners to liquidate the accounts of the Officers and Soldiers of the Continental Line of this State, endorsed "In Senate read the first time and passed."

Received from the Senate a Resolve of that House for authorizing the Comptroller to issue a Certificate to Andrew Kennedy in lieu of the one represented to be lost, which being read was rejected.

Received from the Senate the resignation of Windsor Pearce as a Justice of the Peace for Randolph County, endorsed "In Senate read and accepted," which being read was accepted by this House.

Ordered that the Bill directing the mode of levying Executions, be read To-morrow for the first reading in this House.

Mr. Hay moved for leave and presented a Bill for increasing the Jurisdiction of the County Courts of Pleas and Quarter Sessions and of the Justices of the Peace out of Court and directing the time of holding the several Courts of this State, which was read the first time and sent to the Senate.

The House adjourned till 5 O'Clock P.M.

The House met according to adjournment.

Mr. Person presented the Petition of a number of the Inhabitants of the Town of New Bern praying for a further Emission of Paper Currency.

Mr. Nash presented the Petition of a number of the Merchants, traders and others in the Town of New Bern, praying against a further emission of Paper Currency.

The several matters to this day referred being postponed, the House adjourned till To-morrow Morning 9 O'Clock.

Thursday, 15 December, 1785.

The House met according to adjournment.

Received from the Senate the resignation of Rice Blackman as a Justice of the Peace for Sampson County & of Salathiel Martin as a Justice for Surry County, endorsed "In Senate read and accepted," which being read were accepted by this House.

Received from the Senate the claim of Andrew Kennedy, endorsed "In Senate read and referred to the Committee of Claims," which being read was referred as by the Senate.
Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We agree that the Petition of George Alston and Mercy Bedford be again recommitted.

Received from the Senate a Message from His Excellency the Governor, with his Acco'ts as Comptroller endorsed "In Senate read and referred as by the H. of Commons."

Received from the Senate the following Engrossed Bills viz:

A Bill for Inspection of Tobacco in certain Western Counties.

A Bill to amend an Act to impair the County Courts of Pleas and Quarter Sessions of the several Counties in this State to order the laying out public roads and to establish and settle Ferries and to appoint where Bridges shall be built and to clear inland rivers and creeks endorsed "In Senate read the third time and passed."

Ordered that these bills be read the third time in this House To-morrow.

Received from the Senate the Bill to vest the Estate of Richard Caswell Junr. in Trustees for the benefit of his Creditors, endorsed "In Senate read the Second time and passed."

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the claims of John Bartholomew and Edward Harris be recommitted.

The Bill to direct the proceedings on proving Wills and Granting Letters of Administration, was read the first time passed and sent to the Senate.

Received from the Senate a Bill to secure and quiet in their possession all such persons their Heirs and assigns who have purchased or may hereafter purchase Lands and Tenements, Goods and Chattels which have been sold or may hereafter be sold by Commissioners of forfeited Estates legally appointed for that purpose endorsed "In Senate 14 Decr. 1785, read the second time and passed."

Ordered that the Bill to regulate the Naval officers' fees, be read the second time in this House To-morrow.

Ordered that Mr. Sherrod have leave to absent himself from the
service of this house To-morrow Morning, and Mr. Sheppard after
the 17th Instant.

On motion of Mr. Nash, seconded by Mr. Hay, Resolved that the
house Resolve itself into a Committee of the whole house to take
under consideration the amendments necessary to be made in the
Bill for emitting Paper Currency. The House Resolved itself into a
Committee of the whole House accordingly, John B. Ashe Esquire
in the Chair. After some time spent therein Mr. Speaker resumed
the Chair and Mr. chairman, made report of the amendments rec-
commended by the Committee, which were approved of by the
House, whereupon it was ordered that the amendments as Report-
ed by the Chairman of the Committee be made in the Bill, which
being done,

The House adjourned till 5 O'Clock P. M.

The House met according to adjournment.

The Bill for emitting one hundred Thousand Pounds in Paper
Currency for the purposes therein expressed, was read the first time
passed and sent to the Senate.

The Bill to establish a Superior Court of Law and Equity in the
County of Davidson was read the first time, passed and sent to the
Senate.

Ordered that Mr. Isler have leave to absent himself from the ser-
vice of this house until Tuesday next, and Mr. Thomas during the
session, after Sunday next.

Ordered that Mr. Hall have leave to withdraw the bill to im-
power the late Commissioners, Sheriffs, &c., to collect arrears of
Taxes for amendment.

The Bill directing that marriage settlements and other marriage
contracts shall be registered, and for preventing injury to creditors,
was read the first time, passed and sent to the Senate.

The Bill for enabling the Comptroller to settle all claims against
the State for services performed during the war, was read the first
time and rejected.

The Bill to extend the lines between Burke & Rutherford Coun-
ties, was read the first time, passed and sent to the Senate.

The Bill directing the mode of levying Executions was read the
first time, passed and sent to the Senate.
The Bill for establishing an Academy at Kinston in the County of Dobbs, was read the first time, passed and sent to the Senate.

Ordered that Mr. Martin have leave to absent himself from the service of this house after Tuesday next.

The House adjourned till Tomorrow Morning, 10 O’Clock.

FRIDAY, 16 DECEMBER, 1785.

The House met according to adjournment.

Mr. Hay moved for leave and presented a Bill to impose certain Taxes on Law Proceedings for the purposes therein mentioned, which was read the first time, passed and sent to the Senate.

Received from the Senate the following Bills, vizt:

A Bill for increasing the Jurisdiction of the County Courts of Pleas and quarter Sessions and of the Justices of the Peace out of Court and directing the time of holding the several County Courts of this State.

A Bill for increasing the number of Judges, for dividing the Superior Courts into different Circuits and for establishing a Court for the decision of Appeals, and Writs of Error, in matters of Law and causes in Equity, endorsed “In Senate, read the first time and passed.”

Ordered that these Bills be read the second time in this House Tomorrow.

Received from the Senate the following Engrossed Bills, vizt:

A Bill for the Inspection of Tobacco in the County of Surry.

A Bill to allow a further time for saving Lots in the several Towns within this State.

A Bill for appointing a Treasurer in the District of Edenton, for the purpose of calling to account the Commissioners for building a Public Gaol in the District aforesaid.

A Bill for Inspection of Tobacco in the County of Davidson, in the Town of Nashville, on Cumberland River.

A Bill empowering the Commissioner appointed to settle the acco’ts between the United States and the State of North Carolina, or the Creditors of the United States within the said State, to call Witnesses and examine them upon oath or affirmation touching such accounts.

Received also a Bill to direct the proceedings on proving Wills
and granting Letters of Administration, endorsed, "In Senate, read the first time and passed."

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We have added Mr. Coor, Mr. Harrington, Mr. Moore, Mr. Macon, Mr. Spicer and Mr. Lewis to the Committee appointed to report on the Treasurer's accounts.

Received from the Senate the Memorial of John Geddy, endorsed "In Senate read and referred to a select Committee. The members on the part of this House are Mr. Payne and Mr. McCawley," which being read was referred on the part of this House to Mr. Skinner, Mr. Phillips and Mr. Montgomery.

Mr. Durham Hall presented the Memorial of Benjamin Seawell, which being read was referred to the Committee appointed on the Memorial of John Geddy.

Received from his Excellency the Governor, the following Message:

To the Honorable the General Assembly:

Gentlemen:

As applications have been made for a considerable number of Grants and Commissions to be now issued, previous to the same being struck off I think it necessary to submit to your approbation the following additions to the Stile and Test of Grants and Commissions to be issued in future, viz: In the Stile I propose to add to The State of North Carolina, by the grace of God Free and Independent, and to the Test after the word Witness our Trusty and well beloved our Governor, &c.

By these additions such Grants and Commissions will carry with them, according to my Ideas, greater Dignity and will be more consistent, with the Sovereignty and Independence of a Free People.

RD. CASWELL.

NewBern, Dec. 16, 1785.

Ordered that the above Message be sent to the Senate.

17—23
Mr. Dickens moved for leave and presented a Bill for keeping the principal offices of State in the Town of Hillsborough, which was read the first time and rejected.

On the question shall this bill pass, or not pass, the yeas and nays were required by Mr. Person, which are as follows, vizt:

**Yea**s:


**Nay**s:

The Bill to amend the Law relative to attachments of property was read the first time, passed and sent to the Senate.

Received from the Senate the following Bills, viz:

A Bill for emitting one hundred Thousand Pounds in paper Currency for the purposes therein expressed, endorsed "In Senate read the first time and passed."

A Bill for establishing an Academy at Kinston in the County of Dobbs, and to amend an Act for establishing an Academy in the District of Salisbury, endorsed "In Senate read the second time, amended and passed."

The Bill to amend the Acts passed for purchasing a lot in the Town of Wilmington for the purpose of building a Jail for the district of Wilmington, and for repairing the Court House of the said District, was read the first time, passed and sent to the Senate.

The Bill to impower Commissioners to liquidate the acco’ts of the Officers and Soldiers of the Continental Line of this State, was read the first time, passed and sent to the Senate.

Received from the Senate the Memorial of Benjamin Seawell, endorsed, "In Senate read and referred as by the Commons."

The Bill for appointing and laying out a Town on New River, at or near Onslow Court House, &c., was read the first time and rejected.
Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We propose that the subject matter contained in his Excellency the Governor's Message, be agreed to by the General Assembly.

The House taking the said Message and the subject matter therein referred to into consideration, rejected it.

The Bill to vest the title of a piece or parcel of Land lying in Granville County, in James Cash and his Heirs in fee simple, was read the first time, passed and sent to the Senate.

The Bill to amend the Act for making provision for the Poor, was read the first time, passed and sent to the Senate.

The Bill to empower the Commissioners therein mentioned to sell the Palace and Public Lots to the same belonging, in the Town of New Bern, was read the first time, passed and sent to the Senate.

The Bill to amend an Act for establishing a Town on the Lands of Richard Evans, by the name of Martinborough, passed at New Bern in November, 1771; also one other act to amend the before recited act passed at New Bern in March, 1774, was read the first time, passed and sent to the Senate.

Received from the Senate the following Bills, viz:

A Bill directing that Marriage settlements and other Marriage contracts shall be registered, &c.

A Bill to extend the lines between Burke and Rutherford Counties, endorsed "In Senate read the first time and passed."

A Bill to establish a Superior Court of Law & Equity in the County of Davidson, endorsed "In Senate read the second time, amended & passed."

The Bill for establishing a Town on the Lands of Thomas Relfe was read the first time and rejected.

The Bill to amend an Act, intitled an Act for the better observation and keeping of the Lord's Day commonly called Sunday, and for the effectual suppression of vice and immorality, was read the first time, passed and sent to the Senate.

The Bill to amend an Act passed at New Bern in 1784, intitled an Act to describe and ascertain such Persons who owed allegiance to this State and to impose certain disqualifications on certain Persons therein described, was read the first time, passed and sent to the Senate.
Mr. Dickens from the Committee to whom was referred the Treasurer's acco'ts, reported as follows: That they have examined the same and find the acco'ts in the Treasurer's Books and vouchers, agree as by the statement therewith.

Your Committee further report that since this statement was made the Sum of Eight hundred and twelve Pounds two Shillings of the Current Money of this State and the sum of 110,283,34 old Dollars, Depreciation 800 for one, equal to the sum of five hundred and fifty-one Pounds, eight Shillings and four pence was burnt by a committee appointed for that purpose. It also appears that the sum destroyed is more than the Sum due by this acco't which is occasioned by Money received by the Treasurer since the acco't was stated and not brought into the same.

Your Committee beg leave to suggest that they are of opinion, that the grants and warrants issued by the General Assembly and Governor, and certificates now in the Treasury ought to be defaced by some means so as to prevent them from circulation hereafter, should any accident happen, all which is submitted.

R. DICKENS, Clu.

Received from the Senate the report of the Committee on the Memorial of George Alston, which being read, the following Message was ordered to be sent to the Senate:

Mr. Speaker and Gentlemen:

This House cannot concur with the report of the Committee on the Memorial of Mr. Alston as it was agreed to by the Senate, but propose deleting all but that part, recommending a bill to be brought in to vest in Mary Alston Bell the Land and negro therein mentioned. If the Senate will make the report conformable to this proposition the Commons will then concur with it.

The House adjourned till To-morrow morning, 10 O'clock.

Saturday, 17 December, 1785.

The House met according to adjournment.

Mr. Nash presented the Memorial of Memucan Hunt, Public Treasurer, which being read was referred to Mr. Williamson, Mr. Person and Mr. Blount on the part of this House, who are to report
in what manner the Certificates in his possession are to be marked so as to prevent future circulation.

Received from the Senate the following Bills, viz: A Bill to impose certain Taxes on law proceedings for the purposes therein mentioned.

A Bill to amend the Acts passed for purchasing a lot or lots in the Town of Wilmington for the purpose of building a Jail for the District of Wilmington, &c., respectively endorsed "In Senate read the first time and passed."

Received from the Senate the Memorial of Charles McDowall, endorsed "In Senate read and referred to the Committee appointed on the Treasurer's Acco'ts," which being read was referred as by the Senate.

Received from the Senate a Message, proposing that the Estimate of allowances to the Members be made to include Saturday next, which being read was ordered to lie on the Table.

Received from the Senate a Resolve of that house directing the Secretary to Copy the Laws therein mentioned and lay before the next Assembly, &c., which being read was ordered to lie on the Table.

Received from the Senate a Resolve of that house for appointing Martin & Co., Public Printers, which being read was rejected, whereupon,

On Motion of Mr. Williamson, seconded by Mr. Hay, Resolved that a Committee of three Members of this House be appointed to prepare and bring in a bill to ascertain the duties of the Public Printer. The members chosen for this purpose are Mr. Williamson, Mr. Hay and Mr. Maclaine.

Mr. Person presented the Memorial of John Wright and Wright Stanley, Merchants in the Town of Newbern, &c., which being read was referred to a joint Committee. The Members chosen on the part of this House for that purpose are Mr. Person, Mr. Blount and Mr. Williams.

Mr. Blount presented the Petition of Josiah Parker, which being read was referred to the Committee appointed on the Memorial of Messrs. John Wright and Wright Stanley, Merchts., &c.
STATE RECORDS.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We have added Colonel Herndon to the Committee appointed to report on the Treasurer's Accounts, &c.

Ordered that Mr. Pasteur and Mr. Covington have leave to absent themselves from the service of this House.

The Bill for incorporating the Protestant Presbyterian Church of Wilmington, was read the second time, amended and passed.

On the question shall this bill pass or not pass, the yeas and nays were required by Mr. Person which are as follows, viz:


Ordered that the said Bill be sent to the Senate.

The Bill for increasing the number of Judges, for dividing the Superior Courts into different Circuits, and for establishing a Court for the decision of Appeals, Writs of Error and matters of Law and causes in Equity, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the report of the Committee on the Memorial of Benjamin Seawell, endorsed "In Senate read and concurred with," which being read was ordered to lie on the Table.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We agree to the proposed amendment in the Report of the Committee on the Memorial of George Alston, Esq.
Received from the Senate the Memorial of Philip Alston, endorsed "In Senate read and referred to a special committee, the Members chosen, Genl. Rutherford, Genl. Harrington, Mr. McDowall and Mr. McCawley," which being read was referred on the part of this House to Mr. Maclaine, Mr. Diggs, Mr. Cain, Mr. Alexander and Mr. Richardson.

The House adjourned til 5 O'clock, P. M.

The House met according to adjournment.

Received from the Senate the following Bills, vizt:

A Bill to enable the Public Treasurer more effectually to recover the Public Monies that are now due, or hereafter may become due.

A Bill vesting certain property lying and being in Granville County in Mary Alston Bell in fee Simple, endorsed, "In Senate read the first time and passed."

A Bill to amend the act for making provision for the Poor.

A Bill to amend an act for establishing a Town on the Lands of Richard Evans, &c.

A Bill to amend an Act passed at NewBern in 1784, entitled "an Act to describe and ascertain such Persons who owed allegiance, &c.," respectively endorsed "In Senate read the second time and passed."

The Bill to alter the place of holding the County Court of Beaufort County from Bath to the Town of Washington in said County, and to erect a new Court House, Prison, Pillory and Stocks in said County was read the second time, passed and sent to the Senate.

Received from the Senate the Petition of Josiah Parker, and the Memorial of Messrs. John Wright and Wright Stanley, endorsed, "read and referred as by the Commons."

Ordered that the Bill for emitting one hundred thousand Pounds be read the second time in this house on Monday next.

Received from the Senate the Memorial of Memucan Hunt, endorsed, "In Senate read and referred to Mr. Coor and Mr. Macon."

The Bill vesting Certain property lying and being in Granville County in Mary Alston Bell in fee Simple was read the first time, passed and sent to the Senate.

Received from the Senate the Memorial of Isaac Gregory, endorsed "In Senate read and referred to the Committee appointed to report
on the acco'ts of General Rutherford," which being read was referred as by the Senate.

Ordered that the following Bills be laid over until the next Assembly, vizt.:

A Bill for establishing a Town on the Lands of Andrew Bass.

A Bill to regulate the Town of Edenton.

A Bill to repeal the fourth Section of an Act of the last General Assembly intitled "an act to explain, amend and supply the deficiencies of an Act to regulate the descent of real Estates, &c."

The Bill to alter the manner of holding Elections for Members of the General Assembly for New Hanover County was read the second time, amended, passed and sent to the Senate.

Received from the Senate a Bill to vest the title of a piece or parcel of Land lying in Granville County in James Cash & his Heirs in fee Simple endorsed, "In Senate, read the second time and passed."

Received also the Engrossed Bills for empowering the Court of Randolph County to adjourn to the place which they shall think most convenient for holding the same.

On motion Mr. Williamson, seconded by Mr. Person, Resolved, that a Committee consisting of three Members, be appointed to prepare and bring in a Bill to quiet the Inhabitants of certain Western Counties. The Members chosen are Mr. Person, Mr. Hay & Mr. Blount.

The Bill for the more speedy determining disputes that hath arisen or hereafter may arise in the Counties of Rowan, Mecklenburg, Rutherford, Guilford and Lincoln from erecting Mill Dams and to prevent persons from building Mills as herein described was read the first time, passed and sent to the Senate.

The Bill for the Inspection of Tobacco in certain Western Counties, was read the third time and passed.

The Bill for annexing a part of the County of Pitt to Beaufort County was read the third time, passed and sent to the Senate.

The Bill for laying out a Town on the Lands of Jesse Peacock in the County of Sampson, was read the second time, passed, ordered to be Engrossed.

The Bill for levying a Tax in the District of Halifax to discharge a balance due for repairing the Court House and Jail of said District was read the second time, passed and ordered to be Engrossed.
Mr. S. Williams presented the resignation of Whitmill Hill, Esquire, as Colonel of Martin County, which being read was accepted by this House.

The following Bills were read the third time, passed and sent to the Senate, vizt.:

A Bill for Inspection of Tobacco in the County of Davidson in the Town of Nashville on Cumberland River.

A Bill to amend "an Act to impower the County Courts of Pleas and Quarter Sessions of the several Counties in this State to order the laying out Public roads and to establish and settle ferries and to appoint where Bridges shall be built and to clear inland rivers and Creeks."

A Bill impowering the Commissioner appointed to settle the accounts between the United States, and the State of North Carolina or the Creditors of the United States within the said State to call Witnesses and examine them upon Oath or affirmation touching such Accounts.

A Bill to allow a further time for saving Lotts in the several Towns within this State.

A Bill for impowering the Court of Randolph County to adjourn to the place which they shall think most convenient for holding the same.

A Bill for appointing a Treasurer in the District of Edenton for the purpose of calling to account the Commissioners for building a Public Gaol in the District aforesaid.

A Bill for the Inspection of Tobacco in the County of Surry.

The House adjourned till Monday Morning, 10 O'clock.

Monday, 14 December, 1785.

The House met according to adjournment.

Mr. Blount presented the Petition of Thomas and Titus Ogden, which was referred by the last, to the present Assembly, which being read was referred to the Committee to whom was referred the Memorial of Josiah Parker.

Mr. Maclaine moved for leave and presented a Bill to amend an Act directing the mode of proceedings against the real estates of declared debtors where the personal estate is insufficient for the payment of the debts, which was read the first time, passed and sent to the Senate.
STATE RECORDS.

Received from the Senate the following Engrossed Bills, vizt.:

A Bill for the Inspection of Tobacco in the Town of Windsor.
A Bill to amend an Act to establish the Town of Morgan and to direct the building a Court House and Prison in the Same for the district of Morgan.
A Bill for the better regulation of the Town of Tarborough.

Received from the Senate the following Bills, vizt.:

A Bill for the disposing of the Public buildings commonly called the palace and six Acres of Land in NewBern whereon the said buildings are erected.

A Bill for establishing a Militia in this State, endorsed, "In Senate, read the first time and passed."

The Bill to amend an Act passed at Hillsborough the 27 of Octo-
ber, 1784, Intitled "an Act for appointing Collectors of the Imports at the several Ports of the State, and for regulating the duty of Na-
val officers, the officers of the Customs and Masters of Vessels," was
read the second time, amended, passed and sent to the Senate.

Received from the Senate the report of the Committee on the Me-
memorial of John Geddy, and the Acco't of Charles Pasteur endorsed, "In Senate read and concurred with" which being read was con-
curred with by this House.

Received from the Senate the report of the Committee on the Me-
morial of Colonel Philip Alston, endorsed, "In Senate read and con-
curred with," which being read was concurred with by this house.

Mr. Hay on behalf of himself and others moved for leave to enter
reasons for dissenting against the resolution of the house in con-
curring with the said Report. Ordered that he have leave accord-
ingly.

On motion of Mr. Person, seconded by Mr. Blount, Resolved, that
the Comptroller be directed to lay before this House his Books.

Received from the Senate a Resolve of that house directing the
Comptroller to credit Colonel John Tillman in his Books the sum of Two hundred and six Pounds, &c., which being read was con-
curred with by this house.

Mr. Williamson moved for leave and presented a Bill for ascer-
taining the Duties and Salary of the Public Printer, which was read the first time, passed and sent to the Senate.

Received from the Senate the Memorial of the Honbl. Richard Dobbs Spaight, Esquire, endorsed "In Senate, read & referred to a joint Committee, the Members on the part of this house, General Rutherford, Mr. Gillispie, Mr. Easton & Mr. Lightfoot," which being read, was referred by this house to Mr. Nash, Mr. Lock and Mr. P. Hawkins.

Received from the Senate the Petition of Thomas and Titus Ogden, Endorsed "In Senate read and referred as by the Commons."

Received from the Senate a Bill to Erect and establish an Academy in the County of Duplin, endorsed "In Senate read the second time, amended and passed."

Mr. Polk moved for leave and presented a Bill to amend and explain an Act for opening the Land office and for adding a part of the officer's boundary to the County of Davidson, which was read for information.

Mr. Cabarrus presented the Petition of the Merchants, traders and others of the Town of Edenton praying against a further Emission of Paper Currency.

Mr. Blount presented the Petition of the Merchants, traders and others in the Town of Washington praying against a further Emission of Paper Currency.

The order of the Day, for reading for the second time in this House, the Bill for Emitting One hundred Thousand Pounds in Paper Currency, &c., being called for, and read, It was moved by Mr. Blount, and seconded by Mr. Skinner, that the bill be laid over until the next Assembly, & in the mean time to be published in the North Carolina Gazette for the information of the public at large, which was objected to, the question being put was lost, whereupon the yeas and nays were required by Mr. Cabarrus, which are as follows, viz.:-


Nay—Messrs. Moore, Tisdale, Lewis, Hill, Ferebee, Smith, Dickens, White, Cooper, Sanders, Coleman, Sheppard, Stewart, Rhodes, Griffith, Polk, D. Hall, Person, P. Hawkins, McKissick,

It was moved by Mr. Williamson and seconded by Mr. Blount, that the following amendment, be made in "the Bill for Emitting One hundred Thousand Pounds in paper Currency, Vizt.: "Com-
misioners shall not on any occasion be allowed to give more than 
—— Shillings for each hundred weight of Merchandise Tobacco 
by them respectively Purchased when Inspected at the respective 
"Warehouses of the said Towns" and on the question to fill up the 
blank, it was moved by Mr. Williamson and seconded by Mr. Skin-
ner, that the blank be filled up with forty on which the Question 
was taken and lost. The Yea & Nays being required by Mr. 
Oliver, are as follows, vizt.:

Yeas—Messrs. Blount, Oliver, Collins, Avery, Williamson, Fer-
bee, Sawyer, Polk, E. Roberson, Ashe, Montgomery, Manney, Nash, 
Symons, Cain, Cabarrus, B. Williams, Skinner, C. Roberson, Dodd, 
Maclaine, Hay, Philips, Diggs, Dickson, Pasteur, Gardner, Smith-
wick, S. Williams, Wood, Berger, Starkey and C. Hall.

Nays—Messrs. Smith, Dickens, White, Cooper, Sanders, Coleman, 
Stewart, Rhodes, Griffith, D. Hall, Person, P. Hawkins, Hamilton, 
McKissick, Sloan, Bonds, Moye, Montfort, Taylor, W. Hawkins, 
Hayes, Martin, Bryan, T. Jordan, McDonald, Handley, Moore, Tis-
dale, Franklin, Lewis, Hill, McDowal, Whitaker, Courtney, West, 
Edmunds, Carrol, Leonard, Lock, Robins, W. Taylor, Phifer, Alex-
ander, Richardson, Cox, Singleton, Webb. & J. P. Williams.

It was moved by Mr. Williamson, and seconded by Mr. Skinner, 
that the following amendment be made in "the Bill for emitting 
One hundred Thousand Pounds in paper Currency, &c., vizt.:

"Whereas it is the duty of the Legislature in all cases to protect 
the honest creditor against fraudulent or partial payments 

"Be it therefore Enacted by the Authority aforesaid, that in case, 
the paper currency of this State shall depreciate in consequence of 
this Emission or sink below its present value, it shall be the Duty 
of the Jurors in all actions when they shall find for the Plaintiff, to 
consider what shall have been the depreciation at such time and to 
allow Damages accordingly."
On the Question to agree to this amendment the yeas and nays were required by Mr. Williams which are as follows, viz.:

Yea—Messrs. Bond, Oliver, Collins, Williamson, Sawyer, Shepard, Montgomery, Manney, Symons, Cain, Cabarrus, Skinner; Dodd, Maclaine, Whitaker, Hay, Pasteur, Courtney, S. Williams, Edmunds, Wood and Starkey.


So the question was carried in the negative.

The Bill for Emitting One hundred Thousand Pounds in paper Currency for the purposes therein expressed, being now read thro' and amended, was put on its passage, when it passed this House the second time & was sent to the Senate.

Ordered that the Bill to secure & quiet in their possession all such persons, their Heirs and assigns who have purchased Lands and Tenements, Goods and Chattels which have been sold or may be sold by Commissioners of forfeited Estates legally appointed for that purpose, be read the second time in this House Tomorrow.

The House adjourned till tomorrow morning, 10 O'Clock.

TUESDAY, 20 DECEMBER, 1785.

The House met according to adjournment.

Received from the Senate the following Bills, viz.:

A Bill to amend an act intitled an act directing the mode of proceeding against the real estates of deceased debtors where the personal estate is insufficient for the payment of the debts, endorsed, "In Senate read the first time and passed."

A Bill, vesting certain property lying and being in Granville County in Mary Alston Bell in fee Simple.

A Bill for the more speedy determining disputes that have arisen or hereafter may arise in the Counties therein mentioned, &c., endorsed, "In Senate read the second time and passed."
Mr. Williamson from the Committee to whom was referred the Memorial of Memucan Hunt, Esquire, Public Treasurer, Reported.

That the Treasurer has in his hands Grants of the General Assembly warrants of the Governor, Certificates of the Judges, Attorney General, Assessors, &c., to the amount according to his statement of Twenty five thousand Pounds and upwards. He also has Auditor's and other Certificates to the amount of Forty Six Thousand Pounds and upwards, on which they submit, That a joint Committee be appointed to examine the Grants of the General Assembly, Warrants of the Governor, Certificates of the Judges, Attorney General, Assessors, &c., compare them with the accounts of the Treasurer, strike them through with a circular Punch so as to deface them, and deliver them to the Comptroller. They shall also compare the Auditor's Certificates with the accounts of the Treasurer, and strike them through with a circular punch, and deliver them to the Comptroller and report their proceedings to the General Assembly.

Your Committee further submit that three Commissioners be appointed, who shall from time to time examine & compare with the Checks in the hands of the Comptroller as well the Certificates already paid, or those which may hereafter be paid into the public Treasury and shall burn the whole of them except such as they may find to be counterfeits and report their proceedings to the General Assembly.

TH. WILLIAMSON, Chin.

The House taking said Report into consideration concurred therewith, as to the two first Sections, (the last Section being reserved for the future consideration of the House) and appointed Mr. Cain and Mr. Tisdale on their part to carry into effect the recommendation therein.

The Engrossed Bill for the Inspection of Tobacco in the Town of Windsor, was read the third time, passed and sent to the Senate.

The Engrossed Bill to amend "an act to establish the Town of Morgan and to direct the building a Court House and prison in the same for the district of Morgan, was read the third time, passed & sent to the Senate.

Received from the Honorable Alexander Martin, Esquire, late Governor of this State, the following Message:
To the Honorable the General Assembly:

Gentlemen:

Herewith you have an account of all the warrants granted during my administration as Governor of the State from the 22d of April, 1782, to May 5th, 1785, together with my acco'ts current.

I have the Honour to be, &c.,

ALEX. MARTIN.

At the same time received the acco't of Warrants and acco't current referred to in the above Messages which being read were referred to the Committee appointed on the Treasurer's acco'ts.

It was moved by Mr. Nash, seconded by Mr. McDowall, that the following clause in the bill for increasing the Jurisdiction of the County Courts of Pleas and Quarter Sessions, &c.," be dele'ed, vizt.: And be it further enacted by the authority aforesaid that in any actions hereafter to be instituted in the several County Courts of Pleas and quarter Sessions within this State on the trial thereof not more than two Attorneys, vizt., one for the plaintiff and one for the defendant shall be heard at bar.

On the question shall the bill remain as it now is, or be amended, the yeas and nays were required by Mr. Nash.


The House adjourned til 4 O'Clock.

The House met according to adjournment.

Received from the Senate the additional Bill to amend the several Acts for regulating the Town of Wilmington, and to regulate
and restrain the conduct of slaves and others in the said Town, and in the Towns of Washington, Edenton and Fayetteville.

Received also, the following Engrossed Bills, vizt:

A Bill for the relief of the Widows, or children of Officers who have died in the service of the United States.

A Bill to alter the place of holding the County Court of Beaufort County from Bath to the Town of Washington in said County, and to erect a new Court house, Prison, Pillory and Stocks in said County.

A Bill to establish a Town in the fork of Cumberland and Red River on the East side of Red River in Davidson County. Received from the Senate a resolve of that House allowing Ann Cupples the sum of Seventeen Pounds, fifteen Shillings and six pence half penny, which, being read was concurred with.

Received from the Senate the report of the Committee on the Memorial of Memucan Hunt, Esquire, Public Treasurer, endorsed, "In Senate read and concurred with."

Received from the Senate the Claim of Richard Farr, endorsed, "In Senate read and referred to the Committee of Claims," which being read was referred as by the Senate.

The Honorable the Speaker laid before the House a Letter from Mr. Sitgreaves inclosing his acco't. as delegate in Congress, which being read was ordered to to lie on the Table.

Received from the Senate the following Bills, vizt:

A Bill for ascertaining the duties and Salary of the Public Printer.

A Bill to empower certain Persons therein named to receive, sue for, and recover all such bequests, donations, benefactions and other things as have theretofore been bequeathed, given or made by any Person or Persons whatsoever for the use of the Congregation or Society of the Presbyterian Communion at Wilmington, endorsed, "In Senate read the first time and passed."

The Bill for increasing the Jurisdiction of the County Courts of Pleas and Quarter Sessions, and of the Justices of the Peace out of Court, and directing the time of holding the several County Courts, was read the second time, amended passed and sent to the Senate.

The Bill to amend and explain an Act for opening the Land Office and for adding a part of the Officers and Soldiers boundary to
the County of Davidson, was read the first time, passed and sent to Senate.

Ordered that Mr. Seth Riddick have leave to absent himself from the service of this House after To-morrow, Mr. Bryan after Thursday and Mr. Hinton after Friday.

Ordered that any five of the Committee of Claims proceed on business.

Ordered that the Chairman of the Committee of Claims report on Friday next.

The House adjourned till To-morrow Morning, 10 O’Clock.

Wednesday, 21 December, 1785.

The House met according to adjournment.

Mr. Person from the Committee to whom was referred the letter from General Clark to his excellency the Governor, respecting the debts due by this State to Mr. Maurice Simmons, of Charleston, Merchant, for supplies furnished the Continental Officers, &c., of the line of this State while in Captivity, Reported as follows:

That your Committee are of opinion that Provision has been already made for all Monies due to Mr. Simmons from this State.

THOMAS PERSON, Chn.

The House taking the said Report into consideration Concurred therewith.

Mr. Person from the Committee to whom was referred a Letter from Doctr. Franklin, in favour of Edward Bridgen, of the City of London, Merchant, Reported as follows:

Your Committee on considering the allegations set forth in the said letter in favour of Mr. Bridgen, are of opinion he is intitled to every indulgence the Legislature can afford.

THOMAS PERSON, Chn.

The House taking the said report into consideration concurred therewith.

Mr. Person from the Committee to whom was referred the Petition of Miss Ann Howard, delivered in a report, which being read was rejected.

Mr. Person from the Committee to whom was referred the Petition
of Lieutenant Timothy de Monroe, Reported, that it is their opinion that the Secretary of State shall be requested to issue a warrant in favour of the said Lieutenant Timothy de Monroe, for one Thousand Acres of Land in the limits of Davidson County, under the same rules and regulations as Warrants issued to Officers and Soldiers of the Continental line of this State, all which is submitted.

THOMAS PERSON, Chn.

The House taking the said report into consideration concurred therewith.

Mr. Maclaine moved for leave to prepare and bring in a Bill to carry into effect the recommendation contained in the report of the Committee on the Letter of Doctor Franklin in favour of Mr. Bridgen. Ordered that he have leave accordingly.

Mr. Person, from the Committee to whom was referred the Petition of Mrs. Elizabeth Miller, praying that such part of the Estate of Andrew Miller, her Dec'd husband, that has been confiscated, and which is not sold be restored to her for the support of herself and children, Reported.

Your Committee recommend that such part of the Estate of the above mentioned Andrew Miller, which hath not been sold be restored to her agreeable to the prayer of her Petition.

THOMAS PERSON, Chn.

The House taking the said report into consideration concurred therewith.

Mr. Person, from the Committee to whom was referred the Petition of Robert Palmer, praying that his property hitherto unsold, may not be considered as confiscated, and that the sale of the same may be prevented, Reported as follows.

That the prayer of the Petition cannot be granted.

The House taking the said report into consideration concurred therewith.

Mr. Person, from the Committee to whom was referred a Letter from Captain Robert Fenner, to his Excellency the Governor reported as follows.

Your Committee are of opinion that Captain Fenner be required to deliver all the Certificates in his hands belonging to the officers and Soldiers of the Continental line of this State to the Treasurer,
and take his receipt for the same, and have it before the next General Assembly, together with a list of all the Certificates he received of Mr. Jackson and the receipts for such as he has delivered out, and that the Treasurer be required to receive of Captain Fennor the said Certificates and deliver them to the proper claimants or their proper order.

THOMAS PERSON, Chn.

The House taking the said Report into consideration concurred therewith.

Mr. Person from the Committee to whom was referred the Petition of Simon Terril and Joseph Kirk praying to be released from a Judgment of the Superior Court of Hillsborough District, passed against them for Five hundred and twenty Pounds on a forfeiture of recognizance in a case wherein they were bound for the appearance of William Rains, Reported,

That it appearing to your Committee, the said William Rains was delivered up to the court by the said Simop Terril and Joseph Kirk his securities and through mistake the Clerk omitted to make any entry thereof, by which means Judgment passed against them, recommended a Bill to be brought in agreeable to the prayer of the said Petition.

THOMAS PERSON, Chn.

The House taking the said Report into consideration concurred therewith.

Mr. Person from the Committee to whom was referred the Petition of John Brady, Robert Dunlap and William Dunlap reported.

That the Petitioners have transgressed the Law of the Land, of which, from the nature of things they could not be ignorant unless the Captain or Skipper of the Vessel did forswear himself which does not appear from any evidence produced to us to be the case, are therefore of opinion we cannot grant them any relief.

THOMAS PERSON, Chn.

The House taking the said report into consideration Concurred therewith.

Mr. Person from the Committee to whom was referred the Petition of John Jones Reported as follows:

Your Committee to whom was referred the Petition of John Jones
STATE RECORDS.

of Rutherford County, praying to be released from a judgment of the Superior Court of Morgan District against him for two hundred and fifty Pounds on a case wherein he was bound for the appearance of a certain James Armstrong, recommend that a bill be brought in agreeable to the prayer of the said Petition.

THOMAS PERSON, Chn.

The House taking the said report into consideration concurred therewith.

Mr. Person delivered in the following Report the Petition of John Burgwin, vizt:

Your Committee to whom was referred the Petition of John Burgwin are of the opinion that he be referred to the decision of the Laws of the Land, to which they are informed he has had recourse.

THOMAS PERSON, Chn.

The House taking the said Report into consideration concurred therewith.

Mr. Person from the Committee to whom was referred the Petition of Edward Hall, Esquire, Executor of the last Will and Testament of Ralph Macnair, Deceased, in behalf of the Orphans of the said deceased, Reported as follows, vizt:

On considering the allegations set forth in said Petition, your Committee recommend that the sale of two Tracts of Land, late the property of said Ralph Macnair, now Confiscated and advertised for sale by Archibald Lytle, Esquire, Commissioner of Hillsborough District, be suspended till the next Session of Assembly, and that the said Edward Hall be impowered to collect the debts due to the Estate of the said deceased and make due return thereof to the next General Assembly.

THOMAS PERSON, Chn.

The House taking the said Report into consideration concurred therewith.

Received from the Senate the report of the Committee on the Petition of Mercy Bedford, Endorsed "In Senate read and concurred with" which being read was concurred with by this House.

Mr. Person moved for leave and presented a Bill to release Simon Terril and Joseph Kirk from the forfeiture of a recognizance, and from the judgment which insued thereon, which was read the first time, passed and sent to the Senate.
Mr. Courtney from the Committee to whom was referred the representation of the public Secretary delivered in a report, which being amended, was concurred with, as follows:

The Committee to whom was referred the representation of the Secretary of the State having met, William Courtney, Esquire, in the Chair, and examined the several papers referred to, Reported as follows,

That it appears, that a number of warrants are returned into the Secretary's office from Rutherford County, for the purpose of obtaining Grants therefor, which appear to have been altered from the name of the original Warrantee to some other person since issuing from the office of the Entry Taker which your Committee are of opinion are illegal and ought to be sent back to the Entry Taker of the County.

That it appears there are two warrants in the name of John Earle and one other altered from the name of Timothy Riggs to John Earle, which the Entry Taker David Miller, denies issuing or signing, altho' it appears the entries are legally made, all which is submitted.

WILLIAM COURTNEY, Chn.

Mr. Blount moved for leave and presented a Bill directing the mode of proceeding which shall be observed in the trial of Judges of the Superior Courts of Law and Equity within this State for misdemeanor, or misbehaviour in office, which was read the first time.

Ordered that this Bill be committed to Mr. Maclaine, Mr. Nash and Mr. Hay who shall be a Committee to prepare and bring in a bill directing the mode of trials to be had on impeachment.

Mr. Person from the Committee of Privileges and Elections, to whom was referred the Petition of Abraham Barnes and John Willis, complaining that the late Election held for the County of Bladen was riotous and unlawful, Reported.

That they have examined the several Witnesses and affidavits introduced, as well in support of the allegations set forth in the Petition as against them, from which it appears that on the first day of the Election some disputes did arise between the Inspectors of the Poll, whether the people who had borne Arms, against their Country,
during the late War, should vote or not, which dispute took up the greatest part of that day, and in the time of that dispute a number of men, some of which were not accused of having borne Arms as aforesaid did offer their votes to the Sheriff, which he declined receiving until that part should be settled. It also appears that some time that day votes were received, and that on the following day the Inspectors of the Poll who had the Day before refused receiving any votes unless the armed men above mentioned were suffered to vote refused to act any longer, and another inspector was appointed and the Election then conducted without any confusion, and such of the men as remained at the Election and was supposed good votes who were the day before not suffered to vote were then informed they might vote and requested so to do but refused. It has also been proved to your Committee that the fray which happened in the Court House on the first day of the Election was about a Horse and that the Arms which were brought to the Election were most probably brought in consequence of General Muster being ordered at the same time and place with the election.

Your committee are therefore of opinion that the allegations set forth in the Petition have not been sufficiently supported to set aside the Election. Your Committee also beg leave to report that by the ninth Section of an act passed at Halifax in January, 1781, intitled "an additional act to an act intitled an act for securing the quiet and inoffensive Inhabitants of this State from being injured, for preventing such property as has or may be confiscated from being wasted or destroyed, and for other purposes"; For continuing an Act intitled an act for suspending the operation of an act for carrying into effect an act commonly called the confiscation Act; and for directing and regulating Elections, in particular instances: and also for giving further time to Surveyors to compleat their surveys does expressly exclude and disqualify all who have borne arms against this State from voting.

THOMAS PERSON, Chm.

The House taking the said report into consideration concurred therewith.

Mr. Bonds moved for leave to enter his protest against the vote
of the House in amending the Bill for the regulation of Commerce by inserting the following clause, viz:

"And be it further Enacted that instead of a duty of two per cent ad Valorem there shall be paid on all salt imported into this State in American vessels or in vessels belonging to the subjects of any Government with whom the United States have a Treaty of Commerce, a Duty of two pence per bushel and all dutiable Goods imported by Land shall be considered as having been imported in "American bottoms."

Ordered that he have leave accordingly.

Ordered that Mr. Cabarrus and Mr. Hamilton have leave to absent themselves from the service of this House after Saturday next.

The Bill for the regulation of Commerce, was read the second time, passed and sent to the Senate.

The House adjourned til 4 O'Clock.

The House met according to adjournment.

Ordered that Mr. Courtney have leave to absent himself from the service of this House To-morrow.

Ordered that Mr. Moore have leave to absent himself from the service of this House after Saturday next, and Mr. Wood after To-morrow.

Received from his Excellency the Governor, the following Message.

To the Honourable the General Assembly:

Gentlemen:

The papers herewith presented you were put into my hands by Mr. Thomas Stewart who says they contain resolutions of a Body of men to the Westward of the Appalachian Mountains, stating themselves the General Assembly of the State of Franklin, and that he is attending to give the honourable the General Assembly of this State full information on the business contained in the said resolutions, if you shall think proper to call upon him for that purpose.

R. CASWELL.

Ordered that the Message from his Excellency the Governor, with the papers therein referred to, be sent to the Senate.

Ordered that Mr. Nash and Mr. Williamson be added to the Com-
mittee to prepare and bring in a Bill to quiet the Inhabitants of certain Western Counties.

Received from the Senate the following Message of the 17th Inst., vizt:

Mr. Speaker & Gentlemen:

We propose that the Clerks be directed to make up the Estimate for the allowance of the Members of this present Assembly including Saturday next at the rate of Sixteen Shillings per Day.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House do not concur with the Senate in making up the Estimate to include Saturday, but propose that it be made to include Wednesday next, from a supposition the business cannot be completed sooner allowing the sum for allowance by you proposed.

Received from the Senate the report of the Committee on a Letter from Doctor Franklin in favour of Edward Bridgen, endorsed "In Senate, read and Concurred with."

Received from the Senate the following Bills, vizt:

A Bill to restore to Edward Bridgen his Estate and to repeal so much of the Confiscation Laws which respect the same.

A Bill to amend and explain an act for opening the Land office, endorsed "In Senate read the first time and passed."

Received from the Senate the Petition of John McCrohon, endorsed "In Senate, read and referred to the Committee appointed to report on the Memorial of J. W. Stanley and W. Stanley," which being read was referred as by the Senate.

The Bill for ascertaining the duties and salary of the Public Printer, was read the second time, amended, passed and sent to the Senate.

The Bill to empower the late Commissioners, Sheriffs and Collectors of Public Taxes to collect and receive the arrearages of said Taxes, was read the second time and passed.

Ordered that the bill to empower the Wardens of the Poor to call to acc't all former Sheriffs, Clerks of County Courts and other Persons who have not accounted for Taxes and fines by them rec'd, &c., be read the second time in this House To-morrow.
On motion of Mr. Blount, seconded by Mr. Person, Resolved that James Malloy be allowed the sum of Sixteen Pounds in addition to a sum already drawn by him for riding expresses by direction of the late Governor Martin; it appearing to this Assembly that the sum already received was inadequate to those services.

Mr. Person, from the Committee to whom was referred the Petition of Doctor Robert T. Hornby, Reported as follows:

Your Committee to whom was referred the Petition of Doctor Thomas Hornby, praying letters patent to secure to him, his Heirs, &c., the exclusive right for fourteen years, of disposing of a Horizontal Wind Machine, which he is about to erect, are of opinion the said Petition be laid over.

THOMAS PERSON, Chn.

The House taking the said Report into consideration concurred therewith.

Mr. Person, from the Committee to whom was referred the Memorial of James Kenan, Reported as follows:

Your Committee to whom was referred the Memorial of James Kenan, Esquire, praying the title of a Tract of Land containing three hundred Acres, formerly the property of a certain Thomas Torrens, to be vested in fee in him and his heirs, Report,

That it appears to your Committee the Estate of the said Thomas Torrens was confiscated by act of Assembly and agreeable to said Act the County Court of Dobbs reserved for the use of the Widow and Children of the said Thomas Torrens the aforesaid Tract of Land.

That it appears by the Memorial, the wife of said Torrens has since disposed of the Lands aforesaid to the Memorialist.

Your Committee are of the opinion as the Lands prayed for were granted the Widow in manner herein before mentioned, that she had no right to dispose of it, Therefore cannot grant the prayer of the Memorial.

THOMAS PERSON, Chn.

The House taking the said Report into consideration concurred therewith.

Ordered that Mr. Gardner have leave to absent himself from the service of this House.
The House adjourned till To-morrow Morning half after 9 O’Clock.

THURSDAY, 22 DECEMBER, 1785.

The House met according to adjournment.

The Bill to amend an Act for establishing a Town on the Lands of Richard Evans, by the name of Martinborough, passed at Newbern 1771, also another Act to amend the before recited Act passed at Newbern in March 1774, was read the second time, passed and ordered to be Engrossed.

Received from the Senate the Report of the Committee on the Petition of Robert Palmer, endorsed “In Senate read and concurred with.”

Received from the Senate the Acco’ts. of Dr. Hugh Williamson for services as Delegate &c., Ordered that the same be referred to the Committee to whom was referred the Acco’ts. of the Honbl. Richard Dobbs Spaight, Esqr.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Resolution signed by William White and Stokely Donaldson accompanied with the Governor’s Message, we propose referring to the Committee appointed to consider of and report on the State papers, and request the Committee to report thereon To-morrow.

The House taking into consideration the subject matter contained in the above Message rejected it.

The House resumed the consideration of the Letter from the Honbl. John Sitgreaves with his Acco’t. as Delegate, and referred them to the Committee on the Acco’ts of the Honbl. Richard Dobbs Spaight, Esquire.

The Bill for the relief of Mercy Belford, and to vest in Heirs, male, of Jonas and Mercy Belford, the Landed Estate of the said Jonas Bedford, was read the first time, passed and sent to the Senate.

Received from the Senate a Resolve of that House for allowing Paul Martin the sum of fifty Pounds, which being read was rejected.

The Petition of William T. Lewis, and the Petition of the Militia Officers of Wilks County, being read were referred to a joint
Committee, The Members chosen on the part of this House, are Mr. Polk, Mr. Blount and Mr. J. P. Williams.

Resolve that His Excellency the Governor, be requested to issue a warrant in favour of Alexander Black, surviving Partner of Smith Bell & Company for ninety eight Pounds Seventeen Shillings and Six pence, in lieu of one heretofore issued by the late Governor Martin to the Commissioner of Specific supplies, which has not as yet been honoured with payment, first taking in and destroying the first Warrant.

Mr. Lock from the Committee to whom the acco’t. of the State against General Rutherford was referred, Reported as follows:

That it appears to your Committee from the Testimony of General McDowall and Colonel Gillispie, that General Rutherford ordered his Quarter-Master to receive into his care, and to deliver at Salisbury the Muskets and Powder with which he stands charged, and that it also appears by the same Testimony that not any of the said Muskets, or not more than one of them, were put in service or used in the General Brigade, but that they were delivered to Major Mountflorence, A. D. Q. M. G., at Salisbury, as was the powder, except in a small quantity thereof expended in the General’s Camp.

That General Rutherford applied to the Auditors for the middle Board of Salisbury District, to settle with him for the money received of Mallet, that they declined settling with him from an opinion that they were not competent thereto. That as the General has not his vouchers for the payment of the said money with him and being ready to settle at any moment after his return home, your Committee are of opinion that the Treasurer should be impowered to settle with him for the money received of Mallet, and that the General have Credit on his Acco’t. with the State for one Thousand Eight hundred and Eighty three pounds, fourteen shillings and Eight Pence, with which he stands charged for the Muskets and Gun Powder, all which is submitted.

MATTHEW LOCK, Chn.

The House taking the said Report into consideration concurred therewith.

Mr. Hay moved for leave and presented a Bill directing the mode of proceeding on impeachments, which was read the first time, passed and sent to the Senate.
STATE RECORDS.

Received from the Senate the following Engrossed Bills, vizt.:
A Bill to amend an act passed at Hillsborough on the twenty second of October one Thousand seven hundred and eighty four intitled an act for appointing Collectors of the Imports at the several Ports of this State, and for regulating the duty of Naval officers of the Customs and Masters of Vessels.
A Bill to alter the manner of holding Elections for Members of the General Assembly for New Hanover County.
A Bill for erecting and establishing a Town in the County of Lincoln.
A Bill for erecting a Town on the Lands of Whitmill Hill in Martin County on Roanoke River.
A Bill for the promotion of learning in the County of Davidson.
Mr. Williamson moved for leave to withdraw the "Bill for incorporating the Protestant Episcopal Church in the County of Chowan.
Ordered that he have leave accordingly.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:
We agree that the Estimates be made up to include Wednesday next.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:
This House will agree to the report of the Committee appointed to consider of the Secretary representation, provided you will agree to set that part which stands deleed in the report.
The House taking the said report into Consideration, Resolved that it be committed & ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:
We propose that the report of the Committee on the representation of the Secretary be committed, and that the Committee be directed to report the facts proved before them specially.
The Bill to confirm titles to Lands therein described, was read the second time, amended, passed and sent to the Senate.
An additional Bill to amend the several Acts for regulating the Town of Wilmington and to regulate and restrain the Conduct of Slaves and others in the said Town & in the Towns of Washington, Edenton and Fayetteville, was read the second time, passed & sent to the Senate.

Received from the Senate the following Reports of Committees, vizt.:
- On the Petition of Doctor Robert T. Hornby.
- On the Petition of Edward Hall.
- On the Petition of Simon Terril and Joseph Kirk.
- On the Petition of John Jones.
- On General Clark's Letter to the Governor.
- On the Petition of Lieut. Timothy de Monroe.
- On the Petition of Mrs. Elizabeth Mills, respectively endorsed, "In Senate read and concurred with."

Mr. Thomas Frohock, one Member for the Town of Salisbury, appeared, was qualified and took his seat.

The Bill for recovering part of the Artillery to the State was read the second time, amended, passed and sent to the Senate.

Whereas, it has been made appear, to this Assembly that Moses Griffin and Isaac Reed are entitled to an allowance from this State under a resolve of the General Assembly of the late Province, they having been wounded in the public service, of which allowance they have received but Ten Pounds each, therefore,

Resolved, that the Treasurer of the State pay to each of them the sum of seventy pounds the sum now due upon their said allowance in full, and that he be allowed for such payment in the settlement of his public accounts.

The Bill to extend the lines between Burke and Rutherford Counties was read the second time, passed and sent to the Senate.

Received from the Senate a Bill directing the mode of proceeding on impeachments endorsed "In Senate read the first time and passed."

Received from the Senate a Message from the late Governor, endorsed, "In Senate, read and referred as by the House of Commons."

Mr. Blount moved for leave and presented a Bill to explain &
amend an act directing the sale of Confiscated property, which was read the first time, passed and sent to the Senate.

Received from the Senate the additional Bill to amend the several Acts for regulating the Town of Wilmington, endorsed, "In Senate, read the second time and passed."

Ordered that the Bill to amend an Act passed at Newbern in one thousand, seven hundred and Eighty-four intitled an Act to describe and ascertain such persons who owed allegiance to this State, &c., be read the second time in this house Tomorrow.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have rejected the report of the Committee respecting John Brady, &c., and propose that the Resolve herewith sent you be substituted in lieu thereof.

At the same time received the Resolve referred to, which being read the following resolution was agreed upon in lieu of the one proposed by the Senate, viz.:

Whereas, it appears that John Brady, Robert Dunlap and William Dunlap, whose Petition this House have again taken under consideration, are strangers in the Country and little acquainted with Mercantile regulations, that they are poor, and have suffered under considerable misfortunes since their arrival in America, therefore,

Resolved, that the Collector of Port Roanoke, on the payment of all lawful Duties, together with the expenses attending the seizure, deliver to John Brady, Robert Dunlap and William Dunlap, all the Goods lately seized from them for the nonpayment of Duties, and that the Attorney for the State be directed to prosecute as well the master of the vessel in which these Goods were Imported, as every other person who shall appear to have been concerned in the attempt to defraud the State of its revenue.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose the Resolve herewith sent for your concurrence in favour of John Brady, &c., in lieu of the one by you entered into on the same subject.
Ordered that the bill for destroying vermin be read this afternoon.
The House adjourned till 4 O’Clock.

The House met according to adjournment.
Received from the Senate the following Message of the 13th Inst.

Mr. Speaker & Gentlemen:

We herewith send for your concurrence a Resolve of this House in favour of John Armstead.

At the same time received the resolve referred to in the above Message, which being read was concurred with.

On motion made by Mr. Blount, seconded by Mr. Cabarrus, Resolved that a Writ of Election issue to the County of Tyrrell for the Election of one Member of this House in the room and stead of Nehemiah Norman, Deceased. That the said Election be held on the first Friday and the Saturday following in April.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree to the recommission of the report of the Committee on the Secretary’s representation.

Ordered that Mr. Everagin and Mr. Symons have leave to absent themselves from the service of this House Saturday.

The Bill to prevent any person from stopping ways leading to houses of religious worship, was read the Second time, passed and ordered to be Engrossed.

The Bill to empower the Wardens of the Poor to call to acco’t all former Sheriffs, Clerks of County Courts and other persons who have not accounted for taxes and fines by them rec’d., which are appropriated or intended for the support of the poor, was read the second time, passed and sent to the Senate.

Ordered that the Bill to amend & explain an Act for opening the Land Office, &c., and the Bill for levying a Tax for the support of Government, &c., be read the second time in this House Tomorrow.

Ordered that the Bill to impose certain Taxes on Law proceedings, and the Bill to alter the times of holding the several Courts of Pleas & Quarter Sessions be laid over until the next Session of Assembly.
The Bill to restore to Edward Bridgen his Estate & to repeal so much of the confiscation Laws which respect the same, was read the first time, passed & sent to the Senate.

Received from the Senate the Petition of James Miller, endorsed, "In Senate, read and referred to a special Committee. The Members on the part of this House, Mr. Macon, Mr. McCawley, Mr. Hines & Mr. Herndon," which being read was referred on the part of this House to Mr. Oliver, Mr. Philips & Mr. Moya.

The Bill to prevent the stoppage of fish from running up Cape Fear river, Deep river, Haw river & Rocky river, was read the second time, passed and sent to the Senate.

The Bill to amend an Act intituled an Act directing the mode of proceeding against the real Estates of deceased debtors where the personal estate is insufficient for the payment of debts, was read the second time, passed and sent to the Senate.

The Bill directing that marriage settlements and other marriage contracts shall be registered and for preventing injury to creditors was read the second time, passed and sent to the Senate.

The Bill to prevent the distillation of Spirituous Liquors from grain in the County of Davidson for a time therein mentioned, was read the second time, passed and ordered to be Engrossed.

An additional Bill to amend the several acts for regulating the Town of Wilmington and to regulate and restrain the conduct of Slaves and others in the said Town and in the Towns of Washington, Edenton and Fayetteville, was read the second time, passed and ordered to be Engrossed.

It having been represented to this House that a vessel is arrived at NewBern from Nova Scotia with several Negroes on board the property of Citizens of the United States, and that there is danger that the said Negroes may be secreted so that they may be lost to the owners; Resolved, that his Excellency the Governor be requested to take such measures as may be necessary for securing the said Negroes for the benefit of the respective owners thereof.

The House adjourned til Tomorrow Morning, 10 O'clock.

Friday, 23 December, 1785.

The House met according to adjournment.

Received from the Senate the following Engrossed Bills, vizt.:

17—25
A Bill for levying a Tax in the district of Halifax to discharge a balance due for repairing the Court House and Jail of said District.

A Bill for laying out a Town on the Lands of Jesse Peacock in the County of Sampson, endorsed, “In Senate, read the third time and passed.”

Received also the following Bills, vizt.: a Bill to impower Commissioners to build a Court house, Prison and Stocks in the County of Wilkes & other purposes, and the Bill to release Simon Terrel and Joseph Kirk from the forfeiture of a recognizance & from the Judgment which ensued thereon, endorsed, “In Senate, read the first time & passed.”

Received from the Senate the Petition of William T. Lewis & the Petition of the Militia officers of Wilkes County, endorsed, “In Senate, read and referred to Genl. Rutherford, Genl. McDowal and General Harrington.”

Received also the Report of the Committee on the Acco’ts of this State against General Rutherford, endorsed “In Senate, read and concurred with.”

The Bill to establish a Superior Court of Law and Equity in the County of Davidson, was read the second time, passed and ordered to be engrossed.

Mr. Person from the Committee to whom was referred the Memorial of John Wright and Wright Stanley, delivered a Report which being amended was agreed to, as follows:

“The Committee to whom was referred the Memorial of John Wright and Wright Stanley on behalf of themselves and the heirs of their late partner, James Green, Junior, deceased, report,

That in June, 1780, Forty seven Hogsheads of Rum were impressed from the Memorialists for the use of the Continental Army, for which they have not received payment.

That on the 19th of October, 1782, Stanleys and Green bought a house and lot in Newbern supposed to be the property of Samuel Cornell, for which they paid Eleven hundred and ninety Pounds Specie, which property by a late adjudication of the Superior Court appears not to have belonged to Mr. Cornell and is now taken out of their hands.

With respect to the case last mentioned your Committee observe that forfeited Estates were made subject to the payment of all Debts
due by the absentee. That the House and Lot in question were sold by the Sheriff of Craven County as the property of Cornell to satisfy an Execution; That although the Estate then sold for the payment of Cornell's debts appears not to have belonged to him there has been other property belonging to him to a very large amount disposed of, and the proceeds lodged in the Treasury, and it is perfectly just, that such part of the same be refunded as may pay his debts. Wherefore the Committee submit this Resolve,

That a warrant issue on the Treasury in favour of Stanleys and Green for the sum of Eleven hundred and ninety Pounds, being the amount of what they paid for a House and Lot sold by John Council Bryan, Sheriff of Craven County, to satisfy an Execution against the Estate of Samuel Cornell, and that the said Sheriff be required to account with the Treasurer for the balance of said Money remaining in his hands.

THOMAS PERSON, Chn."

On motion of Mr. Blount, seconded by Mr. D. Hall, Resolved, that the Treasurer pay to Stanleys and Green, one Thousand Pounds in part of their extraordinary supplies to this State during the late War, and that the Auditors of the Newbern District take up and destroy the Certificates which they issued to said Stanleys and Green for Three Thousand, one hundred & five pounds, Six Shillings, and issue others for the Sum of Two Thousand, one hundred & five Pounds, Six Shillings.

On the Question to agree to this Resolve the yeas and nays were required by Mr. Lock, which are as follows, viz.: 


A Grant of Public Money having been made to Messrs. Stanleys the surviving partners of Stanleys and Green as the purchase of a Lott in the Town of Newbern, vizt.: No 11, by them purchased as the property late belonging to Mr. Cornell whose Estates were confiscated, and from which the said purchasers have been evicted; and it having been suggested that the State have good title to the said Lot, therefore,

Resolved, that it be recommended to the Attorney General if he is of opinion that the Title under any of the Acts of Confiscation is good in Law that he endeavour to recover the same for the use of the Public.

Received from the Senate the two following Bills, vizt.:

A Bill to restore to Edward Bridgen his Heirs and assigns all his property, real and personal in this State.

A Bill for the relief of Mercy Bedford, and to vest in the Heirs male, of Jonas and Mercy Bedford the Landed Estate of the said Jonas Bedford, endorsed, "In Senate, read the second time and passed."

Mr. Lock from the Committee to whom was referred the Memorial of Brigadier General Gregory, Reported as follows, vizt.:

That by the Testimony of Thomas Relf, Esquire, taken on oath before your Committee it appears that General Gregory offered to pay the full sum of paper Currency which he received on the State's acco't unto the Treasurer of Edenton District within three weeks after he received it and as the General has made it appear to the perfect satisfaction of every Member of your Committee that he did not make use of or speculate on the Public Money; they are of opinion he can not be justly charged with the difference of the depreciation from the day he received it to the day he repaid the said Currency, which difference amounting to Twenty-two pounds, Six Shillings and one penny is the sum total with which he stands charged in the Comptroller's account: All which is submitted.

MATTHEW LOCK, Chn.

The House taking the said Report into consideration concurred therewith.

Received from the Senate the Resolve of that House in favour of John Bradeley, Robert Dunlap and William Dunlap, Concedurred with.

Received from the Senate the following Resolves of this House, vizt.:
The Resolve requesting His Excellency the Governor, to grant a warrant on the Treasury in favour of Alexander Black, &c., for the sum therein mentioned.

The resolve allowing James Malloy Sixteen Pounds.

The Resolve allowing Moses Griffin and Isaac Reed Seventy Pounds each.

The Resolve requesting his Excellency the Governor to take such steps as he may think necessary for securing Certain Negroes therein mentioned, respectively endorsed "In Senate read and concurred with."

Received also the report of the Committee on the Memorial of James Kenan, Esquire, concurred with.

The House adjourned till 5 O'Clock.

The House met according to adjournment.

Received from his Excellency the Governor the following Message:

To the Honorable the General Assembly:

Gentlemen:

I have the honor of laying before you a Letter from the Secretary of Congress informing me that on the Twenty-third of last month, seven States had assembled in Congress and had elected His Excellency, John Hancock, President.

Also a Letter from William Blount, Esquire, on the subject of the Indian Treaties.

R. CASWELL.

Ordered that this Message and the Letters therein referred to be sent to the Senate.

Received from the Senate the Petition of John Simpson, Esquire, which being read was ordered to lie on the Table.

The Bill for establishing a Militia in this State, was read the first time, passed and sent to the Senate.

A motion was made by Mr. Bonds, seconded by Mr. Starkey, that the Bill directing the mode of impeachment, should be laid over until the next Assembly, this being objected to the question was put and carried in the affirmative, whereupon Mr. Maclaine called for the Yeas and Nays. Ordered that the Bill be entered on the Journal previous to the Yeas and Nays.
A Bill directing the mode of proceeding upon Impeachments.

Whereas, it is declared by the Constitution and form of Government that the Officers thereof offending by violating the Constitution, maladministration or corruption, may be prosecuted by impeachment of the General Assembly, and hitherto no mode hath been directed how such impeachments shall be made and tried.

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 when an article or articles of impeachment be exhibited to the General Assembly against any public officer, or officers, notice shall issue to the person impeached that he may appear and show cause by himself and his council why he should not be charged with the articles exhibited against him, and every person against whom articles shall be exhibited as aforesaid, shall have a Copy of such articles at least —— days previous to the hearing thereof before the General Assembly, and when any person shall be impeached as aforesaid and shall be present at the time of the impeachment found he shall forthwith enter into recognizance with sufficient securities in such sum as shall be thought necessary, respect being had to his fortune and credit, to appear at the Court before which he is to be tried as hereafter mentioned, but in case he shall not appear upon notice before the General Assembly then it shall and may be lawful for the Speakers of both Houses to issue their joint warrant to the Sheriff of the County where the person impeached usually resides, which warrant shall be in the following form to wit:

And be it further Enacted that the Court for the trial of impeachments shall be held at the Court house of the district wherein the offence charged in the impeachment is said to have been committed, at the time of holding the Superior Court for such district, and by a good and lawful jury as in other Criminal cases and before the Judges of such Court, except where a judge shall be the person impeached, but where a judge or judges of the Superior Court shall be impeached, then and in that case the Governor with the Speakers of both houses of the General Assembly, all for the time being, with three Persons learned in the Law who shall have practiced not less than —— years in the Superior Courts of this State previous to their appointment, shall compose the Court for the trial of any im-
peached Judge as aforesaid, and the General Assembly shall by
joint ballot of both Houses nominate three persons to be associates
the Governor and Speakers as aforesaid, and if they shall deem it
expedient may appoint one or more of their own Members, to assist
in the prosecution of any impeachment, and be it further Enacted
that any person, or persons, impeached as aforesaid shall be sus-
pended from the exercise of his office whether of honor, trust or
profit until he shall be acquitted of the offence of which he may be
impeached, and on conviction shall forfeit his office and shall be
incapable in law of receiving and enjoying any office or place of
trust in this State, and shall also suffer such other punishment as
the law shall or may direct for the offence of which he shall be found
guilty.

YeaS—Messrs. Collins, Neale, Cooper, Sanders, Coleman, Stewart,
Rhodes, Griffith, D. Hall, Person, P. Hawkins, Manney, Hamilton,
Isler, Bonds, Cain, J. Jordan, W. Hawkins, Martin, Eborn, T.
Jordan, McDonald, C. Roberson, Everagin, R. Riddick, Dodd,
Franklin, Lewis, Hill, West, Smithwick, S. Williams, Edmunds,
Carrol, Robins, W. Taylor, Phifer, Richardson, Starkey, Cox and
Singleton—41.

Nays—Messrs. Blount, Smaw, Oliver, Avery, Williamson, Dick-
ens, White, Polk, McKissick, Sloan, Symons, Hays, Cabarrus,
B. Williams, Moore, McDowal, Maclaine, Hay, Philips, Diggs,
Dickson, Rowan, Leonard, Lock, Berger, Alexander, Grant, C. Hall,
Webb and Flowers—30.

Mr. Hawkins in behalf of himself and others moved for leave to
enter their reasons for laying over the Bill in which the yeas and
nays are here taken, until the next Assembly.

Ordered that they have leave accordingly.

The Bill to erect and establish an Academy in the County of
Duplin, was read the second time, passed and ordered to be En-
grossed.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We have appointed General Harrington and Mr. Hargett in
addition to the Gentlemen already appointed to examine the En-
grossed Bills.
The house taking this message into consideration, appointed Mr. Avery and Mr. McDowal on their part to examine the Engrossed Bills, and ordered the following Message to be sent to the Senate.

Mr. Speaker and Gentlemen:

We have on our part appointed Mr. Avery and Mr. McDowal to examine the Engrossed Bills.

Ordered that the Bills for establishing a Town in Duplin County, on the Lands of William Houston, be laid over until the next Assembly.

Received from the Senate the Bill to impower Commissioners to liquidate the acco'ts of the Officers and Soldiers of the Continental Line of this State and receiving the acco'ts of the late Boards of District Auditors for a limited time, endorsed "In Senate, read the second time and passed."

A Bill for levying a Tax in the district of Halifax to discharge a balance due for repairing the Court House and Jail of said District was read the third time and passed.

The Bill for laying out a Town on the Lands of Jesse Peacock, in the County of Sampson, was read the third time and passed.

The following Bills were read the third time, passed and sent to the Senate, vizt:

The Bill for the relief of the Widows, or Children of officers, who have died in the service of the United States.

The Bill to alter the manner of holding elections for members of the General Assembly for New Hanover County.

The Bill for the better regulation of the Town of Tarborough.


The Bill to establish a Town in the fork of the Cumberland and Red River, on the east side of Red River, in Davidson County.

The Bill for erecting a Town on the Lands of Whitmill Hill, in Martin County, on Roanoke River.

The Bill for erecting and establishing a Town in the County of Lincoln.

The Bill for the promotion of learning in the County of Davidson.

The Bill to amend an act passed at Hillsborough on the twenty-second of October, one Thousand seven hundred and Eighty four,
intitled "an act for appointing Collectors of the Imports at the several Ports of this State and for regulating the duty of Naval officers, the officers of Customs and Masters of Vessels."

Ordered that Mr. Lock be added to the Committee appointed on the Petition of W. T. Lewis and the Militia Officers of Wilkes County.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have added Mr. Lock to the Committee on the Petition of Mr. Lewis, &c.

The House adjourned till To-morrow morning, 10 O'clock.

Saturday, 24 December, 1785.

The House met according to adjournment.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the Members for Davidson County be allowed after the rate of twelve days each, over and above the allowance to members on this side of the Mountains.

Received from the Senate a Resolve of that House directing the Treasurer to forbear commencing suit against the Administratrix of John Gaillard until after the next Assembly, &c., which being read was concurred with.

Received also the Resolve of this House directing the Treasurer to pay Stanleys and Green the sum therein mentioned, concurred with.

Received also the report of the Committee on the Memorial of John Wright and Wright Stanley concurred with, as agreed to by this House.

Received from the Senate the resignation of Adam Luckey, as a Justice of the Peace for Guilford County, which being read was accepted by this House.

Received from the Senate the report of the Committee on the Memorial of General Gregory, endorsed "In Senate, read and concurred with."

Received from the Senate a recommendation of Justices to be
added to the Commission of the Peace for Dobbs County, which
being read was rejected and the following Message ordered to be
sent to the Senate.

Mr. Speaker and Gentlemen:

This House have rejected the recommendation for Justices of the
Peace for Dobbs County, but as it is represented the want of a Jus-
tice in Kinston is an inconvenience, we will agree that John Coart
be added to the Commission of the Peace for that County.

A motion was made by Mr. Hay, seconded by Mr. Maclaine, that
it is expedient the Tax for the year 1786 should be raised, from
what the Tax was for the year 1785. This being objected to, the
question being put was carried in the affirmative, whereupon the
yeas and nays were required by Mr. Person, which are as follows,
vizt:

Yeas:—Messrs. Blount, Oliver, Collins, Neale, Williamson, Saw-
yer, White, Harney, Cooper, Rhodes, Polk, D. Hall, P. Hawkins,
Ashe, Montgomery, Manney, Nash, McKissick, Sloan, Symons, Cain,
W. Hawkins, Cabarrus, Hayes, Martin, B. Williams, Skinner, R.
Riddick, Tisdale, McDowal, Maclaine, Whitaker, Hay, Phillips,
Diggs, Dickson, West, S. Williams, Edmunds, Lock, Berger, Phifer,
Alexander, C. Hall and Flowers.—45.

Nays:—Messrs. Smaw, Avery, Ferebee, Dickens, Sanders, Coleman,
Sheppard, Stewart, Person, Hamilton, Isler, Bonds, J. Jordan,
J. Taylor, Eborn, T. Jordan, McDonald, C. Roberson, Everagain,
Dodd, Handley, Moore, Franklin, Lewis, Hill, Rowan, Smithwick,
Carrol, Leonard, Robins, W. Taylor, Grant, Richardson, Cox, Sin-
gleton and Webb.—36.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Bill for amending the act passed at Hillsborough on the 22
of October, 1784, intitled an act for appointing Collectors of the
Imports at the several Ports of this State, and for regulating the
duty of Naval Officers, Officers of the Customs and Masters of Ves-
sels, has been read the third time in this House and rejected.

Mr. Nash moved for leave and presented a Bill to amend "an
act to prevent persons holding offices of profit from enjoying seats
in the General Assembly," which was read the first time, passed and sent to the Senate.

A motion was made by Mr. Lock, seconded by Mr., that the tax for the year 1786 be raised one fourth higher than the Tax for the year 1785, this being objected to, the question was put and carried in the affirmative, whereupon the yeas and nays were required by Mr. Bonds which are as follows, viz:


The Bill to amend and explain an act for opening the Land office, and for adding a part of the Officers and Soldiers boundary to the County of Davidson was read the second time, amended, passed and sent to the Senate.

It having been suggested that the Secretary is doubtful whether he shall issue grants for Lands surveyed on entries made in the office of John Armstrong, Esquire, where no County is mentioned in the returns of the surveys.

Resolved, therefore, that the Secretary be authorised and required to issue Grants on all Surveys, wherein the District in which the Survey shall be made shall be mentioned in the return.

The Bill to preclude certain Foreigners therein mentioned from holding any office of profit, &c., was read the second time and rejected.

Ordered the Bill directing the mode of proceeding in proving Wills and granting Letters of administration be read the second time in this House on Monday next.

The Bill for establishing an Academy at Kinston, in the County
of Dobbs, and to amend an act for establishing an Academy in the District of Salisbury, was read the second time, passed and ordered to be Engrossed.

The Bill to vest the Estate of Richard Caswell, Junr., in Trustees for the benefit of his Creditors, was read the second time, passed and ordered to be Engrossed.

The House adjourned til 5 O'Clock P. M.

The House met according to adjournment.

The Bill for levying a tax for the support of Government and to continue the redemption of Continental Money, old paper Currency, Specie and other Certificates, was read the second time, passed and ordered to be Engrossed.

Mr. Avery moved for leave to enter his dissent against this Bill. Ordered that he have leave accordingly.

Ordered that Mr. Smith have leave to absent himself from the service of this House.

Mr. Maclaine moved for leave and presented a Bill to exclude Naval Officers from holding Seats in the General Assembly, which was read the first time, passed and sent to the Senate.

Whereas, Richard Henderson, Esquire, was allowed the sum of two hundred and forty-three pounds, Six Shillings and Eight pence, the 22d May, 1784, for services performed in extending the boundary line between this State and the State of Virginia, the one half of which sum was payable on demand, the other half to wait the further orders of the General Assembly; and it appearing to the Assembly that only the one-half of the allowance aforesaid has been paid, therefore

Resolved, that the Treasurer be and he is hereby required to pay to the Heirs, Executors, or Administrators of the said Richard Henderson, the Sum of one hundred and twenty-one pounds, thirteen Shillings and four pence, the balance yet remaining due on the said allowance, for which this shall be his warrant.

Received from the Senate the report of the Committee on the former Controller's acco't, endorsed "In Senate read and concurred with," which being read was concurred with.

Received from the Senate a Resolve of that House allowing James
Miller the sum of Forty Pounds, &c., which being read was concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We do not agree with your Message making an extraordinary allowance to the Members of Davidson County, but propose that they be allowed after the rate of Twenty-four days each over and above the allowance to Members on this side the Mountains for traveling to and from the present Assembly.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the Members of Davidson County be allowed Twenty-four Days each, that is to say, twelve for coming, the same for returning, &c.

The Bill to release certain persons therein mentioned from Judgments on forfeited Recognizances, and to empower the Judges to suspend Judgments hereafter to be given in like cases, was read the second time, passed and sent to the Senate.

The Bill to empower Robinson Mumford and James Porterfield to receive storage for Tobacco, inspected and deposited in their Warehouses at Fayetteville, was read the second time, passed and ordered to be Engrossed.

The Bill to restore to Edward Bridgen his Heirs and assigns all his property real and personal in this State, was read the second time, passed and ordered to be Engrossed.

The Bill to amend the acts passed for purchasing a lot or lots in the Town of Wilmington for the purpose of building a Gaol for the District of Wilmington and for repairing the Court house of said District was read the second time, passed and sent to the Senate.

The Bill to empower Commissioners to build a Court house Prison and Stocks in the County of Wilkes and other purposes was read the first time, passed and sent to the Senate.

Mr. Blount moved for leave and presented a Bill to prevent the sale of such of the Lands of Ralph Macnair, deceased, as remain unsold in this State, and to empower Edward Hall of Edgecomb
County Executor of the last Will and testament of the said Ralph, to collect the debts due from the inhabitants of this State to the said Ralph at the time of the confiscation of his property, which was read the first time, passed and sent to the Senate.

The Bill for destroying Wolves, Wild Cats, Crows and Squirrels in the Several Counties herein mentioned was read the first time, passed and sent to the Senate.

Ordered that the Bill to regulate and establish a Militia in this State be read the second time in this House on Monday next.

The Bill for appointing Commissioners in the County of Rutherford for building a Court House, Prison and Stocks in the said County, and for levying a Tax for defraying the expense thereof, was read the second time, passed and ordered to be Engrossed.

The Bill to impower certain persons therein named to receive, sue for, and recover all such bequests, donations, benefactions and other things as have heretofore been bequeathed, given, or made by any person, or persons, whatsoever for the use of the congregation or society of the Presbyterian Communion at Wilmington, was read the first time, passed and sent to the Senate.

Ordered that the Bill to impower Commissioners to liquidate the acco'ts of the Officers and Soldiers of the Continental line of this State, &c., be read on Monday next the second time in this House.

Received from the Senate the following Engrossed Bills, vizt:

A Bill for emitting one hundred Thousand Pounds in Paper Currency, for the purposes therein expressed.

A Bill to amend an act for establishing a Town on the Land of Richard Evans, &c.

A Bill to extend the line between Burke and Rutherford Counties.

A Bill directing that Marriage settlements and other Marriage Contracts shall be registered for preventing injury to creditors.

Received also the following Engrossed Bills, which were read the third time, passed and sent to the Senate, vizt:

A Bill for recovering part of the Artillery belonging to this State.

A Bill to prevent the distillation of Spirituous Liquors for the time therein mentioned, in the County of Davidson.

A Bill to alter the place of holding the County Court of Beaufort County, from Bath to the Town of Washington, in the said County,
and to erect a new Court House, Prison, Pillory and Stocks in said County.

A Bill for ascertaining the duties and Salary of the Public Printer.

Received from the Senate the Engrossed Bill to establish a Superior Court of Law and Equity in the County of Davidson.

Against the following Report of a Committee made in the Senate which was Concluded with by this House. Mr. Hay in behalf of himself and others obtained leave to enter their dissent, viz:

General Rutherford, from the Committee to whom was referred the Memorial of Philip Alston, Reported as followeth, viz:

That from the testimony of John Carroll, Esquire, and Mr. John Kendrick, taken on oath before your Committee, it appears that Thomas Taylor had long been, and continued to be an Enemy to this State, and was actually guilty of misprision of Treason for a few Minutes before, if not at the very instant he fell in the renounter with Colonel Philip Alston. That the said Alston then commanded a Corps of Militia in the service of this State for the express purpose of suppressing the Tories, the situation of the County, (General Greene being at that time under the necessity of retreating before the British Army) and every circumstance considered, Your Committee are of opinion that Colonel Philip Alston should not be brought to tryal on account of the death of the said Thomas Taylor, and they beg leave to suggest that a recommendation from the Honbl. the General Assembly to his Excellency the Governor to issue a pardon to the said Colo. Alston would be the best method to close the enquiry: —all which is submitted.

GRIFITH RUTHERFORD, Chn.

Dissentient.

1st. Because it appears that the Memorialist was in Arms and commanding at the time and place of meeting with the deceased Thos. Taylor an armed force by which means the said Thomas Taylor, had he been an open and avowed enemy of the State could have been made Prisoner, and for any crime or misdemeanor made liable to the Justice of the State.

2. Because the strong passions of the Memorialist as set forth in his Memorial cannot as we conceive justify the representatives of the people to pardon or recommend to Pardon a man who has shed
the blood of a fellow Citizen. Because had the fact been true that a rencontre between the Deceased and the Memorialist had (as in the said Memorial is recited) ensued we cannot doubt but the Memorialist would have stood acquitted on trial by the Laws of his Country and the verdict of a Jury. But no evidence having been adduced in proof of any such rencontre and the Memorialist not appearing to have at any time surrendered himself to Justice, but on the contrary, having applied for an indemnification against any lawful inquiry into this affair, we cannot suppose the suggestion of the deceased Thos. Taylor's maintaining inimical principles, and having a rencontre with Memorialist founded in fact, and when the evidence of a Member of this House was called for it appeared no such rencontre had ensued.

Unwilling at all times to prevent the inquiries of Law into so heinous a crime as Murder we cannot concur in the recommendations of this House to pardon on this occasion as the suggestions if true are not sufficient to warrant it, therefore inconsistent with the offended Justice of the State, and if false the pardon thereon recommended of no avail. Signed John Hay, A. Maclaine, Hu. Williamson, Enoch Sawyer.

The House adjourned till Monday Morning half after 7 O'clock.

MONDAY, 26 DECEMBER, 1785.

The House met according to adjournment.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

A Resolve in favour of Mr. Miller has been concurred with by this House, in which it is directed that a certain sum should be paid him by the Collectors of Rutherford and Burke Counties which we are of opinion ought to be confined to Rutherford only, if the Resolve be so expressed. We propose that the Senate reconsider the same and make the alteration according to the opinion of this House.

The Bill to enable the Public Treasurer more effectually to recover Public Moneys that are now due or hereafter may become due, was read the second time, passed and ordered to be Engrossed.

The Bill to amend an act passed at Newbern in one thousand, seven hundred and Eighty four intitled an act to describe and ascer-
tain such persons who owed allegiance to this State, and to impose certain disqualifications on certain persons therein described was read the second time, passed and ordered to be Engrossed.

The Bill to amend the act for making provision for the poor was read the second time, passed and ordered to be Engrossed.

The House adjourned till half after 10 O'clock.

The House met according to adjournment.

The Claim of Waightstil Avery, Esquire, being reported to the House by the Committee of Claims, was read and referred to a joint Committee. The Members chosen on the part of this House, are Mr. Person, Mr. Williamson and Mr. Polk.

The Bill for the relief of Mercy Bedford and to vest in the heirs, male, of Jonas Bedford the Landed Estate of the said Jonas Bedford was read the second time, passed and ordered to be Engrossed.

Received from the Senate a Bill to prevent the sale of such of the Lands of Ralph Macnair, Deed, as remain unsold, &c., endorsed, "In Senate, read the first time & passed."

Received also the Bill for destroying wolves, Wild Cats, &c., endorsed, "In Senate, read the second time, amended & passed."

Received from the Senate the Petition of Peter Orme, endorsed, "In Senate, read and referred to a Special Committee. The members on the part of this House are Mr. Campbell, Mr. Hargett & Mr. McDowall" which being read was referred by this House to Mr. S. Williams, Mr. McDowall and Mr. Leonard.

The Report of the Committee of Claims being read was concurred with and sent to the Senate.

Received from the Senate the Resolve of this House, requiring the Treasurer to pay the Heirs, &c., of Richard Henderson, Deed., the sum therein expressed, concurred with.

The Bill to direct the proceedings on proving Wills and granting Letters of administration, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the Bill to impower Commissioners to build a Court house, Prison & Stocks in the County of Wilkes, &c., and,

A Bill to impower certain persons therein named to receive, sue for and recover all such bequests, donations, benefactions and other things as have heretofore been bequeathed, given or made by any
person or persons whatsoever for the use of the Congregation or Society of Presbyterian Communion at Wilmington, endorsed, "In Senate, read the second time and passed."

The Bill to secure and quiet in their possessions all such persons, their Heirs & assigns who have purchased or may hereafter purchase Lands & Tenements, Goods and Chattels which have been sold or may hereafter be sold by Commissioners of forfeited Estates legally appointed for that purpose, was read the second time, passed and ordered to be Engrossed.

Mr. Maclaine moved for leave to enter his protest against the Bill. Ordered that he have leave accordingly.

The Bill to empower the late Commissioners, Sheriffs and Collectors of Public taxes to collect and receive the arrearages of said Taxes, was read the second time and rejected.

The Bill for increasing the Jurisdiction of the County Courts of Pleas and quarter Sessions and of the Justices of the Peace out of Court & directing the time of holding the several Courts of this State, was read the third time, passed and sent to the Senate.

Received from the Senate a Resolve of that House allowing Nathan Smith forty Pounds, &c., which being read was laid over until the next Assembly.

Mr. Blount moved for leave and presented a Bill to empower the Free holders and Freemen of the Counties of Washington, Sullivan & Greene to return their representatives otherwise than is heretofore directed, which was read the first time, passed & sent to the Senate.

Received from the Senate a Resolve of that House in favour of Lieutenant Colonel Hardy Murfree respecting certain Lands therein mentioned, which being read was concurred with.

On motion of Mr. Aver, seconded by Mr. Blount, Resolved that a joint Committee be appointed to examine and report what injury the State is likely to sustain by David Miller's antedating Land Warrants, and entering Western Lands since the office shut. The Members chosen on the part of this House for that purpose are, Messrs. Phifer, Singleton, Alexander, McKissick, Phillips and Isler.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House propose that a joint Committee be appointed to ex-
amine and report what injury the State is likely to sustain by David Miller's antedating Land Warrants, and entering Western Lands since the office shut, and have for that purpose, Appointed Messrs. Phifer, Singleton, Alexander, McKissick, Philips and Isler.

The Bill for the more speedy determining disputes that have arisen or hereafter may arise in the Counties of Rowan, Mecklenburg, Rutherford, Guilford and Lincoln from erecting Mill dams, and to prevent persons from building as herein described, was read the second time, passed and ordered to be Engrossed.

Ordered that the Bill to impower Commissioners to build a Court house, &c., in Wilkes County, &c., be laid over until the next Assembly.

The House resumed the consideration of the Report of the Committee on the Petition of Robert Sims, and concurred therewith.

The resignation of John Alexander as a Justice of the Peace for Lincoln County, was read and accepted by this House.

The Bill to prevent the sale of such of the Lands of Ralph Macnair, deceased, as remain unsold in this State, and to impower Edward Hall of Edgecombe County, Executor of the last Will and Testament of the said Ralph to collect the Debts, &c., was read the second time, amended, passed and sent to the Senate.

The House adjourned till Tomorrow Morning, 9 O'Clock.

TUESDAY, 27 DECR., 1785.

The House met according to adjournment.

The Bill to amend an act for establishing a Town on the Lands of Richard Evans by the name of Martinborough passed at New Bern, 1771, also to amend the before recited Act passed at NewBern in March, 1774, was read the third time, passed and sent to the Senate.

The Bill to extend the line between Burke and Rutherford Counties was read the third time, passed and sent to the Senate.

The Bill to vest the Estate of Richard Caswell, Junior, in Trustees for the benefit of his creditors, was read the third time, passed & sent to the Senate.

The Bill vesting certain property lying and being in Granville County in Mary Alston Bell in fee Simple, was read the second time, passed and ordered to be Engrossed.

The House resumed the consideration of the report of the Com-
mittee on the affidavit of Joseph Graham, which being read was rejected.

Whereas, it remains a doubt with the Treasurer whether the Interest due on indented Certificates issued by the late Boards of Auditors should be allowed in his settlement with the Sheriffs and other receivers of Public Monies, therefore,

Resolved, that the Treasurer shall be and he is hereby directed to allow Interest on all such Certificates not already received into his office, also that he be directed to receive all bills of credit of the emission of the present circulating currency altho' the said Bills should be so torn as to be unfit for further circulation.

The Claim of Matthew McClure was read and referred to the next Assembly.

The Bill vesting certain property lying and being in Granville County in Mary Alston Bell in fee Simple, was read the third time, passed and sent to the Senate.

Received from the Senate the Bill to empower the Freeholders and Free men of the Counties of Washington, Sullivan and Greene to return their representatives, &c., endorsed, "In Senate, read the first time and passed."

Received from the Senate the resignation of John Wright as a Justice of the Peace for Duplin County, which being read was accepted.

Received also the resignation of Jos. Hines as a Justice of the Peace for Richmond County, which being read was accepted.

Received also a Resolve of that House for allowing the Members of Assembly who attended at NewBern in June last the same daily pay as is allowed the Members this present Session, which being read was concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The Senate have rejected the bill to extend the line between Burke & Rutherford Counties.

The Bill for establishing a Militia in this State, was read the Second time, passed and ordered to be Engrossed.

The Bill for destroying wolves, Wild Cats, Crows and Squirrels in the several Counties herein mentioned was read the second time, passed and ordered to be Engrossed.

Mr. Avery moved for leave to enter his protest against this bill.
Ordered that he have leave accordingly.

On reading the recommendation of Chowan Court,

Resolved that Robert Perkins of said County be exempt from the payment of a Poll Tax.

Received from the Senate the Bill for establishing an academy at Kinston in the County of Dobbs, and to amend the act establishing the academy in the District of Salisbury, endorsed, "In Senate read the third time and passed."

Received from the Senate the Resolve of this House directing the Treasurer to allow Interest on Certificates as therein mentioned concurred with.

The Bill to impower Commissioners to liquidate the accots. of the officers and Soldiers of the Continental line of this State, and to receive those of the late Boards of District Auditors for a limited time, was read the second time, passed and ordered to be Engrossed.

Resolved that the Printer be directed to print the Bill, for incorporating religious Societies, which was rejected this Session, one copy for each Member of the General Assembly.

The Bill to impower certain persons therein named to receive, sue for and recover all such bequests, donations, benefactions and other things as have heretofore been bequeathed, given or made by any person or persons whatsoever for the use of the congregation or society of the Presbyterian communion at Wilmington was read the second time, passed and ordered to be Engrossed.

Received from the Senate the report of the Committee on the Petition in favour of Thomas Garrett, endorsed, "In Senate, read & Concluded with" which being read was concurred with by this House.

Received from the Senate the resignation of John Alexander as a Justice of the Peace for the County of Lincoln, concurred with by that House.

On reading the recommendation of Edgecomb Court, Resolved, that William Scott of said County be exempt from the payment of a Poll Tax.

The Bill for emitting one hundred Thousand Pounds in Paper Currency for the purposes therein expressed, was read the third time, passed and sent to the Senate.

On the question shall this Bill pass or not pass the yeas & Nays were called for by Mr. Bonds, and seconded by Mr. Person.


The Bill for the regulation of Commerce was read the third time, passed and sent to the Senate.

The Bill for levying a Tax for the support of Government and to continue the redemption of Continental Money, old paper currency, Specie and other Certificates, was read the third time, passed and sent to the Senate.

The Bill directing that Marriage settlements and other Marriage contracts shall be registered, and for preventing injury to creditors was read the third time, passed and sent to the Senate.

The Bill for the more speedy determining disputes that have arisen or may hereafter may arise in the Counties of Rowan, Mecklenburg, Rutherford, Guilford, Lincoln, and Rockingham from erecting Mill dams and to prevent persons from building Mills as herein directed, was read the third time, passed and sent to the Senate.

The Bill to impower Robinson Mumford and James Portertield to receive storage for Tobacco inspected and deposited in such Ware house or Houses as they shall build at Fayetteville, was read the third time, passed and sent to the Senate.

The Bill to establish a Superior Court of Law and Equity in the County of Davidson, was read the third time, passed and sent to the Senate.

Mr. Lock from the Committee to whom was referred the Memorial of General McDowal Reported as follows:

That it appears by the Testimony of Colo. Benjamin Herndon taken an oath before your Committee, that Colo. Benjamin Cleaveland had a parcel of Paper Currency marked £7,000 and upwards, which the said Cleaveland informed him he had obtained of Gov-
ernor Nash for Colonel Charles McDowall in May, 1780, but that he could not share it. That by the information of Colonel McKenzie it appears that General, then Colonel McDowal was in May, 1780, with his Regiment of North Carolina Militia on Santee in South Carolina. That by the Comptroller's Certificate of the 22nd Instant it appears that there are not any bonds in his office to show to whom the said Monies were paid, that on examining the two Warrants for £7,040 currency each granted by Governor Nash in favour of General McDowal for the purpose of paying bounty Money to the Militia of Burke County, it appears that one of the said Warrants was paid to Colonel John Carter and the other to Colonel Hugh Brevard. That by General McDowal's information taken on oath it appears that the said warrants were not obtained or the said Monies received by his request, or order and that he never had received the said Monies or any part thereof. Your Committee are therefore of opinion that General McDowal ought not to be charged with the said sums, but that the Comptroller charge the first to the account of Colonel Benjamin Cleaveland and the second to Colonel Hugh Brevard, and that the Treasurer take the necessary measures to compel the said Cleaveland and Brevard to account for the same. All which is submitted.

MATTHEW LOCK, Chn.

The House taking the said Report into consideration concurred therewith.

The House adjourned till 4 O'Clock. Met according to adjournment.

The Bill for establishing an academy at Kinston in the County of Dobbs, and to amend the act establishing the academy in the District of Salisbury, was read the third time.

Resolved, that John Eaton, Coroner of Halifax County be allowed the sum of five Pounds, five Shillings and Eight pence for sum- moning Jurors and holding Inquests upon view of three dead Bodies in the said County, to wit, of John Miller, Charles Worrel and Bretain Galledge, that the Treasurer pay him the same and be allowed.

The Bill to impower the Freeholders and Freemen of the Counties of Washington, Sullivan and Greene to return their representa- tives otherwise than is hitherto directed, was read the second time, passed and sent to the Senate.
Mr. Williamson from the Committee to whom was referred the Memorial of Doctor Charles Pasteur report as follows:

The Committee to whom was referred the Memorial of Doctor Charles Pasteur report

That in the summer of the year 1780 Doctor Charles Pasteur who served in the Militia of this State carried with him a considerable apartment of medicines from his own shops which fell into the hands of the enemy at the action of Camden the 15th of August, according to the Doctor's account, which is confirmed by his oath, those medicines cost him the sum of one hundred and ninety Eight pounds, fourteen Shillings and your Committee believe that the charges are conformable to the prices current—wherefore—they recommend that a warrant issue on the Treasury in favour of Doctor Charles Pasteur for the sum of one hundred and ninety eight pounds, fourteen shillings in full for medicines furnished by him for the use of the Troops that marched in the year 1780, in aid of the State of South Carolina.

Your Committee further report that Doctor Pasteur has adduced an account against the State for medical services and for medicines furnished to officers and soldiers under the following heads, viz:

For his pay as a regimental surgeon during a three months Tour in the year 1780 at two dollars per day the amount is Seventy-two pounds which your Committee are of opinion should be allowed to be paid by a common Certificate, the remaining charge is for his medicines, expenses and trouble in attending sick officers and soldiers who were occasionally at Halifax in the years 1779, 1780, 1781.

Your Committee do not find that the Doctor was possessed of any Commission during this space, but they think it reasonable that he should be rewarded for his services, the medicines he expended they believe may have been worth £7 and submit that he be allowed for his time and trouble in administering the same the additional of £— for the whole of which a certificate shall be issued.

HU. WILLIAMSON, Ch.

The foregoing report was read and concurred with as to the first claim & the others ordered to be referred to the District Auditors.

Received from the Senate the following Resolves, viz.:
STATE RECORDS.

A Resolve impowering the Treasurer to receive Army settlement Certificates in payment of Bonds given for Public Waggon, &c.

A Resolve respecting the Entries of Lands made in or removed from the Counties of Burke, Rutherford, Washington, Sullivan or Greene, &c., which being read were concurred with and returned.

Received also a Resolve explaining the act authorizing Courts to grant toll on Bridges, &c., which being read was rejected.

Received also the report of the Committee on the Petition of William Orme, and a resolve of the Senate requiring the Treasurer to pay the said Orme the sum of Nineteen Pounds, thirteen Shillings, which being read was concurred with.

Received from the Senate the following Message:
Mr. Speaker & Gentlemen:

We have received a recommendation agreed to by your House, adding to the Commission of the Peace Thomas Hines and William Hayes for the County of Wake, with the latter we concur, and will readily agree to the addition of the former, provided you will consent that he stand on the list with respect to Seniority in the same manner that he did previous to removing from said County.

Ordered that the following Message be sent to the Senate:
Mr. Speaker and Gentlemen:

We agree that Mr. Hines be commissioned as a Justice of the Peace for Wake County as by you proposed.

Mr. Bonds, in behalf of himself and others, entered his reasons for dissenting against a part of the Bill for regulating Commerce:

1st. Dissent because heavy taxes ought to be laid only on articles of luxury, which the rich who are able to pay a large proportion of Taxes only make use of, but notwithstanding this the article of Salt which is absolutely necessary for the support of each man's family is taxed highly whereby we conceive the poor are unjustly oppressed.

2nd. Because the article of Salt, necessary as it is, is generally brought into this Country by way of ballast which will be greatly discouraged by this Tax and on this reason only, independent of the foregoing, the price of Salt will be very much inanced. John Bonds, Aaron Hill, Roger Griffith, William Cain, Joseph Stewart, R. Dickens, Adams Sanders, John Carrol, James McDonald, J. Richardson, Robert Webb, Thomas Person.
On the passage of the Bill for levying a Tax for the support of Government and to continue the redemption of Continental Money old paper currency, Specie and other Certificates. Waightsstill Avery and others dissented and entered their reasons as follows.

1st. Because a respectable part of the poor Citizens of this State well worthy of the notice and regard of the Legislature are freeholders, who with families to support are settled on very poor Lands from which it requires the utmost Industry and frugality to procure a scanty supply of the mere necessaries of Life. These not being so well able to pay, it is unjust, impolitic and oppressive to demand from them a Tax for such poor Lands as great as that imposed on the richest lands equally near to places of exportation.

2dly. Because a very considerable part of the value of produce must be lost in an expensive Land carriage conveying the same to market from the inland parts of this State fartherest back. It is therefore unjust to impose a Tax on those back Lands so far distant from Navigation as great as that imposed on Lands of equal fertility at or near the places of exportation, the advantageous situation whereof so greatly increases the value and profits of the Land and increases the ability of the owners to pay Taxes. A higher Tax may justly and ought to be demanded for Lands worth ten pounds per acre than for Lands worth no more than ten pounds per hundred acres.

3rd. Because a moderate Tax on Lands according to the value will produce a much larger sum; the present mode therefore impolitic being less productive; We therefore protest against the said Bill for taxing Land by the hundred acres in the present mode as unproductive and impolitic and as unjust and oppressive to the poor. Waightsstill Avery, Thomas Person, John P. Williams, Robert. Dickens, John Taylor, William T. Lewis, George Moore, Richard Singleton, John Carrol, Robert Webb, Jos. McDowall.

Mr. Hay in behalf of himself and others entered the following reasons for dissenting to the Bill for emitting a paper currency.

Dissentient because the necessity of a further emission of paper currency is not by any means evinced to us but the contrary is now apparent from an actual depreciation of the sum emitted in the year 1783, nor can we conceive that the addition of an equal sum will lessen the evil. The danger resulting from the circulation of such a
currency, declared by law to be a tender in all payments whatsoever, strikes us with the most alarming apprehensions for the honor of the State, the security of Commerce and the safety of all ranks of honest men. Depreciated and depreciating even before its existence, the Officers of our civil list whose labours are engaged to the public at stated salaries or settled fees as a reward for their services and an excitement to a cheerful discharge of the duties of their respective offices, must murmur at a payment which will necessarily fall short of the provision intended by the State.

The Merchants, from whose aid the principal assurance of the credit of any paper money is to be placed can no longer give consequence to an emission made against their declared opinion and founded on a revenue which appears inadequate to its redemption, whilst the just creditors will be compelled to receive sums nominally equal to the discharge of obligations to them made, but intrinsically of a value far inferior, hence the honest and the unsuspecting may become the dupes of the artful and designing, whose interest it will be to accelerate and increase the depreciation inseparably connected with the existence of a currency thus emitted.

Because the scarcity of money and the necessities of the poor which are held forth by the advocates for this Bill as proof of its expediency are not by this measure to be relieved, whilst an appreciation of all necessaries must bear pace with the depreciation of whatsoever is given in exchange, hence, as far as this money will be conceived to be a circulating medium the effect will be unequal to the design and whilst depreciated money is in circulation, gold and silver will disappear which is the real cause of the scarcity of money and this must continue whilst depreciated Paper continues to circulate, for it operates more forcibly against gold and silver as a circulating medium than a prohibition under the most severe penalties.

Because a considerable portion of the money to be emitted pursuant to this law is proposed to be vested in Tobacco and may be thus vested at a rate beyond the present worth.

Because should this money go forth from our Treasury without valuable and full consideration in exchange we impose a burthen on our Constituents to redeem it in good faith at its nominal price in which we cannot conceive ourselves warranted.
Because the emission of a further sum of paper money, whenever the necessities of the idle and profligate may require it must injure the credit of the State, promote dissipation, and encourage the dishonest to run further in debt in hope that similar necessities may again produce similar emissions.

Because should the confidence of the people be wanting in the support of this money, the channel of our Commerce already too much diverted from our own ports will be entirely directed to that of the neighboring States to the increase of their national importance and the diminution of our own.

Under these impressions we have stood opposed to this law in the different stages of its progress. In this last we should think ourselves wanting in our regard to public duty and personal character to forbear entering this our solemn protest against a measure which we conceive fraught with such evils.


Received from the Senate a Resolve for discharging Nathan Stedman and others from certain fines imposed on them by the Supr. Court of Wilmington, &c., which being read was concurred with and returned.

The House adjourned till To-morrow Morning 7 O'Clock.

Wednesday, 28 December, 1785.

The House met according to adjournment.

Received from the Senate the Resolve in favour of John Eaton, Coroner of Halifax County, concurred with by that House.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the Genl. Assy. ballot immediately for a Brigadier General for the district of Wilmington and NewBern respectively, for a judge of the Superior Court established in the County of Davidson, for one Councillor of State, for Superintendents of the Press in printing the money now directed to be emitted, for signers of the money, for Commissioners for purchasing Tobacco for the use of the public, and for a public printer and nominate for Brigadier General for the District of Wilmington Colo. Thomas Clark,
James Kenan and John Pugh Williams, Esquires; for Brigadier General for the District of NewBern Colo. James Armstrong; for Judge of the Court established in Davidson Cbnty John Haywood, Junr., Esquire; for a Councillor of State Doctor King and Spyers Singleton, Esquire; for Superintendents of the press Genl. Rutherford, Mr. McCawley, Mr. Gillispie and Genl. Ramsey; for signers of the money now to be emitted Mr. Absolom Tatum, Mr. John Macon and Mr. John Hunt; for Commissioners for purchasing Tobacco for public use John Haywood, Senr., for the town of Tarborough, John Geddy and Thomas Christmas for the Town of Halifax, and Robert Rowan for the Town of Fayetteville; and for public printer Messrs. Arnett and Hodge. Should you accede to this measure you will signify the same by Message. Mr.—— & Mr.—will on the part of this House superintend the balloting.

Received from his Excellency the Governor, the following Message:

To the Honorable the Genl. Assembly:

Gentlemen:

I have the honor to lay before you a letter from the Treasury Board with a statement of the accounts of the several States with the United States so far as they relate to the several requisitions for money and specific supplies.

These accounts did not come to hand until yesterday and altho' laid before you so late in the session the subject being of such consequence to the Union, I flatter myself it will be properly attended to before your separation.

R.D. CASWELL.

At the same time received the accounts referred to in this Message which being read,

On motion of Mr. Avery, seconded by Mr. McDowal, Resolved, that the last statement of the accounts transmitted from the board of Treasury of the United States be printed and sent to the several Counties with the Journals of this present session of the General Assembly.

Mr. Blount from the Committee of Privileges and Elections to whom was referred the Petition of part of the Inhabitants of the County of Anson, setting forth the disqualifications of James Terry to set as a Member of the House of Commons, Reported as follow:
Your Committee of Privileges and Elections to whom was referred the Petition of part of the Inhabitants of the County of Anson, setting forth the disqualifications of James Terry to set as a Member of the House of Commons, Report.

That they have examined the Testimony produced against the said James Terry, a part of which is certified to have been taken in his presence, by which it appears that the said Terry did at several times during the late War bear Arms against this State and did also voluntarily attach himself to the British by moving with his property within their lines. Your Committee are therefore of opinion that the said James Terry is unworthy of a seat in the General Assembly and is expressly excluded therefrom by an Act passed last Session of Assembly intituled "an act to describe and ascertain such persons who owed allegiance to this State, and to impose certain disqualifications on certain persons therein described."

The House taking this report into consideration concurred therewith, whereupon, on motion of Mr. Blount, seconded by Mr. ——.

Resolved, a Writ of Election issued to the County of Anson for the Election of one Member of this House in the room and stead of James Terry, and that the said Election be held on the third Monday in April next and the Day following.

Mr. Blount, from the Committee to whom was referred the Memorial of Josiah Parker, delivered in a report which being read, was laid over till the next Session of Assembly.

The additional Bill to amend the several acts for regulating the Town of Wilmington, and to regulate and restrain the conduct of Slaves and others in the said Town, and in the Towns of Washington, Edenton and Fayetteville, was read the third time, passed and sent to the Senate.

The following Bills were read the third time, passed and sent to the Senate, viz:

A Bill to prevent persons from stopping or obstructing ways, leading to houses of Public Worship.

A Bill to amend an act for making provision for the Poor.

A Bill to empower the Wardens of the Poor to call to account all former Sheriffs, Clerks of County Courts and other persons who have not accounted for taxes and fines by them received, which are appropriated to, or intended for support of the Poor, in the several Counties within this State.
A Bill to amend an act passed at Newbern in November, One Thousand Seven Hundred and Eighty-four, intitled "an act to describe and ascertain such persons who owed allegiance to this State, and to impose certain disqualifications on certain Persons therein described."

A Bill to enable the Public Treasurer more effectually to recover Public Monies that are now due, or hereafter may become due.

A Bill to restore to Edward Bridgen, his heirs and assigns, all his property, real and personal.

A Bill to erect and establish an Academy in the County of Duplin.

A Bill to impower certain persons therein named to receive, sue for, and recover, all such bequests, donations, benefactions and other things as have heretofore been bequeathed, given, or made by any Person or Persons, whatsoever, for the use of the Congregation or Society of the Presbyterian Communion at Wilmington.

A Bill for appointing Commissioners in the County of Rutherford for building a Court House, Prison and Stocks in said County, and for levying a Tax for defraying the expence thereof.

Ordered that Mr. Polk and Mr. Skinner be appointed to superintend the balloting.

Received from the Senate the report of the Committee appointed to receive, examine, and punch the several Species of Certificates from the Public Treasurer, endorsed, "In Senate, read and concurred with," which being read was concurred with and returned.

Received from the Senate a Resolve of that House allowing John Hunt, a certain sum therein mentioned for going to Richmond, in Virginia, to get the Laws of the last Session, &c., printed, which being read was concurred with.

Received also a Resolve impowering the Treasurer to pay William Murphey for lost Certificates, &c., which being read was ordered to lie over until the next Assembly.

Mr. Polk from the joint balloting Reported, That by a Majority of the votes of the two Houses of the General Assembly, James Kenan, Esquire, was elected Brigadier General of the District of Wilmington, James Armstrong, Brigadier General for the NewBern District, John Haywood, Junr., Judge of the Superior Court of Davidson, &c., Doctor Miles King a Member of the Council of State, General Griffith Rutherford, and James Gillispie, Esquires, Super-
intendents of the Press for printing the Paper Currency, and John Hunt and Absalom Tatom, Signers.

John Haywood for Tarborough, Robert Rowan for Fayetteville and John Whitaker for Halifax, Commissioners for purchasing Tobacco, and

That Messrs. Arnett and Hodge were elected Public Printers.

The House taking the said Report into consideration concurred therewith.

Whereas, Major General Robert Howe, formerly Colonel of the second Regiment of the Continental line of this State, having been absent from the year 1775 on duty as an officer of the Army to the end of the War, and having during that period distinguished himself for many signal services.

Resolved, that the thanks of the General Assembly be given to General Howe, for the early and distinguished part he took in the late revolution, and for his long and faithful services to the United States in the late War, and that the Speakers do transmit to him the thanks of the General Assembly accordingly.

The House resumed the consideration of the Petition of John Freebody, which was laid before this house at the beginning of this Session by his Excellency the Governor.

Ordered that the same be laid over until the next Assembly.

Whereas, it is represented to this Assembly that two tracts of Land in the possession of George Laine Moore and William Jones, in the County of Granville, which they purchased of Persons who purchased them of Henry Eustis McCulloch, who has not made proper conveyances for the same, to vest a legal title in the said purchasers, which for want of such proper conveyances is supposed to be within the description of Lands liable to Confiscation; and, whereas, it is further represented that the purchase Money has been honestly paid, or secured to be paid, to the persons from whom the said Lands have been purchased.

Resolved, therefore, that the Commissioner of Confiscated property for the District of Hillsborough, be and he is hereby directed, to suspend any proceedings relative to the said Lands, under the Idea of their being confiscated until the next General Assembly, to the end that this subject may be then taken up and Justice done to the parties concerned; and
Whereas, there is a Tract of Land in the County of Granville in the possession of James Cash, which is represented to be in circumstances, similar to those of the Lands above said.

Resolved, that the Commissioner aforesaid conduct himself with respect to the last mentioned Lands in the same manner.

Resolved, that the execution of a Judgment given on the forfeiture of a recognizance in March Term, 1785, in the Superior Court of Morgan District, for the sum of two hundred and fifty pounds against William Walker, be suspended until the next session of the General Assembly, good reasons having been showed to this Assembly, wherefore such suspension should be granted.

Received from the Senate a Resolve of that House allowing Absalom Tatomm five Pounds, which being read was concurred with.

Received also, a Resolve appointing a Committee to receive the old State Dollar Bills of the Treasurer, &c., which being read was concurred with.

Received also a Resolve allowing Benjamin Leonard, three Pounds fourteen Shillings, which being read was concurred with.

Received also a Resolve authorizing the Collectors, Sheriffs, &c., in certain Counties therein mentioned, to Collect arrears of Taxes, &c., which being read was rejected.

Received also a Resolve respecting warrants granted by the late and present Governor, &c., which being read was concurred with.

Received from the Senate a Resolve of that House allowing Jas. Malloy, a certain sum therein mentioned, which being read was rejected.

Received from the Senate the account of Memucan Hunt, amounting to Eighty Seven Pounds thirteen Shillings, and a Resolve reserving the Blue House, in Hillsborough, for the purposes therein mentioned, which being read were concurred with.

Received from the Senate, the Resolve of this House requesting the Speakers to present the thanks of the General Assembly to General Howe.

The Resolve directing the statement of the accounts transmitted by the Board of the United States to be printed, &c.

The Resolve to exempt William Scott from the payment of a Poll Tax.

The Report of the Committee on the acco't of Doctor Charles Pasteur, severally concurred with.

17—27
Received from the Senate a Resolve of that House allowing Doctor Hugh Boyd two Hundred Pounds in part of his Acco't, &c., which being read was rejected, and the following Resolve adopted, vizt:

Resolved, That Doctor Hugh Boyd be allowed the sum of two hundred Pounds in full of all accounts against this State, for Medical services and Medicines furnished previous to this day, and that his accounts against this State and the United States for such services exhibited to this Assembly be filed among the Assembly papers. That the Treasurer pay him the above sum and be allowed.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have received and considered the Resolve of your House in favour of Doctor Hugh Boyd, which we do not concur with, but propose that the one herewith sent you be adopted in lieu thereof.

The Honbl. the Speaker laid before the House a Letter from General Howe, which being read, was ordered to lie on the Table until To-morrow.

Received from the Senate the Report of the Committee on the Memorial of General McDowal, concurred with by that House.

Received from the Senate a Bill to explain and amend an act directing the Sale of confiscated property, endorsed "In Senate read the first time and passed."

Ordered that this bill be read the second time in this House, the same was accordingly read the second time, amended, passed and sent to the Senate.

Received from the Senate a Resolve of that House, directing the Naval Officers to keep an Acco't of the Monies by them received, &c., which being read was rejected.

Received from the Senate the Resolve of this House for suspending the execution on a recognizance forfeited by William Walker.

The Resolve of this House allowing Doctor Hugh Boyd, two hundred Pounds, &c., and the Resolve in favour of George L. Moore and James Cash, respecting Lands supposed to come under the confiscation Laws, &c., severally concurred with.

The following Bills were read the third time, passed and sent to the Senate, vizt:

A Bill to secure and quiet in their possessions all such persons,
their heirs and assigns who have purchased, or may hereafter purchase Lands and Tenements, Goods and Chattels, which have been sold or may hereafter be sold by Commissioners of forfeited Estates legally appointed for that purpose.

A Bill to impower Commissioners to liquidate the Acco'ts of the Officers and Soldiers of the Continental line of this State, and to receive those of the late Boards of Auditors for a limited time.

A Bill for destroying Wolves, Panthers, Bears, Wild Cats, Crows and Squirrels in the several Counties therein Mentioned. Mr. Person moved for leave to enter his protest against this Bill. Ordered that he have leave accordingly.

A Bill to impower the free holders and free men of the Counties of Washington, Sullivan and Greene to return their representatives otherwise than hitherto directed.

A Bill for establishing a Militia in this State.

A Bill to prevent the sale of such of the Lands of Ralph Macnair, Deceased, as remain unsold in this State, and to impower Edward Hall, of Edgecombe County, Executor of the last Will and Testament of the said Ralph, to collect the debts due from the Inhabitants of this State to the said Ralph, which have become due to him since the passing of the confiscation Act.

A Bill to release certain Persons therein mentioned from judgments on forfeited recognizances, and to impower the Judges to suspend Judgments hereafter to be given in like cases.

A Bill for the relief of Mercy Bedford, and to vest in the Heirs of Jonas and Mercy Bedford the Landed Estate of the said Jonas Bedford.

Mr. Maclaine delivered in the following protest, on passing the Bill, intitled a Bill to secure and quiet in their possessions all such persons, their Heirs and assigns, who have purchased, or may hereafter, purchase Lands and Tenements, goods and Chattels, which have been sold, or hereafter to be sold by Commissioners of forfeited Estates, legally appointed for that purpose.

Dissentient:

Because, by the Bill as it Stands, it is ex post facto Law, making those acts lawful which might otherwise be unlawful, and therefore contrary to the Constitution.

Because, by Acts passed in the year 1777, persons who were obliged to leave this State for refusing to take the oath of allegiance, were per-
mitted to dispose of their property, and to make conveyances thereof, and many such persons did sell their estates to fair purchasers, whereas by the Bill, the estates of Persons who come within the Confiscation Laws, and which they passed on the fourth day of July, 1776, or at any time since, may have been sold as confiscated property, and the sales will be confirmed as far as this Bill can confirm them against the honest purchaser.

Because many persons who, on the fourth day of July, 1776, and for years afterwards, had been Citizens of this State, and possessed of all the rights and privileges of Citizens, may since have committed treasonable acts, whereby their Estates became forfeited, and it would be unjust as well as unlawful to comprehend that property which they may have sold previous to the perpetration of those crimes, by which their estates became forfeited, as it would deprive the purchaser without notice of that which might be lawfully purchased, and which the afterwards guilty person might at the time of the sale lawfully dispose of.

Because the passing into a Law a bill depriving all persons deriving their titles under obnoxious or incapacitated persons, from bringing or maintaining suits without the saving clause once unanimously agreed by this House, but since rejected by the Senate, is a violation even of the forms of Justice, and as an unconstitutional law, is nugatory.

Because in case of the sale of any property which has been fairly purchased before any crime committed by the bargainer, the relief held out by the bill of applying to the General Assembly, and receiving the principal and interest, will in many instances be inadequate to the injury sustained, for the real value of Lands may not be a compensation for the loss of an improveable estate, and where the titles given under sales of Commissioners are suspected to be weak, purchasers will not give the full value of the property.

Because in all such cases the State must be the loser, for as the payments may be made in the certificates Granted to officers and Soldiers, the prices given for property have been, and will in some measure be in proportion to the depreciation of those Certificates, and as the Commissioners for superintending the sales draw from the Treasury a Commission of three per Cent. on the gross amount thereof, this sum when compared with the real value of the prop-
erty sold, will amount to between twenty and thirty per Cent. and in many instances, the nominal value of the purchase money will be refunded in Currency, so that instead of discharging those Certificates in their depreciated State, the people may be obliged to pay eight fold of their value.

Because illegal as this Bill is and injurious as it must be in its operation, the title holds out a doctrine not provided for in the enacting clauses as it appears to comprehend Sales and purchases hereafter to be made, and the refusal of this House to alter the title in that respect, lest the property should sell the lower, is holding out to the Commissioners something like an authority to sell any property which they may think proper, and an interested man will not scruple to seize and sell any estate upon which he can draw Commission.

Because if the titles of those Persons intended to be confirmed are now bad, the confirmation against such as have the legal right is improper, and if good no confirmation is necessary.

Because the Laws of this State and the rules of their construction must apply to all ranks of Citizens, nor do we conceive it possible under the present bill to preclude any subject from the benefit of Law by a denial of the known and established rules of Justice, which protect the property of all Citizens equally, nor to place any of them under the adjudication of the General Assembly, whose desire to redress the grievance may be fluctuating, uncertain and ineffectual. A. Maclaine, Thomas Person, John Hay, J. B. Ashe, Jesse Franklin, Richard Singleton, Robert Dickens, Robert Diggs, George Moore.

The Bill to amend the acts passed for purchasing a lot, or lots, in the Town of Wilmington, for the purpose of Building a Jail for the District of Wilmington, and for repairing the Court House of the said District, was read the third time, passed and sent to the Senate.

Received from the Senate a Resolve appointing a Committee to examine and destroy Certificates, &c., which being read was rejected and the following one adopted, viz:—

Resolved, that Abner Neale, Benjamin Coleman, and James Coor, Esquires, be appointed to examine and compare with the cheques all the Certificates now in the hands of the Comptroller,
and cause the same to be punched thro' with a circular punch, and report
the same to the next General Assembly.

The House adjourned til To-morrow Morning half after 7 O'Clock.

Thursday, 29 December, 1785.

The House met according to adjournment.

Received from the Senate the Resolve of this House appointing
certain persons to receive of the Comptroller the Certificates therein
referred to, concurred with.

Received from the Senate a Resolve of that House allowing Hen-
ry Peers the sum of Thirty Pounds, which being read was rejected,
whereupon,

Resolved, that Henry Peers, be allowed two pounds for sundries
furnished Committees. That the Treasurer pay him the same and
be allowed.

Received from the Senate a Resolve of that House directing the
Secretary to detain certain Warrants for Lands, &c., which being
read was concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We agree that William Mears be Commissioned as a Justice of
the Peace for the County of Moore, but cannot give our consent
that any of the others named in the recommendation shall be Com-
misioned.

The House taking this Message into consideration agreed that
William Mears only, of those recommended to be added to the Com-
mmission of the Peace for Moore County, be Commissioned as a Jus-
tice of Peace.

Received from the Senate a Resolve of that House directing the
Treasurer not to issue a Writ against the Executors of Pinkethman
Eaton, &c., for a limited time, which being read was concurred with.

The House resumed the consideration of the Letter from Gen-
eral Howe. Ordered that the same be laid over until the next As-
sembly.

The General Assembly being desirous on all occasions to signify
their approbation of the conduct of Public officers who have discharged their trust with reputation, take this earliest opportunity of Testifying their acknowledgements to the Honourable Alexander Martin, Esquire, late Governor of this State, for the honor, and that general satisfaction with which he discharged the duties of that high and important trust.

Received from the Senate a Resolve of that House allowing Hardy Jones a certain sum therein mentioned, which being read was concurred with.

Received from the Senate a Resolve of that House allowing Curtis Ivey Eighty Pounds which being read was rejected, whereupon,

Resolved, that Curtis Ivey be allowed the sum of Sixty Pounds for his services as Clerk to the Grand Committee, and for drawing and Engrossing bills during the present Session, which sum the Treasurer is required to pay him, for which this shall be his Warrant.

The Bill to explain and amend an Act directing the sale of Confiscated property was read the third time and rejected.

Received from the Senate a Resolve of that House directing the Secretary not to issue any Grants for Lands lying west of the Cumberland Mountain, which being read was concurred with.

Resolved that final settlement Certificates issued by John Pearce, Auditor's Certificates, County Commissioners' and Comptroller's Certificates be received by the present Commissioners of Confiscated property, for property hereafter to be sold, which shall be allowed them in their settlements.

Received from the Senate a Resolve of that House directing the mode of appointing Clerks at future Assemblies, which being read was concurred with.

Resolved that Anderson Hunt be allowed the sum of Ten Pounds for drawing and Engrossing Bills, and acting as Clerk to the Committee of Privileges and Elections for the House of Commons. That the Treasurer pay him that sum and be allowed.

Received from the Senate the Resolve of this House allowing Curtis Ivey Sixty pounds, concurred with.

Resolved, that Absalom Tatum be allowed the Sum of fifteen Pounds for drawing and Engrossing Bills, which sum the Treasurer is required to pay him, for which this shall be his Warrant.
Ordered that the Bill for selling the Palace, &c., be laid over until the next Assembly.

Received from the Senate a Resolve allowing Joshua Winslow Fifteen Pounds, and one other Resolve allowing John Lockhart Twenty Pounds, which being read was concurred with.

Resolved that the Commissioners for the sale of Confiscated property in settling their accounts with the Comptroller for the amount of sales shall distinguish what sums have been paid them in currency from the sums that they have been paid in Certificates, an abstract of which account shall be transmitted to his Excellency the Governor, who shall give his drafts on the Treasurer accordingly, that is to say, the Commissioner shall receive a draft for his allowance of three per Centum in Cash for so much as he shall have received in Cash, and a draft for three per Cent in Certificates, for which he shall have accounted and the Treasurer shall be allowed in the settlement of his accounts for such payments as he shall have made accordingly.

Resolved, that Bazzel Smith be allowed the sum of Twenty Pounds for Fire wood furnished for the Assembly, that the Treasurer pay him the same and be allowed.

Resolved, that James Malloy be allowed the sum of Twenty-four Shillings to pay for a Bible and four benches furnished the last General Assembly and not paid for.

Received from the Senate the Estimate of allowances to the Members, Clerks, &c., of that house for attendance in June, which being read was concurred with.

Received also the Estimate of the allowances to the Members, Clerks, &c., of that House for attendance the present Session. The allowance to the Clerk, being one hundred and Sixty Pounds, was objected to. It was agreed that the allowance be reduced; and one hundred and fifty Pounds was then proposed, which was also objected to, the question being put was carried in the affirmative, whereupon the yeas and nays were required by Mr. P. Hawkins, which are as follows:

YeaS:—Messrs. Oliver, Smith, Dickens, Cooper, Sanders, Sheppard, Rhodes, Polk, D. Hall, Person, Skinner, McKissick, Sloan, Bonds, Taylor, Hayes, Martin, B. Williams, Eborn, Dodd, Tisdale,
Resolved, that William Good, Esquire, be appointed to take possession of the Palace and other public buildings, thereunto belonging, and take care of the same until the next General Assembly, and that all necessary expenses incurred to secure the said buildings from injury and damage shall be allowed out of the rent, and that the said William Good be authorised to collect the rent, which has become due, or which hereafter shall become due for the same.

Received from the Senate the Resolve of this House allowing the Commissioners of Confiscated property to receive three per Cent on the Money by them received and three per Cent out of the Certificates, &c.

The Resolve allowing James Malloy twenty four Shillings.
The Resolve allowing Bazzell Smith Twenty Pounds.
The Resolve allowing Andrew Hunt Ten Pounds.
The Resolve allowing Absalom Tatum Fifteen Pounds, and the Resolve directing that final settlement Certificates issued by John Pearce, and other Certificates be received in payment for Confiscated property hereafter to be sold, severally concurred with.

The estimates of allowances to the Members, Clerks, &c., of this House for attendance in June, and in the present Session, being completed, were agreed to by this House and sent to the Senate for their Concurrence.

Ordered that the Public Printer publish in the NewBern Gazette for three weeks successively:

The Bill for increasing the number of Judges, for dividing the Superior Courts into different Circuits and for establishing a Court for the decision of appeal, Writs of Error, Matters of Law and causes in Equity, which was rejected in the Senate this Session, and the Bill to impose certain taxes on Law proceedings for the purposes therein mentioned, which was laid over until the next Session.

Resolved, that the thanks of this House be presented to the Hon-
ourable Richard Dobbs Spaight, Esquire, for his able, faithful and public spirited services as Speaker thereof during this Session.

Received from the Senate the Estimate of allowances concurred with.

By Order.

J. HUNT, C. H. C.
EXECUTIVE LETTER BOOK.—1785.

JOHN MCNAIR TO GOV. CASWELL.

(From Gov. Caswell's Letter Book.)

Charlestown, January 18th, 1785.

SIR:

Presuming on the privilege of a former acquaintance, and your well known disposition to oblige, I take the liberty to apply to your Excellency for your advice and assistance.

Your old acquaintance, my brother, Ralph McNair, died at Richmond, Virginia, last October. The care of his children has consequentlv devolved on me, and unfortunately all his estate for their support consists of Debts in your State. I intend in the course of next Spring to go and look after them, but the accounts we have here of the proceedings of your Legislature are such as give me uneasiness. We are told that you have positively refused to ratify some of the articles of the treaty of peace, particularly that one which regards those in my situation. I lately wrote to Mr. Cornelius Harnett (?) desiring time to apply to the Governor for the time being, to procure me a pass for a certain time, but hearing of your Election, I take the liberty of this application and request you to inform me how the Law stands with regard to those who left the Country in 1777—and if necessary that you would send me a pass.

I have the honor to be Sir,

Your Excellency's mo. ob. humb. servt.,

JOHN MCNAIR.

GOV. CASWELL TO THE HONBL. THE DELEGATES IN CONGRESS.

[From Executive Letter Book.]

Guilford, January 20th, 1785.

Gentlemen:

I have not been favored with any dispatches from you since my leaving New Bern and transmitting you the repeal of Cession Act.
As this was one of the principal objects of the last Assembly, I am anxious to have information on the subject, tho' I make no doubt several of your Letters lie in the different Post Offices that contain a full detail of this business that have not reached me.

The most material occurrence since the rising of the Assembly is that, a Major Hubbard, of Greene County, has killed one Butler, a half breed Cherokee without provocation as 'tis said, which is likely to produce a flame and disturbance between that people and ours on this account, unless timely prevented. Orders are sent to apprehend Hubbard, with directions to keep him confined until Washington Superior Court where he is to stand his trial. In the meanwhile, I have sent a Talk to the Cherokees expressive of our friendship, discountenancing all such unlawful proceedings, and requiring that they forbear all acts of hostility—that an enquiry will be made into all their wrongs, at the treaty in April next, and a redress endeavoured to be made, tho' this is almost impossible as our people are daily offending them and trespassing on their lands. I am doubtful they will be influenced by the ill disposition of the Northern Indians, who have lately been tampering with them, to urge them for War. I have not heard how Congress succeeded in their treaties with the Northern Tribes.

Your last contained information that the Post on the Lakes were still held by the British and were intended to be retained for some time. Permit me to suggest that a remonstrance should be made to the Court of Britain requiring their reasons for this infraction of the treaty—should they not be satisfactory, an Army ought to be raised and these Posts attempted to be taken by force. A manifesto ought also to be published to the World explaining the reasons for so doing: However this business requires prudence, caution & address which I make no doubt will be made use of by the Honourable body, of which you are a member.

I am Gentlemen, &c,
GOV. CASWELL.

Note.—Washington, Greene, Davidson and Sullivan counties mentioned in this volume are the counties of that name in what is now Tennessee. The city of Nashville is the county seat of Davidson Co. W. C.
HON. RICHARD HENRY LEE TO GOV. CASWELL.

New York, Jan. 31st, 1785.

Sir:

I have the honor to inclose to your Excellency some late communications from the Ministers Plenipotentiary of these United States at Paris; together with an act of Congress on that Subject. Much inconvenience to the American Ministers abroad, being apprehended from improper publications of their Letters hath induced Congress to desire that these informations may be kept from the Public eye. The precarious state of our public credit abroad is so powerfully expressed in these Letters, as to render a comment unnecessary. They prove incontestably the necessity of immediate vigorous measures for supplying the Treasury of the United States, that justice may be punctually done to those excellent friends who assisted us in our day of distress. Your enlightened Legislature, Sir, will see the close connection that subsists between National safety and National faith, that the loss of the latter will ever have the most malignant effects upon the former.

The Congress request that your Excellency will lay those communications before the General Assembly of your State, with the act of Congress respecting them.

I have the honor to be, &c.,

RICHARD HENRY LEE, P.

RESOLUTIONS OF CONGRESS OF THE 15TH, 19TH AND 21ST MARCH, 1785.

[From Executive Letter Book.]

By the United States in Congress, Assembled.

March 15th, 1785.

Resolved, that three Commissioners, with the same pay as is allowed to the Commissioners appointed for treating with the Northern Indians, be appointed to treat with the Cherokees and all other Indians Southward of them within the Limits of the United States, or who have been at War with them, for the purpose of making
peace with them, receiving them into the favour and protection of the United States and removing as far as may be all causes of future contention or Quarrels.

That the Commissioners be instructed as a preliminary to require that all Prisoners of whatever age or Sex among the Indians shall be delivered up, and they are further instructed to demand the negroes and other property belonging to the Citizens of the United States which have been Captured during the War.

That they be instructed to inform the Indians of the great occurrences of the last war, and of the extent of Country relinquished by the late Treaty of Peace with Great Britain.

That the Commissioners previous to their holding any Treaty shall give due notice of the time and place where it is to be held to the Supreme Executives of Virginia, North Carolina, South Carolina and Georgia, in order that they may each of them appoint one or more persons to attend during the Treaty if they think proper.

That the Commissioners be instructed to encourage the Indians to give notice to Congress or some of their officers of any designs that may be formed in any neighbouring Tribe or by any person whatever against the peace of the United States.

That the Commissioners be authorized to apply to the Supreme Executive of Virginia, North Carolina, South Carolina, or Georgia, for one hundred and fifty men or such part thereof as they may deem necessary of their Militia, for the purpose of protecting the Commissioners whilst engaged in concluding the said Treaties—and that they be authorized to draw on any of the said States for a sum not exceeding Nine thousand dollars to discharge the expense of holding the treaties, including the pay of the Commissioners and the pay and subsistence of the Guard for the Commissioners, and a sum not exceeding four thousand dollars to be expended in making presents to the Indians and that the said State have credit for such advance out of the requisitions for the year 1786.

BY THE UNITED STATES IN CONGRESS, ASSEMBLED.

March 19th, 1784.

Resolved that the Commissioners appointed to negotiate with the Indians shall each be allowed six and an half dollars per day for the time they shall be employed in that business, in full for their
services and expenses, exclusive of their expenses at the place or places where the treaties shall be held.

March 21st, 1785.

Congress proceeded to the election of three Commissioners to treat with the Cherokees and all other Indians Southward of them within the limits of the United States pursuant to the Act of the 15th of the present month, and the ballots being taken,

BENJAMIN HAWKINS, Esquire,
DANIEL CARROLL, Esquire, &
WILLIAM PERRY, Esquire, were elected.

On Motion, Resolved, That two additional Commissioners be appointed for holding treaties with the Southern Indians—agreeable to the act of the 15th Instant, and that any three shall form a quorum.

Congress proceeded to the election of the two additional Commissioners, and the ballots being taken,

ANDREW PICKENS, Esquire, &
JOSEPH MARTIN, Esquire, were elected.

CHAS. THOMSON, Secy.

HON. CHAS. THOMPSON TO GOV. CASWELL.

[Circular.]

SECRETARY'S OFFICE,
MARCH 18TH, 1785.

SIR:

Congress being impressed with the necessity of limiting a time for all persons having unliquidated Claims against the United States to bring in such Claims as well for the purpose of ascertaining with the utmost expedition the amount of the National Debt, as to prevent or detect the attempts that are making to defraud the Public, have passed the resolution which I have the Honor to inclose.

As it is of importance to the Inhabitants of your State, who have
just Claims against the United States to be informed of this as speedily as possible, I trust your Excellency will excuse the liberty I take in addressing this resolution to you and requesting that you will be pleased to give the necessary orders for making it known to all concerned, by causing it to be printed and dispersed through the different Counties and Districts of your State or in such other way as you shall judge best.

With great respect, I have the Honor to be, your Excellency’s most obedient and most humble Servant,

CHAS. THOMSON.

RESOLUTIONS OF CONGRESS OF 17TH MARCH, 1785.

BY THE UNITED STATES IN CONGRESS ASSEMBLED,
MARCH 17TH, 1785.

Whereas, it must conduce to the preservation of Public Credit and the equal distribution of Justice that the amount of the National debt be ascertained with the utmost expedition; and as delay in the settlements of Accounts tends to render them obscure and encourage frauds by preventing the means of detecting them.

Resolved, that all persons having unliquidated claims against the United States be and they are hereby required within twelve months from the date hereof to deliver a particular abstract of such Claims to some Commissioner in the State in which they respectively reside who is authorised to settle Accounts against the United States; and any person or persons neglecting to deliver their Claims as aforesaid shall be precluded from any adjustment of the same, except at the Board of Treasury; provided that in those States where there is no Commissioner of accounts, the Citizens of such State or States shall be allowed one year for delivering their Claims from the time when a Commissioner shall have been appointed, and enter on the duties of his office.

That all persons who shall neglect to deliver in a particular abstract of their Claims as aforesaid shall be excluded from the benefit of settlement or allowance.

CHAS. THOMSON, Secy.
HON. RICHARD DOBBS SPAIGHT TO GOV. CASWELL.

[From Gov. Caswell's Letter Book.]

NEW YORK,
18th March, 1785.

SIR:

Since our last to your Excellency of the 1st Inst. Congress have passed resolutions for holding Treaty of peace with the Indians in the Southern Department. Three Commissioners are to be appointed for this purpose and monies voted for paying the incidental expenses. Each of the Executives of the Southern States are to be officially informed on this subject, and may if they think proper, send an Agent to be present at the Treaty.

We enclose your Excellency a Resolve of Congress, limiting the time in which unliquidated accounts against the United States are to be given in to the Commissioners appointed to adjust and settle the accounts of Individuals against the United States, and precluding those who fail to comply with that resolution from any future settlement. We thought it our duty to oppose it as we conceive the time allowed is too short for the Citizens of North Carolina living in the Western parts of the State, who are Creditors of the United States. There being no Commissioners in the State will however extend the time a month or two longer.

Mr. Jefferson is appointed to succeed Doctor Franklin at the Court of Versailles, who has leave to retire agreeable to his repeated request. Mr. John Brown of Providence is elected a Commissioner for carrying into effect the ordinance of the 23rd December last, in the place of Genl. Schuyler who has declined accepting that appointment. Nothing more of consequence has occurred that we are at liberty to communicate.

We have the honor to be your Excellency's
mo. ob. and mo. humb. Servts.,

RICH'D DOBBS SPAIGHT,
JNO. SITGREAVES.

17—28
HON. CHAS. THOMSON, SEC'Y OF CONGRESS, TO GOV. CASWELL.

[From Gov. Caswell's Letter Book.]

SECRETARY'S OFFICE,
MARCH 24TH, 1785.

SIR:

I have the honor of enclosing you an Act of the United States in Congress assembled passed the 15th Inst. for negotiating a peace with the Southern Indians and of the appointment of Commissioners for that purpose.

As the happy accomplishment of this business nearly concerns the peace of the Union and the safety of the frontier settlements Congress rely with confidence on your Zeal for the public welfare, and on the exertions of your State, as far as may be necessary for the attainment of so desirable an object, and for bringing it to a speedy and happy issue.

With great respect, I have the honor to be your Excellency's mo. ob. & humb. servt.,

CHAS. THOMSON.

HON. HU. WILLIAMSON TO GOV. CASWELL.

[From Gov. Caswell's Letter Book.]

NEW YORK,
28TH MARCH, 1785.

SIR:

The enclosed for the Gov. of No. Carolina is forwarded to you, the Delegate from the State thinking it probable that the delays to which it will be subjected in reaching the hand of Gov. Martin may prove fatal to the design. The Delegates are not informed of the time on which the administration comes into your hands, but they presume that you will think fit to open the enclosed when it comes
to hand, and that you will detain it till you can act upon it or forward it with dispatch to Gov. Martin as the exigence of the case may seem to require.

I have the honor to be with the utmost consideration Sir, your mo. ob. humb. servt.,

HU. WILLIAMSON.

HON. JOHN JAY TO GOV. CASWELL.

[From Gov. Caswell's Letter Book.]

Office for Foreign Affairs,
31st March, 1785.

SIR:

I have the honor of transmitting to your Excellency a copy of a letter from Mr. Adams to the President of Congress of the 22nd April, 1784, and of a letter to Mr. Adams from Mr. de St. Saponis of the 21st April, 1784, together with a copy of the paper referred in the latter.

Your Excellency will perceive from these papers that the Bishops of Denmark will confer holy orders on American Candidates without any Tests which (like those insisted on in England) would be improper for Americans to comply with.

I have the honor to be with great respect,
your Excellency's mo. ob. & very humbl. servt.,

JOHN JAY.

THE GOVERNOR TO THE HONORABLE MEMBERS OF THE COUNCIL OF STATE.

[From Executive Letter Book.]

(Circular.)

Danbury,
April 7th, 1785.

SIR:

As the Inhabitants of Washington, Sullivan & Greene have lately declared themselves independent of the State of North Carolina, and
have refused, and do refuse to pay obedience to the jurisdiction & Sovereignty of the same over them; I request your attendance at Hillsborough the 22nd of this instant April, then and there in your wisdom to deliberate on, & advise the measures necessary to be taken on this occasion.

I am Sir, &c.,
ALEX. MARTIN.

HON. JOHN JAY, SECY. OF FOREIGN AFFAIRS, TO GOV. CASWELL.

[From Executive Letter Book.]

(Circular).

Office for Foreign Affairs,
11th April, 1785.

Sir:

I have the honor of transmitting to your Excellency herewith enclosed "A State of the Duties payable by Vessels of the United States of America in the Ports of Marseilles, Bayonne, L'Orient and Dunkirk.

An accurate knowledge of the duties payable in those Ports appears to me to be interesting & important to such of our Merchants, and others, as may have Commercial Business to transact in either of them.

I therefore submit to your Excellency's Consideration the propriety of having these tables reprinted & published in your State.

I have the Honor to be with great Respect,
Your Excellency's
Most obedient & very humble servant,

JOHN JAY.
### STATE OF DUTIES PAYABLE BY VESSELS OF THE UNITED STATES OF AMERICA, IN THE PORTS WITHIN THE JURISDICTION OF THE FOUR ADMIRALTIES HEREAFTER MENTIONED.

<table>
<thead>
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<th>Names of Admiralties</th>
<th>Cases in which the Duties are payable</th>
<th>Amount</th>
<th>For whose profit</th>
<th>By what Title Received</th>
<th>Sols per Livre</th>
<th>Laws which authorise them</th>
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STATE RECORDS.

A RESOLUTION OF CONGRESS OF THE 13TH OF APRIL, 1785.

[From Executive Letter Book.]

BY THE UNITED STATES IN CONGRESS ASSEMBLED,

APRIL 13, 1782.

Resolved, That any States which shall have settled and paid the officers or privates of their late lines in the Army of the United States on the principles of the Resolution of June 1st, 1784, relative to the proofs of Claims to be admitted by the Paymaster General, shall be empowered to charge such payments to the United States, provided that such payments shall appear to have been made for such services which shall not have been settled for by the Paymaster General.

CHAS. THOMSON, Secy.

HON. CHAS. THOMSON TO GOV. CASWELL.

[From Gov. Caswell's Letter Book.]

SECRETARY'S OFFICE,

APRIL 15TH, 1785.

SIR:

I have the honor to enclose an Act of Congress, passed the 13th impowering the States which shall have settled with their respective lines on the principles of the Act of the 1st of June, 1784—of which I enclose a copy—to charge the United States with the payments made, provided the Services shall not have been settled for by the Paymaster General.

With great respect I have the honor to be your Excellency's mo. ob. humbl. servt.

CHAS. THOMSON.
MR. DE MARBOIS TO GOV CASWELL.

[From Gov. Caswell's Letter Book.]

PHILADELPHIA,
APRIL 16TH, 1785.

SIR:

I have been informed by Mr. Petry of your election as a Governor of the State of North Carolina. I am happy in congratulating the State and your Excellency upon this appointment as they will enjoy the benefit of your ability and you shall have farther opportunities of exhibiting your patriotism, and your attachment to the independence, and the confederation.

I beg leave to remind you of the Debt due by the State of No. Carolina, to the Colony of Martinico. I am surprised for I have observed as we consider the accounts of some treasures—And the Governor of your State having agreed them produce—I shall be sure here to the amount of the debt. I shall be much obliged to you, Sir, if you'll be so kind as to give as soon as possible directions accordingly. I am with great respect Sir,

Your Excellency's very humbl. ob. servt.,
DE MARBOIS.

THE GOVERNOR TO THE MEMBERS OF THE GENERAL ASSEMBLY.

[From Executive Letter Book.]

(CIRCULAR.)

HILLSBOROUGH,
APRIL 25TH, 1785.

SIR:

Whereas, I have received undoubted information of the revolt of the Inhabitants of the Counties of Washington, Sullivan & Greene, who have declared themselves independent of the State of North Carolina under the name of the State of Franklin: As also accounts from his Excellency the President of Congress, transmitted to him
from our Ministers from abroad respecting the foreign credit of the United States of a serious and alarming nature together with a resolution attending the same, I have thought it proper that these communications should be laid before the Honorable the Legislature as soon as possible, that they in their wisdom may adopt such measures they shall think necessary & expedient—for which purpose I request you will please to attend at New Bern the 1st day of June next. The Treasurer is required in the mean while to retain such monies which are, or shall come into his hands for the use of the members on this occasion.

I am, &c,
ALEX. MARTIN.

A MANIFESTO.

[From Executive Letter Book.]

STATE OF NORTH CAROLINA,
APRIL 25, 1785.

By His Excellency Alexander Martin, Esquire, Governor; Captain General & commander in chief of the State aforesaid.

To the Inhabitants of the Counties of Washington, Sullivan & Greene:

Whereas, I have received letters from Brigadier General Sevier, under the style and character of Governor; and from Messrs. Landon Carter & William Cage as Speakers of the Senate & Commons of the State of Franklin informing me, that they with you the Inhabitants of part of the territory, late ceded to Congress, had declared themselves independent of the State of North Carolina, and no longer consider themselves under the Sovereignty & jurisdiction of the same; stating their reasons for their separation & revolt; among which it is alleged, that the Western Country was Ceded to Congress without their consent, by an Act of the Legislature, and the same was repealed in the like manner.

It is evident from the Journals of that Assembly how far that assertion is supported, which hold up to public view the names of those who
voted on the different sides of that important question; where is found a considerable number, if not a Majority of the Members, some of whom are leaders in the present revolt, then representing the above Counties, in support of that Act they now deem impolitic, and pretend to reprobate; which in all probability would not have passed but through their influence & assiduity; whose passage at length was affected but by a small Majority, and by which a Cession of the vacant Territory was only made and obtained with a power to the Delegates to complete the same by grants; but that Government should still be supported, and that anarchy prevented which is now suggested the Western people were ready to fall into. The Sovereignty and jurisdiction of the State were by another Act passed the same assembly reserved and asserted over the ceded territory with all the powers and authorities as full and ample as before, until Congress should accept the same.

The last Assembly having learned what uneasiness and discontent the cession Act had occasioned throughout the State, whose inhabitants had not been previously consulted on that measure, in whom by the Constitution the Soil & territorial rights of the State are particularly vested, judging the said act impolitic at this time, more especially as it would for a small consideration dismember the State of one half of her territory, and in the end, tear from her a respectable body of her Citizens, when no one State in the Union had parted with any of their Citizens or given any thing like an equivalent to Congress but vacant lands of an equivocal & disputed title, and distant situation; and also considering that the said act by its tenor and purport was revocable at any time before the Cession should be completed by the Delegates, repealed it by a great Majority. At the same time the Assembly to convince the people of the Western Country of their affection, and attention to their interest, attempted to render Government as easy as possible to them, by removing the only general inconvenience and grievance they might labour under for want of a regular administration of criminal justice & a proper and immediate command of the Militia, a new district was erected, an assistant judge, & a Brigadier General were appointed.

Another reason for the revolt is assigned, that the Assembly on the Cession Act stopped a quantity of Goods intended for the Cher-
Okee Indians as a compensation for their claim to the Western Lands; and that the Indians had committed hostilities in consequence thereof. The Journals of the Assembly evince the contrary, that the said goods were ordered still to be given to the Indians, but under the regulations of Congress, should the Cession take place, which occasioned the delay of not immediately sending them forward; of which the Indians were immediately notified: & I am well informed that no hostilities or mischiefs have been committed on this account; but that on the other hand provocations have been and are daily given; their land trespassed upon, and even one of their Chiefs has been lately murdered with impunity. On the repeal of the Cession Act, a treaty was ordered to be held with the Indians, and the goods distributed as soon as the season would permit; which before this would have been carried into effect, had not the face of affairs been changed.

Under what character but truly disgraceful could the State of North Carolina suffer Treaties to be held with the Indians and other business transacted in a Country where her Authority and Government were rejected and set at nought, her officers liable to insult, void of assistance & protection.

The particular attention the Legislature have paid to the interest of the Western Citizens, though calculated to conciliate their affection and esteem has not been satisfactory it seems; but the same has been attributed to interest and lucrative designs: Whatever designs the Legislature entertained in the repeal of the said act they have made appear; their wisdom considered that the situation of our public accounts was somewhat changed since the last Assembly, and that the interest of the state should immediately be consulted and attended to, that every Citizen should reap the advantage of the vacant territory, that the same should be reserved for the payment of the public debts of the State, under such regulations hereafter to be adopted; judging it ill timed generosity at this crisis to be too liberal of the means that would so greatly contribute to her honesty and justice.

But designs of a more generous nature and deeper die seem to glare in the Western revolt; the power usurped over the vacant territory, the Union deriving no emolument for the same, not even the proportionable part intended the old State by the Cession, being re-
served; her jurisdiction and Sovereignty over that Country which by the consent of its representatives were still to remain & be exercised, rejected and deposed; her public revenue in that part, of her Government seized by the new authority, and not suffered to be paid to the lawful Treasurer, but appropriated to different purposes from that intended by the Legislature, are all facts which ovoice that a restless ambition and a lawless thirst of power have inspired this enterprize, by which the persons concerned therein may be precipitated into measures, that may at last bring down ruin not only on themselves but our Country at large.

In order therefore to reclaim such Citizens, who by specious pretences, and the arts of designing men have been seduced from their allegiance; to restrain others from following their example who are wavering; and to confirm the attachment and affection of those who adhere to the old Government, and whose fidelity hath not yet been shaken, I have thought proper to issue this Manifesto, hereby warning all persons concerned in the said revolt that they return to their duty and allegiance, and forbear paying any obedience to any self-created power and authority unknown to the Constitution of the State, and not sanctioned by the Legislature. That they and you consider the consequences that attend such a dangerous and unwarranted procedure, that far less causes have deluged States and Kingdoms with Blood; which at length have terminated their existence either by subjecting them a prey to foreign Conquerors, or erecting in their room a despotism that has hidden defiance to time to shake off, the lowest state of misery to which human nature under such Government can be reduced to. That they reflect there is a National pride in all Kingdoms and States, that inspires every subject and Citizen with a degree of importance, the grand cement and support of the Government, which must not be insulted: That the honor of this State has been particularly wounded by seizing that by violence, which in time would no doubt have been obtained by consent, when the terms of separation could have been explained and stipulated to the satisfaction of the Mother and new State: That Congress by the confederation cannot countenance such a separation wherein the State of North Carolina hath not given her full consent; and if an implied or conditional one hath been given, the same hath been rescinded by a full legislature, of the reasons for so doing they consider themselves the only competent Judges.
That by such rash and irregular conduct, a precedent is formed for every district, and even every County of the State to claim the right of separation and independency for any supposed grievance of the Inhabitants—as caprice, pride and ambition shall dictate at pleasure, thereby exhibiting to the World a melancholy instance of a feeble, or pusillanimous Government, that either is unable, or dares not restrain the lawless designs of its Citizens; which will give ample Cause of exultation to our late enemies, and raise their hopes, that they may hereafter gain by the division among ourselves, that dominion their tyranny and arms have lost, and could not maintain.

That you tarnish not the laurels you have so gloriously won at King's Mountain & elsewhere, in supporting the freedom and independence of the United States & this in particular, to be whose Citizens were then your boast, in being concerned in a black and traitorous revolt from that Government in whose defence you have so copiously bled, and which by solemn oath you are still bound to support. Let not Vermont be held up as an example on this occasion; Vermont we are informed had the claims for a separate Government at the first existence of the American War, and as such with the other States, although not in the Union, hath exerted her powers against the common enemy. That you be not insulted or lead away with the pageantry of a mock Government without the essentials, the shadow without the substance, which always dazzles weak minds, and which will in its present form and manner of existence not only subject you to the ridicule and contempt of the World in general, but rouse the indignation of the other States in the Union at you obtruding yourselves as a power among them without their consent.

Consider what a number of men of different abilities will be wanting to fill the Civil list of the State of Franklin, and the expense necessary to support them suitable to their various degrees of dignity, when the district of Washington with its present officers might answer all the purposes of a happy Government until the period arrive when a separation might take place to the mutual advantage and satisfaction, on an honorable footing. The Legislature will shortly meet, before whom the transaction of your leaders will be laid. Let your representatives come forward and present every grievance in a Constitutional manner that they may be redressed,
and let your terms of separation be proposed with decency; your proportion of the public debt ascertained: the vacant territory appropriated to the mutual benefit of both parties in such manner and proportion as may be just & reasonable; let your proposals be consistent with the honor of the State to accede to, which by your allegiance as good Citizens you can not violate, and I make no doubt her generosity in time will meet your wishes.

But on the contrary should you be hurried on by the blind ambition to pursue your present unjustifiable measures, which may open afresh the wounds of this late bleeding Country, and plunge it again into all the miseries of a Civil war, which God avert, let the fatal consequences be charged upon the Authors. It is only time which can reveal the event. I know with reluctance the State will be driven to Arms, it will be the last alternative to imbrue her hands in the blood of her Citizens; but if no other ways & means are found to save her honor, and reclaim her headlong refractory Citizens, but this last sad expedient, her resources are not yet so exhausted, or her spirits damped, but she may take satisfaction for this great injury received; regain her Government over the revolted territory, or render it not worth the possessing— but all these effects may be prevented at this time, by removing the causes, by those who have revolted to return to their duty, and those who have stood firm, still continue to support the Government of this State until the consent of the Legislature be fully and constitutionally had for a separate Sovereignty & jurisdiction. All which by virtue of the powers & authorities which your representatives and others of the State at large have invested me with in General Assembly, I hereby will Command & require, as you will be liable to answer all the pains and penalties that may ensue on the contrary.

Given under my hand and the great Seal of the State, which I have caused to be hereunto affixed, at Hillsborough, the twenty fifth day of April, in the year of our Lord 1785, and ninth Year of the Independence of the said State.

ALEXANDER MARTIN.

By His Excellency's Command,

JAMES GILLESPIE, Sec'y.
STATE RECORDS.

COL. JOHN SEVIER TO GOV. CASWELL.

[From Gov. Caswell's Letter Book.]

STATE OF FRANKLIN, WASHINGTON COUNTY,
14TH MAY, 1785.

SIR:

Governor Martin have lately sent up into our Country a Manifesto, together with letters to private persons, in order to stir up Sedition and Insurrection thinking thereby to destroy that peace and tranquility which has so greatly subsisted among the peaceful Citizens of this Country.

First in the Manifesto, he charges us with a revolt from No. Carolina, by declaring ourselves independent of that State.

Secondly, that designs of a more dangerous nature and deeper die seem to glare in the Western revolt, the power usurped over the Western vacant Territory the Union deriving no Emolument from the same, not even the part intended No. Carolina, by the Cession, and that part of the Revenue is seized by the new Authority, and appropriated to different purposes intended by your Legislature.

His Excellency is pleased to mention, that one reason we have assigned for the Revolt as he terms it, is, that the goods were stopped from the Indians that were to compensate them for the Western Lands—and that the Indians had committed murders, in consequence thereof. He is also pleased to say he is well informed to the contrary, and that no Hostilities have been committed on that account, but on the other hand provocations are daily given. —the Indians, and one of their Chiefs murdered with impunity. In answer to the charge relative to what his Excellency is pleased to call the Revolt, I must beg leave to differ with him in sentiments on that occasion, for your own act declared to the world, that this Country was ceded off to Congress. And one part of the Express conditions was, that the same should be erected into one or more States. And we believe that Body was candid, and that they fully believed a new State would tend to the mutual advantage of all parties—that they were as well acquainted with our circumstances at that time, as Governor Martin can be since. And
that they did not think a new Government here would be led away
by the pageantry of a mock government without the essentials, and
have nothing among us but a shadow as represented. But if Gov-
ernor Martin is right in his suggestion, we can only say that the
Assembly of No. Carolina deceived us, and were urging us on into
total ruin—and laying a plan to destroy that part of her Citizens who
she so often frankly confessed, saved the parent State from ruin.
But the people here, neither at that time nor the present, having
the most distant idea of any such intended deception, and at the
same time well knowing, howpressingly Congress has requested
cessions to be made of the Western Territory ever since the 6th of
September and 10th of October in the year Eighty. These several
circumstances together with a real necessity, to prevent anarchy,
promote our own happiness, and to provide against the common
Enemy—that always infest this part of the World, induced and
compelled the people here to act as they have done innocently
thinking at the same time, your acts tolerated them to the separa-
tion. Therefore we can by no means think it can be called a
revolt, or known by such a name. As to the second charge it is en-
tirely groundless, we have not by the act whatever laid hold of one foot
of the vacant land, neither have we appropriated any of the same
to any of our use or uses, but intended everything of that nature
for a further deliberation, and have to be mutually settled accord-
ing to the right and claim of each party.

As to that part of seizing the Public Money it is as groundless as
the former, for no authority among us whatever, has laid hold of
or appropriated one farthing of the same, to our uses in any shape,
whatever, but the same is still in the hands of the Sheriffs and Col-
lectors. And on the other hand, we have passed such Laws as will
both compel and justify them in settling and paying up to the re-
spective claimants of the same all which will appear in our acts—
which will be laid before you, and you will fully evince to the Re-
verse of Governor Martin’s charge in manifesto.

Every time we suggest that the Indians have committed murders
in consequence of the delay of the goods, it is denied, though near forty
people have been murdered, since the Cession Bill passed, some of which
in our own Counties and the remainder in Currituck path, and it is evi-
dently known to be the Cherokees, and their frequent talks prove
they are exasperated, at getting nothing for their Lands, and in all probability had the goods been furnished, no hostilities would have been committed.

The murder committed with impunity, alluding to Major Hubbard's killing a half breed which Gov. Martin calls a Chief (but never any such thing among the Indians) we can't pretend to say what information his Excellency has received on this subject more than the others nor where from. This we know, that all the proof was had against Hubbard and that even can be had—which is, the Indian first struck, and then discharged his Gun at Hubbard before the Indian was killed by Hubbard. As Governor Martin reprobrates the measure in so great a degree, I can't pretend to say what he might have done, but must believe, that had any other person met with the same insult, from one of those bloody savages—who have frequently murdered the wives and children of the people of this Country for many years past, I say had they been possessed of that manly and soldierly spirit that becomes an American, they must have acted like Hubbard.

I have now observed to your Excellency the principal complaints in the Manifesto, and such as I think is worth observation, and have called forth such proofs as must fully evince to the reverse of the charge and complaints set forth.

The menaces made use of in the manifesto, will by no means intimidate us. We mean to pursue our necessary measures, and with the fullest confidence, believe, that your Legislature when truly informed of our cool proceedings will find no course for resenting any thing we have done.

Most certain it is, that nothing has been transacted here, out of any disregard to the parent state, but we still entertain the high opinion and have the same regard and affection for her, that ever we had, and would be as ready to step forth in her defence as ever we did, should need require it.

Also our Acts and Resolves will evince to the world, that we have paid all due respect, to your State, first in taking up her Constitution and then her Laws together with naming several new Counties and also an Academy after some of the first men in your State.

The repeal of Cession act we can't take notice of, as we had de-
clare our separation before the Repeal. Therefore we are bound to support it, with that manly firmness, that becomes freemen.

Our Assembly sits again in August, at which time it is expected Commissioners will be appointed, to adjust and consider on such matters of moment as will be consistent with the honor and interest of each party.

The disagreeable and sickly time of the year, together with the great distance from New Bern as also the short notice, puts it out of the power of any person to attend from this quarter at this time. Our Agent is at Congress, and we daily expect information from that quarter, respecting our present measures and to be advised thereon.

We are informed, that Congress have communicated to your State respecting the Cession act. Be that as it may, I am authorized to say nothing will be lacking in us to forward every thing that will tend to the mutual benefit of each party, and conciliate all matters whatever.

I have the honor to be with great regard and much respect, your Excellency's

mo. ob. humb. Servt.,

JOHN SEVIER.

HON. JOHN JAY TO GOV. CASWELL.

[From Executive Letter Book.]

OFFICE FOR FOREIGN AFFAIRS,

MAY 17TH, 1785.

Sir:

I have the honor of transmitting to your Excellency herewith enclosed, an Act of Congress of the 11th Instant recognizing the Sieur Ignatius Romain Chevalier d'Avistay de Chateaufort as Consul from his most Christian Majesty, for the States of North Carolina, South Carolina and Georgia to reside ordinarily at Charleston and calling upon those States to furnish the Sieur Chevalier d'Avistay de Chateaufort with their Exequatur or Notification of the Quality, &c.

With great respect & esteem I am your Excellency's

Most obed. & h'b'le. Servt.,

JOHN JAY.
CONGRESS'S RECOGNITION OF THE SIEUR IGNATIUS ROMAIN CHEVALIER D'AVISTAY DE CHATEAUFORT AS CONSUL FROM FRANCE.

[From Executive Letter Book.]

BY THE UNITED STATES IN CONGRESS ASSEMBLED.

It is hereby made known to all whom it may concern, That full credence and respect are to be paid to the Sieur Ignatius Romain Chevalier d'Avistay de Chateaufort as Consul from his most Christian Majesty, for the States of North Carolina & Georgia to reside ordinarily at Charleston, which States are called upon respectively by virtue of the powers delegated by the Confederation, to the United States in Congress Assembled to furnish the said Sieur Ignatius Romain Chevalier d'Avistay de Chateaufort with their Exequatur or Notification of his Quality delivering one Copy thereof to the said Sieur Ignatius Romain Chevalier d'Avistay de Chateaufort and causing another to be published in one or more Gazettes.

Done at New York this Eleventh day of May in the Year of our Lord one thousand, seven hundred and eighty five and of our Sovereignty and Independence the ninth by the United States in Congress Assembled.

RICHARD HENRY LEE, P.

CHAS. THOMSON, Secy.

MR. DE MARBOIS TO MR. SPAIGHT.

[From Executive Letter Book.]

NEW YORK,

MAY 18TH, 1785.

SIR:

Permit me to remind you that as early as the month of March, 1785, measures were taken by your State for the payment of Arms and Ammunition furnished to them by the Colony of Martinico and the Governor in his Letter dated 30th November last was pleased to inform me that he had taken measures for the said payment by ap-
pointing Messe: J. G. & Thomas Blount to remit to Philadelphia 3000 Dollars payable to me as soon as produce could be collected to that pur-
pose. I transmitted the intelligence to the Administrators of our Colonies, and they have expressed their anxiety that this Business
might soon be settled as the delay has stopped the settlement of other accounts of great importance. Therefore, Sir, I must entreat
you to procure a speedy accomplishment of the intentions of your Government on that point. I shall be much obliged to you for every
information you'll be so kind as to transmit to me on account of
this new application.

With great respect I have the honor to be, Sir,
Your very humble obedient Servant,
DE MARBOIS.

AN ORDINANCE OF CONGRESS ASCERTAINING THE MODE OF DIS-
POSING OF LANDS IN THE WESTERN TERRITORY.

[From Executive Letter Book.]

MAY 20TH, 1785.

An Ordinance for ascertaining the mode of disposing of Lands in the Western Territory.

Be it ordained by the United States in Congress Assembled, That the Territory ceded by Individual States, to the United States, which has been purchased of the Indian Inhabitants shall be disposed of in the following manner:

A Surveyor from each State shall be appointed by Congress or a Committee of the States, who shall take an oath for the faithful dis-
charge of his duty before the Geographer of the United States who is hereby impowered and directed to administer the same; and the like oath shall be administered to each Chain carrier, by the Sur-
veyor under whom he acts.

The Geographer under whose direction the Surveyors shall act, shall occasionally form such Regulations for their Conduct, as he shall deem necessary and shall have authority to suspend them for misconduct in office, and shall make report of the same to Congress.
or to the Committee of the States; and he shall make report in case of sickness, death or resignation of any Surveyor.

The Surveyors, as they are respectively qualified, shall proceed to divide the said Territory in Townships of six Miles square, by lines running due North and South, and others crossing these at right Angles, as near as may be, unless where the Boundaries of the late Indian purchases may render the same impracticable, and then they shall depart from this rule no farther than such particular circumstances may require: And each Surveyor shall be allowed and paid at the rate of Two Dollars for every Mile in length he shall run including the wages of Chain-carriers, Markers and every other expense attending the same.

The first line running North and South as aforesaid shall begin on the River Ohio at a point that shall be found to be due North from the Western termination of a line that has been run as the Southern Boundary of the State of Pennsylvania: & the first line running East and West shall begin at the same point and shall extend throughout the whole territory; provided that nothing herein, shall be construed as being the western Boundary of the State of Pennsylvania. The Geographer shall designate the Townships or fractional parts of Townships, by numbers progressively from North to South, always beginning each range with No. 1; and the ranges shall be distinguished by their progressive numbers to the westward. The first range extending from the Ohio to the lake Erie being marked No. 1. The Geographer shall personally attend to the running of the first East and West lines; and shall take the Latitudes of the extremes of the first North and South line, and of the Mouths of the principal Rivers.

The lines shall be measured with a Chain; shall be plainly marked by chaps on the Trees, and exactly described on a plot; whereon shall be noted by the Surveyor, at their proper distances, all mines, Salt Springs, salt licks and Mill seats, that shall come to his knowledge, and all Water courses, mountains and other remarkable and prominent things over or near which such lines shall pass and also the quality of the Lands.

The Plots of the Townships respectively, shall be marked by subdivisions into Lots of one mile square or 640 Acres, in the same direction as the external lines and numbered from 1 to 36; Always
beginning the succeeding range of the Lots with the number next to that with which the preceding one concluded, and where from the causes before mentioned, only a fractional part of a Township shall be surveyed the Lots protracted thereon shall bear the same numbers as if the Township had been entire. And the Surveyors in running the external lines of the Townships shall at the Interval of every Mile mark Corners for the Lots which are adjacent always designating the same in a different manner from those of the Townships.

The Geographer and Surveyors shall pay the utmost attention to the variation of the magnetic needle; and shall run and note all lines by the true meridian, certifying with every plot what was the variation at the times of running the lines thereon noted.

As soon as seven ranges of Townships and fractional parts of Townships, in the direction from South to North, shall have been surveyed, the Geographer shall transmit plots thereof to the Board of Treasury who shall record the same with Report in well bound Books to be kept for that purpose, and the Geographer shall make similar returns from Time to Time of every seven Ranges as they may be surveyed. The Secretary at War shall have recourse thereto, and shall take by Lot therefrom a number of Townships and fractional parts of Townships as well from those to be sold entire, as from those to be sold in Lots, as will be equal to one seventh part of the whole of such seven ranges as nearly as may be for the use of the late Continental Army; and he shall make a similar draught from Time to Time until a sufficient quantity is drawn to satisfy the same, to be applied in manner hereinafter directed. The Board of Treasury shall from Time to Time cause the remaining numbers as well those to be sold entire, as those to be sold in Lots, to be drawn for, in the name of the Southern States respectively according to the quotas in the last preceding requisition on all the States; provided that in case more Land than its proportion is allotted for sale in any State at any distribution, a deduction be made therefor at the next.

The Board of Treasury shall transmit a Copy of the original plots, previously noted thereon, the Townships and fractional parts of Townships, which shall have fallen to the several States by distribution aforesaid to the Commissioners of the Loan office of the sev-
eral States, who after giving notice of not less than two nor more than six months by causing advertisements to be posted up at the Court House or other noted places in every County, and to be inserted in one Newspaper published in the States of their residence respectively, shall proceed to sell the Townships or fractional parts of Townships at public vendue in the following manner, viz.: the Township or fractional part of a Township No. 1 in the first range shall be sold entire; and No. 2 in the same range by Lots; and thus in alternate order through the whole of the first range. The Township or fractional part of a Township No. 1 in the second range shall be sold by Lots; and No. 2 in the same range entire; and so in alternate order through the second range; and the third Range shall be sold in the same manner as the first and the fourth in the same manner as the second, and thus alternately through all the ranges; provided that none of the Lands within the said Territory be sold under the price of one Dollar the Acre, to be paid in specie or Loan office Certificates, reduced to Specie value by the scale of depreciation, or Certificates of liquidated debts of the United States including Interest, besides the expense of the survey and other Charges thereon which are hereby rated at thirty six dollars the Township, in Specie or Certificates as aforesaid and so in the same proportion for a fractional part of a Township or of a Lot, to be paid at the Time of Sales, on failure of which payment, the said Lands shall again be offered for sale.

There shall be reserved for the United States out of every Township the four Lots, being numbered 8, 11, 26, 29 and out of every fractional part of a Township so many Lots of the same vouchers as shall be found thereon for future sale. There shall be reserved the Lot No. 16 of any Township for the maintenance of public schools within the said Township, also one third part of gold, silver, lead and copper mines to be sold or otherwise disposed of as Congress shall hereafter direct.

When any Township or fractional part of a Township shall have been sold as aforesaid and the money or Certificates received therefor, the Loan officer shall deliver a Deed in the following terms:

The United States of America, to all to whom these presents shall come, greeting:

Know ye, that for the consideration of dollars, we have
Granted and hereby do grant and Confirm unto the Township, or fractional part of the Township (as the case may be) numbered in the range excepting therefrom, and reserving one third part of all Gold, Silver, lead and Copper mines within the same; and the Lots No. 6, 11, 26 & 29 for future sale or disposition and the Lot No. 16 for the maintenance of Public Schools. To have and to hold to the said his heirs and assigns for ever (or if more than one purchaser to the said and their heirs and Assigns forever as tenants in Common). In Witness whereof A. B., Commissioner of the Loan office in the State of has in conformity to the ordinance passed by the United States in Congress Assembled the day of in the year of our Lord , hereunto set his hand and affixed his seal this day of in the year of our Lord and of the Independence of the United States of America the —.

And when any Township or fractional part of a Township shall be sold by Lots as aforesaid the Commissioner of the Loan office shall deliver a deed therefor in the following terms:

The United States of America, to all to whom these presents shall come, greeting:

Know ye, that for the Consideration of dollars we have Granted & hereby do grant & Confirm unto the Lot or Lots (as the case may be) numbered in the Township (or fractional part of the Township (as the Case may be) numbered in the range excepting and reserving one-third part of the Gold, Silver, Lead and Copper mines within the same for future Sale or disposition. To have and to hold to the said his heirs and Assigns for ever (or if more than one purchaser to the said their heirs and Assigns for ever as Tenants in Common.) In witness whereof A. B., Commissioner of the Loan office in the State of hath in conformity to the ordinance passed by the United States in Congress Assembled the day of in the year of our Lord hereunto set his hand and affixed his seal this day of in the year of our Lord and of the Independence of the United States of America the —.

Which Deeds shall be recorded in proper Books by the Commissioners of the Loan office and shall be Certified to have been Recorded, previous to their being delivered to the purchaser, and shall be good and valid to convey the Lands in the same described.

The Commissioners of the Loan office respectively shall transmit
to the Board of Treasury every three months, an account of the Townships, fractional parts of Townships, and Lots committed to their charge specifying therein names of the persons to whom sold; and the sums of money or Certificates received for the same; and shall Cause all Certificates received by them to be struck through with a Circular punch, and they shall be duly charged in the Books of the Treasury with the amount of the Monies or Certificates distinguishing the same, by them received as aforesaid.

If any Township or fractional part of a Township or Lot, remains unsold for Eighteen months after the plot shall have been received by the Commissioner of the Loan office the same shall be returned to the Board of Treasury and shall be sold in such manner as Congress may hereafter direct.

And whereas Congress by their Resolutions of September 16th & 18th in the year 1776 and the 12th of August, 1780, stipulated Grants of Land to certain officers and Soldiers of the late Continental Army, and by the Resolution of the 2d Sept., 1780, stipulated Grant of Lands to certain officers of the Hospital Department in the late Continental Army, for complying therefore with such engagements, he it ordained that the Secretary at War, from the returns in his office or such other sufficient evidence as the nature of the case may admit, shall determine who are the objects of the above Resolution and engagements and the quantity of Land to which such persons or their Representatives are respectively entitled, and cause the Townships or fractional parts of Townships herein before reserved for the use of the late Continental Army, to be drawn for in such manner as he shall deem expedient, to answer the purpose of an impartial distribution. He shall from time to time transmit Certificates, to the Commissioners of the Loan offices of the different States, to the lines of which the Military Claimants have respectively belonged, specifying the name and rank of the party, the Terms of his engagement, and time of his service; and the division, Brigade, Regiment, or Company to which he belonged, the quantity of Land he is entitled to and the Township or fractional part of a Township and range out of which his portion is to be taken. The Commissioners of the Loan offices shall execute Deeds for such undivided proportions in manner and form herein before mentioned varying only in such a degree as to make the same conformable to the Certificate from the Secretary at War.
Where any Military Claimants of bounty in Lands shall not have belonged to the line of any particular State, similar Certificates shall be sent to the Board of Treasury who shall execute Deeds to the parties for the same.

The Secretary at War, from the proper returns shall transmit to the Board of Treasury a Certificate specifying the name and rank of the several Claimants of the Hospital department of the late Continental Army together with the quantity of Land each Claimant is intitled to and the Township or fractional part of a Township and range out of which his portion is to be taken; and thereupon the Board of Treasury shall proceed to execute Deeds to such Claimants.

The Board of Treasury and Commissioners of Loan offices in the State shall within Eighteen months return receipts to the Secretary at War for all Deeds which have been delivered, as also all the original Deeds which remain in their hands for want of applicants, having been first recorded; which Deeds so returned shall be preserved in the office, until the parties or their representatives require the same.

And be it further Ordained, That three Townships adjacent to Lake Erie be reserved to be hereafter disposed of by Congress for the use of the officers, men and others, refugees from Canada, and the Refugees from Nova Scotia, who are or may be entitled to Grants of Land under Resolutions of Congress now existing or which may hereafter be made respecting them and for such other purposes as Congress may hereafter direct.

And be it further Ordained, That the Towns of Guadenbutten, Schornbrun and Salem, and the Muskingum, and so much of the Lands adjoining to the said Towns with the Buildings and improvements thereon, shall be reserved for the sole use of the Christian Indians who were formerly settled there, or the remains of their Society, as may, in the Judgment of the Geographer, be sufficient for them to Cultivate.

Saving and reserving always, to all officers and Soldiers entitled to Lands on the North west side of the Ohio, by donation or bounty from the Commonwealth of Virginia and to all persons claiming under them all rights to which they are so entitled under the Deed of Cession executed by the Delegates for the State of Virginia on the
first day of March, 1784, and the Act of Congress accepting the same; and to the end that the said rights may be fully and effectually secured according to the true intent and meaning of the said deed of Cession and Act aforesaid, Be it ordained that no part of the Land included between the Rivers called Little Miami and Scioto on the North west side of the River Ohio, be sold, or in any manner alienated, until there shall first have been laid off and appropriated for the said officers and Soldiers and persons Claiming under them the Lands they are entitled to agreeably to the said Deed of Cession and Act of Congress accepting the same.

Done by the United States in Congress Assembled the 20th day of May in the year of our Lord, 1785, and of our sovereignty and independence the ninth.

RICHARD HENRY LEE, P.

CHAS. THOMSON, Secy.

RESOLUTION OF CONGRESS RECOMMENDING A REPEAL OF THE ACT FOR REPEALING THE CESSION ACT.

[From Executive Letter Book.]

BY THE UNITED STATES IN CONGRESS ASSEMBLED,

MAY 23d, 1785.

As the State of New York the Commonwealth of Virginia, and the Commonwealth of Massachusetts have each made a Cession of western Territory to the United States, and Congress are ever disposed to attend to the reasonable expectations of each of the States in the Union touching their public services and expenses.

Resolved, that it be and it is hereby recommended to the State of North Carolina to reconsider the principles of Magnanimity and Justice that induced the passing of their Act of the 2d of June, 1784, and evince the operation of the same sentiments by repealing their act of the 20th day of November, 1784, and directing their Delegates in Congress to furnish a new proof of their Liberality in the execution of a Deed to the United States of the Territory ceded by the Act of the 2d of June aforesaid.

CHAS. THOMSON.
STATE RECORDS.

RESOLUTION OF CONGRESS RECOMMENDING THE LEGISLATURE TO EXAMINE THE SERVICES OF THE AGENTS OF THE CONTINENTAL LINE AND MAKE ALLOWANCES.

[From Executive Letter Book.]

BY THE UNITED STATES IN CONGRESS ASSEMBLED,

MAY 27TH, 1785.

Resolved that the Legislature of the respective States to which Regimental and other Agents (appointed for the purpose of receiving from the Paymaster General Certificates on a final settlement of the balances due the officers and soldiers of the late Army) belong, be and they are hereby requested to Cause the services of the said Agents to be examined and make them such allowance as they may think them entitled to and Charge the same to the United States.

That such Agents deposit the Certificates that may remain in their hands with the Supreme Executive of the States to which they respectively belong Agreeably to the Resolution of Congress of the 3d November, 1783.

CHARLES THOMSON, Secy.

APPOINTMENT OF THE SURVEYORS OF LAND IN THE WESTERN TERRITORY BY CONGRESS.

[From Executive Letter Book.]

BY THE UNITED STATES IN CONGRESS ASSEMBLED,

MAY 27TH, 1785.

Congress proceeded to the Election of a Surveyor from each State in conforming to the "Ordinance for ascertaining the mode of disposing of Lands in the Western Territory" and the ballot being taken Mr. Nathaniel Adams was elected from the State of New Hampshire, Mr. Rufus Putnam from Massachusetts, Mr. Caleb Harris from Rhode Island and P. plantations, Mr. William Morris from New York, Mr. Adam Hoops from Pennsylvania, Mr. James Simpson
from Maryland, Mr. Alexander Parker from Virginia, Mr. Absolom Tatam from North Carolina, Mr. William Tate from South Carolina, they having been previously nominated by the Delegates of the respective States.

CHAS. THOMSON, Secy.

HON. CHAS. THOMSON TO GOV. CASWELL.

[From Gov. Caswell's Letter Book.]

OFFICE OF SECRETARY OF CONGRESS,
MAY 28, 1785.

SIR:

I have the honor of transmitting to your Excellency, sundry acts of the United States in Congress assembled:

1st. An Act of the 23rd April, 1784, for laying out into distinct States the western Territory, ceded to the Union by individual States, and purchased of the Indians, and stating the principles on which the temporary and permanent Governments of the new States shall be established.

2nd. An ordinance ascertaining the mode of disposing of lands in the Western Territory so ceded and purchased.

3rd. A recommendation to the State over which you preside, to recur to the principles of magnanimity & justice which dictated the act of the 2nd of June, 1784, and to evince the same good disposition by repealing the act of the 20th November last and completing the cession of Western territory made by the first act.

4th. An ordinance for the regulation of the office of the Secretary of Congress passed the 31st March, 1785. As this ordinance makes it the duty of the Secretary not only to transmit to the States the acts, ordinances, resolutions and recommendations of Congress—but also to correspond with the States for the purpose of receiving communications from them relative to the execution of the same, I trust your Excellency will favour me with an answer, and that the conduct of North Carolina will exhibit the clearest proof that no state in the Union can exceed, nor any consideration over balance
their Zeal to extend the blessing of liberty, and to promote the
peace, happiness and prosperity of the Confederacy.

With the greatest respect I have the honor to be
your Excellency's mo. ob. humbl. servt.,
C. THOMSON.

AN ACT OF CONGRESS FOR LAYING OUT INTO DISTRICT STATES THE
WESTERN TERRITORY CEDED TO THE UNION BY
INDIVIDUAL STATES.

[From Executive Letter Book.]

BY THE UNITED STATES IN CONGRESS ASSEMBLED,
APRIL 23D, 1784.

Resolved, that so much of the Territory ceded or to be ceded by
Individual States to the United States, as is already purchased, of
the Indian Inhabitants, and offered for sale by Congress, shall be
divided into district States in the following manner as nearly as
such Cessions will admit, that is to say, by parallels of Latitude, so
that each State shall comprehend from North to South two degrees
of Latitude, beginning to count from the Completion of Forty five
degrees north of the Equator; and by meridians of Longitude one of
which shall pass through the lowest point of the rapids of Ohio and
the other through the western cape of the Mouth of the Great Kan-
awahay; But the Territory eastward of this last meridian, between
the Ohio, lake Erie, and Pennsylvania, shall be one State whatso-
ever may be its comprehension of Latitude. That which may be
beyond the completion of the Forty fifth degree between the said
Meridians shall make part of the State adjoining it on the South;
and that part of the Ohio, which is between the same meridians
coinciding nearly with the parallel of thirty nine degrees, shall be
substituted so far in lieu of that parallel as a boundary line.

That the Settlers on any Territory so purchased and offered for
sale, shall either on their own Petition, or on the order of Congress,
receive Authority from them with appointments of Time and place,
for their Free Males of full age, within the limits of their State, to
meet together for the purpose of establishing a temporary Govern-
meht, to adopt the Constitution and Laws of any one of the Original States; so that such laws nevertheless shall be subject to alteration by their ordinary Legislature; and to erect, subject to a like alteration, Counties, Townships, or other divisions, for the election of Members for their Legislature.

That when any such State shall have acquired twenty Thousand free Inhabitants on giving due proof thereof to Congress, they shall receive from them Authority with appointments of Time and place to call a convention of representatives, to establish a permanent Constitution and Government for themselves, Provided that both the Temporary and permanent Governments be established on these principles as their basis.

First, that they shall for ever remain a part of the confederacy of the United States of America.

Second. That they shall be subject to the Articles of Confederation in all those cases in which the original States shall be so subject; and to all the Acts and Ordinances of the United States in Congress Assembled, conformable thereto.

Third. That they in no case shall interfere with the preliminary disposal of the soil by the United States in Congress Assembled; nor with the Ordinances and regulations which Congress may find necessary for securing the Title in such Soil to the Bona fide purchasers.

Fourth. That they shall be subject to pay a part of the Federal Debts Contracted or to be Contracted, to be apportioned on them by Congress according to the same common rule and measure by which apportionments thereof shall be made on the other States.

Fifth. That no tax shall be imposed on Lands the property of the United States.

Sixth. That their respective Governments shall be republican.

Seventh. That the Lands of Nonresident proprietors shall in no case be taxed higher than those of Residents within any new State, before the admission thereof to vote by its Delegates in Congress.

That whenever any of the said States shall have of Free Inhabitants, as many as shall then be in any one, the least numerous of the thirteen original States, such State shall be admitted by the Delegates into the Congress of the United States, on an equal footing with the said original States provided the Consent of so many
States in Congress is first obtained as may at the Time be Competent to such admission, and in order to adopt the said Articles of Confederation to the State of Congress, when its number be thus increased it shall be proposed to the Legislature of the States originally parties thereto, to require the assent of two thirds of the United States in Congress Assembled in all those cases, wherein by the said Articles, the assent of nine States is now required; which being agreed to by them, shall be binding on the new States. Until such admission by their Delegates in Congress, any of the said States after the establishment of their Temporary Government shall have authority to keep a Member in Congress with the right of Debating but not of voting.

That measures not inconsistent with the principles of the Confederation and necessary for the preservation of Peace and good order among the Settlers in any of the said new States, until they shall assume a Temporary Government as aforesaid, may from Time to Time be taken by the United States in Congress Assembled.

That the preceding Articles shall be formed into a Charter of compact, shall be duly executed by the President of the United States in Congress Assembled under his hand and the Seal of the United States; shall be promulgated; and shall stand as Fundamental Constitutions between the thirteen original States and each of the several States now newly described, unalterable from and after the sale of any part of the Territory of such State, pursuant to this Resolve, but by the joint consent of the United States in Congress Assembled, and of the particular State within which such alteration is proposed to be made.

HON. CHAS. THOMPSON TO GOV. CASWELL.

(From Gov. Caswell's Letter Book.)

OFFICE OF SECRETARY OF CONGRESS,

May 31st, 1785.

Sir:

I have the honor to transmit to your Excellency two acts of the United States in Congress assembled, one passed the 3rd Nov. 1793, directing the Paymaster General to deposit in the hands of Regi-
mental Agents the Certificates of pay, due to the Officers and Soldiers of the respective lines of the late Army to be by them delivered to the Individuals or deposited for their benefit, as the Supreme Executive of their respective States shall direct. The other passed the 27th of the present month requesting the Legislature of the respective States to cause the services of the said Agents to be examined, and to make them such allowance as they shall think them intitled to. Your Excellency will be pleased to lay these before the Legislature of your State, and communicate to me their determination, that I may report the same to Congress.

With great respect I have the honor to be

Your Excellency’s most ob. & mo. humbl. serv’t,

CHAS. THOMSON.

HON. RICHARD DOBBS SPAIGHT TO GOV. CASWELL.

[From Executive Letter Book.]

NEW YORK, 5th June, 1785.

SIR:

On the 15th of May Mr. Cocke arrived here in the Character of Agent, for the inhabitants of the Counties of Washington, Greene & Sullivan whom it appears have declared themselves an Independent State by the Title of "The State of Franklin." The day following he presented to the President of Congress a Memorial from the Assembly of That State praying Congress to accept the cession of North Carolina and to admit them into the Union. The Memorial was laid before Congress, and read but no order either moved or taken, on it; a Copy of the Memorial I enclose to your Excellency.

A Day or two after a motion was made by a Delegate from Massachusetts, that the Acts of the General Assembly of the State of No. Carolina, granting and repealing the Cession, should be referred to a Committee in order that they might report whether it had, or had not a right to accept the Cession or whether it was not still binding upon the State, notwithstanding the repealing Act. They were accordingly committed and a report made on
the 20th May. Contrary to the established rule, the report was taken up, and acted on, the same day, without allowing any time for Consideration or giving any notice to the Members from this State. As I had been indisposed for some time before and was at that time far from being well, I was not in Congress, tho' if I had known that that subject would have been before the House I should certainly have been there. Notwithstanding I think that Congress have in this instance treated the State and myself with a great degree of indelicacy, I shall only observe upon their proceedings, that in my opinion too great an avidity, in a part of Congress, for Western Territory has hurried them into a measure, the consequences of which they have not considered, and I am sure in their cooler moments and abstracted from Interested Motives they would condemn. A copy of the report and proceedings thereon I enclose to your Excellency. The Report does not do much Credit to the abilities of the Gentlemen who drew it, tho' it convinces me that my opinion is right “that they are willing to have the Lands on any terms,” as the latter clause, which is the only one agreed to, is an absolute contradiction to every other part of it.

I enclose your Excellency a note I received from Mr. de Marbois respecting the debt due by the State to the Government of Martinique.

I forward to your Excellency the Ordinance for ascertaining the mode of disposing of the Lands in the Western Territory. In my opinion it never will answer the end proposed for before this formal and hitherto unheard of plan can be carried into execution the Lands will be possessed by persons who have already and are daily crossing the Ohio in great numbers, so as to put the United States to more expense to dispose of them than the soil will afterwards sell for.

The State of South Carolina have applied to Congress, for a Federal Court to determine the dispute about Jurisdiction and Territory subsisting between them and the State of Georgia. They claim all the Territory lying to the Northward of a due west line to be drawn from what they call the head of the River Savannah (that is where the Tugelo and Kiowee join, where it takes the name of Savannah) to the Mississippi and to the South of our line: and all the territory lying to the South of the Altamaha and a due West line to
be drawn from the head of that River to the Mississippi and to the north of the Floridas as bounded by the treaty.

North Carolina has not been represented since Dr. Williamson’s time expired nor do I hear any acc’ts of the other delegates coming. I shall leave this city in a few days to return home.

The requisition from the present year is not made, and several other important matters remain to be acted on from which I am led to believe that Congress will not have a recess this summer.

I have the honour to be your Excellency’s most obedient and most humble Serv’t.,

RICH. D. SPAIGHT.

GEN. THOS. CLARK TO GOV. CASWELL.

[From Executive Letter Book.]

POINT REPOSE, June 8th, 1785.

Sir:

A few days ago I received a Letter from Mr. Maurice Simmons, Merchant in Charleston, the Gentleman who so largely supplied our Officers with Clothing, &c., whilst prisoners at Haddrells, he says, “I was in hopes of seeing you in North Carolina ’ere this as I fully intend going there to get payment for the supplies to the Officers of your line when prisoners here, having been much distressed in deed in my affairs by advances made to officers of the different States. But I find it impossible to leave this at present and God only knows how I shall ever collect the money due me on the Officers’ private accounts without the Governor and Council will consent to let them be settled with me and charge them to the different Officers, which will be discounted in the pay due them. Be so good as to apply to the Govr. to know if this can be done. If the Governor and Council will consent to it I will immediately go to “No. Carolina and get the whole business settled in the best manner I can. The Governor and Council of Virginia and Maryland readily agreed to this mode of settlement.”

This Gentleman, Sir, I am convinced has suffered greatly by large supplies to the American Officers. The assembly has I believe
ordered he should be paid the amount of his Account contracted with me for our Officers with interest, but Sir, there are several officers who obtained Credit from him on their own private accounts when prisoners which most certainly ought to be discharged with all possible expedition; the officers (I believe many) have it not in their power at present and the man is much distressed in his affairs. It is true he was to be paid a great price for his Goods, But not more than others at that time and the risque he ran was certainly very great. I will thank you, Sir to take the matter into consideration, and if any thing can be done with propriety be obliging enough to inform, Sir,
Your Excellency's Most obedient h'ble Servt.
T. CLARK.

HON. CHAS. THOMSON TO GOV. CASWELL.

[From Executive Letter Book.]

OFFICE OF SECRETARY OF CONGRESS,
June 9th, 1785.

SIR:
I have the honor of transmitting to your Excellency an Act of the United States in Congress assembled for the relief of the officers and Soldiers and Seamen, who have been disabled in the service of the United States during the late War. As the condition of many of these unfortunate men, who have a claim not merely on the humanity, but on the gratitude and justice of their Country demands immediate attention, I have the firmest confidence that the State of North Carolina will take the earliest opportunity of making the provision recommended in the enclosed act.

With the greatest respect I have the honor to be,
Your Excellency's mo. ob. humbl. Servt.,

CHAS. THOMSON.
HON. JOHN JAY TO GOV. CASWELL.

(From Gov. Caswell's Letter Book.)

Office for Foreign Affairs,
June 14th, 1785.

Sir:

I have the honor of informing your Excellency that Congress have received a Letter from his Most Christian Majesty dated the 27th March last, announcing the birth on that day of a Prince, whom he had named the Duke of Normandy. As this event adds to the happiness of a King and a people, who have given many important proofs of friendship for our nation, it must naturally excite that pleasure which generous minds always derive from the prosperity of their friends and Benefactors. I have the honor to be with great respect,

Your Excellency's mo. ob. and very humbl. servt.,

John Jay.

GOV. CASWELL TO MAJ. ROBERT FENNER.

[From Executive Letter Book.]

New Bern, 14th June, 1785.

Sir:

I take the liberty of recommending to you as Agent of the Continental line of this State, to transmit to the principal towns in the several districts of this State, the Certificates belonging to the Officers and Soldiers of the said line who reside, or whose representatives reside, in the respective districts and appoint some person to deliver them out at each respective place, whose business it shall be to give proper notice of the time and place of his attendance.

This I conceive to be the readiest way for the persons entitled to receive their Certificates and as the expences incident to this Busi-
ness will be a general charge against the United States, I flatter myself you will have no objection to the measures recommended.

I am Sir,

Your Most obedt. Servt.,

R. CASWELL.

GOV. CASWELL TO JOHN HUNT, ESQ.

[From Executive Letter Book.]

New Berne, 14th June, 1784.

Sir:

You will be pleased to apply to the Treasurer for payment of two hundred pounds for which you will herewith receive a Warrant; on obtaining the Money you will either exchange it for Cash (hard Money) or Tobacco at Petersburg, and apply the same to the purchase of paper, sufficient for printing the Laws and Journals of the last Session of the General Assembly, and to defray the expenses of printing the same, at least so many Copies as are directed by Law to be printed in the neatest and best manner you possibly can, and with the greatest expedition. To this end I recommend your going immediately to Richmond, in Virginia, where 'tis probable this business may be the soonest effected. The great disadvantage we labour under for want of the Laws being printed is the inducement to this measure, and this only can justify the Laws being sent out of the State; but I must request that you by no means part with the original Acts, but that you make fair Copies and deliver the printer for him to work by. You will be pleased to keep a particular Account of your expenditures in the transacting of the Business to the end that the same may be laid before the Legislature who I have no doubt will make you ample satisfaction for the great trouble you will have in the same; on your return with the Laws and Journals printed send as many of them as you have opportunity to the different districts as are allotted for persons in those Districts, such as you can not send on please to forward to me by Express and acquaint me what number and to whom you have sent any. You will observe not to have any notice taken in the prints
where this Business is done. Pray use all the dispatch you can, in which you will oblige your Country as well as Sir,
Your most Obedient Servant,
R. CASWELL.

P. S.—The original Bills on your return must be lodged in the Secretary's office.

CAPT. EBEN JACKSON TO GOV. CASWELL.

[From Executive Letter Book.]

OFFICE OF ARMY ACCOUNTS,
NEW BERN, N. C., June 14th, 1785.

SIR:
The following is a statement of the settlement that I have made with the Commissioned and non-Commissioned Officers and private Soldiers of the Continental line of this State, viz: The balance of sundry individual accounts, the commutation of those officers who retired from service, under the Resolve of Congress of the 21st October, 1780. Also the General and Staff of the line, in 75 Certificates numbered from 89,351 to 89,425 inclusive amounting to 48,498,65-90 Dollars.
The balance of pay for the non-commissioned and privates of the North Carolina line for the year 1782, in 1312 Certificates numbered from 89,501 to 90,812 inclusive amounting to 55,155,14-90 Dollars.
The balance of pay for the non-commissioned officers and privates of the North Carolina line, for the year 1783, in 649 Certificates numbered from 90,813 to 91,461 inclusive amounting to 44,907 14-90 Dollars.
The balance of Gratuity allowed each non-commissioned Officer and private Soldier who enlisted for, and continued in service to the end of the war (80 dollars per man), in 120 certificates numbered from 91,462 to 91,571 inclusive, amounting to 8,800 Dollars.
The balance for pay for the commissioned Officers of the North Carolina line for the years 1782 and 1783, in 118 Certificates,
numbered from 91,572 to 91,606, inclusive, and from 91,856 to 91,938, inclusive, amounting to 33,844 11-90 Dollars.

The balance of Commutation for the Commissioned Officers of the North Carolina line, pursuant to a resolution of Congress of March 22nd 1783, in 249 Certificates numbered from 91,607 to 91,855, inclusive, amounting to 195,600 Dollars.

Total amount of Certificates issued, 2,513

Total amount of Dollars issued, $386,800,14-90

There is still due the line in Specie upwards of 30,000 Dollars which will be paid as soon as there is sufficient sum in the Continental Treasury.

I have delivered all the Certificates to Major Robert Fenner, Agent for the line, except a few Individuals who settled their own accounts.

The Agent, as I conceive, is amenable to the Executive of the State alone, for the faithful performance of his duty. For in the receipt given by him, he promises immediately to deliver all the Certificates to the respective Individuals, or lodge them where the Supreme Executive of the State of North Carolina shall direct.

I am with the greatest respect,

Your Excellency's mo. ob. servt,

EBEN JACKSON,
Ass. Com. Army accounts.

GOV. R. CASWELL TO BRIGADIER GENERAL SEVIER.

[From Executive Letter Book.]

Kinston, 17th June, 1785.

SIR:

Your favor of the 14th of last month I had the honor to receive by Colonel Avery.

In this, Sir, you have stated the different charges mentioned in Governor Martin's manifesto and answered them by giving what I understand to be the sense of the people and your own sentiments with respect to each charge, as well as the reasons which governed in the measure he complained of.
I have not seen Governor Martin's Manifesto, nor have I derived so full and explicit information from any quarter as this you have been pleased to give me. As there was not an Assembly owing to the Members not attending in Consequence of Governor Martin's request, the sense of the Legislature on this Business of course could not be had, and as you give me assurances of the peaceable disposition of the people and their wish to conduct themselves in the manner you mention and also to send persons to adjust, consider and conciliate matters, I suppose to the next assembly, for the present, things must rest as they are with respect to the subject matters of your Letter which shall be laid before the next Assembly. In the mean time, let me entreat you not by any means to consider this as giving countenance by the Executive of the State, to any measure lately pursued by the people to the Westward of the Mountains.

With regard to the Goods intended by the State, for the Indians as a compensation for the lands, they I believe have been ready for many months at Washington, and if I can procure Wagons to convey them to the place destined (the Long Island) I mean to send them there to be disposed of according to the original intention of the Assembly and will either attend myself or appoint Commissioners to treat with the Indians. But in this you know it is necessary that that whoever attends should be protected by the Militia, and under the present situation of affairs, 'tis possible my orders may not be attended to in that particular, and however a man may submit to these things in a private Character, he may be answerable to the people. At least they may judge it so in a public situation. Therefore, without your assurances of the officers and men under your Command being subject to my orders in this Case, as matters stand I think it would be imprudent in me to come over or send Commissioners to treat with the Indians. Of this you will be pleased to write me by the first favorable opportunity. It is my wish to come over myself and if matters turn so that I can with convenience 'tis probable I may.

I have the honor to be with great esteem and respect, Sir.

Your most obedient humble Servant,

R. CASWELL.
HON. HU. WILLIAMSON TO GOV. CASWELL.

(From Gov. Caswell's Letter Book.)

EDENTON, 18th June, 1785.

SIR:

On the 15th Inst. I arrived here from New York, having come by water from Philadelphia. Mr. Speight expected to set out from New York on the 6th or 8th of this month. He comes by land and prudence will require that he should travel slow. Had an Assembly been formed at New Bern I proposed to have attended, for as Mr. Cocke deputed by the Western people had lately been with Congress, I conceived that some explanation of certain notes and transactions might be desired.

On looking over my accounts I find that Gov. Martin has issued Certificates or Warrants in my favor for 1500 Dlrs. in part for Salary for the last year's Service. I am to charge for 8 months and § of service nearly, viz.: For attendance in Congress from 1st Nov. to 14th May, and for 2 months allowed for going and coming—8 months and 13 days. Hence there is a balance due of 186 Dlrs. § of a Dlr. For which balance I hope your Excellency will be so good as to send me a draft by the Express who delivers this, that I may try to get the money in some part of the District.

I have the honor to be with the utmost consideration, Sir,

Your ob. serv.,

HU. WILLIAMSON.

MESSRS. HAWKINS, PICKENS AND MARTIN TO GOV. CASWELL.

(From Gov. Caswell's Letter Book.)

CHARLESTON, 19th June, 1785.

SIR:

The Commissioners appointed by the United States in Congress assembled, to treat with the Cherokee and all other Indians Southward of them, within the limits of the United States, are instructed
previous to their holding any treaty to give due notice of the time, and place, where it is to be held to the Supreme Executive of your State, in order that they may appoint one or more persons, to attend during the treaty, if they think proper.

In consequence thereof, we have the honor to inform your Excellency that the Commissioners have agreed to hold a treaty with all the Creeks on the third Monday in September next, at Galphinton, on the Ogeechee, in the State of Georgia. And with the Cherokees, Choctaws and Chickasaws, the second Monday in October, at or near where Fort Rutlege stood on the Keeowee, in the State of South Carolina.

The Commissioners are also authorized to draw on either of the States of North Carolina, Virginia, South Carolina or Georgia, for a sum not exceeding thirteen thousand dollars to discharge the expenses of holding the treaties, and to be expended in making presents to the Indians.

They have had a Conference with the Supreme Executive of this State on this subject, and they find them seriously desirous of concurring with the views of the United States. But from some particular imperfection in their laws, or rather the unexpectedness of the application they are unable to do as much as they are desirous of. They have granted us two hundred pounds, a sum hardly sufficient to send proper notifications to the nations and tribes concerned, and to pay some immediate contingencies. And we shall apply for some men perhaps one hundred, for the purpose of protecting the Commissioners whilst engaged in concluding the treaties.

We must be explicit to your Excellency, and declare that altho' we have appointed the place for holding the treaties, and shall give due notice thereof to the nations and tribes concerned, it will be impossible for us to hold them without some pecuniary aid from your State. And therefore we give you this early information, and we request to know whether our drafts for one-third or more of the sum can be paid by your State on sight or so secured that the last payment shall not exceed the second Monday in October.

The Commissioners are sensible that it is of importance to the peace of the Union, and the safety of the frontier settlements that the whole of the duties of their commission be executed as soon as possible, and while they are taking proper steps, they feel a par-
ticular pleasure in communicating to the States on whom they are to rely for protection and support anything that may interest their Citizens, and therefore we take the liberty to assure your Excellency that the Creeks have offered their assistance to the Cherokees, to repel any attempt that may be made by the disorderly Citizens of the United States on their property. And that the disaffected, disorderly white people among them, who have been inimical to us during the last war, are now industrious in their endeavors to prevail on the Indians to commence hostilities against us, for some real and some imaginary causes.

We request an answer may be forwarded to the Postoffice in this city as early as possible.

We have the honor to be with sincere esteem Sir,
Your Excellency's mo. ob. and humb. servts.,
BENJ. HAWKINS,
AND'W PICKENS,
JOS. MARTIN.

MR. DE MARBOIS TO GOV CASWELL.

[From Executive Letter Book.]

PHILADELPHIA,
JUNE 21st 1785.

Sir:
I have received your Excellency's letter dated 4th January last since a few days only. I am much obliged for your attention to the Executive, of the provision of my office as Consul General of same and have received the rec't. duly authenticated joined to the letter which I have the honor to answer.

You mentioned in the same letter Sir, that you presumed Mr. Blount had (4th January last) remitted me some of the monies due from your State, to the Government of Martinique, but to this day I have received nothing, and I am sorry to have disappointed the said Government. You will oblige me much Sir, if you will be so
kind as to give positive directions for the final settlement of these affairs.

I have the honor to be with the greatest respect, Sir.

your Excellency's very humbl. ob. servt.,

DE MARBOIS.

RESOLUTIONS OF THE LEGISLATURE OF MASSACHUSETTS.

[From Executive Letter Book.]

COMMONWEALTH OF MASSACHUSETTS,

IN SENATE, JUNE 23D, 1785.

Resolved, that His Excellency be requested to procure from time to time the Laws and resolves of the several United States and also such of the Laws, Decrees and Arrets of other Governments as may effect the interest of the Citizens of this Commonwealth.

Resolved, that his Excellency be requested to cause an abstract to be printed of all such customs and duties that have or may come to his knowledge, of what nature or kind soever, as are demanded from American Vessels in foreign parts for the information and Government of all concerned.

And it is further Resolved, that his Excellency be requested to expostulate with such of the United States, as have passed imposts and excise Acts or other Laws for the regulation of trade, that affect the Comercial interest of the Citizens of this State, and to urge the propriety of their making such alterations and amendments as shall render them, not only conformable to the Spirit of the Confederation, but consistent with those principles of reciprocity, which in a national view ought ever to be adopted.

Sent down for concurrence.

SAML. PHILLIPS, Junr., Presidt.

In The House of Representatives, June 27th, 1785. Read and Concurred with.

NATH. GORHAM, Speaker.

Approved:

JAMES BOWDOIN.

True Copy.

Attest: W. HARRIS, Dy. Secy.
HON. HU. WILLIAMSON TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON, 27TH JUNE, 1785.

SIR:

Yours of the 23rd Inst. came to hand. When I wrote on the 28th I was in haste, as the express was just setting off, there was indeed the appearance though it was only the appearance of some neglect. My trunk containing my clothes and Journals of Congress, and all my public papers had been at New York on the 26th of May. The vessel did not arrive here till this morning. My baggage is not yet landed. I have a Copy of some of the papers—not all of them, for as Mr. Spaight continued in Congress after my time was out, and the chief debates respecting the Western Country took place after the 14th of May, it was Mr. Spaight's duty not mine, to communicate the same to the Executive. I mentioned the subject to him, and understood from him that he had ordered a Copy of the whole to be made out. I presume he brings it with him, or has sent it by post. I thought that my interfering after my service was ended might seem to imply a want of confidence in his diligence. In fact there has no act passed in Congress, but a single recommendation to the State to renew the Cession, but there was much debate, and many yea's and nay's were called. The question lost.

I have the honor to be, &c.,
HU. WILLIAMSON.

HON. WM. BLOUNT TO GOV. CASWELL.

[From Executive Letter Book.]

PINEY GROVE, JULY 1ST, 1785.

SIR:

I consider it my duty to inform you that I propose to take a seat in Congress in November next agreeable to my appointment by the
last Assembly, and it is my present determination to perform a tour of eight months, at least, provided I am enabled so to do by raising the necessary supplies, I mean of money—and as the Treasury of this State does not abound in hard money, I would wish a part of my Salary in paper in advance—that I may have an opportunity of turning it into hard money before I leave the State.

And permit me to remark to you that the only public funds on which you can draw that has the least probability of being productive are those in the hands of the collectors of the public impost. I have the honor to be your Excellency's

Mo. ob. servt.,

WM. BLOUNT.

J. G. & THOS. BLOUNT TO GOV. CASWELL.

[From Executive Letter Book.]

WASHINGTON, JULY 2ND, 1785.

SIR:

The late Gov. Martin put into our hands Warrants for 1,100 dollars, with a promise of further sums—when the funds in the hands of the Collectors would afford it—to pay a sum due from this state to the Government of Martinique, and now to be paid Mr. Marbois at Philadelphia.

We are now loading a vessel with Naval stores at Wilmington, purchased with the warrants we received, and are short of her load. The bearer now waits on you for warrants for such further sums as you may please to draw to accomplish that payment.

We are with much respect,

Your Excellency's mo. ob. humb. servts.,

J. G. & THOS. BLOUNT.
STATE RECORDS.

HON. WM. BLOUNT TO GOV. CASWELL.

[From Executive Letter Book.]

PINEY GROVE, JULY 3RD, 1785.

SIR:

I have received certain information that a majority of the persons appointed by Congress to hold a treaty with the Southern Indians, have had a meeting in Charleston, and have determined to hold two Treaties with those Indians—One in September, the other in October next, both of which I propose to attend in virtue of my appointment as a Commissioner of this State.

For this service I make no doubt but I shall be allowed the same pay per day, that is allowed the Commissioners appointed by Congress. And as money in advance will be necessary to enable me to prepare for and to execute the duties of my appointment, I beg your Excellency will be pleased to issue a warrant in my favour for such sums as the demand for my services will probably amount to. The well known difficulty and delay that attends the procuring money from the public Treasury, I hope will be considered as a sufficient reason for this early application, for with every exertion I have my fears that the money cannot be had in time.

I have the honor to be your Excellency's

mo. ob. Servt.,

WM. BLOUNT.

MR. —— PETRY TO GOV. CASWELL.

[From Executive Letter Book.]

WILMINGTON, JULY 6TH, 1785.

SIR:

I have the honor to enclose here a letter to your Excellency from the Chevalier de Chateaufort, with the recognition of his character
as Consul of France, for the States of North Carolina, South Carolina, and Georgia, by the United States in Congress assembled. I'll be very much obliged to you to send me the execqutqur of it, and to cause it to be printed in the News papers of this State.

I have received Sir, so many letters on the account of the advance made by the Government of Martinico to Mr. de Bretigny, for the State of North Carolina that I cannot prevent myself—though I know some measures have been taken by the State for the payment—to let it be known to your Excellency in order that the produce destined for the acquittance of that advance, be sent to Philadelphia as soon as possible.

I have the honor to announce to your Excellency that the Queen of France has been delivered of a second Prince, on the 27th March last, and I do it with so much pleasure that I am sensible of the concern of this State for such a happy event to France.

I cannot express to you, Sir, how much I have regretted, and regret yet that my very bad state of health has prevented me to wait of your Excellency last November but I hope to be happier next fall, and to assure you myself of the greatest regard with which I am Sir, your Excellency's ob. Servt.,

——— PETRY.

———

COPY OF THE LETTER FROM MONSIEUR DE SOULANGES TO THE JUDGES AND CONSULS OF NANTES.

[From Executive Letter Book.]

Translation.

TOULON, 14TH JULY, 1785.

GENTLEMEN:

Commodore de Ligondes, who arrived from Algiers in the frigate Minerva which he commanded has informed me on Ansforing in this Road that that Regency has acquired 8 Vessels, both Chebecs and Barques from 18 to 34 Cannon, designed to cruize from Cape St. Vincent to the Azores to capture the Americans against whom they have declared War. I give you immediate advice of this, Gentlemen, as
well on account of the concern you may have as to these vessels, as also that you may give information thereof to the American Captains.

The Algerines have another division of 4 Vessels but too small to give uneasiness in our Seas.

(Signed) SOULANGES.

Faithfully translated from the original by JOHN PINTARD.

HON. JOHN JAY TO GOV. CASWELL.

[From Executive Letter Book.]

OFFICE FOR FOREIGN AFFAIRS,
15TH JULY, 1785.

Sir:

I have the honor of transmitting to your Excellency herewith enclosed, an Act of Congress of the 13th Instant recognizing Jan Booner Graves as Consul from their High Mightinesses the Lords the States General of the United Netherlands for the States of North Carolina, South Carolina and Georgia to reside at Charleston and of calling upon those States to furnish Mr. Graves with their Exequatur or Notification of his Quality, &c.

With great respect,

I have the honor to be,
Your Excellency's Most Obedient and very humble Servant,

JOHN JAY.

HON. RICHARD HENRY LEE TO HON. CINNAMON THOMSON.

[From Executive Letter Book.]

BY THE UNITED STATES IN CONGRESS ASSEMBLED.

It is hereby made known to all whom it may concern, that full evidence and respect are to be paid to Jan Booner Graves as Consul from the United Netherlands for the States of North Carolina, South 17—31
Carolina and Georgia to reside at Charleston, which States are called upon respectively by the power delegated by the Confederation, to the United States in Congress Assembled to furnish the said Jan Booner Graves with their exequatur or Notification of his quality delivering one Copy thereof to the said Jan Booner Graves and causing another to be published in one or more Gazettes.

Done at New York this thirteenth day of July in the year of our Lord one thousand, seven hundred and Eighty-five and of our sovereignty and Independence the Tenth.

By the United States in Congress Assembled.

RICHARD HENRY LEE, P.

GOV. CASWELL TO HONB. JOHN HAWKS.

[From Executive Letter Book.]

KINGSTON, 17TH JULY, 1785.

SIR:

It gives me much concern, for the first time, I have experienced the disappointment of meeting the Council. Only Genl. Armstrong and Col. Kenan attended. I have just parted with them. They promised to be here again by 12 O’Clock on Friday next, when I have assured them a Board will be made. To that end I send an express to you and Mr. President. You I hope will be so far recovered of the Gout as to be able to come up in time, and the President is or will be returned from Pungo. If he has not yet come home the express has orders to go on, till he finds him. Matters of importance require this meeting, and I flatter myself that a second disappointment will not happen. I am Sir,

your mo. ob. Servt.,

R. CASWELL.
HON. JAMES READ TO GOV. CASWELL.

[From Executive Letter Book.]

WILMINGTON, JULY 19TH, 1785.

SIR:

I am honored with your Excellency's letter of the 17th Inst. I expect to be possessed of about four hundred pounds by the latter end of next week at which time I intend setting off for Hillsboro, to settle with the Treasurer; if that Sum will be of any service to you, if you will be pleased to draw a warrant on me it shall be paid. I shall wait till Monday week, at which time if I do not hear from you I shall take the money with me. I have enquired about a bill on Charleston, a Gentlemen told me he would be able to draw for about five hundred Pounds sterling, at ninety days sight. He said he would inform me more particularly in two or three days, of which I shall inform your Excellency by Post. I believe bills will be the best remittance to Charleston, as there is no produce except shingles that will pay a freight at present, and they are rather bulky to remit to any considerable amount. I hope in two months I shall be able to answer near a thousand Pounds—but of this I am a little apprehensive, as the Merchants here have experienced the difficulty of procuring money to pay duties. They have and are endeavoring to get warrants and Assembly Certificates for that purpose. I have received of both a considerable amount. However if you will let me know what Sum you will want, if it is possible I will procure it, and acquaint you of the best mode of remittance. I am sorry your Excellency should think it necessary to apologize for giving me trouble, as you are pleased to term it. Be assured I shall be happy in doing anything in my power to oblige you.

I am with great respect your Excellency's

mo. ob. humbl. Servt.,

JAMES READ.
COV. CASWELL TO THE HONORABLE JOHN JAY, ESQUIRE.

[From Executive Letter Book.]

NORTH CAROLINA, KINSTON,
20TH JULY, 1785.

SIR:

I had the honor to receive your Letter of the 31st March, enclosing a Copy of a Letter from Mr. Adams to the President of Congress of the 22nd April, 1784, and of a Letter from Mr. de St. Saphorin of the 21st April, 1784, to Mr. Adams together with a Copy of the paper referred to in the latter.

I have also received your Letter of the 11th April last with a state of the duties payable by Vessels of the United States of America in the ports of Marseilles, L'Orient, Bayonne and Dunkirk. Which Letters and papers shall be properly attended to.

I have the honor to be, Sir,

With great respect,

Your most obedient humble Servant,

R. CASWELL.

GOV. CASWELL TO HON. CHAS. THOMSON, SECRETARY OF CONGRESS.

[From Executive Letter Book.]

NORTH CAROLINA, KINSTON,
20TH JULY, 1784.

SIR:

I had the honor to receive your Letter of the 28th May last, the 10th current inclosing sundry Acts of Congress. 1st. 23d April, 1784, for laying out, into distinct States the Western Territory ceded to the Union by Individual States and purchased of the Indians, &c. 2nd. Ascertaining the mode of disposing of Land in the Western Territory so ceded & purchased. 3d. A recommendation to this State to repeal the Act of the 20th November last and to compleat
the Cession of the Western Territory, as made by the Act of the 2d June, 1784. 4th. For the regulation of the office of Secretary of Congress passed 31st March, 1785.

The latter regulation having made it the duty of the Secretary to transmit to the States the Acts of Congress and to correspond with the States for the purpose of receiving communication from them. I shall with pleasure receive from you such papers and information as you shall from time to time think proper to transmit to me, and will in future communicate to you, the receipt of the same, as they come to hand, and every other matter that I think it will be necessary for Congress or you to know respecting the public transactions in this State, whilst I am in the Executive, which I entered upon in May last, since which I have received as follows:

1st. Your Letter of 18th March enclosing a resolution of Congress respecting unliquidated claims against the United States.

2d. Letter of the 24th March, enclosing an Act passed 15th March, for negotiating a peace with the Southern Indians and appointing Commissioners for that purpose.

3d. Letter of the 15th April enclosing an Act passed the 13th April empowering the States which shall have settled with their respective Lines on the principles of the Act of the 1st June, 1784, to charge the United States—also the Act alluded to of 1st June.

I have also received the Act of the 27th May for appointing Surveyors.

All these Acts shall be properly attended to, and such of them as may be deemed proper for the Consideration of the General Assembly shall be laid before that Body.

I have the honor to be with great respect & Esteem Sir,

Your most obedient & very humble Servant,

R. CASWELL.
GOV. CASWELL TO THE HONORABLE JOHN JAY, ESQUIRE.

[From Executive Letter Book.]

NORTH CAROLINA, KINSTON,
23D JULY, 1785.

SIR:

I had the honor of receiving your Letter of the 14th ultimo announcing the birth of a Prince of France whom his most Christian Majesty had named Duke of Normandy.

As this event must excite pleasure in the minds of the Citizens of this State on account of the happiness it derives to a King and a people we are under the greatest obligations to, I have issued a Proclamation notifying the same.

I am with very great respect Sir,
Your most obed. & very humble Servt.,
R. CASWELL.

GOV. CASWELL TO HON. CHAS THOMSON, SECRETARY OF CONGRESS.

[From Executive Letter Book.]

NORTH CAROLINA, KINSTON,
23D JULY, 1785.

SIR:

I had the honor to receive your Letter of the 31st of May last inclosing two Acts of Congress, one passed the 3d Novr., 1783, respecting the Certificates for arrears of pay due to the officers and Soldiers of the line of the late Army; The other passed 27th May,1785, requesting the Legislature of the respective States to cause the service of the Agents to be examined and to make them an allowance, &c.

These Acts I will do myself the honor to lay before the General Assembly at their next meeting and communicate their Resolutions thereon to you.

I am, with great respect & esteem, Sir,
Your most obed. & hum. Servt.,
R. CASWELL.
GOV. CASWELL TO THE COMMISSIONERS APPOINTED BY CONGRESS TO TREAT WITH THE SOUTHERN INDIANS.

[From Executive Letter Book.]

NORTH CAROLINA, KINSTON,
23d JULY, 1785.

GENTLEMEN:

I had the honor to receive your letter of the 19th of June, the 10th Instant, but was not able to Convene the Council until Yesterday, when the same was laid before that Board, the Members of which being anxious to fulfill the requisition of Congress have notwithstanding the State labours under many difficulties for want of money advised me to draw on the Treasury to the amount of one third of the thirteen thousand Dollars. This I mean to do so as to get the Money into my private Secretary's hands ready to answer your drafts by the second Monday in October next and think I can venture to engage that you shall meet with no disappointment at that time. But Gentlemen you will be pleased to observe that it will be with great Labour & expence in sending to different parts of the State that I expect to be able to collect this sum in paper Money. That Money I know will not answer your purpose in So. Carolina & Georgia and whether you would wish me to endeavour to effect an exchange for Hard Money in this State or to remit any of the produce of the State to Charleston to try to raise the Hard Money there, or purchase Bills upon Charleston, you will be pleased to advise me as early as possible.

I thank you for the information you have given me respecting the offers & disposition of the Creeks and the disorderly white people who are amongst them, and shall be happy in receiving any further communications from you, which you shall think proper to make.

Colo. William Blount is appointed Agent for this State to attend the Treaties which you are to hold under the authority of Congress and I flatter myself will set out so as to arrive at Galphenten by the Time you have appointed to open the Treaty there.

With sentiments of esteem and respect,

I am Gentlemen,

Your most obedient Servt.,

R. CASWELL.
GOV. CASWELL TO MR. DE MARBOIS.

[From Executive Letter Book.]

NORTH CAROLINA, KINSTON,
23D JULY, 1785.

Sir:

I had the honor to receive your Letter of the 16th of April last, some time passed and would have done myself the pleasure of answering it before this had I been able to learn with certainty the steps which had been taken respecting the Debt due by this State to the Government of Martinique. This I was not capable of effecting until application was made to my predecessor in office who lives about two hundred miles from me. However I have at length learned that Warrants have been Granted on our Treasury in favor of Messrs. John Gray and Thomas Blount to enable them to purchase and remit of the produce of the Country to Philadelphia, but for a very inadequate sum, to discharge the Debt; the remainder I shall draw for and use every means in my power to prevail on the Gentlemen to remit to Philadelphia as speedily as possible sufficient of the produce to pay the Debt, but our Treasury I fear is in so low a state as not to afford immediate aid. Be this as it may the best that can be done by me shall be effected; I thank you Sir, for your Congratulation on my advancement to the Government of this State.

Permit me to congratulate you on the happiness his most Christian Majesty and all his subjects enjoy in the birth of a second Prince. This has been announced to me by our Minister for Foreign affairs and as it will afford singular pleasure to the Citizens of this State I have issued a proclamation notifying the same.

With great respect and Consideration,

I am Sir, your mo. obed. & very humble servant,

R. CASWELL.
STATE RECORDS.

GOV. CASWELL TO TREASURER MEMUCAN HUNT.

[From Executive Letter Book.]

KINGSTON, 24TH JULY, 1785.

DEAR SIR:

The necessity of sending expresses to the different parts of the state, and the expenses attending the same, has induced me to draw on you in favor of my private Secretary for £118.97. This warrant is in the hands of the Sheriff of Dobbs, who I expect will be the bearer of this as he is this day to set out for your office to settle his accounts. I must request you will receive this warrant in discharge of so much of his account.

Congress have appointed Commissioners for holding treaties with the Cherokees and other Southern Indians and empowered them to draw on the State of Virginia, North & South Carolina & Georgia for a sum sufficient to enable them to effect the purposes of their appointment. They are at Charleston, have appointed the times and places of holding the Treaties, have been furnished with part of the money necessary by the state of South Carolina but cannot proceed without the assistance of this State. Of these matters they have given me full information which has been laid before the Council who has advised me to draw on you for £1733.6.8 in favor of my private Secretary, so as to get the money into my own hands ready to answer the Commissioners' Draft on a particular day. Of this I have advised the Commissioners and engaged they shall meet with no disappointment, and lest you should not be in Cash sufficient at the Treasury I have written to the collectors of Duties at the different Ports, to inform me the sums they respectively have in hand and to retain the same subject to the payment by advice, of my warrants. This I have done that I may be able to get the money so as to enable me to comply with my engagements to the Commissioners, and as I mean only to draw on the Treasury, in every instance, for public money I request you will be pleased to write to the collectors to take up my Warrants for this money by paying any Duties they may have in hand—unless you can supply the whole sum from the Treasury. If you can, on my being advised thereof,
I will send immediately to you, and recall my requisitions to the collectors. If you cannot furnish the whole, please to advise me what part may be had, of this sum at your office, and I will draw for the same.

Your answer by Mr. White I must request and if you think proper to write to the collectors please to send the letters by him that I may forward them with the warrants.

If you have received any accounts lately from Mr. John Hunt respecting the printing the Laws, I shall be much obliged to you to inform me.

With sincere esteem, Dr. Sir,
your mo. ob. servt.,
R. CASWELL.

MAJ. ROBERT FENNER TO GOV. CASWELL.

[From Executive Letter Book.]

HALIFAX, 27TH JULY, 1785.

SIR:

I had the honor this day to receive your Excellency's Letter dated from NewBern 14th June last, recommending me (as agent) to transmit to the principal Towns in each District the Certificates belonging to the officers and soldiers of this Line, who reside or whose representatives reside in the respective Districts, and to appoint some person to deliver them out at each respective place.

I must beg leave to remark to your Excellency that the pay rolls were made up from musters taken in South Carolina in the years 1782 and 1783, and that no mention being made of the residence of any particular person it would be utterly impossible for me to select the Certificates of any particular District, that if this was even practicable I have no power to appoint a person to transact any part of the Business at the public expense, and having no authority to appoint would be personally answerable for any expense or miscon duct in the Delivery.

I must also take the liberty of informing your Excellency that I did not receive this appointment on any solicitation of mine but at
the repeated request of such officers as Mr. Jackson who had informed this appointment was necessary, that my principal view in complying with their desires was to facilitate the business and make the settlement as convenient as possible to the line of this State. That I have already expended in ready money seventy three pounds four Shillings in attending the Business from home and that I have been employed in the Agency near ten months already. That any compensation for expenses and trouble is hereafter to be voted by Congress, and that the time of payment appears to be at a very great distance, I therefore make no doubt I shall be perfectly excusable in not personally attending in the different Districts, when I also declare that the present State of my finances is by no means sufficient for the expense.

I enclose your Excellency a Copy of an advertisement sent to the Hillsborough paper some time since for publication. I shall constantly attend at this place to deliver Certificates, and as one person on bringing the discharges or furloughs with orders, can with much ease transact the Business of a County or District, I flatter myself it will meet your approbation. The mode of delivery by you recommended I should readily comply with if practicable.

I have the honor to be,

With most perfect respect,

your Excellency's very humble servant,

ROBERT FENNER.

GOV. CASWELL TO HON. JAMES READ.

[From Executive Letter Book.]

SIR:

I was favored with your letter of the 19th Current in answer to mine by Express, and am much obliged to you for your friendly offers of serving me, and also for the information you have given me of the state of matters in your collectors department.

I make it a rule to draw all public money, on the Treasury only.
The Officers who are to account at the Treasury will produce such warrants as they take up as vouchers in discharge of the monies they receive.

The Bearer, Charles Markland, Jun., for my son Winston Caswell, waits on you with a warrant for four hundred pounds, the sum you signified would be in hand the latter end of this week. Please to pay it him. I have written to Mr. Hunt the Treasurer informing him that I should draw for £1733.6.8. and that I had written to the Collectors to retain what monies they have in hand, subject to the payment of such warrants by advice. This you will please to attend to, as I will advise you of the warrants drawn. I have also requested the Treasurer to forward to me Letters to the different Collectors requesting them to take up these warrants in preference to any other and have acquainted him the particular public call there is for this money, so that I have not a doubt of his sending me the letters, on the receipt of which I will transmit the one I expect for you, without delay, to your office. As I am apprehensive but a small part of the sum required will be obtained from the other parts I must entreat you to be as speedy in the collection of what sums may be due in your office as possible, and that you hold the same subject to the discharge of the warrants above alluded to, but of this I will advise you more fully on the return of my messenger to Hillsborough when I expect to be able to let you know the particular Sum I will expect from you, and the time I shall draw for it.

With sincere esteem and respect,

I am Sir, your mo. ob. Servant,

R. CASWELL.

RESOLVE OF CONGRESS REQUIRING 13 COPIES OF THE LAWS.

[From Executive Letter Book.]

BY THE UNITED STATES IN CONGRESS ASSEMBLED,
JULY 27TH, 1785.

Resolved, that the Secretary of Congress apply to the Executives of the several States for thirteen Copies of the Legislative Acts
thereof since the 1st of September, 1774, inclusive: that one sett of
the said Acts be retained for the use of Congress and that he deliver
to the Delegates of each State one sett (exclusive of its own Acts)
for the use of the Legislature thereof. And the Secretary is further
directed to adopt a similar mode for procuring the Acts which may
hereafter be passed as aforesaid to the end that every State being
thus informed, may have the fullest confidence in the other States,
and derive the advantages which may result from the joint wisdom
of the whole.

CHAS. THOMSON.

TREASURER MEMUCAN HUNT TO GOV. CASWELL.

[From Executive Letter Book.]

TREASURY OFFICE, HILLSBORO,
27TH JULY, 1785.

DEAR SIR:

Your favor of the 24th Inst. by Capt. White I have this day re-
ceived, together with the warrant in favor of your private Secretary,
which is at Mr. White's credit.

The Treasury is constantly kept nearly clear of money, and when
any small sum is received, it is soon called for by persons who have
previously lodged their warrants, &c., here. Therefore I find it out
of my power to advance any considerable Sum, should you draw
on the Treasury; but to enable you to comply with your promise I
have drawn Letters of advice to the different Collectors of the Im-
post, from whom I hope you will be able to receive what you stand
immediately in need of and should you fail there, I wish you to
draw Money from any Sheriff, or other person indebted to the State,
for it appears to me that most of those debtors delay doing justice to
the public for their own private advantage, and when any money is
received here, it is generally so mangled that it can never be sent
out again. Of this sort is almost every Bill now in the office.

I happened to be able to take up your warrant, drawn in favour of
John Hunt, as soon as it was presented. It is now almost a month
since I heard anything from him. He was then endeavoring to exchange his money for tobacco, or hard money. I hope this has been effected, and that before now, he has got the printing business in some forwardness.

I am dear Sir, your mo. ob. humb. Servt.,

M. HUNT.

GOV. JAMES BOWDOIN TO GOV. CASWELL.

[From Executive Letter Book.]

COMMONWEALTH OF MASSACHUSETTS,
BOSTON, JULY 28TH, 1785.

SIR:

In compliance with the enclosed Resolutions of the Legislature of this Commonwealth, I transmit for the perusal of your Excellency, an Act passed in their last Session, for the regulating of Navigation and Commerce. This Act is intended as a temporary expedient, to prevent, as far as it is in the power of the Legislature of a single state the effects of a system of commercial Policy adopted by the British Government, which it is conceived, will be ruinous to the trade of the United States. That Nation seems to build her hopes, and expectations of carrying these plans into execution, upon a supposed interference of Commercial interest among these states and a mutual jealousy arising therefrom, which will render it impracticable for them to agree to vest Congress with a sufficient power to regulate the trade of the United States. But such hopes must be grounded upon an antecedent, and I would hope, a mistaken opinion that these states in the time of their prosperity, have lost that sense of honor and justice, that mutual feeling of friendship and attachment, and above all that public virtue and supreme regard to the interest and safety of the whole, which so powerfully actuated them in the day of common danger and which will ever be essentially necessary, so long as they shall continue to be one great confederated commonwealth. It highly concerns United Sovereign States duly to attend to the ruling principles of all well regulated
Societies; and it concerns them the more because they may be more apt than others to forget, that the interest of individuals must be governed by that of the whole.

It is much to be desired that Congress may be vested with a well guarded power to regulate the Trade of the United States. This being effected the Act of our Commonwealth will cease to operate. In the mean time it is to be relied on, that the mutual friendship and good humor of the several states, towards each other, their sentiments of honor and justice, will be a sufficient pledge, that when measures wisely calculated to defeat the unjust designs of foreigners against the trade or general interest of the United States, are taken by any individual State, they may be adopted by all; so that no one state may be left to suffer essentially in its own trade, by its laudable zeal and caution for the common safety.

I shall from time to time transmit to your Excellency such Acts of the Legislature of this Commonwealth, as may regard the general interest of the confederacy, or that of your State in particular, and request you to oblige me with similar communications.

I have the honor to be with the most perfect esteem Sir,

your Excellency's mo. ob. humb. Servt.,

JAMES BOWDOIN.

HON. CHAS. THOMSON TO GOV. CASWELL.

[From Executive Letter Book.]

OFFICE OF THE SECRETARY OF CONGRESS,
JULY 28TH, 1785.

SIR:

I have it in charge as your Excellency will see by the enclosed resolve to apply to the Executives of the several states, for thirteen copies of the Legislative Acts thereof since the first of September, 1774, inclusive.

The purposes for which these copies are desired, and the end to be answered, are fully explained in the resolution. The object is not merely to procure information to the Federal Council, but to es-
establish a mutual confidence and good understanding among the states, and that each may derive assistance in the great work of Legislation from the joint wisdom of the whole. I rely with confidence that your Excellency will be pleased to order thirteen copies of the Acts of your Legislature from the time above mentioned, to be forwarded as speedily as possible, and make the necessary arrangements, that I may be furnished from time to time, with the Acts which shall hereafter be passed.

I have the honor to be with great respect,
your Excellency's mo. humbl. servt.,
CHAS. THOMSON.

HON. CHAS. THOMSON, SECY. OF CONGRESS TO GOV. CASWELL.

[From Executive Letter Book.]
OFFICE OF SECRETARY OF CONGRESS,
AUGUST 3d, 1785.

SIR:  

Inclosed is a duplicate of my letter of the 28th of July which accompanied an Act of the United States in Congress Assembled passed the 27th and to which I hope to be honored with an answer as soon as convenient. I embrace the present opportunity of forwarding two Copies of the Continuation of the Journal of Congress to the 29th July, one for the Legislative and the other for the Executive branch of Government. On this occasion I beg leave to observe that your State at present is unrepresented. As the keeping up a constant representation in Congress is of great importance to the Union and the want of it is attended with many inconveniences, I take the Liberty of recalling your Attention to this subject and for that purpose enclose two Acts of the United States in Congress Assembled, one passed the 1st Novr., 1785, & the other the 19th April, 1784. By these your Excellency will see that it is the earnest desire of Congress that the several States should not only keep up a representation, but that each State should at all times when Congress are sitting to be represented by three Members at least.
STATE RECORDS.

Though the Journals which I have transmitted will give you a full knowledge of the State of representation in Congress, yet that you may have a more comprehensive view of it, I enclose an Abstract which I have caused to be made of the attendance of the States since the first Monday in November last.

With great respect I have the Honor to be,

your Excellency's Most obedient and Most humble Servt.,

CHAS. THOMSON.

ABSTRACT OF ATTENDANCE OF THE STATES IN CONGRESS FROM THE FIRST MONDAY IN NOVEMBER, 1784, TO THE 29TH JULY, 1785, THE ATTENDANCE NOTED FROM THE JOURNAL 160 TIMES.

[From Executive Letter Book.]

New Hampshire represented .................. 120 times.
Massachusetts ............................... 152 "
Rhode Island ................................. 136 "
Connecticut ................................. 106 "
New York .................................. 146 "
New Jersey .................................. 126 "
Pennsylvania ................................ 130 "
Delaware ................................... 30 "
Maryland .................................... 115 "
Virginia .................................... 162 "
North Carolina .............................. 96 "
South Carolina .............................. 146 "
Georgia ..................................... 66 "

STATE OF THE REPRESENTATION IN CONGRESS.

14 times, not seven States.
28 " only seven or 8 represented.
49 " nine States Do.
40 " ten " Do.
32 " Eleven " Do.
6 " Twelve " Do.
17—32 "
GOV. CASWELL TO THE HON'BLE JOHN JAY, ESQUIRE.

[From Executive Letter Book.]

NORTH CAROLINA, KINSTON,
4TH AUG., 1785.

SIR:

I had the honor of receiving your Letter of the 17th May last enclosing an Act of Congress recognizing the Sieur Ignatius Romain Chevalier d'Avistay de Chateaufort as Consul for his Most Christian Majesty for the States of North Carolina, South Carolina and Georgia, and in consequence of that Act, have this day forwarded the Exequatur or Notification to him at Charleston.

I am, with great respect, Sir,
Your most obedient & very humble servant,
R. CASWELL.

GOV. CASWELL TO MR. PETRY.

[From Executive Letter Book.]

KINSTON, AUG. 4TH, 1785.

SIR:

I had the honor to receive your Letter of the 6th ulto. with its enclosures. In consequence a Letter goes with this to the Post Office enclosing to the Chevalier de Chateaufort the Exequatur of his appointment as Consul from his Most Christian Majesty for the States of North Carolina, So. Carolina & Georgia a Copy of which will be printed in the North Carolina Gazette. I have endeavoured to inform myself as well as I can respecting the Debt due from this State to the Government of Martinique and find part of the money has been drawn on the Treasury for by my predecessor in office in
favor of Messrs. John Gray and Thomas Blount who he expected would remit of the produce of this Country to Philadelphia to discharge the Debt, but I understand the sum was very inadequate. I shall therefore furnish other drafts and use every means in my power to have the remittance made as speedily as possible consistent with our finances, which I fear will not afford immediate aid. I am happy in being informed by our Minister for Foreign affairs as well as yourself, Sir, of the Birth of a Prince in addition to the Family of our Royal Friend and Benefactor and I sincerely Congratulate you on the event, which I have made known to the Citizens of this State by Proclamation of the first Instant.

I regret my not having the pleasure of seeing you last Fall on account of the State of your Health which I hope you will soon regain and that I shall be happy in seeing you the next Fall. In the Mean Time your correspondence will be agreeable to, Sir,

Your Most obed. Servt.,

R. CASWELL.

GOV. CASWELL TO HON. CHAS. THOMSON, SECRETARY OF CONGRESS.

[From Executive Letter Book.]

NORTH CAROLINA, KINSTON,
4TH AUG., 1785.

Sir:

I had the honor to receive your Letter of the 9th of June enclosing an Act of Congress for the relief of officers, Soldiers and Seamen, who have been disabled in the service of the United States during the late War.

This Act shall be laid before the Legislature in their next Session which stands adjourned to the first Monday in November next.

I am with great esteem and respect, Sir,

Your most obedient, humble Servant,

R. CASWELL.
GOV. CASWELL TO THE CHEVALIER DE CHATEAUFORT.

[From Executive Letter Book.]

NORTH CAROLINA, KINSTON,
4TH AUGT., 1785.

Sir:

I had the honor of receiving your Letter of the 24th June last with a Copy of the Act of Congress recognizing your appointment as Consul from his Most Christian Majesty for the States of North Carolina, South Carolina and Georgia and have the pleasure to enclose herewith the Exequatur, a Copy of which will be published in the North Carolina Gazette.

I have received from Congress Notice of the Birth of a Prince of France named Duke of Normandy, on whose birth and addition to the Family of our Royal Benefactor and Friend, give me leave to Congratulate you and acquaint you that I have made the Citizens of this State acquainted therewith by a Proclamation under the Seal of the State.

I am with great respect and Consideration Sir,
your most obedy. humble Servant,
R. CASWELL.

GOV. CASWELL TO GEN. THOMAS CLARK.

[From Executive Letter Book.]

KINSTON, 4TH AUGT., 1785.

Dear Sir:

Your favor of the 8th June I received only a few days past. It gives me pain to know that Mr. Simmons is Distressed on account
of the deficiencies of this State or any Individual Inhabitants of it. But the Mode he recommends I do not think the Council and myself at Liberty to adopt. But I will submit your Letter to the consideration of the General Assembly on their meeting in November next. I am Sir,

Your mo. obedt. Servt.,
R. CASWELL.

COPY OF A LETTER FROM THE CHEVALIER PAUL JONES TO THE HON’BLE JOHN JAY, ESQUIRE, MINISTER FOR FOREIGN AFFAIRS, DATED L’ORIENT, 6TH AUGT., 1785.

[From Executive Letter Book.]

SIR:

I came down here from Paris about a fortnight ago, on the business of the Prize money, belonging to the subjects of the United States who served in the squadron I commanded in Europe.

The enclosed Copy of a Letter from Monsieur Soulanges the Commandant at Toulon to the Judges and Consuls at Nantes dated at Toulon the 14th of last Month, announcing that the Algerines have declared War against the United States was communicated to me the 31st ulto. and I immediately sent it to Mr. Jefferson at Paris.

The information of Monsieur Soulanges is believed here, altho' there is, as yet, no official account of the Algerine War arrived from Court. It is of too serious a nature not to be sent immediately to Congress and I therefore do not wait for the Packet, but send this Letter by a Merchant Ship that will sail the first fair wind for Philadelphia.

This event may I believe, surprise some of our fellow Citizens; but for my part, I am rather surprised that it did not take place sooner. It will produce a good effect if it unites the people of America in measures consistent with their National Honor and Interest, and rouses them from that ill judged Security which the Intoxication of Success has produced since the Revolution.

The Regency of Algiers is a powerful State, that can put 200,000 Troops into the field, and has a Navy consisting (as I have been
assured by the Commandant here, and by many other Gentlemen with whom I have conversed on the subject) of several Ships of two Batteries, and Frigates of 44 Guns and downwards—and there is no doubt but that they will strengthen their Navy and employ its whole force against us, because they have just made peace with Spain.

My best wishes will always attend America, and my pride will be always gratified when such measures are adopted as will make her respected as a great Nation that deserves to be free.

I am Sir, &c.,
(Signed) PAUL JONES:

MR. —— PETRY TO GOV. CASWELL.

[From Executive Letter Book.]

WILMINGTON, 8TH AUGUST, 1785.

SIR:

The Ship, who was loading here, in produce of this Country for the payment of the advance made by the Government of Martinico to the State of North Carolina, will not sail, though I had been assured she was designed for that purpose. Mr. de Marbois informed by me of it has wrote the same to the Governor of Martinico, in order that he draw upon him for the whole amount. This assurance of mine to this Consul General, will put him in such a distress for the payment of the Bills of exchange drawn upon him, if the amount of the sale of the produce of this Country to discharge the debt, is not then delivered up into his hands, that I renew my entreaties to your Excellency to order the produce of this Country, be sent to Philadelphia as speedily as possible.

I am with regard Sir, your Excellency's
mo. ob. humb. Servt.,

——— PETRY.
HON. R. D. SPAIGHT TO GOV. CASWELL.

[From Executive Letter Book.]

NEW BERN, 10TH AUG., 1785.

SIR:

Having performed my Tour of duty as a Delegate to Congress for the present year agreeable to the Resolves of the General Assembly, and no further duty being required of me I beg leave to resign by appointment for the residue of the year.

I have also to inform your Excellency that my private business having been long neglected demands my immediate attention, and obliges me to decline the honor which the Assembly have done me, by appointing me one of their Delegates to Congress from the first Monday in November next.

I have the honor to be your Excellency’s
Most obedient and humble Servant,

RICH. DOBBS SPAIGHT.

GOV. CASWELL TO THE HON’BLE JOHN JAY.

[From Executive Letter Book.]

NORTH CAROLINA, NEWBERN,
10TH AUG., 1785.

SIR:

I had the honor to receive your Letter of the 15th of July enclosing an Act of Congress recognizing Jan Booner Graves Consul from the States General of the United Netherlands for the States of North Carolina, South Carolina and Georgia and agreeable thereto have this day issued a Notification of Mr. Graves’s quality and shall transmit to him at Charleston the Exequatur required from this State.

I have the honor to be with great respect Sir,

Your most obedient and very humble servt.,

R. CASWELL.
GOV. CASWELL TO MR. JAN BOONER GRAVES.

[From Executive Letter Book.]

NORTH CAROLINA, NEWBERN,
10th Augt., 1785.

SIR:
I have the honor to enclose herewith the Exequatur of your appointment as Consul from their High Mightinesses the States General of the United Netherlands for the States of North Carolina, South Carolina and Georgia, a Copy of which will be published in the North Carolina Gazette, the only paper in circulation in this State.

I have the honor to be,
With great respect, Sir,
Your most obedient & very humble servt.,
R. CASWELL.

GOV. CASWELL TO RD. DOBBS SPAIGHT, ESQUIRE.

[From Executive Letter Book.]

KINSTON, 16th Augt., 1785.

SIR:
I had the honor to receive your Letter of the 10th Current, resigning your appointment as a Delegate to Congress for the residue of the present year, and also declining to accept the appointment to that office by the General Assembly to take place the first Monday in November next.

Your resignation I accept Sir, but I confess 'tis with much reluctance, as I fear the State will not be represented in Congress until November when I should be happy in your returning to Congress,
which perhaps you may find it more convenient to do than you at present apprehend.

With great respect and esteem I am Sir,
Your most obedient and very humble servt.,
RD. CASWELL.

GOV. CASWELL TO JOHN GRAY BLOUNT, ESQUIRE.

[From Executive Letter Book.]

Kinston, 16 August, 1785.

DEAR SIR:

I did myself the pleasure of writing to you some time passed, respecting the quantity and value of the Goods purchased by your house at this instance of Governor Martin for the Indians, and altho’ Mr. P. White did not on his arrival at Washington deliver the Letter I flatter myself you might have received it so as that I might have been favored with your Answer before this. But I have not heard from you on that subject, therefore the Bearer goes to you express. By him you will be pleased to inform me the weight of the Packages (the No. I have from Colonel William Blount), the quantity of the goods and amount for this purpose. If you can furnish a Copy of the Invoice ‘twill be best, and whether the whole amount is paid or not it is necessary I should know. And if it is not too troublesome, if the Packages could be opened and examined to know if the Goods are not eaten by moths, or otherwise damaged, it would give me satisfaction to know, as I expect shortly to take some measure for the transporting and Delivery of the Goods. The plan lately communicated to you by Col. William Blount, perhaps may be adopted. The Council is to meet on that subject Monday next at this place, any information you can give me on this head I shall be thankful for.

I am advised to draw on the Treasury in favor of your house for a sum sufficient to compleat the purchase of produce to be remitted in discharge of the State Debt to the Government of Martinique. Your Estimate is therefore necessary, and an error, Col. William
Blount says, in your Letter respecting Governor Martin's Drafts, is to be Corrected. He says, it should be pounds where you say Dollars.

With great Esteem I am Dr. Sir, 
Your most obed. Servt.,
R. CASWELL.

RESOLUTIONS OF CONGRESS ON THE REPRESENTATION OF THE STATES.

[From Executive Letter Book.] 

BY THE UNITED STATES IN CONGRESS, ASSEMBLED, 
August 17th, 1785.

On the report of a Committee to whom was referred a motion of Mr. Pinckney.

Whereas, many States in the Union continue to be unrepresented in Congress are to be represented by only two Members, notwithstanding the many urgent representations of Congress for remedying these defects, particularly those of 1st November 1783, and the 19th April 1784; and, Whereas, from the want of a compleat representation, the great interest of the Union have frequently been and continue to be neglected or delayed, and the Confederation itself, or the administration thereof by Congress may be considered as the cause of evils which solely result from an incompleat representation; and whereas, it is incumbent on Congress to prevent opinions so derogatory to their honor and so dangerous to the public welfare.

Resolved, that the Secretary of Congress shall once in every month, transmit to the Legislature of the respective States, a List of the States represented, and of those unrepresented in Congress, and of the numbers from each State, that effectual measures may from time to time be taken from such States, as may be unrepresented, or represented by only two Members to remedy these defects.

Ordered that a Copy of this Resolve and of those to which the first Paragraph of the preamble refers, be transmitted to the Legislatures of the respective States.

CHAS. THOMSON, Secy.
FROM — PETRY TO GOV. CASWELL.

[From Executive Letter Book.]

WILMINGTON, August 20th, 1785.

SIR:

My being out of Town, has prevented me to return by the last Post, an answer to the letter your Excellency has honored me with on the 4th Inst., with my thanks for the contents of it.

I hope Sir, Messrs. Gray and Blount, will send produce to Philadelphia as speedily as possible to discharge the debt due from this State to the Government of Martinique, which they have drafts for, from your predecessor, in office, and you are so kind as to write to me, you will give more if it is in your power.

I should be very happy Sir, to have such knowledge of your language as to enable me to keep a correspondence with your Excellency, and to prove you how I am glad my office may give me some opportunity to assure you of my attachment for America and the personal regard, with which I am Sir,

Your Excellency's mo. ob. servt.,

PETRY.

A CIRCULAR LETTER FROM THE SECRETARY OF CONGRESS ON THE CONDUCT OF CAPT. STANHOPE TO GOV. CASWELL.

[From Executive Letter Book.]

OFFICE OF THE SECRETARY OF CONGRESS,
August 22nd, 1785.

(Circular.)

SIR:

I have the honor to transmit to your Excellency an Act of Congress touching the disrespectful and indecent Conduct of Capt. Stanhope as stated in a Letter of the 8th from His Excellency, the
Governor of Massachusetts, and manifested in a correspondence between his Excellency and the said Stanhope.

Although Congress have not thought it expedient to make this a public Act, they have nevertheless ordered a Copy thereof with the Letters, to be transmitted to the Executives of the several States for their particular information.

With great respect I have the honor to be
Your Excellency's Most obedient and
Most humble Serv't.,
CHAS. THOMSON.

RESOLUTION OF THE LEGISLATURE OF MASSACHUSETTS.

[From Executive Letter Book.]

COMMONWEALTH OF MASSACHUSETTS,
IN SENATE 15th June, 1785.

Whereas, regular information to the Delegates representing this Commonwealth in Congress, is of great importance, and in some instances absolutely necessary.

Resolved, that his Excellency the Governor, with the advice of Council, be and he hereby is empowered and requested to make such communication to the said Delegates for the time being, as he may think necessary or expedient, and to take measures that they may be furnished with the Acts and Resolves of the General Court for their information and Government.

And whereas, it may be equally expedient in many cases that the Acts and Resolves of the Legislatures of the several States in the Union should be made known to each other in order that a uniformity of measures may thereby be produced.

It is further Resolved, that his Excellency the Governor, He empowered and desired to transmit to the Exective authority of the respective United States, such Acts and doings, of this Commonwealth, as his Excellency may from time to time judge it neces-
sary, they should respectively be made acquainted with and to request of them similar Communication.
Sent down for Concurrence.

SAML. PHILLIPS, Junr., Presidt.

IN THE HOUSE OF REPRESENTATIVES.
June 18th, 1785.

Read and Concurred with.

NATH. GORHAM, Speakt.

Approved: JAMES BOWDOIN.

True Copy.

Attest: W. HARRIS, Dy. Secy.

GOV. CASWELL TO CHAS. THOMSON, SECRETARY OF CONGRESS.

[From Executive Letter Book.]

NORTH CAROLINA, KINSTON,
23d. August, 1785.

Sir:
I had the honor to receive your Letter of the 28th ultimo with its enclosures.

The Laws passed in this State since the Revolution have been printed on such paper as we were able to procure, scarcely the whole of one Session on paper of the same size that binding them has hitherto been impracticable, they have been delivered from the press in a few sheets stitched together and those by use in the hands of most persons are so worn and torn as to become unintelligible. For these reasons I am fearful it will not be in my power to furnish the number of copies of the Laws passed which are required by Congress. A revision of our Laws I expect will shortly take place, if so, on their coming out under a new impression the Executive will be able to send forward the copies required, as well as copies of those which may hereafter be passed.

I am Sir, Your most obedient and very humble Serv’t.,

R. CASWELL.
GOV. CASWELL TO HON. WILLIAM BLOUDT.

KINSTON, 24th Augt., 1785.

Sir: 

Herewith you will receive Warrants on the Treasury for one thousand pounds payable to your self and for which you are to be accountable to the Public.

As you are of one of the Commissioners appointed by the State for holding a treaty with the Cherokee Indians, and sundry Articles necessary in this Business are to be purchased which with the Goods on hand are to be transported to Charleston and from thence to Kiowee. In order to have these matters attended to in time and that you may be the more certain of the steps pursued I take the Liberty of requesting that you will take the trouble of superintending the Business and defray the Expences. The warrants above alluded to are put in your hands.

Be pleased to have purchased Six hogsheads of common West India rum and a quantity of Corn, not exceeding one hundred and fifty Barrels which with the goods destined by the State for the Cherokee Indians, now in the hands of Messrs. John Gray and Thomas Blount at Washington must be sent to Charleston at the risque of the State. The Corn to be sold there to raise Money to enable you to have the goods and rum transported by Land from thence to Kiowee.

For the purpose of Conveying the Goods, rum and Corn to Charleston it will be proper to obtain a Vessel or Vessels on Charter by the rum if to be had, otherwise on Freight.

Provisions to be given the Indians whilst on this Treaty, will also be necessary, these you must obtain as Convenient to Kiowee as practicable, and to enable you to do this it will be prudent to exchange a sufficient sum of our Currency for Hard money on the best Terms you can obtain it, or by purchasing and remitting any of the produce of the State to Charleston that will raise it. Upon the whole I depend much in your Judgment and must therefore leave you at Liberty in these Cases to exercise it. But you must
observe not to exceed the sum for which you have Warrants in all the expenditures in this Business, as that is the extent of the Grant of the General Assembly.

I am Sir,

- Your Most obedient Servt.,

R. CASWELL.

HON. CHAS. THOMSON TO GOV. CASWELL.

[From Executive Letter Book.]

Office of Secretary of Congress,
August 24th, 1786.

(Circular.)

SIR:

I have the honor to transmit to your Excell'ny sundry Acts of the United States in Congress Assembled touching the representation of the State and have to request that you would be pleased to lay them before the Legislature of your State and assure them that agreeably to the order contained in the Act of the 17th, I shall transmit monthly for their information a State of the representation in Congress.

With great respect I have the honor to be

Your Excellency's Most obedient and
Most humble Servant,

CHAS. THOMSON.
HON. CHAS. THOMSON TO GOV. CASWELL.

[From Executive Letter Book.]

Office of Secretary of Congress,
August 24th, 1785.

SIR:

I beg leave to remind your Excellency, that all the calls, which Congress have heretofore made on the States for money or supplies have been on this express condition, that the Sums or supplies assessed, should not be considered as the proportion of any State, but that being paid or furnished, they should be placed to their respective credits, bearing an interest of six per cent. per annum, until the quotas should be finally ascertained and adjusted by the Congress of the United States, agreeably to the Eighth of the Articles of Confederation, and if then it should appear, that any State had been assessed more than its just quota, it should continue to receive interest on the surplus, and if less, it should be charged interest on the deficiency, until by a future tax, such deficiency shall be properly adjusted.

From the progress that is made in settling the accounts, between the United States and Individual States, and private creditors with in the same, and the measures taken to hasten and facilitate the progress of such settlement, there is reason to hope that this great work will soon be completed, and as almost every State seems to think its advances have exceeded its just proportion, it is therefore become necessary, and essential to the harmony of the Union that Congress should be furnished with the means of settling the proportion to be borne by each State as well of the general expenses of the war, and the requisitions made since the conclusion thereof, as the sums, which may from time to time be requisite for the common defence and general welfare. To this end I beg leave to call your attention to sundry acts of Congress, on this subject, which you will find enclosed, viz: one passed 20th Feby., 1782, which is founded on this consideration. That the States having been variously affected by the war, the rule of the Confederation strictly adhered to, might not produce that equal justice, which is desirable in this
important object. One of the 17th Feb., 1783, which calls for a return of the quantity of land in each State, granted to or surveyed for any person, the number of buildings thereon, distinguishing dwelling houses from other buildings, and the number of Inhabitants, distinguishing Black from White, and one of the 18th April, 1783, recommending an alteration of the Eighth of the Articles of Confederation and perpetual Union, and the adoption of a new rule of ascertaining the quotas of the States. This is comprehended in the Act, and is a part of the plan at that time recommended to the States for restoring and supporting public credit, for obtaining permanent and adequate funds to discharge the interest and principal of the debt contracted, and for providing for the future exigencies of the Union. The necessity of a rule to proportion the common expense, and the difficulties, delays and expense in the way of obtaining that pointed out, by the confederation, induced Congress to recommend this change, and rather as the number of inhabitants, at least of the white Inhabitants, is required for other purposes, of the Confederation. Besides it was conceived, that this rule would do more justice, and produce less discontents among the States, and, although not altogether free from objections, that it was liable to fewer than any other that could be devised; and that therefore the application of it to ascertain the quotas of the State would supercede the necessity, and save the expense and trouble of making a valuation of the Lands with the buildings and improvements thereon.

The favorable reception this recommendation has met with induces a belief, that this alteration will be finally adopted. By examining the files in this Office, I find that eight States have agreed to it, namely, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, and North Carolina. And it is suggested, that other States have adopted it, although the returns are not lodged in this office, but if all the States had agreed to adopt it, still it would be necessary for them to proceed a step further, and to make returns of their respective numbers, before Congress can apply the rule. I must therefore request, that your Excellency would be pleased to bring this subject again under the views of the Legislature of your State, and earnestly recommend to them, as they have authorized their Delegates to subscribe and rat-
ify the alteration recommended, to take speedy and effectual measures for numbering the Inhabitants, and make a return thereof to Congress.

With respect to the other part of the plan contained in the immediate object of this Letter, I shall only refer to the act, of the 18th of April, as it is not the address which accompanied it, and which you will find enclosed. And beg leave to add this single observation, that every day's delay increases the embarrassments of the Union, and experience evinces how well Congress were founded in the opinion they gave on the 12th of Feb., 1783. "That the establishment of permanent and adequate funds on taxes or duties which shall operate generally and on the whole in just proportion throughout the United States, are indispensably necessary towards doing complete justice to the public creditors, and for restoring public credit."

I will not at present detain you further than to request that your Excellency will be pleased to favor me with an answer, that I may be enabled to make report and discharge the duty required by the enclosed ordinance for regulating the office of the Secretary of Congress.

With the greatest respect, I have the honor to be your
Excellency's mo. ob. and humb. servt.,

CHAS. THOMSON.

HON. BENJAMIN HAWKINS TO GOV. CASWELL.

[From Executive Letter Book.]

CHARLESTON, the 28th of August, 1785.

Str:

I had the honor to receive your Excellency's Letter of the 23d. July, to the Commissioners for Indian affairs, last Post. The mode of converting your paper Currency into hard money the Commissioners leave to your Excellency altogether. They will want the money lodged in this city in the hands of Gervais and Owen, No. 14 Trade Street, and I was directed to draw bills accordingly, but
either of the modes mentioned by your Excellency, is better, and therefore I shall depend on your friendly interposition for the Completion of this Business accordingly.

I am glad Colonel William Blount is appointed on the part of your State, we shall endeavor to make his situation as agreeable as possible. The executive of Virginia have honored our draughts for money and informed us that they do not think it necessary to appoint any person on the part of that State to be present at the Treaties.

I have the honor to be Sir,
Your Excellency's most obedient and
Most humble servant,

BENJAMIN HAWKINS.

CHAS. THOMSON TO GOV. CASWELL.

[From Executive Letter Book.]

OFFICE OF THE SECRETARY OF CONGRESS,
August 29th, 1785.

SIR:

On examining the files in this office I find that only five States, namely: New Hampshire, Massachusetts, New York, Maryland and Virginia have transmitted their Laws passed in pursuance of the recommendation of Congress of the 30th April, 1784. It is suggested that the other States have complied with the recommendation, though their Laws have not been forwarded. I therefore take the liberty of enclosing the Act, and request the favor of your Excellency to inform me what your Legislature have done, and if they have complied that you would be pleased to transmit me a copy of their Acts that I may report the same to Congress,

With great respect I have the honor to be
Your Excellency's most obedient and
Most humble servant

CHAS. THOMSON.
GOV. CASWELL TO CHARLES THOMSON, ESQ.

[From Executive Letter Book.]

NORTH CAROLINA, KINSTON,
Augt. 30th, 1785.

Sir:

I had the honor to receive your Letter of the 3d. Instant with two Copies of the Journals of Congress from 13th June to 29th July last inclusive, also two Acts of Congress and an Abstract of Attendance of the States in Congress from the first Monday in November 1784 to the 29th of July, 1785.

It gives me pain to find the representation of the States in Congress has been so small. Owing to the non-Attendance of its Members Mr. Cummings, one of the Delegates of this State, I find by the Journals has taken his seat, previous to the date of your Letter, since which I do not know if any Gentlemen are gone on. If none have set out, I will use my best endeavours to prevail on two of them to attend as soon as possible, tho' I am fearful we shall not be fully represented until the first of November, when I have no doubt that some of the Gentlemen of the last nomination, to take place then, will attend.

I have the honor to be with great respect and esteem Sir,

Your most obedient & very humble servt.,

R. CASWELL.

GOV. CASWELL TO THE HON'BLE WM. BLOUNT & COL. JOSEPH MARTIN.

[From Executive Letter Book.]

NORTH CAROLINA, KINSTON,
3d. Sept., 1785.

GENTLEMEN:

You will receive herewith a commission appointing you to treat with the Cherokee Indians, in Consequence of which you will be pleased to receive and distribute the goods destined by the General
Assembly to be given to the said Indians at or near Fort Rutledge in the State of South Carolina. At the same time, that a treaty is to be held next month, by the Commissioners appointed by Congress for treating with them.

In this Business I refer you to the Act of Assembly for your Government, and request that you will report to me your proceedings, in time to be laid before the General Assembly on the first Monday in November next.

With great respect & esteem I am Gentlemen,
Your most obedient & very humble Servant,
R. CASWELL.

GOV. CASWELL TO THE HON'BLE W.M. BLOUNT.

[From Executive Letter Book.]

NORTH CAROLINA, KINSTON,
3d. September, 1785.

SIR:

Herewith you will receive a Commission appointing you Agent for this State to attend the treaties to be held by Commissioners appointed by Congress with the Cherokees and other Southern Indians.

I am therefore to request you will repair to Golphenton in the State of Georgia in time to be present at the treaty, to be held by the said Commissioners there, with the Creek Indians on the third Monday in September Instant, and from thence after the Business of the treaty being Compleated you will proceed to the treaty to be held on Kiowee in the State of South Carolina at each of which treaties, as the representative or Agent of the State, you will be pleased to use your best endeavours to advance the Interest of the State and prevent any encroachment upon the Territory or Liberties of the same.

As I have particularly to recommend to your attention, at present, I can only add that your Country has the utmost reliance on your Integrity and abilities, and that I have the strongest confi-
dence in your inclination to serve her in this Business in which I wish you the greatest success.

You will be pleased to make me a report of your proceedings in time to be laid before the General Assembly in November next.

With great respect and esteem I have the honor to be Sir,

Your most obed. & very humble Servant,

R. CASWELL.

GOV. CASWELL TO THE COMMISSIONERS APPOINTED BY CONGRESS TO TREAT WITH THE SOUTHERN INDIANS.

[From Executive Letter Book.]

NORTH CAROLINA, KINSTON,
4th. Sept., 1785.

GENTLEMEN:

I have the honor to enclose you a Duplicate of a Letter addressed you the 23d. July since which I have not been favored with any of your Commands.

Col. William Blount the Agent appointed to attend the treaties in behalf of this State will deliver you this and is able to give you any information respecting the State of affairs here. To him I beg leave to refer you.

I hope to be able to answer your Drafts by the time mentioned in my former, but it will be with great difficulty and trouble that the money can be obtained.

I wish you great success in your negotiation with the Indians and am with great regard and esteem Gentlemen,

Your mo. obedt. and very humble Servt.

R. CASWELL.
JAS. MCDONALD TO COL. JO. MARTIN.

[From Executive Letter Book.]

LOOKOUT MOUNTAIN, Sept. 6th, 1785.

SIR:

I received of the 30th inst., your Talke to the head men which I told them as well as I could, they seemed satisfied, but I believe they would be better pleased to have seen yourself, I am sorry it is inconvenient at present for me to have the satisfaction of seeing you, as I have trusted several young fellows that are at present out a hunting and I expect them in soon, and if I was out of their way they might deal with other people.

I had a Letter a few days ago from the Nation in which I am informed that an Envoy had been appointed by the Court of Spain to Congress, to settle the affairs of the Grand Boundary if they can, and that the Spaniards are Resolved to keep the Americans very high up the great River, and that the Fort at Notchay is in a formidable State. Troops were arriving every day at Pensacola, all of whom were put on board light vessels and sent to Orleans from thence to all the ports of the River.

Upon which they are very strong, at least between 5 and 600 men and about as many more ready on any Emergency to spare from the Towns, Pensacola, Orleans and Mobeil, and that the Courts of Spain have invited 600 families of French people to settle the Notchay and other vacant Land above that, that they had actually arrived in eight Vessels to Orleans, and that there is a number of Americans already taken up at Notchay and sent provisionally to Orleans. The principals of them it is said will be hanged.

This is all the news I have at present, however anything I can hear that I can put faith in, I shall let you know by the first opportunity, and believe me Sir, I shall never turn Spaniard. This is all at present, from Sir, with true esteem,

Your most obedt. Servt.,

JAS. MCDONALD.
HON. CHAS. THOMPSON TO GOV. CASWELL.

[From Executive Letter Book.]

OFFICE OF SECRETARY OF CONGRESS,
September 6th, 1785.

SIR:

I have received the letters, you did me the honor to write on the 20th and 23rd July, and on the 4th August. I have now the honor to transmit to your Excellency herewith enclosed two copies of the continuation of the Journals of Congress from the 29th July to August 25th, one for the Legislative and the other for the Executive branch of Government. Although the Journal contains a full account of the representation in Congress yet for the further information of the Legislature, I enclose agreeably to the Act of the 17th of August a list of the States represented, and of those unrepresented, and of the members who have appeared in Congress during the course of last month. Your Excellency will perceive that your State continues to be unrepresented. When I consider of what importance it is to the Union, as well as to each individual State to have a full and complete representation in Congress, I cannot but flatter myself that you will use your best endeavors to press the attendance of the Members from your State; and here I would observe that great inconvenience arises from a bare representation by two members, for in case of the indisposition or casual absence of either of them, the State is unrepresented, and in case of a difference in opinion between them it loses its vote. With great respect I have the honor to be,

Your Excellency's mo. ob. humbl. Servt.,

CHAS. THOMSON.
STATE RECORDS.

COL. JOSEPH MARTIN TO GOV. CASWELL.

[From Executive Letter Book.]

Chotee, 19th Sept., 1785.

DEAR SIR:

Your Excellency's favor of the 17th June by Mr. Avery never came to hand until the 10th inst. I find myself under some concern in reading that part wherein I am considered a member of the New State. I beg leave to assure your Excellency that I have no part with them but consider myself under your immediate direction, as Agent for the State of North Carolina, until the Assembly shall direct otherwise. I am now on the duties of the office and have had more trouble with the Indians in the course of the Summer, than I ever had, owing to the rapid encroachment of the people from the New State, together with the Talks from the Spaniards and the Western Indians.

Two Wyandot chiefs are now in Chickamogga, went from here a few days past, who tell these Indians that all the different Tribes of Indians will turn out to war this fall, except the six nations, who have treated with Congress, that the Shances have been through the different tribes for their assistance, which they all have agreed to give. That the Shanes are to lie still, till the Western army of Indians arrive in their Towns, then runners with the War hatchet are to be sent to the Cherokees, Chickasaws, Choctaws and Creeks, but the Cherokees say they will not receive it. The Indians here are much concerned at the peoples living on Little River, I refer your Excellency to their Talks, which they have counseled on for six days. I have with much pains and some artifice prevailed on Mr. McDonald, the former British Agent, to correspond with me. I have enclosed a copy of his letter, to your Excellency, in case of a war with any foreign power, he may be very serviceable or very dangerous. He lives about 25 miles Southwest from Chickamogga which is the strongest part of the Cherokee Nation. Has great influence with the Indians on that quarter, deals at Pensacola, corresponds with Mr. Gilbry in the Creek Nation, and one Mr. McClatchey at the mouth of St. Mary's, a British merchant who fur,
nishes some part of the Towns near him with goods. I flatter myself that with his assistance I shall be able to furnish your Excellency, with the earliest and best intelligence that can be had from that quarter. The treaty with the Creek Indians comes on the 24th of October, next, at Golphenton, Georgia; with the Cherokees, Chickasaws, and Choctaws, the 15th of November, at Sinica, South Carolina, at which time and place, shall be very happy to see Col. Blount, and receive any commands from your Excellency. I have the honor to be with great respect,

Your Excellency's mo. humbl. and ob. Servt.,

JOS. MARTIN.

GOV. CASWELL TO HON. CHARLES JOHNSTON.

[From Executive Letter Book.]

KINSTON, 26th September, 1785.

DEAR SIR:

I have been repeatedly requested by Congress to prevail on the Delegates of this State to attend, none of whom, except Mr. Cum- mings have been there for several months past, of course for that time we have been unrepresented, this I hope will not be the case in future, but permit me, Dear Sir, to request you will go forward and attend in your place the first Monday on November next, whether this is convenient to you, you will be pleased to signify to me.

Mr. W. Blount intends to go forward and is furnished with a Commission in which all the Delegates are named but if you intend going and think a separate Commission necessary it shall be forwarded to you. Please to let me hear from you respecting your Intention in this business as soon as possible.

With great respect & esteem I am, Dear Sir,

Your mo. obedt. Serv't.

R. CASWELL.
GOV. CASWELL TO HON. THOMAS BLOODWORTH.

[From Executive Letter Book.]  

KINSTON, 26th Sept., 1785.

Dear Sir:

As I have been repeatedly requested by Congress to prevail on the Delegates of this State to attend in their places which have been unfilled for several Months past, Mr. Cummins only attending, the other Gentleman's time expiring or their resigning or refusing to go forward, has left us unrepresented. Under these circumstances, I conceive it to be my duty earnestly to recommend that you as one of the Delegates of this State to take place the first Monday in November next will attend that Honorable Body at the time when you are to take place.

I have furnished Col. William Blount who intends to go forward with a Commission in which all the Gentlemen are named, but if you think it necessary to have a separate one, and will be pleased to signify as much to me, and that you intend to go forward; a Commission shall be sent to such place as you shall advise. Please to let me know as soon as practicable whether it will be convenient for you to go to Congress:

I am, Dear Sir, with great respect and esteem,
Your most obedient Servant,
R. CASWELL.

HON. BENJA. HAWKINS TO GOV. CASWELL.

[From Executive Letter Book.]

CHARLESTOWN, 26th Sept, 1785.

Sir:

I some time past acknowledged the receipt of your Excellency's Letter of the 23d of July to the Commissioners of Indian Affairs. The difficulty of procuring provisions and wagons to transport the nec-
essaries for the Indian Treaties and the great distance many of the Tribes are from, the places appointed where the Treaties are to be held have rendered it necessary for the Commissioners to fix a period later than the one mentioned to your Excellency. They have therefore appointed the Treaty at Golphenton to be on the twenty-fourth of October, and that at Fort Rutledge on the 15th of November.

I informed your Excellency that the Commissioners would approve of any place whereby the money promised from the State of North Carolina could be placed in the hands of Mr. Gervais and Owen; I hope the negotiation of this business will not meet any obstruction as we have already engaged the money.

Colonel Vanderhost informs me he has received from Messrs. J. Gray and Thomas Blount some packages of dry goods and other articles to be sent to Kerroe to the Commissioners of North Carolina, and that it was not at present in his power to procure any wagons to transport any part of it. I shall render him any aid in my power, and shall write up to the District of Ninety-six for wagons. During this month General Pickens could not procure one there to carry up the Stores of the United States, but in October they will be less engaged on their farms and some provisions may be had on the road for their support. The drought has been so great in the interior part of this State, that the Citizens will not have provisions to last 'till the Spring.

I expect the Indians will be punctual in meeting the Commissioners as they are desirous of the friendship of the United States, being exceedingly humbled by the Termination of the Revolution. The Agent of Georgia among the Creeks has lately informed Governor Elbert that the Americans on the Mississippi have taken the Fort from the Spaniards at the Natches. The Governor says he hopes it is not true but I think otherwise.

I have just received a letter from the Secretary of East Florida, he informs me has heard some confused reports of a rupture at the Natches, and is unacquainted with the particulars, but he thinks we have no right to the Navigation of the river or to a settlement in the Natches District.

This Legislature made a House yesterday to endeavor to restore Order in this Government, and there are various modes thought of,
some are for the emission of money, some for establishing a bank of loan under the authority of the State, some for shutting up the Courts of Justice for a time and some for the emission of money and Stay of Execution. You must have heard that for some time past, the Collection of Taxes, in many parts of the State have been impeded and law proceedings altogether put a stop to, by the disorderly behaviour of some of the Citizens. This is variously accounted for and I believe the true reason to be this: On the Termination of the late War, several Adventurers run deep in debt for dry goods and for slaves, the latter at as high a price as eighty pounds Sterling. The people are unable to pay, and unwilling to be bereaved of what they have in possession, and that they may continue to hold it, they openly oppose the Execution of the laws, and clamour against the British Merchants and Others, their Creditors, as having combined to ruin the State. The common people ever ready for novelty imbibe their doctrine with avidity. I have the Honor to be Sir,

Your Excellency's mo. obedt. and hum. Servt.,

BENJAMIN HAWKINS.

REQUISITION FOR CONGRESS FOR 1785 &c.

[From Executive Letter Book.]

BY THE UNITED STATES IN CONGRESS, ASSEMBLED, September 17th, 1785.

The report of the Grand Committee being amended to read as follows:

Resolved, that for the services of the Present year one thousand seven hundred and Eighty five for the payment of one year's interest on the foreign and Domestic Debt and as a provision to discharge the balance of the estimate of April twenty seventh, 1784, above the sum called for by the resolve of Congress of that date, it will be necessary that those three Million of Dollars in addition to 649,880 Dollars hereafter provided for, be paid into the common
treasury, on or before the 1st day of May next to be appropriated to the following purposes:

<table>
<thead>
<tr>
<th>Department</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil</td>
<td>122,331</td>
</tr>
<tr>
<td>Military</td>
<td>187,224.32</td>
</tr>
</tbody>
</table>

Purchases of Indian rights of soil and the incidental expenses 5,000.

Contingencies, the expenses under which head shall on the 1st day of Jan. annually be transmitted by the Board of Treasury to the Legislature of each State 90,000.

Foreign Debt—amot bro't up 404,555.32
10,000,000 Livres loaned in Holland and Guaranteed by France one year's interest thereon 74,074.
24,000,000 ditto public French Loan one year's Interest thereon 222,222.20
174,000 dollars Spanish loan one year's Interest thereon 8,700.
5,000,000 florins first Dutch loan one year's Interest thereon 96,527.5
2,000,000 Ditto second Dutch Loan 1 year's Interest thereon a 4 p. Ct 30,888.88
846,710 Livres to the Farmers General of France, 1 year's interest thereon 7,840.

440,252.58

Liquidated Domestic Debt
10,517,380.6 Dollars one year's Interest thereon 631,042.6
Loan Office Debt
3,778,900 Dollars issue to 1st September 1777 equal to Specie, one year's Interest thereon 226,734.
3,459,200 Dollars issued between 1st September 1777 & 1st March 1778,
This sum is subject to liquidation by the scale but the Interest is payable on the nominal Sum, one year's interest thereon. 207,540.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,146,330.8 Dollars Specie value of uncancelled Loan office Certificates issued after 1st March 1778, one year's interest thereon.</td>
<td>308,780.6</td>
</tr>
<tr>
<td>4,823,744 Dollars estimated amt. of Certificates issued and to be issued to the lines of Maryland and Virginia, North Carolina, So. Carolina and Georgia, one year's interest thereon.</td>
<td>289,423.4</td>
</tr>
<tr>
<td>1,141,551.5 dollars balance of the estimate of the 27th April 1784 above the sum called for by the Resolution of Congress of that date.</td>
<td>1,141,551.5</td>
</tr>
<tr>
<td>Total Estimates</td>
<td>3,000,000</td>
</tr>
<tr>
<td>Deduction</td>
<td>9980</td>
</tr>
<tr>
<td>Balance to be called for</td>
<td>49,880</td>
</tr>
</tbody>
</table>

Deduct for part of the Dutch Loan applied towards a discharge of the last year's Estimate, and which the sums required from the States last year will replace; and for Loans now in the hands of the Dutch Commissioners and hereby appropriated for the purposes of this Estimate 649,880 dollars and there remains the Balance of 3,000,000 of Dollars to be paid into the common Treasury.

The Committee find that for reason stated in the Resolve of Congress of the 27th April, 1784, there yet remains a moiety of the requisition for eight Millions of Dollars and the whole of the requisition for two Millions of Dollars to be applied to the use of the United States before any new requisition ought to be made. They
are therefore of opinion that the States be called upon to make actual payment of three quarters of the remaining money aforesaid on or before the first day of May aforesaid.

The Committee have not been able to obtain information how many States have complied with the Resolutions of February 17th or that of April 18th, 1783, relative to a rule for adjusting the quotas of the several States in federal requisitions. They are therefore of opinion that the several States which have not decided on that subject, be again solicited to come to a division thereon, and to send forward the same, as a measure necessary to enable Congress to effect a settlement of Accounts with the several States, and to apportion to each a just quota of the public Expenses, but in the mean time, as the public faith renders it the duty of Congress to continue their annual demand for Money, the Committee are of opinion that in the apportionment thereof the quotas of the several States shall be adjusted agreeably to the best information which Congress may from time to time have obtained on the subject. Upon this principle they recommend to Congress that in the present requisition for three Million of Dollars the quotas of the several States be as follows, viz:

<table>
<thead>
<tr>
<th>State</th>
<th>Dollars</th>
</tr>
</thead>
<tbody>
<tr>
<td>Massachusetts</td>
<td>448,854</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>105,416</td>
</tr>
<tr>
<td>Rhode Island and Providence plantan</td>
<td>64,636</td>
</tr>
<tr>
<td>Connecticut</td>
<td>264,182</td>
</tr>
<tr>
<td>New York</td>
<td>256,486</td>
</tr>
<tr>
<td>New Jersey</td>
<td>166,716</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>410,378</td>
</tr>
<tr>
<td>Delaware</td>
<td>44,886</td>
</tr>
<tr>
<td>Maryland</td>
<td>283,034</td>
</tr>
<tr>
<td>Virginia</td>
<td>512,974</td>
</tr>
<tr>
<td>North Carolina</td>
<td>218,012</td>
</tr>
<tr>
<td>South Carolina</td>
<td>192,366</td>
</tr>
<tr>
<td>Georgia</td>
<td>32,060</td>
</tr>
</tbody>
</table>

3,000,000

Which sums when paid, shall be passed to the Credit of the States respectively, on the terms prescribed by the resolutions of Congress of the 6th day of October, 1779, and together with the
Money relied on to discharge the aforesaid deduction of 649,380 dollars, be applied in conformity with the several appropriations in the preceding part of this report, giving preference according to the order in which they are stated in the Estimate.

As more than two-thirds of the sum called for is to be applied to the payment of Interest on the Domestic Debt; the Committee are of opinion that the several Legislatures may so model the Collection of the sums called for, that one-third of any sum being paid in actual money, the other two-thirds may be discharged by the Interest due upon Loan Office Certificates and upon other Certificates of the Liquidated Debts of the United States. And to ascertain the evidences of interest due upon Loan Office Certificates the holders thereof respectively shall be at Liberty to carry them to the office from which they issued, and the holders of other Certificates of Liquidated Debts of the United States to carry the same to the Loan office of that State, wherein they are Inhabitants or if foreigners, to any Loan office within the United States, and to have the Interest thereon due, settled and certified to the Last day of the year 1784.

Provided, that the Commissioners of the Continental Loan office in any State shall not on any pretence whatever, settle or issue any Certificate, or Certificates, for the Interest due on any Continental Loan office Certificate, or other Certificates of Liquidated Debts aforesaid, unless as hereafter provided until the State for which he is Continental Loan officer shall have passed a Legislative Act, complying with this requisition, nor shall he issue any Certificate or take any other Measure whereby the Interest may be paid by the State in any mode not pointed out by the requisition, nor shall the Commissioner of the Continental Loan office in any State that shall have complied with this requisition, issue any Certificate or take any other measure whereby a discrimination may be made by such State between the holder of Loan office Certificates issued from his office, who are Citizens of that State, and foreigners, or the Citizens of any other State that shall have complied with this requisition. Excepting from this proviso, such State or States as by the Books of the Treasury shall appear to have paid their full quota of the requisition of the 30th October, 1781, for 8,000,000 of Dollars upon the former and present apportionment of the same, so far as 17—34
to admit the Commissioner of the Continental Loan office in such State or States, to issue Certificates in the same manner as the Commissioners in the States passing Legislative Acts as aforesaid, provided always that any Continental Loan officer shall issue Certificates for Interest as aforesaid due on Continental Loan office Certificates issued from his office and belonging to foreigners, and also to the Citizens of such States as shall have passed a Legislative Act complying with this requisition as aforesaid.

Provided, nevertheless, that where any State hath made provision by Law, for paying any part of the Interest of the Domestic Debt of the United States contained in the Estimate on which this requisition is founded, the Continental Loan officer in such State shall without delay ascertain the sum which shall have been so paid pursuant to such Law on or before the first day of January next, and shall make report thereof to the Board of Treasury and also to the Legislature of such State, who may deduct from their quota of this requisition, and be credited in part payment thereof, the sum so paid not exceeding two-thirds of such quota, every State being held to pay in Specie one-third part of the said quota previously to the admission of such Credit, and if any State shall have so paid in discharge of the Interest as aforesaid, a sum exceeding two-thirds of its quota of this requisition such surplus shall be admitted as a charge against the United States in the settlement of the General Account of such State, but if any Interest, after the said first day of January shall be paid by any State contrary to the true intent of this requisition such payment shall not be admitted as a charge against the United States. And if any Commissioner of a Continental Loan office shall disobey or neglect to carry into execution any resolution or order of Congress or otherwise neglect his Duty in the said office, the Board of Treasury shall suspend him from his office and the Emoluments thereof, and immediately report the reasons thereof to Congress, and the Board of Treasury are hereby empowered to appoint in the room the Commissioner of the Continental Loan office, so suspended, a Citizen of the State in which the office is kept who shall have all the powers and Emoluments of a Commissioner of the Continental Loan office, until Congress shall finally determine respecting the suspension.

And every Commissioner of the Continental Loan office, pre-
STATE RECORDS.

unviously to settling and issuing Certificates as aforesaid, for the interest due on Certificates of Liquidated debts, other than Loan office Certificates shall administer an oath or affirmation or require a Certificate signed by one of the persons whom the State in which the Commissioner resides shall, in the Legislative Act complying with this requisition appoint, that he has administered to the owner or possessor of every such Certificate an oath or affirmation, that the same is bona fide the property of the particular State in which the said Commissioner resides, or of a Citizen or Citizens of the said State, or of some Corporate body or Charitable institution within the same, or of some person who is not a Citizen of any of the United States; describing the Certificate or Certificates alluded to in every such oath or affirmation in such manner as shall be necessary to identify the same, or as may be prescribed by the Legislature of the said State.

And for preventing the depreciation of Certificates to be issued as aforesaid the Legislature of each State is required to provide in the Act complying with this requisition that if on the first day of January, 1787, the said States' quota of the said Certificates so to be issued shall not be in the hands of the State Treasurer or other proper officer, the deficiency shall be Collected and paid into the Continental Treasury in Specie, which when so paid, is hereby appropriated to the redemption of such surplus Certificates.

Provided, nevertheless, that any States which shall have obtained a Credit in the Books of the Treasury for the full compliance with the requisition of the 4th September, 1782, for 1,200,000 dollars with the requisition of 27th April, 1784, for Completing the payment of one-half of the requisition of 30th October, 1781, for 8,000,000 dollars, and also, with this requisition, shall at any time after such compliances, be admitted to pay into the Treasury of the United States and sum or sums in the said Certificates to be issued for Interest as aforesaid, and have Credit for the same to be deducted out of the quota of such State in the next succeeding requisition provided that such sum or sums do not exceed one-half of the said quota.

That the Board of Treasury cause to be made a bank-paper and thereon to be struck the form of Certificates, to evidence the Interest due as aforesaid and transmit to the several Loan officers a suf-
sufficient number of the same. That the said Board furnish the several Loan officers with such Checks and Instructions as they from time to time shall judge necessary to prevent Counterfeited Certificates of Debts from obtaining a settlement of Interest, and to detect Counterfeit evidences of Interest and thereby to avoid receiving them in discharge of Taxes, which Certificates of Interest being parted with by the holders of the principal, shall be deemed evidence that he has received satisfaction for the same, and therefore shall be receivable from the Bearer in lieu of Money in the proportion aforesaid, in any other States in the Union, as well as in the State in which they were issued. That the State receiving such Certificates and paying the same into the public Treasury, with a proportion of Specie as aforesaid shall have Credit therefore which payment shall be considered as a discharge of the Interest due on the Domestic Debts in the proportion that each State avail itself of the said Certificates of interest. And where loan office Certificates issued after the 1st day of March, 1778, shall be presented to the Loan officer, they shall be reduced to the Specie value, conformably to the Resolutions of Congress of June 28th, 1780, and that specie value expressed on some part of the Certificate and the Interest thereon settled and certified as in other cases.

As a motive for the cheerful payment of the sum now called for, as well as of the arrearages on that of April 27th, 1784, the Committee are of opinion that the States be reminded that Congress have passed an Ordinance for the Survey and sale of the Western Territory of the United States, and that the proceeds thereof will be applied as a sinking fund to extinguish the Domestic Debt. Future requisitions for Interest on the Domestic Debt, will therefore be reduced in proportion as this fund may be rendered productive.

Resolved, That Congress agree to the said Report.

CHAS. THOMSON, Sec'y.
HON. CHAS. JOHNSON TO GOV. CASWELL.

[From Executive Letter Book.]

EDENTON, 29th Sept., 1785.

Dear Sir:

In answer to your Excellency's letter of the 26th, requesting me to attend in my place in Congress, on the first Monday in November next, I take the liberty of acquainting you, that several causes unfortunately concur to prevent my attending there at the time required; but, however inconvenient it may be to me, I shall if requisite attend the last six months of the ensuing year, provided I am supplied with Specie to enable me to proceed. It is impossible here to purchase either bills or specie with paper money, nor can the produce of this Country be shipped to the Northward without too great loss. Your Excellency will much oblige me by giving me timely notice, should there be a necessity for my proceeding to relieve these Gentlemen who take the first six months tour. With great regard I am, respectfully, dear Sir,

Your Excellency's mo. ob. humb. svt.,

CHAS. JOHNSON.

NORTH CAROLINA'S QUOTA OF 1,200,000 DOLLARS REQUIRED BY THE ACT OF CONGRESS 4TH SEPTEMBER, 1782.

[From Executive Letter Book.]

Dr. State of North Carolina their Quota of 1,200,000 Dollars required by Act of Congress of the 4th September, 1782, for payment of Interest on the Domestic Debt.

Dollars.

To their Quota of this requisition . . . . . . . . . . . . . . . . . . . . . 88,800.00

Register's Office, October 1st, 1785.

JOSEPH NOURSE, Register.
NORTH CAROLINA'S QUOTA OF 2,000,000 DOLLARS REQUIRED BY ACT
OF CONGRESS 16TH OCTOBER, 1782.

[From Executive Letter Book.]

Dr. State of North Carolina their Quota of 2,000,000 Dollars re-
quired by Act of Congress October 16th, 1782.

No. 90. To their Quota of this requisition . . . 148,000

Register's Office October 1st, 1785.

JOSEPH NOURSE, Register.

NORTH CAROLINA'S QUOTA OF 3,000,000 DOLLARS REQUIRED BY ACT
OF CONGRESS 27TH SEPTEMBER, 1785.

[From Executive Letter Book.]

No. 91. To their Quota of this Requisition . . . 218,012.00

Register's Office October 1st, 1785.

JOSEPH NOURSE, Register.

AMOUNTS DUE BY NORTH CAROLINA UNDER THE ACTS OF CONGRESS
OF 27 APRIL, 1784, AND 27 SEPTEMBER, 1785.

[From Executive Letter Book.]

Dr. State of North Carolina their Account of Specie Taxes, stating
the Sums to be paid into the Federal Treasury agreeably to the
Acts of Congress of the 27th April, 1784, and 27th September, 1785.

No. 92. 1781 To Quota of 8,000,000 dollars, required un-
October 31. der this date . . . . . . . . 622,677.00
1782
Sept. 4. To ditto of 1,200,000 ditto required under this date........................................... 88,800.00
Octo. 16. To ditto of 2,000,000 ditto required under this date........................................... 148,000

1785
Sept. 27. To quota of the moiety of 8,000,000 suspended by Act of Congress of 27th April, 1784, three quotas of said remaining moiety being called for by requisition of this date........ 218,012.00

1,077,489.00

1785
October 1. To balance to be brought into the Treasury viz: In Specie to complete their quota of the moiety of last years requisition of 8,000,000 dollars................................. 311,338.45
In facilities agreeably to the Act of Congress of the 4th Sept., 1782, for the payment of the Domestic Interest........................................... 88,800.00
In Specie 1/4 of the quota of 3,000,000 required towards the remaining moiety of 8,000,000 by Act of Congress of the 27th September, 1785.................. 72,670.60
In Loan Office Interest Certificates agreeably to Act of Congress 27th September, 1785... 145,341.50

618,150.55

1784
April 27. By moiety of the Requisition for 8,000,000 suspended by Act of Congress of this date.. 311,338.45

1785
Sept. 27. Quota of 2,000,000 suspended until the full payment of the quota of 8,000,000 dollars.. 148,000.00
October 1. Amount actually paid in Specie to this date on account of the quota of 8,000,000 dollars Nothing. Balance to be brought into the Treasury of the United States........................................... 618,150.45

1,077,489.00

Register's Office, 1st October, 1785.

JOSEPH NOURSE, Register.
STATE OF NORTH CAROLINA THEIR QUOTA OF 8,000,000 DOLLARS REQUIRED BY ACT OF CONGRESS OF 30TH OCTOBER, 1781.

[From Executive Letter Book.]

Dr. State of North Carolina their Quota of 8,000,000 Dollars required by Act of Congress of October 30th, 1781.
No. 88.

<table>
<thead>
<tr>
<th>Year</th>
<th>Date</th>
<th>Description</th>
<th>Dollars</th>
</tr>
</thead>
<tbody>
<tr>
<td>1781</td>
<td>October 30</td>
<td>To their Quota of said Requisition</td>
<td>622,677.00</td>
</tr>
<tr>
<td>1785</td>
<td>October 1</td>
<td>To balance as above brought down</td>
<td>311,338.45</td>
</tr>
<tr>
<td>1785</td>
<td>October 1</td>
<td>By total amount paid to this day</td>
<td>Nothing</td>
</tr>
<tr>
<td></td>
<td></td>
<td>By ½ of their Quota of this requisition suspended by Act of Congress of 27th April, 1784.</td>
<td>311,338.45</td>
</tr>
<tr>
<td></td>
<td></td>
<td>By balance to be brought into the Treasury of the United States.</td>
<td>311,338.45</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>622,677.00</td>
</tr>
</tbody>
</table>

Register's Office, 1st October, 1785.
JOSEPH Nourse, Register.

COL. VANDERHORST TO WM. BLOUNT.

[From Executive Letter Book.]

DEAR SIR:

I should have answered your favours before now, but from the Tenor of them I have been in hourly expectation of the pleasure of seeing you.

I now inform you that the brig Polle is arrived & landed her cargo with the articles for the Indian treaty's and as the Commis-
sioners have postponed the Cherokee treaty to the 15th November, I hope to have the goods up in due time. Wagons are not to be had in this City, but I am in treaty with Colo. William Thomson for a sufficient Number who if we agree (and I see no better chance) will attend them up himself, which will be a great Security, but expect his terms will be high.

Yours, &c.,
COLO. VANDERHOST.

CHAS. THOMSON TO GOV. CASWELL.

[From Executive Letter Book.]

OFFICE OF SECRETARY OF CONGRESS,
Oct. 7th, 1785.

SIR:

I have received the Letters your Excellency did me the honor to write on the 23d and 30th of August last.

As the printer has not yet compleated the Journals of last month I have thought it improper to delay forwarding the enclosed Acts lately passed by the United States in Congress Assembled; one being a requisition for 1785, and the other respecting the Commissioners of the Continental Loan offices.

I take this occasion to inform your Excellency that having in consequence of the Act of Congress of 27th July last, received from Massachusetts and South Carolina sundry of their Legislative Acts, I have delivered to the Delegates of your State a set of each for the use of the Legislature, and hope soon to be favored with the Laws of your State to be distributed in like manner agreeable to the above mentioned Act.

With Great respect, I have the honor to be

Your Excellency's most obedient and
Most humble Servant,

CHAS. THOMSON.
HON. WM. BLOUNT TO GOV. CASWELL.

[From Executive Letter Book.]

AUGUSTA, Oct. 8th, 1785.

SIR:

On the 17th ult, the day I arrived here, I had the honor to address a letter to you, in which I informed you, that the time of holding the treaty at Golphinton was postponed from the 19th Sept. to the 24th Oct. inst, and that I had not then learned to what time the other which was to have been held, on the 19th Inst., at or near Fort Rutledge, was postponed to. I have since been informed, that it is to be the 15th November. As soon as they are over, I shall proceed to New York and take my seat in Congress. The State of Georgia have appointed those Agents to attend them on her part. I have the honor to be

Your Excellency's most obedient Servant,

WM. BLOUNT.

WALTER LIVINGSTON AND SAMUEL OSGOOD TO GOV. CASWELL.

[From Executive Letter Book.]

BOARD OF TREASURY, Oct. 10th, 1785.

SIR:

We have the honor of transmitting to your Excellency, for the consideration of the Legislature of the State in which you have the honor to preside, the requisition lately agreed to in Congress, for the support of the Federal Government.

The Estimate of expenditures has been made with the most vigorous exactitude; and the facilities furnished for the payment of the respective Quotas are as ample as possibly could have been admitted.

Your Excellency will see by the enclosed accounts between the United States and your State, what vast deficiencies there have been in the Specie payments required. Those deficiencies have been supplied from year to year by anticipations, and those antici-
pations supplied by the produce of foreign Loans. The foreign funds have therefore been hitherto the prop of public credit.

But now those funds are entirely consumed, and no well grounded hopes of success in attempting fresh loans if it was either wise or honorable to borrow Principals for the payment of old Interest. And it is our misfortune, to succeed to the administration, of the Finances of the United States under the disadvantage of accumulated anticipations and exhausted Funds. In this situation the sole reliance of the Federal Government is on the prompt and vigorous exertions of the several States, to answer the requisitions which it has pleased Congress to make.

This plain statement of the Finances will speak more powerfully than any arguments we can employ to urge a full and punctual compliance with the requisition; no hope, no resource, is now left, but the contributions of the States. Our character abroad, Our Union at home, must rest on this foundation. The Federal faith, dignity, operations, and existence, is suspended on the exertions of the respective States, to collect the arrearages of former requisitions and to comply with the present one.

Anticipations were they any longer to be pursued, are so ruinous in their consequences that nothing but the most indispensable necessity could warrant them. But the support of them existing no longer, they are impracticable; and the call for the full quota required, to meet the inevitable demands and engagements of the Federal Government, is absolute and indispensable.

In order that the Balance due from the State over which you preside, on the Requisitions of 4th September, 1782, and 27th April, 1784, may be better ascertained, we do ourselves the honor of transmitting you, an Abstract of the amount and Receipts of the above Requisitions. Your Excellency will observe, that the sum of 311,338 Dollars 45–90 is still due on the Requisition of 1784, and on the speedy payment of the Balance into the Public Treasury; all our hope of answering the immediate and pressing demands of Government depends.

The lateness of the present Requisition which is calculated for the Disbursement, of this year debars all prospect of relief from its operation for several months, and we can with truth assure your Excellency, that unless the collection of Taxes goes on with greater
vigor, than it has for many months past, the Treasury must soon be drained.

With respect to the balance due on the Requisition of the 4th September, 1782, which was expressly appropriated for the payment of the Interest of the Public Debt, we cannot ascertain from the books of the Treasury, whether it is exact, no Returns of payment under the Requisition having been made. We have, however, reason to suppose, that in most of the States, no payments have been made on it, and where they have been that a considerable balance is due.

The necessity of closing the outstanding Requisitions in order to prevent that confusion which inevitably arises from it, as well as justice to the public creditors, will, we trust, lead the Legislature of your State, at their ensuing Sessions, to complete its Quota of the Requisition.

Permit me, Sir, to hope that you will lay this Letter, and the papers which accompany it, before the Legislature of your State without delay, and that it will receive all the efficacy, which your weight and influence can give it. We are with the utmost respect,

Your Excellency’s mo. ob. very humbly. Servts.

SAMUEL OSGOOD,
WALTER LIVINGSTON.

HON. TIMOTHY BLOODWORTH TO GOV. CASWELL.

[From Executive Letter Book.]

KINSTON, Oct. 11th, 1785.

DEAR SIR:

I received yours, and not being fully satisfied with respect to the time of my attendance, thought proper to wait on your Excellency for an Explanation Agreeable to Resolve at Hillsborough; the Delegates are to attend in rotation as they stand in number on the poll according to this regulation. My attendance will not be required until the Spring; as Mr. Blount, Mr. Sitgreaves and Mr. Johnston
were first in number. This gave me reason to suggest that you was pleased to give me timely notice. Yet, fearful that it might arise from the resignation of some of these Gentlemen, I could not be satisfied without a further inquiry. Your absence and my own positive engagements have obliged me to return without satisfaction. If it be your desire that I should give immediate attendance, I shall be under the necessity to request warrants on the holders of public money for the amount of wages during the time of my attendance being at present quite unprepared to support myself. Should also wish to have a separate certificate as some accident may prevent Col. Blount from timely attendance. All of which I beg your Excellency will be so obliging as to send by express to Duplin Court House, and shall I lose no time to comply with your requisition.

I remain, Dear Sir, with the highest esteem,

Your most obedient and very humble servant,

TIMOTHY BLOODWORTH.

HON. JOHN JAY TO GOV. CASWELL.

[From Executive Letter Book.]

NEW YORK, 14th October, 1785.

Sir:

In obedience to the orders of Congress, I have the honor of transmitting to your Excellency herewith enclosed, copies of a letter from Chev. Jones to me, and of one from Mr. Soulages to the Judges and Consuls at Nantes, advising that Algiers had declared war against the United States.

The haste in which I am obliged to write in order to be ready for the Post, prevents my making any remarks on this event. I have the honor to be

Your Excellency's mo. ob. very humbl. Servt.,

JOHN GAY.
HON CHAS THOMSON TO GOV. CASWELL.

[From Executive Letter Book.]

OFFICE OF SECRETARY OF CONGRESS,
October 15th, 1785.

SIR:

I have the honor to forward to your Excellency herewith enclosed, an Act of the United States in Congress, assembled, of the 12th Inst., by which the several States are earnestly called upon to complete without delay the whole of their quotas of the Requisitions of September, 1782, and of April, 1782, copies of both which you will find enclosed.

Your Excellency and the Legislature have doubtless observed that in the estimate of 1784, Congress counted upon a Compliance with the preceding requisition, and therefore in the statement of the interest due at the close of 1782, they supposed its amount lessened by 1,200,000 dollars, required and apportioned by the resolutions of the 4th and 10th of September, 1782, and appropriated to the sole purpose of paying the interest of the public debt.

The requisition of 1785, provides for the payment of the interest of the domestic debt up to the end of the year 1784, on a supposition that the States have complied, or will speedily and effectually comply with, the preceding requisitions of 1782 and 1784; unless this is done, the end will not be attained and the measure of facilities will operate injuriously to the domestic creditors. For it being provided by the last requisition that the holders of Loan Office Certificates, or other Certificates of liquidated debts, may have the interest due thereon settled up to the last day of the year 1784, and receive the amount in Certificates receivable from the bearer, in lieu of money in discharge of only two-thirds of the Sum required for 1785, it is apparent that so far as any State has been deficient in complying with the former requisitions, will certificates be issued to the redemption of which the requisition of 1785 will be inadequate. To obviate this inconvenience and guard against the consequent depreciation of the interest Certificates, Congress have passed the resolution of the 12th, by a compliance with which ef-
RESOLVES OF CONGRESS CALLING THE STATES TO COMPLEAT THE QUOTAS OF THE REQUISITIONS OF 1782 AND 1784.

[From Executive Letter Book.]

BY THE UNITED STATES IN CONGRESS, ASSEMBLED,

OCTOBER, 12th, 1785.

Whereas, it is indispensably necessary, for the support of the Federal Government, that the States should supply their quotas of Money for the purposes stated in the Estimates of the subsisting requisitions of Congress.

And, whereas, Certificates for the interest arising on loan office Certificates and other Certificates of liquidated Debts previously to the last day of December, 1782, from the deficiencies of some of the States to comply with the requisitions of the 4th September, 1782, and 27th and 28th of April, 1784, will, in pursuance of the requisition of the 27th of September, 1785, be issued by the Commissioners of the Continental Loan Office in such States.

And whereas, the extra Certificates which the said Commissioners may issue for the payment of the said Interest should be called in or redeemed by the different States in order to compleat their respective quotas of the Interest of the Domestic debt, specified in the said requisitions of the 4th September, 1782, and 27th and 28th April, 1784.

Resolved, that the several States be earnestly called on to Compleat without delay the whole of their quotas of the requisitions last mentioned, and that such of the States as may be deficient in paying their respective quotas of the Interest of the Domestic Debt
pursuant to the said requisitions be required to collect and pay into
the public Treasury the amount of such Deficiencies, either in Cer-
tificates to be issued by the Commissioners of the Continental Loan
office pursuant to the requisition of the 27th September, 1785, for
the payment of said Interest, or in Specie, to be applied to the re-
demption of such Certificates; provided, that the sum so to be paid
into the Treasury and Interest Certificates as part of the requisition
of the 27th and 28th April, 1784, shall not at any time exceed the
proportion of facilities to be paid into the Treasury agreeably to
the requisition last mentioned.

CHAS. THOMSON.

GOV. CASWELL TO THE HON'BLE TIMOTHY BLOODWORTH, ESQ.

[From Executive Letter Book.]

KINSTON, 16th October, 1785.

DEAR SIR:

I am concerned that I missed the pleasure of seeing you here a
few days passed.

As I informed you before Mr. Blount proposed going to Congress;
Mr. Sitgreaves declines going, at least the first Tour, because he has
so lately returned from Congress, and he is appointed by Congress,
one of the Judges of a Federal Court to be held at Williamsburg, for
Trial of a Territorial dispute between Massachusetts and New York,
to meet in November next, which appointment he has accepted.
Mr. Johnston also declines attending the first Tour, so that unless
you go forward we shall not be represented.

Agreeably to your request I send you a separate Commission and
also a Warrant on the Treasury for £ 256, equal to the sum drawn
for in favor of Col. Blount by advice of the Council; this sum it is
probable will be as much as you will be able to obtain from the Col-
lectors previous to your setting out, and is equal to what Mr.
Blount required, for the other part of your allowance I will if in
Administration grant the Warrants to such person as you may di-
rect so as to be remitted to you in time and this I hope will be satisfactory to you as I would not choose to make a difference and you may rely on being put exactly on the same footing, so far as I have any thing to do with the other gentlemen of the Delegation.

I most earnestly request you will be pleased to go forward so as to attend in your place the first Monday in November of which you will be pleased to inform me, and I shall be happy in hearing from you on all occasions.

With great respect and esteem, I am, Dr Sir,

Your most obedient very humble Servant,

R. CASWELL.

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GEN. JOHN SEVIER TO GOV. CASWELL.

[From Executive Letter Book.]

WASHINGTON, 17th October, 1785.

SIR:

Having wrote you fully in my letter of the 14th May last, relative to the proceedings of the state of Franklin, and answered some complaints set forth in Governor Martin's Manifesto, in the same disposition I shall now only take the liberty to inform your Excellency that our Assembly have appointed a person to wait on your Assembly with some resolves entered into by our Legislature.

Permit me to assure your Excellency that it was not from any disgust or uneasiness that we had while under the parent state, that occasioned the separation. Our local situation you are sufficiently acquainted with, and your Cession act together with the frequent Requisitions from Congress have evinced us, that a separation would inevitably take place; and at the time of our declaration, we had not the most distant Idea, that we should give any umbrage to our parent State, but on the other hand, thought your Legislature had fully tolerated the separation.

I am authorized to say that the people of this Country wish to do nothing that will be inconsistent with the honor and interest of each party.

17—35
The Citizens of this State regards the State of No. Carolina, with particular affection, and will never cease to feel an interest in whatever may concern her honor and safety. And that our hearty and kindest wishes will always attend the parent State.

I have the honor to be with very much respect and esteem,

Your Excellency's most obedient Servant,

JOHN SEVIER.

JAMES HINDMAN TO GOV. CASWELL.

[From Executive Letter Book.]

New Bern, October 20th, 1785.

Sir:

The Board of Treasury having appointed me, Commissioner to adjust and settle the accounts subsisting between the United States, and the State North Carolina. I have the honor to inform your Excellency of my arrival here, to take upon me, the execution of that office, and to request your favor to give notice to any public officer or officers of your State, with whom I may have business to transact that they will meet me at this place as soon as convenient.

I have the honor to be your Excellency's
Most obedient and very humble Servant,

JAMES HINDMAN.

SAMUEL OSGOOD AND WALTER LIVINGSTON TO GOV. CASWELL.

[From Executive Letter Book.]

Board of Treasury, Oct. 25th, 1785.

Sir:

Since our Letter to your Excellency of the 10th inst., transmitting the requisition of the 27th September last. Congress have on
the 12th Inst., adopted the Resolve, of which we do ourselves the honor of enclosing a Copy. As we conceive it supplementary to the Requisition, it becomes our duty to make such observations on it, as may evince the necessity of a punctual compliance with it, on the part of the several States. The object which the Resolve has evidently in view, is to preserve the National faith by providing adequate funds for paying the whole interest due on the public Debt, to the end of the year 1784. This will be clearly understood by shewing the connection betwixt the Requisitions with which a compliance is expected, and the estimates on which they are founded. The estimate of the 27th April, 1784, includes the estimate of Interest for which the Requisition was made of the 4th September, 1782, amounting to 1,200,000 Dollars, although it was not provided for in the Requisition of 1784. Of course the two estimates of the 27th April, 1784, and the 27th September, 1785, include all the interest of the Domestic Debt, to the 31st December, 1785. The objects for which the money is wanted are pointed out, and the appropriation made accordingly in the respective Requisitions. We shall therefore connect the Estimates in order to show their aggregate amount, and distinguish the provisions made to answer it.

By the Resolve of Congress of the 27th April, 1784, the estimate for the Civil, Military and Marine Departments, for the purchase of Indian rights of soil, and for debts contracted and unpaid amount to $1,457,525.33-90.

By that of the 27th September, 1785, the estimate for the support of the Federal Government, amounting to 404,555.32.

The estimate of the 27th April, 1784, and 27th September, 1785, for the Interest on the foreign Debt, to the 31st December, 1785, amounts to 804,506.

The estimates of the same date include the interest on the Domestic Debt to the 31st December, 1785, amounts to 4,854,279.16.

Total, $7,520,865.81
The Requisitions and Appropriations of Congress for the above purpose are as follows, viz:

<table>
<thead>
<tr>
<th>Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 4th, 1782</td>
<td>$1,200,000</td>
</tr>
<tr>
<td>April 27th, 1784</td>
<td>$2,670,933.89</td>
</tr>
<tr>
<td>September 27th, 1785</td>
<td>$3,000,000</td>
</tr>
</tbody>
</table>

Supposed amount of the Dutch Loan which has and may be applied to the objects of the estimates.

<table>
<thead>
<tr>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>$649,934</td>
</tr>
</tbody>
</table>

As above. $7,520,867.89

From this statement it appears that the three Requisitions above mentioned, together with the supposed amount of the Dutch Loan, make but a bare provision for the different Estimates. It becomes our duty therefore, to urge the Legislatures of the several States, to a speedy and full compliance with the different Requisitions, that the just demands of the Public Creditors may in some degree be satisfied, and the unavoidable charges of the Federal Government defrayed.

We observed in our last letter, that it could not be ascertained from the Books of the Treasury what, if any payments had been made on the Requisition of the 4th September, 1782, but we trust that the late Regulation of the Loan Office (which we shall do ourselves the honor of transmitting to your Excellency in a few days,) will enable us to obtain such regular and accurate communications from the different officers of the Treasury, as to put it in the power of the Board, to furnish at all times, an accurate state of the Finances of the United States.

The accounts of the Register transmitted with the late Requisition of Congress, will shew the balance due on the Requisitions now in force, according to Entries in the Treasury Books. When the following facts, in addition to what have been before observed, are submitted to the consideration of the Legislature of the State in which you have the honor to preside, a regard to the credit, honor and safety of the Union, will we doubt not give them all the weight to which they are undoubtedly entitled.

At the time the late Superintendent of Finance quitted that office, the balance in the Domestic Treasury was only $21,986,72-90

The anticipation on the Requisition of 1784 was 153,896.15
On the Loan then filling in Holland 88,306.83

Total $242,203.08
Since that period to the 1st May last, (a few days after our coming into office) the expense of the Civil and Military departments amounted at least to one hundred and fifty thousand dollars. Exclusive of this, it became necessary to provide for a deficiency in the payment of the Foreign Interest, which had accrued in the last year, and for other demands of an immediate and pressing nature, to the amount of at least one hundred and fifty thousand dollars, so that the total amount of the Anticipations and Demands for which a Speedy provision was necessary, was five hundred and ninety thousand Dollars. In mentioning the Anticipations of the late Superintendent of Finance, we do not mean to convey the most distant Idea, that the burden he left, was greater than any minister under similar circumstances could have possibly avoided.

To face the engagements we have mentioned, our principal source has hitherto been in the application of the funds arising from the Loans in Holland. For it is no less true than humiliating, that for nine months subsequent to the resignation of the late Superintendent of Finance, sufficient Sums in Specie had not arisen from the operation of taxes to defray the indispensable charge of the Federal Government, and we have been driven (to avoid a worse evil) to the ruinous and disgraceful expedient of applying the principal of Foreign Loans to pay the Interest. But now those funds are entirely exhausted, and no recourse remains, but in the honest and vigorous exertions, of the several States to discharge those obligations, which they owe not only to the Union, but to their own character and immediate welfare.

Before we quit the subject of Foreign Interest it becomes our duty, to inform your Excellency that the most pointed applications have been made to the United States in Congress by the Minister of his most Christain Majesty, in consequence of express instructions from his sovereign, to know what provision had been made for the punctual payment of the Interest and the redemption of the principal of the debt due to the Crown of France; reminding Congress of their Declaration on the 16th April, 1784, to the Minister Plenipotentiary of that power: "That Congress would with the greatest care adopt subsequent measures for the punctual payment of the Principal and Interest of the Debt due to France by the United States, according to the terms of the several contracts."
What answer could be given to this Representation will be easily judged by the Legislative authorities of the several States from examining the payment made on their respective Quotas, since the 27th April, 1784.

The wisdom of the respective Legislatures will easily discover, that what ever modifications may at present be admitted for the discharge of the Domestic Interest, that due for the Foreign Debt must be discharged on the Terms, and at the places and periods stipulated in the Contracts. The funds therefore for this object ought to be certain in the collection, and adequate to their object. The ordinary mode of Taxation pursued in consequence of former Requisitions, has been found by sad experience too precarious to depend on for this purpose. If the respective states would provide some certain and adequate Funds (arising either from customs, Excise or some operative system of Revenue,) for their proportionate share of the Interest (which might with sufficient precision be ascertained from their respective Quotas) we presume we should not find much difficulty in entering into advantageous Contracts for the payment of the Foreign Interest with Merchants of reputation, who would export for this purpose, the Commodities of the several States, where the funds are provided.

Solid advantages would not only arise to the United States, but to the several Members of the Union, from such an operation. To the United States, because it would rescue them from the painful dilemma of holding up to their Foreign Creditors assurances of payments which (though made with the purest intentions) prove in the end fallacious for want of adequate and certain funds being provided by the several States and because it would enable them to remit the Principal and Interest of the Foreign Debt, without subjecting themselves to a disadvantageous exchange or engaging in commercial adventures always (if possible) to be avoided by public bodies. To the several States because by preserving through this operation the Coin in their Country, it would facilitate the collection of Taxes, whilst it promoted the sale of their products, and the employment of the shipping necessarily employed in investing these Funds. With the respect to the Domestic Interest and how far the provision made by Congress, will do complete justice to, or satisfy the minds of the public Creditors must depend on a strict compli-
ance with the act of Congress, and a vigorous collection of Taxes. This appears to be the sense of that Honorable Body by fixing the first of May next for the completion of the last Requisition. If the Laws of the several States give the Requisition that efficacy, which we trust will be the case besides answering the purposes of Revenue, the Indents of Interest may probably form a safe and general medium (without the evil of a legal Tender) which by facilitating the commercial Intercourse of the several States, may cement that Union, upon which their common interest and common safety so essentially depend. If the state of facts, and the observations resulting from it make the same impression on the mind of your Excellency which they have on this Board, we flatter ourselves your influence will not be wanting to induce the Legislative Authority of the State, in which you have the honor to preside, to carry the enclosed act, and the late Requisition of Congress with full and immediate effect. We are with the utmost respect

Your Excellency’s mo. ob. humbl. Servta.,

SAMUEL OSGOOD,
WALTER LIVINGSTON.

GOV. ALEX. MAIN TO THE GENERAL ASSEMBLY.

[From Executive Letter Book.]

Oct. 26th, 1875.

GENTLEMEN OF THE HONORABLE THE GENERAL ASSEMBLY:

The dispatches of a public nature which I received in the late recess of the Legislature, I do myself the honor to lay before you; the most important matters they announce are the following:

That the ratification of the definitive Treaty between the United States of America & his Britannic Majesty, was exchanged in due form upon the 12th day of May last.

That his most Christian Majesty has been pleased to give the
United States fresh assurances and proofs of his affection, by making L'Orient & Bayonne free ports, with equal privileges as that of Dunkirk, for the reception of the Ships and Merchandize of all Nations, but more particularly calculated for the encouragement of the American commerce. His Majesty has also signified his intentions of opening the ports of his Islands of France & Bourbon to our Ships in order to facilitate their long voyages to the East Indies. The Resolutions of Congress, the Letters from his Excellency the President and Secretary of that Honbl. Body, from the Financier, and from our Delegates in particular, contain certain matters of interesting information, which call for your attention and deliberation suitable to their importance. As several great objects of Legislation were left undetermined the last Session of Assembly, which concern the peace establishment of the United republic & this State, I shall again submit to the Legislature those papers containing subjects, which for their importance were deemed more expedient to be postponed to a future day, that may be now proper for your discussion. Since the declaration of peace our Militia have generally relaxed from all kind of discipline, judging that as the late storm is over, the danger is past, and the necessity of Military regulations ceases. But in Peace or War, to be always ready is a maxim in the polity of all well regulated States, and as our Militia must now be our only defence & security in cases of invasion & insurrection, were they properly arranged, they might produce a very respectable force, and answer all the purposes of a standing army, without the inconvenience & expense. The Militia Law, as it now stands, being calculated for the times of the late war, becomes in a great measure obsolete, and in applicable to the peace establishment of the State. I beg leave to recommend that our Militia be now arranged & organized in such form as will give us security at home, and bid defiance to our enemies abroad.

 Permit me to remind you of the necessity of having the boundary with our sister State of South Carolina, claimed in our Bill of Rights ascertained with some precision the earliest opportunity; that the Inhabitants of the disputed territory may know to what State they owe allegiance, from whom they are to derive titles to their lands, and whose revenue they are bound to support.

I submit to your consideration the Inspection and Impost Laws.
Some amendments seem to be necessary fully to effect the beneficial intentions of the Legislature, that by the first, bad commodities may be prevented from being transported to foreign markets, and by the latter a smuggling trade detected & checked, should the same be attempted; which in the present style of the Law may be carried on with impunity. An enquiry into the state of your revenue becomes, greatly necessary at this crisis, as a considerable part of the last, and the preceding years collection of the taxes hath not reached the purposes intended by the Legislature. The indulgences given, the abuses of public trust, in some of the districts, by those conducting the public money business, call for your interposition & correction.

As Religion by the powerful arguments of future rewards and punishments, is a great incitement to virtue and restraint upon vice, by whose solemnities the heart is searched, truth discovered, and integrity in office guarded; which ever hath been deemed the first great pillar in Government, and on which the Laws rest their chief support, let me again urge to the Legislature the propriety of making some provision for the support of men of abilities, of pious and orderly life, regularly called to minister in the affairs of religion, in such a manner that no preference be given to any denomination, or be contradictory to the principles of the Constitution.

Your Schools of learning, your produce, your trade and navigation, are objects of Legislative attention, which cannot be too often repeated and held up to your view; that the mist of ignorance be dissipated and good morals cultivated, that the planter, Mechanic and fair trader be encouraged to prosecute their different plans of industry and traffic, to their reciprocal profit and satisfaction; that the several improvements which kind nature seems to point out may be made in the different parts of the State, be undertaken and accelerated for the general good.

The above with other National and Internal concerns, I submit to your wisdom to discuss, as they appear more or less interesting, and as time and leisure will give you opportunity.

Let it not be deemed dictating to the Legislature, or officiously obtruding sentiments on them, from ostentation or pride of office, when the importance of the above subjects is urged to them from one in whom they have placed the high confidence of the manage-
ment of their public affairs for war three years past, who feels himself too much interested in the welfare of his Country as a Citizen to be silent on those great concerns which he conceives affects the ease and honor of the future administration, and on which the happiness and prosperity of the State depend. As he considers it the most fortunate circumstance in his life, that the greatest event that ever took place in the new world, The Revolution of those States, was gloriously completed during his administration over one in importance by no means the least in the Union whose arms have borne a conspicuous part in this great enterprise, whose Citizens have been and ever will be dear to him, whom he hath seen with pleasure emerge from tumult and confusion into order and regularity, he cannot therefore be indifferent in their future Government, but ardently wishes, now near the close of office, to see some of those establishments formed, which may tend to give greater dignity to the State, to secure to the latest period the rights and privileges of a free people, and the enjoyment of those blessings which contribute to their happiness.

Yours, &c.,
ALEXANDER MARTIN.

Oct. 26th, 1785.

TO THE HONORABLE THE GENERAL ASSEMBLY.

GENTLEMEN:

The particular attention you have been pleased to pay to the communications in my address give me singular pleasure, and merit my warmest acknowledgements, for which I return you my hearty thanks. I make no doubt that your deliberations will be employed on the several subjects therein, as well as other interesting objects before you, in such manner as cannot fail to meet the approbations of your Country. To be informed by the Legislature, that my administration hath given them satisfaction, is very acceptable to me; but the honorable manner in which they announce this mark of their approbation, excites in my mind a sense of the most lively gratitude. Be assured, that when the Constitution shall place me among my fellow citizens, my ardent wishes for the prosperity of
the State, shall not be abated, but my utmost powers, through every walk of life, shall be exercised to render Service to my Country.  

ALEXANDER MARTIN.

HON. CHAS. THOMSON TO GOV. MARTIN.

[From Executive Letter Book.]

OFFICE OF SECRETARY OF CONGRESS,  
Oct. 27th, 1785.

(Circular)

SIR:

I have the honor to transmit to your Excellency herewith enclosed two Copies of the Continuation of the Journals of Congress from the 25th August to the 29th of September; one Copy for the Legislature and the other for the Executive branch of Government.

I conformity to the Act of 17th of August, I enclose also a list of the States represented, and of the Members who have appeared in Congress during the last month, and have to request the favor of your Excellency to lay it before your Legislature.

With the greatest respect, I have the honor to be

Your Excellency's Mo. obedt. and mo. h'ble Servt.,

CHAS. THOMSON.
A STATE OF THE REPRESENTATION IN CONGRESS FOR THE MONTH OF SEPTEMBER, 1785, PURSUANT TO THE ACT OF 17 OF AUGUST, 1785.

[From Executive Letter Book.]

| Members who appeared during the course of the month | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 |
|-----------------------------------------------------|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| New Hampshire—Mr. Foster, Mr. Long...               | 1 |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Massachusetts—Mr. King, Mr. Gerry, Mr. Holden...     |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Rhode Island—Mr. Ellery, Mr. Howell...              |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Connecticut—Mr. Cook, Mr. Johnson...                |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| New York—Mr. Harring, Mr. Smith                    |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| New Jersey—Mr. Cadwalader, Mr. Stewart              |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Pennsylvania—Mr. Garver, Mr. Pettit, Mr. Jackson... |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Delaware—Mr. Vining, Mr. Bedford...                 |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Maryland—Mr. Hindman, Mr. McHenry...                |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Virginia—Mr. Hardy, Mr. Grayson, Mr. Lee...         |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| North Carolina—Mr. Cumming...                       |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| South Carolina—Mr. Rea, Mr. Bull, Mr. Pindkey, Mr. Kean... |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| Georgia—Mr. Baldwin, Mr. Habersham, Mr. Houston...  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| The States represented                              |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
STATE RECORDS.

A STATE OF THE REPRESENTATIVES IN CONGRESS FOR THE MONTH OF OCTOBER, PURSUANT TO THE ACT OF 17TH AUGUST, 1785.

[From Executive Letter Book.]

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<th>States</th>
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No. 100. Journals of the Congress.
SAMUEL OSGOOD AND WALTER LIVINGSTON TO GOV. CASWELL.

[From Executive Letter Book.]

BOARD OF TREASURY, 29th Oct., 1785.

SIR:

Congress having by their Ordinance of the 30th of September last directed that the Commissioners of the Continental Loan Offices in the respective States should enter into Bonds with two or more sureties for the faithful Execution of the trust reposed in them, we have taken the liberty of transmitting to your Excellency the Bonds and Oath of Office which are required from the loan Offices in your State in order that they may be executed in your presence by Mr. William Skinner (the Gentleman who is appointed Commissioner) and his Sureties. We are induced to request the favor of your Excellency to judge of the sufficiencies of the Security from a consideration of the deep interest which the State as well as the Union have in the faithful Execution of this Office. Should Mr. Skinner decline acting you will oblige us in keeping the enclosed papers in your custody till you hear from this Board.

We are with great respect

Your Excellency's Most Obedient Humble Servants,

SAMUEL OSGOOD,
WALTER LIVINGSTON,

P. S. As Mr. Skinner's place of Residence is unknown to us, we take the liberty of enclosing a Letter to him under your Excellency's address.

COL. VANDERHORST TO HON. WM. BLOUNT.

[From Executive Letter Book.]

CHARLESTON, Nov. 5th, 1785.

DEAR SIR:

I wrote you early in last month by Colo. Hammond to Augusta informing you that Colo. Thomson and myself were in treaty for
Waggon to carry up the goods to the Cherokee treaty which was the only chance I had of procuring them, and after waiting in anxious and hourly expectation from the 1st Inst., I have this moment received a letter from him saying he had done every thing in his power but could not procure the Waggon Necessary, and did not think they could be procured before Christmas. Being uneasy about the waggons not coming by the 1st Instant, the time appointed for their being in Town, on the third I wrote to Colo. Thumson that if the Waggon could be got to go all the way if we could get the goods to Ninety-six by the 15th Instant it would do, as Waggon could be got there to carry them to the Treaty to which I have as yet received no answer, and I have employed a Man to watch the coming in of the Waggon and try and procure the Number (five) which will be wanted, but fear it will be a fruitless attempt. I am sensible your disappointment will be great, but I assure you my dear sir everything in my power has been done, and you cannot lament the miscarriage more than I do.

Yours, &c.,

COLO. VANDERHORST.

SAMUEL OSGOOD AND WALTER LIVINGSTON TO GOV. CASWELL.

[From Executive Letter Book.]

Board of Treasury, 17th, Dec., 1785.

Circum,

Sir:

We do ourselves the honor of transmitting to your Excellency, for the information of the State in which you preside, the General Account of Receipts and Expenditures of the United States from 1st Nov., 1784, to the 1st Nov., 1785, as stated by the Register of the Treasury. With the most perfect respect, we are

Your Excellency's most obedient humble Servants,

SAMUEL OSGOOD,
WALTER LIVINGSTON,
GENERAL ACCOUNT OF RECEIPTS AND EXPENDITURES OF THE UNITED STATES, FROM THE 1ST OF NOVEMBER, 1784, TO THE 1ST NOVEMBER, 1785.

[From Executive Letter Book.]

1784.

DR.

Nov. 1st. To balance in the hands of the Treasurer this day, as stated by the register to the late Superintendent of Finance as per his printed account, No. 12, $21,986.72

To Taxes rec'd.

From Whipple, received for New Hampshire 4,680.08
James Lovell, do Massachusetts 10,000.71
George Olney, do Rhode Island 1,053.20
Hezekiah Merrell do Connecticut 3,000.00
The Treasurer of New York $71,000.
The Loan Officer do. 28,000. 99,000.00

W. C. Houston, do. N. Jersey. 4,296.30
The Treasurer of Pennsylvania. 31,400.
William Geddes do. Delaware. 8,680.82
Benjamin Harwood do. Maryland 28,000.
The Loan Officer of do. 7,527.74 35,527.74

George Webb do. Virginia 160,982.86

To the State of Maryland their account of Specie supplies. Received of the Estate of Peter Summers, decd., for 320 barrels and 9 Tiers of Beef sold by order of the late Superintendent of Finance, 2,246.59

$358,622.81
To the General Post Office, 2,000.
Reed from E. Harard, 31 December 2,000.
To Blaine and Miller,
   Received from them the 9th December, 758.62
To Levi Hollingsworth, a balance due by him of, 6.11
To Thomas Smith, Esquire, A. D.
   Q. M. Genl., 114.28
To George A. Hall. 958.28
To Sales of Bills of Exchange.
   For amount drawn on the Commissioner of loans in Holland—
   500,229 florins 4 stevins at 34-90 $ is, $196,232.84
   Profit thereon, sold above the par of exchange, 7,145.67 203,378.51
To interest account on Negotiations of bills of exchange and remittances of public monies, 1,450.47
To Joseph Deant, Merchant at St. Pierre, Martinique, Ballance of Account, 1,974.45

DR.
$595,496.84

By anticipation of the Taxes by the late Superintendant of Finance, for so much paid on account of 158,896.11-90ths dollars anticipated by him on the Receivers Taxes, 59,729.19
By so much paid Mr. Jno. Wheelock, President of Dartmouth College, this sum having been received by the Commissioners of Loans in Holland and Credit ed by them in account, 100.

17—36
By so much paid for freight of Merchandise in the Hannibal from France, the account whereof had not been presented until after the resignation of the late Superintendent of Finance, otherwise it would have been comprised in the statement of his accounts, $ 2,740.66

By Sundries.

Civil list, $ 97,566.38
Marine, 2,167.79
Quarter Master General, 738.12
Cloathing, 13,511.51
Military and Ordinance Department: 3,000.00
Paymaster General, 79,345.50
Indian Affairs, 39,788.70
Payment of Foreign Interest, 114,674.06
Subsistence for the Army, 32,203.44
Payment of old accounts, 60,749.15
Pensions, annuities and Grants, 16,089.37
Contingencies, 1,623.53 $461,455.35

1785. $524,025.30

Nov. 1st. Ballance in the Treasury this day, 71,471.54

$595,496.84

Register's Office, New York, Nov. 1st, 1785.

JOSEPH Nourse, Register.
GOV. CASWELL TO HON. FRANCIS CHILD.

[From Executive Letter Book.]

KINSTON, N. C., Oct. 30th, 1785.

Sir:
The foregoing side contains a copy of a Letter which I received this evening, the Contents of which you as Comptroller of the public accounts of this State, will be pleased to attend to.

I am Sir, your mo. ob. Servt.,
R. CASWELL.

HON. CHAS. THOMSON TO GOV. CASWELL.

[From Executive Letter Book.]

OFFICE OF SECRETARY OF CONGRESS,
Nov. 7th, 1785.

Sir:
I have the honor to transmit to your Excellency herewith enclosed, two Copies of the continuation of the Journal of Congress, from the 29th September, to the close of the Session. One copy for the Legislative, and the other for the Executive Branch of Government. In conformity to the acts of 17th August I enclose also a state of the representation from the beginning of October to the 1st Monday in November, and have to request the favor of your Excellency to lay it before your Legislature. With the greatest respect I have the honor to be

Your Excellency's mo. ob. humbl. Servt.,
CHAS. THOMSON.
GOV. CASWELL TO CAPT. JOSEPH GREEN.

[From Executive Letter Book.]

KINSTON, N. C., 7th Nov., 1785.

To Joseph Green, Esq.,

Sir:

James Hindman, Esq., Commissioner appointed by the Board of Treasury to settle the Accounts between the United States and North Carolina, is arrived at Newbern where he requests all public officers who are accountants, to meet him as speedily as possible.

I apprehend it will be your Duty as Assistant Commissary of purchases to settle your accounts with him for such Monies as you have received from the United States, and therefore give you this notice. I am Sir,

Your most obedient Servant,

R. CASWELL.

GOV. CASWELL TO JAMES HINDMAN.

[From Executive Letter Book.]

KINSTON, N. C., 7th Nov., 1785.

Sir:

I had the honor to receive your Letter of the 20th ulto, ten days after its date the day following. I communicated the Contents to Francis Child, Esquire, Comptroller of the public Accounts, as the only public officer that I knew of in this State with whom you had business as Commissioner, since which I have recollected an Assistant purchasing Commissary whose duty I believe will be to settle the accounts with you, to him (Mr. Joseph Green) I have this day written on the subject, and 'tis probable when I shall have the pleasure of seeing you at New Bern where I expect to be in five or six days, we may find out some other accountants. I have the honor to be Sir,

Your most obedient and very humble Servt.,

R. CASWELL.
HON. CHAS. THOMSON TO GOV. CASWELL.

[From Executive Letter Book.]

OFFICE OF SECRETARY OF CONGRESS,
Nov. 9th, 1785.

SIR:

Although I have regularly forwarded two copies of the Journal as printed, one for the Legislative and another for the Executive branch of Government. Yet lest some of the sheets may have been mislaid and thereby the volumes rendered incomplete, I now forward to your Excellency two copies of the Journal of last year, bound, one of which you will be pleased to transmit to the Legislature, reserving the other for the use of the Executive.

On the 28th of July last, I had the honor of transmitting a copy of the enclosed resolution of the 27th by which I am directed to apply to the Executives of the several States for thirteen copies of the Legislative acts thereof since the 1st September, 1774, and to adopt a similar mode for procuring the Acts which may thereafter be passed as aforesaid. The purposes for which these copies are desired and the end to be answered, are fully explained in the resolution.

In consequence of this resolution, I have received thirteen copies of sundry acts from the States of Massachusetts and South Carolina, one of which I delivered to the Delegates of your State for the use of the Legislature thereof, and am informed by his Excellency the Governor of Connecticut that previous to the passing of this Act, that State had sent a copy of its Acts to the Legislatures of the several States. I beg leave to call your attention to this matter. With great respect I have the honor to be

Your Excellency’s most Humble Servt.,

CHAS. THOMSON.
GOV. CASWELL TO JAN BOONER GRAVES, ESQR., CONSUL, &c., CHARLESTON.

[From Executive Letter Book.]

KINSTON, N. C., Nov. 10th, 1785.

Sir:

I had the honor to receive your Letter of the 14th of September. The omission of the Title of Esquire in the Exequatur formerly sent was owing to my pursuing Litterally the Recognition of Congress.

However that error is Corrected in the one now forwarded, which I hope you will receive herewith and find the same agreeable. I have the honor to be with great respect Sir,

Your most obedient and very humble Servt.,

R. CASWELL.

HON. WM. BLOUNT TO GOV. CASWELL.

[From Executive Letter Book.]

AUGUSTA, Nov. 11th, 1785.

Sir:

On the Ninth Instant the Continental Commissioners left Golphenton without holding a treaty with the Creek Indians after having waited there seventeen days for the King's Headmen and Warriors of that Nation to make their appearance during which time only the Kings, &c., of two Towns appeared, each attended with about twenty Indians of their respective Towns. Although no Treaty was entered into, the Commissioners of Congress soon after their arrival at Golphenton shewed to the Agents on the part of the States of North Carolina and Georgia the Draft of the Treaty they meant to propose to the Indians against which the Agents on the part of the State of Georgia, entered a formal protest because in their opinion the proposed treaty tended to deprive their State of a part of her soil and sovereignty. To this protest the Commis-
sions of Congress gave a written answer from which the following is an extract: "We find moreover that the several Indian Nations have uniformly both before and since the Revolution been treated with as free and Independent People and the sole Proprietors of the soil until any part of it is fairly and willingly purchased from or relinquished by them. That the protection and guardianship of those their rights which were universally allowed to have been in the King of Great Britain is now devolved upon and vested in the Congress of the United States which they have exercised before as well as since our Independence and very early divided the Execution of this trust into three Districts, the Northern, Middle and Southern."

Various are the reasons offered by different people why the Indians have failed to appear and treat. By some it is supposed that the Spaniards have been a means of preventing them. By others that a rich Company of British Indian Traders who are permitted by the Spaniards to reside in East Florida have detained them lest a Treaty should be formed regulating the Indian Trade to their disadvantage and there are others who suspect the Indian Traders in Georgia have been instrumental in preventing a treaty and for the same reasons are supposed to have influenced the British Traders. But certain it is that the Citizens of the State of Georgia are generally well pleased, that no Treaty has been held by the Continental Commissions.

In the morning I set out for Seneca to attend the Treaty there to be held with the Choctaws, Chickasaws and Cherokees which are expected to commence on the 15th Instant, also to hold the separate treaty with the Cherokees on the part of the State of No. Carolina, and as soon as they are over I shall lose no time in getting to New Bern to report thereon to the General Assembly.

I have the honor to be

Your Excellency's most obedient Servant,

WM. BLOUNT.
COL. VANDERHORST TO HON. WM. BLOUNT.

[From Executive Letter Book.]

CHARLESTON, Nov. 12th, 1785.

DEAR SIR:

I wrote you on the 5th Instant, fully respecting the disappointment of the Wagons which I expected from Colo. Thomson since which I have not been able to procure Wagons for the carrying of the Goods before this day and at the extravagant price of two dollars per hundred to deliver them at Gen. Pickens Store. I am induced to offer this to procure them, as I know the disappointment will be great to you, but should have now given over the sending them until I heard from you, but having consulted Colo. Jervais who is much better acquainted with their matters than myself he advised the sending them to Gen. Pickens' from whence he thinks you may easily get them, and that the treaty will not be over before the last of this month. I hope I have done right, and that it will meet your approbation, as I have done for the best. I wish the goods safe to hand and in due time. I am sorry to inform you that an accident happened to one of the Hogsheads of rum in rolling it into the Wagon, the head burst and the whole of the rum was lost.

Yours, &c.,

COL. VANDERHORST.

SECR'Y CHAS. THOMSON TO GOV. CASWELL.

[From Executive Letter Book.]

OFFICE OF THE SECRETARY OF CONGRESS,

Nov. 14th, 1785.

SIR:

It appearing necessary that a period should be fixed for the final adjustment of all claims against the United States for services performed by the Army, and that from the nature of such claims they
cannot be so properly investigated by any other officer as by the present Commissioner who has nearly closed the lineal settlement. The United States in Congress assembled on the 2d instant, have been pleased to pass the enclosed Resolution limiting the time for exhibiting such claims to the first of August next, and have directed the Commissioner of Army accounts to give public notice thereof in all the States for the space of six months. With great respect I have the honor to be

Your Excellency's most obedient and most h'ble Servt.,

CHAS. THOMSON.

RESOLVE OF CONGRESS RESPECTING SETTLEMENT OF CLAIMS AGAINST THE UNITED STATES.

[From Executive Letter Book.]

BY THE UNITED STATES IN CONGRESS ASSEMBLED,

Nov. 2d. 1788.

On a report of the Board of Treasury, to whom was referred a Letter of the 24th October from J. Pierce, Commissioner of Army accounts.

Resolved, that all persons having claims for services performed in the Military department, be directed to exhibit the same for Liquidation, to the Commissioner of Army accounts, on or before the 1st day of August ensuing the date hereof, and that all claims under the description above mentioned, which may be exhibited after that period, shall for ever thereafter be precluded from adjustment or allowance; and that the Commissioner of Army accounts give public notice of this Resolve in all the States, for the space of six months.

CHAS. THOMSON, Sec'y.
JOHN PIERCE TO GOV. CASWELL.

[From Executive Letter Book.]

New York, Nov. 15th, 1785.

SIR:

I do myself the honor to enclose you a Resolution of Congress, directing me, to deliver to the order of the Supreme Executive of each State such Certificates as shall remain unissued, belonging to the Corps not appertaining to any line, and as several of the Agents of these Corps have made a settlement with me, and deposited Certificates belonging to the Inhabitants of the State of North Carolina, I am to request that some person may be empowered to receive the same from my hands. I am with great respect,

Your Excellency's most obedient Servt.,

JOHN PIERCE, P. M. O.

RESOLVE OF CONGRESS RESPECTING ARMY ACCOUNTS.

[From Executive Letter Book.]

Congress Assembled—Present as Yesterday,

Tuesday, Oct. 11th, 1785.

On a report from the Board of Treasury, to whom was referred a Petition of Lewis Nichola and Richard Loyd Agents to the invalid Corps and Hazen's Regiment in behalf of themselves and the Agents of Armand's Corps, the Regiments of Artificers and the Corps of Sappers and Miners.

Resolved, That when the Agents appointed to issue Certificates for the balances due to the Corps of the late Continental Army (not appertaining to any State) shall have finally adjusted the accounts of their respective Corps, with the Commissioner of Army accounts, the Board of Treasury be, and it is hereby authorized, to ascertain and report to Congress, such compensation as from the Report of the said Commissioner, they shall judge proportionate to the service of the respective Agents.
Resolved, That the Certificates which remain undelivered by the respective Agents, above mentioned, to the Individuals, to whom they belong be returned to the Commissioner of Army accounts, with whom the said Agents are to settle the accounts of their Agency relative to the deliveries made to the Individuals aforesaid; and the Commissioners of Army accounts shall transmit such remaining Certificates to the Supreme Executive authority of the States in which the parties having a right to claim the same were enlisted, in the same manner as is provided for by the Resolves of Congress of the 3d of November, 1783 and 24th May, 1785, in the case of Regiments appertaining to the several States.

PRESIDENT JOHN LANGDON OF N. H. TO GOV. CASWELL.

[From Executive Letter Book.]

PORTSMOUTH, NEW HAMPSHIRE,
November 16th, 1785.

SIR:

In have the honor to inclose your Excellency a vote passed by the Legislature of this State, at their late Session, in which I am desired to write to the several Executives in the Union, and request to know whether their Assemblies have, or are like to join with this State, and Massachusetts in their Commercial opposition to Great Britain, whether they have empowered Congress to regulate Commerce, or have passed or probably will pass, Acts similar to those enacted by this, and the Massachusetts State, in June last respecting Navigation and Commerce.

I also enclose your Excellency a Copy of our Navigation Act, mentioned in the enclosed Vote, which is similar to one passed by Massachusetts, and agreeably to the desire of our General Court, request that you would be pleased to send an answer to the several questions contained in said vote, so far as it relates to your State, and any other information, relative to Commerce, that you may think useful to this or the United States.

This State also passed an Act in June last, empowering Congress to regulate their Commerce, for fifteen years. It appears to me of
the highest importance to the union of these States, that their Commerce should be regulated by Congress; was that body vested with full powers for this important business, I have no doubt but that many of the difficulties and embarrassments which we now labour under would soon be removed.

I have the Honor to be very respectfully,

Your Excellency's most obt. Servt.,

JOHN LANGDON.

PRESIDENT JOHN LANGDON OF N. H. TO GOV. CASWELL.

[From Executive Letter Book.]

STATE OF NEW HAMPSHIRE,

IN THE HOUSE OF REPRESENTATIVES, November 9th, 1785.

Agreeably to a report of the Committee of the whole voted: That his Excellency the President be desired to write to the several executives in the union and request to know whether their Assemblies have, or are like to join with this State, and Massachusetts in their Commercial opposition to Great Britain? Whether they have impowered Congress to regulate Commerce, or have passed, or probably will pass Acts similar to those enacted by this and the Massachusetts State, in June last, respecting the Navigation and Commerce.

And lay such information before the General Court at their next Session.

Sent for concurrence.

CHRISTR. TOPPAN, Speaker P. T.

In Senate the same day read and Concurred.

(Copy) J. PEARSON, D. Secy.
STATE RECORDS.

ACT OF THE LEGISLATURE OF NEW HAMPSHIRE FOR REGULATING TRADE.

[From Executive Letter Book.]

STATE OF NEW HAMPSHIRE.

In the year of our Lord one thousand seven hundred and eightyfive. An Act for the regulation of Navigation and Commerce.

Whereas, it is become expedient and necessary for this State to make some Commercial regulations for the encouragement of their own Trade.

Be it therefore enacted by the Senate and House of Representatives in General Court convened that from and after the first day of August next and during the Continuance of this Act there shall not be exported from any Port, Harbour, Creek, Bay or inlet, River or shore or any other place within this State, any Goods, wares or Merchandise, the growth, manufacture or produce of this or any of the United States in any Vessel or Craft of any kind belonging, either in whole or in part, to or being the property of any of the subjects of the King of Great Britain.

And be it further enacted that from and after the first said day of August next that if any Ship, Vessel or Craft of any kind as aforesaid be found in any Port, Harbour, Creek or any other place within this State taking on Board, or having taken on Board, while in this State any of the Articles aforesaid contrary to the true intent and meaning of this Act, every such Ship, Vessel or Craft together with their lading be forfeited and shall and may be seized by any Naval Officer or by any other Citizen or Citizens of the United States and the same may be sued for and recovered in any Court of Record within this State proper to Try the same and after deducting the Charges of prosecuting the same from the gross produce thereof the remainder shall be given, one moiety to the person or persons who have made the seizure and prosecuted the same and the other moiety to be paid into the Treasury of this State for the use of the same.

And be it further enacted that from and after the first day of August next when there shall not be taken out or landed from on board any Ship, Vessel or Craft not wholly belonging to or the
property of the Citizens of the United States any goods, Wares or Merchandise in any Port, Harbour or Creek, or any other place within this State except the port or Harbour of Piscataqua and if any Ship, Vessel or Craft not wholly owned as aforesaid, shall be found in any Port, Harbour or Creek or any other place within this State except the port of Piscataqua aforesaid, discharging her lading or any part thereof or having discharged her lading or any part thereof otherwise than above mentioned the said Ship, Vessel or Craft, together with her lading, shall be seized and forfeited to be recovered and appropriated as aforesaid.

And be it further enacted that from and after the said first day of August next there shall be paid by the Master, Owner or Con-signee, of every Ship, Vessel or Craft, owned either in part or in whole by any Foreigner, at the time of entering said Ship, Vessel or Craft into the hands of the Naval Officer, for the port of Piscataqua aforesaid for the use and Benefit of this State a duty of Five Shillings per Ton for each and every Ton said Vessel may measure by Carpenters' measurement, and a further duty of two Shillings and eight pence per Ton as light money in addition to what by Law they are now subject to pay for the use and service of the light House and shall likewise pay unto the Naval officer double the duty on goods imported in said Vessel as is or may be paid at that time upon the like goods imported in a Vessel wholly belonging to the Citizens of the United States and a further duty of six pence on every Bushel of Salt imported in any Ship, Vessel or Craft, owned, either in whole or in part, by any of the subjects of the King of Great Britain and previous to their breaking bulk they shall give Bond to the said Naval Officer for the payment of the same.

And whereas some persons for the sake of enjoying more extensive privileges in Commerce have had double sets of papers for their Vessel in order that they might appear the property of one Nation or another as might best answer their purposes; for the prevention of such impositions.

Be it further enacted that from and after the first day of August next, any Vessel which may appear to have two sets of papers by the one of which she may appear to be the property of the Citizens of the United States, and by the other the property of Foreigners or if it shall be made to appear that any Vessell that is cleared at the
Naval Office in this State as the property of the Citizens of these States shall afterwards enter and discharge her Cargo taken in and Cleared as aforesaid in any Foreign Port as the property of a Foreigner, said Vessel upon her return into this State shall be forfeited and may be seized by the Naval Officer of this State or by any Person or Persons who may prosecute for the same to be recovered and the money arising from such forfeiture to be applied as aforesaid, and the master of such Vessel so offending shall forfeit and pay for the use of this State the sum of one hundred pounds to be recovered as aforesaid.

And be it further enacted that the Naval Officer in this State, previous to his admitting any Vessel to an entry, shall administer the following oath or affirmation to the Master or one of the principal owners (provided said Vessel shall appear to be the property of the Citizens of these States, and certify it on the back of the Register if not done before in the following words) "Port of Piscataqua, then personally appeared before me one of the principal Owners (or the Commander as the case may be) of the and made Solemn Oath (or affirmation) that the said is the sole property of the Citizens of the United States and that no foreigner directly or indirectly hath any part or share therein."

And be it further enacted that if the Naval Officer shall presume to enter or Clear any Vessel contrary to the true intent and meaning of this Act, or if the said Naval Officer shall neglect any of the duties required of him by this Act, he shall forfeit and pay the Sum of three hundred pounds, one moiety thereof for the use of the State and the other moiety thereof for the use of the person who may prosecute for the same, to be sued for, and recovered in any Court of Record in this State proper to try the same and furthermore shall be rendered incapable of Holding said Office. Provided nevertheless that nothing in this Act shall be construed to prevent any Shipp or Vessel built in this State and owned, in whole or in part, by any of the subjects of the King of Great Britain from taking a Cargo upon her first departure from this State upon the same Terms and no further restrictions than if said Vessel was owned by Citizens of these States.

And be it further enacted that this Act shall continue in force until the United States in Congress assembled shall be vested with
Competent power for the purpose, and shall have passed an Ordinance for the Regulation of the Commerce of these States, and until the period shall arrive where such Ordinance is to take effect and no longer.

Provided the aforesaid Clause of this Act Respecting double papers shall not extend to any Vessel belonging to any Citizen of the United States now absent from this State until their Return from their present Voyage and making applications to be cleared out for another Voyage.

STATE OF NEW HAMPSHIRE,
IN THE HOUSE OF REPRESENTATIVES, June 23d, 1785.

The foregoing bill having been read a Third Time. Voted. That it pass to be enacted. Sent up for concurrence.

CHRISTR. TOPPAN, Spr. P. T.

In Senate June 23d, 1785, this bill was read a third time. Voted. That the same be enacted.

JOHN LANGDON, Pres.

HON. CHAS. THOMSON, Sec'y. Of Congress, to Gov. Caswell.

[From Executive Letter Book.]

OFFICE OF SECRETARY OF CONGRESS,
Nov. 18th, 1785.

(Circular)

Sir:

I am sorry to inform your Excellency that notwithstanding, it seems to be the intention of the Confederation that all the States should punctually assemble in Congress on the first Monday in November. There are yet but five States represented, namely, Massachusetts, New York, New Jersey, Maryland and South Carolina, and one Member attending from Georgia.

The late Packets from Europe have, I understand, brought dispatches which demand the immediate and attentive consideration of Congress. I beg leave to transmit to your Excellency herewith
enclosed a Copy of a Letter which I have just received from the Secretary for Foreign Affairs, and hope you will be pleased to urge the Delegates for your State to come forward as speedily as possible. With the greatest respect, I have the honor to be
Your Excellency's most obedient and most humble Servt,
CHAS. THOMSON.

HON. JOHN JAY TO CHAS. THOMASON, SEC'Y OF CONGRESS.

[From Executive Letter Book.]

Office for Foreign Affairs,
18th Nov. 1785.

DEAR SIR:
The season when the Legislatures usually meet to do business, is at hand. It is highly probable that Congress will find it expedient to call their attention to certain objects of General concern, and particularly to some which the present State of our Foreign affairs present. The late advices I have received from Europe demand the attentive consideration of Congress, and in my opinion will give occasion to recommendations to the States and other measures which should not be delayed. Considering the time unavoidably consumed by deliberative Bodies in maturing their Acts, it is to be regretted that a sufficient number of States to proceed to every kind of business within the powers of Congress are not now represented. Communications to the States for the purpose of accelerating their representation in Congress fall more properly in your department than mine, I therefore think it my duty to give you these hints that your letters to the States on that subject may impress them more strongly with the necessity of their providing for their being speedily, fully and constantly represented in Congress.

I am, &c.,

JOHN JAY.
MAJ. WM. BLOUNT TO BENJAMIN HAWKINS, ANDREW PICKENS, JOSEPH MARTIN AND LACKLAN McINTOSH, COMMISSIONERS, APPOINTED TO TREAT WITH THE CHEROKEES AND ALL INDIANS SOUTHWARD OF THEM WITHIN THE LIMITS OF THE UNITED STATES.

[From Executive Letter Book.]

HOPESWELL ON KEPLOWE, NOV. 22d, 1785.

GENTLEMEN:

Having yesterday had the Honor to lay before you my Commission appointing me Agent on the part of the State of North Carolina. I now consider it my duty to lay before you the following Extract from the Constitution of that State which was agreed to in full Convention at Halifax on the eighteenth day of December Anno Domini, 1776. "The property of the soil in a free government being one of the essential rights of the collective body of the people, it is necessary, in order to avoid future disputes, that the limits of the State should be ascertained with precision; and as the former temporary line between North and South Carolina was confirmed and extended by Commissioners appointed by the Legislatures of the two States agreeable to the Order of the late King George the second in Council, that line, and that only, should be esteemed the Southern Boundary of this State, as follows: That is to say, beginning on the Seaside at a Cedar Stake at or near the Mouth of Little river, being the Southern extremity of Brunswick County, and running from thence, a Northwest course through the Boundary House, which stands in thirty-three degrees fifty-six minutes to the thirty-fifth degree of North latitude; and from thence a west course so far as is mentioned in the Charter of King Charles the Second, to the late proprietors of Carolina. Therefore all the territory, Seas, Waters and Harbours with their appurtenances lying between the line above described and the Southern line of the State of Virginia, which begins in the Sea Shore in thirty-six degrees, thirty minutes North latitude, and from thence runs West, agreeable to the said Charter of King Charles, are the right and property of the people of this State, to be held in sovereignty," and to remind you that the year after the formation and publication of the
aforesaid Constitution the State of North Carolina entered into and signed the Articles of Confederation by which she has not given up to the United States any part of the soil described in the aforesaid Constitution nor the sovereignty thereof.

I have the Honor to be Your most Obedient Humble Servant,

WM. BLOUNT,
Agent for the State of N. Carolina.

WM. BLOUNT TO THE COMMISSIONERS APPOINTED TO TREAT WITH THE SOUTHERN INDIANS AND CHEROKEES

[From Executive Letter Book.]

HOPEWELL ON KEEOWEE, Nov. 28th, 1785.

GENTLEMEN:

The State of North Carolina have at this time a Law in force and use, allotting the lands contained within the following Bounds to the Cherokee Indians. "Beginning on the Tennessee river where the Southern Boundary of the State (of North Carolina) intersects the same nearest the Chickamoga Towns, thence up the middle of the Tennessee and Holstein Rivers to the Middle of French Broad river, thence up the Middle of the said French Broad river thence up the Middle of the Head thereof, then along the dividing ridge between the waters of Pigeon River and Tuckasogee River to the said Southern Boundary, thence West with the said Boundary to the beginning."

Should you by treaty fix any other Boundaries within the limits of the said State of North Carolina between the said Cherokee Indians and the Citizens, that State will consider such treaty as a violation and infringement of her Legistalial and Constitutional rights. The lands contained within the limits of Davidson County, which "begins on Cumberland river where the Northern Boundary of the State of North Carolina first intersects the same, then South fifty-five Geographical Miles, then West to the Tennessee river, then
down the said river, until the said river intersects the said Northern Boundary, then East with the said Boundary to the beginning" have been appropriated by the State of North Carolina to the payment of the Bounties of land promised the Officers and Soldiers of the Continental line of that State. It is said the Militia of that County are in Number Seven Hundred, and the State of North Carolina have sold and granted to sundry Citizens for a valuable Consideration several Millions of acres of land situated lying and being between the Mississippi and the line fixed by Colo. Christie and others in the year 1777, and without the limits of Davidson County and on which lands several thousands of people are settled.

I am your Most Obedient Humble Servant,

WM. BLOUNT,
Agent for the State of North Carolina.

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PROTEST BY MAJ. WM. BLOUNT, AGENT OF N. C.

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[From Executive Letter Book.]

The underwritten agent on the part of the State of North Carolina protests against the treaty at this Instant about to be signed and entered into between Benjamin Hawkins, Andrew Pickens, Joseph Martin and Lacklan -clintosh Commissioners on the part of the United States of America, and the Cherokee Indians on the other part as containing several stipulations that infringe and violate the Legislative rights of that State.

Done at Hopewell on Keeowee November 28th, 1785.

WM. BLOUNT.
STATE RECORDS.

SECRETARY CHARLES THOMSON TO GOV. CASWELL.

[From Executive Letter Book.]

OFFICE OF THE SECRETARY OF CONGRESS,
November 23d, 1785.

SIR:

I have the honor to inform your Excellency that seven States this day assembled in Congress and have unanimously elected His Excellency John Hancock, President.

With the greatest respect I have the honor to be

Your Excellency's most obedient and most humble Servt.,

CHAS. THOMSON.

MAJOR JOHN BOWIL TO HON. WM. BLOUNT.

[From Executive Letter Book.]

LONG CREEK, Nov. 26th, 1785.

DEAR SIR:

I am just returned from Ninety-six where I went to enquire after your Waggons, I saw the Gentlemen who are just up from Orangeburg on the Circuit, some of them on the Congaree and Others by the ridge, but none of them saw any such Waggons. The Bearer of this, James Bradley, I expect will be with you on Monday by 12 o'clock, I have promised him you would pay him four dollars for his trouble.

JOHN BOWIL.
STATE RECORDS.

ACCOUNT OF SALES MADE BY WM. BLOUNT TO WARD & OGG.

[From Executive Letter Book.]

An account of sales made by William Blount at Hopewell on Keeowee for and on account and risque of the State of North Carolina of sundry goods which cost the State two thousand five hundred pounds, North Carolina Currency, at Washington, and which were shipped by Order of Government in September last to Charleston, to the address of Col. Arnoldus Vanderhorst, and by him forwarded in Waggons to Hopewell (near Fort Rutledge) and which were intended to have been bestowed to the Cherokees in presents for Lands to be Ceded, viz.:

Sold to Bryan Ward, one third payable on the 1st day of April, next and 1/3 on the 1st of April, 1787, Deerskins, Furs and Tobacco,

1333,5.10

To George Ogg for Clay, Telfair & Co., at their Franklin Store kept by George Ogg,

39,15.9

To William Blount,

146,9.9

Sterling,

1518,9.4

WM. BLOUNT.

January, 1786.

Note.—Damage was sustained on Sunday of the goods in the land Transportation.

No. 198. ARTICLES OF TREATY BETWEEN THE COMRS. U. S. AND THE CHEROKEES.

[From Executive Letter Book.]

ARTICLES OF TREATY.

Concluded at Hopewell, on the Keeowee, between Benjamin Hawkins, Andrew Pickens, Joseph Martin and Lucklan McIntosh, Commissioners Plenipotentiary of the United States of America, of the
one part, and the Head Men and Warriors of all the Cherokees, of
the other.

The Commissioners Plenipotentiary of the United States in Con-
gress Assembled, give peace to all the Cherokees, and receive them
into the favor and protection of the United States of America on the
following conditions:

Article 1. The Head Men and Warriors of all the Cherokees,
shall restore all the prisoners, citizens of the United States
or subjects of their allies to their entire liberty: they shall also
restore all the Negroes and all other property taken during the late
war from the Citizens, to such person, and at such time and place,
as the Commissioners shall appoint.

Article 2. The Commissioners of the United States in Congress
Assembled, shall restore all the Prisoners taken from the Indians,
during the late war, to the Head Men and Warriors of the Chero-
kees, as early as is practicable.

Article 3. The said Indians for themselves, and their respective
Tribes and towns do acknowledge all the Cherokees to be under the
Protection of the United States of America, and of no other Sovereign
whosoever.

Article 4. The boundary allotted to the Cherokees for their hunt-
ing Grounds, between the said Indians, and the Citizens of the
United States, within the limits of the United States of America, is
and shall be the following, Viz: Beginning at the mouth of Duck
River on the Tennessee, thence running North East, to the ridge
dividing the waters running into Cumberland from those running
into Tennessee. Thence eastwardly along the said ridge to a North
East line to be run, which shall strike the Cumberland forty miles
above Nashville; thence along the said line to the river, thence up
the said river to the ford where the Kentucky road crosses the river,
thence to Campbell's line, near Cumberland’s Gap, thence to the
Mouth of Claud's Creek on Holstein; then to the Chimney top Moun-
tains; then to Camp Creek near the Mouth of Big Limestone, on
Nolichucky then a Southerly course six miles to a mountain then
South to the North Carolina line; thence to South Carolina Indian
boundary, and along the same South West over the top of the
Oconee mountain till it shall strike Tugalo River; then a direct line
to the Top of the Currohee mountain, then to the head of the South
fork of Oconee river.
Article 5. If any Citizen of the United States or other person not being an Indian shall attempt to settle on any of the lands Westward or Southward of the said Boundary which are hereby allotted to the Indians for their hunting grounds or having already settled will not remove from the same within six months after the ratification of this Treaty, such person shall forfeit the protection of the United States, and the Indians may punish him or not as they please, provided, nevertheless, that this Article shall not extend to the people settled between the fork of French Broad, and Holstein river; whose particular situation shall be transmitted to the United States in Congress Assembled for their decision thereon, which the Indians agree to abide by.

Article 6. If any Indian or Indians or persons residing among them, who shall take refuge in their Nation, shall commit a robbery, murder or other capital crimes on any of the citizens of the United States, or person under their protection, the Nation or Tribe to which such offender or offenders may belong, shall be bound to deliver him or them up to be punished according to the Ordinances of the United States; provided the punishment shall not be greater than if the robbery or murder, or other Capital crime, had been committed by a citizen on a citizen.

Article 7. If any Citizen of the United States, or person under their protection, shall commit a robbery or murder, or other capital crime, on any Indian, such offender or offenders shall be punished in the same manner as if the murder or robbery or other capital Crime, had been committed on a citizen of the United States and the punishment shall be in the presence of some of the Cherokees, if any shall attend at the time and place, and that they may have an opportunity so to do, due notice of the time of such intended punishment shall be sent to some one of the tribes.

Article 8. It is understood that the punishment of the Innocent under the idea of retaliation, is unjust, and shall not be practiced on either side, except where there is a manifest violation of this treaty; and then it shall be preceded, by a demand of justice, and if refused, then by a declaration of Hostilities.

Article 9. For the benefit and comfort of the Indians, and for the prevention of Injuries or oppressions on the part of the citizens or Indians: The United States in Congress assembled shall have the sole and exclusive right of regulating the trade with the Indians,
and managing all their affairs in such manner as they shall think proper.

Article 10. Until the pleasure of Congress be known, respecting the ninth Article, all Traders citizens of the United States, shall have liberty to go to any of the tribes or towns of the Cherokees to trade with them and they shall be protected in their persons and property, and kindly treated.

Article 11. The said Indians shall give Notice to the citizens of the United States, of any design they may know or suspect to be formed in any Neighboring tribe, or by any person whosoever, against the peace, trade and Interest of the United States.

Article 12. That the Indians may have full confidence in the justice of the United States respecting their Interests, they shall have a right to send a deputy of their choice, whenever they think fit, to Congress.

Article 13. The hatchet shall be forever buried, and the peace given by the United States, and friendship re-established between the said States on the one part, and all the Cherokees on the other, shall be universal; and the contracting parties shall use their utmost endeavors to maintain the peace given as aforesaid, and friendship re-established.

In Witness of all, and every thing herein determined, between the United States of America and all the Cherokees, we their under-written Commissioner, by virtue of our full power, have signed this definitive treaty, and have caused our Seals hereunto affixed. Done at Hopewell, on the Keeowee, this twenty-eighth of November, in the year of our Lord, One Thousand Seven hundred and eighty-five.

(Signed):
BENJAMIN HAWKINS (L. S.)
AND'W PICKENS (L. S.)
JOS. MARTIN, (L. S.)
LACH. McLINTOSH, (L. S.)
KOATOHEE, or corn Tassell of Toquo, his (X) mark.
SCHOLAUETTA, or hanging man of Chota, his (X) mark.
TUSKEGATAHER, or long fellow of Christohoe, his (X) mark.
AOSKWA, or Abraham of Chilkowa, his (X) mark.
KOLAKUSBKA, or Prince of North, his (X) mark.
NEWOTA, or the Gritz of Chicamaga, his (X) mark.
KONATOTA, or the rising fawn of Highwassay, his (X) mark.
TUCKASEE, or young Tarrapin, his (X) mark.
TOOSTAKA, or the Waker of Ostanawa, his (X) mark.
UNTOOLA, or gun rod of Sitigo, his (X) mark.
UNSOOKANIAL, or Buffaloe white calf new Cussee, his (X) mark.
KOSTAYEAT, or Sharp Fellow Wataga, his (X) mark.
CHONOSTA, of Cowee, his (X) mark.
CHESCOONWHA, bird in close of Timothy, his (X) mark.
TUSKASEE, or Tarrapin of hightowa his (X) mark.
CHISETOA, or the rabbit of Flaca, his (X) mark.
CHISECOTENOM, or yellow bird of pine tog, his (X) mark.
SKETALOSKA, second man of Tellico, his (X) mark.
CHOKASATAHE, a Chickasaw killer Tosonta, his (X) mark.
ANANOOOTA, of Kovsotee, his (X) mark.
UMATOOCITHA, the water hunter Chickamawgee, his (X) mark.
WYNKA, of Lookout Mountain, his (X) mark.
TULCO, or Tom of Chatuga, his (X) mark.
WILL, of Akoha, his (X) mark.
NECATEE, of Sawta, his (X) mark.
AMOKONTAKONA, Untelou, his (X) mark.
ROWETATAHEE, in frog town, his (X) mark.
KEUKUCH, of Talkou, his (X) mark.
TULATISCA, of Chaway, his (X) mark.
WOVALUKA, the waylayer Chota, his (X) mark.
TATHUSTA, or porpes of Tilassi, his (X) mark.
JOHN, of little Tellico, his (X) mark.
SKEILELAK, his (X) mark.
AKONOLITHA, the Cabbin, his (X) mark.
CHEANOKA, of Kawetakak, his (X) mark.
YELLOW BIRD, his (X) mark.
Witnesses:
Wm. Blount.
Sam Taylor, Major.
John Owen.
Jesse Walton.
John Cowan, Capt. Commandant.
Thos. Gegg.
W. Harlard.
James Madison, }
Author Coody, } Sworn Interpreters.
WALTER LIVINGSTON AND SAMUEL OSGOOD TO GOV. CASWELL.

[From Executive Letter Book.]

BOARD OF TREASURY, Nov. 30th, 1785.

SIR:

We do ourselves the Honor of transmitting to your Excellency for the information of the Legislature of the State in which you preside a statement of the accounts of the several States so far as they relate to the several requisitions for Money and Specific supplies.

It will, we doubt not, give your Excellency pain to observe the Amount of arrears of the State of North Carolina, and induce you to use your influence with the Government of the State, to adopt some effectual plan for discharging the State's Quota of the several Requisitions.

It is our duty to observe that nothing has in our opinion tended more to defeat the Collection of Taxes in those States which have hitherto Exerted themselves to comply with the General Requisitions than a total stagnation in the Collection of Continental Taxes in some States of the Union.

We venture to express our confidence that the Legislature of the State of North Carolina will take such measures at their present Session as will evince their Zeal for the Union which can only be supported by the honest and vigorous exertions of the States to pay without delay their respective Quotas into the Common Treasury.

We are Sir,

Your Excellency's obedient, humble Servants,

SAMUEL OSGOOD,
WALTER LIVINGSTON.
observe as great a degree of liberality as may consist with a due regard to their National Honor and welfare, therefore

Resolved, That the said John Temple, Esquire, be and he is hereby received and recognized as Consul General of his Britannic Majesty throughout the United States, and that his Commission be registered in the Secretary’s office.

Resolved, That all the privileges, pre-eminences and authority which the Laws of Nations and of the land give to a Consul General received by the United States from any Nation with whom they have Commercial Treaty or Convention are due to the said John Temple, and shall be enjoyed by him.

Ordered, that Certified Copies of the above resolution be transmitted to the Executives of the different States for their information.

CHAS. THOMSON, Sec'y.

SECR'Y CHAS. THOMSON TO GOV. CASWELL.

[From Executive Letter Book.]

Office of Secretary of Congress,
Dec. 3d, 1785.

(Circular.)

SIR:

In conformity to the Act of the 17th of August last, I have the honor to transmit to your Excellency herewith enclosed, a list of the States represented, and of the members who appeared in Congress from the meeting thereof on the first Monday in November, to the end of the month. The Journals for that time do not fill half a sheet, which is the reason why they are not printed and transmitted herewith.

With great respect, I have the honor to be

Your Excellency’s most obedient and most humble Servt.,

CHAS. THOMSON.
A STATE OF THE REPRESENTATION IN CONGRESS FOR THE MONTH OF NOVEMBER, 1785, PURSUANT TO THE ACT OF AUGUST, 1785.

[From Executive Letter Book.]

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GOV. JAMES BOWDOIN, OF MASS., TO GOV. CASWELL.

[From Executive Letter Book.]

Boston, December 7th, 1785.

SIR:

I had the honor of transmitting to your Excellency in July last a copy of an Act passed by the Legislature of this Commonwealth entitled "an Act for the regulation of Navigation and Commerce." As some of the regulations and restrictions of that Act extended to Foreigners indiscriminately, and were found in some instances to militate with the principles of a friendly reciprocation, the Legislature thought proper to repeal it in part and the repealing Acts enclosed.

The principal intention of the first mentioned Act, being to induce Great Britain to relinquish her Commercial regulations respecting the United States, the Legislature of this State, adopted that Act, in confidence that the other States of the Union would respectively enact a similar one. So far as it respected the subjects of Great Britain I have the pleasure to inform you that the States of New Hampshire and Rhode Island have passed such Acts, and should like Acts be passed by the Legislatures of the other States, it is highly probable that Great Britain would recede from her new regulations she has adopted by way of Experiment, and upon the idea that the thirteen States would not be united in measures, that would effectually counteract them. But I hope and trust she will soon find herself disappointed in that idea, for which purpose I am desired by the Legislature of this Commonwealth to request your Excellency to lay those two Acts before the General Assembly of your State, that they may take such measures on the subject of them as their regard for the general interest of the Union shall dictate.

I beg leave to refer you to my former Letter on the same subject, and have the honor to be Sir,

Your Excellency's most obedient and humble Servt.,

JAMES BOWDOIN.
AN ACT OF MASSACHUSETTS REPEALING PART OF THE ACT FOR
REGULATING NAVIGATION AND COMMERCE.

[From Executive Letter Book.]

COMMONWEALTH OF MASSACHUSETTS,
IN THE YEAR OF OUR LORD, 1785.

An Act repealing part of "an Act for the regulation of Naviga-
tion and Commerce."

Whereas, Some of the restrictions laid upon foreigners indis-
criminately, by the Act for regulating Navigation and Commerce,
are found in some instances to militate with the principles of re-
ciprocity which ought ever to be adopted in Commercial Regulation.

Be it enacted by the Senate and House of Representatives in
General Court Assembled and by the authority of the same, that
from and after the passing of this Act, the several Clauses contained
in the before recited Act, which imposes duty of tonnage on all for-
eign Vessels, which subject the Goods imported in foreign Vessels
to the payment of double duties, and which confine the unloading
of Goods from any foreign Vessel to the ports of Boston, Falmouth
and Dartmouth except so far as is hereafter provided be and they
are hereby repealed.

Provided, that the duty of light money required of all Foreign-
ers, shall be one Shilling and ten pence per ton in addition to light
money paid by the subjects of the United States, and no more.

Provided always, that the Act aforesaid and every Clause thereof
which respects Foreigners and their property, shall be construed to
be in full force against the subjects of the King of Great Britain
and the property of such subjects.

In the House of Representatives Nov. 29th, 1785.
This Bill having had three several readings, passed to be en-
acted.

NATHANIEL GORHAM, Speaker.

In Senate, Nov. 29th, 1785.
This Bill had two several readings passed to be enacted.

SAMUEL PHILLIPS, Junr. Presid’t.

By the Governor approved.

JAMES BOWDOIN.

(A True Copy) attest:

JOHN AVERY, Junr., Secretary.

17—38
GOV. CASWELL TO THE COMMISSIONERS OF THE BOARD OF TREASURY.

[From Executive Letter Book.]


Gentlemen:

Your letter of the 29th Oct. last, I had the honor to receive with the several papers therein enclosed. The letter from Mr. Skinner, Commissioner of the Loan Office, was immediately delivered to him as he was then attending in his place here, as a member of the General Assembly. He had accepted the appointment, and the 13th Current with sufficient securities executed the Bonds. He also subscribed and took the Oath required in my presence. The Bonds and Oath are lodged with me; you will be pleased to direct how they shall be disposed of. I have the honor to be with great respect, Gentlemen,

Your mo. ob. & very humbl. Servt.,

R. CASWELL.

GOV. CASWELL TO JOHN LAWRENCE.

[From Executive Letter Book.]


Sir:

I had the pleasure of receiving a letter from you dated the 16th August 1784, with a neat new bound book, containing Laws of the State of Connecticut, but a few days past. I believe both the letter and Book had been mislaid by one of our Delegates at New York. I am sorry it is not in my power to return the compliment to your State, but as we are about to revise our Laws, flatter myself the State will not omit it when the revision is completed and the Laws published.

I am, Sir, your mo. ob. Servt.,

R. CASWELL.
GOV. CASWELL TO HON. WM. CUMMING.

[From Executive Letter Book.]

NEW BERN, 30th December, 1785.

DEAR SIR:

As it is my intention to leave Town early Tomorrow morning, lest you should not have it in your power to obtain with convenience warrants on the Treasury so soon as it may be in your power to proceed to Congress, I take the liberty of enclosing a warrant for £256, a sum equal to that drawn by Mr. Blount, and also by Mr. Bloodworth; further, I think myself not at liberty to go at present. Your further Drafts shall in due time be forwarded to your order and any commands you think necessary to honor me with shall meet with my attention. I have the honor to be, &c.,

R. CASWELL.

GOV. CASWELL TO JOHN C. BRYAN, ESQ.

[From Executive Letter Book.]

NEW BERN, December 30th, 1785.

SIR:

The Negroes brought into this place by Captain Gardner from Nova Scotia, which you have in Custody, to-wit., Dominee, Peter, Zack, alias Dighty-Jacob, James Langly, Jim, Jack, Tom, Prince, Sam, Bett & Grace, you are required to retain in your Custody until you shall receive further orders therein, from me or the Governor, for the time being. And in the meantime you are to advertise in the public papers of Virginia, New York and this State the said Negroes, describing each of them, and mentioning the names of the persons the said Negroes say they belong to, and that such persons as claim the said Negroes, upon transmitting satisfactory proofs of
their property to the Governor, and paying you the prison fees, will have such Negroes restored to them.

I am, Sir, &c.,
RD. CASWELL.

MARQUIS deMARBOIS TO GOV. ALEX. MARTIN.

PHILADELPHIA, 15, 1785.

Sir:

I received a few days ago the Letter with which I have been honored by your Excellency the 10th November last. The contents are perfectly satisfactory, and I hope Mr. Blount will soon enable me to give a full account of the transaction you have entrusted them with to the minister of the navy; and I wish it to be done as soon as their river opens.

I apprehend there has been a small error in stating the accounts of the monies due by your State to the Colony of Martinico. It appears to be 100 dollars less than stated in the journals of the Assembly of your State. The mistake will be easily corrected, and arises from South Carolina State having a similar debt—By above $100.

I am with great respect,

DeMARBOIS.

His Excellency
Alexander Martin, Esqr.
MISCELLANEOUS LETTERS--1785.

HON. JOHN JAY TO GOV. MARTIN.

OFFICE FOR FOREIGN AFFAIRS,
NEW YORK, Jan. 29, 1785.

SIR:

I have the honor of transmitting to your Excellency official extracts from the journals of Congress of the seventh day of May and of the twenty-first day of December last. The first certifies my appointment to be "Secretary to the United States of America for the department of Foreign Affairs" and the second my having accepted that place and taken the oath of office. The latter event happened only two days before the adjournment of Congress from Trenton to meet at this place on the 11th instant.

The removal of the office from there here, and the time necessarily employed in preparing accommodations for it and putting things in order for business, delayed its being opened before yesterday, and will account for my not having sooner requested the honor of your correspondence.

Permit me to observe Sir, that it is part of my duty "to correspond with the Governor or Presidents of all or any of the United States, affording them such information from his department as "may be useful to their States or to the United States, stating com-plaints that may have been urged against the Government of any "of the said States or the subjects thereof by the subjects of foreign "powers, so that justice may be done agreeably to the Laws of such "State or the charge proved to be groundless, and the honor of the "Government vindicated.""

It will be unnecessary to remark to your Excellency the influence of our domestic affairs on our foreign, their intimate connection with each other and how necessary it is that they who are concerned in conducting the latter should be accurately informed of the state of the former.

These considerations lead me to request the favor of your Excellency to afford me from time to time such intelligence on this head as you may deem important, and particularly that you would be so obliging as to send me a copy of the Laws of your State now in force and also Copies of such as may from time to time be passed. Cases
may happen in which a reference to these Laws will be indispensable and for that and for other reasons I am anxious that the Office for foreign affairs should have a compleat collection of them. Whatever expence may be occasioned by it, shall be immediately paid out of the monies provided for the contingent expenses of the Office.

Your Excellency may rely on my punctuality in communicating to you whatever intelligence my department may afford that may be useful for you to know.

I have the honor to be, &c.,

JOHN JAY.

His Excellency
Governor of North Carolina.

BY THE UNITED STATES IN CONGRESS ASSEMBLED,
May 7th, 1784.

Congress proceeded to the election of a Secretary for foreign affairs, and being this day informed by a Letter of the 9th of March last from Doctor Franklin that Mr. Jay proposed to embark for America in the month of April, and this information corresponding with the intelligence communicated to Congress by Mr. Jay himself in his Letters of last year, Mr. Jay was put in nomination, and the ballots being taken, Mr. Jay was elected Secretary to foreign affairs, having been previously nominated by Mr. Gerry.

CHARLES THOMSON, Sec'y.

I do further certify that the said John Jay, Esquire, having on the 21st day of December, 1784, taken the Oath of fidelity and Oath of Office before the Honorable Isaac Smith, one of the Justices of the Supreme Court of the State of New Jersey, a Certificate of the same is lodged in the Office of the Secretary of the United States in Congress Assembled.

CHARLES THOMSON, Sec'y.

BY THE UNITED STATES IN CONGRESS ASSEMBLED,
February 2, 1785.

On the report of the Committee to whom was referred a Letter of 14th January from the Comptroller of the Treasury, with sundry papers inclosed, stating that a number of the Certificates issued by
John Pierce, Commissioner for adjusting the claims of the Army, have been Counterfeited.

Resolved, That the Comptroller be required to trace the said Certificates as far back as possible through their several possessors on their progress to the Treasury.

Resolved, That the following proclamation be issued, offering a reward to any person who will discover the persons concerned in the said forgery, or his or their accomplices, and enjoining all Officers, Civil and Military, to be aiding and assisting in making such discovery.

Resolved, That it be recommended to the several States to revise their laws respecting forgery, and affixing such penalties as they may adjudge necessary to prevent the forgery of Securities of every denomination issued by authority of the United States in Congress Assembled.

CHARLES THOMSON, Sec'y.

PROCLAMATION.

By the United States in Congress Assembled.

Whereas, Information has been received from the Comptroller of the Treasury that various certificates of final Settlement, issued by the Commissioner for settling the accounts of the army, to the officers and Soldiers of the United States, have been counterfeited by some wicked and fraudulent persons by erasing the sums for which they were first given and inserting others to a much greater amount; and,

Whereas, It is expedient that the most effectual Steps should be taken to detect a villainy so injurious to the interest of the citizens of these States and destructive of public credit, the United States in Congress Assembled have deemed it necessary to offer, and do hereby promise, a reward of five hundred dollars to any person or persons who shall discover or make known the Person or persons guilty of the said forgery, or his or their accomplices, so that he or they may be legally convicted.

And that the most speedy and effectual check may be given to a crime tending in its consequences so materially to effect the credit
of the said certificates and the interests of the United States, they do hereby recommend to the Executives of the different States to be aiding and assisting in discovering and apprehending the author or authors or the forgery aforesaid, or his or their accomplices, to the end that the credit of the United States of America may be secured from further injury and the perpetrators of so atrocious an offence brought to condign punishment.

Done at New York, this Second Day of Feb., in the year of our Lord, 1785, and of our Sovereignty and Independence the ninth.

RICHARD HENRY LEE, Pres't.

CHARLES THOMSON, Sec'y.

CHARLES HELSTDT TO GOVERNOR MARTIN.

PHILADELPHIA, February 7th, 1785.

Sir:

Having communicated to the United States in Congress Assembled, the King of Sweden's Commission appointing me Swedish Consul in the United States, to reside at Philadelphia, and received in consequence thereof the enclosed recognition, I request your Excellency will be pleased to issue an exequatur thereof and cause my said appointment to be known to all whom it may concern.

I am, with respect, &c.,

CHARLES HELSTDT.

His Excellency
Alexander Martin.

BY THE UNITED STATES IN CONGRESS ASSEMBLED.

It is hereby made known to all whom it may concern that full credence and respect are to be paid to Charles Helstdt, Consul in the United States of America from his Majesty, the King of Sweden to reside at Philadelphia, which States are called upon respectively by virtue of the powers delegated by the confederation to the United States in Congress Assembled, to furnish the said Charles Helstdt with their exequatur, or notification of his quality, delivering one
STATE RECORDS.

copy thereof to the said Charles Hellstdt and causing another to be published in one or more Gazettes.

Done at Trenton, this 3rd day of December, in the year of our Lord, 1784, and of our Sovereignty and Independence the ninth.

By the United States in Congress Assembled.

Attest: RICHARD HENRY LEE, Pres't.
CHARLES THOMSON, Sec'y.

THE GENERAL ASSEMBLY OF FRANKLIN TO GOV. MARTIN.

JONESBORO, 22nd February, 1785.

SIR:

Your Letter of the 27th February, 1785, to His Excellency Governor Sevier, favored by Major Henderson, was laid before the General Assembly of the State of Franklin by the Governor.

We think it our duty to communicate to you the sense of the people of this State. We observe your Excellency's candour in informing us that the reason North Carolina repealed the Cession Act was because the sense of Congress was to allow the State of North Carolina nothing for the land ceded. The truth of that assertion we will not undertake to determine; but we humbly conceive the terms on which Congress was impowered to accept the cession was fully expressed in the Cession Act itself, consequently every reason existed for it not passing the Cession Act that could have existed for the repeal, except that of doing justice to the United States in general, who upon every principle of natural justice are equally entitled to the lands that have been conquered by our joint efforts.

We humbly thank North Carolina for every sentiment of regard she has for us; but are sorry to observe that it is founded upon principles of interest, as is apparent from the tenor of your Excellency's Letter. We are therefore doubtful when the cause ceases which is the basis of your affection, we shall consequently lose your esteem.

Sir, reflect upon the language of some of the most eminent members in the General Assembly of North Carolina at the last Spring Session, when the members from the Western Country were suppli-
ating to be continued a part of your State. Were not these their epithets? "The Inhabitants of the Western Country are the off-scourings of the Earth, fugitives from justice, and we will be rid of them at any rate." The members of the Western Country upon hearing these unjust reproaches, and being convinced that it was the sense of the General Assembly to get rid of them, consulted each other and concluded it was best to appear reconciled with the measures in order to obtain the best terms they could, and were much astonished to see North Carolina immediately on passing the act of Cession enter into a resolve to stop the goods that they by act of the General Assembly had promised to give the Indians for the lands they had taken from them and sold for the use of the State. The inadequate allowance made the judges who were appointed to attend the Courts of Criminal Jurisdiction, and who had to travel over the Mountains, amounted to a prohibition as to the administration of Justice in this quarter, and although the Judge appointed on this side the Mountains might from the regard he had for the administration of Justice in the Cumberland Country have held a Court there, yet as your Excellency failed to grant him a Commission agreeable to the act of Assembly, he could not have performed that service had he been ever so desirous of doing it; in short, the Western Country found themselves taxed to support the Government, while they were deprived of all the Blessings of it, not to mention the injustice done them in taxing their lands, which lie five hundred miles from trade, equal to land of the same quality on the Seashore. The frequent murders committed by the Indians on our frontiers have compelled us to think on some plan of defence. How far North Carolina has been accessory to these murders we will not pretend to say. We know she took the lands the Indians claimed, promised to pay them for it, and again resolved not to do it, and that in consequence of that resolve the goods were stopped. You say it has been suggested that the Indian goods are to be seized and the Commissioners arrested when they arrive on the business of the treaty.

We are happy to inform you that that suggestion is false, groundless and without the least foundation.

We are certain you cannot pretend to fault us that the goods are stopped by a Resolve of the Assembly of your State. And if your
State are determined to evade their promise to the Indians we
entreat you not to lay the blame upon us who are entirely inno-
cent and determined to remain so. It is true we have declared our-
selves a free and Independent State, and pledged our honors, con-
firmed by a Solemn Oath, to Support, maintain and defend the
Same. But we had not the most distant Idea that we should have
incurred the least displeasure from North Carolina, who compelled
us to the measure; and to convince her that we still retain our
affection for her, the first Law we enacted was to secure and confirm
all the rights granted under the Laws of North Carolina in the same
manner as if we had not declared ourselves an Independent State;
have patternized her Constitution and Laws, and hope her assistance
and influence in Congress to precipitate our reception into the fed-
eral union. Should our sanguine hopes be blasted we are deter-
mined never to desert that independence which we are bound by
every sacred tie of honor and religion to Support. We are induced
to think North Carolina will not blame us for endeavoring to pro-
mote our own Interest and happiness, while we do not attempt to
abridge hers, and appeal to the impartial World to determine
whether we have deserted North Carolina, or North Carolina
deserted us.

You, will be pleased to lay these our Sentiments before the Gen-
eral Assembly, whom we beg leave to assure that should they ever
need our assistance, we shall always be ready to render them any
service in our power, and hope to find the same sentiments prevail-
ing in them towards us; and we hereinto annex the reasons that
induced the Convention to a declaration of Independence, which are
as follows:

1st. That the Constitution of North Carolina declared that it shall
be justifiable to erect New States Westward whenever the consent of
the Legislature shall countenance it, and this consent is implied, we
conceive, in the Cession Act, which has thrown us into such a situ-
atation that the influence of the Law in common cases became almost
a nullity, and in criminal jurisdiction had entirely ceased, which
reduced us to the verge of anarchy.

2nd. The Assembly of North Carolina have detained a certain
quantity of goods, which was procured to satisfy the Indians for the
lands we possess, which detinue we fully conceive has so exasper-
ated them that they have actually committed hostilities upon us, and we are alone impelled to defend ourselves from their ravages.

3rd. The resolutions of Congress have held out from time to time encouraging the erection of new States have appeared to us ample encouragement.

4th. Our local situation is such that we not only apprehend we should be separated from North Carolina, but almost every sensible disinterested traveler has declared it incompatible with our interest to belong in union with the Eastern part of the State, for we are not only far removed from the Eastern parts of North Carolina, but separated from them by high and almost impassable Mountains, which naturally divide us from them, have proved to us that our interest is also in many respects distinct from the Inhabitants on the other side, and much injured by an union with them.

5th. We unanimously agree that our lives, liberties and property can be more secure and our happiness much better propagated by our Separation, and consequently that it is our duty and unalienable right to form ourselves into a new Independent State.

We beg leave to subscribe ourselves,

Your Excellency’s, &c.,

THOMAS TALBERT, C. S. LANDON CARTER, S. S.
THOMAS CHAPMAN, C. C. WILLIAM CAZE, S. C.

By order of the General Assembly.

HON. CHAS. THOMPSON TO GOVERNOR MARTIN.

New York, 26th February, 1785.

(Circular).

Sir:

Attempts having been made in the settlement of accounts to defraud the public by means of certificates, and some of them being discovered, the United States in Congress Assembled have passed the resolutions which I have the honor to inclose. That these resolutions may have the desired effect, permit me to request that you
would be pleased to give orders for having them printed without
delay in the newspapers of your State.

With great respect, &c.,

CHARLES THOMPSON, Sec'y.

His Excellency

The Governor of North Carolina.

By the United States in Congress Assembled, Feb. 23, 1785.

Resolved, That the quartermaster-general, Commissary of pur-
chases, commissary of issues, commissary of forage, and all the late
heads of departments or their successors or agents, be required with-
out delay to forward to the Board of Treasury or to the Comptroller
a list of their respective deputies who have been duly authorized to
issue certificates. That the heads of departments aforesaid, and
each of their deputies who have not settled their accounts, and all
other persons who have issued certificates of debts due by the United
States (Loan office certificates and certificates of final Settlement
excepted), be required forthwith to deliver to the Board of Treasury
or to some Commissioner of accounts in the State where such per-
sons reside, a fair abstract of all the certificates which they have
issued, and they shall specify those certificates for which they have
taken receipts as for cash paid, and a Copy of those abstracts shall
be transmitted by the Board of Treasury to the several Comission-
ners of accounts, to whom they may be of use in detecting frauds.

That a Copy of these resolutions be published in the Gazettes or
public newspapers of the several states, and that if any person or
persons so required as aforesaid shall refuse or neglect for the space
of two Months from such publication to deliver a full and just
account of the Certificates he or they have issued, the Board of
Treasury, or in case it is not at the time organized, the Comptroller
shall take proper steps for causing him or them to be prosecuted
according to Law.

Resolved, That the Commissioners of accounts be instructed to
be careful how they admit charges against the United States on cer-
tificates which are not duly supported by the Authority of Congress
and the accounts of the officers who have issued them.

CHARLES THOMSON, Sec'y.
RICHARD D. SPAIGHT AND JNO. SITGREATVES TO GOV. MARTIN.

NEW YORK, March 1st, 1785.

SIR:  

Congress since their meeting in this city have chosen three Commissioners of the Treasury in lieu of those Gentlemen who were appointed at Annapolis last year, who have declined accepting that appointment. The Gentlemen now chosen are Mr. John L. Gervis, of South Carolina; Mr. Sam'l Osgood, of Massachusetts, and Mr. Walter Livingston, of this State.

General Schuyler, Mr. Robert Morris and General P. Dickenson are appointed Commissioners to carry into effect the ordinance of the 23rd December last respecting the Federal Town. This ordinance was transmitted to your Excellency by the Secretary of Congress.

We have received accounts of a Vessel belonging to Alexandria in Virginia being captured by one of the Barbary Corsairs and carried into Algiers. By the last accounts the Vessel was not condemned, and as she was only in ballast, bound from Cadiz to Madeira, perhaps they may give her up. The depredations of those pirates, unless speedily put an end to by making a Treaty with them, may prove very injurious to the Commerce of the United States. Congress have taken such steps as they think will accomplish this desirable end.

The British Court, having taken no steps to comply with that article of the Treaty which respects the delivery of the posts on our Western frontiers, but on the contrary it is said that they have reinforced the Garrisons, and are repairing the fortifications, and every account from Europe convincing us of the unfavorable disposition of that Court towards us, it was thought necessary to send a Minister to that Court to insist on the delivery of the Western posts and a compensation for the negroes that were carried away in open violation of the Definitive Treaty of Peace, and to prevent matters from getting to that pass which might again involve us in a War with that Nation. Mr. John Adams is the person elected for this purpose.
Congress have directed that the Comptroller shall, until the Board of Treasury are organized, appoint Commissioners to settle the accounts of the States against the United States. As soon as the Delegates find a proper person for that purpose, they will have one appointed for the State of North Carolina.

Our Commissioners have concluded a Second Treaty with the Indians at Fort McIntosh, but as Congress have not as yet either ratified the present or former treaty with the Indians, we don’t look upon ourselves at liberty to transmit copies of them to your Excellency.

We make no doubt but your Excellency have taken proper steps to have us relieved at the expiration of our tour of duty, by ordering on the other Delegates so that they may be here by the first of May, at which time the six months we are to stay pursuant to the resolve the General Assembly passed in May, 1784, expires. But lest your Excellency may have omitted to take these steps, we must request you to order on the other Delegates to relieve us at that time, as our private business demands our attention at home, and we must, whether relieved or not, leave Congress the beginning of May, in which case, if the other Delegates don’t come forward, the State will not be represented.

We have the honor to be, &c.,

RICHARD D. SPAIGHT.

JNO. SITGREAVES.

His Excellency
Governor Martin.
DUTY ON PERMITS.

NEW YORK, 14 MARCH, 1785.

<table>
<thead>
<tr>
<th>Admiralties</th>
<th>On what payable</th>
<th>Amount</th>
<th>For whose profit</th>
<th>By what title received</th>
<th>Sols per Livre</th>
<th>Laws which authorise them</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>On Phalenes &amp; Brigs</td>
<td>3-0, 0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>On Barques, Sloops &amp; Finks</td>
<td>2-0, 0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bayonne.</td>
<td>On Vessels Seal.</td>
<td>2, 0, 0</td>
<td>0, 10, 0</td>
<td>The Admiral.</td>
<td>Treaty of Utrecht, act of Council 18 March, 1795.</td>
<td>Ten sols per Livre.</td>
<td>Act of Council 8th Novr., 1772</td>
</tr>
<tr>
<td></td>
<td>Small coasting Vessels</td>
<td>1, 17, 6</td>
<td></td>
<td></td>
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</table>

608
STATE RECORDS
<table>
<thead>
<tr>
<th>Admiralty</th>
<th>On what payable</th>
<th>Amount</th>
<th>For whose profit</th>
<th>By what title received</th>
<th>Sols. per Livre</th>
<th>Laws which authorize them</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marseilles</td>
<td>No Buoy duty in this Admiralty</td>
<td>H. so. de.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bayonne</td>
<td>On vessels of 100 tons and upwards</td>
<td>12, 0, 0</td>
<td>The Admiral.</td>
<td>Ancient regulation of the Exchequer or Magistrate</td>
<td>Exempt from Sols. per Livre</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>From 50 to 100</td>
<td>8, 0, 0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>From 30 to 50</td>
<td>4, 0, 0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>From 20 to 30</td>
<td>3, 0, 0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Decked and under 20</td>
<td>1, 0, 0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Not decked</td>
<td>0, 8, 0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>L'Orient</td>
<td>No such duty in this Admiralty</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dunkirk</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**DUTIES PAYABLE TO THE OFFICERS OF THE FOUR ADMIRALITIES REGISTERING THE PERMITS.**

<table>
<thead>
<tr>
<th>Names of Admalities</th>
<th>On what payable</th>
<th>Amount</th>
<th>Division between the Officers</th>
<th>By what Title Received</th>
<th>Sols per Livre</th>
<th>Laws which authorize them</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marseilles</td>
<td>Vessels not Coaster, viz: Ships, Polacres &amp; Brigs</td>
<td>9-2-4</td>
<td>Li. so. de.</td>
<td>2-8-9</td>
<td>2-8-9</td>
<td>Th Stewart of 1770</td>
<td>The duties of officers are subject to Act of Council 1st Jan 1773, and those of the Regr to 8 Sols.</td>
</tr>
<tr>
<td></td>
<td>3, 0, 0</td>
<td>Li. so. de.</td>
<td>0-15-3</td>
<td>0-15-3</td>
<td>Idem.</td>
<td>Idem.</td>
<td></td>
</tr>
<tr>
<td>Bayonne</td>
<td>Vessels not Coaster, Coasting Vessels</td>
<td>7-10-0</td>
<td>4-0-0</td>
<td>1-10-0</td>
<td>2-0-0</td>
<td>Tariff of 1770</td>
<td>Act of Council 8 Nov. 1772.</td>
</tr>
<tr>
<td></td>
<td>1-10-0</td>
<td>1-15-0</td>
<td>0-6-0</td>
<td>0-8-0</td>
<td>Idem.</td>
<td>Idem.</td>
<td></td>
</tr>
<tr>
<td>L'Orient</td>
<td>Vessels not Coaster, Coasting Vessels</td>
<td>7-1-0</td>
<td>4-0-0</td>
<td>1-10-0</td>
<td>1-15-0</td>
<td>Idem.</td>
<td>Idem.</td>
</tr>
<tr>
<td>Dunkirk</td>
<td>Vessels not Coaster, Coasting Vessels</td>
<td>7-10-0</td>
<td>4-0-0</td>
<td>1-10-0</td>
<td>2-0-0</td>
<td>Idem.</td>
<td>The duties of officers subject to 6 Sols per Livre, those of the Regr to 8 Sols.</td>
</tr>
<tr>
<td></td>
<td>1-10-0</td>
<td>0-16-0</td>
<td>0-6-0</td>
<td>0-8-0</td>
<td>Idem.</td>
<td>Idem.</td>
<td></td>
</tr>
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<td></td>
</tr>
<tr>
<td>Marseilles</td>
<td>7—10—0</td>
<td>0—0—0</td>
<td>0—0—0</td>
<td>8—0—0</td>
<td>Tally of Livres of 8 Sept., 1772.</td>
<td>8 Sols &amp; 8 Livres.</td>
<td></td>
</tr>
<tr>
<td>Bayonne</td>
<td>5—5—0</td>
<td>0—0—0</td>
<td>0—0—0</td>
<td>5—5—0</td>
<td>Tally of Livres of 8 Sept., 1772.</td>
<td>8 Sols &amp; 8 Livres.</td>
<td></td>
</tr>
<tr>
<td>Dunkirk</td>
<td>7—10—0</td>
<td>0—0—0</td>
<td>0—0—0</td>
<td>8—0—0</td>
<td>Tally of Livres of 8 Sept., 1772.</td>
<td>8 Sols &amp; 8 Livres.</td>
<td></td>
</tr>
<tr>
<td>The Officers of the 7th</td>
<td>0—0—0</td>
<td>0—0—0</td>
<td>0—0—0</td>
<td>0—0—0</td>
<td>Tally of Livres of 8 Sept., 1772.</td>
<td>8 Sols &amp; 8 Livres.</td>
<td></td>
</tr>
</tbody>
</table>

**Report and Declaration.**

**State Records.**
### Duty for Putting into the Harbor

<table>
<thead>
<tr>
<th>Admiralties</th>
<th>On what payable.</th>
<th>Amount.</th>
<th>Division between the Officers</th>
<th>By what title received</th>
<th>Sols per Livre</th>
<th>Laws which authorize them</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Lt. Gen'l</td>
<td>Kg's Att.</td>
<td>Reg'r.</td>
<td>Tariff 1770</td>
<td>The Officer’s duty subject to 8 Sols per Livre.</td>
</tr>
<tr>
<td>Marseilles.</td>
<td>Ships............</td>
<td>2, 12.</td>
<td>0, 6</td>
<td>0, 13</td>
<td>0, 13</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Polacres and Brigs:</td>
<td>2, 4</td>
<td>0, 2</td>
<td>0, 11</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Barques, Sloops and Pinks:</td>
<td>1, 16</td>
<td>-</td>
<td>18</td>
<td>0</td>
<td>9</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Each Ship without distinction arriving or departing per ton.</td>
<td>1, 6</td>
<td>0</td>
<td>12</td>
<td>0</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Bayonne.</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td>L'Orient.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dunkirk.</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
## Visit of Vessels at their Entrance and Departure

<table>
<thead>
<tr>
<th>Admirlties</th>
<th>On what payable</th>
<th>Amount</th>
<th>Division Between the Officers</th>
<th>By what title received</th>
<th>Sols. per Livre</th>
<th>Laws which authorize them</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Marseilles</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vessels of 30 Tons and under</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0, 18, 0</td>
<td>0, 6, 0</td>
<td>0, 4, 0</td>
<td>0, 3, 0</td>
<td>Tariff 1770</td>
<td></td>
<td>The Regis- ter duties subject to 8 Sols. per Livre.</td>
<td></td>
</tr>
<tr>
<td>Do. 30-60</td>
<td>1, 18, 0</td>
<td>0, 9, 0</td>
<td>0, 4, 6</td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>Do. 60-100</td>
<td>1, 6, 0</td>
<td>0, 12, 0</td>
<td>0, 4, 6</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Do. 100-200</td>
<td>1, 12, 0</td>
<td>0, 4, 0</td>
<td>0, 12, 0</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Do. 200-300</td>
<td>1, 18, 0</td>
<td>0, 4, 0</td>
<td>0, 18, 0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do. 300-400</td>
<td>0, 18, 0</td>
<td>0, 18, 0</td>
<td>0, 18, 0</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Do. 400-500 and above</td>
<td>0, 10, 0</td>
<td>0, 2, 0</td>
<td>0, 10, 0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Bayonne</strong></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vessels coming from long voy- ages, not coasters, from 40 to 500 tons and upwards</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Tariff 1770.</td>
<td>Idem.</td>
<td>Idem.</td>
</tr>
<tr>
<td><strong>L'Orient</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vessels of 100 tons</td>
<td>2, 12, 0</td>
<td>0, 4, 0</td>
<td>0, 16, 0</td>
<td>0, 12, 0</td>
<td>Idem.</td>
<td>Idem.</td>
<td>Idem.</td>
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<td>Certificate</td>
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<tr>
<td>Admiralties</td>
<td>On what payable</td>
<td>Amount (Li. so. do.)</td>
<td>For whose profit</td>
<td>By what Title received</td>
<td>Sols. per Livre</td>
<td>Laws which authorize them</td>
<td>Observations</td>
</tr>
<tr>
<td>------------</td>
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</tr>
<tr>
<td>Marseilles</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bayonne</td>
<td>Each vessel not coaster</td>
<td>0—16—0</td>
<td>Visitor.</td>
<td>Tariff of 1770.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ditto coaster</td>
<td>0—5—0</td>
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<td>Exempt.</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>L'Orient</td>
<td>Each vessel not coaster</td>
<td>0, 16, 0</td>
<td>Visitor.</td>
<td>Idem.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dunkirk</td>
<td>Each vessel not coaster</td>
<td>0, 16, 0</td>
<td>Visitor.</td>
<td>Idem.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>La Gen. &amp; Kg's Att. Register</td>
<td>Capt. Builder. Carpenters</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marseilles</td>
<td></td>
<td></td>
<td>ii. so. deli. so. del. so. deli. so. de</td>
<td>ii. so. deli. so. del. so. deli. so. de</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bayonne</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>L'Orient</td>
<td>Nomination of the surveyor's swearing to survey. 6, 10, 0</td>
<td>3, 0, 0</td>
<td>2, 0, 0</td>
<td>Declaration of the King 17th August, 1779.</td>
<td>Registers Duty to 8 sola 8 Sept., 1772.</td>
<td>Act of Council</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Expedit's 1, 10, 0</td>
<td>&quot;&quot;</td>
<td>&quot;&quot;</td>
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<tr>
<td></td>
<td>Pay of Surveyors. 8, 0, 0</td>
<td>&quot;&quot;</td>
<td>&quot;&quot;</td>
<td></td>
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<tr>
<td>Dunkirk</td>
<td></td>
<td></td>
<td>3, 0, 0</td>
<td>0, 0</td>
<td>exempt.</td>
<td></td>
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</tbody>
</table>

STATE RECORDS

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## DUTY OF MEASURER.

<table>
<thead>
<tr>
<th>Admiralties</th>
<th>On what payable</th>
<th>Amount</th>
<th>For whose profit</th>
<th>By what Title received</th>
<th>Sols per Livre</th>
<th>Laws which authorize them</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marseilles.</td>
<td>Each Ton.</td>
<td>0, 0, 8</td>
<td>Measure.</td>
<td>Fixed by the Secretary of the Marine and the officer of the Admiralty.</td>
<td></td>
<td>Exempt</td>
<td></td>
</tr>
<tr>
<td>Bayonne.</td>
<td>Vessels 30 Tons and under...</td>
<td>1, 10, 0</td>
<td>Measure.</td>
<td>Ancient Custom.</td>
<td></td>
<td>Exempt</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Vessels 30 &amp; 100...</td>
<td>3, 0, 0</td>
<td>Measure.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Vessels 100 &amp; upwards</td>
<td>6, 0, 0</td>
<td>Measure.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>L'Orient.</td>
<td>Vessels of 100 tons and upwards...</td>
<td>6, 0, 0</td>
<td>Measure.</td>
<td>Idem.</td>
<td>Idem.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dunkirk.</td>
<td>Vessels of 100 tons</td>
<td>3, 0, 0</td>
<td>Measure.</td>
<td>Idem.</td>
<td>Idem.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Admiralties</td>
<td>On what payable</td>
<td>Amount</td>
<td>For whose profit</td>
<td>By what title received</td>
<td>Sold per Livre</td>
<td>Laws which authorize them</td>
<td>Observations</td>
</tr>
<tr>
<td>-------------</td>
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</tr>
<tr>
<td>Marseilles</td>
<td>For the Report Declaration in all the offices and presentation of the arrival of a vessel. For attending her during her stay and expediting her in the offices on her departure</td>
<td>li. so. de.</td>
<td>Interpreter.</td>
<td>Ancient Customs</td>
<td>Exempt.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>On each vessel... N. R. When the freight is procured through his means, he receives the first Ton on each Vessel</td>
<td>30, 0, 0,</td>
<td>Broker</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bayonne</td>
<td>On each vessel... N. R. When the freight is procured through his means, he receives the first Ton on each Vessel</td>
<td>20, 0, 0,</td>
<td>Interpreter</td>
<td></td>
<td>Exempt</td>
<td></td>
<td></td>
</tr>
<tr>
<td>L'Orient</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dunkirk</td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>
DUTY ON TAKING IN AND DISCHARGING BALLAST.

<table>
<thead>
<tr>
<th>Admiralties</th>
<th>On what payable.</th>
<th>Amount.</th>
<th>For whose profit.</th>
<th>By what Title received.</th>
<th>Sols per Livre.</th>
<th>Laws which authorize them.</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marseilles.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bayonne.</td>
<td>On each Lighter Load of Ballast</td>
<td>11, 5, 0</td>
<td>The City.</td>
<td>It is not known by what Law or Tariff this is received. It is confirmed by many Acts.</td>
<td></td>
<td>Exempt.</td>
<td></td>
</tr>
<tr>
<td>L'Orient.</td>
<td>Per Ton</td>
<td>1— 0— 0</td>
<td>The administration of the Marine of the Port.</td>
<td>Ordinance 17th Aug't, 1789, for Naval, Army, Marine Arsenals, Book II.2-3.</td>
<td></td>
<td>Exempt.</td>
<td></td>
</tr>
<tr>
<td>Dunkirk.</td>
<td>Per Ton</td>
<td>0, 12, 0</td>
<td>Chamber of Commerce.</td>
<td>Act of Council, 20th July, 1700.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Admiralty</td>
<td>On what payable.</td>
<td>Amount.</td>
<td>For whose profit.</td>
<td>By what Title received.</td>
<td>Sol per Livre.</td>
<td>Laws which authorize them.</td>
<td>Observations</td>
</tr>
<tr>
<td>-----------</td>
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<td>--------------</td>
</tr>
<tr>
<td>Marseilles</td>
<td></td>
<td>li. so. de.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bayonne</td>
<td>In the Port of S. per Ton. 0, 2, 0</td>
<td></td>
<td>This duty is paid to the community of St. Jean de Luz and C. and C. to keep in repair the Wharves and Basin of Sooca.</td>
<td>Authorized by many Acts of Council.</td>
<td></td>
<td>Exempt.</td>
<td></td>
</tr>
<tr>
<td>L'Orient</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dunkirk</td>
<td>Vessels of 100 Tons 3, 0, 0</td>
<td></td>
<td>Wharf Master.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### FEES OF PILOTAGE

<table>
<thead>
<tr>
<th>Admiralties</th>
<th>On what payable</th>
<th>Amount</th>
<th>For whose Profit</th>
<th>By what Title received</th>
<th>Sols per Livre</th>
<th>Laws which authorize them</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marseilles</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bayonne</td>
<td>The detail of Fees in this port is so long, they are put in a separate chapter</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>L'Orient</td>
<td>From the farthest distance to the port of L'Orient per feet of water the vessel draws</td>
<td>Pilot.</td>
<td>Regulation of Court of Admiralty of Nantes 4th Jan., 1774</td>
<td>Exempt.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dunkirk</td>
<td>Pilotage from the Road into this port of a vessel of 100 Tons five sols per ton. N.B. Going out is only 4 Sols p. Ton.</td>
<td>25, 0, 0 Pilot.</td>
<td>Act of Council 1774</td>
<td>Exempt.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
FEES OF THE PILOT IN THE PORT OF BAYONNE THE PORT AND ROAD OF SOCOA, AND THE RIVER BETWEEN ST. JEAN DeLUZ AND CIBOURRE.

IN THE PORT OF BAYONNE.

Every Vessel which enters the Port of Bayonne, pays the Pilot from the Bar for the Boat called Detour. If a second and third is taken, for each is paid. Besides which, for each Boat is paid to the Chief Pilot

\[ \text{li. so. de.} \]
\[ 14-2-0 \]
\[ 11-14-0 \]
\[ 2-4-0 \]

THE SAME IS PAID GOING OUT.

As the boats are not obliged to bring the Vessels farther than within the Bar of the River, Vessels pay for being taken up the River, to 1st boat. The second, third &c. For going down to the mouth of the River, each Vessel pays for each Pilot boat of the River. If the Pilot goes to sea with the Vessel with his boat they pay.

\[ 11-2-0 \]
\[ 9-12-0 \]
\[ 12-12-2 \]
\[ 25-4-0 \]

N. B. Small Vessels are not obliged to take Pilots unless they please. These fees are received in virtue of an ancient custom, but it is thought that they have been paid by a regulation of the Magistrates of Bayonne.

IN THE PORT AND ROAD OF SOCOA AND OF THE RIVER ABOVE MENTIONED.

Each Vessel pays for the Customary Pilotage on her arrival, including the half part for the pay of Wharf Master viz:

To the first Boat \[ \text{Liv.} \] \[ 20,, 5,, 0 \]
To the second Boat \[ \text{Liv.} \] \[ 15,,12,, 6 \]
To the third Boat \[ \text{Liv.} \] \[ 12,,10,, 0 \]

Each Vessel pays for going out of Sooca without anchoring in the road including the half part of the Wharfinger viz:

To the first Boat \[ \text{Liv.} \] \[ 15,,15,, 0 \]
STATE RECORDS.

To the second Boat .......................... 12, 12, 6
To the third Boat .................................. 9, 10, 0
and to the Pilot .................................. 6, 0, 6

For going out of Socoa and anchoring in the road with four Anchors, and for raising the Anchors and coming into Socoa including the half part of Wharfage (viz):
To the first Boat .......................... 15, 15, 0
To the second Boat ......................... Liv. 12, 12, 6
To the third .................................. Liv. 9, 10, 0

FOR CARRYING A VESSEL FROM SOCOA TO THE RIVER AND FROM THE RIVER TO SOCOA.

Vessels of 2 Decks, including the ½ part of the wharfinger.
To the first Boat .......................... Liv. 12, 15, 6
To the second third &c. .................. Liv. 9-10-0

All decked Vessels, as Barques, Bretonnes, or others entering & going out of the River, besides ½ part of the Wharfinger .......................... 6-0-0

When a Vessel sails from the road and leaves her Anchors and Cables there, the Pilot which carries them to Socoa receives for each Boat .......................... 6-0-0
For each Boat furnished by the Pilots for the use of the Vessels .......................... 6-0-0

These fees or duties are paid in virtue of a Regulation of the Communities of St. John de Luz and Cibouronne 26th June 1764, and confirmed by the officers of the Admiralty of Bayonne.

DUTIES PARTICULAR TO THE ADMIRALTY OF MARSEILLES.

Each Vessel pays to the Secretary of the Health office of the City, for the Bill of Health and Certificate of Goods Exported as well as the sealing them ....... 3-0-0
To the keeper of the Powder Magazine for keeping their powder ......................... 1-4-0
DUTIES PARTICULAR TO THE ADMIRALTY OF L'ORIENT.

Lighterage and other Duties in the Road which are paid to the King, and which do not take place at the Wharves of the City, viz:

<table>
<thead>
<tr>
<th>Description</th>
<th>Tons</th>
<th>Beam</th>
<th>Livres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Each Vessels</td>
<td>1200</td>
<td>40</td>
<td>6, 0, 0</td>
</tr>
<tr>
<td>Ditto</td>
<td>874</td>
<td>36</td>
<td>4, 7, 5</td>
</tr>
<tr>
<td>Ditto</td>
<td>614</td>
<td>32</td>
<td>3, 1, 5</td>
</tr>
<tr>
<td>Ditto</td>
<td>412</td>
<td>28</td>
<td>2, 1, 2</td>
</tr>
<tr>
<td>Ditto</td>
<td>219</td>
<td>24</td>
<td>1, 5, 11</td>
</tr>
<tr>
<td>Ditto</td>
<td>150</td>
<td>20</td>
<td>0, 15, 0</td>
</tr>
<tr>
<td>Ditto</td>
<td>76</td>
<td>16</td>
<td>0, 7, 6</td>
</tr>
<tr>
<td>Ditto</td>
<td>32</td>
<td>12</td>
<td>0, 3, 3</td>
</tr>
</tbody>
</table>

The above payable by Act of Council 12 Decr. 1773.

DUTIES OF CUSTOM AND VISCOUNTY.

Payable to the Prince of Guimene, as Lord of Leon, on the Rivers Blavee & Scorff.

<table>
<thead>
<tr>
<th>Description</th>
<th>Tons</th>
<th>Livres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Each Ton of Wine</td>
<td></td>
<td>0, 5, 0</td>
</tr>
<tr>
<td>For Keelage or Anchorage of each Vessel, which lades or unlades any Merchandise whatever</td>
<td></td>
<td>0, 1, 0</td>
</tr>
<tr>
<td>Each Vessel loaded with Salt</td>
<td>1, 7, 0</td>
<td></td>
</tr>
</tbody>
</table>

New York 14th March 1785. The foregoing Tables faithfully Translated from the Original, by

BEN WALKER, T. F. L.

HIS EXCELLENCY JOHN SEVIER TO GOVERNOR MARTIN.

Washington, Court House, 22nd March 1785.

Sir:

Yours by Major Saml. Henderson of 27th Feb. came safe to hand, wherein you express your concern in regard to the measures taken in our Western Counties.

I had the honor to lay your Excellency's Letter before the Assembly who have undertaken to answer the same, and hope they
will give you full and ample satisfaction in regard to the proceedings of this Country and the reasons for so doing.

The people of this Country consider themselves ill treated, first being ceded without their consents, secondly by repealing the Act in the same manner.

Your Excellency well knows in what manner the lands was taken from the Indians. You also know that there was a quantity of goods to be given them as compensation; but as soon as the cession Act passed the goods was refused; and no sooner than the melancholy news reached our country the Indians were murdering on the Kentucky road and in some of our own counties, and have lately killed and taken several prisoners. I am sensible an Indian War will ensue this Summer, and it is the Western people alone that must suffer and undergo all the hardships and cruelties that usually attend a Savage and Bloody War. You cannot be insensible that North Carolina in opening her land Office tolerated all the lands on the North side of the Tennessee as far up as the mouth of Holston’s river to be entered. Have you been informed that within this limit that there is several Indian Towns, and the greater part of all the corn plantations belonging to Chickamoggy lie on the north side of Tennessee, together with all the principal part of their hunting ground? If not, I can assure your Excellency it is the case, and this alone I have sufficient reason to believe is the principal reason why the Indians commit hostilities. As to the lands south of Broad river, where some few people are settled, I can’t believe the Indians care anything about it and have expressed themselves to me in that light. For they have no hunting in that quarter, and consequently care little about those lands, especially when the people are allowed by Act of your Assembly to settle down to and on their towns, and are now settled and making great preparations for settling near one hundred miles below the upper settlements.

It gives me great pain to think there should arise any dispute between us and North Carolina, and I flatter myself that when Carolina states the matter in a fair light, she will be fully convinced that necessity and self-preservation have compelled us to the measures we have taken, and could the people have discovered that North
Carolina would have protected and governed them, they would have remained where they were, but they perceived a neglect and coolness. And the language of many of your most leading Members convinced them they were altogether disregarded.

I beg leave to assure your Excellency that we have always had a most perfect regard to your administration, and had you came to the treaty I am satisfied all due deference would have been paid you, and further, no person here blame you for any past measures, but on the contrary believed you to be a friend to the Western Country.

I am, Sir, your Excellency's, &c.,

JOHN SEVIER.

His Excellency
Governor Martin.

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EXTRACT FROM LETTER FROM DR. FAYSSOUX TO DR. RAMSAY.


CHARLESTOWN, March 26th, 1785.

After the defeat of Gen. Gates, our sufferings commenced. The British appeared to have adopted a different mode of conduct towards their prisoners, and proceeded from one step to another, until they fully displayed themselves, void of faith, honor or humanity, and capable of the most savage acts of barbarity.

The unhappy men who belonged to the militia, and were taken prisoners on Gen. Gates' defeat, experienced the first effects of the cruelty of their new system.

These men were confined on board of prison ships, in numbers by no means proportioned to the size of the vessels, immediately after a march of one hundred and twenty miles, in the most sickly season of this unhealthy climate.

These vessels were in general infected with the small pox; very few of the prisoners had gone through that disorder. A representation was made to the British Commandant of their situation, and 17—40
permission was obtained for one of our surgeons to inoculate them. . . . this was the utmost extent of their humanity . . . . the wretched objects were still confined on board of the prison ships, and fed on salt provisions, without the least medical aid, or any proper kind of nourishment. The effect that naturally followed, was a small-pox with a fever of the putrid type; and to such as survived the small-pox, a putrid dysentery . . . and, from these causes, the deaths of at least one hundred and fifty of the unhappy victims. Such were the appearances, and such was the termination of the generality of the cases brought to the general hospital after the eruption of the small-pox . . . before the eruption, not a single individual was suffered to be brought on shore. If anything can surpass the above relation in barbarity, it is the following account.

The Continental troops, by the articles of capitulation, were to be detained prisoners in some place contiguous to Charleston; the barracks were pitched on as the proper place; this was agreed to by both parties. . . . The British, in violation of their solemn compact, put these people on board of prison ships . . . Confined in large numbers on board of these vessels, and fed on salt provisions in this climate in the months of October and November, they naturally generated a putrid fever from the human miasma. This soon became highly contagious. The sick brought into the general hospital from the prison-ships, generally died in the course of two or three days, with all the marks of a septic state.

Application was made to Mr. de Rosettee, the British commissary of prisoners; the vast increase of the numbers of deaths was pointed out, and he was requested to have proper steps taken to check the progress of a disorder that threatened to destroy the whole of the prisoners.

In consequence of this application, Mr. Fisher, our commissary of prisoners, and Mr. Fraser, who formerly practised physic in this country, but then acted as a British deputy commissary, were ordered to inspect the state of the prisoners in the vessels. This report confirmed the truth of what had been advanced . . . this can be proved by a very particular circumstance . . . My hopes were very sanguine that something would be done for the relief of those unhappy persons, but they were entirely frustrated by a per-
son from whom I did not, and ought not to have expected it. Dr. John M'Namara Hays, physician to the British army, a person who had been taken by the Americans on the capture of Burgoyne, who had received the politest treatment from the Americans when a prisoner, and who had the generosity to acknowledge the usage he had met with . . . this person was ordered to report on the state of the prisoners . . . to my astonishment, I was informed his report was, that the prison-ships were not crowded, perfectly wholesome, and no appearance of infectious disorders amongst the prisoners.

I then determined to make one more effort for the relief of these unhappy persons . . . for this purpose I had two of the dead bodies kept in the area of the hospital, and, upon Dr. Hays daily visit to our hospital, I marked to him the appearance of the subjects, whose bodies were highly tinge with a yellow suffusion, petechied over the breast and trunk, with considerable ecchymosis from extravasated or dissolved blood about the neck, breast and upper extremities. I inquired if it was possible a doubt could remain respecting the nature of their disorder, and expressed my surprise at the report he had made. The words of his reply were 'that the confinement of the prisoners in prison-ships was the great eye-sore, and there was no help for that, it must be done.' The disorder in consequence continued until the cold weather; the number of deaths, joined with the number that were compelled by this treatment to enlist with the British, removed in a great measure the cause. Hitherto a number of our prisoners who were tradesmen had been permitted to remain in the barracks, or in the city, where they were employed by the British . . . about the month of January, 1781, they were all confined to the barracks, and there British emissaries were very busy amongst them, to persuade them to enlist in their new corps. About the same time a supply of clothing, and some money to procure necessaries, arrived from the Congress for the use of the prisoners.

Mr. Fisher, our commissary, was prevented from distributing the clothing, and the prisoners were informed it was a deception, for no supplies had arrived for their use. Their motive was, that by the complicated distress of nakedness and imprisonment, their patience would be exhausted, and enlistment with them would then ensue.

To prevent this, means were found to have several bales of the
clothing brought to the piquets which inclosed the barracks, and in sight of our soldiers; this measure established the fact.

Disappointed from this quarter, the British commandant or his ministers determined to observe no measures but what would accomplish their own purposes. All the soldiers in the barracks, including the convalescents, were paraded, and harangued by Fraser, the British deputy commissary, and one Low, a recruiting officer for one of the British corps. The conclusion of the affair was, that such as chose to enlist with the British should leave the ranks, and the remainder go on board the prison-ships. A few who had been previously engaged withdrew from the ranks; the large majority that stood firm, after three different solicitations without effect, had this dreadful sentence pronounced by Fraser, 'that they should be put on board the prison-ships, where they could not expect anything more but to perish miserably; and that the rations hitherto allowed for the support of their wives and children, from that day should be withheld; the consequence of which would be, that they must starve in the streets.' Human nature recoiled from so horrid a declaration . . . for a few seconds the unhappy victims seemed stupified at the dreadful prospect; a gloomy and universal silence prevailed . . . This was followed by a loud huzza for Gen. Washington; death and the prison-ships was the unanimous determination.

The hospital at this time was reduced to the greatest distress imaginable . . . the sick without clothing, covering, or any thing necessary but one pound o' beef and bread . . . very little sugar, no wine, and rarely a small allowance of rum.

We had no resources, and the British would only furnish the absolute necessaries of life. The officers of the hospital, on the mildest representation, were threatened and insulted, frequently prohibited from visiting the sick, once I remember for three days.

It was scarcely possible for men to support such an accumulated load of misery, but when least expected, a relief was administered to us. A subscription for the support of the sick was filled by the people of every denomination with amazing rapidity. Several of the ladies of Charlestown, laying aside the distinction of Whig and Tory, were instrumental and assiduous in procuring and preparing every necessary of clothing and proper nourishment for our poor worn out and desponding soldiers.
STATE RECORDS.

Thus, Sir, I have furnished you with some of the most material occurrences of that unhappy time. I have not exaggerated or written a single circumstance from hatred or prejudice. I could furnish you with a long detail of cruelty and distress exercised on individuals . . . . Major Broquet's case, exposed in an open boat for twelve hours in a violent fever, with a blistering plaster on his back, extended at length in the bottom of the boat, then put into the dungeon of the provost with the vilest felons and murderers, left to languish under his complaint until his death seemed mortally certain, only released from his confinement from the dread of a just retaliation . . . . the moment his recovery seemed probable, again hurried back to the provost, there to remain until a general exchange released him from their power.

HON. A. MACLAINE TO GEORGE HOOPER.

WILMINGTON, 16th April, 1785.

DEAR SIR:

I yesterday received the enclosed from Mr. Burgwin. I suppose you will receive a letter from himself, but if you should not, this will serve, (exclusive of the particular subject on which he requests me to write) to let you know how far you can rely upon his future exertions in support of the house.

Mr. B. seems to appeal to me upon this occasion. So far as respects the fulfilling articles of co-partnership, in so plain a case as yours, any man may determine at a glance; but when it comes to the particular situation of the different contending parties, every one will judge according to his own conceptions. If the support of your House depends upon the remittances you are now to make, they must indeed be very ample to answer the purpose; but if you could remit the whole of what you owe, though it would certainly raise your credit very high, it might still be questionable whether you could expect a further supply, unless there was some person of fortune or credit on the spot, to be responsible for the payment.

The different articles which you mention for a gown are very high. Princess stuff highest of all. Yet I believe I must take it,
for it is much stronger than the silks, and is not very heavy. I now inclose the list of books.

Mrs. Rogers moved out of town sometime ago, from inability to pay house rent, and is now in the house at the sound. She wished rather to go into your brother's or Mrs. Quinnee's; but the piazzas of the latter are falling to pieces, and no less than £25 rent was asked. Your brother's was in the care of old Harker, who had been promised a residence there for his life. I will however endeavour to get Mrs. Rogers into one of them in time for you. I do not suppose you can remove yourself very soon.

I have been lately so much engaged in preparing business for New Bern court, that I have had no leisure to promote Mr. Osborn's subscription; but I do not fear being able to procure a considerable number; though probably I shall not have so many as I would wish till New Bern and Wilmington courts. J. Huske is now clerk of the latter.

Poor General Lillington is to be interred this afternoon. He very lately lost his youngest daughter, and his surviving son has been dangerously ill. The loss of his two favorite children in so short a time, and his own age and infirmities, must have sat very heavy on him. I do not know of what complaint he died; for I had not heard of his illness.

Cutler was married a few days ago to Becky Jones, and Michl. Sampson (a mad nephew of Jenny's, and between ourselves I believe a very worthless fellow) is to have the next sister, I believe next week.

D Bain is every day drunk, more or less, and eternally squabbling with his wife; who though she is never actively offensive, is passively so as much as ever. T. M. leads a worse life with them than a dog, and is determined to get into a place of his own, and to disengage himself as soon as possible.

I have almost filled up my new wharf; and if you should want one shall regret that I have given a lease of it; but as I intend to make others, I can only use more expedition in providing timber. You will therefore let me know.

Can you procure me Price's observations on the New American States? I am much pleased with the extracts in the papers.

I just now heard that Lillington died of a sore throat.
My love to Kitty and the children. I expect to see her by return of the packet. You may tell her I have ten dozen of cyder for her which I shall not touch till she comes.

Yours affectionately,
A. MACLAINE.

Mr. B. is not come to town; but I understand that Mr. J. went up yesterday. If you are to have any letters I suppose they will come by him. The packet is to sail to-morrow.

If you dissolve the partnership, you should assign your reason. The failure of M. and the refusal of B. to go to England agreeable to articles, in order to furnish the house with goods, &c., or to perform any part of the agreement incumbent upon him. It is necessary that this should appear publicly; for even if any person should think he is right in his present situation; no one can possibly think you wrong.

A. M.

HON. A. MACLAINE TO GEORGE HOOKER.

NEW BERN, 25th Nov., 1785.

DEAR SIR:

Your friend and late partner arrived yesterday afternoon, happy that I was his harbinger; otherwise he would have found it extremely difficult to get a bed to lie on. The town, as well as the two houses, is remarkably full. Your friend Martin & Spaight are the speakers, the former of the Senate. He asked kindly for you and yours.

Not a word have I heard of Tories or Toryism. If there is anything hatching, it must be very secret. I believe however that the Assembly will think they have something of more importance to consider. A. Moore told me the other day that Genl. Rutherford was coming down to take me by the hand; a circumstance not displeasing, considering his influence. I shall certainly meet him half
way in his advances. He arrived yesterday though I have not seen him, owing to a race which suspended all business.

As might have been expected there are many who are for more paper money; but it is a peculiar satisfaction to find that many are against it, among which are all the sensible and disinterested men. J. Gray Blount who I suspect wishes for it, seems to think it will not go down, and I am sure he is well informed. What we heard from Virginia is all a fable. A gentleman arrived yesterday, who says when he left Richmond, the Senate was not formed, and the other House had not sat but a very few days. It was the general opinion that there would be no omission.

A reform of the courts will be the grand and difficult part of the business. There are many schemes proposed, but I suppose we shall not know what plan the committee (to whom that business is referred) will adopt, before Monday next. If I find I can be instrumental in bringing this business to a happy issue, I shall not be at Wilmington court; but this you need not mention publicly. I know what I shall suffer by my absence; but I also know that I may give up all business, if it should continue to be conducted as it has been for some time past. Your brother is doubtful whether he shall visit Cape Fear, and if he does, it is not with an expectation of business.

We have from Congress a pamphlet which may be called the book of rates for the three free ports in France. I believe it may be had in New York and it contains all the duties and expenses of vessels, &c., at each of them. If merchants would agree to take a certain number of copies it would readily be reprinted here; for there are two rival presses. Let me know whether the traders at Wilmington will encourage an edition of our own.

I am quite well, and I hear all is well with you.

Yours affectionately,

A. MACLAINE.
APPENDIX--1781.

The following Journals and other matter should have been in Volume XV but came to hand too late and are inserted here.

EDITOR.
SENATE AND HOUSE
JOURNALS--1781.

FROM 27TH JANUARY TO 23RD JUNE, 1781.

STATE OF NORTH CAROLINA,
IN SENATE 27TH JANUARY, 1781.

At a General Assembly begun and held at Halifax the 27th day of January in the year of our Lord one thousand seven hundred and eighty-one, and in the 5th year of the Independence of the said State, it being the third session of the Assembly.


Mr. Charles Johnson for the County of Chowan, Mr. John Gray for the County of Camden, and Mr. Drury Ledbetter for the County of Montgomery, pursuant to the Certificates of the Returning Officers of said counties respectively, appeared, qualified agreeable to law and took their seats.

John Sitgreaves, Esq., late Clerk of the Senate, having declined acting, on motion John Haywood was appointed Clerk and Sherwood Haywood, Assistant.

Ordered that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen:

This House being now formed acquaint you that they are ready to proceed on the dispatch of public business.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

The House of Commons being now formed acquaint you that they are ready to proceed to the dispatch of public business.

Adjourned til to-morrow morning 10 o'clock.
Sunday 28 January, 1781.
Met according to adjournment.
Ordered that the following address be presented His Excellency, the Governor, first having the approbation of the House of Commons:

To His Excellency, Abner Nash, Esquire, Captain General, Governor, &c., &c.

SIR:
The General Assembly being now convened beg leave to inform your Excellency that they are ready to take under consideration such dispatches and other public matters you may think proper to lay before them.
Ordered that the foregoing address with the following Message be sent the Commons for concurrence.

Mr. Speaker and Gentlemen:
We propose that the Address herewith sent you, be presented his Excellency, the Governor, and have on our part appointed Mr. Hunt to wait on him with the same.
Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:
This House have appointed Colonel Irwin, Mr. Davis, Colonel Ramsey, Mr. Clinton, Mr. Charles Johnson, and Major General Caswell a Committee, who will act jointly with such gentlemen of your House as may be appointed to ascertain the adequate and proper allowances to be made by the General Assembly for articles furnished the public.
Received from the Commons the following Message:

Mr. Speaker and Gentlemen:
We herewith send you the remonstrance of sundry people called Quakers, which we propose referring to a joint Committee of both Houses and have on our part appointed Messrs. Person, Hawkins, Wilson, Harrington, and Williams a Committee.
Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:
Colonel Shelby, Mr. Courtney, and Mr. Battle will act with the
gentlemen by you appointed to consider of the Remonstrances of the Quakers of Wayne County.

Received from the Commons, a Bill to enforce the attendance of the Members of the General Assembly. Endorsed in the House of Commons 28 January, 1781, "read the first time and passed."

Ordered that the same be read. Read the first time, passed and returned to the Commons.

Ordered that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen:

The Senate have appointed Mr. Davis, Major General Caswell, Mr. Charles Johnson, Mr. McKenzie, Col. Irwin, and Mr. Shepheard a Committee, who will act jointly with such of your body as may be appointed to consider of and report what Bills of Public Utility are absolutely necessary to be passed into Laws by the present Assembly, and prepare the same.

Adjourned til to-morrow morning 10 o'clock.

Monday 29th January, 1781,

The House met.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send you a Message from his Excellency, the Governor, addressed to the General Assembly, together with sundry letters and public papers, which this House have had under consideration.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

The Commons have appointed Messrs. Person, Phifer, Bloodworth, Macon, Smith and Blount to act as a Committee with the Gentlemen by you appointed to ascertain the adequate and proper allowances to be made by the General Assembly for Articles furnished the Public.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House have appointed Messrs. Lock, Starkey, Harrington, Williams, Person, and P. Hawkins to act with the Gentlemen by you appointed to consider of and report what Bills of Public Utility
are necessary to be passed into Laws by the present Assembly, and to prepare the same.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House have appointed Messrs. Jordan, Harrington, Blount, Winslow, and Smith to act with such Gentlemen as the Senate may appoint to examine the accounts of Robert Bignall, Esqr., Commissioner of Trade, and make report thereon.

Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

This House have received the Message of yours appointing certain members to act as a Committee on your part for settling and adjusting the accounts of Mr. Bignall, one of the Commissioners of Trade, with which we do not concur; but propose in lieu thereof that a settlement should be made with the Commissioners of Trade generally, and appoint on our part Mr. Hunt and Mr. Ramsey for this purpose.

Resolved, That Mr. Benjamin Hawkins be summoned to attend this present Session of Assembly and settle his accounts as Commissioner of Trade and Commercial Agent.

Ordered that the foregoing Resolves, with the following Message, be sent the Commons for Concurrence:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve of this House, directing Benjamin Hawkins, Esquire, to appear at this Session and settle his accounts as Commissioner of Trade and Commercial Agent.

Mr. James Coor, the Member for the County of Craven, and Mr. John Simpson, the Member for the County of Pitt, appeared and took their seats.

Ordered that Mr. Coor be added to the Committee appointed to consider and report what Bills of Public Utility are absolutely necessary to be passed into Laws by the present Assembly, and prepare the same.

On motion, ordered that the Message from His Excellency the the Governor of this date, addressed to the General Assembly, together with the several Resolves of the General Assembly, Con-
gess, Letters, &c., therein alluded to, be referred to the joint Committee appointed to consider of and report what Bills of Public Utility are absolutely necessary to be passed into laws by the present Assembly, and prepare the same.

Read the petition of John Wooten, of Franklin County, praying, &c.

Resolved, That the said John Wooten be allowed an annuity of Twenty Barrels of Corn, to be paid him yearly out of the Specific Tax by the Commissioner of Franklin County.

Ordered that the foregoing Resolve, with the following Message, be sent the Commons for Concurrence:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve in favor of John Wooten, of Franklin County, together with his petition.

Received from the Commons a Bill to continue the Executive powers of Government in the present Governor and Council after the 15th day of April next, on the contingency therein mentioned. "Endorsed in the House of Commons 29th January, 1781; read the first time and passed."

Ordered said Bill be read. Read, passed the first time and returned to the Commons.

Read the petition of Anne Lovick, of Craven County, praying, &c.

Ordered that it be referred to a joint Committee, and that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

This House have appointed Colonel Medlock and Colonel Williams a Committee to act in Conjunction with such of your Body as may be appointed to examine and report on the Facts contained in the Petition of Anne Lovick, herewith sent you.

Received from the Commons a Bill to repeal an Act entitled an Act to suppress excessive Gaming, passed at Newbern the first Session of the present General Assembly. Endorsed in the House of Commons 29th January, 1781, "read the first time and passed."

Ordered the said Bill to be read. Read the first time and passed and returned to the Commons.

Colonel John Carter, the Member for the County of Washington, appeared and took his seat.
On motion, resolved, that the Honorable Joseph Leech, Esquire, remit to the Continental and Militia Officers in the service of this State now on Parole to the Southward with the Enemy, through the Hands of Captain Armstrong, such Sum in Specie as he may have in his Hands due to the Public for and on account of salted Provisions sold in the West Indies.

Resolved, That Benjamin Hawkins, Esquire, deliver into the Hands of Captain Armstrong such Sum in Specie as he may have lately received from the Hon’ble Joseph Leech, Esquire, on public Account, for the use of the Continental and Militia Officers belonging to this State, now on Parole to the Southward with the Enemy.

Ordered that the foregoing Resolves, with the following Message, be sent the Commons for Concurrence.

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve directing Joseph Leech, Esquire, to deliver Captain Armstrong, Esquire, such Sum in Specie as he may have in his hands due the Public; also a Resolve directing Benjamin Hawkins, Esquire, to deliver said Armstrong such Sum in Specie as he may have received of Colonel Leach, to be sent for the relief of the Continental and Militia Officers belonging to the State, now on Parole to the Southward with the Enemy.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your Concurrence a Resolve of this House exempting Alexander Downie, of Duplin County, from the payment of poll Taxes.

The Resolve above referred to being read, ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Resolve of your House in favor of Alexander Downie, of Duplin County, we return you herewith, concurred with.

Received from the Commons a Bill to enforce the Attendance of the Members of the General Assembly. "Endorsed in the House of Commons 29th January, 1781. Read the second time, amended and passed." Ordered said Bill be read. Read, and on motion, ordered that Mr. Battle and Mr. Hunt have leave to take out and amend the same.

Adjourned til to-morrow Morning 10 o’clock.
STATE RECORDS.

Tuesday 30th January, 1781.
The House met.
Received from the Commons the following Message:

Mr. Speaker and Gentlemen:
We herewith return the Resolve of your House, directing Jos. Leech, Esquire, to deliver Captain Armstrong such sum in Specie as he may have in his hands due the public, and the Resolve directing Benjamin Hawkins, Esquire, to deliver said Armstrong such sum in Specie as he may have received of Colonel Leech, to be applied as therein directed. Concluded with.

Received the Resolve above referred to. Endorsed in the House of Commons 29th January, 1781, “Concurred with.”

Mr. Speaker and Gentlemen:
We send for your concurrence a Resolve of this House requesting the Board of War to lay the Journal of their proceedings before the Assembly.

The Resolve above referred to being read was concurred with.

Mr. Speaker and Gentlemen:
We herewith send for your concurrence a Resolve of this House requesting the Commissioners of the Board of Trade to repair to the present Assembly in order to settle their accounts, &c.

Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:
The Resolve of your House requesting the Board of War to lay the Journal of their Proceedings before the Assembly, and the Resolve requesting the Commissioners of the Board of Trade to repair to the present Assembly in order to settle their accounts, &c., we return you concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:
We herewith send for your concurrence a Message which we propose presenting to His Excellency the Governor, informing him that the Assembly are ready to take under Consideration the Journals and proceedings of the Council of State since the last Session.
The Message referred to in the above being read, was rejected.
Ordered that the following be addressed to and sent to his Excellency the Governor, first having the assent of the House of Commons.

To His Excellency Abner Nash, Esquire, Gov., Captain General, &c.:

Sir:

The General Assembly inform your Excellency that they are ready to take under Consideration the Proceedings of the Council of State since the last Session of Assembly, and request your Excellency will be pleased to direct the Journal thereof to be laid before them.

Ordered that the foregoing address be sent the House of Commons for their approbation.

Mr. Speaker and Gentlemen:

This House have received the Message of yours addressed to His Excellency the Governor and propose that the address herewith sent you be substituted in lieu thereof.

Mr. Battle, according to order, presented the Bill "to Enforce the Attendance of the Members of the General Assembly and to make adequate allowance for such attendance," which, being read with the amendments, was passed the second time and returned to the Commons.

Received from the Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send for your Concurrence the Report of the Committee appointed to take under Consideration the Remonstrance of the Quakers, together with the Resolve of this House, entered into in consequence thereof.

The Report and Resolve above alluded to, being read, were rejected, and on motion,

Resolved, That the respective Taxgatherers within this State collect from the Quakers, Moravians, Mennonists and Dunkards, who have not inventoried their Taxable Property, no more than seven times the Sum which the good Citizens who have fully complied with the Laws of this State in every respect would be liable to pay on the same amount of Taxable Property.

Ordered that the foregoing Resolve, with the following Message, be sent the Commons for Concurrence:
STATE RECORDS.

Mr. Speaker and Gentlemen:

This House cannot agree to the Resolve of yours respecting the Tax to be collected from Quakers, &c., &c. We are of opinion the Law is clearly expressed, and requires those Denominations, to pay a threefold Tax in lieu of Military Duty, and for neglecting to return List of their Property a fourfold Tax for such neglect, which, in the last mentioned case amounts to a sevenfold Tax; agreeable to which we send for your Concurrence a Resolve for the direction of the several Collectors.

Received from the Commons a Bill to raise Men to complete the Continental Battalions of this State. Endorsed in the House of Commons 30th January, 1781. "Read the first time and passed." The same being read, passed the first time and was returned to the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House allowing John Wooten an Annuity of Twenty Barrels of Corn. Concluded with.

Received the Resolve referred to in the foregoing Message. Endorsed, in the House of Commons 30th January, 1781. "Concluded with."

Mr. Speaker and Gentlemen:

The House have appointed Messrs. Starkey, Caswell, and Mitchell to act jointly with the Committee appointed by the Senate to examine and report on the Facts contained in the Petition of Anne Lovick.

Received from the Commons "a Bill to continue the executive powers of Government in the present Governor and Council after the fifteenth day of April next, on the Contingency therein mentioned." Endorsed, in the House of Commons 30th January, 1781. "Read the second time, amended and passed." Ordered said Bill be read. Read, passed the second time and returned to the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send you a Message from His Excellency the Governor, addressed to the General Assembly, with Sundry Letters, &c., as
also a Letter from the Marquis of Bretaigne, an Address from Colonel Malmedy, the Petition of James Hunter, and the Petition of Colonel Cleveland, which we propose referring to a joint Committee to examine and report upon, and have for that purpose on our part appointed Messrs. J. Hawkins, Person, Williams, Harrington, Blount, and Scurlock a Committee.

Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate agree with the Commons in referring the Message from His Excellency the Governor, together with the Letter, &c., by them alluded to, to a joint Committee, and have on their part for that purpose appointed Mr. Courtney, Colonel Cleveland, Colonel Medlock, and Colonel Leibetter a Committee.

Resolved, That Joseph Leech, Esquire, Commissary of Prisoners, be directed to purchase or obtain on Loan, Fifty Hogsheads of Tobacco, and remit the same as soon as may be to Charlestown by a Flag of Truce, to be applied towards alleviating the distresses of the Officers and Soldiers of the Continental and Militia Lines belonging to this State, in Captivity to the Southward, and that he pledge the faith of this State that such Tobacco shall be duly paid for if purchased, or replaced in case the same is obtained on Loan, at the rate of ten per cent. Interest until paid.

Resolved, That His Excellency the Governor be requested to grant a warrant or warrants on the Treasury in favor of such person as he shall appoint to proceed with the said Flag to Charlestown for such sum or sums as may be necessary to defray the Expenses and Charges accruing on the Executing this Business.

Ordered that the above Resolve, with the following Message, be sent the Commons for Concurrence:

Mr. Speaker and Gentlemen:

We send for Concurrence a Resolve in favor of the Officers and Soldiers belonging to this State, now in Captivity with the Enemy to the Southward.

Received from the Commons the following Messages:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House respecting the Tax to be collected from the Quakers, &c. Concurred with.
STATE RECORDS.

Received the Resolve above referred to. Endorsed, in the House of Commons 30th January, 1781. "Concurred with."

Mr. Speaker and Gentlemen:

The Message proposed by the Senate to be presented to His Excellency the Governor requesting that he will be pleased to lay the Journals of the Councils of State since the last Session, before the Assembly, this House approve of.

On motion, resolved, that the Prisoners of War at Salisbury and Hillsborough be removed from the respective places of their confinement to Halifax. And that General Jones, as Commanding Officer of the Militia in the district of Halifax for the time being, be directed to order a guard of at least One Hundred Men, to be commanded by a Field Officer, and that he order such Guard to be relieved every three Months, which Guard shall take charge of not only the prisoners aforesaid, but also of all other Prisoners of War which may be sent by Public Authority to be confined at Halifax aforesaid. That the Officer commanding the said Guard cause such Numbers of the Men as he shall think proper to be employed in erecting a Stockade Fort to enclose the Gaol in the said Town of Halifax.

It is further resolved, that General Jones be directed to order One Hundred of the Militia of his District, to be commanded by a Field Officer, to proceed to take charge of and March the said Prisoners from Salisbury and Hillsborough to Halifax aforesaid.

Ordered that the foregoing Resolve, with the following Message be sent the Commons for Concurrence.

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve directing the Removal of the Prisoners of War at Salisbury and Hillsborough, &c.

Mr. John Devane has leave of absence during the present Session of Assembly.

Adjourned till To-morrow Morning 9 O'clock.

Wednesday, 31st January, 1781.
The House met.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We return the Resolve of the Senate in favour of the Officers and
Soldiers belonging to this State now in captivity with the Enemy to the Southward, concurred with.

Received the Resolve referred to in the above Message Endorsed, "In the House of Commons 31st January, 1781, concurred with."

Received from the Commons "a Bill to regulate and establish a Militia" Endorsed, "In the House of Commons 31st January, 1781, read the first time and passed." Ordered the said bill be read. Read, passed the first time and returned to the Commons.

Sundry Affidavits being laid before the House charging Mark Allen and Joel McClendon, two of the Justices of the Peace in the County of Montgomery, with sundry treasonable practices and misdemeanors, rendering them unworthy of their said offices, whereupon it is Resolved, that the said Mark Allen and Joel McClendon be suspended from executing their respective offices of Justices of the Peace for the County of Montgomery aforesaid, until re-instated by the General Assembly, and that each of them have notice thereof.

It is further Resolved, that the said Mark Allen and Joel McClendon be committed by some Justice of the Peace for the said offences to the public Gaol for the District of Salisbury until they respectively give proper security for their appearance before the next Superior Court for that District to answer the said charges.

Ordered that the foregoing Resolve with the following Message be sent the Commons for concurrence.

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve suspending from office, &c., Mark Allen and Joel McClendon, two of the Justices of the Peace for Montgomery County; together with sundry affidavits relative to the conduct of the said Allen and McClendon.

Mr. Charles Johnston moved for leave and presented "a Bill for encouraging the Importation of Arms, Ammunition and other war-like Stores" which was read the first time, passed and sent the Commons.

Read the petition of William Courtney, Esquire, praying, &c. Ordered that Major General Caswell, Mr. Everagin, Mr. Shepperd and Mr. Collier be a Committee on the part of this House to consider of and report on the same; and that the following Message be sent the Commons.
Mr. Speaker and Gentlemen:

This House propose referring the Petition of William Courtney, Esquire, herewith sent you to a joint Committee, and have for that purpose on their part appointed Major General Caswell, Mr. Erving, Mr. Sheppard and Mr. Collier.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your perusal and examination a Letter from Dr. Williamson, Surgeon General to the Militia, late under the command of Major General Caswell, with a return of the wounded, prisoners, &c., taken by the enemy at the action near Camden, on the 16th of August last. We also send the resignation of the Lt. Colonel of Camden, and the first Major of Perquimans County.

The Papers alluded to in the above being read, ordered, that the following Message be sent the Commons.

Mr. Speaker and Gentlemen:

The Senate have received your Message together with Dr. Williamson's Letter and the other papers mentioned, and propose that they be referred to a joint Committee, and have for that purpose appointed Mr. Speaker, General Caswell, Col. Williams, Mr. Davis, Mr. Charles Johnston, Colonel Irwin, Colonel Shelby and Mr. Hunt, a Committee who will likewise act with such Gentlemen as may be appointed by the House of Commons, to devise Ways and Means for effecting an exchange of the Militia belonging to this State now in Captivity to the Southward.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House agree to refer the Petition of William Courtney, Esquire, to a joint Committee and have on their part appointed Mr. McCawley, Mr. Williams, Mr. Peebles, Mr. Winslow, Mr. Starkey and Mr. Whitaker, a Committee for that purpose.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send you the Petition of Kedar Harold, which we propose referring to a joint Committee and have on our part ap-
appointed Messrs. Freeman, Macon, Wilson and Dixon, a Committee for that purpose.

Ordered that Mr. Hill and Mr. Clinton on the part of this House act on the above Committee, and that the following Message be sent to the Commons.

Mr. Speaker and Gentlemen:

Mr. Hill and Mr. Clinton on the part of the Senate, will act with the Gentlemen by you appointed, to consider of the Petition of Kedar Harold and report thereon.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send you the Petition of William Richardson Davie and a Resolve of this House in consequence thereof, for your concurrence. The Petition and Resolve above referred to being read, were ordered to lie on the table.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your Perusal a Message from His Excellency the Governor.

The Message above referred to being read was ordered to lie on the table.

On motion agreed that Mr. Hill have leave of absence until Monday next.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your Perusal, &c., sundry extracts of Letters and Resolutions of Congress which we propose referring to the joint Committee appointed to examine and report upon the sundry public papers, &c., laid before the Assembly by His Excellency the Governor, &c., we propose referring the Petition of Captain Armstrong herewith sent you to the same Committee.

Ordered that the following Message be sent to the Commons.

Mr. Speaker and Gentlemen:

The Senate agree with the Commons in referring the Extracts of Letters, Resolutions of Congress, &c., also Captain Armstrong's Me-
memorial, to the joint Committee appointed to take under considera-
tion the Public Papers laid before the Assembly by His Excellency
the Governor.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send you the Report of the Committee on the Pe-
tition of Mrs. Anne Lovick, concurred with by this House.

Received the report above referred to as follows:
The Committee to whom the Petition of Anne Lovick was re-
ferred, report as follows:

That after maturely considering the Allegations set forth in the
said Petition, we have reason to believe that they are true; but as it
appears that Mr. Smith, has not had notice, previous to the present-
ment of the said Petition, we are therefore of opinion, that two
Justices of the Peace, of the County of Craven be appointed to take
the Deposition of the witnesses and Examination of the Parties
concerned, and make their proceeding known to the next General
Assembly, and that Mr. Smith have notice of the subject matter of
the Petition.

The House taking the above report into consideration concurred
therewith.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send you a Message from His Excellency the Gov-
ernor, accompanied by a Letter from Colonel Kenan of Duplin
County, which we propose referring to a joint Committee, and have
on our part appointed Messrs. Starkey, Gillespie and Herndon, a
Committee.

The Message and Letter above referred to being read, Resolved,
that James Kenan, Esquire, be appointed Colonel Commandant of
the Militia in the District of Wilmington, in the absence of Briga-
dier General Lillington, with all the power to call out the Militia of
that District as occasion may require, which are by law vested in
the Brigadier General when present.

Resolved, that His Excellency the Governor, be directed to order
to be raised immediately such and so many of the Militia of the
Districts of Newbern and Wilmington as shall appear to him to be
convenient and necessary to repel the Enemy lately arrived in Cape Fear River, and to take such other measures as he shall deem conducive to the defence and safety of the State. Ordered that the foregoing Resolve with the following Message be sent the Commons for concurrence.

Mr. Speaker and Gentlemen:

This House have received the Message of yours proposing that the Message from His Excellency the Governor, together with the Letter from Colonel Kenan be referred to a joint Committee, with which we do not concur, but propose that the Resolve herewith sent you, relative to the subject matter thereof, be immediately adopted.

Resolved that the annual allowance heretofore made Richard Fletcher, late of Washington County, be discontinued; the said Fletcher being notoriously guilty of passing counterfeit money. Ordered that the foregoing Resolve with the following Message be sent the Commons for concurrence.

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve discontinuing an allowance heretofore made R. Fletcher, late of Washington County.

Resolved, that agreeable to the Recommendation of the Court of Pitt County, William Kilpatrick, a wounded Soldier, be allowed twenty barrels of corn, to be paid him out of the Specie Tax of said County.

Ordered that the foregoing Resolve with the following Message be sent the Commons.

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve in favour of Wm. Kilpatrick of Pitt County.

Adjourned till to-morrow morning 9 O'Clock.

Thursday, February 1st, 1781.
The House met.

Mr. Hunt moved for leave and presented a Bill to continue an Act for quieting such persons as may suffer in their titles and claims of land, by reason of the extension of the Boundary line be-
tween this State and the Commonwealth of Virginia; which was read the first time, passed and sent the Commons.

Received from the Commons the following Message.

Mr. Speaker and Gentlemen:

We send for your concurrence a resolve of this House appointing the Field Officers in Rutherford County.

The Resolve above referred to being read was concurred with. Ordered that the following Message be sent the Commons.

Mr. Speaker and Gentlemen:

The Resolve of your House appointing Field Officers in Rutherford County, we return you concurred with.

Received from the Commons the following Message.

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House appointing Field Officers for the County of Cumberland, &c.

The Resolve above alluded to being read was concurred with. Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Resolve of your House appointing Field Officers for the County of Cumberland, we return you concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House requesting His Excellency the Governor, to grant warrants on either of the Treasurers of this State in favor of Colonel Blount for ten thousand pounds.

The Resolve above referred to being read was concurred with. Ordered that the following Message be sent the Commons.

Mr. Speaker and Gentlemen:

We return the Resolve of your House requesting His Excellency the Governor, to grant warrants on either of the Treasurers of this State in favor of Colonel Blount concurred with. On motion, Resolved, that His Excellency the Governor be requested to send a Flag of Truce to Charlestown, for the purpose of conveying a quan-
tity of Cloathing in the possession of Col. Long purchased to the Northward for the Continental Officers; and other supplies to the Officers and Soldiers of the Continental and Militia Lines, belonging to this State in captivity to the Southward, and that Captain Thomas Armstrong be recommended as a proper person to be the bearer of the said Flag.

Ordered that the foregoing Resolve with the following Message be sent the House of Commons.

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve requesting His Excellency the Governor to send a Flag of Truce to Charlestown for the purpose therein mentioned; also recommending Captain Armstrong as the Bearer thereof.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House have rejected the Resolve of your House allowing William Kilpatrick Twenty Barrels Corn out of the Specific Tax in Pitt County, and with the Concurrence of the Senate exempting him from the Payment of Poll Taxes.

Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Resolve of your House exempting William Kilpatrick, of Pitt County, from Payment of Poll Taxes we return you Concluded with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House discontinuing an Annual Allowance heretofore made Richard Fletcher, Concluded with.

Received the Resolve referred to in the foregoing Message. Endorsed, in the House of Commons 31st January, 1781. "Concluded with."

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith return the resolve of your House suspending Mark
Allen and Joel McClendon from the Execution of their Offices of Justices of the Peace, Concluded with by this House.

Received the Resolve above alluded to. Endorsed, "in the House of Commons 31st January, 1781. Concluded with."

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House requesting His Excellency the Governor to send a Flag of Truce to Charlestown, Concluded with.

Received the Resolve above referred to, Endorsed, "in the House of Commons 31st January, 1781. Concluded with."

Colonel John Gray, the Member from Camden County, hath leave of absence during the present Session.

Resolved, That Major General Caswell and Mr. Davis be a Committee on the part of this House to prepare an address of Thanks to be presented the Officers who were Active in the Capture of the British Troops commanded by Lieutenant Colonel Ferguson at King's Mountain.

Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate have appointed Major General Caswell and Mr. Davis a Committee, who will act jointly with such Gentlemen of your Body as may be appointed to prepare an address of Thanks to be presented the Officers who were Active in the Capture of the British Troops Commanded by Lieutenant Colonel Ferguson at King's Mountain.

On motion, ordered that the following be presented His Excellency the Governor, first having the assent of the Commons:

To His Excellency Abner Nash, Esquire, Governor, &c.:

SIR:

The General Assembly beg leave to assure your Excellency that in case it be found necessary to continue a Board of War in this State, the Powers of that Board will be so regulated as to prevent all just Cause of Umbrage or Complaint from your Excellency in future.

Ordered, that the foregoing Address with the following Message be sent the Commons for their Approbation:
Mr. Speaker and Gentlemen:

You will herewith receive for your Concurrence an address proposed by this House to be presented His Excellency the Governor.

Received from the Commons "a Bill to continue an Act for quieting such persons as may suffer in their Titles by reason of the Extension in the Boundary Line between this State and the Commonwealth of Virginia." Endorsed, in the House of Commons, 1st February, 1781, read the first time and passed.

Ordered, that the same be read. Read, passed the second time, and sent the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We return the address proposed by you to be presented His Excellency the Governor, Concurrd with.

Whereas, it is represented to the General Assembly by Colonel Cleveland, of Wilkes County, that he hath now on his Hands One Hundred and Fifty-three stands of Arms taken from Major Ferguson’s Party at the Battle of King’s Mountain. Fifty-three of which stands Colonel Cleveland considers as his own Property by Purchase from the Captors; the other Hundred stands ready to be applied to public uses, on the said Captors receiving satisfaction for the same; Therefore,

Resolved, That Charles Gordon, John Brown, and —— Herndon be and they are hereby nominated and app’t Commissioners for receiving said Arms, valuing the same and Granting Certificates for the amount thereof, which Certificates shall bear interest at the rate of six per cent. per annum until paid, and then be divided amongst the Captors legally claiming a share and part of said Arms.

Ordered, that the foregoing Resolve with the following Message be sent the Commons for Concurrence:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve relative to certain Arms in the Hands of Colonel Cleveland, taken at the Capture of the British at King’s Mountain.
STATE RECORDS. 655

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve of this House requesting His Excellency the Governor, to grant a warrant on the Treasurer of the District of Wilmington in favor of David Dood, Commissioner of Duplin County.

Ordered, that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

We return the Resolve of your House requesting His Excellency the Governor to grant a warrant in favor of David Dood on the Treasurer of the District of Wilmington, Concluded with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve of this House in favor James Hunter, of Guilford County.

Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Resolve of your House in favor of James Hunter, of Guilford County we return you, Concluded with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

The Commons have appointed Messrs. Lock, Smith, May, Phifer, and Montford to act with the Gentlemen appointed by the Senate to take under consideration the Letter of Dr. Williamson, and to devise Ways and Means for effecting an Exchange of the Militia belonging to the State now in Captivity to the Southward.

Major General Caswell, from the joint Committee appointed to ascertain the adequate and proper allowances to be made by the General Assembly for Articles furnished the public, reported as follows:

The Committee appointed to ascertain adequate and proper allowances to be made by the General Assembly for Articles furnished the Public,
Report, that it is their opinion the prices following are adequate and proper to be allowed, that is to say,

<table>
<thead>
<tr>
<th>Item</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>For every pound of French Beef</td>
<td>£ 1.12</td>
</tr>
<tr>
<td>Three year old steers and barren or dry cows each</td>
<td>440</td>
</tr>
<tr>
<td>Four year old steers</td>
<td>560</td>
</tr>
<tr>
<td>Five year old steers</td>
<td>640</td>
</tr>
<tr>
<td>Six year old steers and upwards</td>
<td>720</td>
</tr>
<tr>
<td>Salt Beef per Barrel</td>
<td>800</td>
</tr>
<tr>
<td>Fresh Pork per pound</td>
<td>2/8</td>
</tr>
<tr>
<td>Salt Pork per Barrel</td>
<td>1000</td>
</tr>
<tr>
<td>Mutton each, good sheep</td>
<td>100</td>
</tr>
<tr>
<td>Wheat per bushel</td>
<td>45</td>
</tr>
<tr>
<td>Flour per hundred weight</td>
<td>135</td>
</tr>
<tr>
<td>Oats per bushel</td>
<td>24</td>
</tr>
<tr>
<td>Oats in the sheaf, each sheaf</td>
<td>2</td>
</tr>
<tr>
<td>Rye per bushel</td>
<td>40</td>
</tr>
<tr>
<td>Hay and Corn Blades per Cwt. each</td>
<td>30</td>
</tr>
<tr>
<td>Bran per bushel</td>
<td>6/8</td>
</tr>
<tr>
<td>Brandy per gallon</td>
<td>80</td>
</tr>
<tr>
<td>Whiskey per gallon</td>
<td>60</td>
</tr>
<tr>
<td>Cider per barrel</td>
<td>60</td>
</tr>
<tr>
<td>Brown sugar per pound</td>
<td>16</td>
</tr>
<tr>
<td>Molasses per gallon</td>
<td>50</td>
</tr>
<tr>
<td>For butter and cheese per pound</td>
<td>6</td>
</tr>
<tr>
<td>For bacon per pound</td>
<td>5</td>
</tr>
<tr>
<td>Dried Beef per pound</td>
<td>3/10</td>
</tr>
<tr>
<td>Hire of a single horse per day</td>
<td>10</td>
</tr>
<tr>
<td>A wagon without team per day</td>
<td>10</td>
</tr>
<tr>
<td>A cart without team per day</td>
<td>5</td>
</tr>
<tr>
<td>Clean rice per hundred weight</td>
<td>150</td>
</tr>
<tr>
<td>Rough rice per bushel</td>
<td>45</td>
</tr>
<tr>
<td>Shoeing horses, each shoe</td>
<td>14</td>
</tr>
<tr>
<td>Pasturage, each horse 24 hours</td>
<td>2/8</td>
</tr>
<tr>
<td>Pot Iron per pound</td>
<td>6</td>
</tr>
<tr>
<td>Bar Iron per pound</td>
<td>8</td>
</tr>
</tbody>
</table>
STATE RECORDS.

In the Counties of Rowan, Mecklenburg, Lincoln, Rutherford, Burke, Anson, Montgomery, and Richmond:
For Corn per Bushel..........................£ 140
Rum per Gallon..................................120
Salt per Bushel..................................640

In the Districts of Halifax and Hillsborough—
For Salt per Bushel............................500

In every other part of the State—
For Salt per Bushel............................400
Corn per Bushel..................................25
Rum per Gallon..................................100

All which is transmitted by the Committee to the Consideration of the General Assembly.

RICHARD CASWELL, Chairman.

The House taking this report into Consideration concurred therewith, and Ordered that with the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

We send for your Concurrence the report of the joint Committee appointed to ascertain the adequate and proper allowance to be made by the General Assembly for Articles furnished the Public, Concedured with by this House.

Resolved, That the Treasurers or any one of them pay into the Hands of John Haywood, Secretary of the Board of War, Fifty Thousand pounds, to defray the necessary Expenses and Public Expenditures of the said Board, for which said Secretary is to be accountable. Ordered that the above Resolve with the following Message be sent the Commons for Concurrence:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve directing the Treasurers or either of them to pay into the Hands of the Secretary of the Board of War Fifty Thousand pounds, to be applied as therein directed.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send you a Message from His Excellency the Gov-

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ernor, and have appointed on our part Messrs. J. Williams, Person, Locke, Harrington, and Caswell to confer immediately in conjunction with such Gentlemen as the Senate may appoint, with His Excellency, on the measures proper to be taken for the immediate defence of the State.

Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

Major General Caswell, Mr. Davis, Mr. Coor, and Mr. Hunt, on the part of the Senate, will, with the Gentlemen by you appointed, attend and confer with His Excellency the Governor, the measures proper to be taken for the immediate defence of the State and report the result of such Conference.

Mr. Davis moved for leave, and presented "a Bill for vesting certain lands therein mentioned in Evan Shelby, his Heirs and Assigns in fee Simple," which was read the first time, passed and sent the Commons.

Major-General Caswell, from the joint Committee appointed to attend and confer with His Excellency the Governor on the measures proper to be taken for the immediate defence of the State, reported as follows:

The Committee appointed to confer with His Excellency the Governor, &c., beg leave to report as followeth:

That it is the opinion of your Committee a Law be immediately enacted to appoint a Council extraordinary, to consist of three persons in whom the Legislature can place the greatest confidence, to advise His Excellency the Governor in the Exigencies of the State, and that the Governor, with the advice of any two of them, be invested with full power to take such measures as shall be deemed necessary for the defense and preservation of the State, in all cases whatsoever, until the end of the next Session of the General Assembly.

The House, taking the said Report into consideration, concurred therewith.

Ordered, that the following Message be sent the Commons, with the above Report.

Mr. Speaker and Gentlemen:

We herewith send you the Report of the joint Committee appointed
to confer with His Excellency the Governor, &c., concurred with by this House.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We return the Resolve of your House appointing Mr. James Kenan, Esq., Colonel Commandant of the Militia, &c., in the district of Wilmington, &c., concurred with.

Received the Resolve of this House referred to in the foregoing Message. Endorsed in the House of Commons 1st February, 1781. "Concurred with."

Received from the Commons "a Bill for laying a further tax for compleating the public Buildings in Gates County." Endorsed in the House of Commons, 31st January, 1781. "Read the first time and passed." Ordered, that the same be read. Read the first time and rejected.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send you the Memorial of the Affairs of the North Carolina Line, which we propose referring to a joint Committee, and have on our part appointed Messrs. Caswell, Harrington, Blount, Mason, and Person a Committee.

Ordered, that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate agree with the Commons in referring the Memorial of the officers of the North Carolina Line to a joint Committee, and have for that purpose appointed Colonel Williams, Mr. Hinton and Mr. Shelby a Committee.

Adjourned til to-morrow 9 o'clock.

Friday, 2nd February, 1781,

The House met.

Received from the Commons a Bill to continue an Act entitled "an Act to suspend the operation of the Confiscation Law." Endorsed in the House of Commons February 1st, 1781. "Read the first time and passed." Ordered said Bill be read. Read the first time and reported.

Colonel Irwin moved for leave and presented a Bill to amend an
Act entitled "an Act for securing the quiet and inoffensive Inhabitants of this State from being injured; for preventing such property as hath or may be confiscated from being wasted or destroyed, and for other purposes," which was read the first time and passed, and sent the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We return the resolve of your House appointing Anthony Bledsoe, Esq., Lieutenant-Colonel of the Sullivan Regiment of Militia. Concluded with.

Received the Resolve referred to in the foregoing. Endorsed in the House of Commons 1st February, 1781. "Concluded with."

Received from the Commons the following message:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House directing the Treasurers to pay into the hands of John Haywood, Esq., Secretary of the Board of War, a certain sum therein mentioned. Concluded with.

Received the Resolve above referred to. Endorsed in the House of Commons, 1st February, 1781. "Concluded with."

Received from the Commons the following message:

Mr. Speaker and Gentlemen:

The Commons have appointed Messrs. Montford, Starkey, Smith, and Person, a committee, to act with such gentlemen as you may have appointed to prepare an address of thanks to be presented to the officers who were concerned in the capture of the British troops at King's mountains.

Received from the Commons the following message:

Mr. Speaker and Gentlemen:

We herewith return the report of the committee appointed to confer with His Excellency the Governor, &c. Concluded with by this House, also we send you the resignation of John Kinchen, Esq., a member of the Board of Auditors.

Received the report above referred to. Endorsed in the House of Commons, 1st February, 1781. "Concluded with."

Received from the Commons "a Bill to amend" an Act to pre-
vent the abuses in taking up stray horses, cattle, hogs, and sheep and other things therein mentioned. Endorsed, in the House of Commons, 1st February, 1781. "Read the first time, passed." Ordered said Bill be read. Read the first time and rejected.

Received from the Commons a Bill to continue "an Act for quieting such persons as may suffer in their Title and Claims of Land by reason of the extension of the boundary line between this State and the Commonwealth of Virginia." Endorsed, in the House of Commons, 2nd February, 1781, "read the second time and passed."

Ordered said Bill be read. Read the third time, passed and sent the Commons.

Received from the Commons the following message:

Mr. Speaker and Gentlemen:

This House cannot concur with the report of the joint committee appointed "to ascertain the adequate and proper allowances to be made by the General Assembly for Articles furnished the public," and propose that the said report be recommitted, and that Mr. Starkey be added to the said committee, and Mr. James Williams be added to the committee appointed to take under consideration the petition of the officers of the North Carolina line.

Ordered that the following message be sent the Commons:
Mr. Speaker and Gentlemen:

The Senate agree with the Commons in recommitting the report of the Joint Committee appointed to ascertain the adequate and proper allowances to be made by the General Assembly for articles furnished the public, and have on their part added Mr. Coor to the said committee, they also agree that Mr. Williams be added to the committee appointed to consider of the memorial of the officers of the North Carolina line.

Read the memorial of Samuel Strudwick, of Orange county, praying, &c., whereupon,

Resolved, That the Collectors of the specific and pecuniary tax for the year 1780, do remit to Mr. Samuel Strudwick all the tax on the lands by him claimed in the Haw Fields excepting on one hundred acres; the tax on the remainder of those lands being liable to be paid for by the present possessors, and that this resolve shall not be considered in any sense to affect the title of these lands.
Ordered, that the foregoing Resolve, with the following message, be sent the Commons:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve remitting the tax on certain lands therein mentioned, agreeable to the petition of Samuel Strudwick, Esq., of Orange county, herewith sent you. Maj. General Caswell moved for leave and presented a Bill to establish a Board of War, which shall be a council extraordinary to advise the Governor in all cases whatsoever which was read the first time, passed and sent the Commons.

Received from the Commons a Bill for vesting certain lands therein mentioned in Evan Shelby his heirs and assigns in fee simple. Endorsed, in the House of Commons, 2nd February, 1781. "Read the first time, and passed."

Ordered, that the same be read. Read, passed the second time, and sent the Commons.

Received from the Commons the following message:

Mr. Speaker and Gentlemen:

This House have appointed Mr. Blount, Mr. Starkey, Gen. Harrington, Mr. J. Hawkins, and Mr. James Williams, a committee on their part, who will act jointly with such gentlemen of the Senate as may be appointed to prepare and draw up a Resolve declaring the intention of the General Assembly in precipitately appointing General Smallwood to the command of the militia of the State in the room of Major General Caswell.

Ordered that the following message be sent the Commons:

Mr. Speaker and Gentlemen:

This House cannot agree with yours in appointing a committee to prepare and draw up a Resolve declaring the intention of the General Assembly in precipitately appointing General Smallwood to the command of the militia of this State, but shall readily agree with your House, should you appoint a committee to prepare a Resolve declaring the reasons which induced the General Assembly to appoint General Smallwood, and the high sense the Assembly then had and still have of the merits of General Caswell and of the singular services by him rendered this State.
Read the Memorial of William R. Davie, setting forth, &c., whereupon,
Resolved, that the said William R. Davie be allowed the sum of
ten thousand pounds as a compensation for his expenditures when
in the service of this State during the late campaign, that the Treas-
urers or either of them pay him the same and be allowed.
Ordered that the foregoing Resolve with the following Message be
sent to the Senate.

Mr. Speaker and Gentlemen:
We send for your concurrence a Resolve allowing William R.
Davie a certain sum therein mentioned.
Read the Petition of L. Col. Mountflorence, praying &c., where-
fore, Resolved, that Lieut. Col Mountflorence be allowed the sum
of four thousand pounds as a compensation in full for his pay and
expenditures when in public service during the late campaign, that
the Treasurers or either of them pay him the same and be allowed.
Ordered that the above Resolve with the following Message be
sent the Commons for concurrence.

Mr. Speaker and Gentlemen:
We send for your concurrence a Resolve in favour of L.t. Col.
Mountflorence.
Adjourned til to-morrow morning 9 o’clock.
Saturday 3rd February, 1781.
The House met.
Received from the Commons a Bill for appointing District Audit-
ors for the settlement of public claims, Endorsed, “In the House of
Commons 2nd February, 1781. Read the first time and passed.”
Ordered the said Bill be read. Read, passed the first time and
sent the Commons.

Whereas, it appears to the General Assembly, that for refusing to
deliver the property of the late Gov. Martin into the hands of Com-
mis:ioners a certain James Biggleston, of the county of Craven, was
for a long time committed to close Gaol, and hath for more than
two years past been confined to certain limits, including a farm he
then held on rent, the lease of which is now expired, and himself
and family ordered off the lands by the owner thereof.
Resolved, that the said James Biggleston be permitted to reside
in the town of New Berne, or any other part of Craven county, lying above the said town between Neuse and Trent Rivers, or in any part of either of the Counties of Granville or Warren, until otherwise directed by lawful authority.

Ordered that the above Resolve, with the following Message be sent the Commons.

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve in favour of James Biggleton, of Craven County.

Mr. Charles Johnson moved for leave and presented a bill for establishing the salaries of the Judges of the Superior Courts of Law and of the Attorney General, which was read the first time, passed and sent to the Commons.

Received from the Commons a Bill to establish a Board of War, which shall be a Council extraordinary, to advise the Governor in all cases whatsoever, Endorsed, "In the House of Commons 2nd Feb'y, 1781, read the first time and passed."

Ordered said Bill be read. Read, amended, passed the second time and sent the Commons.

Received from the Commons a Bill to encourage the importation of Arms, Ammunition, and other Warlike Stores. Endorsed, "In the House of Commons 2nd February, 1781, read the first time and passed."

Ordered said Bill be read. Read, amended, passed the second time and sent the Commons.

Whereas, it may be necessary in these times of difficulty and danger, to remove the public Records and Papers in the Secretary's office papers belonging to the General Assembly, the Public Accounts and all other public papers, to a place of safety.

Resolved, that His Excellency the Governor, by and with the advice of the Council of State be, and he is hereby empowered and required to order such public records and papers, to be removed to such place or places of security and safety as he shall judge proper. And that he order a proper guard from the Militia as an escort to the said records and papers.

Ordered that the foregoing Resolve with the following Message be sent the Commons for concurrence.

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve, directing and empowering His
Excellency the Governor, with the advice of the Council of State to order the removal of the public records and papers belonging to this State.

Resolved, that William Tisdale and Andrew Blanchard, Esquires, two of the justices of the County of Craven, be empowered to call before them Anne Lovick and Bazell Smith, parties contending, respecting the estate of Thomas Lovick, and take the examination of said parties, and also to cause to come before them such persons as it may be suggested are proper witnesses for either of the said parties and take their depositions, which examinations and depositions, they shall reduce to writing, and certify under their hands to the next session of the General Assembly.

Ordered that the foregoing Resolves, with the following Message, be sent the Commons for Concurrence.

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve empowering William Tisdale and Andrew Blanchard, Esquires, to take the examinations of Anne Lovick, Bazell Smith, &c., respecting the estate of Thomas Lovick.

Resolved, that His Excellency the Governor, be required to order all Military and other stores belonging to the public at New Bern and Kingston to be removed to Smithfield, and those at Cross Creek to be removed to Hillsborough, and that he order a sufficient guard from the Militia to attend the removal of such stores.

Ordered that the above Resolve, with the following Message, be sent the Commons for concurrence.

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve requiring His Excellency the Governor, to order the removal of the Military and other stores therein mentioned.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House declaring, that the Assembly of this State will at their next session, which shall be held next after the first day of November next, hear and determine the claims of patentees and settlers under the State of Virginia.
The Resolve above referred to being read was concurred with, and the following Message ordered to be sent the Commons.

Mr. Speaker and Gentlemen:

The Resolve of your House declaring that the Assembly will at their next session which shall be held next after the first day of November next, hear and determine the claims of patentees and settlers under the State of Virginia, we return you concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

Whereas, a Resolution passed the last session of Assembly at Hillsborough the 12th September, respecting Major General Caswell, from its ambiguity, having been construed much to his prejudice, we therefore propose that a joint Committee be appointed to draw up a Resolution, the better to explain the said resolution of the 12th September, and have on our part for that purpose appointed Mr. Person, Mr. Harrington, Mr. Starkey and Mr. Blount a Committee.

Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate agree with the Commons in appointing a Committee to draw up a Resolution, the better to explain the Resolve of the General Assembly of the 12th of September last, respecting Major General Caswell, and have on their part appointed Mr. Coor, Mr. Williams, Mr. Battle and Mr. Davis, who will act with the gentlemen by you appointed for that purpose.

Resolved, that William Wallace, Esquire, a Justice of the Peace, in Sullivan County, and Thomas Haughton, Esquire, a Justice in Washington County, be empowered and required to cause to come before them such persons as may be suggested to be proper witnesses in respect to the controverted titles for lands, which are to come under consideration of the General Assembly, and that they take the deposition of such persons, reduce them to writing and send the same certified under their Hand and Seal to the next Session of the General Assembly giving the parties ten days notice previous of the time, when and place where such depositions are to be taken. And that depositions taken in Virginia under the like regulations will be received as testimony.
Ordered that the foregoing Resolve, with the following Message, be sent the Commons for concurrence.

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve empowering and requiring William Wallace and Thomas Haughton, Esqrs., to take the depositions of witnesses as therein mentioned, respecting the controverted titles to lands, which are to come under consideration of the General Assembly.

Received from the Commons the following message:

Mr. Speaker and Gentlemen:

We send you the petition of Joseph Taylor, Esq., clerk of the Superior Court of the District of Hillsborough; and a Resolve of this House in consequence thereof, for your concurrence. The resolve above referred to being read, was concurred with.

Ordered, the following message be sent the Commons:

Mr. Speaker and Gentlemen:

The Resolve of your House permitting Joseph Taylor, Esq., to resign his appointment as clerk of the Superior Court for the District of Hillsborough, we return you herewith concurred with whereas it appears to the satisfaction of the General Assembly, that Wm. Grayham, a Colonel of the county of Lincoln, hath been guilty of receiving a bribe for procuring the discharge of a prisoner named Simon Hagar, taken at King's mountain, that the said Grayham hath as an officer hath been guilty of other misdemeanors, therefore,

Resolved, That the aforesaid William Grayham be discharged from his said office, and that Joseph Dixon be appointed Colonel of the said county of Lincoln.

Ordered that the above resolve with the following message, be sent the Commons for concurrence.

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House discharging Mr. Grayham, of Lincoln county, from the office of Colonel, and appointing Joseph Dixon in his stead.

Major General Caswell, from the Joint Committee appointed to take under consideration sundry letters, Resolves of Congress, petitions and other public papers, reported as follows:
The committee appointed to take under consideration sundry letters, resolves of Congress, petitions and other public papers, report as follows:

Resolved, That it is the opinion of your committee a letter be written by the speakers of the two Houses to General Greene, or the Commanding Officer in the Southern Department, requesting him to propose to the commander of the British troops in South Carolina an exchange of the Tory prisoners in this State, and such British soldiery as have been captured by our militia for such of the militia of this State who are prisoners of war to the Southward.

Resolved, That a proclamation be issued by His Excellency the Governor requiring all the inhabitants of this State who have taken up arms against the same since the first day of June last, (except such as have been guilty of private murders and robberies) to surrender themselves on or before the tenth day of April next, and enlist in the continental service for eighteen months. And therein promising pardon to those who shall comply with said proclamation and faithfully serve the said term; and in case any such inhabitants shall be so hardy as not to avail themselves of the terms aforesaid, that immediately after the said 10th day of April next, all officers Civil and Military be required to be diligent in the discharge of their respective duties in having such persons duly apprehended and secured as prisoners of war, except those who are before herein excepted.

Resolved, That Colonel Martin Armstrong be suspended from executing the office of Colonel of Surry County, for enlarging the Prisoners taken to King's Mountain, and other charges of misdemeanor in office, until he shall appear before His Excellency the Governor and the Board of War, or before the next General Assembly, and shew cause, if he has any, for his conduct, and that in the meantime all Orders be issued to and executed by the next Officer in command.

Resolved, That the Resolutions of Congress of the 26th May last respecting Provisions and Forage purchased by the Commissary General of Purchases and Quartermaster General for the Public, for which Monies have not been paid, be adopted, and a Bill be brought in for that purpose.

Resolved, It is the opinion of your Committee that Capt. Thomas
Armstrong, who was a Prisoner of War on Long Island Nineteen Months, be allowed Ten Thousand pounds exclusive of Thirty-five pounds and four Shillings which he received in Specie from the Commissary whilst he was in captivity.

RICHARD CASWELL, Chairman.

The foregoing Report being read, was concurred with, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

We send you the Report of the Committee appointed to take under consideration sundry Letters, Resolves of Congress, Petitions, and other public Papers, concurred with by this House.

Received from the Commons a Bill to reduce the Six Continental Battalions belonging to this State to four, to complete the said four Battalions, and for other purposes therein mentioned. Ended in the House of Commons 3rd February, 1781. "Read the second time, amended and passed."

Ordered said Bill be read. Read, amended, passed the second time and returned to the Commons.

On reading the aforementioned Bill, a motion was made and seconded that the following part of a clause in said Bill be deleted, to-wit: "After deducting all such Militia men who have heretofore "enlisted good and able-bodied men as regular Soldiers or caused "such to be enlisted to serve in the Continental Battalions of this "State during the War, which they shall prove by their own oath "and the Testimony of an indifferent Person, to have been obtained "without fraud or collusion, in due time and without the procure- "ment or Assistance of any Continental Officer or Soldier, and all "such who faithfully served in the nine Months Service and shall "produce their discharge regularly and fairly obtained to the Com- "manding Officer of the Militia Battalion to which he belongs, all "such as were captured in Charlestown, or were made Prisoners "when in the actual defence of any of the United States and are "now on Parole or Prisoners with the Enemy." This being objected to, the motion was put and carried in the affirmative. Then on motion of Colonel Shepperd, ordered that the Nays and Yeas be taken, which were as follows, to-wit: In favor of the clause as recited, Messrs. Shepperd, Clinton, Carter, and Battle; against the
clause, Messrs. Davis, Williams, James Johnson, Irwin, Simpson, Ledbetter, Bodie, Cleveland, Charles Johnson, Courtney, Coor, Hinton, Collier, Everagain, Caswell, Shelby, and Spruill. So the clause was Deled.

Received from the Commons a Bill for establishing the Salaries of the Judges of the Superior Courts of Law and of the Attorney General. Endorsed in the House of Commons 3rd February, 1781. "Read the first time and passed."

Ordered, that the Bill be read. Read, amended, passed the second time and sent the Commons.

Received from the Commons a Bill to continue an Act entitled "an Act to continue an Act entitled 'an Act to amend part of an Act for Emitting Eight Hundred and Fifty Thousand pounds on Bills of Credit for discharging the Debts incurred by this State in raising men to re-enforce the Battalions belonging to this State in the Continental Army, for calling in all former Emissions and other purposes, and for other purposes.'" Endorsed in the House of Commons 3rd February, 1781. "Read the first time and passed."

Ordered, said Bill be read. Read, passed the first time and returned to the Commons.

Received from the Commons an additional Bill to an Act entitled "an Act concerning Servants and Slaves." Endorsed in the House of Commons 3rd February, 1781. "Read the first time and passed." Ordered that the same be read. Read the first time and passed.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House for appointing the Field Officers of Hertford County.

Ordered, that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House appointing Field Officers for Hertford County, concurred with.

Adjourned till to-morrow Morning 9 o'clock.

Sunday, February 4th, 1781.

The House met.

Mr. Battle from the Joint Committee appointed to draw up a resolution explaining a Resolve of the General Assembly passed at
Hillsborough September 12th, last, respecting the appointment of General Smallwood to the command of the militia of the State, reported as follows:

Your committee appointed to explain a resolution respecting Major Gen. Caswell passed at Hillsborough the 12th September, having taken the said resolution into consideration, do Resolve, That the said resolution intended only, as there were sundry and sufficient reasons why Major General Caswell could not immediately take the field, that Brigadier General Smallwood being the oldest Brigadier in the Southern Department, should take the command of the militia of this State in his absence.

ELISHA BATTLE, Ch'n.

The House taking the said report into consideration, unanimously concur therewith.

Ordered the following message be sent the Commons with the above report:

Mr. Speaker and Gentlemen:

We send you the report of Joint Committee appointed to draw up a resolution, explaining a resolve of the General Assembly passed at Hillsborough the 12th September last, respecting the appointment of General Smallwood to the command of the militia of the State, unanimously concurred with by the House.

Received from the Commons a Bill to amend an Act, entitled an Act for securing the quiet and inoffensive inhabitants of this State from being injured, for preventing such property as may be confiscated from being wasted or destroyed, and for other purposes, and for other purposes." Endorsed, in the House of Commons, February 3rd, 1781. "Read the first time and passed."

Ordered, said Bill be read, amended, passed the second time, and sent the Commons.

Received from the Commons the following message:

Mr. Speaker and Gentlemen:

The resolve of your House empowering William Tisdale and Andrew Blanchard Esqrs., to take the examination and depositions of certain persons, &c., we send you concurred with.

Received the Resolve above referred to. Endorsed, in the House of Commons, February 3rd, 1781. "Concurred with."
Received from the Commons the following message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House respecting certain Arms in the hands of Colonel Cleveland, &c., taken at the capture of the British at King's mountain which we propose in lieu of the one adopted by the Senate.

The Resolve above referred to being read, was concurred with, and the following message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate agree to adopt the Resolve of the Commons in lieu of the one by them entered into, respecting the Arms taken at King's mountain, now in the hands of Colonel Cleveland and others.

Received from the Commons a Bill to amend an Act entitled an Act to prevent the impressment of boats, wagons, carts and other carriages employed in carrying salt and other purposes therein mentioned. Endorsed, "In the House of Commons, February 4th, 1781. Read the first time, and passed."

Ordered said Bill be read. Read and passed the first time, and returned the Commons.

Received from the Commons, the following message:

Mr. Speaker and Gentlemen:

The Resolve of your House discharging William Graham, of Lincoln county, from the office of Colonel of the said county, and appointing Joseph Dixon in his stead, we herewith return you concurred with.

Received the Resolve above referred to: Endorsed, "In the House of Commons February 4th, 1781. Concurred with."

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House empowering and requiring his Excellency, the Governor, with the advice of the Council of State, to remove the Public Records and papers belonging to the State. Concurred with.

Received from the Commons the following Bills: A Bill to continue an Act entitled "an Act to continue an Act entitled "an Act to amend a part of Act for emitting Eight Hundred and Fifty Thousand pounds in Bills of Credit for discharging the debts accrued by
this State in raising men to reinforce the Battalions belonging to
this State in the Continental Army, for calling in all former emis-
sions, and for other purposes. Endorsed in the House of Commons
4th February, 1781. "Read the second time, amended and passed."
Ordered, said Bill be read. Read, amended and passed the sec-
ond time and sent the Commons.

A Bill for encouraging the Importation of Arms, Ammunition
and other War-like Stores. Endorsed in the House of Commons 4th
February, 1781. "Read the second time, amended and passed."
Ordered, said Bill be read. Read, amended and passed the third
time and sent the Commons.

An additional Bill to an Act entitled "an Act concerning Ser-
vants and Slaves." Endorsed in the House of Commons 4th Feb-
ruary, 1781. "Read the second time and passed."
Ordered, said Bill be read. Read the second time and passed.
Adjourned till To-morrow Morning 9 O'clock.

Monday, February 5th, 1781.
The House met.
Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence the Report of the joint Committee
appointed to take under consideration the Petition of Kedar Har-
old, concurred with by this House.

Received the Report above referred to, which, being read, was
concurred with, and the following Message ordered to be sent the
Commons:

Mr. Speaker and Gentlemen:

We return the Report of the Committee appointed to take under
consideration the Petition of Kedar Harold, concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House
directing Colonel Long to apply to the Commissioners appointed to
sell the Remnants of the Gun Factory in Bute County, for the
remains of the said Factory.

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The Resolve above referred to being read, was concurred with, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

The Resolve of your House relative to the remnants of the Gun Factory in Bute County we return you, concurred with.

Read a Letter from the Honorable Whitnel Hill and Willie Jones, Esquires, Delegates of this State in Congress.

Resolved, That it be referred to a Committee, and that Mr. Coor and Mr. Davis on the part of this House act thereon.

Ordered, that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

We send for your perusal a Letter from the Honorable Whitnel Hill and Willie Jones, Esquires, which we propose referring to a joint Committee to consider of and report on, and have on our part for that purpose appointed Mr. Coor and Mr. Davis a Committee.

Received from the Commons a Bill to amend an Act entitled "an Act to prevent the impressment of Boats, Waggons, Carts, and other carriages employed in carrying Salt, and for other purposes therein mentioned." Endorsed in the House of Commons 8th February, 1781. "Read the second time and passed."

Ordered, said Bill be read. Read, amended, passed the second time and sent the Commons.

Read a Letter from Colonel Gideon Lamb relative to his having bailed certain persons whose conduct had heretofore appeared unfriendly to the State.

Ordered, that the Letter and Papers therein referred to be filed and kept with the Papers belonging to the General Assembly; and that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

We send for your perusal a Letter from Colonel Gideon Lamb, together with the Bonds therein referred to, which we have ordered to be filed and kept with the papers belonging to the General Assembly.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House have appointed Messrs. Person, Starkey, Locke, Har-
rington, and Blount a Committee on their part to act jointly with
the Committee appointed by the Senate to consider of and report
on the Memorial from the Honorable Whitmel Hill and Willie
Jones, Esquires:

Mr. Speaker and Gentlemen:

This House agree that the Bonds, &c., referred to in the Letter
from Colonel Lamb shall be filed with the papers belonging to the
General Assembly.

Mr. Speaker and Gentlemen:

We return the report of the joint committee appointed to draw
up a resolution explaining a Resolve of the General Assembly,
passed at Hillsborough the 12th of September last, respecting the
appointment of General Smallwood to the command of the Militia
of this State, concurred with by this House.

Received from the Commons the following Bills:

A Bill to regulate and establish a Militia in this State. Endorsed
in the House of Commons 5th February, 1781. "Read the second
time, amended and passed."

Ordered, said Bill be read. Read, amended, passed the second
time and returned the Commons.

A Bill to continue an Act entitled "an Act to continue an Act
entitled 'an Act to amend a part of an Act for Emitting Eight
Hundred and Fifty Thousand pounds in Bills of Credit for dis-
charging the Debts incurred by this State in raising men to rein-
force the Battalions belonging to this State in the Continental Army,
for calling in all former Emissions, and other purposes." Endorsed
in the House of Commons 5th February, 1781. "Read the third
time, amended and passed.

Ordered, said Bill be read. Read, passed third time, and ordered
to be Engrossed.

A Bill to amend an Act entitled "an Act to prevent the Impress-
ment of Boats, Waggons, Carts, and other carriages employed in
carrying Salt, and for other purposes therein mentioned." Endorsed
in the House of Commons 5th February, 1781. "Read third time,
amended and passed."

Ordered, said Bill be read. Read, amended, passed the third
time and ordered to be Engrossed.

Adjourned till To-morrow Morning 9 O'clock.
Tuesday, 6th February, 1781.
The House met.
Read sundry resolutions of Congress, Letters, &c. Ordered, they be sent with the following Message to the House of Commons:

Mr. Speaker and Gentlemen.
We herewith send you sundry resolutions of Congress, Letters, &c., for your perusal.
Archibald McLaine, Esq., the Member for the County of Brunswick, appeared and took his seat.
Received from the Commons a Bill to establish a Council extraordinary. Endorsed in the House of Commons 5th February, 1781. "Read the second time, amended and passed." Ordered said Bill be read. Read, amended, passed the third time and sent the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:
This House have appointed Mr. Hooper, Mr. Harrington, Mr. Smith, Mr. Starkey, Mr. James Williams, and Mr. Person a Committee on their part to act jointly with such Gentlemen of the Senate as may be appointed, as a committee to devise ways and means to compel the Enemy to abandon this State, and to secure it effectually from the future Invasions thereof.
Ordered, that the following message be sent the Commons:

Mr. Speaker and Gentlemen:
Major General Caswell, Mr. Davis and Mr. McLaine on the part of the Senate, will act with the gentlemen by you appointed to devise Ways and Means to compel the enemy to abandon this State, and to secure it effectually from the future invasions thereof.

Received from the Commons a Bill for appointing District Auditors for the settlement of public claims. Endorsed, "In the House of Commons, Feb. 5th, 1781. Read the second time, amended and passed."
Ordered said Bill be read. Read, passed the second time, and sent the Commons.
Resolved that Phillip Vass, commissioner of Granville county, do retain for the use of the State, all the hogs now in his possession by
order of the Board of War, and claimed by Mr. Taylor and others, giving the owners certificates for the same agreeable to law.

Ordered, that the above Resolve, with the following message, be sent the Commons:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve relative to a number of hogs impressed by Phillip Vass, of Granville county,

Read, the memorial of Matthew Brooks, of Surry county, setting forth, &c. Ordered, that it be sent the Commons with the following message:

Mr. Speaker and Gentlemen:

We send you herewith the memorial of Matthew Brooks, Esq., of Surry county, together with the papers therein mentioned.

Adjourned till 4 o'clock p. m.

Met according to adjournment, and adjourned till to-morrow morning 9 o'clock.

Wednesday, February 7th, 1781.

The House met.

Received from the Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you the petition of Osborn Jeffreys, Esq., which we propose referring to a Joint Committee, and have on our part appointed Messrs. Farrow, Bryan, J. Hawkins, J. Williams and Montfort, a committee.

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House respecting the hogs in the hands of the commissioners of Granville county, and directing the commissioners of the respective counties in the districts of Hillsborough and Halifax, to forward on such live stock as they may have on hand to the army without delay, which we propose substituting in lieu of the one proposed by the Senate relative to that subject.

The Resolve above referred to being read was concurred with, and the following message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate agree to adopt the Resolve of the Commons relative
to the hogs in the hands of the commissioner of Granville county, &c., instead of the one by them proposed on that head.

Received from the Commons the following message:

Mr. Speaker and Gentlemen:

This House propose to refer the petition of Matthew Brooks to the committee appointed to take under consideration the petition of William Courtney.

Ordered, that the following message be sent the Commons:

Mr. Speaker and Gentlemen:

We agree that the petition of Matthew Brooks be referred to the committee appointed to consider of the petition of William Courtney, Esq.

Mr. McLaine from the Joint Committee appointed to devise Ways and Means to compel the enemy to abandon this State, and to preserve it effectually from the future invasions thereof, reported as follows:

In committee.

Resolved, that it is essential to the public service and a measure that will tend to draw a large force into the field, that an officer of ability, integrity, and experience, should take the command of the militia.

Resolved, that Richard Caswell, Esq., be appointed as Major General with the rank, pay and appointment of a Major General in the Continental army in a separate department.

Resolved, that he be ordered into immediate actual service.

Resolved, that a number of forces be immediately embodied for the purpose of repelling the enemy at and near Wilmington, and that they be furnished from the following counties, in the following proportion, to wit:

From New Hanover, 150; Bladen, 200; Cumberland, 100; Duplin, 300; Onslow, 200; Brunswick, 500; from Craven, 150; Carteret, 75; Beaufort, 75; Hyde, 50; Pitt, 150; Dobbs, 125; Wayne, 125; Johnson, 150; Jones, 100; Edgecombe, 100; Nash, 50; Wake, 200; Chatham, 100.

Resolved, that it be recommended to the officers of the several counties to encourage volunteer horsemen who can equip themselves to join the army under the command of General Caswell, over and
above the number hereby recommended to be raised as the quotas of the counties heretofore mentioned.

Resolved, that it be recommended to the officers of the Continental army not upon duty, to join the militia; and that General Caswell make such an arrangement of them as may tend to promote order and discipline in the militia, give satisfaction to the Continental officers and not disgust to the militia.

Resolved, that arms, ammunition, and all other military stores which can be collected without injuring the necessary defence of the Western frontiers and of the district be immediately sent on to the Southward.

Resolved, that the Executive Authority of this Government carry these Resolves into immediate execution.

The foregoing Report being read, was rejected, and the following resolution adopted:

Whereas, it is essential to the public service and a measure that will tend to draw a large force into the field, that an officer of ability, integrity, and experience, should take the command of the militia.

Resolved unanimously, that Richard Caswell, Esq., be appointed a Major General, with the rank and pay of a Major General in the Continental army in a separate department, and that he be requested to take the Command, and call on the several Continental officers in this State not on duty, requiring them to assist in the immediate defence of the same, and to appoint them such command as he shall find necessary, which may tend to promote order and discipline in the militia, give satisfaction to the regular and not disgust the militia offices.

Ordered, that the foregoing Resolve, with the following message, be sent the Commons for concurrence:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve appointing Richard Caswell, Esq., Major General of the militia of this State with certain powers therein mentioned.

Resolved, that Colonel James Armstrong be, and he is hereby constituted and appointed Brigadier General in the district of New Bern, in the room of Brigadier General Caswell resigned, and that His Excellency, the Governor commission him accordingly.
Ordered, that the above Resolve, with the following message, be sent the Commons for concurrence.

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve appointing Colonel James Armstrong, Brigadier General in the district of New Bern, in the room of Brigadier General Caswell resigned.

Resolved, that Nicholas Long, Esq., Deputy Quarter Master General, be and he is hereby directed to furnish each of the Continental officers now in the vicinity of Halifax, and who are willing to take immediate and active commands in the militia, with a public horse and necessary accoutrements, &c.

Ordered, that the foregoing Resolve, with the following message, be sent the Commons for concurrence.

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve directing the Quarter Master to furnish the officers of the Continental lines now in the vicinity of Halifax, and willing to take an immediate command in the militia, with a horse, &c.

Resolved, that Brigadier General Allen Jones be and he is hereby directed immediately to cause the last drafts made in the district of Halifax, and who are now holding themselves in readiness to march, to rendezvous at Tarboro at the shortest day possible, in order to march directly to the aid of Wilmington district, already invaded, and also that each person who shall find his own horse, may be permitted to act on horseback as occasion requires, and shall be paid as a horseman, and if his horse shall be unavoidably lost, to be paid for by the public. And also that a further draft be made in the district of Halifax aforesaid of its proportion of four thousand men for the State, who are to hold themselves in readiness to march to the aid of Edenton district on the shortest notice or elsewhere.

Resolved, also that Brigadier General Sumner be requested to permit the Continental officers under his command to join the militia now ordered out for the defence of the State holding the same rank in the militia as they have in the regular service, until an arrangement of officers shall take place by the commander-in-chief.

Ordered, that the foregoing Resolve, with the following message, be sent the Commons for concurrence.
STATE RECORDS.

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve, directing Brigadier General Allen Jones, to order on the drafts for the district of Halifax, to draft others, &c.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We return the Resolve of your House appointing Richard Caswell, Esq., Major General of the militia of this State, &c., unanimously concurred with by this House.

Received the Resolve above referred to. Endorsed, "in the House of Commons, February 7th, 1781. Concurred with."

Mr. Speaker and Gentlemen:

We return the Resolve of your House directing the Quarter Master to furnish the officers therein mentioned with a horse, &c. Concurred with by this House.

Received the Resolve above referred to, indorsed in the House of Commons, February 7th, 1781. "Concurred with."

Received from the Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House empowering and requiring the justices of Bladen county to proceed in a suit commenced in the court of the said county between General Harrington and John Lyggett, in the manner therein mentioned.

The resolve above referred to being read was rejected.

Adjourned till to-morrow morning 9 O'clock.

Thursday February 8th, 1781.
The House met.

Whereas, in some counties in this State there are not any County Treasurers to receive the public tax from the different collectors.

Resolved, therefore, that the taxgatherers in all such counties do pay the taxes by them respectively received or to be received for the year 1780, to the Treasurers of the districts in which they shall respectively reside, and the receipt of such Treasurers shall be a legal discharge for all sums so to be paid as aforesaid, and in order to reimburse such taxgatherers for the expenses which they may be at in paying the public money aforesaid.
Resolved, also, that every such Taxgatherer shall deduct and keep to his own use all such poundage and commissions as are by law allowed to County Treasurers.

Ordered, that the above Resolve, with the following message, be sent the Commons for concurrence.

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve for the direction of the Tax Gatherers of such counties in the State as have no Treasurers.

Resolved, that the Honorable Samuel Ashe, Esq., one of the Judges of the Superior Court, be allowed a salary agreeable to law for the courts of Salisbury, Hillsborough, Edenton and Halifax, it appearing by affidavit of Mr. Ashe that he was unable to attend at the said courts.

Ordered, that the above Resolve with the following message be sent the Commons for concurrence.

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House in favour of the Honorable Samuel Ashe, Esq.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We return the Resolve of your House for the direction of the Tax Gatherers for such Counties in this State as have no Treasurers.

Received the Resolve above referred to. Endorsed in the House of Commons 8th February, 1781. "Concurred with."

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House recommending Colonel Malmedy to the Commanding Officer, &c.

The Resolve above referred to being read, ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Resolve of your House recommending Colonel Malmedy to the Commanding Officer of the Militia of this State we return you herewith, concurred with.

Received from the Commons the following Message, concurred with:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House
requesting General Jones to order the late Drafts of Halifax District to March to the assistance of General Gregory; also requesting him to detach Three Hundred Militia Light Horse, under the command of Major Reed, to the aid of Wilmington.

The resolve above referred to being read, ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Resolve of your House requesting General Jones to order the late Drafts of Halifax District to the assistance of Brigadier-General Gregory, &c., we have concurred with, and caused the same to be presented him.

Received from the Commons a Bill for establishing the Salaries of the Judges of the Superior Courts of Law and of the Attorney General. Endorsed in the House of Commons 8th February, 1781. Ordered that the said Bill be read. Read the second time, amended, passed the third time and sent the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence the report of the joint Committee appointed to ascertain adequate and proper Allowances to be made by the General Assembly for Articles furnished the public.

The Report above referred to being read, was concurred with, and is as follows:

The committee appointed to ascertain adequate and proper Allowances to be made by the General Assembly for Articles furnished the public report that it is their opinion the Prices following are adequate and proper to be allowed; that is, to pay—

For every pound of fresh Beef, £ 1.12
Three-year old Steers or Barren or dry Cows 440
Four-year old Steers, 560
Six-year old Steers and upwards, 720
Five-year old Steers, 640
Salt Beef per Barrel, 800
Fresh Pork per pound, 2/8
Salt Pork per Barrel, 1000
Each good Sheep, 100
Wheat per Bushel, 45
Flour per Hundred Weight, ... £ 135
Oats per Bushel, ... 24
Oats in the Sheaf, each Sheaf, ... 2/.
Rye per Bushel, ... 40
Hay and Corn Blades, per Cwt. each, ... 30
Bran per Bushel, ... 6/.
Brandy per Gallon, ... 80
Whiskey per Gallon, ... 60
Cider per Barrel, ... 100
Brown Sugar per pound, ... 16
Molasses per Gallon, ... 50
Butter and Cheese per pound, ... 8
Bacon per pound, ... 6
Dried Beef per pound, ... 4
Hire of a single Horse per day, ... 10
A Waggon without Team per day, ... 10
Ditto with the Gear, ... 12/10
A Cart without Team per day, ... 5
Clean Rice per Hundred Weight, ... 150
Rough Rice per Bushel, ... 30
Shoeing Horse, each Shoe, ... 14
Pasturage, each Horse 24 hours, ... 2
Feeding a Horse each Feed, ... 2
Pot Iron per pound, ... 8
Bar Iron per pound, ... 8
Dieting a Soldier each Diet, ... 4

In the Counties of Rowan, Mecklenburg, Lincoln, Rutherford, Burke, Anson, Montgomery & Richmond—

For Corn per Bushel, ... 40
Rum per Gallon, ... 120
Salt per Bushel, ... 640

In the Districts of Hillsboro and Halifax—

For Salt per Bushel, ... 500
In any other part of the State for Salt per Bu'll, ... 400
Corn per Bushel, ... 30
Rum per Gallon, ... 100
Ordered, the following Message be sent to Commons:

Mr. Speaker and Gentlemen:

We herewith return you the report of the Committee appointed to ascertain adequate and proper allowances to be made by the General Assembly for Articles furnished the public, concurred with.

Resolved, that the district Auditors do allow the same prices for corn supplied the army, by the Inhabitants of Orange, Wilkes, and Surry Counties as is allowed for that article to the inhabitants of Rowan and Mecklenburg.

Ordered that the foregoing Resolve with the following Message be sent the Commons for concurrence.

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve directing the Auditors of the district of Hillsboro and Salisbury to make certain allowances in the counties therein mentioned.

Adjourned till to-morrow morning 9 O’Clock.

Tuesday 9 February, 1781.

The House met.

Received from the Commons the following Message.

Mr. Speaker and Gentlemen:

The Commons propose enclosing the letter this day received from Colonel Kenan to Major General Caswell by express. If the Senate accede to this proposal, they will signify the same by the Speakers signing the letter herewith sent, directed to Major General Caswell.

The letter above referred to being read,

Ordered, that the following Message be sent the Commons.

Mr. Speaker and Gentlemen:

This House have received the Message of yours together with your proposed letter to the Honble. Major General Caswell, and propose that the one herewith sent you be substituted in lieu thereof, yours not being in the usual style.

Received from the Commons an additional Bill to an Act entitled “an Act concerning Servants and Slaves,” Endorsed “In the House of Commons, 8 February, 1781, read the third time, amended and passed.”

Ordered said Bill be read. Read, amended, passed the third time and sent the Commons.
Whereas, it is represented that the British Troops in the West have advanced into the District of Salisbury, whereby it becomes necessary that a considerable force should be drawn out to oppose them.

Resolved therefore, that Brig. General Butler be directed, and he is hereby directed to call out any part (or if necessary) the whole of the militia of the District of Hillsborough for the purpose aforesaid.

Ordered, that the foregoing Resolve with the following Message be sent the Commons for Concurrence:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve, directing Brig. General Butler to call out part (or if necessary) the whole of the Militia of Hillsborough District to oppose the enemy to the westward.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House have appointed Mr. Hooper and Mr. Harrington a Committee, who will act jointly with such gentlemen of the Senate as may be appointed to prepare a letter to be signed by the Speakers of both Houses and sent to Congress by an express now waiting, informing them of the particular situation of this State at present.

Ordered, that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

Mr. McLain and Mr. Davis will act with the gentlemen by you appointed to prepare a letter to be sent to Congress respecting the particular situation of the State at present.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

The Commons have appointed Messrs. Smith, Blount, Winslow and Balfour a Committee on the part of this House, to devise Ways and Means to carry into execution a Resolve entered into at the last Assembly at Hillsborough, in favor of Capt. Barrity, who will act jointly with such gentlemen as the Senate may appoint for that purpose.

Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

Mr. McKenzie and Mr. Davis will act with the gentlemen by you
appointed to devise Ways and Means to carry into execution a Resolve entered into at Hillsborough in favor of Captain Barrity.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve, directing the Board of Trade to furnish Nicholas Long, Esquire, Deputy Quarter Master General, with a certain quantity of tobacco for the purposes therein mentioned.

Ordered that the following Message be sent the Commons.

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House directing the Board of Trade to furnish Nicholas Long, Esquire, Deputy Quarter Master General, with the quantity of tobacco therein mentioned, concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a resolve of this House directing the Sheriff of Warren County to suspend all proceedings on a trial between the executors of William Person, deceased, and Lawrence Lancaster respecting a tract of land in said county, until the rising of this Assembly.

The Resolve above referred to being read was rejected.

Received from the Commons an additional Bill to an Act entitled "an Act for securing the quiet and inoffensive inhabitants of this State from being injured, or preventing such property as hath or may be confiscated from being wasted or destroyed and for other purposes," for continuing an Act entitled "an Act for suspending the operation of an Act for carrying into effect an Act commonly called the confiscation Act," and for "directing and regulating elections in particular instances," and also "for giving further time to Surveyors to complete their surveys," Endorsed, "In the House of Commons 8 Feb'y, 1781, read the second time, amended and passed."

Ordered said Bill be read. Read, amended, passed the third time and sent the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House directing Brig.
General Butler to call out any part, or the whole, of the Hillsboro Militia, if necessary, concurred with by this House.

Received the Resolve above referred to Endorsed, "In the House of Commons, 9 February 1781, concurred with.

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House permitting the Board of Auditors to make the same allowances on the article of salt furnished the public by the inhabitants of certain counties of Salisbury district as are to be allowed to the inhabitants of the other counties of the said district for the same article.

Ordered that the following Message be sent the Commons.

Mr. Speaker and Gentlemen:

We return the Resolve of your House permitting the Board of Auditors to make the same allowance for the article of salt furnished the public by the inhabitants of the counties therein mentioned, as are to be made the inhabitants of the other counties of Salisbury district for that article. Concurred with.

Received from the Commons the following message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House requesting James Davis, Esq., to continue in the business of Public Printer, also requesting His Excellency, the Governor, to grant a warrant in his favour on the treasury, for a certain sum therein mentioned to enable him to carry on such business.

Ordered that the following message be sent the Commons:

Mr. Speaker and Gentlemen:

The Resolve of your House requesting James Davis, Esq., to continue in the business of Public Printer, requesting His Excellency, the Governor, to grant a warrant on the Treasury to enable him to prosecute such business, &c., we return you: Concurred with.

Read the petition of George Harper, a wounded soldier of Franklin county, praying, &c.

Resolved, that the said George Harper be allowed twenty barrels of corn to be paid for by the commissioners of Franklin county, out of the specific tax.
Ordered, that the above Resolve with the following Message be sent the Commons for concurrence.

Mr. Speaker and Gentlemen:

You will receive herewith for your concurrence a Resolve in favour of George Harper, a wounded soldier of Franklin County.

Whereas from sundry affidavits and representations it appears that Lieut. Colonel Thomas Taylor, of Orange county during the late militia tour did in divers instances permit and suffer the men under his command to plunder and maraud in a most offensive and disgraceful manner.

Resolved, therefore, that the said Thomas Taylor be and he is hereby suspended from the exercise of his office of Lieut. Colonel of the county of Orange until the next General Assembly, before whom he is to appear and answer the aforesaid allegations.

Ordered, that the foregoing Resolve, with the following message, be sent the Commons for concurrence:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve, suspending Thomas Taylor, of Orange county, from the execution of his office as Lieut. Colonel of the said county, &c.

Adjourned til to-morrow morning 9 o'clock.

Saturday February 10th, 1781.

The House met.

Read a letter from the Honorable, the President of Congress, also a letter from the Honorable Major General Greene, addressed to Gov. Nash, which were ordered to be sent the Commons with the following message:

Mr. Speaker and Gentlemen:

We send for your perusal a letter from the Honorable, the President of Congress, also a letter from the Honorable Major General Greene, addressed to Gov. Nash.

Received from the Commons the following message:

Mr. Speaker and Gentlemen:

This House propose rescinding the resolve which passed both Houses this day, empowering Gen. Butler to call out a part (or if necessary) the whole of the Hillsborough militia, and substitute the one herewith sent in lieu thereof.

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The Resolve above referred to being read, ordered that the following message be sent the Commons:

Mr. Speaker and Gentlemen:

As the Resolve concurred in by your House directing Gen. Butler to call out the militia of Hillsborough district, is better calculated for dispatch than that which you wish to adopt, this House cannot agree to rescind what appears to them to be essentially necessary to preserve the existence of the State. Whereas from the enemies movements to the Westward, it becomes expedient to countermand the orders of Brigadier General Jones for marching the last drafts belonging to Halifax district to the Eastward; Resolved, therefore, that the said drafts be without loss of time marched to the Westward to reinforce Major General Greene, and Resolved, that a further draft of four hundred men from the said district of Halifax be immediately made, and the men marched to the Westward and that of these last drafts as many as shall find their horses and serve faithfully from the time of their arrival at head quarters or any other place to which they may be ordered by the Commander in-chief two months, shall be considered as having performed a term of militia duty, and he be under the like rules and regulations with other militia cavalry in the service of this State.

Ordered that the foregoing Resolve, with the following message, be sent the Commons for concurrence:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve countermanding the Orders given Brigadier General Jones respecting the late drafts of Halifax district, &c.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House have directed their clerk to make out the estimate to include Sunday.

The Resolve of the Commons accompanying the above message, being read, was ordered to lie for consideration.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this State requesting
the Speakers to enclose General Greene's letter to the Gov. of Virginia, &c.

Ordered that the following message be sent the Commons:

Mr. Speaker and Gentlemen:
The Resolve of your House requesting the speakers to enclose General Greene's letter to the Gov. of Virginia, &c., we return you. Concluded with.

Received from the Commons the following message:

Mr. Speaker and Gentlemen:
We returned the Resolve of your House for suspending Thomas Taylor from his office of Lieut. Colonel of Orange county. Concluded with.

Received the Resolve above referred to. Endorsed, "in the House of Commons, Feb. 10th, 1781. Concurred with."

Received from the Commons the following message:

Mr. Speaker and Gentlemen:
We return the Resolve of your House in favour of George Harper, of Franklin county. Concluded with.

Received the resolve above referred to. Adopted in the House of Commons 10th February, 1781. "Concurred with."

Received from the Commons the following message:

Mr. Speaker and Gentlemen:
We send for your concurrence a Resolve empowering Colonel Long to impress wagons, &c., if necessary.

The resolves above referred to being read, ordered that the following message be sent the Commons:

Mr. Speaker and Gentlemen:
We return the Resolve of your House empowering Colonel Long to impress wagons, &c., if necessary. Concurred with.

On motion, Resolved, that the Treasurer of Halifax district pay into the hands of Thomas Hunter, of Martin county, the sum of eleven thousand nine hundred and fifty pounds current money, for so much by him as commissioner in said county laid out in procuring salt for saving pork and beef for public use.

Ordered, that the foregoing Resolve with the following message be sent the Commons for concurrence.
We send for concurrence a Resolve directing the Treasurer of Halifax district to pay into the hands of Thomas Hunter, a certain sum therein mentioned.

Received from the Commons the following message:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of our House countermanding the order given Gen. Jones relative to the late drafts of Halifax district, &c. Concluded with.

Received the Resolve above referred to, Endorsed, "In the House of Commons, Feb. 10th, 1781, concurred with."

Received from the Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House ordering Gen. Butler to raise a number of light horse, &c.

The Resolve above referred to being read was rejected.

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House, directing Colonel Long to furnish the three Regiments of horse with swords and caps.

Ordered that the following message be sent the Commons:

Mr. Speaker and Gentlemen:

We return the Resolve of your House directing Colonel Long to furnish the three regiments of horse with swords and caps. Concluded with.

On motion of Mr. McLaine, Resolved that the speaker present the thanks of this House to Colonel Cleveland, to-morrow, as one of the officers who distinguished himself in the defeat and capture of the party commanded by Maj. Furgerson at King's mountain.

Received from the Commons the following message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House for reinstating Brigadier General Caswell to the command of the militia of the district of Newbern.

The resolve above referred to being read, was concurred with, and the following message ordered to be sent the Commons.
Mr. Speaker and Gentlemen:

We return the Resolve of your House for reinstating Brigadier General Caswell in his command as Brigadier General of the district of Newbern. Concluded with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We return the Resolve of your House directing the Treasurer of the district of Halifax, to pay Thomas Hunter a certain sum therein mentioned. Concluded with.

Resolved, that General Butler be ordered to raise a number of light horse not exceeding six hundred, and detach three hundred of the same under the command of Colonel Mammedy, and the other three hundred under the command of such officer as General Butler shall nominate and appoint (such officer to rank as Lt. Colonel commandant) to the aid of Salisbury district. That General Butler promise all prisoners who will voluntarily enlist into the Light Horse Corps and furnish themselves with guns and horses fit for service, and appear at Hillsborough on or before the 25th inst., and continue in service for the space of two months from the day of their appearance at headquarters or such other place of rendezvous as may be appointed, that they shall be considered to all purposes whatsoever to have performed a tour of duty, and it is resolved that all persons who shall turn out and comply with the requisites of this resolve shall be entitled to all the emoluments that the Light Horse were entitled to under a Resolve similar to this entered into at Hillsborough last session of Assembly.

Resolved, further, that Pleasant Henderson be appointed Major to the second Corps of Horse above mentioned, and that the Captains and Subalterns of the companies shall be chosen by the said companies respectively.

Resolved, likewise, that it be recommended General Butler that each Light Horse man carry Twenty days' Provisions at his departure from Hillsborough.

Ordered, that the above Resolve with the following Message be sent the Commons:

Mr. Speaker and Gentlemen;

We send for your concurrence a Resolve directing General Butler
to raise and detach a Number of the Militia of Hillsborough District as Light Horse, &c., which this House wish to be adopted instead of the one entered into by your House for that purpose.

Received from the Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House requesting the Speaker to send the address which accompanies it to General Smallwood.

The address above referred to being read, was unanimously agreed to, and is as follows:

Sir:

The General Assembly of the State of North Carolina take this public occasion to assure General Smallwood of the very grateful sense they entertain of his patriotic and spirited Exertions in behalf of this State and of his readiness to give a discipline and confidence to their Militia, which the command and presence of so able an Officer were calculated to inspire. They well know that the voice of this State can add nothing to the Military reputation of an Officer to which the Continent at large bear an ample and unanimous Testimony, but are happy to prove in this Instance that they are feelingly impressed with the Sense of his services, and with the rest of the United States wish to bear their Testimony to such distinguished Merit.

Ordered, that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

You will herewith receive the Resolve of your House requesting the Speakers to send the Address therein mentioned to General Smallwood. Concluded with.

Ordered that Colonel Ramsey be added to the Committee appointed to devise Ways and Means to carry into Effect a Resolve entered into at Hillsborough respecting Captain Barrity.

Adjourned till Tomorrow Morning 9 O'clock.

Sunday, 11th February, 1781.
The House met.
The Order of the House of yesterday respecting Colonel Cleve-
land being read, Mr. Speaker arose and addressed him in the following manner:

Colonel Cleveland:

The General Assembly having appointed a Committee to prepare an address of Thanks to the Officers who distinguished themselves in the action at King's Mountain, and as the address is not yet prepared, and you being in readiness to leave the Assembly, in order to take an active part in the defence of your Country, I do by order of this House and with great pleasure to myself return you their Thanks for your gallant and intrepid conduct against the Army under Major Ferguson at King's Mountain—a conduct that will ever be remembered with Gratitude by every Friend to Liberty, as your Services were equally voluntary and effectual.

To which Colonel Cleveland, standing in his place, returned the following:

Mr. Speaker:

I cannot sufficiently express my feelings on the distinguished honor which this House has conferred upon me; the greatest a citizen of a free State can receive, and of which I shall always have a lasting Remembrance. Accept my thanks, Sir, for the polite manner in which you have been pleased to signify to me the Resolution of the House.

Ordered, that the Resolve of the Commons ascertaining the pay of the Members of the Assembly be read. The same being read, ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

You will herewith receive the Resolve of your House ascertaining the Pay of the Members for their Attendance on the present Session of Assembly. Concurred with as to the pay.

Threatened as we are with devastation and ruin by the invasion of a cruel and vindictive Enemy, it becomes proper and necessary to encourage a General Spirit of Association throughout the State.

Resolved, therefore, that it be recommended to each County in this State forthwith to associate and put themselves under proper Officers and discipline during the actual Invasion of the State, and under all circumstances and in all events adhere to and support...
each other; and finally, never to submit to live under British Government or British Protection.

Ordered, that the foregoing Resolve with the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve recommending a General Spirit of Association throughout the State, at this time of impending Danger.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence the Report of the Committee appointed to carry into effect a Resolve entered into at Hillsborough in favor of Captain Barrity and a Resolve of this House in consequence thereof.

The Report and Resolve above referred to being read, were concurred with and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

We return the Report of the Committee respecting Captain Barrity and the Resolve of your House entered into in consequence thereof, concurred with.

Mr. McLain moved for leave and presented a Bill to declare that Titles to lands heretofore taken up, and supposed to be in the Commonwealth of Virginia, and which on the Extension of the dividing Line between this State and the said Commonwealth are really and in truth found to be within the limits of this State, are and shall be valid, and for vesting in John Hay, his Heirs and Assigns, certain Lands therein mentioned, which was read the first time, passed and sent the Commons.

Resolved, That the Speaker of this House be requested, with the Speaker of the Commons, to transmit to Colonel Campbell, of Virginia, Colonel Cleveland, Colonel Shelby, and the brave Officers and Soldiers under their command the following address, to-wit:

Gentlemen:

The General Assembly of the State of North Carolina, impressed with a deep sense of your eminent services during the last Sum-
mer's Campaign have unanimously resolved that the Speakers of the two Houses should transmit to you their warmest acknowledgments for your spirited and vigorous Exertions against the formidable body of British Forces under Major Ferguson at King's Mountain. The alacrity with which you stepped forth uncalled for by Authority, your Vigilance in Marching to, and your conduct in, the attack of the Enemy, deserve the highest Encomiums, and strongly mark Patriotism and Heroism united in the same persons.

To these Virtues, which you, Gentlemen, so happily possess, your Country is indebted for the important Victory which frustrated the schemes of the Enemy, awed many of the disaffected into submission, and rescued the Western parts of this State from devastation and ruin and the horrors attendant on a War directed by Tyranny and pursued with vindictive Resentment.

We do therefore in obedience to the order of the two Houses and with the highest satisfaction to ourselves transmit to you the thanks of your country by its representatives in General Assembly.

Ordered that the foregoing Address with the following Message be sent the Commons for concurrence.

Mr. Speaker and Gentlemen:

We send for your approbation an address proposed by this House to be presented the officers who distinguished themselves in the capture of the British, commanded by Major Ferguson, at King's Mountain.

Resolved, that an elegant mounted sword be presented to each of the following officers, that is to say, Colo. Cleveland, of Wilkes County, Colonel Campbell of Virginia, Colonel Shelby of Sullivan County, Lieutenant Colonel Lewis of Washington County, Lieutenant Colonel Hambrigh, of Lincoln County, Major Winston of Surry County and Major Shelby of Sullivan County for their voluntary and distinguished services in the defeat of Major Ferguson at the battle of King's Mountain.

Ordered that the following message be sent the Commons:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve directing that the Officers therein mentioned be presented with an elegant mounted sword.

Received from the Commons, the following message:
Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House, empowering Major General Caswell to raise a regiment of Light Horse from the Districts of Newbern and Wilmington, &c., also a Resolve directing General Butler to raise a regiment of Volunteer Light Horse in the district of Hillsborough.

The foregoing Resolves being read were concurred with and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

We return the Resolves of your House, empowering Major General Caswell to raise a regiment of Light Horse from the districts of Newbern and Wilmington, and directing General Butler to raise a regiment of Light Horse in the District of Hillsborough, concurred with,

Adjourned till tomorrow morning 9 o'clock.

Monday 12 February, 1781.
The House met.

Read a letter from John Moore, of Wilmington, whereupon,

Resolved, That the Treasurer of Wilmington District pay into the hands of John Moore, of New Hanover County, Deputy Quarter Master, the sum of sixty thousand pounds for the use of his department and for which he is to be accountable.

Ordered that the foregoing Resolve with the following Message be sent the Commons.

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve, directing the treasurer of the district of Wilmington to pay into the hands of John Moore, Deputy Quarter Master, a sum therein mentioned. We also send for your perusal a letter from said Moore.

Received from the Commons the following message:

Mr. Speaker and Gentlemen:

We send for your concurrence a report of the joint Committee appointed to take under consideration the Memorial of the North Carolina officers, concurred with by this House.

The Report above referred to being read was rejected.

Received from the Commons the following message:
Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve allowing the Hon. Thomas Benbury, Esq., six hundred pounds.

Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

We return the Resolve of your House allowing the Honorable Thomas Benbury six hundred pounds, concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House in favor of Major Harris, also the Memorial of the said Harris, by which this House have been induced to enter into said Resolve.

Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

We return the Resolve of your House in favor of Major Harris concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House for dispatching an express to General Greene, &c.

Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

We return the Resolve of your House for dispatching an express to Gen. Greene, &c., concurred with.

Whereas, it hath been represented to this House by the member from Cumberland County; that there are Magazines of Provisions at Coles Bridge and the House of William Scale, Esquire; which are liable to be seized by the disaffected inhabitants of that County and Richmond, and it being uncertain whether the Governor or General Caswell hath had leisure to attend to the immediate Preservation of a part of the country so distant from Wilmington, where their personal attendance is at present necessary.

Therefore, that in case that neither the Governor nor Major Genl. Caswell hath given orders for the safety of Cumberland County, but not otherwise; Resolved, that the Colonel or Commanding Officer of the said County of Cumberland, do without delay, embody a Corps
of Light Horse, under the command of an officer properly qualified, sufficient to guard the public provisions and other stores in the County last mentioned and places adjacent.

Ordered that the above Resolve with the following message be sent the Commons:

Mr. Speaker and Gentlemen:

We send for concurrence a conditional Resolve for the raising a Corps of Light Horse in the County of Cumberland.

Mr. Davis moved for leave and presented a Bill for appointing a Commissary General in this State for directing and regulating the business and duty of his department and for other purposes which was read the first time, passed and sent to the Commons.

Read sundry Resolves of Congress, a letter from General Gregory, &c.

Ordered that they be sent with the following Message to the House of Commons.

Mr. Speaker and Gentlemen:

We send for your perusal sundry Resolves of Congress, letters, &c. Whereas, it appears that Lord Cornwallis is penetrating into the heart of this country, and it is now absolutely necessary to use every exertion to prevent the further ravages of the British army.

Resolved, that Brigadier General Jones be required to call out such further aid from the Militia of Halifax district as he may judge necessary to act in the immediate defence of this State, as occasion may require.

Ordered that the above Resolve with the following Message be sent the Commons for concurrence.

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve requiring General Jones to order out such further aid of the Militia of Halifax district as he may judge necessary.

John Simpson, Esquire, hath leave of absence.

Adjourned till to-morrow morning 9 o'clock.

Tuesday, 13 February, 1781.

The House met.

On motion, ordered that Ebenezer Folsom, Esqr., have leave of
absence during the remaining part of the present session of Assembly.

Whereas, it appears to this General Assembly that the Continental Officers and Soldiers of this State have been greatly injured by receiving their pay from time to time in a depreciated currency, and it being just and necessary that a reasonable compensation be made to such Officers and Soldiers as aforesaid.

Resolved, That the Paymaster General be required and directed on or before the first day of April in the present year to furnish the State Board of Auditors with a full and particular account of the pay of said Officers and Soldiers between the first day of January, one thousand seven hundred and seventy-seven, until the first day of August, one thousand seven hundred and eighty, without deducting any payments whatsoever, and that he also furnish the said Board as aforesaid with an account under his hand, on oath of all the sums by him paid to each, for pay and subsistence together with the time such payments were made and in what currency or denomination of money, and also an account on oath of the particular sums by him advanced to Officers for the purpose of recruiting, reciting the person to whom and the time when the same was so advanced, that the State Auditors may deduct any balance in the hands of recruiting officers out of the balance due them on settling their accounts, as directed by this Resolve, so as to do equal justice both to the officers and to this State; andResolved also that the said Board of Auditors on receiving such accounts from the pay-master, do examine the same and state the balance due each officer and soldier by deducting from time to time as the payments may appear, the amounts of each payment and subsistence money, and all other sums which said officers respectively may have in their hands belonging to the public, first redeeming the same into specie agreeable to the Resolution of Congress for the redemption of loan office certificates, and that they ascertain the balance which may appear due in currency allowing 80 per cent for depreciation, and that the said Auditors do issue to such officers on their order certificates for all such balances payable out of the public treasury of this State; and the Treasurers are hereby required to take up all such certificates, for which they shall be allowed on the settlement of their public accounts; and resolved also that the Board of Trade
be required as soon as may be to purchase and deliver to the Clothier General of this State all such clothing as they can possibly procure, and lest the resource should prove insufficient to supply the necessary clothing.

Resolved, that his Excellency, the Governor, do if required, issue warrants in favor of the Clothier General for all such sums of money as may be necessary for purchasing clothing for the regular officers belonging to this State, and that they in issuing the same particularly direct that all such officers shall be prepared who have not heretofore been supplied, and,Resolved also, that the Clothier General do as soon as possible lay a state of his accounts before the State Auditor, and also state of each officer's account, showing the clothing already purchased, and what remains due to each respective officer.

Ordered, that the above be sent to the Commons with the following Message:

Mr. Speaker and Gentlemen:

This House have received the Report of the joint Committee to whom was referred the Memorial of the North Carolina Continental Officers, with which we do not concur, but propose that the Resolves herewith sent you on that head be adopted in lieu thereof.

Received from the Commons the following Bills:

A Bill to continue the Executive powers of Government with present Governor, and to continue the Continental Delegates from this State to Congress after the 15th day of April next, on the contingency therein mentioned. Also a Bill to regulate and establish a Militia in this State; and likewise a Bill for appointing District Auditors for the settlement of public claims. Endorsed in the House of Commons 13th February, 1781. “Read the third time, amended and passed.”

Ordered, said Bills be read. Read, amended by consent of the Commons, passed the third time and ordered to be Engrossed.

On motion, Resolved, that the Treasurers or either of them pay the Honorable Samuel Ashe, Esqr., twenty thousand pounds as a further satisfaction for his last year's services as Judge of the Superior Courts of Law, and be allowed in the settlements of their accounts with the public.

Resolved, also, that the Treasurers or either of them pay the Honorable Samuel Spencer, Esqr., the sum of Twenty Thousand pounds
as a further satisfaction for his last year's services as Judge of the Superior Courts of Law, and be allowed in the settlements of their accounts with the public; and,

Resolved, likewise, that the Treasurers or either of them pay the Honorable John Williams, Esqr., the sum of Twenty Thousand pounds as a further satisfaction for his last year's services as Judge of the Superior Courts of Law, and be allowed in the settlement of their accounts with the public.

Ordered, that the foregoing Resolve, with the following message, be sent the Commons:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve in favor of the Honbl. Sam'l Ashe, Esqr.; also a Resolve in favor of the Honbl. Sam'l Spencer, Esqr., and likewise a Resolve in favor of the Honbl. Jno. Williams, Esqr.

Received from the Commons a Bill for appointing a Commissary General in this State for directing and regulating the Business and Duty of his Department, and for other purposes.

Ordered, said Bills be read. Read the second time, amended and passed.

Received also a Bill to increase the Powers of the Quartermaster General, and other purposes. Endorsed in the House of Commons 13th February, 1781. "Read the first time and passed."

Ordered, said Bill be read. Read, passed the first time, and returned the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We return the resolve of your House requiring General Jones to call out such further Aid of the Militia of Halifax District as he may judge necessary. Concluded with.

Received the Resolve above referred to. Endorsed in the House of Commons 13th February, 1781. "Concluded with."

Received from the Commons the following message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve requesting Gen'l Jones to embody a Number of the Militia of Halifax District.

Ordered, the following message be sent the Commons:
Mr. Speaker and Gentlemen:

We return the resolve of your House requesting Genl. Jones to embody a number of the Militia of Halifax District, &c., concurred with.

Received from the Commons the following message:

Mr. Speaker and Gentlemen:

The address proposed by the Senate to be presented to the Officers and Soldiers who distinguished themselves at the Capture of the British at King's Mountain this House approves of.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House respecting the indented certificates therein mentioned.

The resolve above referred to being read was rejected.

Benjamin Hawkins, Esquire, Commercial Agent, and one of the Commissioners of Trade agreeable to a Letter from the Speakers, wrote at the request of the General Assembly, appeared in order to settle his Accounts. The present session drawing to its end.

Resolved, that the settlement of Mr. Hawkins' accounts be deferred until the next Session of the Assembly.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House propose balloting at half after three o'clock this evening, for three members of the Council extraordinary for a member of the standing Board of Auditors, and for the place of holding the next Assembly at, we nominate for Councillors Maj. General Caswell, Allen Jones and Alex. Martin, Oroondates Davis, Arch. McLain, Cornelius Harnett, Jno. Penn and Jno. Kinchen Esqrs.; for an Auditor Jno. Taylor, Esqr.; for the place for holding the Assembly at Newbern, Nutbush and Halifax. If you accede to this proposal you will signify the same by message.

Ordered, that the following message be sent the Commons:

Mr. Speaker and Gentlemen:

This House will be ready to ballot at half an hour after 3 o'clock this afternoon, and propose for members of the Council extraordinary Maj. General Caswell, Alex. Martin, Allen Jones, and O. Davis, Esqrs., for an additional member of the Board of Auditors, Jno.
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Taylor, Esq., and place for holding the next Assembly New Bern and Nutbush. Mr. Coor and Mr. Hill for inspectors.

Received from the Commons the following message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House in favor of the Rev. Charles Cupples.

The Resolve above referred to being read, was rejected.

Received from the Commons a Bill to reduce the six Continental Battalions belonging to this State to four, to complete the said four Battalions, and for other purposes. Endorsed, "in the House of Commons, Feb. 11th, 1781, read the third time, amended and passed."

Ordered said Bill be read. Read, amended by consent of the Commons, passed the third time, and ordered to be engrossed.

On reading for the last time the afore mentioned Bill that part of a clause allowing certain exemptions as herein before recited, having been inserted by the Commons, a motion was made and seconded, that the same be again deleted, this being objected to, the question was put and carried in the affirmative; then on motion of Mr. Hunt, ordered that the yeas and nays be taken on the above question which were as follows, to wit: In favor of exemption as contained in said clause, Messrs. Williams, Shepperd, Clinton, Battle, Hunt, Boddie, Hinton, Coor and Medlock. Against them, Messrs. Davis, Ramsey, Haynes, Johnston, Irwin, Simpson, Hill, Cleveland, Courtney, Collier, Everagin, McKenzie, Shelby, Spruill, McLaine and Carter.

So this clause was again deleted, and the Bill amended by consent of the Commons as is now to be seen in that Act of Assembly.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House have appointed Messrs. Smith, Hooper, Lock, Harrington and Caswell, a committee on their part who will act in conjunction with such gentlemen as you may appoint to suggest what Ways and Means are most necessary to be pursued for the defence of this State in the present critical situation thereof, and to prepare an answer to General Greene's last letter, assuring him that it is the determined resolution of the present Assembly to defend this State to the last extremity.

17—45
Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate have appointed Mr. McLain, Mr. Johnson, Mr. Davis and Mr. Coor, a committee to act with the gentlemen by you appointed to suggest what Ways and Means are most necessary to be pursued for the defence of this State, &c., and to prepare an answer to Gen. Greene's last letter as by you mentioned.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House propose that an express be immediately dispatched to His Excellency, the Governor, with Gen. Greene's and the other letters herewith sent, assuring His Excellency that it is the unanimous determination of the members of Assembly to support this State to the last extremity; if you accede to this you'll forward the same to Col. Long requesting him to dispatch the express immediately.

Ordered, that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

This House unanimously agree to the dispatching a messenger with Gen. Greene's and the other letters mentioned, to His Excellency, the Governor, and assuring him of the steady determination of the members of this Assembly to support the State to the last extremity, and will cause that a message be dispatched accordingly.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House declaring the sense and determination of this Assembly in the present situation of this country.

Ordered the following message be sent the Commons:

Mr. Speaker and Gentlemen:

We return the Resolve of your House declaring the sense and determination of this Assembly in the present situation in the country, unanimously concurred with by this House.

Received from the Commons the following Message:
Mr. Speaker and Gentlemen:

We return the conditional Resolve of your House for raising a corps of Light Horse in the county of Cumberland. Concluded with.

Received the Resolve above referred to, endorsed in the House of Commons Feb. 13th, 1781, concurred with.

Mr. Coor appointed on the part of this House, together with Mr. Hill, to attend the ballotting for a Council extraordinary, an Auditor and the place where the next Assembly shall be held reported, that having executed the trust reposed in them, on summing up the ballots, it appeared that the Honorable Maj. General Caswell, Alex. Martin, and Allen Jones, Esqrs., were by a large majority of the votes of both Houses, chosen a Council extraordinary, John Taylor, Esq., a member of the Board of Auditors, and the town of New Bern the place where the next Assembly shall be held.

The House, taking the said Report into consideration, resolved that they do concur therewith.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House in favor of Isham Beazley, an express.

Ordered, that the following Message be sent the Commons.

Mr. Speaker and Gentlemen:

We return the Resolve of your House in favor of Isham Beazley, an express. Concluded with.

Resolved, that the Treasurers, or either of them, pay into the hands of Brigadier General Isaac Gregory, the sum of twenty-five thousand pounds, to enable him to defray the necessary expenses he may incur on account of the public.

Ordered, that the foregoing Resolve, with the following message, be sent the Commons:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve directing the Treasurers, or either of them, to pay into the hands of Brigadier General Gregory a certain sum therein mentioned.

Mr. Davis from the committee to whom was referred the letter from the House, respecting the establishment of funds for their support while in Congress, reported as follows:
The Committee to whom was referred the Letter from the Delegates respecting the establishment of Funds for their support whilst in Congress, beg leave to report:

That it is the opinion of your Committee that the Commissioners of Trade be ordered and enjoined by such Ways and Means as may be in their power to furnish each of the Delegates belonging to this State with such Sum or Sums of Money as may be sufficient to defray his reasonable Expenditures during his attendance in Congress; and should this service fail or prove insufficient, it is further the opinion of your said Committee that each of our said Delegates be Authorized to draw on the Continental Treasury for his necessary Expenditures, considering the present circumstances of this State.

Resolved, also, that when any of the Delegates belonging to this State may have borrowed money on his own private credit for the actual support of himself in Congress, and shall have engaged to make good the depreciation on the same, that this State will reimburse such Delegate the full sum.

And, Resolved, lastly, as the opinion of your Committee that any two of the Delegates of this State are sufficient to attend in Congress at the same time, and that the vote of either one be considered as the representation of the State, and be binding and obligatory on the same; all which is submitted.

O. DAVIS, from the Committee.

Mr. Davis, from the joint Committee to whom was referred the Memorial of Colonel Medlock, and also the settlement of General Harrington's Accounts, reported as follows:

The Committee to whom was referred the Memorial of Colonel Medlock, as also the settlement of General Harrington's Accounts, beg leave to report:

That it is the opinion of your Committee that the Certificates mentioned in Colonel Medlock's Memorial (considering the circumstances by which they were lost) be reissued by the Clerks of the Assembly, paying due Respect to the persons' names, the Numbers, Amount and Sessions they were passed at, as contained in the said memorial. Your Committee further report that, having examined the accounts of General Harrington, there appears to be due him for sundry disbursements and Expenditures on public Account the
Sum of Thirty-Six Thousand Five Hundred and Seven Dollars current money, including Nine Hundred and Ten Continental Dollars reduced into State Currency.

O. DAVIS, from the Committee.

The House, taking the foregoing Reports into consideration, concurred therewith.

Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

We send you the Report of the joint Committee to whom was referred the Letter from the Honbl. Whitmel Hill and Willie Jones, Esquires, concurred with by this House. We also send the report of the Committee to whom were referred the Memorial of Colonel Medlock and the settlement of General Harrington's Accounts, which we likewise concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a resolve of this House requesting the Speakers of the two Houses of the General Assembly to write to the Governor of Virginia on the subject therein mentioned.

Ordered, that the following Message be sent the Commons.

Mr. Speaker and Gentlemen:

We return the resolve of your House requesting the Speakers of the General Assembly to write to the Governor of Virginia, &c., concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a resolve of this House for raising a Company of Militia for the defence of the Seacoast of Onslow County.

Ordered, that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

We return the resolve of your House for raising a Company of Militia for the defence of the Seacoast of Onslow County, concurred with.

Received from the Commons the following Message:
Mr. Speaker and Gentlemen:

We return the resolve of your House directing the Treasurers or either of them to pay into the hands of Brig. Genl. Gregory a sum therein mentioned, concurred with.

Received the resolve referred to. Endorsed in the House of Commons 13th February, 1781. "Concurred with."

Whereas, the Progress of the Enemy under Lord Cornwallis makes it necessary that the Prisoners of War in this State should be removed,

Resolved, therefore, that the Brig. Gen. be directed and they are hereby required to cause all the Prisoners of War in their Districts to be sent into the Commonwealth of Virginia. That the Prisoners in the Districts of New Bern and Halifax be sent to the Town of Halifax, and that General Butler and General Jones shall have the Prisoners sent from Halifax and Hillsboro respectively to such places as they may judge most secure.

Ordered that the foregoing Resolve with the following Message be sent the Commons.

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve directing the removal of the Prisoners of War in this State.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve for communicating the sense of the General Assembly to Colonels Shelby and John Sevier, Esqrs., for their late exertions in favor of this State, &c.

Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Resolve of your House communicating the sense of the General Assembly to Cols. Shelby, John Sevier, Esquires, and others respecting their late patriotic exertions in favor of this State, we return you concurred with.

Whereas, it becomes necessary to make the greatest efforts when the enemy appears to be most peaceful.

Resolved therefore, that Major James Reed, with the Light Horse under his command, ordered to join the Army near Wilmington
be, and he is hereby ordered to march westward under the command and directions of Brig. General Jones.

Ordered that the foregoing Resolve with the following Message be sent the Commons.

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve changing the route of Major Reed.

Read a letter from Gov. Jefferson, also a letter from D. Ross. Ordered that they be sent the Commons with the following Message:

Mr. Speaker and Gentlemen:

We send for your perusal a letter from Governor Jefferson, also a letter from Mr. David Ross.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House in favor of the Judges and the Attorney General, which we propose instead of the three Resolves of the same purport, proposed by the Senate.

Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

Your proposed Resolve in favor of the Judges and Attorney General we agree to adopt instead of those on that Head proposed by this House, and return it herewith concurred with.

Received from the Commons a Bill to enlarge the powers of the Quarter Master General, Endorsed, "In the House of Commons 13th February, 1781, read the third time, amended and passed."

Ordered said Bill read. Read the third time, passed and ordered to be engrossed.

Resolved, that the Treasurers, or either of them, pay into the hands of Colonel Robert Irwin the sum of twenty thousand pounds to enable him to pay bounties to Volunteers and Drafts, now due in the County of Mecklenburg, for which sum Col. Irwin is to be accountable.

Resolved, That the Treasurer of Salisbury District pay into the hands of Col. Isaac Shelby the sum of eight thousand five hundred and thirty-seven dollars, to enable him to pay Mr. Jno. Adair the
like sum which was borrowed for public use, for which Col. Shelby is to account with the public.

Ordered that the foregoing Resolve, with the following Message be sent the Commons.

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve in favor of Col. Irwin, also a Resolve in favor of Colo. Shelby.

Adjourned till To-morrow Morning 9 O'clock.

Tuesday 14th February, 1781.
The House met.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We return the Resolve of your House changing the route of Major Reed concurred with.

Received the Resolve above referred to, Endorsed, "In the House of Commons 13 February, 1781," concurred with.

Mr. Speaker and Gentlemen:

We return the Resolve of your House in favor of Colonel Shelby, concurred with, but do not concur with the one in favor of Colonel Irwin.

Received the Resolve above referred to, Endorsed, "In the House of Commons 13 February, 1781," concurred with.

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House for relieving persons who have furnished the Armies of this State with provisions to a greater amount than their Specific Tax from the payment of the same.

Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Resolve of your House for the relief of persons who have furnished the Armies of this State with provisions to a greater amount than their Specific Tax, we return you herewith concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve for effecting an exchange of Prisoners.
Ordered that the following Message be sent the Commons.

Mr. Speaker and Gentlemen:
We return you herewith the Resolve of your House for effecting an exchange of Prisoners, concurred with.
Received from the Commons the following Message:

Mr. Speaker and Gentlemen:
We send for your concurrence a Resolve of this House in favor of James Biggleston.
Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:
We return the Resolve of your House in favor of James Biggleston concurred with.
Received from the Commons the following message:

Mr. Speaker and Gentlemen:
We send for concurrence a Resolve of this House directing Colonel Long to furnish General Gregory a certain quantity of gun powder, &c.
Ordered that the following message be sent the Commons:

Mr. Speaker and Gentlemen:
The Resolve of your House directing Colonel Long to furnish Gen. Gregory a certain quantity of gun powder, &c., we return you concurred with.
Received from the Commons the following Message:

Mr. Speaker and Gentlemen:
We send for your concurrence a Resolve directing the Standing Board of Auditors to issue the Certificates therein mentioned.
Ordered the following Message be sent to Commons:

Mr. Speaker and Gentlemen:
We return the Resolve of your House directing the Standing Board of Auditors to issue the Certificates therein mentioned, concurred with.
Received from the Commons the following Message:

Mr. Speaker and Gentlemen:
We send for concurrence a Resolve in favor of Isham Beazley.
Ordered that the following Message be sent the Commons.

Mr. Speaker and Gentlemen:
We return the resolve of your House in favor of Isham Beazley concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:
We return the Resolve of the Committee in favour of Colonel Medlock and General Harrington concurred with by this House.

Mr. Speaker and Gentlemen:
We return the report of the Committee, respecting the North Carolina Delegates, concurred with.

Resolved, That the Treasurers, or either of them pay into the hands of the honbl. S. Ashe, S. Spencer and Jno. Williams, Esqrs., Judges, and James Iredell, Esqr., Attorney General, respectively, the sum of twenty thousand pounds as a further compensation for their last year's services for which they are respectively to be accountable.

Ordered that the foregoing Resolve with the following Message be sent to the Commons.

Mr. Speaker and Gentlemen:
We send for concurrence a Resolve in favor of the Judges of the Superior Courts of Law and of the Attorney Generals.

Resolved, That the thanks of this House be presented the Honorable Alexander Martin, Esquire, for the alacrity and faithfulness with which he hath discharged the many and important services incident to his appointment as Speaker thereof.

The business of the session being ended, Resolved, that the Honorable the Speaker, ratify the several bills passed this Session, the Acts of the General Assembly, that he sign the Journal as the Acts of the Senate and that the Clerk attest the same.

By Order.

JOHN HAYWOOD, C. S.                                        ALEX. MARTIN, Speaker.
THE HOUSE JOURNAL--1781.

FROM JANUARY 27TH, 1781, TO FEBRUARY 14TH, 1781.
[It being the Third Session.]

STATE OF NORTH CAROLINA,
IN THE HOUSE OF COMMONS 27TH JANUARY, 1781.

At a General Assembly begun and held at Halifax on the twenty-seventh day of January, in the year of our Lord one thousand seven hundred and eighty-one, and in the fifth year of the Independence of the said State, it being the third session of this Assembly.

The Honorable Thomas Benbury, Esquire, Speaker, and the following members appeared, viz: Messrs. Montfort, Weldon, Whittaker, Peebles, J. Bryan, Vaughan, Starkey, J. Hawkins, General Harrington, Macon, Balfour, J. Williams, Bloodworth, May, Mitchell, Lock, Wilson, Phifer, Barrier, Freeman, Farrow, Dixon, Gray, Gillespie, McCawley, Patterson, P. Hawkins, Herndon, Person, Smith, Campbell, Jacocks, Winslow, Hunter, Scurlock, Jas. Williams, Lucas, Mouring, Jordan, Averett, Barrow, Shepperd, Cumming and Humphries.

General William Caswell, one of the members for Dobbs County, appeared, was qualified and took his seat.

The returning officer for the County of Rutherford, certified that Mr. William Porter was duly elected a member of this House in the room of David Whiteside, Esqr., deceased, whereupon the said Mr. Porter appeared, was qualified and took his seat.

The returning officer for the town of New Bern, certified that William Blount, Esqr., was duly elected a member of this House in the room of James Green, junior, Esqr., whose seat was vacated by his acceptance of the appointment of one of the Council of State, whereupon the said William Blount, Esqr., appeared, was qualified and took his seat.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

The House of Commons having now formed, acquaint you that they are ready to proceed to the dispatch of public business.

Received from the Senate the following message:
Mr. Speaker and Gentlemen of the House of Commons:

This House being now formed, acquaint you that they are ready to proceed on the dispatch of public business.

Ordered that the following message be addressed to His Excellency, the Governor:

To His Excellency, Abner Nash, Esq., Governor, &c.:

Sir:

The two Houses of the General Assembly being now formed, acquaint your Excellency that they are ready to receive such letters and papers of a public nature as you have to lay before them.

Ordered that the following message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a message proposed to be presented to His Excellency the Governor.

The House adjourned till to-morrow morning 10 o'clock.

Sunday, January 28th, 1781.

The House met according to adjournment.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We propose that the address herewith sent you, be presented his Excellency, the Governor, and have for that purpose on our part appointed Mr. Hunt to wait on him with the same.

At the same time received the address referred to in the above, and the same being read was agreed to, and Mr. Starkey appointed by this House to wait on His Excellency with the same.

Mr. Jo. Hawkins moved for leave, and presented a Bill to enforce the attendance of the members of the General Assembly, which was read the first time, passed and sent to the Senate.

Read the Memorial and Remonstrance of a number of people in Wayne County called Quakers. Ordered, that the same be referred to a joint Committee; that Messrs. Person, Hawkins, Wilson, Har- rington, and Williams be a Committee on the part of this House.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you the remonstrance of sundry people called Quakers, which we propose referring to a joint Committee of both
Houses, and have on our part appointed Messrs. Person, Hawkins, Wilson, Harrington, and Williams a Committee.

Received from His Excellency the Governor the Following Message:

To the Honorable the General Assembly:

Gentlemen:

I am very glad an opportunity is at last offered me of addressing you in General Assembly, and I believe I may truly say there never has been a time before in which the united Wisdom of the State was more pressingly called aloud for than the present. You have seen the neighboring States of Georgia and South Carolina fall one after the other in the hands of the Enemy, and you see the people of those States, lately so free and happy, now groaning under every degree of wretchedness that Lawless power can inflict. All these evils, Gentlemen, and more than I can describe, await us, and sooner or later be our inevitable fate unless proper measures are speedily taken to avert them. No one can, I presume, have a doubt respecting the immediate designs of the Enemy against this State; their plan of policy pursued of late plainly points them out. In point of conquest we stand next in rotation, and indeed had it not been for the bravery and public spirit that of late has so eminently distinguished the good people of this State, there is no saying how far the Enemy's views might not have been effected before this hour. These people, not waiting for the calls of Government, nobly stepped forth in defence of their common rights, and under every disadvantage they attacked, defeated and finally expelled the Enemy from the State. These great and memorable actions, together with the successes of the Militia against the Enemy in the District of Edenton and other parts of the State, have had the most extensive and important good consequences; at the same time they struck the Enemy with consternation, they animated the rest of our Citizens and taught them to know their own strength, and perhaps it affords you, Gentlemen, this happy opportunity of further providing for the general safety by adopting such wise Measures as will in future bring forth the strength and resources of the whole Country. By wise Laws this may be affected, but so long as you trust to the uncertain, unequal, and I may say oppressive, methods of seizing and impressing for the support of the Army the public
burthens will be so unequal and the supplies so difficult of collection, that I fear nothing but distress and disappointment will be the fruits of your endeavors. Could this plan of impressment be made to fall on the monopoliser only—he who takes his measures with a view to his own interest, regardless of the public calamities—the measure would consist of good policy; but to make it fall on the industrious Citizen—he who by his labor has acquired something over and above the wants of his family and his proportion of the public wants—to subject his house to a search, and his produce on the road for market to seizure, is impolitic, because by its direct tendency to discourage industry, a fatal scarcity of the necessaries of life in a short time must be the inevitable consequence. I admit that in cases of extreme necessity, every sovereign and State has a right to impress for the public security; but it is the necessity of the case only that will justify the measure. And, Gentlemen, I beg you will consider how different this is from a Law authorizing general impressments as an ordinary measure of providing for the Army. The acts of Congress, original Letters, and other State papers, which I have the honor to lay before you, are so full and pathetic on this subject that, added to what I have said and your own reflections, I am persuaded you will on this important occasion take such measures as will answer the reasonable expectations of Congress, and thereby secure effectually the freedom and independence of the State.

I wish it were in my power Gentlemen, to give you a satisfactory account of the operations of our principal army to the Westward, and of the progress made by your officers and commissioners in providing magazines of provisions and other military stores. In the common course of things, no doubt it might be expected of me to be able to give some account of these public transactions, but gentlemen at your last session at Hillsborough for reasons unknown to me, it was thought expedient (as I conceive it) to change our form of Government, for by your acts you have effectually transferred the powers vested by the constitution in the Governor, into the hands of Commissioners. As I said, I am entirely ignorant of the causes which lead to this strange resolution. In the preceding April I had been elected into office by a very large majority of the General Assembly. This mark of confidence added to the affection-
ate manner in which the honors of my appointment were conferred upon me impressed me with the deepest sense of gratitude, and anxious for an opportunity to render some service to my country suitable to the rank I held in it, I applied to the Assembly for their approbation to proceed myself into South Carolina with the aid intended for the relief of that State; but, as I was informed, the measure was at this time thought inadvisable on account of the danger apprehended from the disaffected within the State, and I was the better satisfied with the will of the Assembly, as the command was on that important occasion given to one of your worthiest citizens, one who with reputation had filled the highest offices in the State, and who had been experienced in military affairs, an advantage I could not boast of. Since then, gentlemen, I have constantly exerted my best abilities, such as they are, for the public good, and upon the strictest self-examination I am not conscious of having done anything, or omitted to do anything, in my public character, but with a direct view to the honour and interest of my country. When you elected me Governor of the State, you presented me the Bill of Rights and the Constitution, at the same time you presented me with the Sword of State as an emblem of the power I was invested with for the protection of the Constitution and the rights of the people, and in a solemn manner you bound me by an oath to preserve the Constitution inviolate; and yet four months after my election the very same Assembly deprived me of almost every power, privilege and authority belonging to my office. My authority as commander-in-chief of the militia, is abolished, and every officer and commissioner of the State, your chief magistrate not excepted, is made amenable and subject to the control of a Board of War, they are empowered to direct me, when and in what numbers, to call out the militia, and when called out they are to direct what post they are to occupy, and what expeditions they are to undertake—in short, from having a right even to a share in the Councils of administration.

In consequence of these measures, I have been excluded from all intelligence or correspondence with the army; the commanding officer of your militia has honored me, it is true with one letter since his appointment to the Supreme command, as it is termed, but this was only only to acknowledge the receipt of mine sent express to advise him of Gen. Leslie's having left Virginia.
I have no doubt that the secret Enemies of our Free Constitution exult at the introduction of such innovation and rejoice at seeing the first office in the State rendered useless and contemptible; but I question if you, Gentlemen, upon experience, will find any good consequences to result from such experiments; on the contrary, the worst of consequences are, in my opinion, justly to be apprehended from them; and particularly from weakening instead of strengthen ing the hands of Government in times of imminent danger.

I readily acknowledge the merit of the gentlemen who compose the Board of War, and that I thought the establishment of such a Board necessary; I also thought it necessary that extraordinary powers should be lodged somewhere, equal to the exigency of the times and agreeable to the recommendation of Congress, to be exercised on extraordinary occasions; and being not ambitious of power myself, I recommended that this extraordinary power should be lodged in the Board of War, so as to make them a legal basis for the support of the Executive; and this, as expressed by Congress, might have been in lieu of the Assembly's sitting constantly; but instead of giving them powers which lie dormant, except when the Assembly are in Session, you give them powers comprehending, and of course superceding those of the Executive, which are never dormant. In short, Gentlemen, I hold at present but an empty title, neither serviceable to the people nor honorable to myself. It will therefore become an act of necessity, however disagreeable at a time like this, that I resign my office, unless you restore it to a condition as respectable as it was when you did me the honor to confer it upon me.

A. NASH.

Ordered that the following Message be sent the Senate:

Mr. Speaker and Gentlemen:

We herewith send you a Message from His Excellency the Governor, addressed to the General Assembly, together with sundry letters and public papers which this House have had under consideration.

Received from the Senate a bill to enforce the attendance of the Members of the General Assembly. In the Senate read the first time and passed.
STATE RECORDS.

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Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

Col. Shelby, Mr. Courtney, and Mr. Battle, will act with the gentlemen by you appointed to take under consideration the remonstrance of the Quakers of Wayne county.

Mr. Speaker and Gentlemen:

This House have appointed Col. Irwin, Mr. Davis, Col. Ramsey and Maj. Clinton, Mr. Charles Johnston and Major General Caswell, a committee who will act jointly with such gentlemen of your House as may be appointed to ascertain the adequate and proper allowances to be made by the General Assembly for articles furnished the public.

Ordered the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Commons have appointed Messrs. Person, Phifer, Bloodworth, Macon, Smith and Blount to act as committee with the gentlemen by you appointed to ascertain the adequate and proper allowances to be made by the General Assembly for articles furnished the public.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate have appointed Mr. Davis, Major General Caswell, Mr. Charles Johnston, Mr. McKenzie, Col. Irwin and Mr. Sheppard, a committee who will act jointly with such of your Body as may be appointed to consider of and report, what Bills of Public Utility are absolutely necessary to be passed into laws by the present Assembly and prepare the same.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House have appointed Messrs. Lock, Starkey, Harrington, Williams, Person and P. Hawkins, to act with the gentlemen by you appointed to consider of and report what Bills of Public Utility are necessary to be passed into laws by the present Assembly, and to prepare the same.

Robert Bignall, Esq., having informed that he was ready to settle his accounts as one of the Commissioners of Trade, whereupon
Resolved, that they be referred to a Joint Committee to examine and report upon.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House have appointed Messrs. Jordan, Harrington, Blount, Winslow and Smith, to act with such gentlemen as the Senate may appoint to examine the accounts of Robert Bignall, Esq., Commissioner of Trade, and make report thereon.

The petition of a number of the Inhabitants of Caswell county, in favor of George Graham, confined in the District Gaol of Halifax, for Treason, was read and rejected.

The House adjourned till To-morrow morning 10 o'clock.

Monday, 29th January, 1781.
The House met according to adjournment.

Mr. Allison, one of the members for Washington county, Mr. Gowdy, one of the members for Guilford county, and Mr. Hardy Griffin, one of the members for Nash county, appeared and took their seats.

Read the Petition of Martha Bell, administratrix of John McGee, deceased, late of Guilford county.

Ordered that the same lie on the Table until to-morrow for consideration.

The Bill to enforce the attendance of the Members of the General Assembly was read the second time, amended, passed, and sent to the Senate.

Mr. Macon presented a Petition of Charles Saintling.

Ordered that the same be referred to the Board of Auditors to report upon.

Mr. Blount moved for leave, and presented a Bill "to repeal an Act, entitled an Act, to suppress excessive gaming," passed at New Bern the first session of the present General Assembly, which was read the first time, passed and sent to the Senate.

Resolved, That Alexander Downie, of Duplin county, be for the future exempted from the payment of Poll taxes.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your Concurrence a resolve of this House
exempting Alexander Downie, of Duplin county, from the pay-
ment of Poll taxes.

Mr. Starkey moved for leave, and presented a Bill to continue
the executive powers of Government in the present Government
and Council, after the fifteenth day of April next, on the Conting-
gency therein mentioned, which was read the first time, passed, and
sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

This House have appointed Col. Medlock and Col. Williams, a
committee, to act in conjunction with such of your Body as may be
appointed, to examine and report on the facts contained in the pe-
tition of Anne Lovick herewith sent you.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House have appointed Messrs. Starkey, Caswell and Mitch-
ell, a Committee, to act jointly with the Committee appointed of the
Senate to examine and report on the facts contained in the Peti-
tion of Anne Lovick.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve in favor of John Wooten,
of Franklin county, together with his Petition.

At the same time received the Resolve of the Senate referred to
in the above Message, and the same being read, was concurred with.

Ordered, that the following Message be sent the Senate:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House allowing John
Wooten an annuity of twenty Barrels of Corn. Concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

This House have received the Message of yours appointing cer-
tain members to act as a Committee on your part for the settling
and adjusting accounts of Mr. Bignall, one of the Commissioners of
Trade, with which we do not concur; but propose in lieu thereof
that a settlement should be made with the Commissioners of Trade generally, and appoint on our part Mr. Hunt and Mr. Ramsey for this purpose.

Resolved, that the Board of War be requested to lay the Journal of their proceedings since the last session of Assembly before the present session of Assembly for their perusal and examination.

Ordered, that the following Message be sent the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House requesting the Board of War to lay the Journal of their proceedings before the Assembly.

Resolved, That the following Message be addressed to His Excellency the Governor:

To His Excellency Abner Nash, Esquire, Captain General, Governor, &c.

Sir:

The General Assembly beg leave to acquaint your Excellency that they are ready to take under consideration the Journal and proceedings of the Council of State since the last Session of Assembly.

Ordered that the following Message be sent the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Message which we propose presenting to His Excellency the Governor informing him that the Assembly is ready to take under consideration the Journal and proceedings of the Council of State since the last Session.

Received from the Senate the following messages:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve directing Joseph Leech, Esquire, to deliver Captain Armstrong such sum in Specie as he may have in his hands due the Public; also a Resolve directing Benjamin Hawkins, Esquire, to deliver said Armstrong such sum in Specie as he may have received of Col. Leech to be sent for the relief of the Continental and Militia officers belonging to this State now on Parole to the Southward with the Enemy.

At the same time received the Resolves of the Senate referred to
in the above Message, and the same being read, were concurred with.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House directing Joseph Leech, Esqr., to deliver Captain Armstrong such sum in Specie as he may have in his hands due the Public, and the resolve directing Benjamin Hawkins, Esqr., to deliver said Armstrong such sum in Specie as he may have received of Col. Leech, to be applied as therein directed. Concurred with.

Mr. James Williams, from the Committee to whom was referred the Petition of the Quakers reported as follows:

We are the of opinion that the Law has been construed greatly to their prejudice, and that they ought not to pay more than four times as much as good Citizens who have in every respect complied with the Laws of the Land in similar circumstances.

The House taking the said Report into consideration concurred therewith, whereupon,

Resolved, That the respective Tax gatherers within this State collect from the Quakers, Moravians, Mononist, and Dunkards, who have not Inventoried their taxable property, no more than four times as much as they have a right to collect from the good Citizens of this State who have complied with the Laws of the Land in every respect and are in like circumstances.

Ordered, that the foregoing Resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence the report of the Committee appointed to take under consideration the Remonstrance of the Quakers, together with a Resolve of this House entered into in consequence thereof.

Resolved, That the Speakers of the Senate and Commons write to the Commissioners of the Board of Trade and the Commercial Agent, requesting their attendance on the present Assembly in order to settle their accounts, and to make report thereto of their proceedings since the last Session at Newbern.

Ordered that the following Message be sent to the Senate:
Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House for requesting the Commissioners of the Board of Trade to repair to the present Assembly in order to settle their Accounts, &c.

The House adjourned till To-morrow Morning 10 O'clock.

Tuesday, 30th January, 1781.
The House met according to Adjournment.

Received from His Excellency the Governor the following Message:

To the Honb'l the General Assembly:

Gentlemen:

I have the Honor to lay before you some Letters I have lately received, and which I conceive deserve the consideration of the General Assembly.

At the same time, received the Letters referred to in the above Message. Ordered, that they be referred to a joint Committee to Examine and report upon; that Messrs. J. Hawkins, Person, Williams, Harrington, Blount, Scurlock be a Committee on the part of this House for that purpose.

A Letter from the Marquis de Britaigne, an address from Col. Malmedy, the Petition of Jas. Hunter and the Petition of Larkin Cleveland were read. Ordered that they be referred to the Committee appointed to examine and report upon the Letters received from His Excellency the Governor.

Ordered that the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send you a Message from His Excellency the Governor, addressed to the General Assembly, with sundry Letters, &c., as also a Letter from the Marquis of Britaigne, an address from Col. Malmedy, the Petition of James Hunter and the Petition of Larkin Cleveland, which we propose referring to a joint Committee to examine and report upon, and have for that purpose on our part appointed Messrs. J. Hawkins, Person, Williams, Harrington, Blount, and Scurlock a Committee.

General Harrington moved for leave and presented a Bill for raising men to complete the Continental Battalions belonging to this State which was read the first time, passed and sent to the Senate.
Received from the Senate the Bill to repeal an Act entitled "an Act to suppress excessive gaming," passed at New Bern the first session of the present General Assembly. Endorsed, "In the Senate 29th Jany, 1781, read the first time and passed."

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Resolve of your House in favor of Alexander Downie of Duplin County, we return you herewith concurred with.

Received from the Senate the Bill to continue the Executive Powers of Government in the present Governor and Council after the fifteenth day of April next on the contingency therein mentioned, Endorsed, "In the Senate 24th January, 1781, read the first time and passed."

Ordered that said Bill be read the second time. The same was read the second time, amended, passed and sent to the Senate.

The Bill to repeal an Act entitled "an Act to suppress excessive gaming," passed at New Bern the first session of the present General Assembly, was read the second time and Rejected.

On the question shall the Bill pass or not it was objected to and carried in the negative. The Yea and Nays being required by Mr. Peebles are as follows:


So it was Resolved in the Negative.

Received from the Senate the Bill to enforce the attendance of the Members of the General Assembly and to make adequate allowance for such attendance, Endorsed, "In the Senate the 30th January, 1781, read the second time, amended and passed."

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Resolve of your House requesting the Board of War to lay
the Journals of their proceedings before the Assembly, and the Resolve requesting the Commissioners of the Board of Trade to repair to the present Assembly in order to settle their accounts, &c., we return you concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

This House have received your proposed Address to His Excellency the Governor, and wish to substitute the one herewith sent you, in lieu thereof.

At the same time received the proposed Address referred to in the above Message, and the same being read was agreed to.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Message proposed by the Senate to be presented to his Excellency the Governor, requesting that he will be pleased to lay the Journals of the Council of State since the last session before the Assembly this House approve of.

Received from the Senate the Bill for raising men to complete the Continental Battalions belonging to this State, Endorsed, in Senate 30th January, 1781. "Read the first time and passed."

The House adjourned till 4 O'cloke P. M.

The House met according to adjournment.

Received from the Senate the Bill to continue the Executive powers of Government in the present Governor and Council after the fifteenth Day of April next on the contingency therein mentioned, Endorsed, "In Senate 30 January, 1781, read the second time and passed."

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate agree with the Commons in referring the Message from His Excellency the Governor, together with the Letters, &c., by them alluded to, to a joint Committee, and have on their part for that purpose appointed Mr. Courtney, Col. Cleveland, Colo. Medlock and Colo. Ledbetter a Committee.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

This House cannot agree to the Resolve of yours respecting the
Tax to be collected from Quakers, &c. &c. We are of opinion the law is clearly expressed and requires those denominations to pay a threefold tax in lieu of Military Duty, and for neglecting to return list of their property a four fold Tax for such neglect, which in the last mentioned case amounts to a seven fold tax agreeable to which we send for your concurrence a Resolve for the direction of the several collectors.

Ordered that the following Message be sent the Senate:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House respecting the tax to be collected from the Quakers, &c., concurred with.

Resolved, That the Bill to enforce the attendance of the Members of the General Assembly and to make adequate allowance for such attendance be read to-morrow for the third and last time in this House.

Mr. Boyd, one of the Members for Chowan County, appeared and took his seat.

Resolved, That Mr. Campbell and Mr. Bloodworth have leave to absent themselves from the service of this House.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve in favor of the Officers and Soldiers belonging to this State now in captivity with the Enemy to the Southward.

At the same time received the Resolve of the Senate referred to in the above Message and the same being read was agreed to.

Ordered that the following Message be sent the Senate:

Mr. Speaker and Gentlemen:

We return the Resolve of the Senate in favor of the Officers and Soldiers belonging to this State, now in captivity with the Enemy to the Southward, concurred with by this House.

The House adjourned till To-morrow Morning 4 after 9 o'clock.

Wednesday 31 January, 1781.

The House met according to adjournment.

Mr. Starkey moved for leave and presented a Bill to regulate and establish a Militia in this State which was read the first time, passed and sent to the Senate.
A letter from Doct. Williamson, Surgeon General, to the Militia late under the command of Major General Caswell with a return of the wounded, prisoners, &c., taken by the Enemy at the Action near Camden on the 16th of August last, were read.

Ordered that they be sent to the Senate for their perusal, &c.

The resignation of the Lieut. Colo. of Camden County and the resignation of the first Major of Perquimans County were read.

Ordered that they be sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your perusal and examination a letter from Doct. Williamson, Surgeon General to the Militia, late under the command of Major General Caswell, with a return of the wounded, prisoners, &c., taken by the Enemy at the Action near Camden, on the 16th of August last. We also send the resignation of the Lieut. Colonel of Camden, and the first Major of Perquimans County.

Read the Petition of Kedar Harold of Duplin County.

Ordered, that the same be referred to a joint committee to examine and report upon. That Messrs. Freeman, Macon, Wilson and Dixon be a Committee on the part of this House for that purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you the Petition of Kedar Harold, which we propose referring to a joint Committee, and have on our part appointed Messrs. Freeman, Macon, Wilson and Dixon a Committee for that purpose.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

This House propose referring the Petition of William Courtney, Esqr., herewith sent you, to a joint Committee and have for that purpose appointed on their part Major General Caswell, Mr. Ever-again, Mr. Shepperd and Mr. Collier.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House agree to refer the Petition of William Courtney, Esquire, to a joint Committee and have on their part appointed Mr.
McCawley, Mr. Williams, Mr. Peebles, Mr. Winslow, Mr. Starkey and Mr. Whittaker, a Committee for that purpose.

Received from His Excellency the Governor the following Message:

To the Honorable the General Assembly:

Gentlemen:

I have it not in my power to lay before you the proceedings of the Council. Since August last none of their proceedings have been entered in the Journal, but committed in detached pieces, to the care of Mr. Green, one of the Members, who undertook when he had leisure, to bring them into order and transcribe them into the proper Book. This disorder I could not remedy. At the April Session Mr. Glasgow was discharged from his attendance on the Council, and it was required that the Governor's Private Secretary should serve as Clerk to the Council. It was also no doubt understood and expected that the Private Secretary should prepare all demanding's, Commissions, Proclamations and other Papers of a public nature. From the remote situation of the Public Secretary it was impossible to expect from him the performance of this duty himself, and the allowance to him for his general services would not enable him to keep a Deputy residing in New Bern. The Private Secretary of course performed all these implied, as well as expressed, duties for a considerable time and until he perceived clearly that what was intended as a reward for his services would in effect prove the reverse, his only perquisite was a fee of Ten Dollars for the Great Seal, which would now cost him for the materials only, more than double the sum; and finding also that the Board of War were empowered to appoint a Secretary and as many Clerks as they pleased, and to pay them from the Treasury as they pleased, he became so discouraged that he left me. By these means the Council have been destitute of a Clerk and their proceedings not in a condition to be laid before the General Assembly; at the same time I think I can undertake from memory to give the Assembly satisfaction as to any particular transaction of the Board if it is desired.

A. NASH.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your perusal a Message from His Excellency the Governor.
Received from His Excellency the Governor the following Message:

Gentlemen:

You will receive herewith a Letter just come to my hand from Colonel Kenan, of Duplin County, giving an account of the arrival of a British Fleet at Cape Fear. For my own part I have no doubt of the truth of this account, and in my opinion no time should be lost in proceeding for the immediate defense of that part of the State; and should it be the sense of the General Assembly to enable me to act in my proper character, by removing the obstructions that have been put in my way, I could wish this was done as speedily as possible, that I might be enabled to act. I wish to proceed down the Country immediately, unless the General Assembly think it necessary I should stay a day or two longer.

A. NASH.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you a Message from His Excellency the Governor, accompanied by a Letter from Colonel Kenan, of Duplin County, which we propose referring to a joint Committee and have on our part appointed Messrs. Starkey, Gillespie, and Herndon a Committee.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send you for concurrence a Resolve discontinuing an allowance heretofore made Richard Fletcher, late of Washington County.

At the same time, received the Resolve of the Senate referred to in the above Message, and the same being read, was concurred with.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House discontinuing an annual allowance heretofore made Richard Fletcher, &c., concurred with.

Received from the Senate the following Message:
Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve for suspending from office, &c., Mark Allen and Joseph McClendon, two of the Justices of the Peace for Montgomery County, together with sundry Affidavits relative to the conduct of said Allen and McClendon.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House suspending Mark Allen and Joel McClendon from the execution of their offices as Justices of the Peace, concurred with.

Received from the Senate a Bill to regulate and establish a Militia in this State. Endorsed in the Senate 31st January, 1781. "Read the first time and passed."

Sundry Extracts of Letters from His Excellency General Washington, and resolutions of Congress, were read; whereupon,

Resolved, That they be referred to the joint Committee appointed to examine and report upon the Letters, public Papers, &c., laid before the Assembly by His Excellency the Governor.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your perusal, &c., sundry Extracts of Letters and Resolutions of Congress, which we propose referring to a joint Committee appointed to examine and report upon the sundry public Papers, &c., laid before the Assembly by His Excellency the Governor, &c. We propose referring the Petition of Capt. Thomas Armstrong, herewith sent you, to the same Committee.

Mr. Starkey moved for leave, and presented a Bill for laying a further Tax for completing the Public Buildings in Gates County, which was read the first time, passed and sent to the Senate:

Resolved, that James Emmit be appointed Colonel, Thomas Armstrong Lieutenant Colonel, Walter Murray First Major, and Simon Hadly Second Major of Cumberland County. And that His Excellency the Governor be requested immediately to grant Commissions accordingly.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House appointing Field Officers for the County of Cumberland, &c.
Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House in favor of William Kilpatrick.

At the same time, received the Resolve of the Senate referred to in the above Message, and the same being read, was rejected.

Resolved, That William Kilpatrick, of Pitt County, be exempted from paying Poll Taxes.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House have rejected the Resolve of your House allowing William Kilpatrick Twenty Barrels of Corn out of the Specific Tax in Pitt County, and wish the concurrence of the Senate in exempting him from the payment of Poll Taxes.

Resolved, That Robert Porter be appointed Colonel, William Porter Lieutenant Colonel, Richard Singleton First Major, and Patrick Watson Second Major of Rutherford County. That His Excellency the Governor be requested to commission them accordingly.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a resolve of this House appointing the Field Officers in Rutherford County.

Received from the Senate the Bill for encouraging the importation of Arms, Ammunition, and other War-like stores. Endorsed in the Senate 31st January, 1781. "Read the first time and passed."

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

This House have received the message of yours proposing that His Excellency's message, together with Colonel Kenan's Letter therein alluded to, be referred to a joint Committee, to which we do not agree, but propose that the Resolve herewith sent you relative to the subject matter thereof be immediately adopted.

At the same time received the Resolve of the Senate referred to in the above message, and the same being read, was concurred with.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Resolve of your House appointing James Kenan, Esq., Colonel Commandant of the Militia, &c., in the district of Wilmington, &c. Concluded with.

Resolved, that the Bill for raising men to complete the Continental Battalions belonging to this State, be read to-morrow for the second time.

Resolved, that the Sheriff of Guilford county be, and he is hereby directed, to refund to James Hunter, of the said county, all the effects and monies levied upon the effects of the said Hunter, for the purpose of hiring a substitute since the second of September last, and that the Colonel of the said county be reimbursed all monies not exceeding six thousand pounds, which he may have expended agreeable to law in procuring a substitute for the said Hunter, Resolved, also, that the said Sheriff refund all monies lodged with him by or on account of the said Hunter for any purpose relative to the matter aforesaid.

Ordered that the following Message be sent to the Senate.

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House in favor of James Hunter, of Guilford county.

The House adjourned till to-morrow morning after 9 o'clock.

Thursday, February 1st, 1781.

The House met according to adjournment.

Received from the Senate a Bill to continue an Act for quieting such as may suffer in their titles and claims of land by reason of the extension of the boundary line between this State and the Commonwealth of Virginia. Endorsed, "in Senate 1st Feb., 1781, read the first time, and passed."

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate agree with the Commons in referring the extracts of letters, resolutions of Congress, &c., also Captain Armstrong's memorial to the Joint Committee appointed to take under consideration the public papers laid before the Assembly by his Excellency the Governor.
Mr. Speaker and Gentlemen:

Mr. Hill and Mr. Clinton, on the part of the Senate, will act with the gentlemen by you appointed to consider of the Petition of Kedair Harold and report thereon.

Resolved, that his Excellency, the Governor, be and he is hereby requested to grant a warrant on the Treasurers of the district of Wilmington, in favor of David Dodd, Commissioner of Duplin county, for the sum of nineteen thousand pounds, for which the said Dodd shall be accountable to the Board of War.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House requesting his Excellency, the Governor, to grant a warrant on the Treasurers of the district of Wilmington, in favor of David Dodd, Commissioner of Duplin county.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate have received your Message, together with Dr. Williamson's letter, and the other papers mentioned, and propose that they be referred to a Joint Committee, and have for that purpose appointed Mr. Speaker, Major General Caswell, Col. Williams, Mr. Davis, Mr. Johnston, Col. Irwin, Col. Shelby and Mr. Hunt, a committee, who will also act with such gentlemen as may be appointed by the House of Commons to devise Ways and Means for effecting an exchange of the militia belonging to this State now in captivity to the Southward.

Ordered that the following Message be sent the Senate:

Mr. Speaker and Gentlemen:

The Commons have appointed Messrs. Lock, Smith, Moy, Phifer and Montfort, to act with the gentlemen appointed by the Senate to take under consideration the letter from Dr. Williamson, &c., and to devise Ways and Means for effecting an exchange of the militia belonging to this State now in captivity to the Southward.

Resolved, that his Excellency, the Governor, be requested to grant a warrant on either of the Treasurers in favor of Col. James Blount, of Chowan county, for ten thousand pounds for the purpose
of making the necessary defence against the enemy in that neighborhood.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House, requesting his Excellency, the Governor, to grant warrants on either of the Treasurers of this State in favor of Col. Blount for Ten Thousand pounds.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

We return the Resolve of your House requesting his Excellency to grant warrants on either of the Treasurers of this State in favor of Col. Blount. Concluded with.

Mr. Speaker and Gentlemen:

The Resolve of your House appointing field officers for the county of Cumberland, we return you concurred with.

Mr. Speaker and Gentlemen:

The Resolve of your House appointing field officers in Rutherford county, we send you concurred with.

Read the petition of Ann Christenbury sitting forth that her husband was taken prisoner at the defeat of General Gates, &c., and praying to be released from the payment of taxes, whereupon, Resolved, that she be exempted from paying the taxes which her husband was subject to on the taxable property of his estate.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House, exempting Ann Christenbury from the payment of taxes.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve requesting His Excellency, the Governor, to send a Flag of Truce to Charlestown for the purpose therein mentioned, also recommending Capt. Armstrong as the bearer thereof.

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Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House requesting His Excellency, the Governor, to send a Flag of Truce to Charlestown. Concurred with.

The Bill to continue an Act for quieting such persons as may suffer in their Titles and Claims of land by reason of the extension of the boundary line between this State and the Commonwealth of Virginia, was read the first time, passed, and sent to the Senate.

Mr. Starkey presented a Memorial from the officers of the North Carolina line, and the same being read, was ordered to be referred to a Joint Committee, to examine and report upon, and Messrs. Caswell, Harrington, Blount, Macon, and Person, appointed a committee on the part of this House for that purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you the Memorial of the officers of the North Carolina line which we propose referring to a Joint Committee, and have on our part appointed Messrs. Caswell, Harrington, Blount, Macon, and Person, a committee.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

You will herewith receive for you concurrence an address proposed by this House to be presented His Excellency, the Governor.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the address proposed by you to be presented His Excellency, the Governor. Concurred with.

Received from the Senate the Bill to continue an Act for quieting such persons as may suffer in their Titles and Claims of land by reason of the extension of the Boundary line between this State and the Commonwealth of Virginia. Endorsed, "in the Senate February 1st, 1781, read the first time, and passed."

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The Resolve of your House in favor of James Hunter, of Guilford county, returned you concurred with.
Mr. Speaker and Gentlemen:

We return the Resolve of your House requesting His Excellency, the Governor, to grant a warrant in favor of David Dodd on the Treasurer of the District of Wilmington. Concurred with.

Mr. Speaker and Gentlemen:

We send for your concurrence, a Resolve directing the Treasurer or either of them, to pay into the hands of John Haywood, Secretary of the Board of War, a certain sum therein mentioned to be applied as directed by said Resolve:

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House directing the Treasurers to pay into the hands of John Haywood, Secretary of the Board of War, a certain sum therein mentioned. Concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate have appointed Major General Caswell, and Mr. Davis, a Committee, who will act jointly with such gentlemen of your Body as may be appointed to prepare an address of thanks to be presented to the officers who were active in the capture of the British troops commanded by Lieut. Col. Ferguson at King's Mountain.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Commons have appointed Messrs. Montfort, Starkey, Smith and Person, a Committee, to act with such gentlemen as you have appointed to prepare an address of thanks to be presented to the officers who were concerned in the capture of the British troops at King's Mountain.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve appointing Anthony

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Resolve of your House appointing Anthony Bledsoe, Esq., Lieut. Col. of the Sullivan Regiment of Militia, &c. Concluded with.

Mr. Winslow moved for leave, and presented a Bill to continue an Act, entitled an Act, to suspend the operation of the Confiscation Law, which was read the first time, passed, and sent to the Senate.

Received from the Senate a Bill for vesting certain lands therein mentioned in Evan Shelby, his heirs and assigns, in fee simple. Endorsed, "in Senate Feb. 1st, 1781, read the first time, and passed."

Ordered that the said Bill be read for the first time in this House.

The same was read the first time, passed, and sent to the Senate.

Received from His Excellency the following Message:

To the Honorable, the General Assembly:

Gentlemen:

It is with the utmost pain I again address myself to the General Assembly on the subject of the disgraced condition of the executive department. I did hope that if it were the intention of the Assembly to restore me to my legal authority in the State, they would have taken the earliest opportunity of doing it, and of relieving me of the painful and disgraced condition in which I have been since the August session, but I am still held in a suspense, that would no doubt in the eyes of the world justify me in immediately resigning the empty and useless title I hold, but gentlemen I am unwilling to take this step as long as I can entertain any hope, that it has not been the deliberate design of the Assembly to treat me with contempt, if the latter has been the case I shall leave the great seal with the Speaker of the Senate, and desire this may be considered as my resignation, but should it be otherwise, I desire, in that case to be honored with the sense of the Assembly, and as I must in all events proceed homeward immediately, if 'tis intended that I should continue in office, I entreat that a Committee of the two Houses be immediately appointed to confer with me on the measures that it may be proper to take for the immediate defence of the State.

A. NASH.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you a Message from His Excellency the Governor, and have appointed on our part Messrs. Jas. Williams, Person, Lock, Harrington, and Caswell to confer immediately (in conjunction with such Gentlemen as the Senate may appoint) with His Excellency on the measures proper to be taken for the immediate defence of the State.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

Major General Caswell, Mr. Davis, Mr. Coor, and Mr. Hunt on the part of the State, will, with the Gentlemen by you appointed, attend and confer with His Excellency the Governor on the measures proper to be taken for the immediate defence of the State, and report the result of such conference.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send you the Report of the joint Committee appointed to confer with His Excellency the Governor, &c., concurred with by this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith return the report of the Committee appointed to confer with his Excellency the Governor, &c., concurred with by this House; also we send you the resignation of John Kinchen, Esqr., member of the Board of Auditors.

Mr. James Williams moved for leave and presented a Bill to amend an Act to prevent the abuses in taking up stray Horses, Cattle, Hogs and Sheep, and other things therein mentioned, passed at New Bern the 15th December, 1777, which was read the first time, passed and sent to the Senate.

The several matters to this Day referred being postponed, the House adjourned till To-morrow Morning 4 after 9 O'clock.

Friday, 2nd February, 1781.
The House met according to adjournment.

Resolved, That the Quartermaster, Nicholas Long, Esquire, be
and he is hereby requested to furnish a sufficient quantity of Fire wood for the use of this House.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence the Report of the joint Committee appointed to ascertain the adequate and proper allowance to be made by the General Assembly for Articles furnished the public, concurred with by this House.

Ordered that the following Message be sent the Senate:

Mr. Speaker and Gentlemen:

This House cannot concur with the Report of the joint Committee appointed to ascertain the adequate and proper allowances to be made by the General Assembly for Articles furnished the public, and propose that the said report be recommitted, and that Mr. Starkey be added to the said Committee, and Mr. James Williams to the Committee appointed to take under consideration the Petition of the Officers of the North Carolina line.

The Bill for encouraging the Importation of Arms, Ammunition, and other War-like Stores, was read the first time, passed, and sent to the Senate.

The Bill to continue an Act for quieting such persons as may suffer in their Titles and Claims of land by reason of the Extension of the Boundary line between this State and the Commonwealth of Virginia, was read the second time, passed, and sent to the Senate.

Received from the Senate a Bill to amend an Act for securing the quiet and inoffensive Inhabitants of this State from being injured; for preventing such property as may be confiscated from being wasted or destroyed and for other purposes, and for other purposes. Endorsed in the Senate 2nd February, 1781. "Read the first time and passed."

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

The Resolve of your House exempting William Kilpatrick, of Pitt County, from the payment of Poll Taxes we return you, concurred with.

Mr. Speaker and Gentlemen:

The Senate agree with the Commons in referring the Memorial
of the Officers of the North Carolina line to a joint Committee, and have for that purpose appointed Col. Williams, Mr. Hinton, and Colonel Shelby a Committee.

Received from the Senate a Bill to continue an Act for quieting such persons as may suffer in their Titles and Claims of Land by reason of the Extension of the Boundary line between this State and the Commonwealth of Virginia. Endorsed in the Senate 2nd February, 1781. "Read the third time and passed."

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve remitting the Tax on certain Lands therein mentioned agreeable to the Petition of Samuel Strudwick, Esquire, of Orange County, herewith sent you.

At the same time, received the Resolve of the Senate referred to in the above Message, and the same being read, was rejected.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate agree with the Commons in recommitting the Report of the joint Committee appointed to ascertain the adequate and proper allowances to be made by the General Assembly for Articles furnished the public, and have on their part added Mr. Coor to the said Committee. They also agree that Mr. Williams be added to the Committee appointed to consider of the Memorial of the Officers of the North Carolina Line.

Received from the Senate a Bill to establish a Board of War, which shall be a Council extraordinary to advise the Governor in all cases whatsoever. Endorsed in the Senate the 2nd February, 1781. "Read the first time and passed."

The Bill to continue an Act for quieting such persons as may suffer in their Titles and Claims of Land by reason of the Extension of the Boundary line between this State and the Commonwealth of Virginia, was read the third time, passed, and ordered to be Engrossed.

Ordered that the following Message be sent the Senate:

Mr. Speaker and Gentlemen:

This House have appointed Mr. Blount, Mr. Starkey, Genl. Harrington, Mr. J. Hawkins and Mr. Jas. Williams a Committee on
their part, who will act jointly with such Gentlemen of the Senate as may be appointed, to prepare and draw up a Resolve declaring the intention of the General Assembly in precipitately appointing General Smallwood to the Command of the Militia of this State in the room of Major General Caswell.

Received from the Senate a Bill for vesting certain Lands therein mentioned in Evan Shelby, his heirs and assigns in fee simple. Endorsed, "In the Senate 2 Feby., 1781, read the second time and passed."

A Committee of two persons from each District within this State were appointed to ascertain the number of men to be raised in each of the respective Counties in this State and report the same to the House.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve allowing William R. Davie a certain sum therein mentioned.

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve in favor of Lieut. Colo. Montiflorencce.

At the same time received the Resolves of the Senate referred to in the above Messages, and the same being read were rejected.

Mr. Lock, from the Committee appointed to ascertain the number of men to be raised in each of the respective Counties in this State, &c., reported as follows:

Your Committee are of opinion that from the great uncertainty of the respective Counties and District returns, they cannot proceed to apportion the quota of each County, but recommend that one man out of every thirteen be called out on this occasion.

MAT. LOCK, Charm.

General Harrington moved for leave to withdraw and amend the Bill for raising men to complete the Continental Battalions belonging to this State.

Ordered that he have leave accordingly.

Mr. Blount moved for leave and presented a Bill for appointing district Auditors for the settlement of Public Claims, which was read the first time, passed and sent to the Senate.
The Bill to establish a Board of War which shall be a Council Extraordinary to advise the Governor in all cases whatsoever, was read the first time, passed and sent to the Senate.

The House adjourned till to-morrow morning $\frac{1}{2}$ after 9 o'clock.

Saturday 3 February, 1781.

The House met according to adjournment.

Read the Petition of Joseph Taylor, Esquire, praying to be permitted to resign the Office of Clerk of the Superior Court of the District of Hillsborough; Whereupon Resolved, That the said Joseph Taylor, Esquire, Clerk to the Superior Court for the District of Hillsborough, be permitted to resign his Commission of Clerk, to His Excellency the Governor, who will apprise the Judge thereof, and that His Excellency be furnished with a copy of this Resolution.

Ordered that the following Message be sent to the Senate.

Mr. Speaker and Gentlemen:

We herewith send you the Petition of Joseph Taylor, Esquire, Clerk of the Superior Court of the District of Hillsborough, and a Resolve of this House in consequence thereof, for your concurrence.

Whereas, the contending parties have agreed to the following terms, whereupon, Resolved, that the Assembly of this State will at their Session, which shall be held after the first day of November next, hear and determine the several Claims of Patentees and Settlers under the State of Virginia to certain Lands on Ready or West Creek, which were supposed to be in the State of Virginia before the extension of the boundary line, and also all other claims standing in the like predicament; and if the Assembly should be setting on the said first day of November, and should thereafter continue their sessions long enough to hear the said claims, that they shall be determined in like manner as if the Session had begun after the said first day of November.

Resolved also, that the above resolution shall be considered as proper notice to all parties concerned, to attend with Proofs and Exhibits to support and defend their respective Titles.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your Concurrence a Resolve of this House
declaring that the Assembly of this State will at their next Session, which shall be held next after the first day of November next, hear and determine the Claims of Patentees and Settlers under the State of Virginia.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

This House cannot agree with the Message of yours for appointing a Committee to prepare and draw up a Resolve, declaring the intention of the General Assembly in precipitately appointing General Smallwood to the Command of the Militia of this State, but shall readily agree with your House should you appoint a Committee to prepare a Resolve declaring the reasons which induced the General Assembly to appoint General Smallwood and the high sense the Assembly then had, and still have of the merits of Major General Caswell, and of the singular services by him rendered the State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

Whereas, a Resolution passed the last Session of Assembly at Hillsborough the 12th September respecting Major General Caswell from its Ambiguity, having been construed much to his prejudice, we therefore propose that a joint Committee be appointed to draw up a Resolution, the better to explain the Resolution of the 12th September, and have on our part for that purpose appointed Mr. Person, Mr. Harrington, Mr. Starkey, and Mr. Blount a Committee.

Received from the Senate a Bill for establishing the salaries of the judges of the Superior Courts of Law, and of the Attorney General.

A Bill for appointing District Auditors for the settlement of Public Claims. Endorsed, "In Senate 3 February, 1781, read the first time and passed." Also a Bill to establish a Board of War, which shall be a Council Extraordinary to advise the Governor in all cases whatsoever. Endorsed, "In Senate 3 Feb'y., 1781, read the second time, amended and passed."

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send you the Report of the Joint Committee appointed to
take under consideration Sundry Letters, Resolves of Congress, Petitions, and other Public Papers, concurred with by this House.

At the same time received the Report referred to in the above Message and the same being read was ordered to lie on the table until To-morrow.

Received from the Senate a Bill for encouraging the importation of Arms, Ammunition and other war like Stores, Endorsed, "In Senate 3 Eeb., 1781, read the second time and passed."

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve in favor of James Bingleston of Craven County.

At the same time received the Resolve of the Senate referred to in the above Message and the same being read was rejected.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve relative to certain Arms in the hands of Colonel Cleveland, taken at the capture of the British at King's Mountain.

At the same time received the Resolve of the Senate referred to in the above Message and the same being read was rejected.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate agree with the Commons in appointing a Committee to draw up a Resolution, the better to explain the Resolve of the General Assembly of the 12th September last, respecting Major General Caswell, and have on their part appointed Mr. Coor, Mr. Battle, Colonel Williams and Mr. Davis, who will act with the Gentlemen by you appointed for that purpose.

General Harrington, who had leave to withdraw and amend the Bill for raising men to complete the Continental Battalions belonging to this State, brought in the same amended. Ordered that the said Bill be read the second time. The same was read the second time, amended, passed and sent to the Senate.

Resolved, that George Wynns be appointed Colonel in the room of George Little, Esqr., resigned; William Wynns, Lieutenant Colonel; John Baker, First Major; and Samuel Harrell, Second Major, of the Hertford Regiment of Militia, that His Excellency the Governor, commission them accordingly.
Ordered that the following Message be sent to the Senate.

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve of this House for appointing the Field Officers of Hertford County.

Mr. Jas. Williams moved for leave and presented a Bill to continue an Act entitled "an Act to amend part of an Act for emitting eight hundred and fifty thousand pounds in Bills of Credit for discharging the Debts incurred by this State in raising men to reinforce the Battalions belonging to this State in the Continental Army, for calling in all former emissions and other purposes, and for other purposes, which was read the first time, passed and sent to the Senate."

The Bill for establishing the Salaries of the Judges of the Superior Courts of Law and of the Attorney General, was read the first time, passed and sent to the Senate.

The Bill for vesting certain Lands therein mentioned in Evan Shelby, his heirs and assigns in fee simple, was read the second time and rejected.

Mr. Smith moved for leave and presented an additional Bill to an Act entitled "an Act concerning Servants and Slaves" which was read the first time, passed and sent to the Senate.

The Bill to amend an Act, entitled an Act, for securing the quiet and inoffensive inhabitants of this State from being injured, for preventing such property as may be confiscated from being wasted or destroyed and for other purposes, was read the first time, passed and sent to the Senate.

Whereas, it is represented by Colonel Cleveland, of Wilkes county, that he has now in his possession, one hundred and fifty three stands of arms, taken from Major Ferguson's party at King's Mountain, fifty three of which stand, Colonel Cleveland considers as his own property by purchase from the captors, the remaining hundred being ready to be applied to the public use, on the said Captors receiving a satisfaction for the same, and whereas it is probable that there are other Arms in different parts of the State similarly circumstanced, therefore Resolved, that Charles Jordan, John Brown and Joseph Herndon, of Wilkes county, and Samuel Freeman, Frederick Miller and Samuel Cummins, of Surry
county, be appointed to receive such Arms from all persons having them in their possession to value and give certificates of the receipt and of the amount of the valuation thereof, which certificates shall entitle the bearers to receive the amount of such valuation from any of the Treasurers of this State, and shall bear an interest of six per cent, until discharged by the payment of the valuation by the public, which when paid, shall be divided amongst the Captors rightfully claiming a share of such Arms.

Resolved, also that the said Commissioners shall cause all Arms which they shall receive in consequence thereof, to be branded upon the breech with the initials of the words North Carolina, and shall transmit an account to the General Assembly at the next session which shall be held after they are so received, together with the amount of the valuation thereof.

Resolved, further, that the Arms received by the Commissioners of the said counties, shall be reserved for the use of the regulars to be raised in them, the remainder to be sent to Salisbury and lodged with the Commanding Officer of the District.

Ordered the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House respecting certain Arms in the hands of Colonel Cleveland, and taken at the capture of the British at King's Mountain, which we propose in lieu of the one adopted by the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve impowering and requiring William Wallace and Thomas Haughton, Esqrs., to take the deposition of witnesses, as therein mentioned, respecting the controverted titles of lands; which are to come under consideration of the General Assembly.

At the same time received the Resolve of the Senate referred to in the above Message, and the same being read, was rejected.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve impowering William Tisdale and Andrew Blanchard, Esqrs., to take the examination of
Anne Lovick, Bazell Smith, &c., respecting the estate of Thomas Lovick.

Ordered that the following Message be sent to the Senate.

Mr. Speaker and Gentlemen:

The Resolve of your House empowering William Tisdale and Andrew Blanchard, Esqrs., to take the examination and deposition of certain persons, &c. Concluded with.

The House adjourned till to-morrow morning 10 o'clock.

Sunday, Feb. 4th, 1781.

The House met according to adjournment.

Received from the Senate a Bill to contain an Act, entitled an Act, to continue an Act, entitled an Act, to amend part of an Act, for emitting eight hundred and fifty thousand pounds in Bills of Credit for discharging the debts incurred by this State in raising men to reinforce the Battalions belonging to this State in the Continental Army, for calling in all former emissions and other purposes, and for other purposes.

An additional Bill to an Act intitled an Act concerning Servants and Slaves. Endorsed, "in Senate Feb. 3rd, 1781, read the first time, and passed."

A Bill to reduce the six Continental Battalions belonging to this State to four, to complete the said four Battalions, and for other purposes therein mentioned.

A Bill for establishing the salaries of the Judges of the Superior Courts of law, and of the Attorney General. Endorsed, "In Senate Feb. 3rd, 1781, read the second time, amended and passed.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House appointing Field Officers for Hertford county. Concluded with.

Mr. Speaker and Gentlemen:

The Resolve of your House declaring that the Assembly will at their next Session, which shall be held after the first day of November next, hear and determine the Claims of Patentees and settlers under the State of Virginia, we return you concurred with.

Mr. Speaker and Gentlemen:

The Resolve of your House permitting Joseph Taylor, Esq., to re-
sign his Commission as Clerk of the Superior Court for the District of Hillsborough, we return you herewith concurred with.

At the same time received the Resolve of this House referred to in the above Message concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve requiring His Excellency the Governor to order the removal of the public Stores therein mentioned.

At the same time, received the Resolve of the Senate referred to in the above Message, and the same being read, was rejected.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve impowering and requiring His Excellency the Governor, with the advice of the Council of State, to remove the public records and papers belonging to this State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House impowering and requiring His Excellency the Governor, with the advice of the Council of State, to remove the public records and papers belonging to this State, concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House discharging William Graham, of Lincoln County, from the Office of Colonel, and appointing Joseph Dixon in his stead.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Resolve of your House discharging William Graham, of Lincoln County, from the Office of Colonel of said County, and appointing Joseph Dixon in his stead, we herewith return you concurred with.

Mr. Balfour moved for leave and presented a Bill to amend an Act entitled "an Act to prevent the impressment of Boats, Wag-
gons, Carts, and other carriages employed in carrying Salt, and for other purposes therein mentioned, which was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate agree to adopt the Resolve of the Commons in lieu of the one by them entered into respecting Arms taken at King’s Mountain, now in the hands of Colonel Cleveland and others.

At the same time, received the Resolve of this House referred to in the above Message, concurred with.

Received from the Senate a Bill to amend an Act entitled “an Act for securing the quiet and inoffensive Inhabitants of this State from being injured; for preventing such property as may be confiscated from being wasted or destroyed and for other purposes, and for other purposes. Endorsed in the Senate 3rd February, 1781. “Read the second time, amended and passed.”

Received from the Senate a Bill to amend an Act entitled “an Act to prevent the impressment of Boats, Waggons, Carts, and other carriages employed in carrying Salt, and for other purposes therein mentioned. Endorsed in the Senate 4th February, 1781. “Read the first time and passed.”

An additional Bill to an Act entitled “an Act concerning Servants and Slaves,” was read the second time, amended, passed and sent to the Senate.

The Bill for encouraging the importation of Arms, Ammunition, and other war-like Stores, was read the second time, amended, passed and sent to the Senate.

The Bill to continue an Act entitled “an Act to continue an Act entitled ‘an Act to amend part of an Act for emitting Eight Hundred and Fifty Thousand pounds in bills of Credit for discharging the debts incurred by this State in raising men to reinforce the Battalions belonging to this State in the Continental Army; for calling in all former emissions and other purposes, and for other purposes,” was read the second time, amended, passed, and sent to the Senate.

Received from the Senate a Bill for encouraging the importation of Arms, Ammunition, and other war-like Stores. Endorsed in the Senate 4th February, 1781. “Read the third time and passed.”
A Bill to continue an Act entitled "an Act to amend part of an Act for emitting eight hundred and Fifty Thousand pounds in bills of Credit for discharging the debts incurred by this State in raising men to reinforce the Battalions belonging to this State in the Continental Army; for calling in all former emissions and other purposes, and for other purposes."

An additional Bill to an Act entitled "an Act concerning Servants and Slaves." Endorsed in Senate 4th February, 1781. "Read the second time, amended & passed."

Mr. Macon, from the Committee to whom was referred the Petition of Kedar Harold, reported as follows:

Your Committee, after taking the said Petition under consideration, are of opinion that an Allowance of Ten Barrels of Corn be made the said Harold, and that the same be paid him by the Commissioners of Duplin County out of the Specific Tax.

The House, taking the said Report into consideration, concurred therewith.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence the report of the joint Committee appointed to take under consideration the Petition of Kedar Harold, concurred with by this House.

Whereas, It is represented to this General Assembly that in the year 1778 Edward Jones and Atkin McCemore were appointed Commissioners for selling the remnants of the public Gun Factory in Bute County, and for reasons unknown they have failed selling the same; therefore,

Resolved, That Nicholas Long, Esqr., Deputy Quartermaster General, be directed to apply to said Commissioners for all the remains of the said Factory, and apply them as to him shall seem best for the public use.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House directing Colonel Long to apply to the Commissioners appointed to sell the remnants of the Gun Factory in Bute County for the remains of the said Factory, &c.
The House adjourned till To-morrow Morning 1 after 9 O'clock.

Monday, 5th February, 1781.
The House met according to adjournment.
The Bill to amend an Act entitled "an Act to prevent the impressment of Boats, Waggons, Cart, and other carriages employed in carrying Salt, and for other purposes therein mentioned," was read the second time, passed & sent to the Senate.
The Bill for encouraging the Importation of Arms, Ammunition, and other war-like Stores, was read the third time, passed & ordered to be Engrossed.

Received from the Senate a Bill to amend an Act entitled "an Act to prevent the impressment of Boats, Waggons, Cart, and other Carriages employed in carrying Salt, and for other purposes therein mentioned. Endorsed in Senate 5th February, 1781. "Read the second time, amended & passed.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We return the Report of the Committee appointed to take under consideration the Petition of Kedar Harold, concurred with.

Mr. Speaker and Gentlemen:
The Resolve of your House relative to the remnants of the Gun Factory in Bute County we return you, concurred with.

At the same time, received the Resolve of this House referred to in the above Messages, concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your perusal a Letter from Colonel Gideon Lamb, together with the Bonds therein referred to, which we have ordered to be filed & kept with the papers belonging to the General Assembly.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House agree that the Bonds, &c., referred to in the Letter from Colo. Lamb shall be filed with the papers belonging to the General Assembly.
STATE RECORDS.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your perusal a Memorial from the Honorable Whitmel Hill and Willie Jones, Esquires, which we propose referring to a joint Committee to consider of and report on, and have on our part for that purpose appointed Mr. Coor and Mr. Davis a Committee.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House have appointed Mr. Person, Mr. Starkey, Mr. Lock, Mr. Harrington, and Mr. Blount as a Committee on their part to act jointly with the Committee appointed by the Senate to consider of and report on the Memorial from the Honbl. Whitmel Hill and Willie Jones, Esquires.

The Bill to regulate and establish a Militia in this State was read the second time, amended, passed & sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send you the Report of the joint Committee appointed to draw up a Resolution explaining a Resolve of the General Assembly, passed at Hillsborough the 12th September last, respecting the appointment of General Smallwood to the command of the Militia of this State, unanimously concurred with by this House.

At the same time, received the Report referred to in the above Message, and the same being read was concurred with.

On the question, “Does the House concur with the Report of the Committee or not?” it was objected to and carried in the affirmative. The Yeas and Nays being called for, are as follows:


Mr. Person, on behalf of himself and others, moved for leave to enter their reasons against concurring with the said Report.
Resolved, That he have leave at any time before the rising of the Assembly.
Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Report of the joint Committee appointed to draw up a Resolution explaining a Resolve of the General Assembly, passed at Hillsborough the 12th September last, respecting the appointment of Genl. Smallwood to the command of the Militia of this State, concurred with by this House.
The Bill to establish a Council extraordinary to advise with the Governor in all Cases whatsoever was read the second time, amended, passed & sent to the Senate.
The Bill to continue an Act entitled "an Act to continue an Act entitled 'an Act to amend part of an Act for emitting eight hundred and fifty Thousand pounds in Bills of Credit for discharging the Debts incurred by this State in raising men to reinforce the Battalions belonging to this State in the Continental Army; for calling in all former emissions, and for other purposes," was read the third time, amended, passed & sent to the Senate.
The Bill to amend an Act entitled "an Act to prevent the impressment of Boats, Wagons, Carts, and other carriages employed in carrying Salt, and for other purposes therein mentioned," was read the third time, amended, passed & sent to the Senate.
The Bill to enforce the attendance of the Members of the General Assembly was read the third time and rejected.
The Bill for appointing District Auditors for the settlement of public Claims was read the second time, amended, passed and sent to the Senate.
The House adjourned till To-morrow Morning 9 O'clock.

Tuesday, 6th February, 1781.
The House met according to adjournment.
Mr. Hooper, the Member for the Town of Wilmington, appeared and took his seat.
Ordered that the following Message be sent to the Senate:
Mr. Speaker and Gentlemen:

This House have appointed Mr. Hooper, Mr. Harrington, Mr. Smith, Mr. Starkey, Mr. Jas. Williams, and Mr. Person a Committee on their part to act jointly with such Gentlemen of the Senate as may be appointed as a Committee to devise Ways and Means to compel the Enemy to abandon this State, and to secure it effectually from the future invasions thereof.

Received from the Senate the Bill to Regulate and Establish a Militia in this State. Endorsed in Senate 5th Feby., 1771. "Read the second time, amended & passed."

A Bill for appointing District Auditors for the settlement of public Claims. Endorsed in Senate 6th Feby., 1781. "Read the second time passed."

A Bill to establish a Council extraordinary. Endorsed in Senate 5th Feby., 1781. "Read the third time, amended & passed.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

Major General Caswell, Mr. Davis, and Mr. McLaine, on the part of the Senate, will act with the Gentlemen by you appointed to devise Ways & Means to compel the Enemy to abandon this State, and to secure it effectually from the future invasions thereof.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send you herewith the Memorial of Matthew Brooks, Esquire, of Surry County, together with the papers therein mentioned.

At the same time, received the Memorial referred to in the above Message, and the same being read, was ordered to the Committee appointed to take under consideration the Petition of William Courtney.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House propose to refer the Petition of Matthew Brooks to the Committee appointed to take under consideration the Petition of William Courtney.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve relative to a number of Hogs impressed by Phillip Vase, of Granville County.
At the same time received the Resolve of the Senate referred to in the above Message, and the same being read, was rejected. Read the petition of Osborn Jeffries, Esq., praying relief.

Ordered that the same be referred to a Joint Committee.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you the Petition of Osborne Jeffries, Esq., which we propose referring to a Joint Committee, and have on our part appointed Messrs. Farrow, Bryan, J. Hawkins, John Williams & Montfort, a Committee.

Resolved, that Philip Vass, Commissioner of Granville county, do retain for the use of the Army all the Hogs now in his possession by order of the Board of War, and claimed by Mr. Taylor and others, giving the owners certificates for the same agreeable to law; and that the said Vass be directed to have the said Hogs and all the other live stock he can procure, drove immediately to the Army.

Resolved, further, that the Commissioners of the respective counties in the Districts of Hillsborough and Halifax, be also directed to forward all such live stock as they may have on hand belonging to the public to the Southern Army without delay.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House, respecting the Hogs in the hands of the Commissioner of Granville county, and directing the Commissioners of the respective counties in the Districts of Hillsborough & Halifax to forward on such live stock as they may have on hand to the Army without delay, which we propose substituting in lieu of the one proposed by the Senate relative to that subject.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send you herewith sundry Resolves of Congress, letters, &c., for your perusal.

At the same time received the Resolves of Congress, letters, &c., and the same being read, were ordered to be forwarded on to His Excellency, the Governor.
Read the Petition of John Wilson, of Rowan county, praying relief. Ordered that the same lie on the table for consideration.

The General Assembly being informed that a suit has been instituted in the County Court of Bladen, by original attachment wherein Henry William Harrington is plaintiff, and John Leggit, defendant on, sundry negroes and other attached estate, lately claimed and in the possession of the said John Leggit, who having gone over to the Enemy and taken Arms against the United States, and the said John Legget having committed sundry torts and injuries on the property and possessions of the said Henry William Harrington, it is but reasonable and just, that the estate of the said John Legget should be subject and liable to make him satisfaction for the same, Therefore, Resolved, that the justices of the County Court of Bladen, be authorized, empowered and required to proceed in the said suit in the same manner as in other cases of original attachment the Act commonly called the Confiscation Act to the contrary, notwithstanding.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House impowering and requiring the justices of Bladen county to proceed in a suit commenced in the court of the said county between General Harrington and John Legget in the manner therein mentioned.

The House adjourned till to-morrow morning 1/2 after 9 o'clock.

Wednesday, Feb. 7th, 1781.

The House met according to adjournment.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

We agree that the Petition of Matthew Brooks be referred to the Committee appointed to consider the Petition of William Courtney, Esqr.

Mr. Speaker and Gentlemen:

The Senate agree to adopt the Resolve of the Commons relative to the Hogg's in the hands of the Commissioner of Grenville county, &c., instead of the one by them proposed on that head. At the same time received the Resolve of this House referred to in the above Message concurred with.
Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We return the Resolve of your House appointing Richard Caswell, Esq., Maj. General of the Militia of this State, &c., unanimously concurred with.

Ordered the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve appointing Richard Caswell, Esq., Maj. General of the Militia of this State, with certain powers therein mentioned.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve directing the Quarter Master to furnish the officers of the Continental Line, now in the vicinity of Halifax, and willing to take an immediate command in the Militia with a horse, &c.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Resolve of your House directing the Quarter Master to furnish the officers therein mentioned with a horse, &c., concurred with by this House.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve appointing Col. James Armstrong, Brigadier General in the District of New Bern, in the room of Brigadier General William Caswell, resigned.

At the same time received the Resolve of the Senate referred to in the above Message & the same being read was rejected.

The Bill to reduce the Six Continental Battalions belonging to this State to four, to complete the said four Battalions and for other purposes therein mentioned, was read the third time, amended, passed & sent to the Senate.

On the question, shall the Bill pass or not pass, it was objected to and carried in the affirmative.
Mr. Person then moved for leave on behalf of himself and others to enter their protest against the passage of the said Bill.

Ordered that he have leave.

Mr. Nathaniel Jones, one of the members for Wake county, and Mr. Lockhart, one of the members for Johnston county, appeared & took their Seats.

Mr. Boyd has leave to absent himself from the service of this House during the remaining part of the Session, and Mr. Person after Thursday night.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for Concurrence a Resolve directing Brigadier General Allen Jones to order on the Drafts from the District of Halifax to draft others, &c.

At the same time received the Resolve of the Senate referred to in the above Message, & the same being read was rejected.

The House adjourned till To-morrow Morning \frac{1}{2} after 9 o'clock.

Thursday 8 February, 1781.

The House met according to adjournment.

Resolved, that Brigadier General Jones be and he is hereby requested to order the late Drafts in the District of Halifax to join General Gregory in the District of Edenton, if necessary. And that he order a Detachment of three hundred Light Horse, exclusive of such Drafts, to the aid of the District of Wilmington, who shall find the men with a Horse and Gun, and serve two months. Every person so equipping himself and serving the term aforesaid, shall be considered as having served a full term of Military Duty, provided they join Genl. Caswell, or rendezvous at such place as he shall appoint, on or before the 20th Instant. The said Light Horse to be commanded by James Reed, who is to bear the rank of, and be entitled to the pay of, a Major Commandant. The Captains and Subalterns to be appointed by General Jones.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your Concurrence a Resolve of this House requesting General Jones to order the late Drafts of Halifax District to march to the assistance of General Gregory; also requesting him
to detach three hundred Militia Light Horse, under command of Major Reed, to the aid of Wilmington.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve for the direction of the Tax Gatherers of such Counties in this State as have no Treasurer.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Resolve of your House for the direction of the Tax Gatherers of such Counties in this State as have no Treasurer, concurred with.

Mr. Starkey, from the Committee appointed to ascertain adequate & proper allowances to be made by the General Assembly, for articles furnished the public, Reported that it is their opinion the prices following are adequate and proper to be allowed, that is to say

For every pound of Fresh Beef, one pound and twelve Shillings.
Three year old Steers and Barren or Dry Cows, each, four hundred & forty pounds.
Four year old Steers, five hundred & Sixty pounds.
Five year old Steers, Six hundred & forty pounds.
Six year old Steers & upwards, Seven hundred & Twenty pounds.
Salt beef per Barrel, Eight hundred pounds.
Fresh Pork per pound, two pounds and Eight Shillings.
Salt Pork per Barrel, one Thousand pounds.
Mutton, each good Sheep, one hundred pounds.
Wheat, per Bushel, forty-five pounds.
Flour, per hundred weight, one hundred and thirty-five pounds.
Oats per Bushel, Twenty-four pounds.
Oats in the Sheaf, each Sheaf, two pounds.
Rye, per bushel, forty pounds.
Hay and Corn Blades, pr. Ct., each thirty pounds.
Bran, per Bushel, Six pounds and Eight Shillings.
Brandy, per Gallon, Eighty pounds.
Whiskey, per Gallon, Sixty pounds.
Cyder, per Barrel, one hundred pounds.
Brown Sugar, per pound, Sixteen pounds.
Molasses, per Gallon, fifty pounds.
For Butter & Cheese, per pound, Six pounds.
Bacon per pound, Six pounds.
Dried Beef, per pound, four pounds.
Hire of a Single Horse, per day, Ten pounds.
A Waggon without Team, per day Ten pounds.
Ditto with the Gear, Twelve pounds and Ten Shillings.
A Cart without a Team, per day, five pounds.
Clean Rice, per hundred weight, one hundred & fifty pounds.
Rough Rice, per Bushel, Thirty pounds.
Shoeing Horses, each shoe, fourteen pounds.
Pasturage, each Horse twenty-four hours, two pounds.
Feeding a Horse, each feed, two pounds.
Pot Iron, per pound, Eight pounds.
Bar Iron, per pound, Eight pounds.
Dieting a Soldier, each Diet, four pounds.

In the Counties of Rowan, Mecklenburg, Lincoln, Rutherford, Burke, Anson, Montgomery and Richmond.

For Corn, per Bushel, forty pounds.
Rum, per Gallon, one hundred & Twenty pounds.
Salt, per Bushel, Six hundred & forty pounds.

In the Districts of Hillsboro and Halifax:
For Salt, per Bushel, five hundred pounds.

In every other part of the State:
For Salt, per Bushel, four hundred pounds.
Corn, per Bushel, thirty pounds.
Rum, per Gallon, one hundred pounds.

All which is Submitted by the Committee to the Consideration of the General Assembly.

R. CASWELL, Chairman.

The House taking the said Report into Consideration concurred therewith.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your Concurrence the Report of the joint Committee appointed to ascertain adequate and proper allowances to be made
by the General Assembly, for articles furnished the public, Con-
curred with by this House.

The Bill to amend an Act entitled "an Act for securing the quiet
and inoffensive Inhabitants of this State from being injured," "for
preventing such property as may be confiscated from being wasted
or destroyed and for other purposes, and for other purposes," was
read the second time, amended, passed & sent to the Senate.

An additional Bill to an Act entitled, an Act concerning Servants
and Slaves, was read the third time, amended, passed and sent to
the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve of this House in favor
of the Honbl. Samuel Ashe, Esquire.

The same being read was rejected.

Resolved, That this House entertain a very respectful opinion
of the Military abilities of Colonel Malmedy, and of his attachment
to the common cause of America, and with pleasure bear Testimony
to His exertions in favor of it since his arrival in America.

That the particular situation of the affairs in this part of the
Country, and the Circumstances under which the Corps of Light
Horse is to be raised in the District of Halifax, have made it im-
practicable to appoint Colonel Malmedy to that Command. But
that the Commanding Officer having it in his power to call regular
Officers into the field and incorporate them with the Militia, in a
Manner to give satisfaction to both.

This House recommend Colo. Malmedy to his particular attention
to be appointed to some office suitable to his rank and adequate to
his Military merit, regarding the line of duty in which it may be
most agreeable to him to serve, and to assure him that this Country
feel most sensibly for the very great & seasonable assistance re-
dered the United States by the Magnanimous Sovereign of France
and his Subjects.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve of this House recom-
mending Colo. Malmedy to the Commanding Officer, &c.
Ordered that the Bill to regulate and establish a militia in this State, be read the third time To-morrow morning.

The Bill for establishing the Salaries of the judges of the Superior Courts of Law and of the Attorney General, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Resolve of your House requesting General Jones to order the late Drafts of Halifax District to the assistance of Brig. General Gregory, &c., we have concurred with and caused the same to be presented with.

Received a Letter from Colo. James Kenan, and the same being read was ordered to be inclosed in a Letter from the Speaker to Major General Caswell, that he may relieve the distresses complained of by Col. Kenan.

Ordered that the following Message be sent to the Senate.

Mr. Speaker and Gentlemen:

The Commons propose inclosing the letter this Day received from Col. Kenan to Major General Caswell by express. If the Senate accede to this proposal they will accede to the same by their Speakers signing the letter herewith sent, directed to Major General Caswell.

General Harrington presented an account of his expenditures while in the service of this State. Resolved, that the same be referred to the joint Committee, appointed to take under Consideration the Memorial of the Honbl. Whitwell Hill and Willie Jones, Esquires.

The House adjourned till To-morrow Morning 9 o'clock.

Friday 9 February, 1781.

The House met according to adjournment.

Received from the Senate a Bill for establishing the Salaries of the Judges of the Superior Courts of Law and of the Attorney General, Endorsed, "In Senate 8 Feb'y., 1781, read the third time and passed."

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

We herewith return you the Report of the Committee appointed
to ascertain adequate and proper allowances to be made by the General Assembly for Articles furnished the Public, concurred with.

Mr. Speaker and Gentlemen:

The Resolve of your House recommending Colonel Maclaydy to the Commanding Officer of the Militia of this State, we return you concurred with.

At the same time received the Resolve & Report referred to in the above Message concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

This House have received the Message of yours together with your proposed letter to the Hon. Major General Caswell, and wish to adopt the one herewith sent you in lieu thereof, yours not being in the usual style.

At the same time received the letter referred to in the above message, and the same being read was agreed to.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve directing the Auditors of the Districts of Hillsborough and Salisbury, to make certain allowances in the counties therein mentioned.

The same was read and rejected.

Resolved, that the Sheriff of Warren county be and he is hereby directed to suspend all proceedings on an action depending between the Executors of William Person, deceased, and Laurance Lancaster, concerning a tract of land lying in the said county until the rising of the present Assembly.

Thomas Person, Esquire, in whose possession are all the evidences and vouchers respecting the title of said land being necessarily obliged to attend on the service of the General Assembly.

Ordered that the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House directing the Sheriff of Warren county, to suspend all proceedings on a trial between the Executors of William Person, deceased, and Laurance Lancaster respecting a tract of land in said county until the rising of the Assembly.
Resolved, that the Commissioners of Trade be directed to furnish Nicholas Long, Esq., Deputy Quarter Master General with seventeen thousand one hundred weight of tobacco to discharge a debt contracted on account of the public by the said Nicholas Long, Esq., in purchasing pork & Rum from Messrs. Stone, Hardy and Hinton.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve directing the Board of Trade to furnish Nicholas Long, Esq., Deputy Quarter Master General with a certain quantity of tobacco for the purposes therein mentioned.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Commons have appointed Messrs. Smith, Blount, Winslow, and Balfour, a Committee on the part of this House, to devise Ways and Means to carry into execution a Resolve entered into at the last Assembly at Hillsborough, in favor of Capt. Barrity, who will act jointly with such gentlemen as the Senate may appoint for that purpose.

Resolved, that the same allowance be made and no more by the Board of Auditors in the counties of Wilkes, Washington, Sullivan, Guilford and Surry, for the article of salt, heretofore furnished the public by the inhabitants of those counties, as are to be made for the same articles furnished by the inhabitants of the other counties of Salisbury District.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House, permitting the Board of Auditors to make the same allowances for the article of salt furnished the public by the inhabitants of certain counties of Salisbury District, as are to be allowed to the inhabitants of the other counties of the said District for the same article.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House have appointed Mr. Hooper and Mr. Harrington, a Committee, who will act jointly with such gentlemen of the Senate
as may be appointed to prepare a letter to be signed by the Speaker of both Houses, and sent to Congress by an Express now waiting, informing them of the particular situation of the inhabitants of this State at present.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

Mr. McLaine and Mr. Davis will act jointly with the Gentlemen by you appointed to prepare a Letter to be Sent to Congress informing them of the particular situation of this State at present.

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve directing Brigadier General Butler to call out part (or if necessary, the whole) of the Militia of Hillsboro District, to oppose the Enemy to the westward.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House directing Brigadier General Butler to call out any part, or the whole, of the Hillsborough District if necessary, concurred with by this House.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

Mr. McKenzie and Mr. Davis will act with the Gentlemen by you appointed to devise ways and means to carry into Execution a Resolve entered into at Hillsborough in favor of Capt. Barrity.

Mr. Speaker and Gentlemen:

We return the Resolve of your House directing the Board of Trade to furnish Nicholas Long, Esquire, Deputy Quarter Master General, with the quantity of Tobacco therein mentioned, concurred with.

Resolved, That James Davis, Esq., be requested to continue in the business of public printer to this State, under the strongest assurances that the General Assembly will in future make him an adequate Compensation, and for the present that His Excellency the Governor be requested to grant a warrant on the Treasury for the sum of Twenty Thousand pounds, to enable him to prosecute the said Business.

Ordered that the following Message be sent to the Senate:
Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House requesting James Davis, Esquire, to continue in the business of public printer; also requesting His Excellency the Governor to grant a warrant in his favor on the Treasury for a certain sum therein mentioned, to enable him to carry on such business.

Received from the Senate a Bill for continuing an Act entitled "an Act for suspending the operation of an Act for carrying into effect an Act commonly called the Confiscation Act, and for directing and regulating Elections in particular Instances, and also for giving further time to Surveyors to complete their surveys." Endorsed in Senate 9th Feb'y., 1781. "Read the third time, amended & passed."

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

The Resolve of your House requesting James Davis, Esqr., to continue in the business of public printer, requesting His Excellency the Governor to grant a warrant on the Treasury, to enable him to prosecute such Business, &c., we return you, concurred with.

Mr. Speaker and Gentlemen:

We return the Resolve of your House permitting the Board of Auditors to make the same allowances for the article of Salt furnished the Public by the Inhabitants of the Counties herein mentioned as are to be made the Inhabitants of the other Counties of Salisbury District for that article, concurred with.

Resolved, That Joseph Lane, of Wake County, have leave to resign the office of a Justice of the peace for said County.

Resolved, That the Clerk make out the Estimate of allowances to the members, to include Sunday, at four hundred Dollars per Day.

Ordered, that the following Message be sent the Senate:

Mr. Speaker and Gentlemen:

This House have directed their Clerk to make out the Estimate, to include Sunday.

Resolved, That Brigadier General Butler be and he is hereby empowered, in case that General Greene should call on him for 17—49
assistance, to order out any number not exceeding one-half of the Militia of his District (including) Six Hundred Light Horse; and,

Resolved, further, that a Copy of this resolution be enclosed to General Greene in a Letter from the Speakers of the General Assembly.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House propose rescinding the Resolve which passed both Houses this Day empowering General Butler to call out a part (if necessary the whole) of the Hillsboro Militia, and substitute the one herewith sent in lieu thereof.

The House adjourned till To-morrow Morning 10 O'clock.

Saturday, 10th February, 1781.
The House met according to adjournment.

Mr. Vaughan has leave of absence for the remaining part of this Session.

The Bill for appointing District Auditors for the settlement of public Claims was read the third time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve suspending Thomas Taylor, of Orange County, from the execution of his office of Lieutenant Colonel of said County, &c.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Resolve of your House for suspending Thomas Taylor from the office of Lieutenant Colonel of Orange County, concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

You will receive herewith for your concurrence a Resolve in favor of George Harper, a wounded Soldier of Franklin County.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Resolve of your House in favor of George Harper, of Franklin County, concurred with.
Resolved, that Col. Long, the Quarter Master General, in case it shall be found necessary to remove the public stores from Hillsboro' or any other Magazine, &c., be impowered to impress wagons and teams, or other carriages, for effecting it in case they cannot be hired or otherwise obtained by the consent of the proprietors.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve impowering Col. Long to impress wagons, &c., if necessary.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve countermanding the orders given Brigadier General Jones relative to the late drafts of Halifax District, &c.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House countermanding the orders given General Jones relative to the late drafts of Halifax District, &c. Concluded with.

Resolved, that the Speakers of the General Assembly be requested to transmit General Greene's Letters to the Governor of Virginia, and setting forth the necessity of an immediate aid from that State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House, requesting the Speakers to inclose General Green's letters to the Governor of Virginia, &c.

Resolved, that General Butler be ordered to raise a number of Volunteer Light Horse in the District of Hillsboro, not exceeding six hundred, and detach three hundred of the same under the command of Colonel Malmedy, and three hundred under the command of James Williams, Esq., to the aid of the District of Salisbury, that he promise all persons who will enlist voluntarily into the said Light Horse Corps, furnish themselves with a horse and gun fit for service and appear at Hillsborough or or before the 20th instant, and con-
tinue in service for the space of two months from the day of their appearance at Hillsborough, or such other place of rendezvous as may be appointed that they shall be considered to all purposes whatever to have performed a tour of Militia duty, and it is Resolved that all persons who shall turn out and comply with the requests of this Resolve, shall be entitled to all the emoluments that the Light Horse raised under a Resolve similar to this entered into at the last Session at Hillsborough, were entitled to.

Resolved, also, that Pleasant Henderson be appointed Major to the Corps to be commanded by Colonel Williams that the Captains and Subalterns of the companies which shall belong to each of the Corps, be elected by the said companies.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House ordering General Butler to raise a number of Light Horse.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

As the Resolve concurred with by your House directing General Butler to call out the Militia of Hillsboro District, is better calculated for dispatch than that which you wish to adopt, this House cannot agree to rescind what appears to them to be essentially necessary to preserve the existence of the State.

Mr. Speaker and Gentlemen:

We send for your perusal a letter from the Honorable, the President of Congress, also a letter from the Honorable, the Major General Greene, addressed to Gov. Nash.

Resolved, that as the resignation of Brigadier General Caswell has not been officially signified to this House, and as he at this time, from a desire of rendering further services to his country, is desirous of being reinstated, that he be reinstated in his command as Brigadier General of the Militia, of the District of New Bern.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House for reinstating Brigadier General Caswell to the command of the Militia of the District of New Bern.
Resolved, that Col. Long be requested to furnish the three Regiments of Horse with as many swords as can be finished in due time, as also caps for the officers, and send them on to the place and time of district rendezvous.

Ordered that the following Messages be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House directing Colonel Long to furnish the three Regiments of Horse with swords and caps.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve directing the Treasurer of Halifax District to pay into the hands of Thomas Hunter a certain sum therein mentioned.

Ordered, that the following Messages be sent to the Senate.

Mr. Speaker and Gentlemen:

We return the Resolve of your House directing the Treasurer of the District of Halifax to pay Thomas Hunter a certain sum therein mentioned, concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Resolve of your House requesting the Speakers of the General Assembly to enclose General Greene's Letters to the Governor of Virginia, &c., we return you, concurred with.

Mr. Speaker and Gentlemen:

We return the Resolve of your House impowering Col. Long to impress Wagons, &c., if necessary, concurred with.

At the same time, received the Resolve referred to in the above Message, concurred with.

Mr. Averitt has leave to absent himself from the services of this House for the remaining part of the Session.

Resolved, That the following address be sent by both Speakers of the General Assembly to Major General Smallwood:

The General Assembly take this public occasion to assure General Smallwood of the very grateful sense they entertain of his patriotic and spirited exertions in behalf of this State, and of his readiness to
give a discipline and confidence to their Militia, which the command and presence of so able an Officer were calculated to inspire. They well know that the voice of this State can add nothing to the Military reputation of an officer to which the Continent at large bear an ample and unanimous Testimony, but are happy to prove in this instance that they are feelingly impressed with the sense of his services, & with the rest of the United States, wish to bear their Testimony to such distinguished merit.

Ordered that the following Message be sent to the Senate:

**Mr. Speaker and Gentlemen:**

We herewith send for your concurrence a Resolve of this House requesting the Speakers to send the address which accompanies it to General Smallwood.

Received from the Senate the following Message:

**Mr. Speaker and Gentlemen:**

We return the Resolve of your House reinstating Brigadier General Caswell in his command as Brigadier General of the District of New Bern, concurred with.

The Bill for continuing an Act entitled "an Act for suspending the operation of an Act for carrying into effect an Act commonly called the 'Confiscation Act,' and for directing and regulating Elections in particular Instances, and also for giving further time to Surveyors to complete their Surveys," was read the third time, passed and ordered to be Engrossed.

Received from the Senate the following Message:

**Mr. Speaker and Gentlemen:**

We send for concurrence a Resolve directing General Butler to raise and detach a number of the Militia of Hillsboro District, &c., which this House wish to be adopted instead of the one by you entered into for that purpose.

At the same time, received the Resolve referred to in the above Message, and the same being read, was rejected.

The Bill to establish a Council extraordinary was read the third time, passed and ordered to be Engrossed.

The House adjourned till To-morrow Morning 9 O'clock.

Sunday, 11th February, 1781.
The House met according to adjournment.
Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

We return the Resolve of your House directing Col. Long to furnish three Regiments of Horse with Caps and Swords, concurred with.

Mr. Speaker and Gentlemen:

You will herewith receive the resolve of your House requesting the Speakers to send the address therein mentioned to General Smallwood, concurred with.

At the same time, received the Resolve referred to in the above Messages, concurred with.

Mr. Starkey, from the Committee to carry into effect a Resolve entered into at Hillsborough in favor of Capt. Barrity, reported as follows:

That a considerable quantity of Tobacco appears to be due the said Barrity, but they cannot ascertain the amount thereof with any degree of precision, your Committee not being able to procure the necessary Papers, neither from the Commissioners of Trade nor from the late Commercial Agent.

Your Committee beg leave further to report as their opinion that the most equitable mode of settling and adjusting the accounts of said Barrity against this State for cannon delivered by him, and for the damage he has sustained by the Tobacco's being withheld, will be to appoint two Merchants residing at Edenton, one of them to be chosen by the General Assembly and the other by the said Barrity. That the Board of Trade be directed, as soon as may be, to pay whatever they shall determine he is justly entitled to, and in order to enable them fully to investigate the matter, they be empowered to call on all persons who have heretofore delivered Tobacco to the said Barrity on the above account for such information as they think necessary for effecting the aforesaid purpose.

The House, taking the said Report into consideration, appointed Mr. Robert Smith; Capt. Barrity being present, appointed Mr. John Fine; and, resolved, that the Honbl. Whitmel Hill, Esquire, be appointed as a third person to carry into effect the purposes hereby intended.

Ordered that the following Message be sent to the Senate.
Mr. Speaker and Gentlemen:

We send for your concurrence the Report of the Committee appointed to carry into effect a Resolve entered into at Hillsborough in favor of Capt. Barrity, and a Resolve of this House in consequence thereof.

Resolved, That Major General Caswell be empowered to raise from the Districts of New Bern and Wilmington a Regiment of Light Horse, which is not to exceed two hundred & fifty men, and that he appoint a Lieutenant Colonel Commandant, one Major, five Captains, and such Subalterns as he shall think necessary for the due regulation of the Corps; that such as shall find their own Horses and suitably equip themselves shall, upon a service of two months after having joined the General rendezvous in the District of Wilmington, or wherever else the Commanding Officer shall order it the more effectually to annoy the enemy, be considered as having performed a complete Tour of Militia duty, and be exempted accordingly.

Resolved, That General Butler raise on or before the Twenty-fifth day of this month a Regiment of Light Horse, to consist of three hundred men at least, and as many more as can possibly be raised not exceeding Six hundred; that the Regiment be under the command of a Colonel Commandant and two Majors; that Colonel Malmedy be appointed to the office of Colonel Commandant; that James Williams, Esq., be appointed first Major, and Pleasant Henderson second Major to the said Regiment. And, to facilitate the raising the Light Horse,

Resolved, That General Butler be authorized to promise all persons who will voluntarily enlist in the said Regiment, furnish themselves with a Gun and Horse fit for service, appear at Hillsborough on or before the twenty-fifth instant, and continue in service for the space of two months from the Day of their arrival at headquarters, or such other place of Rendezvous as may be appointed by the Commanding officer in the district of Salisbury, that they shall be considered to all intents whatever to have performed a complete Tour of Militia Duty, and it is Resolved that all persons who shall enter into the said Regiment and comply with the request hereof shall be entitled to all the emoluments that the Light Horse raised under a
STATE RECORDS.

Resolve similar to this entered into at the last Session at Hillsborough were entitled to.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House empowering Major General Caswell to raise a Regiment of Light Horse from the Districts of Wilmington and New Bern, &c.; also a Resolve directing General Butler to raise a Regiment of volunteer Light Horse in the District of Hillsborough.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We return the Report of the Committee, respecting Captain Bar- 
ity and the Resolve of your House entered into in consequence ther-of. Conenced with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We return the Resolve of your House empowering Major General Caswell to raise a Regiment of Light Horse from the Districts of New Bern and Wilmington, and directing General Butler to raise a Regiment of Light Horse in the District of Hillsborough. Conenced with.

Received from the Senate a Bill to declare what Titles to Lands heretofore token up & supposed to be in the Commonwealth of Virginia, and which on the extension of the Boundary Line between this State and the said Commonwealth, are really and in truth found to be within the limits of this State, are and shall be valid, and for vesting in John Hay, his heirs and assigns, certain lands therein mentioned. Endorsed, "in Senate Feb. 11th, 1781, read the first time, and passed."

Resolved, that the Bill to regulate and establish a Militia in this State be read to-morrow for the third time.

The Bill to continue the Executive powers of Government in the present Governor after the fifteenth day of April next on the contingency therein mentioned and other purposes, was read the third time, amended, passed, and sent to the Senate.

Mr. Blount, from the Committee to whom was referred the Memorial of the North Carolina officers, Reported as follows:
That it is the opinion of your Committee that the Officers and Soldiers by the Depreciation of the Currency from time to time since the establishing of their pay by Resolution of Congress before the first of January, 1777, have laboured under a great grievance, so great that unless immediate relief is given that they cannot with any degree of credit, either to themselves or country, take the field, and that for remedy thereof, it is the opinion of your Committee, as it is strictly consistent with justice, that the depreciation shall be made good to them from January 1st, 1777, as above, to the August 1st, 1780, from whence Congress have made provision for them, that is to say, that their pay as then established to be considered as it really was equal to specie, and all payments made since to be considered as partial, and to be reduced to specie by a calculation of depreciation made by Congress to the first of March, 1780, on loan office certificates and payments made from that time to the first of August. Depreciation to the sixty, the balance that may be due equal to specie to be paid in State Currency at Depreciation eighty for one. That the paymaster General of this State be directed immediately to settle and pay pay off to each officer respectively the balance that may be due, that the Governor give warrants on the different Treasurers for sums sufficient to enable him to so do; in case there should not be money in the treasury for the purpose that on settlement of any and every officer the paymaster shall issue indented Certificates setting forth the sum due requesting the Sheriffs, Treasurers and Taxgathers to take them up and they shall be sufficient vouchers in the settlement of their public accounts, and the paymaster issuing Certificates other than to officers for their respective allowances or any person counterfeiting the same to be subject to the same pains and penalties as if they had been guilty of counterfeiting the currency of the State, and that the paymaster as soon as may be, shall settle his accounts for all accounts thus or other ways paid at the Auditor General’s office, to whom he shall deliver the Counterpart of all Certificates issued as aforesaid.

That it also appears to your Committee that the Cloathing and other supplies, viz: Rum, sugar, coffee, &c., ordered from time to time by resolutions of this Honorable body have not been supplied agreeable to those Resolutions very justly directing them.

That it is the opinion of your Committee as they see no remedy
more in their power that the Board of Trade be directed to procure as soon as possible the cloathing and other supplies ordered, and deliver the cloathing to the Clothier General of this State, and lest this course should not be sufficient to supply the necessary cloathing, that the Governor be required to issue warrants in favor of the Clothier General that he may also procure as much cloathing as possible, and that the said Clothier General shall as soon as may be in his power, fulfill the several resolutions that respect his department, and that he as soon as possible lay a state of his accounts before the Auditors General, showing the state of his accounts between himself and the State, also the state of each officer's accounts showing the cloathing furnished and the cloathing due, and that the said Board of Trade be directed to deliver to a person to be appointed, the other supplies, vis: Rum, sugar, coffee, &c., that may appear due to each officer, and that the person who may be appointed to this duty be directed to lay a state of his accounts before the Auditor General in the same manner as directed for the Clothier General. And that this be considered to extend to all, to officers and soldiers who have been in the service of the State of North Carolina from the first day of January, 1777, or from their several appointments or enlistments to the first of January, 1781, being the day on which the six regiments were reduced to four.

The House taking the said Report into consideration, concurred therewith.

Mr. Person moved for leave to protest in behalf of himself and others against the said report. Ordered that he have leave.

Ordered the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your Concurrence the Report of the joint Committee appointed to take under consideration the Memorial of the North Carolina Officers, concurred with by this House.

The House adjourned till to-morrow morning 1 after 9 o'clock.

Monday 12 February, 1781.
The House met according to adjournment.

Resolved, That the Honbl. Thomas Benbury, Esquire, be allowed the sum of six hundred pounds for that sum advanced an express going to the lower Counties, requesting the Members to attend their
present Session of Assembly. That the Treasurers, or either of
them, pay him the same and be allowed.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve of this House allowing
the Honbl. Thomas Benbury, Esquire, Six hundred pounds, &c.

The Bill to declare what titles to Lands heretofore taken up, and
supposed to be in the Commonwealth of Virginia, and which on the
extension of the dividing line between this State and the said Com-
monwealth, are really and in truth found to be within this State
are and shall be valid; and for vesting in John Hay, his heirs and
assigns, certain Lands therein mentioned, was read the first time
and rejected.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve directing the Treasurer
of the District of Wilmington to pay into the hands of John Moore,
Deputy Quartermaster, a Sum therein mentioned. We also send
for your perusal a Letter from said Moore.

Received the Resolve referred to in the above Message & the
same being read was rejected.

The Bill for establishing the Salaries of the Judges of the Super-
ior Courts of Law and of the Attorney General, and for other pur-
poses, was read the third time & was rejected.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We return the Resolve of your House allowing the Honorable
Thomas Benbury, Esqr., six hundred pounds, concurred with.

Resolved, That Major Thomas Harris, who was wounded in the
defeat of General Gates, near Camden, and by that means rendered
incapable of procuring a subsistence, be allowed the sum of five
thousand pounds. That the Treasurers, or either of them, be di-
rected to pay him the same and be allowed in the settlement of
their Acts, with the public.

Ordered that the following Message be sent to the Senate.

Mr. Speaker and Gentlemen:

We herewith send for your Concurrence a Resolve of this House
in favor of Major Harris; also the Memorial of the said Harris, by which this House have been induced to enter into the said Resolve.

Resolved, that Col. Long be requested immediately to dispatch an Express to General Greene to obtain the most authentic intelligence of the movements of Lord Cornwallis and the situation of our Army, that so soon as he shall obtain such information return to Halifax, and in case that the Assembly shall not be sitting at his return immediately go on to His Excellency the Governor, with such dispatches as he may receive.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve of this House for dispatching an Express to General Greene, &c.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We return the Resolve of your House in favor of Major Harris, concurrred with.

Received from the Senate the Bill for appointing a Commissary General in this State, for directing and regulating the Business and Duty of his Department, and for other purposes, Endorsed, In Senate 12 Feb'y., 1781, read the first time & passed.

The Bill to regulate and establish a Militia in this State, was read the third time, amended, passed & sent to the Senate.

The Bill for appointing a Commissary General in this State, for directing and regulating the Business and Duty of this Department, and for other purposes, was read the first time passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve requiring General Jones to call out such further aid of the Militia of Halifax District as he may judge necessary.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Resolve of your House requiring General Jones to call out such further aid of the Militia of Halifax District as he may judge necessary, concurrred with.
Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for Concurrence a conditional Resolve for the raising a Corps of Light Horse in the County of Cumberland, &c.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Conditional Resolve of your House for raising a Corps of Light Horse in the County of Cumberland, concurred with.

The House adjourned till Tomorrow Morning at 9 o'clock.

Tuesday 13 February, 1781.

The House met according to adjournment.

Mr. Hooper moved for leave and presented a Bill to increase the powers of the Quarter Master General, and other purposes, which was read the first time, passed and sent to the Senate.

Resolved, That the Reverend Charles Cupples be allowed the sum of Twenty Thousand Dollars for his services as Chaplain to this Assembly, that the Treasurers of this State, or any of them, pay him the same and be allowed in the settlement of their Public Accounts.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve of this House in favor of the Rev. Charles Cupples.

Resolved, That Brigadier General Jones be requested to embody all the Militia of Halifax District that can be armed immediately, and march them to such place as he may deem most proper and where they can be most effectually serviceable in the defence of this State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve requesting General Jones to embody a number of the Militia of Halifax District.

Whereas, there are a number of indented Certificates issued by Mr. James Greene, Treasurer of Loans, for April and May money deposited in his office now amongst the public papers of this State in the hands of the Auditors, which are nearly equal to Continental money;
Resolved, That the said Certificates be delivered by the Auditors to the Board of Trade the Better to enable them to supply our Delegates in Congress.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve of this House respecting the indented Certificates therein mentioned.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

You will herewith receive the Resolve of your House ascertaining the pay of the Members for their attendance on the present Session of Assembly, Concurred with as to the pay, but we propose that the estimate be made out to include Tuesday next, and have directed our Clerk to make it out accordingly.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your approbation an address, proposed by this House to be presented the Officers who distinguished themselves at the Capture of the British at King's Mountain.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The address proposed by the Senate to be presented to the Officers and Soldiers who distinguished themselves at the Capture of the British at King's Mountain, this House approve of.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House propose balloting at ½ after 3 O'clock this evening for three members of the Council extraordinary, for a member of the standing Board of Auditors and for the place of holding the next Assembly. We nominate for Councilors Major General Caswell, Allen Jones, Alex. Martin, O. Davis, Archibald McLaine, Cornelius Harnett, John Penn, and John Kinchin, Esquires. For an Auditor, John Taylor, Esquire. For the place of holding the Assembly, New Bern, Nutbush, & Halifax. If you accede to this proposal you will signify the same by Message.

Ordered that the following Message be sent to the Senate.
Mr. Speaker and Gentlemen:

This House propose that an Express be immediately dispatched to his Excellency the Governor with General Greene’s and the Letters herewith sent, assuring His Excellency that it is the unanimous determination of the Members of Assembly to support this State to the last Extremity. If you accede to this, you’ll forward the same to Colo. Long, requesting him to dispatch the express immediately.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House have appointed Messrs. Hooper, Smith, Lock, Harrington & Caswell, a Committee on their part who will act in conjunction with such gentlemen as you may appoint to suggest what Ways and Means are most necessary to be pursued for the defence of this State in the present critical situation thereof, and to prepare an answer to Gen. Greene’s last letter assuring him that it is the unanimous & determined resolution of the present Assembly to defend this State to the last extremity.

Received from the Senate a Bill for appointing a Commissary General in this State, for directing and regulating the business and deputy of his department, and for other purposes. Endorsed, “in Senate Feb. 13th, 1781, read the second time, amended and passed.” A Bill to increase the powers of the Quarter Master General & other purposes. Endorsed, “in Senate Feb. 13, 1781, read the first time, amended & passed.

Resolved, that it is the unanimous sense of both Houses of the General Assembly, that this State shall be defended to the last extremity, and that it ought to be the resolution of every good citizen to die free and independent of the British Government.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your Concurrence a Resolve of this House declaring the sense and determination of this Assembly in the present situation of this country.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

This House will be ready to ballot at half an hour after three o’clock this afternoon, and propose for members of the Council ex-
traordinary Major General Caswell, Alexander Martin, Allen Jones, and O. Davis, Esquires; for an additional member of the Board of Auditors, John Taylor, Esquire, and places for holding the next Assembly, New Bern and Nutbush; Mr. Coor and Mr. Hill, Inspectors.

Mr. Speaker and Gentlemen:

We return the Resolve of your House requesting General Jones to imbody a number of the Militia of Halifax District, &c., concurred with.

Mr. Speaker and Gentlemen:

We return the Resolve of your House declaring the sense and determination of the Assembly in the present Situation of this Country, unanimously concurred with by this House.

Received the Resolves referred to in the above Messages concurred with.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

The Senate have appointed Mr. McLaine, Mr. Johnston, Mr. Davis, & Mr. Coor a Committee, to act with the Gentlemen by you appointed, to suggest what ways and means are most necessary to be pursued for the defence of this State, &c.; and to prepare an answer to General Greene's last Letter as by you mentioned.

Mr. Speaker and Gentlemen:

This House unanimously agree to the dispatching a Messenger with Gen. Greene's and the other Letters mentioned to His Excellency the Governor, and assuring him of the steady determination of the members of this Assembly to support the State to the last extremity, and will cause that a Messenger be dispatched accordingly.

Resolved, that General Harrington and Mr. John Macon be appointed a Committee on the part of this House to superintend the Balloting for a Council extraordinary, an additional Auditor, and the place for holding the next Assembly.

Mr. Macon, one of the Committee appointed on the part of this House, to superintend the Balloting for a Council extraordinary, an additional Auditor, and the place for holding the next Assembly
at, Reported that the Honbl. Major General Caswell, Alex. Martin and Allen Jones, Esquires, were elected Members of the Council extraordinary, &c. John Taylor, Esquire, an Auditor by a Majority of the votes of both Houses, and that New Bern was the place appointed for holding the next Assembly.

Resolved, that the Board of Auditors pay Isham Beazley, who came express from Genl. Greene, the sum of one Thousand Dollars to defray his expenses.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House in favor of Isham Beazley, an express.

Resolved, that the Speakers of both Houses of the General Assembly, write to the Governor of Virginia acquainting him with the present circumstances of this Country. That they urge in the most emphatical manner the necessity of his causing immediate assistance to be sent to this State, and that they expostulate with him on account of the arms ordered to this State by Congress having been detained in Virginia, requesting him at the same time to have them forwarded to North Carolina, if contingencies do not happen which will make such measures imprudent.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve of this House requesting the Speakers of the two Houses of the General Assembly to write to the Governor of Virginia on the Subject therein contained.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We return the Resolve of your House in favour of Isham Beazley concurred with, received the same concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for Concurrence a Resolve directing the Treasurers, or either of them, to pay into the hands of Brigadier General Gregory a certain sum therein mentioned.

Ordered that the following Message be sent to the Senate:
Mr. Speaker and Gentlemen:

We return the Resolve of your House directing the Treasurers, or either of them, to pay into the hands of Brigadier General Gregory a certain sum therein named, concurred with.

Resolved, that a Company of Militia, consisting of one hundred privates commanded by a Captain, Lieutenant and Ensign, be immediately raised and stationed at the mouth of White Oak River, for the defence of the Sea Coast of Onslow County, and the vicinity thereof. The officers to be appointed by the Colonel of the County.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your Concurrence a Resolve of this House for raising a Company of Militia, for the defence of the Sea Coast of Onslow County.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We return the Resolve of your House requesting the Speakers of the General Assembly to write to the Governor of Virginia, &c., concurred with.

The Bill appointing a Commissary General in this State, for directing and regulating the Business and Duty of his department, and for other purposes, was read the second time & Rejected.

The Bill to increase the powers of the Quarter Master General, and other purposes, was read the second time, passed & sent to the Senate.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

We send for Concurrence a Resolve in favour of the Honbl. Samuel Ashe, Esqr.; also a Resolve in favor of the Honbl. Samuel Spencer, Esquire; and likewise a Resolve in favor of the Honbl. John Williams, Esquire, and the same being read were rejected.

Resolved, that Colonel Isaac Shelby of Sullivan County and John Sevier, Esqr., of Washington County, be informed by this Resolve being communicated to them that the General Assembly of this State are feelingly impressed with the very generous and patriotic services rendered by the Inhabitants of the said Counties, to which their influence has in a great degree contributed and ear-
nently urge that they would press a continuance of the same active exertion; that the State of the Country is such as to call forth the utmost powers immediately in order to preserve its freedom and Independence, and that we may by the assistance of our friends in Virginia, as they have occasionally by us, as emergencies induced them, availed of it, we suggest our wishes that Colonel Arthur Campbell and Colonel William Preston of Virginia, thro' the Gentlemen mentioned, may be informed that their spirited conduct heretofore in favor of the Southern States affords us the most perfect assurance that they will make every active and effectual exertion at the present critical moment in favor of this State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve for communicating the sense of the General Assembly to Col. Shelby and John Sevier, Esquire, for their late exertion in favor of this State.

In order to carry into effect a Resolve passed at the last session of Assembly at Hillsboro, respecting the Judges and Attorney General, Resolved that each of the Judges be allowed Twenty Thousand pounds and the Attorney General Ten Thousand pounds. That the Treasurers of this State, or any of them, advance them the same respectively, and be allowed in the settlement of their Accounts with the Public.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your Concurrence a Resolve of this House in favor of the Judges and the Attorney General which we propose instead of the three Resolves to the same purport proposed by the Senate.

Received from the Senate a Bill to enlarge the powers of the Quarter Master General, Endorsed, In Senate 13 Feby., 1781, "read the second time, amended & passed."

Ordered that the said Bill be read the third time in this House. The same was read the third time, amended, passed & sent to the Senate.

Resolved, that the Speakers of the two Houses of the General Assembly, write a letter to General Greene, or the Commanding
Officer in the Southern Department, requesting him to propose to the Commander of the British Troops, an exchange of the Tory Prisoners in this State as have been Captivated by our Militia, for such of the Militia of this State who are prisoners of War to the Southward.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve for effecting an exchange of Prisoners.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

We return the Resolve of your House for raising a Company of Militia for the defence of the Sea Coast of Onslow County, concurred with.

Mr. Speaker and Gentlemen:

The Resolve of your House communicating the sense of the General Assembly of this State to Colonel Shelby and John Sevier, Esqr., and others, relative to their late patriotic Conduct, we return you concurred with.

Mr. Speaker and Gentlemen:

Your proposed Resolve in favor of the Judges and the Attorney General, we agree to adopt instead of those on that head proposed by this House, and return it herewith Concluded with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve changing the route of Major Reed.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Resolve of your House changing the route of Major Reed, concurred with by this House.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve in favor of Colonel Shelby; also a Resolve in favor of Colo. Irwin.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Resolve of your House in favor of Colo. Shelby, concurred with, but do not concur with the one in favor of Colo. Irwin.

Resolved, That his Excellency do, on application, enlarge the parole of a certain James Bygleston, of the County of Craven, to such part of the said County, above the Town of New Bern as he may think proper.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House in favor of James Bygleston.

Whereas, Many people in this State are rendered unable to pay the specific Tax through the large supplies furnished our Troops, and others are almost ruined by the plunder of the Enemy,

Resolved, Therefore, that any person who has furnished our Troops with a larger supply of Provisions than the amount of their Specific Tax since the passing of the Law for the recovery of said Tax, shall not be subjected to the penalties inflicted by said Law for non-payment of said Tax, that the Commissioners of each County is hereby directed to deduct the amount of their Specific Tax from the Supplies they have found, and enter the deduction on the back on their Certificates, as receipt for the provision so found; and where any person can make it appear that they are unable to pay the said Tax thro' the plunder of the Enemy, that in that case they shall stand discharged from the payment of their Specific Tax and the penalty inflicted on the non-payment thereof.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House for relieving persons who have furnished the Armies of this State with provisions to a greater amount than their Specific Tax from the payment of the same.

The House adjourned till To-morrow Morning 9 O'clock.
Wednesday, 14th Feby., 1781.

The House met according to adjournment.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send you the Report of the joint Committee to whom was referred the Letter from the Honbl. Whitmell Hill and Willie Jones, Esquires, concurred with by this House. We also send the Report of the Committee to whom was referred the Memorial of Colo. Medlock and the settlement of Gen. Harrington's accounts, which we likewise concur with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Report of the Committee in favor of Colonel Medlock and General Harrington, concurred with by this House.

Resolved, That Colo. Long be directed to furnish Genl. Gregory in the most safe and Expeditious manner with five hundred pounds of Gun powder & fifteen hundred pounds of lead, for the use of the Army under his command.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve of this House directing Colo. Long to furnish General Gregory with a certain Quantity of gun powder, &c.

Resolved, That Isham Beazley be allowed a further sum of two thousand Dollars in addition to the sum yesterday allowed him for the purpose of enabling him to return to General Greene's Camp; that the Treasurers or any of them, or the Board of War, advance the same to him.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House in favor of Isham Beazley.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Report of the joint Committee respecting the North Carolina Delegates, concurred with by this House.
Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:
We return you herewith the Resolve of your House for effecting an exchange of prisoners, concurred with.

Mr. Speaker and Gentlemen:
We return the Resolve of your House in favor of James Bygston, concurred with.

Mr. Speaker and Gentlemen:
The Resolve of your House for the relief of persons which have furnished the Armies of this State with provisions to a greater amount than their Specific Tax we return you herewith, concurred with.

Resolved, That the standing Board of Auditors be and they are hereby empowered to issue Certificates for such sums as may appear to be due on the settlement of such accounts; they may adjust in the same manner as for Claims allowed.

Ordered that the following message be sent to the Senate:

Mr. Speaker and Gentlemen:
We send for your concurrence a Resolve directing the standing Board of Auditors to issue the Certf. therein mentioned.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:
The Resolve of your House directing Col. Long to furnish General Gregory a certain quantity of Gun powder, &c., we return you, concurred with.

Mr. Speaker and Gentlemen:
We return the Resolve of your House in favor of Isham Beazley, concurred with.

Mr. Speaker and Gentlemen:
We return the Resolve of your House directing the standing Board of Auditors to issue the Certificates therein mentioned, concurred with.

Mr. Speaker and Gentlemen:
We send for Concurrence a Resolve in favor of the Judges of the
Superior Courts of Law and of the Attorney General. The same was read and rejected.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

This House have received the Report of the joint Committee to whom was referred the Memorial of the North Carolina Continental officers, with which we do not concur, but propose that the Resolves herewith sent you on that head be adopted in lieu thereof.

At the same time, received the Resolve referred to in the above Message, and there not being at that time a House, no order was taken thereon.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send you the Report of the joint Committee appointed to take under consideration Sundry Letters, Resolves of Congress, Petitions and other Public Papers, concurred with by this House. The same was read and rejected.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve directing the removal of the Prisoners of War in this State. The same was read and rejected.

The Business of the Session being ended, Resolved, that the thanks of this House be given the Honbl. Thomas Benbury, Esq., Speaker thereof, for his Diligent, able, faithful, and public Spirited services.

By Order.

THOS. BENBURY, S. C.

J. HUNT, C. H. C.
THE SENATE JOURNAL---1781.

FROM JUNE 23RD, 1781, TO JULY 14TH, 1781.

[It being the First Session.]

STATE OF NORTH CAROLINA,
IN SENATE, 23RD JUNE, 1781.

At a General Assembly, begun and held at Wake Court House, the Twenty-Third Day of June, in the Year of our Lord One Thousand Seven Hundred and Eighty-one, and in the Fifth year of the Independence of the said State, it being the first Session of this Assembly.

The Returning Officers for the several Counties within this State certified that the following persons were duly elected to represent the respective Counties in Senate, viz.:

Anson—
Beaufort—William Brown.
Bertie—
Brunswick—
Bladen—
Burke—
Craven—James Coor.
Carteret—
Currituck—
Chowan—Charles Johnson.
Camden—
Caswell—
Chatham—Ambrose Ramsey.
Cumberland—
Dobbs—
Duplin—
Edgecombe—Elisha Battle.
Franklin—Henry Hill.
Guilford—Alex. Martin.
Gates—
Granville—Joseph Taylor.
Halifax—
Hertford—Pleasant Jordan.
Hyde—
STATE RECORDS.

Johnston—Benj. Williams.
Jones—Nathan Bryan.
Lincoln—
Martin—K. McKenzie.
Mecklenburg—R. Irwin.
Montgomery—Thos. Chiles.
Nash—
Northampton—Jas. Vaughan.
New Hanover—
Onslow—
Orange—John Butler.
Pasquotank—
Perquimans—
Pitt—Edward Salter.
Rutherford—Wm. Porter.
Richmond—
Rowan—Matthew Locke.
Randolph—
Surry—William Shepperd.
Sullivan—
Tyrrell—
Washington—
Wayne—
Wake—Michael Rogers.
Warren—Nathaniel Macon.
Wilkes—Charles Gordon.

Whereupon the following Members appeared, qualified agreeable to Law, and took their seats, to-wit:—


Mr. Battle proposed for Speaker the Houbl. Alex. Martin, Esqr., who was chosen and conducted to the Chair accordingly.

On motion, John Haywood was appointed Clerk, and Sherwood Haywood Assistant.
William Murphey, Door keeper.
Ordered that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen:
The Senate being formed, acquaint you that they are ready to proceed on public Business.
Received from the Commons the following Message:

Mr. Speaker and Gentlemen:
The House of Commons are also formed and ready to proceed to public Business, and propose that the address herewith sent you be presented to His Excellency the Governor.
Received the address alluded to in the foregoing Message, which, being read, was concurred with, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:
The Message by you addressed to and proposed to be sent to His Excellency the Governor this House approve of and have appointed General Butler to attend him with the same.
Received from the Commons the following Message:

Mr. Speaker and Gentlemen:
We herewith send for your concurrence a Resolve for proceeding immediately to the dispatch of the most important Business of the State, &c.
Received the Resolve above referred to, which, being read, was concurred with, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:
You will herewith receive the Resolve of your House for proceeding immediately on the most important Business of the State, concurred with.
On motion, Resolved, that General Butler, Mr. Salter, Mr. Johnson, Mr. Ramsey, & Mr. Chiles be a Committee of Privileges and Elections.
Received from the Commons the following Message:

Mr. Speaker and Gentlemen:
We herewith send for your perusal and consideration a Message
from His Excellency the Governor, accompanied by sundry Letters, Resolves of Congress, and other public Papers, which we received at the same time with the Message.

Received the Message and papers referred to in the foregoing, which were ordered to lie over until To-morrow.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your Concurrence a Resolve of this House directing the Commanding Officer of the District of Hillsborough to make a general return to the present Assembly of all the Troops, Arms, &c., now employed in the Service of this State in the defense of the Assembly and how they have been disposed.

The Resolve above alluded to being read, was rejected.

On motion, ordered that Mr. Coor, Mr. Taylor, and General Locke be a Committee of Propositions and Grievances, and that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate have appointed Mr. Coor, Mr. Taylor and General Locke a Committee of Propositions and Grievances, who will act jointly with such Gentleman of your Body as may be appointed for that purpose.

Adjourned until To-morrow Morning 9 O'Clock.

Sunday 24 June, 1781.

The House met.

Mr. John Collier, the Member for the County of Randolph, appeared, qualified agreeable to Law and took his seat.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your Concurrence a Resolve of this House requesting the Speakers of this Assembly to wait on His Excellency the Governor, and present the Thanks thereof, &c.

Received the Resolve referred to in the above Message, which being read was ordered to lie for Consideration.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

The Commons have appointed Messrs. Person, Henderson,
Starkey and Payne, to act in Conjunction with the Gentlemen by you appointed as a Committee of Propositions and Grievances.

Mr. Speaker and Gentlemen:

The Commons propose balloting for a Governor of this State for the Current year at 4 O'clock this evening and put in nomination for a Governor Abner Nash, Willie Jones, Samuel Johnston, Samuel Ashe, and John Williams, Esquires. Should the Senate accede to this proposition they will signify the same by Message.

The foregoing Message being Read was Ordered to lie for Consideration.

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve of this House directing General Butler to raise a Company of Light Horse as a further Guard to the Assembly.

The Resolve referred to in the above being read was rejected, whereupon,

Resolved, that Colonel S——, of Franklin County, order Captain Bledsoe, with his Troop of Light Horse, to repair to Wake Court House, there to be employed agreeable to orders.

Ordered that the foregoing Resolve with the following Message be sent to the Commons.

Mr. Speaker and Gentlemen:

As there is a Troop of Horse in the County of Franklin, under the Command of Captain Bledsoe, performing a Tour of Duty, who may be ordered to this place immediately; we do not therefore concur with your Resolve for raising a Company of Horse which will be attended with delay, but wish to substitute in the Room thereof the Resolve herein sent you.

Read a Letter from the Marquis de Bretagne.

Ordered that it be referred to a joint Committee, that Mr. Coor, Mr. Locke and Mr. Johnston be for that purpose a Committee on the part of this House, and that the following Message be sent the Commons.

Mr. Speaker and Gentlemen:

The Senate have appointed Mr. Coor, Mr. Locke and Mr. Johnston a Committee, who will act jointly with such of your Body as
may be appointed to Consider of and report on the Letter from the Marquis de Bretaigne herewith sent you.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House have appointed Gen. Bryan, Messrs. Henderson, Eaton, Payne, Tillman, Gorham and Balfour to act jointly with the Gentlemen by you appointed as a Committee to report upon the Letter of the Marquis de Bretaigne.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House have appointed Messrs. Brickell, Greene, Macon, & Phifer to act jointly with such Gentlemen as may be appointed by the Senate, to take under their Consideration the Petition of Joshua Gordon, a Soldier disabled in the Service of this State; as well as the Petition of all others similarly circumstanced and to propose such relief for them in one General Report as to them may seem reasonable.

Ordered that Mr. Hill and General Butler act on the part of this House for the purpose aforesaid & that the following Message be sent to the Commons.

Mr. Speaker and Gentlemen:

This House have appointed Mr. Hill and General Butler a Committee who will act jointly with the Gentlemen by you appointed to consider of the Petition of Joshua Gordon, and to report on his and the Petitions of all others similarly circumstanced.

Mr. Charles Johnson, from the joint Committee to whom was referred the Letter from Brig. General the Marquis de Bretaigne, reported as follows, viz.:

The Committee to whom was referred the Consideration of a Letter from the Brigadier General Marquis de Bretaigne, respecting the purchasing and importing Arms and other Military Stores, having considered the same are of opinion that the Resolution of the Council Extraordinary for the State, dated the 18th May, 1781, should be immediately carried into Effect, and the Brigadier General Marquis de Bretaigne, having generously offered his service for this purpose, that the said Brigadier General Marquis de Bretaigne, be
appointed Agent for the State of North Carolina, in the Islands belonging and subject to our great and good Ally, the King of France; and that he be empowered to procure a small, fast sailing Vessel and proceed with the utmost dispatch to the Island of Martinico, or some other of the French Islands, and represent to the General and Commander in Chief of those Islands, the present distressed situation of this State, and to solicit him as the representative of our great and good Ally to supply this State, either on loan or in such other Manner as shall seem most expedient to the General of Martinico and our Agent aforesaid, with Five Thousand stand of Arms, Ten Thousand weight of Powder, Thirty-five Thousand Weight of Lead, Two Hundred Thousand Flints, and Two Thousand Blankets. Should it be out of the power of the Government of the French Islands to furnish the Articles aforesaid, that our agent then be empowered and authorized to contract with any other person for the Articles aforesaid, and that the faith of the State be pledged for the paying and fulfilling such Contracts as our said Agent may enter into for procuring the Military Stores aforesaid, and that he be directed to apply for Convoy sufficient to conduct in safety the Vessel in which such Military Stores are embarked to some of the Ports of this State; but should he not be able to obtain a Convoy, that he be directed to divide the Risque of importing the Stores aforesaid by Shipping them on different Bottoms. And to enable the Agent to carry into Execution our Intentions, that he be immediately furnished with Twenty Thousand pounds of Tobacco, and that all his necessary expenses and expenditures incurred by our said Agent for this purpose shall be reimbursed by this State, and also a generous Compensation allowed for his Services; and that the Commissioners be directed to supply him with such Provisions as may be wanted for the voyage.

CHARLES JOHNSON, Chairman.

The House, taking the foregoing report into consideration, concurred therewith.

Whereas, It is necessary that a supply of Arms and other Military Stores be obtained for the use of this State, and Brigadier General the Marquis de Breitaigne having generously offered his Services for this purpose, and the General Assembly having the highest Opinion of his merit, zeal and attachment to this State,
Resolved, Therefore, that Brigadier General the Marquis of Britaigue be and he is hereby appointed Agent for this State to the French Islands in the West Indies, and he is hereby empowered to procure immediately a fast sailing vessel, and to proceed with the utmost dispatch to the Island of Martinico; and that he be and is hereby empowered in the name of the State to set forth the present distress that this State is in for want of Arms and other war-like Stores, and to solicit His Excellency the Governor of Martinico, as the representative of his most Christian Majesty, our great and good Ally, to furnish on loan or in other such manner as shall seem most expedient, Five Thousand Stand of Arms, Ten Thousand pounds of Powder, Thirty-Five Thousand pounds of Lead, Two Hundred Thousand Flints, and Two Thousand Blankets. And should it be impracticable for His Excellency the Governor of Martinico to furnish the Articles aforesaid, then Brigadier General the Marquis of Britaigne, our Agent aforesaid, is hereby empowered and authorized to contract with any Person or Persons for the Articles aforesaid, and to pledge the Faith of the State for the paying and fulfilling such Contracts as he, our said Agent, may enter into for procuring the Military Stores aforesaid, and he is hereby directed and empowered in behalf of this State to apply for a Convoy sufficient to conduct the vessel bringing the Military Stores aforesaid in Safety to some Port in this State.

On motion, Resolved, that the Sheriff of the County of Craven do immediately purchase on account of the State, borrow or impress Twenty Thousand pounds weight Tobacco and deliver the same to Brigadier General the Marquis of Britaigne, together with provisions sufficient for Victualing his Vessel for the West Indies; and,

Resolved, Further, that the Commissioners of Trade do, without delay, repay in kind the aforesaid Tobacco, in case the same should be borrowed or impressed.

Ordered that the foregoing Report and Resolves be sent the Commons, with the following Message:

Mr. Speaker and Gentlemen:

We send for concurrence the Report of the joint Committee appointed to take under consideration the Letter from the Marquis de Britaigne. Also a Resolve appointing Brigadier General the
Marquis of Britaigne Agent for this State to the French Islands in the West Indies. And likewise a Resolve directing the Sheriff of Craven County to procure a certain quantity of Tobacco therein specified, for the purposes mentioned, &c.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We return the Resolve of your House for ordering Captain Bledsoe, of Franklin County, to repair to Wake Court House with a Troop of Horse now under his command, concurred with.

Received the Resolve referred to in the foregoing Message. Endorsed in the House of Commons 24th June, 1781. "Concurred with."

The House, resuming the consideration of the Resolve of the Commons of this date requesting the speakers to wait on His Excellency Governor Nash, and return him the sincere thanks of the General Assembly for his steady, zealous, patriotic and arduous Services as Governor of this State, &c.

Ordered that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen:

The Senate agree with the Commons in requesting the Speakers to wait on His Excellency the Governor and return him the sincere thanks of the General Assembly for his steady, zealous, patriotic and arduous Services as Governor of this State, &c., and return their Resolve for that purpose, concurred with.

Received from His Excellency the Governor the following Message, addressed to the Honorable the Speaker of this House:

SIR:

Being informed that my name is put in nomination for the chief Magistracy of this State, I have to acknowledge my Obligations for this Honor done me by my Friends; at the same time to request that on consideration of my excessive Fatigues of late and want of Health equal to such a Task, I may be excused and my name be struck out of the Nomination. The highest reward a Citizen in a free State can receive is the approbation of his Country, and should I be fortunate enough to have answered the expectations of my Friends in the course of my last year's administration, I shall think myself
amply rewarded for all my vast expenses and toil. With the high-
est Respect, I have the honor to be, Sir, your Obedient Servant,
ABNER NASH.

The House resuming the Consideration of the Message from the Commons, respecting the Balloting for a Governor for the Current year,

Ordered, that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen:

The Senate wish to defer Balloting for a Governor of this State for the Current Year until To-morrow Evening 4 O'clock, and put in nomination for Governor Samuel Johnson and Thomas Burke, Esquires. Should this be agreeable you will signify the same by Message.

Whereas, from the late frequent Incursions of the Indians on the Inhabitants of the Frontiers of this State it became absolutely necessary a Force should be embodied and oppose to them, and there being no Brigadier General in the District of Salisbury, from whom orders might properly be issued, Lieutenant Col. Sevier, Lieutenant Col. Wm. Porter and Major Joseph McDowell did embody and march a number of the Militia for the purpose aforesaid without any Official orders; and it being equitable and just that those actually employed in this service should be entitled to and receive the same pay as if they had been called into service by proper authority,

Resolved, therefore, that the Officers and Men employed in the service aforesaid, have and receive the same Pay during the Time of their being in Service as other Militia Officers and Soldiers are entitled to when in the service of this State.

Ordered that the foregoing Resolve with the following Message be sent to the Commons.

Mr. Speaker and Gentlemen:

We send for Concurrence a Resolve relative to the pay of certain Companies of Militia late employed in the Defence of the Frontiers of this State.

Received from the Commons the following Message:
Mr. Speaker and Gentlemen:

The Report of the Committee appointed to take under Consideration the Letter from the Marquis de Breaigne, &c., the Resolve of your House entered into in consequence thereof relative to the importation of Military Stores into the State; also the Resolve directing the Sheriff of Craven County to procure a certain quantity of tobacco, &c., we return you Concluded with.

Received the Report and the Resolves referred to in the above Message. Endorsed, In the House of Commons the 24th June, 1781, Concluded with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve of this House directing Brigadier General Caswell to detach Col. Hawkins' Regiment of Cavalry from his Brigade to Wake Court House.

Received the Resolve above alluded to, which being read was concurred with & the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

The Resolve of your House directing Brigadier General Caswell to detach Col. Hawkins' Regiment of Cavalry from his Brigade to Wake Court House you will herewith receive, concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

The Commons concur with you in deferring the balloting for a Governor until To-morrow Evening 4 O'clock.

Ordered that General Butler and Colonel Taylor be a Committee on the part of this House to prepare and bring in a Bill for raising Troops for the immediate defence of the State; that Mr. Coor and Mr. Williams be a Committee to prepare and bring in a Bill for laying a specific Provision Tax for the supply of the Army, & Navy employed in the defence of this and the neighboring States, and for levying a pecuniary Tax for the year 1781. And that Mr. Coor and Mr. Johnson prepare and bring in a Bill for the defence of Ocracoke Bar, &c., and that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate have appointed General Butler and Colonel Taylor a
Committee to prepare and bring in a Bill for raising Troops for the immediate defence of this State.

Mr. Coor and Mr. Williams be a Committee to prepare and bring in a Bill for levying a Specific provision Tax for the supply of the Army & Navy, employed in the defence of this and the neighboring States, and for levying a pecuniary Tax for the year 1781. And Mr. Coor and Mr. Johnson to prepare and bring in a Bill for the defence of Ocracoke Bar, &c., who will respectively act with such Gentlemen of your Body as may be appointed for the purposes aforesaid.

The Honorable the Speaker of this House, together with the Speaker of the House of Commons, agreeable to the Resolve of the two Houses, attended his late Excellency Abner Nash, Esqr., and presented the Thanks of the General Assembly in manner following, viz.:

Sir,

Pursuant to the Joint Resolve and Request of both Houses of the General Assembly, we wait on you, and return you their sincere Thanks for your steady, zealous, patriotic and arduous services as Governor of this State, at a period so truly alarming to the good Citizens thereof.

And we are further authorized, Sir, to inform you that this Assembly are disposed to exert their utmost Endeavours to arrange the resources of the State in such Order as shall best tend to render the Government safe, and the supreme Executive easy as well as honorable.

To which his late Excellency was pleased to return the following Answer:

Gentlemen:

The Honors that have been conferred on me by my Country, by calling me to the first Office in it and by giving me this Honorable Testimony of their approbation fills me with gratitude and demands my warmest Thanks. 'Tis the highest reward a Citizen of a free State can receive. Be pleased, Gentlemen, to make your respective Houses sensible of my Gratitude and assure them that tho' a want of health obliges me to decline the Fatigues of my late appointment, I still hold myself answerable to my Country for all the services it may be in my power to render her.
In a particular manner I also beg leave Gentlemen, to return you my Thanks for the polite and friendly manner in which you have communicated to me the Sense of the General Assembly.

ABNER NASH.

Adjourned till To-morrow Morning 9 O'clock.

Monday 25th June, 1781.
The House met.

Whereas, it appears that some Commissioners of the Counties in the District of Edenton have refused or neglected to collect one Fifth part of the Pork, Beef and Bacon agreeable to the requisition of His Excellency the Governor, with the advice of the Council Extraordinary:

Resolved, therefore, that all Commissioners in the said District who have hitherto neglected to collect the one Fifth part of the said provisions be and they are hereby authorized and required to collect one Fifth Part of all the Pork, Beef, and Bacon in their respective Counties, or so much thereof as shall be sufficient for the support of the Army under General Gregory. And in Case of the Refusal of any Commissioner to act, then Five or more Justices of the County are hereby authorized and required to appoint some other person Commissioner in the Room of the former; but if no person shall be found in the County willing to undertake the Office of Commissioner, in that Case the Brigadier General of the District is hereby empowered and authorized to order some officer of the Militia, or other person of good repute, to collect one Fifth part of the Provisions before mentioned in the Counties failing to furnish their quota of Provisions.

Ordered that the above Resolve with the following Message be sent to the Commons:

Mr. Speaker and Gentlemen:

We send for Concurrence a Resolve respecting such Counties in the District of Edenton as may have failed to furnish the Provision ordered by the Governor and Council.

On motion, Resolved, that Brig. Genl. Jones do immediately send Four Hundred Men from the District of Halifax to re-inforce Genl. Gregory at the North West Bridge, and Arm them in the best Manner possible. And Resolved, also, that General Gregory draft from
the Militia of the Edenton District such further Aid as he may find necessary.

Ordered that the foregoing Resolve with the following Message be sent to the Commons:

Mr. Speaker and Gentlemen:

We send for Concurrence a Resolve for re-enforcing Brigadier General Gregory at the North West Bridge.

On motion Ordered, that the Honorable the Speaker, Colonel Kenan, Mr. Coor, Colonel Salter, Mr. Johnson, General Locke, Colonel Taylor, General Butler and Colonel Irwin be a Committee to consider of and report on the Resolves of Congress and other public papers, laid before this Assembly by His Excellency the Governor, and that they prepare and bring in Bills for the purposes therein recommended as they think proper. And that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen:

This House have appointed Mr. Speaker, Mr. Kenan, Mr. Coor, Mr. Salter, Mr. Johnson, Genl. Locke, Mr. Taylor, General Butler and Mr. Irwin, a Committee who will act in Conjunction with such Gentlemen as may be by you appointed to consider of and report on the Resolves of Congress and other Public Papers laid before the Assembly by His Excellency the Governor, and to prepare and bring in Bills relative to the subject matter of such of them as they think proper.

Colonel James Kenan, the Member for the County of Duplin, and Colonel John Spicer, the Member for the County of Onslow, appeared, produced their respective certificates, qualified agreeable to Law and took their Seats.

On motion Ordered, that Colonel Irwin be added to the Committee of Propositions and Grievances.

Whereas, it appears that Colonel Thomas Harvey, of the County of Perquimans, hath neglected to cause a draft to be made out of his Regiment for Men to serve Twelve Months in the Continental Battalions of this State agreeable to the act for that purpose,

Resolved, therefore, that Lieutenant Colonel John Harvey be, and he is hereby ordered and required, to proceed immediately according to Law to cause a draft to be made out of the Perquimans Regi-
ment of Militia, for filling up the Continental Battalions of this State. Which, should he neglect, then and in that Case, the next Officer in Command in the Militia of that County shall proceed to make the draft aforesaid, which shall be as valid as if done by the Colonel.

And as it fully appears that Colonel Thomas Harvey hath already been Guilty of a neglect of Duty, Resolved, that Brig. Genl. Gregory cause a Court Martial to try the said Colonel Thomas Harvey for this offence, and make report of the Sentence of the Court Martial to the General Assembly as soon as possible.

Ordered that the above Resolve with the following Message be sent to the Commons:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve relative to the carrying into effect in Perquimans County the act for raising men to fill up the Continental Battalions belonging to this State, &c.

Received from the Commons the following Messages:

Mr. Speaker and Gentlemen:

The Resolve of your House for re-enforcing Brig. Genl. Gregory at the North West Bridge, and the Resolve respecting such Counties in the District of Edenton as may have failed to furnish the Provisions ordered by the Governor and Council, you will herewith receive, concurred with.

Received the Resolves referred to in the foregoing Message. Endorsed in the House of Commons 25th June, 1781. "Concurred with."

Mr. Speaker and Gentlemen:

The Resolve of your House relative to the pay of certain Companies of Militia, &c., we return you, concurred with.

Received the Resolve referred to. Endorsed in the House of Commons 25th June, 1781. "Concurred with."

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve of this House appointing a Captain of the Guard at Halifax.

The Resolve referred to being read, was concurred with, and the following Message ordered to be sent the Commons:
Mr. Speaker and Gentlemen:

The Resolve of your House appointing a Captain of the Guard at Halifax, &c., we return you, concurred with.

Ordered the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate are now ready to proceed to the Balloting for a Governor of this State for the Current Year. They have appointed Mr. Coor and Mr. Rogers to superintend the Balloting, and wish to know when and where you wish the Business transacted.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

The Commons are also ready to proceed to the Balloting for a Governor; have on their part appointed Mr. Spaight and Mr. Payne to superintend the Balloting, and propose that it be conducted at the Court House.

Mr. Coor and Mr. Rogers, appointed on the part of this House to superintend the Balloting for a Governor of this State for the current Year, reported:

That, having executed the trust reposed in him, it appeared on casting up the Ballots that the Honble. Thomas Burke, Esqr., was chosen Governor of this State for the Current Year by a Majority of the General Assembly.

The House, taking the said Report into consideration, Resolve that they do concur therewith.

Received from the Commons the following Messages:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House directing Brigadier General Butler to detach a Party of Horse into the Neighborhood of Cross Creek in order to gain Intelligence of the movements of the Enemy, &c.

The Resolve referred to in the foregoing Message being read, was rejected.

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House requesting the Speakers of the General Assembly to send off an Express to
Thomas Burke, Esqr., acquainting him that he has been this day elected to the Chief Magistracy of the State, &c.

Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Resolve of your House requesting the Speakers to send an Express to Thomas Burke, Esqr., informing him of the vote of the General Assembly of this day, we return you, concurred with.

Adjourned till To-morrow Morning 9 O'Clock.

Tuesday, 26th June, 1781.
The House met.

Read the Letter from the President of Congress & a Letter from the Delegates of this State in Congress, addressed to Governor Nash.

Ordered they be sent the Commons with the following Message:

Mr. Speaker and Gentlemen:

We send for your perusal a Letter from the Honorable the President of Congress; also a Letter from the Delegates of the State in Congress, addressed to Governor Nash.

Received from the Commons the following Messages:

Mr. Speaker and Gentlemen:

This House propose Balloting at 11 O'clock this Forenoon for a Council of State, and put in nomination for Councillors, Alex. Martin, Willie Jones, Laurence Baker, Benjamin Seawell, Robert Burton, Phil. Hawkins, Ambrose Ramsey, John Butler, and John Penn, Esqrs.

Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate agree that the General Assembly ballot at 11 O'clock this Forenoon for a Council for State, and put in nomination Thomas Person, Benjamin Seawell, Richard Henderson, Spruce McCoy, John Penn, Philemon Hawkins, Jr., Gen. Butler, and Brumfield Redley.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Message addressed to the Honbl. Thomas Burke, Esqr.
Received the address referred to in the foregoing Message, which, being read, was rejected, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate have received your proposed Address to the Honorable Thomas Burke, Esquire, which they have thought proper to reject. They now propose that a Member be appointed on the part of each House to wait on Mr. Burke, inform him of the Vote of the General Assembly of yesterday respecting the chief Magistracy of this State, and request him to acquaint the respective Houses when he will attend & qualify, at which time we propose that he be addressed by the Speakers of this Assembly in the usual Manner.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House have appointed Mr. Macon, Mr. Phifer, and Mr. Wilson a Committee on the part of this House to settle up the depreciation of money to be allowed by the Board of Auditors in Certificates issued for purchasing, &c., in specie, with such Gentlemen of your Body as may be appointed for that purpose.

Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate have appointed Col. Williams, Mr. Rogers and Mr. Macon a Committee to act with the Gentlemen by you appointed to settle up the depreciation of Money to be allowed by the Board of Auditors on Certificate issued for Purchases, &c.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House agree that a Member from each House be appointed to wait on Mr. Burke and inform him of the vote of the General Assembly of yesterday respecting the Chief Magistracy of this State, and request him to acquaint the respective Houses when he will attend and qualify, &c. We have appointed Mr. Spaight on the part of this House for that purpose.

Ordered that Col. Williams on the part of this House attend His Excellency Thomas Burke, Esquire, for the purpose aforesaid.

Received from the Commons the following Messages:
Mr. Speaker and Gentlemen:

This House have appointed Mr. Tilman & Mr. Henderson to act with the Gentlemen by you appointed to prepare and bring in a Bill for raising Troops for the immediate defence of this State. Mr. Spaight, Gen. Bryan, Mr. Macon and General Person to act with the Gentlemen you have appointed to bring in a Bill for levying a Specific provision Tax, &c. Mr. Smith, Mr. Easton, Mr. Horne and Mr. Payne to act on the Committee appointed to bring in a Bill for the defence of Ocracoke Bar, &c.

And Messrs. Person, Hawkins, Bryan, Henderson, Starkey, James, Williams & Balfour to act with the Gentlemen by you appointed to consider of and report on the Resolves of Congress, &c., to bring in Bills relative to the Subject Matter of such of them as they think proper; we also on our part have appointed Messrs. James, Williams, Henderson and Smith to act with such Gentlemen as you may think proper to appoint for the purpose of preparing and bringing in a Bill for establishing Courts of Oyer and Terminer in the several Counties of this State for the Trial of offenders. And Mr. William Bryan, Person and Starkey to prepare and bring in a new assessment Bill.

Ordered that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen:

The Senate have appointed Colonel Taylor, Colonel Irwin and Mr. Macon a Committee to act with the Gentlemen by you appointed to prepare and bring in a Bill for establishing Courts of Oyer and Terminer, &c., but do not think it necessary to appoint a Committee to bring in a new assessment Bill.

Mr. Rogers and Mr. Coor appointed on the part of this House to Superintend the Balloting for a Council of State reported that, having attended the Balloting aforesaid, on summing up the Scrolls or Ballots it appeared that Philemon Hawkins, Spruce McCoy, Willie Jones, Benjamin Seawell, John Penn, John Butler and Edward Jones, Esquires, were appointed a Council of State for the current year by a Majority of the General Assembly.

The House taking the foregoing Report into Consideration, Concurred therewith.

Col. Williams on the part of this House, having agreeable to the Order of the House waited on His Excellency Thomas Burke,
Esquire, returned and informed the House that His Excellency would attend the General Assembly in the Conference Room at 6 O'clock this afternoon. The two Houses having met, Colonel Williams and Colonel Spaight were requested to conduct His Excellency from his Lodging to the Conference Room, which having done Mr. Speaker of the Senate and Mr. Speaker of the House of Commons being seated, the Members of each House attending, Mr. Speaker of the Senate addressed him in the following words, viz:

To His Excellency Thomas Burke, Esquire, Governor, Captain General and Commander in Chief in and over the State of North Carolina, Sir:

Yesterday the General Assembly proceeded to the choice of the Chief Magistrate, to preside in the Executive department of the Government of this State, when you, Sir, was elected to that high and important Office by joint Ballot of both Houses, the first Mark of Public Regard that this free, independent and sovereign State can shew its most worthy Citizen.

It gives me a particular pleasure to have at the Head of the Executive a Gentleman on whose Integrity, Firmness and Abilities we can rely with confidence at a Time this State is invaded by a cruel Enemy, and threatened with all the Horrors of War, which to oppose and avert call for the most spirited Exertions of this Country, that Independence and Peace be secured to it on a lasting Basis.

We assure you, Sir, that nothing shall be left undone on the part of the Legislature which may tend towards the general defence, and to make your Administration easy, happy and Honorable.

To you, therefore, Sir, as the first Executive Magistrate of this State, we commit and deliver the Bill of Rights and the Constitution, the one ascertaining the Civil and political Rights of the free Men of this Country, the other giving Existence to your Office and the present happy form of Government. That the same under your Guardian Care may be preserved Inviolate, supported, maintained, and defended, we present you with this Sword as an Emblem of that Power and Authority with which you are invested, to support and defend the Rights and Liberties of the People, to chastise the guilty, and all Enemies who oppose whatsoever to this Government,
at the same time tempering with Mercy the justice of the State when suitable Objects of Clemency fall before it.

We do therefore, in full Confidence of the High Trust reposed in you, for and in behalf of the free People of this State, announce and proclaim you Thomas Burke, Esquire, Governor, Captain General and Commander in Chief, in and over the State of North Carolinas, of which all the good and liege people of the same are to take notice and govern themselves accordingly.

To which His Excellency, standing up, was pleased to return the following answer:

Gentlemen:

I feel myself impressed with a deep sense of Gratitude to the representative Body of my Country for this unexpected Honor and distinguished mark of their confidence, and sincerely wish the object of their Choice was more worthy and more equal to that arduous Dignity to which they have been pleased to raise him.

At any period less difficult, dangerous and critical than the present, I should beg leave to decline an Office so much above my abilities and so illy suiting my private Inclinations and Circumstances. But no consideration of private convenience or of difficulty or danger shall deter me from any duty to which my Country may call me while her affairs labor under unfavorable Appearances. I therefore consent to take upon me the Office and Dignity to which the Honorable the General Assembly have been pleased to elect me, and shall entirely devote myself to the Establishing of Internal Peace, Order and Economy and Security from External Enemies.

I rely on the assurance that the Legislature will do everything to enable the Executive Authority to fulfill the great and important purposes of its Institutions, and I indulge the pleasing Hope that we shall soon see our Country emerging from its present state of disorder and calamity into a flourishing State of Strength, Opulence and Security. Such happy Event will fulfill every wish of mine, and should my Administration contribute thereto, I shall repine at no Circumstance with which it may be attended, however unpleasant to my private Feelings. I request you, Gentlemen, Speakers of both Houses, to accept my thanks for the Politeness of the Manner in which you have signified to me the pleasure of the General Assembly.
Read a Letter from the Honorable James Iredell, Esquire, Attorney General of this State. Ordered that it be referred to the Committee appointed to settle up the Depreciation of Money, &c., and that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate propose that the Letter from the Attorney General of this State, herewith sent you, be referred to the Committee appointed to settle up the Depreciation of Money to be allowed by the Board of Auditors in Certificates issued for purchases, &c., to consider of and report on.

Adjourned till To-morrow Morning 9 o'clock.

Wednesday, 27th June, 1781.
The House met.
Received from the Commons a Bill for the relief of all such persons as are rendered incapable of procuring a comfortable subsistence for themselves and Families by Wounds received in the defence of their Country, and for other purposes. Endorsed in the House of Commons 27th June, 1781. "Read the first time and passed."

Ordered said Bill be read. Read, passed the first time & returned to the Commons.
Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your Approbation a Message proposed to be addressed to His Excellency the Governor.
Received the address referred to, which, being read, was approved of, & the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

Your proposed Message to His Excellency the Gov. this House approve of, and have appointed Captain Macon to wait on him with the same.

Received from the Commons a Bill for appointing Processioners in this State & other purposes. Endorsed in the House of Commons 27 June, 1781. Read the first time and passed.

Ordered said Bill be read. Read, passed the first time & returned the Commons.
Read sundry affidavits charging William Gilbert, a Justice of the Peace of Rutherford County, with being guilty of Plundering and other Misdemeanors, whereupon,

Resolved, that the said William Gilbert be cited to appear before the General Assembly at the next Session, to answer such Matters & things which shall then and there be alleged against him derogatory to the Magistracy which he holds.

Ordered that the foregoing Resolve with the following Message be sent the Commons.

Mr. Speaker and Gentlemen:

We send for Concurrence a Resolve citing William Gilbert of Rutherford County to appear at the next Session of Assembly. We send also the affidavits which induced this House to enter into this Resolve.

Mr. Edward Everagin, the Member for the County of Pasquotank, appeared, produced his Certificate, qualified agreeable to Law & took his seat.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

The Commons concur with the Senate in referring the Letter from the Attorney General to the Committee appointed to settle up the Depreciation of Money to be allowed by the Board of Auditors on Certificates issued for purchases, &c., to consider of and report on.

Mr. Speaker and Gentlemen:

We send for your perusal a Message from His Excellency the Governor, with the answer to Major Craig’s Letter which we highly approve of. We also send for your perusal a Letter from General Gregory and a Letter from Col. Roberson.

Received His Excellency’s Letter alluded to as followeth:

Gentlemen:

I send herewith a Letter from the Commanding Officer of his Britanic Majesty’s Troops at Wilmington on a subject which may involve serious consequences, and having yet no Council whom I could constitutionally consult, I beg leave to lay before you the answers which I judge proper to be made, and hope the importance
of the subject and its eventual Consequences will excuse me for troubling you for your advice.

The Answer to the Letter referred to by His Excellency being read,

Resolved, That this House do highly approve thereof.

Received from the Commons by the Hands of a Member an address communicating to his Excellency the Governor the Approbation of the General Assembly as to his answer to Major J. H. Craig's Letter above referred to, which, being read and approved of, ordered that Colonel Williams, with the Member from the Commons, attend His Excellency with the same.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your perusal the Remonstrance of a number of the Inhabitants of Franklin County, which we propose referring to the Committee of Propositions and Grievances.

Ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

We agree that the Remonstrance of sundry Inhabitants of Franklin County be referred to the Committee of Propositions and Grievances.

Adjourned till To-morrow Morning 8 O'clock.

Thursday, 28th June, 1781.
The House met.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We return the Resolve of your House citing William Gilbert, of Rutherford County, to appear at the next Session of General Assembly, concurred with.

Received the Resolve referred to in the foregoing Message. Endorsed in the House of Commons 27th June, 1781. Concurred with.

General Butler, from the joint Committee appointed to bring in a Bill for raising regular Troops for the immediate defence of the State, reported as followeth:

Your Committee appointed to bring in a Bill to raise Troops for 17—52
the defence of the State do report that we cannot agree on the Mode, on account of the special Instructions given the two Members of the House of Commons.

J. BUTLER, Chm.

Ordered the above Report, with the following Message, be sent the Commons:

Mr. Speaker and Gentlemen:

We send herewith the Report of the joint Committee appointed to prepare a Bill for raising regular Troops for the immediate defence of the State. We have added Colo. Williams to this Committee, and propose that a member be added on the part of your House, and that any Instructions you may have given those already appointed be rescinded, as special Instructions to a Committee from one House, not concurred in by the other, prevents that freedom of Debate in both Houses, so essential a Privilege in the Legislature. We recommend that the Committee proceed on the Bill in the usual way without Restraint, which in its passage may be so unsettled and amended as the two Houses can agree.

Received from the Commons a Bill to Condemn the Property of all Tories in this State that have embodied and plundered the good Citizens thereof, and for subjecting such property to make retaliation to those persons who have suffered by their depredations, and other purposes. Endorsed in the House Commons 28th June, 1781. Read the first time and passed.

Ordered said Bill be read. Read, passed the first time and returned the Commons:

Received also a Bill to encourage the Importation of Salt and Iron into this State. Endorsed in the House of Commons 28th June, 1781. Read the first time and passed.

Ordered said Bill be read. Read, passed the first time & returned the Commons.

Mr. Charles Johnson moved for leave and presented a Bill for prohibiting the Navigation of Ocracoke Bar, &c., which was read the first time, passed and sent the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House have appointed Mr. J. Green, Wm. Bryan, and Smith a Committee on their part who will act jointly with such Gentle-
men of the Senate as may be appointed to enquire into the situation of the North Carolina officers & soldiers in Captivity at Charlestown and the supplies which have been forwarded them and such further supplies as are necessary.

Ordered that Mr. Williams, Mr. Spicer & Mr. Butler act on this Committee, and that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

Colonel Williams, Mr. Spicer, & General Butler will act with the Gentlemen by you appointed to inquire into the situation of the No. Carolina Officers, &c.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your perusal the Petition of David Allen and others relative to certain Iron Works erected on the Yadkin River, which we propose referring to a joint Committee, and have on our part appointed Messrs. Phifer, Williams, Gowdy, Person, Lewis, and Lenoir.

Ordered that Colonel McKenzie & Colonel Collier act on the Committee, & that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

Mr. Collier and Mr. McKenzie will act with the Gentlemen by you appointed to Consider of the Petition of David Allen and others.

On motion, Resolved, that the Commissioners of Trade lay a State of their proceedings before the General Assembly, with the amount of Goods now in their Hands, together with a particular List of all Monies & other Effects by them received or impressed for and on account of the Public.

Ordered that the foregoing Resolve, with the following Message, be sent the Commons:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve relative to the Commissioners of Trade.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send you the Memorial of a number of the Merchants in Edenton, which we propose referring to a joint Committee,
and have on our part appointed for that purpose, Mr. Easton, Mr. Balfour, Mr. Starkey, and Mr. Payne a Committee.

Ordered that Mr. Macon, Mr. McKenzie, & Mr. Salter act on this Committee, & and that the following Message be sent the House of Commons:

Mr. Speaker and Gentlemen:

Mr. Macon, Mr. McKenzie, & Mr. Salter will act with the Gentlemen by you appointed to consider of and report on the Remonstrance of the Merchants of Edenton.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House in favor of Col. Seawell.

Received the Resolve referred to in the foregoing Message, which, being read, was concurred with & the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

We return the Resolve of your House in favor of Col. Seawell, concurred with.

On motion, Resolved, that the Treasurers of Edenton District pay into the Hands of James Iredell, Esquire, Attorney General of this State, Twenty Thousand pounds, on account of his public Services in Office, for which he is to account with the General Assembly, and for which Sum the said Treasurer shall be allowed in the Settlement of his public Accounts.

Ordered that the foregoing Resolve, with the following Message, be sent the Commons:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve in favor of the Attorney General of this State.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We have received your Message relative to the Committee appointed to prepare a Bill for raising regular Troops, &c., and have
on our part added to that Committee General Person and Col. Hawkins.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House in favor of Colonel Clark, of Wilkes County, in Georgia.

Received the Resolve referred to, which, being read, was concurred with, & the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

We return the Resolve of your House in favor of Colonel Elijah Clark, of Wilkes County, in the State of Georgia, concurred with.

Received from the Commons the following Bills:

A Bill for levying a Money and Specific Tax for the year 1781.
A Bill to empower the Governor to issue Commission of Oyer & Terminer and General Gaol Delivery.
A Bill for appointing District Auditors for settling the pay of the Militia & and other Claims against this State. Endorsed in the House of Commons 28th June, 1781. Read the first time & passed.

Ordered said Bill be read. Read, passed the first time & returned the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House in favor of the Attorney General of this State, concurred with.

Mr. Speaker and Gentlemen:

The Resolve of your House relative to the Commissioners of Trade you will herewith receive concurred with.

Received the Resolves above referred to. Endorsed in the House of Commons 28th June, 1781. Concurred with.

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House for discharging Mr. James Bigglyston, and requesting His Excellency the Governor, to order the said Bigglyston to remove himself, &c., to New York or elsewhere.
The Resolve above referred to being read was concurred with and
the following Message ordered to be sent the Commons.

Mr. Speaker and Gentlemen:

The Resolve of your House relative to Mr. Bigglyston was re-
turned you concurred with.

Read a Letter from Brigadier General Sumner, also a Letter from
Colonel Robeson of Bladen County.

Ordered that they be referred to a joint Committee to consider of &
report on. That Messrs. Kenan, Williams, Taylor, on the part
of this House, be a Committee for this purpose, and that the follow-
ing Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate propose that the Letter from Brigadier General
Sumner, also the Letter from Colonel Robeson herewith sent you,
be referred to a joint Committee to consider of and report on, and
have on their part appointed Mr. Kenan, Mr. Williams and Mr.
Taylor for that purpose.

On motion, Ordered that Messrs. Irwin, Taylor & Johnson on the
part of this House, be a Committee to prepare and bring in a Bill
to regulate the Commissary Department in this State, and that the
following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate have appointed Colonel Irwin, Colonel Taylor & Mr.
Johnson a Committee, who will act jointly with such of your Body
as may be appointed, to prepare & bring in a Bill for regulating
the Commissary Department in this State.

Ordered that Mr. Johnson, Mr. Coor, Mr. Macon and Colonel
Taylor be a Committee, to prepare and bring in a Bill to call upon
all Persons that have been entrusted with or received public Monies
without accounting for the same, and compel them to settle their
accounts & pay such Monies, or Balance thereof, remaining in their
Hands, and other purposes.

Mr. Speaker and Gentlemen:

This House have appointed Mr. Johnson, Mr. Coor, Mr. Macon &
Colonel Taylor a Committee, who will act with such Gentlemen as
may be by you appointed, to prepare and bring in a Bill to call
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upon all persons that have been entrusted with, or received public Monies without accounting for the same, and compel them to settle their Accounts and pay such Monies or balances thereof, remaining in their Hands, & other purposes.

Received from the Commons the following Messages:

Mr. Speaker and Gentlemen:

The Commons have appointed Messrs. Williams, Tilman and Gorham, to act with the Gentlemen by you appointed, to consider of and report on the Letter from Brigadier General Sumner, and the Letter from Colonel Roberson.

Mr. Speaker and Gentlemen:

The Commons have appointed Messrs. Joseph Greene, Horne, Person, Williams & Benton a Committee on their part, who will act with the Gentlemen by you appointed, to prepare and bring in a Bill for regulating the Commissary's Department.

Mr. Speaker and Gentlemen:

We send for your Perusal the Petition of Burwell Pace, which we propose referring to a joint Committee, and have on our part appointed Messrs. Lewis, Phifer, Alexander and J. Williams a Committee.

The Petition referred to being read, was rejected.

Adjourned till To-morrow Morning 10 O'clock.

Friday 29th June, 1781.

The House met.

On motion, Resolved, That it be recommended to the Judges of the Superior Courts of Law, or either of them, or in their absence to any justice of the Peace for the County of Wake, and they or either of them are hereby empowered to bail Ephraim Alexander, who now stands committed to the jail of New Bern District for the supposed murder of John Landram, by taking a recognizance for his personal appearance at the next Court to be held for the District of Hillsborough, there to answer the charges aforesaid, and to cause him to be released from his present Confinement.

Ordered that the foregoing Resolve, with the following Message, be sent the Commons:
Mr. Speaker and Gentlemen:

We send for Concurrence a Resolve in favor of Ephraim Alexander, late of Mecklenburg County.

Mr. Coor moved for leave and presented a Bill for the speedy Trial of persons accused of Treason, Misprision of Treason, Counterfeiting the Currency of this State, or the United States, and for other Crimes; and for determining what persons fall within the Description of the Confiscation Act, and other purposes, which was read the first time, passed and sent the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send you a Message from His Excellency the Governor, addressed to the General Assembly, accompanied by a Letter from the Honorable Major General Greene of the 11th Instant.

Received the Message from His Excellency the Governor, referred to in the foregoing, as followeth:

Gentlemen:

I have the honor to lay before you a Letter just received from Major General Greene by Colonel Reed, and I desire to join my own wish in favor of that deserving Officer, and beg leave to recommend him to the attention of the General Assembly.

I must also request the Assembly to point out the means whereby the Dragoon Horses, requested by the General, may be procured. Sensible as I am of the Utility of such a supply, it would give me great pleasure to be able to send them forward without delay, if the Circumstances of the State will admit it.

THOMAS BURKE.

Received also the Letter from General Greene above alluded to, which was read.

Read a Letter from Benjamin Hawkins, Esquire, Commissioner of Trade.

Ordered that, with the following Message, it be sent the Commons:

Mr. Speaker and Gentlemen:

We send for your Perusal a Letter from Benj. Hawkins, Esquire.

On motion, Resolved, That His Excellency the Governor of this State be requested to appoint some prudent & proper Officers to
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procure, or purchase, or if necessary, to impress Forty Horses suitable for Dragoon Horses, and send them to General Greene as soon as may be, and that the Officer cause such Horses to be valued according to Law and give Certificates, that satisfaction may be made to the Owners.

Ordered that the foregoing Resolve, with the following Message, be sent the Commons.

Mr. Speaker and Gentlemen:

We send for Concurrence a Resolve for procuring the number of dragoon Horses therein mentioned.

Received from the Commons A Bill for authorizing the juries in all Trials in the Courts of Law in future to allow depreciation, if any there be, in the present Currency of this and the United States. Engrossed in the House of Commons 29 June, 1781. Read the first time & passed.

Ordered said Bill be read. Read, passed the first time & sent the Commons.

Received from the Commons the following Bills, viz: A Bill to condemn the Property of all Tories in this State that have embodied and plundered the good Citizens thereof, & for subjecting such Property to make retaliation to those Persons who have suffered by their Depredations, and other Purposes.

A Bill to encourage the Importation of Salt and Iron into this State. Engrossed in the House of Commons 29th June, 1781. Read the second time & passed.

Ordered said Bills be read. The same being read were rejected.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send you a Message from His Excellency the Governor, addressed to the General Assembly.

Received the Message from the Governor alluded to, which being read was referred to the joint Committee, appointed to report on the Papers laid before the Assembly by his late Excellency, to consider of and report on.

Received from the Commons a Bill for protecting the Navigation of Ocracoke Bar, and the Lands and Rivers communicating therewith. Endorsed in the House of Commons 29th June, 1781. Read the first time and passed.
Ordered said Bill be read. Read, passed the second time & sent the Commons.

Mr. Macon, from the joint Committee appointed to take under consideration the Memorial of the Merchants of the Town of Edenton, reported as followeth:

The joint Committee of both Houses, appointed to take under Consideration a Memorial from the Merchants of Edenton, setting forth that large quantities of Goods were impressed from them, do report that it is your Committee's opinion that the impressment of Goods by General Warrants is unconstitutional, oppressive and destructive to Trade; and that it also appears to your Committee that no demand or requisition hath been made to the Owners of such Goods previous to the Impressment or Seizure thereof, which is illegal. And are further of opinion that all Goods so impressed that can be conveniently spared from the use of the Army, be immediately returned to the Owners from whom such Goods have been impressed or seized.

NATH. MACON, Chm.

The House taking the above report into Consideration, concurred therewith & ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

We send herewith the Report of the joint Committee, appointed to take under Consideration the Remonstrance of the Merchants of Edenton, Concurred with by this House.

Mr. Hardy Griffin, the Member for Nash County, appeared, produced his certificate, qualified agreeable to Law and took his Seat.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House propose that a joint Committee be appointed to enquire into the state of Mr. Benjamin Hawkins' account and report thereon, and have for that purpose on their part appointed Messrs. Smith, Starkey and Person a Committee.

Ordered that Messrs. Johnson, Coor and McKenzie act on this Committee, and that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

This House have appointed Messrs. Johnson, Coor and McKenzie,
who will act jointly with the gentlemen by you appointed, to enquire into the state of Mr. Benjamin Hawkins' Accounts, and report thereon.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We return the Resolve of your House for procuring the number of Dragoon Horses therein mentioned, concurred with.

Mr. Speaker and Gentlemen:

We return the Report of the joint Committee, appointed to take under consideration the Remonstrance of the Merchants of Edenton, concurred with by this House.

Received the Resolve and Report referred to in the foregoing Messages. Endorsed in the House of Commons 29th June, 1781. Concurred with.

Received from the Commons a Bill to empower the Governor to issue Commissions of Oyer & Terminer and General Gaol Delivery. Endorsed in the House of Commons 29th June, 1781. Read the second time & passed.

Ordered said Bill be read. The same being read was rejected.

Received from the Commons a Bill to indemnify all such persons as have put to death any of the subjects of this State, being known & notorious Enemies & Opponents of the Government thereof. Endorsed in the House of Commons 29th June, 1781. Read the first time and passed.

Ordered said Bill be read. Read, passed the first time & returned to the Commons.

General Butler moved for leave and presented a Bill for receiving to grace and favor all such Persons who shall take the benefit thereof, and for other purposes; which was read the first time, passed & sent to the Commons.

Adjourned until To-morrow Evening 5 O'clock.

Saturday 30 June, 1781.
The House met.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve for raising a Company of Light Horse in Onslow County, &c.
Received the Resolve above referred to, which being read was rejected, whereupon,

Resolved, That a Company of Light Horse be immediately raised by voluntary Enlistment, consisting of Forty Persons, for the protection of the Salt Works on Topsail Sound and New River, and such other Duty within the District of Wilmington as the Commanding Officer of the said District may direct. That John King be appointed Captain, John Mason, Lieutenant, and Anthony Milford, Cornet of said Company; to be continued in such Service so long as may be judged necessary by the Governor & Council. And in case they continue in actual Service for the space of three months, it shall be considered as a tour of Military Duty. Said Company finding their own Horses and Arms during the said service.

Ordered that the foregoing Resolve, with the following Message, be sent the Commons:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve for raising a Company of Light Horse in Onslow County, which we wish to adopt, instead of the one that had been entered into by your House.

Received from the Commons a Bill for securing all articles left by the British Troops in this State, taken from the Citizens as well as others, and for other purposes. Endorsed in the House of Commons 30th June, 1781. Read the first time & passed.

Ordered said Bill be read. Read, passed the first time & sent the Commons.

Received from the Commons a Bill allowing salaries to the Governor, Delegates, Judges of the Superior Courts, Attorney General, Public Secretary, Treasurers & Members of the Council of State. Endorsed in the House of Commons 29th June, 1781. Read the first time & passed.

Ordered said Bill be read. Read, passed the second time & sent the Commons.

Received from the Commons a Bill for raising Troops for the Defence of this State, and for other purposes. Endorsed in the House of Commons 30 June, 1781. Read the first time & passed.

Ordered said Bill be read. Read, passed the first time and returned the Commons.

Received from the Commons the following Message:
Mr. Speaker and Gentlemen:

The Commons have appointed Messrs. Person, Hawkins, Starkey, & Henderson as a Committee on their part, who will act jointly with such Gentlemen as you may appoint, to enquire into the losses of Colonel Reed, alluded to in General Greene's Letter of the 11th Instant, and to report what recompence is proper to be made him. This proposal being read was rejected.

Mr. Speaker and Gentlemen:

We return the Resolve of your House for raising a Company of Light Horse in Onslow County, instead of the one adopted by this House for that purpose, concurred with.

Received the report referred to in the foregoing Message. Endorsed in the House of Commons 30 June, 1781. Concurred with.

General Butler from the joint Committee, appointed to take under consideration the Papers laid before the General Assembly by the late & present Governor, reported as followeth:

The Committee appointed to take under Consideration the Letters from the Delegates of this State in Congress, the Resolve of Congress and other Public Papers, laid before the Assembly by our late & present Governor, having duly deliberated on the greater part of them, beg leave to report in part—

That in order to effect the purpose of paying up the quotas of the Money of this State, required by Congress from the United States as recommended in a Letter from the Delegates in Congress of the fifth of May last, it is the opinion of your Committee a clause should be inserted in the Tax Bill, laying a Tax in Continental Money, to be appropriated solely to the Discharge of the said quota.

That the act prohibiting the Exportation of Provisions from this State be continued until the next Session of Assembly, agreeable to the Resolve of Congress on that subject.

That a Resolution be entered into directing His Excellency the Governor to take proper Measures for carrying into Execution the Resolve of Congress of the fifth of January last relative to the making Retaliation upon the British Prisoners in our possession by exercising on them in all respects the like Treatment as our prisoners in their possession receive.

That an act should be passed investing Congress with the Power of levying for the use of the United States a Duty of Five per Cent.
upon all Goods and Merchandise which may be imported from any of the foreign Islands, Ports and plantations, except Arms, Ammunition, Clothing, and other Articles imported on account of the United States or any of them; except, also, Wool Cards and Cotton Cards, and Wire for making them, and Salt, during the War; and also a like Duty of Five per Cent. on all Prizes and Prize Goods condemned in the Courts of Admiralty of any of the United States as lawful Prize, to be appropriated to the Discharge of the Principal and Interest of the Debts contracted or to be contracted on the faith of the United States, and that such power shall continue until the said Debts shall be fully and finally discharged.

That the Ordinance of Congress establishing Courts for the Trial of Piracies and Felonies committed on the high Seas be printed amongst the Laws of the State and considered as part of them.

JOHN BUTLER, Chairman.

The House, taking the foregoing Report into consideration, concurred therewith, and ordered that, with the following Message, it be sent the Commons:

Mr. Speaker and Gentlemen:

You will herewith receive the report of the joint Committee appointed to take under consideration the Papers laid before the Assembly by the late and present Governor of this State, concurred with by this House.

Adjourned till Monday Morning 9 O'clock.

Monday, 2nd July, 1781.

The House met.

Read a Letter from General Jones, of the 27th Ulto., also one of the 28th; a Letter from Colonel Parker, of Virginia, of the 27th, and likewise a Letter from the Honorable Samuel Johnston, Esqr. Ordered that they be sent, with the following Message, to the House of Commons:

Mr. Speaker and Gentlemen:

We send for your perusal a Letter of the 27th and a Letter of the 28th Ulto. from Brigadier General Jones, addressed to the General Assembly; we also send Messrs. Johnson & Parker's Letters therein alluded to.
Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your perusal and consideration two Messages from His Excellency the Governor, with the several Papers therein referred to.

Received the Message and Papers above alluded to, which were read.

Mr. Speaker and Gentlemen:

This House propose referring the Letters of the 28 and 27th Ulto. from General Jones to a joint Committee, and have for that purpose on our part appointed Messrs. Balfour, Smith, Bryan, Branch, Green, Henderson & Payne a Committee.

Ordered that Messrs. Macon, Taylor & Williams act on this Committee, & that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

Mr. Macon, Colonel Taylor & Colonel Williams will act with the gentlemen by you appointed to report on General Jones' Letters of the 28th & 29th Ul.  

Ordered that Colonel Irwin, Gen. Butler, & General Lock be a committee on the part of this House to prepare and bring in a Bill for drafting the Militia of this State, &c., and that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

Colonel Irwin, General Butler, and General Lock will act in conjunction with such of your Body as may be appointed to prepare and bring in a Bill for drafting the Militia of this State to reinforce the Southern Army.

Mr. Johnson moved for leave and presented a Bill for vesting a power in the Honorable the Continental Congress to levy a Duty of 5 per Cent on all Foreign Merchandises, except such articles as are therein exempted, and for other purposes, which was read the first time, passed & sent the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We return the report of the joint Committee appointed to take
under consideration the Papers laid before the Assembly by the late & present Governor of this State, concurred with by this House. Received the report referred to in the foregoing Message. Endorsed in the House of Commons 2nd July, 1781. Concurred with.

Mr. Speaker and Gentlemen:

We send for your perusal and consideration a Message from His Excellency the Governor.

Received the Message from his Excellency the Governor above referred to, which was read.

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve requesting his Excellency the Governor to commission the Justices therein mentioned for Perquimans County.

The Resolve above referred to, being read, was ordered to lie for consideration.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence the report of the Committee appointed to take under consideration the Petition of David Allen and others; also a Resolve of this House in consequence thereof.

Received the report and Resolve referred to in the foregoing Message, which, being read, were rejected.

On motion, Resolved, that the Clerks of the respective County Courts in this State do, to the next Session of the General Assembly, make Return on oath, of all such persons who are now mentioned in the Commission of Peace for such County, and are dead, removed out of the County, have taken Protection from the Enemy, or have declined qualifying, that due notice be taken of all such by the Genl. Assembly.

Ordered that the foregoing Resolve, with the following Message, be sent the Commons:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve directing the Clerks of the respective County Courts in this State to make Return to the General Assembly as therein directed.
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Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

The Commons have appointed Messrs. Tilman, Spaight, Benton, Phifer, and Hawkins a Committee on their part to act with the Gentlemen by you appointed to prepare and bring in a Bill for drafting the Militia of the State to reinforce the Southern Army.

Received from the Commons a Bill for securing all Articles left by the British Troops in this State taken from the Citizens as well as others, and for other purposes. Endorsed in the House of Commons 2nd July, 1781. Read the second time & passed.

Ordered said Bill be read. Read, passed the second time and sent the Commons.

Received also a Bill for protecting the Navigation of Ocracoke Bar and the Sounds and Rivers communicating therewith, and other purposes. Endorsed in the House of Commons 2nd July, 1781. Read the third time & passed.

Ordered said Bill be read. Read, amended, passed the third time and sent the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We return the resolve of your House directing the Clerks of the respective County Courts in this State to make return to the General Assembly as therein mentioned, concurred with.

Received the Resolve above referred to. Endorsed in the House of Commons 2nd July, 1781. Concurring with.

Received from the Commons a Bill for levying a Money and Specific Tax for the year 1781. Endorsed in the House of Commons 2nd July, 1781. Read the first time & passed.

Ordered said Bill be read. Read, amended, passed the second time & sent the Commons.

Adjourned till To-morrow Morning 6 O'clock.

Tuesday, 3rd July, 1781.

The House met.

Mr. Coor moved for leave and presented a Bill directing the Duty of Naval Officers and for preventing the Exportation of Provisions for a limited time, & for other purposes, which was read the first time, passed & sent the Commons.

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Received from the Commons a Bill for appointing District Auditors for settling the Pay of the Militia and other Claims against this State. Endorsed in the House of Commons 2nd July, 1781. Read the second time & passed.

Ordered said Bill be read. Read, amended, passed the second time & sent the commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence the Report of the Committee appointed to take under consideration Genl. Jones' Letter, concurred with by this House. Should you concur with it, we request that you would cause the latter Paragraph to be handed to His Excellency the Governor.

Received the Report referred to, which, being read, was concurred with, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

We return the report of the joint Committee on General Jones' Letter, concurred with, & have caused a Copy thereof to be presented His Excellency the Governor.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve empowering and directing His Excellency the Governor to exercise the Law of Retaliation on British Prisoners in our Possession.

The Resolve being read, was concurred with, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

The Resolve of your House directing His Excellency the Governor to exercise the Law of Retaliation on British Prisoners in our Possession we return you, concurred with.

Received from the Commons a Bill drafting the Militia to reinforce the Southern Army. Endorsed in the House of Commons 3rd July, 1781. Read the first time and passed.

Received from the Commons a Bill for the more effectually punishing the Enemies of this and the United States, and other purposes. Endorsed in the House of Commons 3rd July, 1781. Read the first time & passed.
Ordered said Bill be read. The same being read, was rejected.

Received also the Bill for receiving to Grace and Favor all such persons who shall take the Benefits thereof, and for other purposes. Endorsed in the House of Commons 3rd July, 1781. Read the first time and passed.

Ordered said Bill read. The same being read, was rejected.

Received likewise a Bill for drafting the Militia to reinforce the Southern Army. Endorsed in the House of Commons 3rd July, 1781. Read the second time and passed.

Ordered said Bill be read. Read, amended, passed the second time & sent the Commons.

Adjourned till To-morrow Morning 6 O'clock.

Wednesday, 4th July, 1781.

The House met.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve for admitting no new Bill after Tomorrow.

The Resolve above referred to being read, was rejected.

Received from the Commons a Bill to regulate and ascertain several Officers' Fees in this State. Endorsed in the House of Commons 3rd July, 1781. Read the first time and passed.

Ordered said Bill be read. Read, passed the first time & returned the Commons.

Received from the Commons a Bill to amend and explain an act entitled an Act for Establishing Courts of Law and regulating the proceedings therein. Endorsed in the House of Commons 4th July, 1781. Read the first time and passed.

Ordered said Bill read. Read the first time, passed and returned the Commons.

Received also a Bill to amend an act passed at New Bern in May, 1780, entitled an Act to enlarge the jurisdiction of justices of the Peace, and for other purposes. Endorsed in the House of Commons 3rd July, 1781. Read the first time & passed.

Ordered said Bill be read. Read, passed the first time and sent the Commons.
A Bill directing the Duty of Naval Officers, and for preventing the Exportation of Provisions for a limited time, & for other purposes. Endorsed in the House of Commons 3 July, 1781. Read the first time & passed.

Ordered said Bill be read. Read, amended, passed the second time & returned to the Commons.

Received likewise, a Bill to relieve all such persons as are rendered incapable of procuring themselves and Families Subsistence, by reason of wounds received in defence of their Country, and for other purposes. Endorsed in the House of Commons 3 July, 1781. Read the second time, amended & passed.

Ordered said Bill be read. Read, passed the second time & sent the Commons.

Received from the Commons the Bill for drafting the Militia to reinforce the Southern Army. Endorsed in the House of Commons 4 July, 1781. Read the third time, amended & passed.

Ordered said Bill be read. Read, passed the third time and ordered to be Engrossed.

Received a Bill for vesting a power in the honorable, the Continental Congress, to levy a Duty of Five per Cent. on all Foreign Merchandize, except such Articles as are therein excepted. Endorsed in the House of Commons 3 July, 1781. Read the first time & passed.

Ordered said Bill be read. Read, amended, passed the second time & sent the Commons.

Received also, a Bill for authorizing the Juries in all Trials in the Courts of Law, in future, to allow depreciation if any there be, on the present Currency of this and the United States. Endorsed in the House of Commons 3 July, 1781. Read the second time, amended & passed.

Ordered said Bill read. Read, amended, passed the second time & sent the Commons.

Received likewise, a Bill allowing Salaries to the Governor, Delegates, Judges of the Superior Courts, Attorney General, Public Secretary, Treasurers, Members of the Council of State & Public Printer. Endorsed in the House of Commons 3 July, 1781. Read the second time, amended & passed.
Ordered said Bill be read. Read, amended, passed the second time & sent the Commons.

Colonel Taylor moved for leave and presented a Bill to amend an Act entitled an Act to regulate the Militia of this State, & for other purposes, which was read the first time, passed & sent the Commons.

Received from the Commons a Bill for raising Troops for the defence of this State, and for other purposes. Endorsed in the House of Commons 3rd July, 1781. Read the second time and passed.

Ordered said Bill be read. Read, amended, passed the second time and sent the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your perusal and consideration the Memorial of John Wilcox, of Chatham County, which we propose referring to a joint Committee to report on, and have on our part appointed Messrs. Person, Henderson, Balfour, & Futrell a Committee.

Ordered that Messrs. Rogers, Irwin, Shepperd, & Folsome act on this Committee, and that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

Colonel Rogers, Irwin, Shepperd, & Folsome will, with the Gentlemen by you appointed, consider of and report on the Petition of Mr. Wilcox.

Received from the Commons a Bill directing the Duty of Naval Officers and for preventing the Exportation of provisions for a limited time, and for other purposes. Endorsed in the House of Commons 4th July, 1781. Read the second time and passed.

Ordered said Bill be read. Read, amended, passed the third time & sent the Commons.

On motion, ordered that the Honorable the Speaker of this House and Mr. Johnson be a Committee to prepare a Letter to be sent the Governor of Virginia requesting that Commonwealth to assist in defending Ocracoke Bar., &c., and that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate have appointed the Honorable the Speaker and Mr. Johnson a Committee who will act with such Gentlemen you may
appoint to prepare a Letter to be sent the General Assembly of Virginia, requesting that Commonwealth to assist in protecting the Navigation of Ocracoke Bar, &c.

Received from the Commons a Bill to vest in John Hay, his heirs and assigns, Two Thousand & Eighty Acres & one-third part of an Acre of Land on the Six Runs in Duplin County, late the estate of Arthur Dobbs, Esquire, deceased. Endorsed in the House of Commons 4th July, 1781. Read the first time and passed.

Ordered said Bill be read. Read & rejected.

Received also a Bill to relieve all such persons as are rendered incapable of procuring themselves and Families Subsistence by reason of wounds received in defence of their Country, and for other purposes. Endorsed in the House of Commons 4th July, 1781. Read the third time, amended & passed.

Received likewise a Bill to compel all such persons as have received or been entrusted with Public monies, or who by Virtue of their Office ought to have received Money for the use of the public, to account for the same, and for other purposes. Endorsed in the House of Commons 4th July, 1781. Read the first time & passed.

Ordered said Bill be read. Read, passed the first time & sent to the Commons.

Adjourned till To-morrow Morning 9 o'clock.

Thursday, 5th July, 1781.

The House met.

Received from the Commons the following Messages:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Report of a Committee of this House on the Claim of Le Van Shellebuck (?), as also a Resolve in consequence thereof, directing the Treasurers either of them to advance him a certain sum therein mentioned to reimburse him his Expenses, &c.

The Report and Resolve referred to being read, was concurred with, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

The Resolve of your House in favor of Le Van Shellebuck we herewith return you, concurred with.

Received from his Excellency the Governor the following Message, addressed to the General Assembly:
Gentlemen:

The last Section of an Act passed this Session, entitled an Act for drafting the Militia to reinforce the Southern Army, involves some Ambiguities that will render the Execution thereof very precarious. The Act restrains the number of Militia to be called out for the use of the Southern Department to four thousand, which comprehends all that can be called out for the peculiar defence of this State and for Aids to the Sister States. The peculiar defence of the State may require a much greater number, and the Governor is bound to defend the State to the utmost of its powers. Should he find it necessary to embody a greater Force, and conceives himself authorized by the Constitution, others might be of a different Opinion, and a Dispute between Constitutional and Legislative Powers may delay the Execution of necessary Orders and destroy all Vigor and Energy. Also the same Section makes the advice of Council necessary for the disposition of Troops.

Dispositions must be often made & altered when Council cannot be consulted, and will often depend on the disposition of the Enemy, which a Council can neither foresee nor control, and which may render the least delay fatal. The Constitution makes the Governor Commander-in-Chief of the Militia, and necessarily gives him the Power of making dispositions.

A restraint so inconvenient and dangerous could not be intended, and must be the Effect of Mistake or Inadvertence.

I presume the General Assembly will explain this Section so as to prevent the Inconveniences I have suggested, and to enable the Governor, with the advice of the Council, to send Aids to the Sister States without weakening the power of internal defence.

As my conduct must be greatly influenced by the deliberations of the General Assembly on this Matter, I request that I may be favored with the Result thereof before the rising of the Session.

I have the Honor to be, &c.,

THOMAS BURKE.

Ordered that His Excellency's Message, with the following, be sent the Commons:

Mr. Speaker and Gentlemen:

We send for your perusal a Message from His Excellency the
Governor, in consequence of which we have appointed Messrs. Coor and Irwin to consider of and report on the defects of the said Bill, as pointed out by His Excellency, who will act jointly with such of your Body as may be appointed for that purpose.

This Measure, though not heretofore practiced, we conceive is neither unconstitutional nor uncomplimentary, as this Bill has not had a Ratification.

Received from the Commons a Bill to amend an Act entitled an Act to regulate the Militia of this State, and for other purposes. Endorsed in the House of Commons 4th July, 1781. Read the first time & passed.

Ordered said Bill be read. Read, amended, passed the second time & sent the Commons.

Received from the Commons the following Messages:

Mr. Speaker and Gentlemen:

We herewith send for your perusal the Petition of Thomas Cabur (?), addressed to the General Assembly.

The Petition referred to being read, was rejected.

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve recommending to Major General Greene to discharge those persons who fled from the action at Guilford Court House, and who were turned over into the Continental Service, so soon as the situation of affairs will admit of such an act of Benevolence.

Received the resolve referred to, which, being read, was rejected.

Mr. Speaker and Gentlemen:

We herewith send you a Letter from Colonel Malmedy, which we propose committing to a joint Committee. We have on our part appointed Messrs. William Bryan, Wilson, Horne, Balfour, Hawkins, and Smith, who will act with such Gentlemen as you may appoint, immediately take the same under consideration & report thereon.

Ordered that Messrs. Coor, Macon, Everargin, Irwin, Rogers, and Spicer act on this Committee, & that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

Messrs. Coor, Macon, Everargin, Irwin, Rogers, and Spicer will,
with the Gentlemen by you appointed, consider of & report on Colonel Malmedy's Letter.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send you the Memorial of John Humphreys, Esqr., which we propose referring to a joint Committee, and have on our part appointed Messrs. Easton, Smith, and Starkey a Committee.

The Memorial referred to being read, was rejected.

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House permitting Harrison Macon to send four Hogsheads of Tobacco to Charlestown, for the purpose therein mentioned; also the Petition of the said Macon, by which we have been induced to enter into the said Resolve.

The resolve referred to being read, was concurred with, & the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

The Resolve of your House in favor of Captain Harrison Macon we return you herewith, concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

The Commons have appointed Mr. Payne and Mr. Smith to act on their part with the Gentlemen by you appointed to prepare a Letter to be sent the Assembly of Virginia respecting the protection of the Navigation of Ocracoke Bar.

Mr. Speaker and Gentlemen:

We herewith send for your perusal a Letter from Henry Moun-ger (?).

Received the Letter referred to, which was read.

Colonel Taylor moved for leave and presented a Bill to enable the Justices of New Hanover County to hold a Court in any part of the County, and other purposes, which was read the first time, passed & sent the Commons.

Received from the Commons a Bill for vesting a power in the Honorable the Continental Congress to levy a Duty of 5 per Cent. on all Foreign Merchandise, except such Articles as are therein excepted,
and for other purposes. Endorsed in the House of Commons 5th July, 1781. Read the second time & passed.

Ordered said Bill be read. Read, passed the third time & sent the Commons.

Whereas, There is no particular allowance made by Law for the pay of the late District Auditors and their Secretaries,

Resolved, That the late Auditors do allow the late District Auditors and their Secretaries the Sum of Sixteen Shillings Specie for each day's Attendance on the duties of their appointment under an Act of Assembly entitled an Act for appointing District Auditors for the settlement of public Claims, and grant Certificates for the same, as for other Claims against the State.

Ordered that the foregoing Resolve, with the following Message, be sent the Commons:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve relative to the late District Auditors in this State.

On motion, Resolved, that Richard Caswell, Esquire, formerly Governor of this State, be requested to lay before the General Assembly at this next Meeting, or before such persons as they may appoint, the Journals of his Council of State, and also furnish the Assembly, or such persons as they may appoint, with an account of what Money he hath received from the Public, and how applied; and what warrants were issued by him during his administration upon the Treasury of this State, and also that he make Returns and Account for such Arms, Ammunition, and other Military or public Stores as were in his possession, or immediately in his Care & disposal during the time aforesaid.

Ordered that the above Resolve, with the following Message, be sent the Commons:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve requesting Richard Caswell, Esquire, formerly Governor of this State, to lay before the next Assembly Accounts as therein mentioned.

Adjourned till To-morrow Morning 10 O'clock.

Friday, 6th July 1781.

The House met.

Received from the Commons the following Message:
Mr. Speaker and Gentlemen:

The Commons have appointed Messrs. Williams, Benton, Green, & Macon a Committee on their part who will act jointly with such Gentlemen of the Senate as may be appointed to settle with such of the County Commissions as may be ready to have their Accounts adjusted.

This Measure being considered of, was rejected.

Mr. Speaker and Gentlemen:

The commons have appointed Messrs. Bryan, Williams, Person, Starkey, Smith, & Balfour to act with the Gentlemen by you appointed to report upon the defects of the Bill alluded to in His Excellency the Governor's Message.

On motion Resolved, That Abner Nash, Esquire, late Governor of this State, be requested to lay before this General Assembly at their next Meeting, or before such persons as they may appoint, the Journals of his Council of State and the Proceedings of the Council Extraordinary; and also furnish the Assembly with an Account of what money has been emitted, how applied, and what warrants have been issued by him upon the Treasurers of this State; on what account and upon what terms the Guns, the property of the public, have been taken from Edenton and Beaufort & delivered to private persons, and lastly, what Passports he hath given to vessels for the Exportation of provisions during his Administration.

Ordered that the above Resolve with the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

We send for Concurrence a Resolve requesting Abner Nash, Esquire, late Governor of this State, to lay before the General Assembly at their next Session, Accounts as therein mentioned.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send you the Report of the Joint Committee, to whom was referred the Letter from His Excellency the Governor, respecting an act passed this Session of Assembly. Concurred with by this House.

Received the Report as above referred to, which being read was
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concluded with, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

The Report of the Committee on His Excellency's Message respecting the Act therein referred to, we return you concurred with.

Received from the Commons a Bill for the more speedy Trial of all persons charged with Treason, or Misprison of Treason, against this State, or the United States, & other purposes. Endorsed in the House of Commons 6 July, 1781. Read the first time & passed.

Ordered said Bill be read. Read, passed the first time & sent the Commons also.

A Bill to enable the Justices of New Hanover County to hold a Court in any part of the County, and other purposes. Endorsed in the House of Commons 6 July, 1781. Read the first time & passed.

Ordered said Bill be read. Read, amended, passed the second time & sent the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send you the Memorial of Colonel Linton, which we propose referring to a joint Committee, and have for that purpose appointed Messrs. Starkey, McDowell, Williams, Person and Genl. Bryan a Committee.

Ordered that Messrs. Lock, Butler, Macon & Taylor act on this Committee, & that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

General Lock, Messrs. Butler, Macon & Taylor will act with the Gentlemen by you appointed to consider of Colonel Linton's Memorial.

On motion, agreed that the Memorial of John Humphries, Esqr., yesterday rejected, be reconsidered; the same being read,

Ordered that Messrs. Salter, McKenzie & Bryan be a Committee to report thereon, & that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate have appointed Messrs. Salter, McKenzie and Bryan a Committee, who will act jointly with the Gentlemen by you ap-
pointed to consider of the Memorial of John Humphries, Esquire.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

The Commons have appointed Messrs. Medlock, Balfour and Williams to act with the Gentlemen by you appointed to report on the Address from Montgomery County.

Mr. Speaker and Gentlemen:

The Resolve of your House relative to the late district Auditors, &c., we return you herewith concurred with.

Received from the Commons a Bill for continuing the district Auditors, directing their duty in Office, and for other purposes. Endorsed in the House of Commons 6 July, 1781. Read the first time & passed.

Ordered said Bill be read. Read, amended, passed the first time & sent the Commons.

Received from the Commons a Bill to amend an act passed at Newbern in May, 1780, entitled an Act to enlarge the Jurisdiction of Justices of the Peace, and for other purposes. Endorsed in the House of Commons 5 July, 1781. Read the second time & passed.

Ordered said Bill be read. Read, amended, passed the second time & sent the Commons.

Received also the Bill for Securing all Articles left by the British Troops in this State, taken from the Citizens as well as others, and for other purposes. Endorsed in the House of Commons 4 July, 1781. Read the third time and passed.

Ordered said Bill be read. Read, passed the third time and ordered to be Engrossed.

Adjourned till To-morrow Morning 9 O'clock.

Saturday 7th July, 1781.

The House met.

General Butler from the joint Committee, appointed to take under consideration the Memorial of Colonel Linton, reported as followeth:

The Committee appointed to take under Consideration the Memorial of Colonel William Linton, beg leave to report:

That whereas, the Troops enlisted by Colonel Linton and his Officers involves some difficulties respecting the Bounty Pay,
Cloathing, &c., of the said Troops, your Committee are of opinion that they be immediately discharged as to this present Enlistment so as not to exonerate them, or any of them, from any Penalties they, or any of them, have incurred from any former delinquency or disobedience to the Laws of the Land.

Your Committee are also of opinion that such Men who have enlisted to avail themselves of any delinquency, or any other misconduct, and have furnished Substitutes in consequence thereof, that such Substitutes ought to serve 12 Months in the State or refund the Money or other Articles received from such person, and the Hirer to remain in his former situation.

JOHN BUTLER, Chm.

The foregoing Report was read and concurred with, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:
We send herewith the Report of the joint Committee appointed to take under consideration the Memorial of Colonel William Linton. Concluded with by this House.

Mr. Johnson moved for leave and presented a Bill to enable the Governor, with the advice of the Council, to procure tobacco for the purpose of obtaining Arms, &c., which was read the first time, passed & sent the Commons.

Received from the Commons the Bill to regulate and ascertain the several Officers' Fees therein mentioned. Endorsed in the House of Commons 6 July, 1781. Read the second time, amended & passed.

Ordered said Bill be read. Read, amended, passed the second time & sent the Commons.

Colonel Taylor moved for leave and presented a Bill for the more effectual regulation of the Commissary Department, which was read the first time, passed and sent the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:
We herewith send for your concurrence a Resolve declaring certain Entries of Lands made in the Entry Office of Rutherford County null and void, &c.
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Received the Resolve referred to, which being read was concurred with, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House declaring void certain entries of Lands made in the Entry Office of Rutherford County. Concurred with.

Received from the Commons a Bill for the relief of such persons as have taken Paroles, and for other purposes. Endorsed in the House of Commons 7 July, 1781. Read the first time and passed. Ordered said Bill be read. Read, passed the first time & sent the Commons.

Also, a Bill to vest the executive power of Government in the present Governor, and to continue the Delegates from this State to the Continental Congress, til the 15 day of April next on the Contingency therein mentioned, & for other purposes. Endorsed in the House of Commons 7 July, 1781. Read the first time. Ordered said Bill be read. Read & rejected.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

The Report of the joint Committee on the Memorial of Colonel Linton, we return herewith concurred with.

Received the Report referred to endorsed in the House of Commons 7 July, 1781. Concurred with.

General Butler from the joint Committee appointed to take under Consideration the Petition of Sundry, the Inhabitants of Montgomery County, in favour of Mark Allen and Joel McClendon, Esquires, reported as followeth:

That on examining into the circumstances of the Charge, and hearing the defence of the above mentioned Gentlemen, it appears to your Committee the Charge is groundless, and that the said Gentlemen never have behaved inimical to their Country and have neither taken protection or Parole. Your Committee are therefore of opinion that the said Gentlemen, Mark Allen and Joel McClendon, Esquires, who were suspended from acting in the Commission of the Peace, be released from such suspension. All which is humbly submitted.

JOHN BUTLER, Chmn.
The House taking the Report into Consideration concurred therewith, and ordered it be sent with the following Message to the House of Commons.

Mr. Speaker and Gentlemen:

We send herewith the Report of the joint Committee on the address from Montgomery County. Concluded with by this House.

Received from the Commons a Bill for the more effectual regulation of the Commissary Department. Endorsed in the House of Commons 7 July, 1781. Read the first time & passed.

Ordered said Bill be read. Read second time & rejected.

Whereas, It appears to this General Assembly that the Justices of the County of Rutherford have lately appointed Jonathan Hampton, Esquire, Entry Taker in the room of David Miller in said County, the said Miller neither having resigned nor been impeached of Mal Conduct,

Resolved, Therefore, that the said Jonathan Hampton be no longer considered an Entry Taker of the said County of Rutherford, until said Miller shall be legally Misplaced; and, Resolved, further, that all Entries made or Warrants granted by the aforesaid Jonathan Hampton be and they are hereby declared null and void, as tho' the same had been neither made or granted.

Ordered that the foregoing Resolve with the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve respecting the Entry Officers & Entry Taker of Rutherford County, &c.

Read a Letter of the 7th Inst. from Colonel Davie, Com'y General of this State, and a Letter of the same Date from Mr. Joshua Potts, Superintending Commissary of Halifax District.

Ordered they be referred to a joint Committee; that Messrs. Salter, Jordan & Battle, on the part of this House, be a Committee for this purpose, & that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate have appointed Colonel Salter, Mr. Jordan, & Mr. Battle a Committee to take under Consideration the Letter from the Commissary General herewith sent you, who will for that purpose act with such Gentlemen of the Commons as may be appointed.
We propose that this Committee likewise take under consideration the letter from Mr. Potts, herewith sent, and the condition of the other Superintending Commissaries in this State; we further propose that these Gentlemen bring in a Bill to regulate the Commissary Department.

Adjourned till To-morrow Evening 3 o'clock.

Sunday, 8th July, 1781.
The House met.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence the report of the Committee of Propositions and Grievances and the Petition of Colonel Thomas Wooten, concurred with by this House:

Received the Report referred to, which, being read, was concurred with, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

The Report of the joint Committee with Petition of Colonel Thomas Wooten we return herewith, concurred with.

Received also the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence the Report of the joint Committee on the Memorial of John Humphries, Esquire, concurred with by this House.

Received the Report referred to, which, being read, was agreed to, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

We return herewith the Report of the Committee on the Memorial of Mr. Humphries, concurred with.

On motion, ordered that Genl. Butler, Colonels Irwin & Ramsey be a Committee on the part of this House to report on what Measures ought to be adopted effectually to secure from Ravage the Inhabitants of the Counties of Randolph and Chatham, and that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

This House have appointed Colonels Ramsey & Irwin, & General

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Butler a Committee who will act jointly with such of your Body as may be appointed to report what Measures are necessary to be adopted to secure from Ravage the Counties of Randolph, Chatham & Cumberland.

Adjourned till To-morrow Morning 7 O'clock.

Monday, 9 July, 1781.

The House met.

Received from the Commons a Bill to enable the Governor and Commander in Chief for the time being during the recess of the General Assembly to purchase Arms, Ammunition, &c., for the present War. Endorsed in the House of Commons 9 July, 1781. Read the first time and passed.

Ordered said Bill be read. The same being read, was rejected.

Read a Message from His Excellency the Governor of the 7 Inst.

Ordered it be referred to a joint Committee, and that Messrs. Butler, Irwin & Shepperd act on the part of this House for that purpose, and that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate propose that the Message from His Excellency the Governor of the 7 Inst. be referred to a joint Committee, and for that purpose have appointed Messrs. Butler, Irwin & Shepperd a Committee.

Received from the Commons a Bill to amend an Act passed at New Bern in May, 1780, entitled an Act to enlarge the Jurisdiction of justices of the Peace, and for other purposes. Endorsed in the House of Commons 7 July, 1781. Read the third time, amended & passed.

Ordered said Bill be read. Read, passed the third time and ordered to be Engrossed.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We have appointed Messrs. Balfour, Williams, Hunter, McDowell, Miller & Person to act jointly with the Gentlemen by you appointed to report what Measures are necessary to be adopted to secure from Ravage the Counties of Chatham & Cumberland.

Mr. Speaker and Gentlemen:

The Commons have on their part appointed Messrs. Starkey,
STATE RECORDS.

Person, Lutrell, Smith & Wilson to act with the Gentlemen by you appointed to take under consideration the Letter from the Commissary General and the Letter from Mr. Potis, &c.

Mr. Speaker and Gentlemen:

We return herewith the resolve of your House respecting the Entry Office and Entry Taker of Rutherford County, &c., concurred with by this House.

Received the Resolve above referred to. Endorsed in the House of Commons 9 July, 1781. Conceded with.

Mr. Speaker and Gentlemen:

We return the report of the joint Committee on the address from Montgomery County, concurred with by this House.

Received the Report referred to. Endorsed in the House of Commons 9 July, 1781. Conceded with.

Received from the Commons a Bill to enable the Justices of New Hanover County to hold a Court in any part of the County, and other purposes. Endorsed in the House of Commons 9 July, 1781. Read the second time, amended & passed.

Ordered said Bill be read. Read, amended, passed the third time & sent the Commons.

Colonel Taylor, from the joint Committee to whom was referred the Letter from Gen. Sumner and Colonel Robeson reported as followeth:

The Committee to whom was referred the Letter from Colonel Sumner and Colonel Robeson reported as followeth:

That your Committee are of opinion that for all Arrearages of Pay and Subsistence due the Officers and Soldiers of this State to the first day of August last, on Settlement of their Claims with the State Auditors, they shall be allowed Pay and Subsistence on the Establishment settled by Congress, & the Auditors be required to grant them indented Certificates in Specie, to carry an Interest of 6 per Cent.

And your Committee are further of opinion that in all Cases where the Officers and Soldiers have received their pay in State Currency it shall be accounted for at its real value at the time it was received, according to the depreciation admitted of by Congress.

Also that the Clothier General be directed to settle their Accounts
of Clothing and deliver them what appears to be their due; and in case there is not Clothing sufficient on hand, he is hereby directed to give each Officer a Certificate of what Clothing remains unpaid, that they may receive them at a future day.

Also that a just Proportion of Rum, Sugar, &c., when settled, be delivered to each Officer, according to his rank, and the Delinquents and others turned over to the Cont. Service ought to receive Clothing from the Continental Stores.

JOSEPH TAYLOR, Ch'n.

The House, taking said Report into consideration, Resolve that they do not concur therewith; and ordered that the Letters alluded to be recommitted, and that Messrs. Macon and Coor be added to this Committee, and that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

This House have received and rejected the Report of the joint Committee on the Letters from General Sumner and Colonel Robeson. They propose that these Letters be recommitted, and have added Messrs. Macon and Coor to the Committee.

On motion, Resolved, that Minor Collier and Hammin Man, who may be actually & personally employed in the Iron Works of David Allen, of Surry County, shall be exempted from Militia Drafts of three months, provided they continue in that employ for the Space of Six Months.

Ordered that the foregoing Resolve with the following Message be sent to the Commons:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve in favor of David Allen, of Surry County.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We return you the Resolve of your House in favor of David Allen, concurred with.

Received the Resolve. Endorsed in the House of Commons 9 July, 1781. Concluded with.

Mr. Speaker and Gentlemen:

We have appointed Messrs. Spaight, Smith, Williams and Person
on our part to act with the Gentlemen by you appointed to consider of the Governor's Message of the 7 Inst.

Mr. Speaker and Gentlemen:

This House agree that the Letters from General Sumner & Colonel Robeson be recommitted, and have added to the Committee Messrs. Balfour, Lutrell & Macon.

General Butler, from the joint Committee to whom was referred the consideration of the situation of the Inhabitants of the Counties of Chatham, Cumberland and Randolph, reported as followeth:

The Committee to whom was referred the consideration of the situation of Chatham, Randolph & Cumberland Counties are of opinion that the Commanding Officers of the said Counties ought each to raise a Company of Light Horse, to be raised in the said Counties & the Counties adjoinging, consisting of 20 rank and File, officered by a Captain, Lieutenant & Cornett, who are to be employed separately and collectively, as Circumstances may require, to keep in Subjection and prevent in future the Villainous conduct of the disaffected within said Counties. And that the said Troops when formed be under the immediate command of the Officers who enjoy the oldest Commission, subject, nevertheless, to the direction of the Commanding Officer of the County where the same may be employed.

And your Committee also report that 'tis their opinion that the Commanding Officers be directed to discharge all persons who serve Two Months in the said Light Horse Service from a Tour of duty, and that they be entitled to the same Pay and Rations as other Militia within this State. Also that at the Expiration of their Tour as aforesaid the Commanding Officers of the Counties aforesaid each raise a Company of an equal Number, if to them it seems requisite to be employed in the same kind of Service, and to be entitled to the same Indulgencies as afore mentioned. All which is submitted.

JOHN BUTLER, Chr.

The House, taking this Report into consideration, resolved that they do not concur therewith, and ordered that the subject Matter thereof be recommitted, and that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

This House have read and rejected the report of the joint Com-
mittee on the internal defence of the Counties of Chatham, Randolph & Cumberland, and propose that the subject matter thereof be recommitted.

Received from the Commons a Bill for raising Troops for the defense of this State and for other purposes. Endorsed in the House of Commons 5 July, 1781. Read the third time, amended & passed.

Ordered said Bill be read. The same being read was rejected.

Received from the Commons a Bill to amend and explain an Act entitled an Act for the establishing Courts of Law and regulating the Proceedings therein. Endorsed in the House of Commons 9 July, 1781. Read the second time & passed.

Ordered said Bill be read. Read, passed the second time & sent the Commons.

Mr. Coor moved for leave & presented a Bill for raising Troops from the Militia of this State for the defence thereof, & for other purposes, which was read the first time, passed & sent the Commons.

Received from the Commons the Bill for raising Troops from the Militia of this State for the defence thereof, & for other purposes, which was Endorsed in the House of Commons 9 July, 1781. Read the first time & passed.

Ordered said Bill be read. Read, amended, passed the second time & sent the Commons.

Received from the Commons a Bill for obliging the Counties who have not furnished their quota of Continental Troops as required by a late act of the Genl. Assembly of this State, to furnish the same. Endorsed in the House of Commons 9 July, 1781. Read the first time and passed.

Ordered said Bill be read. Read, passed the first time & sent the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House agree to recommit the Report of the Committee on the Internal Defence of certain Counties therein mentioned, and have added Col. Medlock & Mr. D. Smith to the said Committee.

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve directing the
Commissioners of Trade, or any other persons having public Tobacco in their Hands, to pay Mr. Humphries a certain quantity therein mentioned.

The Resolve referred to being read was rejected.

Received from the Commons the Bill for the relief of such persons as have taken Paroles, & for other purposes. Endorsed in the House of Commons 9 July, 1781. Read the 2nd time & passed.

Ordered said Bill be read. Read, amended, passed the second time & sent the Commons.

Adjourned till To-morrow Morning 6 O'clock.

Tuesday 10 July, 1781.

The House met.

Received from the Commons a Bill allowing Salaries to the Governor, Delegates, Judges of the Superior Courts, Attorney General, Public Secretary, Treasurers, Members of the Council of State & Public Printer. Endorsed in the House of Commons 6 July, 1781. Read the third time, amended and passed.

Ordered said Bill be read. Read, passed the third time & ordered to be Engrossed.

Received from the Commons a Bill to amend an Act entitled an Act to regulate the Militia of this State, & for other purposes. Endorsed in the House of Commons 8 July, 1781. Read the second time, amended & passed.

Ordered said Bill be read. Read, amended, passed the third time & sent the Commons.

Received also a Bill for raising Troops out of the Militia of this State for the defence thereof, and for other purposes. Endorsed in the House of Commons 10 July, 1781. Read the second time, amended and passed.

Ordered said Bill be read. Read, amended, passed the third time & sent the Commons.

Received from the Commons the Bill for continuing the District Auditors, directing their duty in Office, and for other purposes. Endorsed in the House of Commons 9 July, 1781. Read the second time, amended and passed.

Ordered said Bill be read. The same being read, the House resolved itself into a Committee of the whole to take into consideration the amendments necessary to be made therein, John Spicer,
Esquire, in the Chair. Some time being spent therein, Mr. Speaker resumed the Chair & Mr. Chairman reported the several amendments of the Committee, which were read & entered in the Bill, which, being read with the amendments, passed the second time and was sent the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your perusal & Concurrence the report of the Committee appointed to take under consideration the Letter from Colonel Malmedy, and a Resolve of this House entered into in consequence thereof.

Received the Report and the Resolve, which, being read, ordered the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate will concur with the Resolve of your House for raising Dragoon Horses, provided you will dele the Name of Col. Wm. McKenney & insert that of Lewis Bryan, and dele the name of Henry Pope and insert that of James Vaughan.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House have received the Message of yours, proposing Amendments in the Resolve for raising Dragoon Horses, which they approve of, and have made the Resolve conformable thereto.

Adjoined until Tomorrow Morning 9 O'clock.

Wednesday 11 July, 1781.
The House met.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House propose that the number of Delegates from this State to Congress the current year should not exceed four, and propose balloting for those Officers, as also Treasurers, for the respective Districts, and the place where, and the time when the next Session of Assembly shall be held at Four O'clock this evening. And put in nomination for Delegates Samuel Johnson, Abner Nash, Ephraim Brevard, Chas. Johnson, Benj. Hawkins, Phil. Hawkins, jun., James Williams, Archibald McLaine, Alexander Martin and Alexander
Irwin, Esquires. For Treasurers: Robt. Lanier, James Brannon, for the District of Salisbury; Green Hill, for the District of Halifax; Timothy Bloodworth, for the District of Wilmington; William Skinner, for the District of Edenton; Richard Cogdell, for the District of New Bern; Matthew Jones and Memucan Hunt, for the District of Hillsborough. The place for holding the next Session of Assembly: Halifax, New Bern, Nutbush, Smithfield and Tarborough. The time when, the first Monday in November and the second Monday in January next.

Ordered the above Message lie on the Table.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House propose committing that part of General Greene's Letter of the 2 Ulto., which respects Colo. Reed, to a joint Committee to report on, and have on our part for that purpose appointed Messrs. Person, Williams, Macon & Bryan.

Ordered that Colonel Irwin and Colonel Taylor act on this Committee, and that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

Colonels Irwin and Taylor will act with the Gentlemen by you appointed to report on that part of General Greene's Letter alluded to, respecting Colonel Reed.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence the report of the joint Committee to whom was referred the Letter from General Sumner. Concluded with by this House.

Received the Report referred to, which being read was concurred with, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

We return the Report of the Committee on General Sumner's Letter, concurred with by this House.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

The Commons propose Balloting Tomorrow at 4 O'clock in the
Evening for the Officers to command the Troops to be raised out of the Militia of this State, for the defence thereof, and put in nomination for Lieutenant Colonel Commandant, Benjamin Williams; for first Major, Richard Dobbs Spaight, William Brickell, Joel Lewis and Thomas James; for second Major, John Raiford and Wm. Eaton Johnson; for a Major of the Horse, Baron de Globeck, Joseph Hawkins & Guilford Dudley. If you accede to this Message you will signify the same by Message.

Ordered, that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate agree to ballot this evening at the time proposed for Officers to command the State Troops, and put in nomination for Lieutenant Colonel Commandant Benjamin Williams, Philip Taylor, Thos Bloodworth and John Dickenson, Esquire; for first Major, Richard Dobbs Spaight, William Brickell & Joel Lewis, Esqrs.; for second Major Wm. Eaton Johnson, Thomas James, John Raiford & Barnett Pulliam, Esquires; for a Major of the Horse, Joseph Hawkins and the Baron de Globeck.

We propose that Delegates, Treasurers, one member of the Council of State, in the stead of Col. Phil. Hawkins who declines acting, and the time and place for holding the next Assembly be balloted for at the same time. And put in nomination for Delegates Samuel Johnson, William Sharpe, Ephraim Brevard, Robeson Irwin, Phil Hawkins, jun. and Charles Johnson; for a Counsellor John Taylor, Thomas Eaton and Bromfield Ridley; for Treasurers, as nominated by your House; for the next Assembly the place where, New Bern & Salem; the time when, the first Monday in November; Mr. Rogers and Mr. Coor, Superintendents.

Received from the Commons a Bill to enable the Governor, with the advice of the Council, to procure Tobacco for the purpose of obtaining Arms. Endorsed in the House of Commons 9 July, 1781. Read the first time & passed.

Ordered said Bill be read. Read, amended, passed the second time & sent the Commons.

Mr. Rogers and Mr. Coor from the joint Balloting reported, that having agreeable to the order of the House attended the same, on Summing up the votes it appeared that William Sharpe, Samuel Johnson, Charles Johnson and Ephraim Brevard, Esqrs., were
chosen Delegates to represent this State in the Continental Congress; that,

Whitmel Hill, Esqr., was chosen Counsellor in the stead of Philemon Hawkins, Esqr., resigned; that,

William Skinner for the District of Edenton, Green Hill for the District of Halifax, Robert Lanier for the District of Salisbury, Richard Cogdell for the District of New Bern, Timothy Bloodworth for the District of Wilmington, and Matthew Jones for the District of Hillsborough were chosen Treasurers; that,

Benjamin Williams, Esquire, was chosen Lieutenant Com'dr of the State Troops; Joel Lewis, first Major, and the Baron be Globeck, Major of the Horse. That the Assembly is to meet on the first Monday in November next at Salem. That these several appointments were made by a Majority of the Votes of both Houses, and that a second Major in the State Troops remained yet to be balloted for. The House taking this report into consideration Resolved, that they do concur therewith.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House directing the Board of Auditors to allow a certain sum therein mentioned to certain persons in and about Edenton.

The Resolve referred to being read was rejected.
Adjourned till Tomorrow Morning.

Thursday 12 July 1781.
The House met.
Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House for ascertaining the pay of the Members of the General Assembly.

The Resolve referred to being read was rejected and the following Message ordered to be sent the Commons.

Mr. Speaker and Gentlemen:

The Senate have received the Resolve of the Commons ascertaining the Pay of the Members of the Genl. Assembly with which they do not concur but propose that the estimate be made out to include
Saturday next. That the allowances of the Members be four Hundred Dollars per day, for going to attend and returning from the Session which was to have been held at New Bern in April last. Four hundred Dollars per day for coming to and returning from the present Session, and two Hundred Dollars per day for Attendance thereon.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence the report of the joint Committee, to whom was referred the consideration of the Situation of the Counties of Chatham and Randolph. Conceded with by this House.

Received the report referred to, which being read was concurred with, & the following Message ordered to be sent the Commons.

Mr. Speaker and Gentlemen:

The Report of the Committee on the Situation of Chatham and Randolph Counties we return you concurred with.

Received from the Commons the Bill for the relief of such persons who have taken Paroles, & for other purposes. Endorsed in the House of Commons 12 July, 1781. Read the third time, amended and passed.

Ordered said Bill be read. Read, amended by consent of the Commons, passed and ordered to be Engrossed.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve directing the Commissioners of Trade to furnish Mr. Robert Hightower a certain quantity of Tobacco, &c.

Received the Resolve referred to, which being read was concurred with, and the following Message ordered to be sent the Commons.

Mr. Speaker and Gentlemen:

We return herewith the Report of your House allowing Mr. Hightower a quantity of Tobacco therein mentioned. Conceded with.

Received also the following Message:

Mr. Speaker and Gentlemen:

We return herewith the Report of the joint Committee and the
Resolve of your House in favor of Colonel James Reed. Con-
curred with.

Received likewise the following Message:

Mr. Speaker and Gentlemen:

We send for you concurrence a Resolve for appointing a Marshal
for the Court of Admiralty for Port Currituck.

Received the Resolve referred to, which was read, concurred with
and the following Message ordered to be sent the Commons.

Mr. Speaker and Gentlemen:

The Resolve of your House appointing a Marshal of the Court of
Admiralty for Port Currituck we return you concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House have appointed Messrs. Smith, Balfour, Henderson
and Person a Committee on their part who will act jointly with
such Gentlemen as you may appoint, to examine and report on the
Estimate from Congress and remonstrate on the Situation of this
State.

Ordered that Messrs. Coor, Bryan and Irwin act on this Com-
mittee and that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate have appointed Messrs. Coor, Bryan and Irwin, who
will act jointly with the Committee by you appointed to examine
and report on the Estimate from Congress and remonstrate on the
present Situation of this State.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House appointing
a Judge of the Court of Admiralty pro Tempore for the port of Beau-
fort.

The Resolve referred to being read, was concurred with, and the
following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

Your Resolve appointing a Judge of the Court of Admiralty pro
Tempore for the port of Beaufort we return you herewith, concurred
with.
Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

The Commons, thinking the allowance as ascertained by them not more than adequate to their Expenses, wish that the Senate would reconsider and reflect on their own Expenses, after which they think that the Senate will concur in the Allowance as ascertained in their Resolve.

Ordered the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

This House cannot agree that any larger Sum be allowed the Members of Assembly than Five Hundred Dollars per day for going to, continuing at and in returning from the Session which was to have been held at New Bern in April last; Five Hundred Dollars per day for coming to and returning from the present Session and two hundred and Fifty Dollars per day for attending thereon.

Adjourned till To-morrow Morning 7 O'clock.

Friday, 13 July, 1781.

The House met.

Mr. Battle introduced an account of the Honorable Robert Bignall, Esquire, for attendance on the Council Body; whereupon,

Resolved, That Robert Bignall, Esquire, be allowed the Sum of Fourteen Thousand seven Hundred and Forty-four pounds for attendance on the late Council Board; that the Treasurers or either of them pay him the same, and be allowed.

Ordered that the foregoing Resolve with the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve allowing Robert Bignall, Esqr., a certain sum therein mentioned.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve for allowing John Spicer, Sen., Esqr., a certain sum therein mentioned for his attendance on the Council as a Member thereof.

Received the Resolve referred to, which, being read, was rejected; whereupon,
Resolved, That John Spicer, Sen., Esqr., be allowed the sum of nine Thousand and Eighty pounds for attendance on the late Council Board; that the treasurers or either of them pay him the same and be allowed.

Ordered that the foregoing Resolve with the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve allowing John Spicer, Esqr., a certain sum therein mentioned, which we wish to substitute instead of the one on that Head entered into yesterday by your House.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your perusal & consideration a Petition from sundry of the Officers of the Militia of Salisbury District.

The Petition referred to being read, Resolved, that the consideration thereof be deferred until the next Session of Assembly.

Received from the Commons the Bill for continuing the District Auditors, directing their duty in Office, and for other purposes. Endorsed in the House of Commons 13 July, 1781. Read the third time, amended & passed.

Ordered said Bill be read. Read, amended by consent of the Commons, passed and ordered to be Engrossed.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

The Commons agree to your last proposed allowance to be made the Members for their attendance at New Bern and on this present Session.

Mr. Speaker and Gentlemen:

We herewith return the Resolve allowing John Spicer, Esqr., a certain sum therein mentioned, also, the Resolve allowing Robert Bignall, Esquire, a certain sum therein mentioned. Concluded with.

Received the Resolve referred to. Endorsed in the House of Commons 13 July, 1781. Concluded with.

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House for protecting certain of the frontier Counties in this State.
The Resolve referred to being read was concurred with, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

The Resolve of your House for protecting certain of the frontier Counties of this State we return you concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve respecting Bennett Crafton, second Major of the Troops to be raised.

Received the Resolve referred to, which being read, was agreed to and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

The Resolve of your House appointing a second Major to the Troops to be raised for the defense of the State, &c., we return you, concurred with.

Received from the Commons the following Bills:

A Bill to enable the Governor, with the advice of the Council, to procure Tobacco for the purpose of obtaining Arms. Endorsed in the House of Commons 13 July, 1781. Read the second time, amended & passed.

Ordered said Bill be read. Read the third time, amended and passed.

A Bill to compel the Counties who have not furnished their quota of Continental Troops, as required by a late Act of the Genl. Assembly of this State, to furnish the same. Endorsed in the House of Commons 10 July, 1781. Read the second time, amended and passed.

Ordered said Bill be read. Read, amended, passed the second time and sent the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve of this House in favor of Matthew Collins.

Received the Resolve referred to which being read was rejected.

Received from the Commons a Bill to indemnify and absolve from criminal Prosecutions, all such persons as embodied under the
Circumstances, therein mentioned, have put to death any such of the rebellious Subjects of this State as are therein described. Endorsed in the House of Commons 12 July, 1781. Read the second time, amended & passed.

Ordered said Bill be read. Read, amended, passed the second time & sent the Commons.

Received from the Commons a Bill to extend the powers of the Governor & Council on such occasion as is therein mentioned. Endorsed in the House of Commons 13 July, 1781. Read the first time and passed.

Ordered said Bill be read. The same being read was rejected.

Received from the Commons a Bill to amend and explain an Act entitled an Act for the Establishing Courts of Law and regulating the Proceedings therein. Endorsed in the House of Commons 10 July, 1781. Read the third time, amended & passed.

Ordered said Bill be read. The same being read was rejected.

Received from the Commons a Bill to compel the Counties who have not furnished their quota of Continental Troops, required by a late act of the General Assembly of this State, to furnish the same. Endorsed in the House of Commons 13 July, 1781. Read the third time, amended & passed.

Ordered said Bill be read. Read, passed & ordered to be engrossed.

Whereas, it appears to this House by Petition that the Lands of a certain —— Aldridge, Father to William Aldridge of Rowan County, had been taken from him by David Caldwell, one of the Commissioners of Confiscated Property for said County, on suspicion of his, the said —— Aldridge having had bound a son of his heretofore in Arms against the State, which fact the said Aldridge denies and it is yet unproved.

Resolved, therefore, that the said David Caldwell be, and he is hereby ordered and directed, to deliver up the said Land to him, the said Aldridge.

Whereas, Numbers of the Inhabitants of the several Counties in this State, who have heretofore joined and attached themselves to the Enemies thereof, having come to a proper sense of their duty and being duly penitent wish again to be admitted to the Privileges of Citizens, many of whom are now in the Continental Service, and
others have voluntarily enlisted with Brig. Gen. Sumner for the Space of Ten Months, many of the Families of which persons are reduced to Poverty in consequence of the Confiscation Act.

Resolved, therefore, that all persons who have voluntarily enlisted themselves in the Continental Service in any of the Battalions belonging to this State, or who have enlisted for the Term aforesaid with Genl. Sumner and are now in actual Service shall, in consequence hereof, be entitled to receive from the Commissioners of Confiscated Property all Articles and Property of every kind hereunto belonging to them, which Property said Commissioners are hereby required to deliver up, first taking Bond with sufficient Security for the redelivery of such Property when required by the General Assembly.

Read the Petition of Jno. Philip Clapp of Guilford County, praying, &c., whereupon.

Resolved, that Five Negroes, the Property of Jno. Philip Clapp of Guilford County, now in the Possession and care of the Commissioners of Confiscated Property for the county aforesaid, be restored to him, the said Clapp, he first giving Bond with sufficient security to the Commissioners for the delivery of said Negroes when called for by the General Assembly.

Ordered that the foregoing Resolves, with the following Message, be sent the Commons:

Mr. Speaker and Gentlemen:

We send for Concurrence a Resolve in favor of Aldridge of Rowan, also a Resolve in favor of certain persons, heretofore Citizens of this State therein described, and likewise a Resolve in favor of Jno. Philip Clapp of Guilford County.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send you a List of the officers appointed to command the State Troops and propose that two Members be appointed from each House to settle their rank by Lot. We have appointed Mr. Macon & Mr. Payne for that purpose.

Ordered that Colonel Salter & Mr. Macon act on the part of this House for that purpose, and that the following Message be sent the Commons:
Mr. Speaker and Gentlemen:

Colonel Salter and Mr. Macon will act with the Gentlemen by you appointed to settle the rank of the officers appointed to command the State Troops.

Received from the Commons a Bill for the more Speedy Trial of all persons charged with Treason, or Mispriision of Treason against the State or the United States, and other purposes. Endorsed in the House of Commons 6 July, 1781. Read the second time, amended & passed.

Ordered said Bill be read. Read, amended, passed the second time & sent the Commons.

Read the Petition of Joseph Kerr of Rowan County, praying &c., whereupon,

Resolved, That the Commissioners of Confiscated Property for said County delivered into the possession of said Kerr one Slave to be employed in maintaining him, the said Joseph Kerr, until otherwise ordered by the General Assembly.

Ordered that the foregoing Resolve, with the following Message, be sent the Commons:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve in favor of Joseph Kerr, of Rowan County.

Adjourned until To-morrow Morning 9 O'clock.

Saturday, the 14 July, 1781.
The House met.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House in favor of John Hay.

Received the Resolve referred to, which, being read, was rejected.

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve declaring that no Clause or Section in the Act therein mentioned shall affect the Constitutional powers of the Governor.

Received the Resolve referred to, which, being read, was concurred with, and the following Message ordered to be sent the Commons:
Mr. Speaker and Gentlemen:
The Resolve of your House declaring that no Clause or Section in the Act therein recited shall affect the Constitutional powers of the Governor we return you, concurred with.

Received from the Commons the following Messages:

Mr. Speaker and Gentlemen:
We herewith send for your concurrence a Resolve appointing Joseph Hawkins, Esqr., Lt. Colonel of Warren County, S. C.

Mr. Speaker and Gentlemen:
We herewith send for your concurrence a Resolve directing the Clerks of the General Assembly to make out a copy of the Acts of Assembly for His Excellency the Governor.

Received the Resolves referred to in the foregoing Message, which, being read, were concurred with, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:
The Resolve of your House appointing Joseph Hawkins, Esqr., Lt. Colonel of Warren County pro tempore, and the Resolve enjoining certain Duties on the Clerks of the General Assembly we return you, concurred with.

Received from the Commons a Bill to compel all such persons as have received or been entrusted with public Money to account for the same, and for other purposes. Endorsed in the House of Commons 10 July, 1781. Read the second time, amended & passed.

Ordered said Bill be read. Read, amended, passed the second time & sent the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:
We herewith send for your concurrence a Resolve for appointing the Officers to command the Troops to be raised, &c.

Received the Resolve referred to, which, being read, was concurred with, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:
We return herewith the Resolve of your House for appointing the Officers to command the Troops to be raised, &c., concurred with.

Received from the Commons the following Message:
Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House for giving a Bounty of Twenty pounds, &c., to any person enlisting in the Service for one Year.

Received the Resolve referred to, which, being read, was rejected.

Received from the Commons the following Messages:

Mr. Speaker and Gentlemen:

The Resolve of your House in favor of Joseph Kerr we return you, concurred with.

Received the Resolve of this House above referred to. Endorsed in the House of Commons 14 July, 1781. Concluded with.

Mr. Speaker and Gentlemen:

We hereewith send for your concurrence a Resolve of this House in favor of Ephraim Washington, of Granville County.

The Resolve referred to being read, was rejected.

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House in favor of Major Thomas Harris.

The Resolve referred to being read, was concurred with, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

We return your Resolve in favor of Major Harris, concurred with.

Received from the Commons a Bill for the more speedy Trial of all Persons charged with Treason or Misprision of Treason against this State or the United States, and other purposes. Endorsed in the House of Commons 14 July, 1781. Read the third time, amended and passed.

Ordered the said Bill be read. Read, amended by consent of the Commons, passed and ordered to be Engrossed.

Received also a Bill to compel all such persons who have received or have been entrusted with public Monies to account for the same, and for other purposes. Endorsed in the House of Commons 14 July, 1781. Read the third time, amended & passed.

Ordered said Bill be read. Read, amended by consent of the Commons, passed & ordered to be Engrossed.
Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve in favor of

The Resolve referred to was agreed to, and the following Message
ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

The Resolve of your House in favor of John Haywood, Jun., we
return you, concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send you a Letter from His Excellency the Gov-
ernor, which we propose referring to a joint Committee, and have
for that purpose on our part appointed Messrs. Person, Bryan and
Henderson a Committee.

Ordered that Messrs. Coor, Taylor and Macon act on this Com-
mittee, and that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

Messrs. Coor, Taylor and Macon will act with the Gentlemen by
you appointed to consider of His Excellency's Message of Tuesday.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House propose Balloting at 5 O'clock this Evening for a
Delegate in the room of Charles Johnston, Esquire, who declines
accepting the appointment of a Delegate. We put in Nomination

Ordered the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

The Senate agree to Ballot at 5 O'clock this Evening for a dele-
Mr. Coor & Mr. Shepperd, Superintendents.

Read the Petition of Matthew Collins, a disabled soldier, pray-
ing, &c.; whereupon,

Resolved, That the Commissary Genl. of this State or any County
Collector of Provisions for the supply of the Army be directed to
supply the said Matthew Collins annually with five Barrels of Corn and two Hundred Weight of Beef or Pork for the use of himself & family.

Ordered that the above Resolve, with the following Message, be sent the Commons:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve in favor of Matthew Collins.

General Butler, from the Committee appointed to take Joshua Gordon’s Petition under consideration, reported as followeth:

The Committee appointed to take under consideration the Petition of Joshua Gordon report as followeth:

That the said Gordon is an object worthy of the notice of the General Assembly by the Misfortunes he has sustained from his wounds, being entirely rendered incapable of procuring any support, and that it is the opinion of the Committee that he be allowed 25 Barrels of Corn, to be paid by the Commissioner of Franklin County out of the Specific Tax.

The House, taking the foregoing Report into consideration, concurred therewith, and ordered that the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

We send herewith the Report of the joint Committee on the Petition of Joshua Gordon, concurred with by this House:

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House in favor of Thomas Person, Esquire.

Received the Resolve referred to, which, being read, was concurred with, and the following Messages ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

The Resolve of your House in favor of Thomas Person, Esqr., we return you, concurred with.

Received the following Messages:

Mr. Speaker and Gentlemen:

We return the Resolve in favor of Matthew Collins, concurred with.
Received the Resolve endorsed in the House of Commons 14 July, 1781, concurred with.

Mr. Speaker and Gentlemen:

We herewith send for your concurrence the Report of the joint Committee to whom was referred the Petition of John Wilcox, concurred with by this House.

Received the Report referred to, which being read, was concurred with, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

The Report of the Committee on John Wilcox's Petition we return you, concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve empowering the Colonels, &c., to take from the Militia persons to erect waggons.

Received the Resolve referred to, which, being read, was rejected.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve appointing Thomas Dudley, Jun'r, Capt. in the room of Dr. Bunting.

Received the Resolve referred to, which, being read, was concurred with, and the following Message ordered to be sent to the Commons:

Mr. Speaker and Gentlemen:

Your Resolve appointing Thomas Dudley Captain in the room of Dr. Bunting we return you, concurred with.

Mr. Coor and Mr. Shepperd, from the joint Committee appointed to superintend the Balloting for a Delegate in the room of Charles Johnson, Esquire, who declined acting, reported that having, agreeable to the order of the House, performed that service, it appeared on casting up the Ballots that Benjamin Hawkins, Esquire, was by a Majority of the General Assembly appointed Delegate to represent this State in Congress in the room of the said Charles Johnson, Esquire.

The House, taking this Report into consideration, concurred therewith.
Whereas, the powers and authorities of the Commercial Agent and of the Commissioners heretofore appointed for carrying on Trade for the Benefit of this State are now by Law Suspended; and, whereas, it is absolutely necessary that the Effects, Goods and Merchandise now in the hands of the said Agent and Commissioners belonging to this State should be received from them and secured for the use of the Public; therefore,

Resolved, That Robert Bignall, Esquire, be and he is hereby appointed Commissioner for and in behalf of this State to take and receive into his possession all and every the Goods and Effects belonging to this State now in the hands or possession of the late public Agent and Commissioners as aforesaid, and that he keep a fair and particular Account of all such Effects as he may so receive or take possession of, in order that the said Agent and Commissioners respectively may have Credit for the Value thereof in a final Settlement of their public Accounts; and the said Robert Bignall, Esquire, is hereby appointed Commissioner for carrying on Trade for the Benefit of this State until otherwise ordered by the General Assembly; and,

Resolved, further, That the said Robert Bignall, Esquire, before entering on the Execution of his Duty, do give Bond and Security to his Excellency the Governor and his Successors in Office in the Sum of Ten Thousand pounds Specie for faithfully accounting for all such Goods, Wares and Merchandise as he may receive in consequence of this Resolve.

Ordered that the foregoing Resolve, with the following Message be sent the Commons:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve appointing Robert Bignall, Esqr., Commissioner for the purposes therein mentioned.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for concurrence the Report of the Committee appointed to take under consideration the Memorial of Vincent Vass, concurred with by this House.

The Report referred to being read, ordered that the following Message be sent the Commons:
Mr. Speaker and Gentlemen:

The Senate cannot concur with the Report of the Committee in favor of Mr. Vass, but propose that a Certificate of Twenty-five thousand pounds be granted him, exclusive of the Amount of Eighteen hundred Dollars.

Received from the Commons the following Messages:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House in favor of Timothy Bloodworth.

The Resolve referred to being read was rejected.

Mr. Speaker and Gentlemen:

We return the Report of the Committee on the Petition of Joshua Gordon concurred with by this House.

Received the Report referred to in the above Message.

Endorsed in the House of Commons 14 July, 1781. Concurred with.

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House directing the district Treasurers to attend the future Assemblies.

The Resolve referred to being read was concurred with, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

The Resolve of your House directing the district Treasurer to attend the future Assemblies we return you concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We return the Resolve of your house appointing Robert Bignall, Esquire, Commissioner, &c.; also a Resolve of this House in consequence thereof exempting him from Military duty.

Received the Resolves referred to. The former Endorsed in the House of Commons 14 July, 1781, concurred with; the latter being read was agreed to, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

The Resolve of your House exempting Robert Bignall, Esquire, from Military duty we return you concurred with.
Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve recommending to His Excellency, the Governor, to issue a proclamation for the purposes therein mentioned.

This Resolve being read was agreed to, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

We return the Resolve of your House recommending to His Excellency, the Governor, to issue a proclamation for the purposes therein mentioned. Concluded with.

On motion, Resolved, that the State Auditors and their Secretaries be allowed the sum of twenty-four shillings, specie, for each day's attendance on the Duties of their Appointment, and that their respective Secretaries do return an account on oath to the next General Assembly of the number of days each member hath attended as aforesaid.

Ordered that the following Message and the foregoing Resolve be sent the Commons:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve respecting the State Board of Auditors.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This accompanies two Resolves respecting the delegates of this State which attend you for concurrence.

The Resolves referred to in the above Message being read, were agreed to, and the following Message ordered to be sent the Commons:

Mr. Speaker and Gentlemen:

We return the two Resolves of your House respecting the delegates of this State concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

We return the Resolve of your House relative to an allowance to the State Board of Auditors concurred with.
Received the Resolve above referred to, Endorsed in the House of Commons 14th July, 1781. Concluded with.

On motion, Resolved that a future Assembly make a proper and suitable allowance for such persons as His Excellency, the Governor shall appoint as his private Secretary. Also, Resolved that a proper and suitable allowance shall be made to such persons as shall act as Clerk to the Council Board of this State.

Ordered that the foregoing Resolve, together with the following Message, be sent the Commons:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve respecting such persons as may be appointed as Secretary to the Governor or Clerk to the Council of State.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

This House agree to the alteration proposed by the Senate to be made in the allowance to Mr. Vass, and return the Resolve respecting such persons as may be appointed Secretary to the Governor, &c. Concluded with by this House.

Received the Resolved above referred to, endorsed in the House of Commons 14th July, 1781. Concluded with.

On motion, Resolved, that Joel Lane, Esquire, be allowed the sum of fifteen thousand pounds as a compensation in full for house rent, pasturage, &c., for the present Assembly; that the Treasurers or either of them pay him the same and be allowed.

Ordered, that the foregoing Resolve, with the following Message, be sent to the Commons:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve in favor of Joel Lane, Esq. Received from the Commons a Resolve in favor of Mr. Lane. Endorsed in the House of Commons 14th July, 1781. Concluded with.

Mr. Locke, agreeable to leave obtained, entered his protest against the passage of the Bill for continuing the District Auditors, &c., as follows, vizt.:

[The remainder of this Journal is lost.—Ed.]
THE HOUSE JOURNAL---1781.

FROM JUNE 23RD, 1781, TO JULY 14TH, 1781.

[It being the First Session.]

STATE OF NORTH CAROLINA,
IN HOUSE OF COMMONS, 23RD JUNE, 1781,
AT WAKE COURT HOUSE.

The Returning Officers of the several counties within this State certify that the following persons have been duly elected to represent the respective counties in this House, viz.:

Anson—
Beaufort—
Bertie—William Horn and David Turner.
Brunswick—
Bladen—
Burke—
Craven—Wm. Bryan and John Tillman.
Carteret—
Currituck—James Phillips and John Humphries.
Camden—
Caswell—
Chatham—James Williams.
Cumberland—David Smith.
Dobbs—
Duplin—
Edgecombe—
Franklin—William Brickell and William Green.
Guilford—William Gowdy.
Gates—Joseph Reddick.
Halifax—John Branch.
Hertford—
Hyde—
Johnston—Joseph Boon and Hardy Bryan.
Jones—Fred Hargett.
Lincoln—Robert Alexander.
Martin—Sam'l Smithwick and Sam'l Williams.
Mecklenburg—Caleb Phifer and David Wilson.
Montgomery—Robert Moss and Peter Randle.
Nash—
Northampton—John Dawson and James Sikes.
New Hanover—
Onslow—Edward Starkey.
Orange—Robert Campbell.
Pasquotank—
Perquimans—Jonathan Skinner.
Pitt—James Gorham.
Rutherford—James Withrow and David Miller.
Richmond—Edw'd Williams.
Rowan—
Randolph—
Surry—Wm. Lewis.
Sullivan—
Tyrrell—
Washington—
Wayne—
Wake—Burwell Pope and James Hinton.
Wilkes—Joseph Herndon and William Lenoir.
Warren—Jason Hawkins and John Macon.
Hillsborough—
Edenton—
Wilmington—
Halifax—
New Bern—Richard D. Spaight.
Salisbury—

Pursuant to which the following Members appeared and qualified by taking the several Oaths by Law appointed for the qualification of the members of the General Assembly, subscribed the same and took their seats, viz.:

Moss, Peter Randle, Robert Alexander, John Dawson, James Sikes,
Edw. Starkey, Robert Campbell, Jonathan Skinner, Jas. Gorham,
Jas. Withrow, David Miller, Edw. Williams, Wm. Lewis, Edmund
Blount, Joseph Greene, Burwell Pope, Jas. Hinton, John Macon,
Jason Hawkins, Rich. D. Spaight, William Lenoir, Thomas Person,
David Turner, Hardy Bryan, Benjamin Shepperd, James Phillips
and John Humphries.

Mr. Person proposed for Speaker Mr. Thomas Benbury, Esquire,
who was unanimously chosen and conducted to the Chair accord-
ingly.

On motion, John Hunt was appointed Clerk and John Haywood
Assistant.

At the same time John Gooding and James Malloy were appoint-
ed Door Keepers.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate being formed, acquaint you that they are ready to
proceed on Public Business.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The House of Commons are also formed and ready to proceed to
public Business, and propose that the address herewith sent you be
presented His Excellency the Governor.

Resolved, That the following Rules of Decorum be observed dur-
ing the sitting of this House:

1. No Member shall move for any Resolution unless he shall
previously reduce the same, or the purport thereof, to writing.

2. That no person shall pass between the Speaker and the Mem-
ber then speaking.

3. That no Member shall be allowed to speak but in his place,
and after rising and addressing himself to the Speaker shall not
proceed until permitted by the Speakers calling him by name.

4. That no Member shall come into the House or remove from
one place to another with his Hat on.

5. No person shall stand up or disturb another while he is
speaking.

6. That no Member shall speak more than twice on one question
in any debate without leave, unless in a Committee of the whole House.

7. The Speaker ought to be heard without interruption, and when he rises the Member up shall sit down.

8. That no person shall be called on for any words of heat but on the Day in which they were spoken.

9. Whenever the Members are divided the speaker shall determine the question, but not vote on any other occasion.

10. That no Member shall depart the Service of the House without leave.

11. No question shall be put on any motion made unless the same is seconded.

12. When two or more Members are up together, the Speaker shall determine who rises first.

13. Whoever violates any of the above rules shall receive such censure as the House shall direct.

Resolved, That the following Address be presented to His Excellency the Governor:

To His Excellency Abner Nash, Esqr., Governor, &c., in and over the State of North Carolina, Sir:

The General Assembly of the State over which you preside are happy in having it in their power to inform your Excellency that they are at length convened and ready to take under consideration such Dispatches and other public Matter as you may think proper to lay before them.

Resolved, That the Honorable Speaker issue a writ of election to the County of New Hanover to elect two persons for the County, and one for the Town of Wilmington, properly qualified to represent the said County and Town in this House; That the said election be held at any time before the Tenth Day of September next, the returning officer first giving legal notice thereof.

Received from His Excellency the Governor the following Message:

To the Honorable the Members of the General Assembly:

Gentlemen:

Nothing could have induced me to call you together at so inconvenient and disagreeable season of the year but the most pressing necessity. Of this you will be made fully sensible by the late Re-
solves of Congress, the Public Letters and the other State papers which I have now the honor to lay before you, and to which I beg leave to call your most serious attention. You will also no doubt pay a proper attention to the present disordered condition of this unhappy State. It has been our Misfortune, Gentlemen, very lately to see the Enemy march thrice thro' this Country, the last time almost without opposition; and they have been able to hold since February last the important post of Wilmington, with the contemptible Force of about Five Hundred. The Injury and Disgrace of these events are painful to mention, but unhappily they were not to be avoided. The Misfortunes peculiar to this State commenced with the affair of Camden in August last, there it was that we lost our Arms, Ammunition, Waggons, Horses, Tents, and in short every other kind of Military Stores, to equip this Army. We had drained the Treasury, which has never since been replenished sufficient even for the ordinary Expenses of Government, and what was still worse the Terror and Consternation, which on this unhappy occasion was spread thro' the Country by the multitudes who fled from the Field of Battle, discouraged the friends of Government in proportion as it gave new life and spirits to the disaffected. Since this period it has been found almost impossible to draw out the Militia in any order or just proportion, and indeed when men have been found willing to bear Arms, there have been none to put in their hands. For the Truth of all these things I appeal to your own knowledge and observation. As a public officer they have been particularly distressing to me; I know how natural it is among mankind, to charge the Chief Magistrate, (tho' a mere nominal one as I have been) for all the mismanagement and Disorders that happen in a State, without considering whether it has been in his power to remedy or prevent them. The Constitutional power of a Government in this State, is at best but very small, and in a time of War, insufficient for the purposes of Government and Defence. But small as it was, it has for some reasons or other been thought necessary, at every session of Assembly, since I had the honor of filling the appointment, to abridge and curtail it. At the last August Session, all the Executive Power was given to a Board of War; and at the ensuing Halifax Session when I expected my fetters would be removed by a discontinuance of the Board of War, the Command of the Militia was
suddenly taken from me (tho' I left the Assembly on purpose to
take the Command) and given to Major General Caswell, with the
additional and very extraordinary power of raising new Regiments
of Cavalry, and of appointing by his own authority, the officers who
should command them. By these and similar means the legal
authority of the Chief Magistrate has been destroyed, and men not
knowing who to obey, obey nobody. These disorders and many
more which cannot here be enumerated, I hope will be your earliest
care to remedy; not on my own account, for I have undergone so
much incessant Toil and been able to do so little good, owing to the
causes mentioned, that I hope some other person may be now found
to take my place who will be more happy and successful in serving
the public. I consider my time of office as now expired, having
served a year under my appointment and about two months under
an Act of Assembly; but before I conclude I beg leave to recom-
mend to your Consideration the propriety of imbodying a Regular
Force of State Troops in case of the Militia, who for two years past
and upwards, have been so harassed by perpetual Drafts, that I am
convinced it has been the most fruitful source of Disaffection among
our Citizens. In short this kind of service carried to the disgrace
we have seen it of late years is productive of every kind of evil Con-
sequences. Public and Private Arms and Accoutrements are lost;
Household and Husbandry Utensils, Horses and other things useful
to the Farmer are wrested from the owners and never returned. The
public provisions and Ammunition in the respective Counties are
consumed and wasted, and the Cultivation of the Land, so particu-
larly necessary in a time of War, is interrupted and neglected.
These and many more, Gentlemen, are the Evils of the Course we
have pursued, and I leave you to reflect on the Benefits we have
reaped in lieu of them. It will also be necessary to fall on some
well digested plan for the procurement of Arms and other Military
Stores. I have engaged the Marquis de Brestaigne to proceed to
Martinico in a small fast sailing Vessel hired for the purpose and
he now only waits for the Sanction of the General Assembly. I
hope this Business will be speedily taken into consideration as the
Vessel and Hands are an expense. For the proceedings of the COUN-
cil Extraordinary I refer you to their Journal, in the keeping I pre-
sume of their Secretary, who I make no doubt will lay it before you.
A. NASII.
Ordered that the above Message from His Excellency the Governor, together with the Public Papers, &c., therein referred to be sent to the Senate with the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your perusal and consideration a Message from His Excellency the Governor, accompanied by sundry Letters, Resolves of Congress and other Public Papers, which we received at the same time with the Message.

Resolved, That the House will immediately proceed to the important business of defending and supporting this State in the most effectual manner in their power; and that no business of less consequence shall be received or considered without special reason, until this most essential service shall be effected so far as it is in the power of the present Assembly.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve for proceeding immediately to the dispatch of the most important business of this State, &c.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

You will herewith receive the Resolve of your House for proceeding immediately on the most important business of the State. Concluded with.

Whereas, the safety of the present General Assembly is of great consequence to the well being of this State, and the alarming situation of our Enemies rendering a further Security, and other disposition of the Troops appointed and raised, or to be raised, necessary; therefore,

Resolved, That the Commanding Officer of the District of Hillsborough be directed immediately to make a general return to this Assembly of all the Troops, Arms, &c., and their disposition now in actual service for its defense and Security.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House directing the Commanding Officer of the District of Hillsborough
to make a general return to the present Assembly of all the Troops, Arms, &c., now employed in the service of this State in defense of the Assembly, and how they have been disposed.

The House adjourned till To-morrow Morning 9 O'clock.

Sunday 24 June, 1781.

The House met according to adjournment.

The Honbl. the Speaker laid before the House a Letter from Genl. Sumner and two from Genl. Gregory, &c. Ordered that they be sent to the Senate for their perusal.

Mr. Andrew Balfour one of the Members for Randolph, Mr. Joseph McDowell one of the Members for Burke County and Mr. Lewis Williams one of the members for Onslow County, appeared, were qualified and took their seats.

Resolved, That the Speakers of both Houses be requested to wait on His Excellency Governor Nash, and return him the sincere thanks of the General Assembly for his steady, zealous, patriotic and arduous services as Governor of this State at a period so truly alarming to the good Citizens of this State; and that the Speakers inform his Excellency that this Assembly are disposed to exert their utmost endeavours to arrange the resources of this State in such order as shall best tend to render the Government safe, and the Supreme executive duty easy.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House requesting the Speakers of this Assembly to wait on His Excellency the Governor, and present him the thanks thereof, &c.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate have appointed Mr. Coor, Mr. Taylor and General Lock a Committee of Propositions and Grievances, who will act jointly with such Gentlemen of your Body as may be appointed for that purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Commons have appointed Messrs. Person, Henderson, Starkey,
and Payne to act in conjunction with the Gentlemen by you appointed as a Committee of Propositions and Grievances.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Commons propose Balloting for a Governor of this State for the Current Year at 4 O'clock this Evening and put in nomination for Governor Abner Nash, Willie Jones, Samuel Johnston, Samuel Ashe and John Williams, Esquires. Should the Senate accede to this proposition they will signify the same by Message.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

This House have appointed Messrs. Johnson, Coor, Taylor and Lock a Committee who will act jointly with such Gentlemen of the House of Commons as may be appointed to consider of and report on the Letter from the Marquis de Britaigne, herewith sent you.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House have appointed Genl. Bryan, Messrs. Henderson, Eaton, Payne, Tillman, Gorham and Balfour to act jointly with the Gentlemen by you appointed as a Committee to report on the Letter of the Marquis of Britaigne.

Resolved, That Brigadier General Butler be directed to raise a Company of Light Horse immediately, to consist of thirty-three privates properly officered, to rendezvous at Wake Court House, to act as a further Guard and party of Observation for the Defense and safety of the General Assembly.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House directing General Butler to raise a Company of Light Horse as a further Guard to the Assembly.

Received from His Excellency the Governor the following Message:

To the Honorable the General Assembly:

Gentlemen:

Being informed that my name is put in nomination for the Chief
Magistracy of this State, I have to acknowledge my obligations for this Honor done me by my friends; at the same time to request that, in consideration of my excessive fatigue of late and want of health equal to such a Task, I may be excused and my name be struck out of the nomination. The highest reward a Citizen in a free State can receive is the approbation of his Country, and should I be fortunate enough to have answered the expectations of my friends in the course of my last year's administration, I shall think myself amply rewarded for all my vast expenses and Toil.

A. NASH.

Ordered that the above Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House have appointed Messrs. Brickell, Green, Macon and Phifer to act jointly with such Gentlemen as may be appointed by the Senate to take under their consideration the Petition of Joshua Gordon, a Soldier disabled in the Service of this State, as well as the Petitions of all others similarly circumstanced, and to propose such relief for them in one general Report as may to them seem reasonable.

Read the Petition of Joseph Reed, praying relief. Ordered that the same be referred to the Committee appointed to take under consideration the Petition of Joshua Gordon, &c.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

As there is a Troop of Horse in the County of Franklin under the Command of Captain Bledsoe performing a Tour of Duty, who may be ordered to this place immediately, we do not concur with your Resolve for raising a Company of Horse, which will be attended with delay, but wish to substitute in the room thereof the Resolves herewith sent you.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Resolve of your House for ordering Captain Bledsoe, of Franklin County, to report toWake Court House with a Troop of Horse now under his command, concurred with.

Mr. Robert Smith, the Member for the Town of Edenton, and Mr.
Jesse Benton, one of the Members for Orange, appeared, were qualified and took their seats.

Resolved, That the House will To-morrow resolve itself into a Committee of the whole House to consider the present Situation of this State, and the Subjects on which the Bills of a public Nature which are necessary to be passed into Laws this Session ought to be founded.

The House adjourned till 4 O'clock p. m.

The House met according to adjournment.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for concurrence the Report of the joint Committee appointed to take under consideration the Letter from the Marquis de Britaigne; also a Resolve appointing Brigadier General the Marquis de Britaigne Agent for this State to the French Islands in the West Indies; and likewise the Resolve directing the Sheriff of Craven County to procure a certain quantity of Tobacco therein mentioned, for the purposes mentioned, &c.

At the same time, received the Report of the Committee and Resolves referred to in the above Message, which, being read, were concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Report of the Committee appointed to take under consideration the Letter from the Marquis de Britaigne, and the Resolve of your House entered into in consequence thereof, relative to the Importation of Military Stores into this State; also the Resolve directing the Sheriff of Craven County to procure a certain quantity of Tobacco, &c., concurred with.

Resolved, That Brigadier General Caswell be directed immediately to detach Col. Hawkins' Regiment of Cavalry from his Brigade to Wake Court House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House directing
Brigadier General Caswell to detach Colonel Hawkins' Regiment of Cavalry to Wake Court House.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate wish to defer Balloting for a Governor of this State for the current year until To-morrow Evening 4 O'clock, and put in nomination for Governor Samuel Johnston and Thomas Burke, Esquires. Should this be agreeable, you will signify the same by Message.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Commons concur with you in deferring the balloting for a Governor till To-morrow Evening four O'clock.

Received from the Senate the Resolve of this House requesting the Speakers of both Houses to wait on His Excellency Governor Nash and return him the thanks of the General Assembly for his steady, zealous, patriotic and arduous services as Governor of this State, concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

This House have appointed Mr. Hill & General Butler a Committee who will act jointly with the Gentlemen by you appointed to consider of the Petition of Joshua Gordon, and to report on his and the Petitions of all others similarly circumstanced.

The House adjourned till To-morrow Morning 8 O'clock.

Monday, 25 June, 1781.

The House met according to adjournment.

Mr. George Evans, one of the members for Pitt County, & Mr. Thomas Hicks, one of the members for Duplin County, appeared, were qualified and took their seats.

The order of the Day for taking into consideration the present situation of this State, and the Subjects on which the Bills of a public nature which are necessary to be passed into Laws this Session ought to be founded, being called for and read,
Resolved, That the House resolve itself into a Committee of the whole House to take the same under consideration.

The House accordingly resolved itself into a Committee of the whole, and chose James Williams, Esquire, Chairman; and after some time spent therein, Mr. Speaker resumed the Chair and Mr. Chairman reported that the Committee had come to several Resolutions in the Matter referred to them, but not having time to reduce them to form, desired leave to postpone reporting their Resolutions to the House until To-morrow.

Resolved, That they report to the House To-morrow the Resolutions of the Committee.

The Honorable the Speaker of this House, together with the Speaker of the Senate, agreeable to the Resolution of yesterday, attended his late Excellency Abner Nash, Esquire, and presented the thanks of the General Assembly in manner following, viz.:

Sir:

Pursuant to the joint Resolve and request of both Houses of the General Assembly, we wait on you and return you their sincere thanks for your steady, zealous, patriotic and arduous services as Governor of this State, at a period so truly alarming to the good Citizens thereof.

And we are further authorized, Sir, to inform you that this Assembly are disposed to exert their utmost Endeavors to arrange the resources of the State in such order as shall best tend to render the Government safe, and the supreme executive easy as well as Honorable.

To which his late Excellency was pleased to return the following answer:

Gentlemen:

The honors that have been conferred on me by my Country by calling me to the first office in it, and by giving me this Honorable Testimony of their approbation, fills me with gratitude and demands my warmest thanks; 'tis the highest reward a Citizen of a free State can receive. Be pleased, Gentlemen, to make your respective Houses sensible of my gratitude, and assure them that tho' a want of health obliges me to decline the fatigues of my late appointment, I still hold myself answerable to my Country for all the services it may be in my power to render her.
In a particular manner I also beg leave, Gentlemen, to return you my thanks for the polite and friendly manner in which you have communicated to me the sense of the General Assembly.

ABNER NASH.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:
We send for concurrence a Resolve for reinforcing Brigadier General Gregory at North West Bridge.

Mr. Speaker and Gentlemen:
We send for concurrence a Resolve respecting such Counties in the District of Edenton as may have failed to furnish the Provisions ordered by the Governor & Council.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:
The Resolve of your House for reinforcing Brigadier General Gregory at the North West Bridge, and the Resolve respecting such Counties in the District of Edenton as may have failed to furnish the provisions ordered by the Governor and Council, you will here-with receive, concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:
The Resolve of your House directing Brigadier General Caswell to detach Colo. Hawkins' Regiment of Cavalry from his Brigade to Wake Court House you will here-with receive, concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:
We send for concurrence a Resolve relative to the pay of certain Companies of Militia late employed in the defense of the Frontiers of this State.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:
The Resolve of your House relative to the pay of certain Companies of Militia, &c., we return you, concurred with.
Resolved, That Mr. Joseph Kidd, of the Town of Halifax, be appointed Captain of the Guard at Halifax instead of Captain Pw-
ell, now in Captivity with the Enemy, until the exchange of the said Powell; that he be entitled to the same emoluments that the said Powell was entitled to as Captain of the Guard at Halifax previous to his being made a Prisoner by the Enemy, and that he be empowered to augment the number of the said Guard of fifty men.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve of this House appointing a Captain of the Guard at Halifax.

Read the Petition of George Bledsoe, of Franklin County, praying relief. Ordered that the same be referred to the Committee appointed to take under consideration the Petition of Joshua Gordon and others, to examine and report upon.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Resolve of your House appointing a Captain of the Guard at Halifax, &c., we return you, concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve relative to the carrying into effect in Perquimans County the Act for raising men to fill up the Continental Battalions belonging to this State, &c.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate are ready to proceed to the balloting for a Governor of this State for the current year. They have appointed Mr. Coor and Mr. Rogers to superintend the Balloting, and wish to be informed when and where you wish this business transacted.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Commons are also ready to proceed to the balloting for a Governor, and have on their part appointed Mr. SpaIGHT and Mr. Payne to superintend the balloting, and propose that it be conducted at the Court House.
Mr. Spaight, one of the Committee appointed to superintend the balloting for a Governor, reported that Thomas Burke, Esquire, was elected Governor of this State by a Majority of the Votes of both Houses of the General Assembly.

The House, taking the said Report into consideration, concurred therewith.

Resolved, That the Speakers of the General Assembly be requested immediately to send off an express to Thomas Burke, Esquire, acquainting him by Letter that he has been this Day Elected to the Chief Magistracy of this State; at the same time requesting him to repair to Wake Court House, where the General Assembly is now sitting, in order to qualify himself for the office of Governor by taking the Oaths by Law prescribed, and to proceed upon the duties of his appointment; also, that a Lieutenant and fifteen men, mounted, be dispatched with the express to escort him to this place.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve of this House requesting the Speakers of the General Assembly to send off an express to Thomas Burke, Esquire, acquainting him that he has been this day Elected to the Chief Magistracy of this State, &c.

Resolved, That Brigadier General Butler be directed to detach as many Horse as he shall judge necessary immediately to Cross Creek, or as near that place as they can go with safety, in order to procure and bring to this place Intelligence of the movements of the Enemy.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House directing Brigadier General Butler to detach a party of Horse into the neighborhood of Cross Creek in order to gain intelligence of the movements of the Enemy, &c.

The House adjourned till To-morrow Morning 9 O'Clock.

Tuesday, 26 June, 1781.

The House met according to adjournment.

Mr. Williams, from a Committee of the whole House, delivered in the Report as follows:
The House, when resolved into a Committee of the whole House to take into consideration what Acts are necessary to be passed this General Assembly, came to the following Resolutions, viz.:

Resolved, That your Committee are of opinion that it is necessary that a new assessment Law in Specie be passed for the present year, and that the Taxes be collected half yearly in Specie or the currency of this State at the Exchange.

Resolved, That a Specific and pecuniary Tax Law is necessary for the present year.

Resolved, That a Law ought to be passed empowering the judges to hold Courts of Oyer and Terminer in the several Counties for the Trial of offenders in this State.

Resolved, That an Act is necessary for Classing all the able-bodied Men in this State Similar, as far as may be, to the late Regular Law, and draft therefrom four Regiments of Foot Troops of four Hundred each, to serve Eighteen Months as State, under the direction of the Governor and Council, to be commanded by a Brigadier General, and each Regiment to be officered by one Lieutenant Colonel Commandant and one Major; and each Company to consist of fifty men, and commanded by one Captain, two Lieutenants and one Ensign. Also a Regiment of Horse, to consist of four Companies of fifty men, each to be officered by one Major and each Company by a Captain, Lieutenant and Cornet, to be appointed by the General Assembly.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House propose balloting at 4 o'clock this forenoon for a Council of State, and put in nomination for Counsellors Alexander Martin, Willie Jones, Lawrance Baker, Benjamin Seawell, Robert Burton, Phil. Hawkins, Jun., Ambrose Ramsey, John Butler and John Penn, Esquires.

Ordered that the following address be presented to the Honorable Thomas Burke, Esquire:

To the Honorable Thomas Burke, Esquire:

SIR:

At a time so truly alarming and dangerous as the present, when the political existence of this Country depends almost entirely
upon the wisdom and integrity of the Chief Magistrate; with the most flattering expectations and confidence we have selected you, Sir, from the number of our most virtuous Citizens as the most proper one to be intrusted with the important office of Governor of this State for the Current Year. Permit us therefore, Sir, to request that you will qualify to, and take upon yourself the duties of, this appointment, and to assure you that the General Assembly will not be deficient in their best endeavors to make your administration as easy and agreeable as possible.

Ordered that the following Message be sent to the Senate:
Mr. Speaker and Gentlemen:

We send for your concurrence a Message addressed to the Honbl. Thomas Burke, Esquire, &c.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your perusal Letters from the President of Congress and the Delegates of this State at Philadelphia, which we recommend may be read in private.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Resolve of your House requesting that the Speakers of the General Assembly to send off an Express to Thomas Burke, Esquire, acquainting him with the vote of the General Assembly of this Day, &c.; we return you concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House have appointed Messrs. Macon, Phifer and Wilson a Committee on the part of this House to settle up the depreciation of Money to be allowed by the Board of Auditors on Certificates issued for purchases, &c., in Specie, with such Gentlemen of your Body as may be appointed for that purpose.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate agree that the General Assembly ballot at 11 O'lock this Forenoon for a Council of State, and put in nomination Thomas Person, Benjamin Seawell, Richard Henderson, Spruce McCoy, John
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Penn, Genl. Butler, Phil. Hawkins; jun., and Bromfield Ridley. Mr. Coor and Mr. Rogers will superintend the Balloting.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate have appointed Genl. Butler and Colonel Taylor a Committee to prepare and bring in a Bill for raising Troops for the immediate defense of the State. Mr. Coor and Mr. Williams a Committee to prepare and bring in a Bill for laying a Specific Provision Tax for the supply of the Army and Navy employed in the defence of this and the neighboring States, and for levying a pecuniary Tax for the year 1781. And Mr. Coor and Mr. Johnson to prepare and bring in a Bill for the Defense of Ocracoke Bar, &c., who will respectively act with such Gentlemen of your Body as may be appointed for that purposes aforesaid.

Mr. Speaker and Gentlemen:

This House have appointed Messrs. Speaker, Kenan, Coor, Salter, Johnson, Genl. Lock, Mr. Taylor, Genl. Butler and Mr. Irwin a Committee who will act in conjunction with such Gentlemen as may be by you appointed to consider of and Report on the Resolves of Congress and other public papers laid before the Assembly by His Excellency the Governor, and to prepare & bring in bills relative to the subject Matters of such of them as they think proper.

Ordered that the following Messages be sent to the Senate:

Mr. Speaker and Gentlemen:

This House have appointed Mr. Tillman and Mr. Henderson to act with the Gentlemen by you appointed to prepare and bring in a Bill for raising Troops for the immediate defense of the State. Mr. Spaight, Genl. Bryan, Genl. Person and Mr. Macon to act with the Gentlemen you have appointed to bring in a Bill for laying a Specific Provision Tax. Messrs. Smith, Eaton, Horne and Payne to act on the Committee appointed to bring in a Bill for the defense of Ocracoke Bar, &c. Messrs. Person, Hawkins, Bryan, Henderson, Starkey, Jas. Williams and Balfour, to act with the Gentlemen by you appointed to consider of and Report on the Resolves of Congress, &c., and to bring in Bills relative to the subject matter of such of them as they think proper. We also on our part, have appointed Messrs. Henderson, Jas. Williams and Smith to act with
such Gentlemen as you may think proper to appoint for the purpose of preparing and bringing in a Bill for establishing Courts of Oyer and Terminer in the several Counties of this State for the trial of offenders. Messrs. Williams, Bryan, Person and Starkey, to prepare and bring in a new Assessment Bill.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate have received your proposed address to the Honbl. Thomas Burke, Esqr., which they have thought proper to reject. They now propose that a member be appointed on the part of each House to wait on Mr. Burke, inform him of the vote of the General Assembly of yesterday respecting the Chief Magistracy of this State, and request him to acquaint the respective Houses when he will attend and qualify, at which time we propose that he be addressed by the Speakers of this Assembly in the usual manner.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House agree that a member from each House be appointed to wait on Mr. Burke and inform him of the vote of the General Assembly of yesterday respecting the Chief Magistracy of this State, and request him to acquaint the respective Houses when he will attend and qualify, &c. We have appointed Mr. Spaight on the part of this House for that purpose.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate have appointed Col. Williams, Mr. Rogers and Mr. Macon a Committee to act with the Gentlemen by you appointed to settle up the Depreciation of Money to be allowed by the Board of Auditors on Certificates issued for purchases, &c.

Resolved that Mr. Spaight and Mr. Payne be appointed to superintend the Balloting for a Council of State.

Mr. Spaight one of the Committee appointed to Superintend the Balloting for a Council of State Reported that Philemon Hawkins, Jun., Spruce McCoy, Willie Jones, Benjamin Seawell, John Penn, John Butler and Edward Jones, Esquires, were Elected a Council of State by a Majority of the votes of both Houses of the General Assembly.
The House taking the said Report into Consideration concurred therewith.

Mr. Spaight one of the Gentlemen appointed to wait on the Honbl. Thomas Burke, Esquire, and acquaint him of the vote of the General Assembly of yesterday respecting the Chief Magistracy & at the same time to request his attendance at the State House to qualify as Governor and have the Honors of Government conferred on him, after some time returned and Reported that he, together with one of the Members of the Senate had waited on the Honbl. Thomas Burke, Esqr., and made him acquainted with the vote of the General Assembly, who returned for answer that he would wait upon the General Assembly at 6 O'clock in the afternoon.

The House adjourned till half after 5 O'clock p. m.

The House met according to adjournment.

Mr. Thomas Tullock, the Member for the Town of Hillsborough appeared, was qualified and took his seat.

On motion Resolved, that Mr. Campbell one of the Members for Orange County, have leave to absent himself from the service of the House until Saturday next.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate have appointed Col. Taylor, Col. Irwin and Mr. Macon a Committee to act with the Gentlemen by you appointed to prepare and bring in a Bill for establishing Courts of Oyer and Terminer, &c., but do not think it necessary to appoint a Committee to bring in a new assessment Bill.

Colo. Henderson moved for leave to prepare and bring in a new assessment Bill. Ordered that he have leave accordingly.

The Honorable Thomas Burke, Esquire (attended by Mr. Spaight and Col. Williams), agreeable to the request of the General Assembly, attended at the State House in order to qualify as Governor and have the Honors of Government conferred on him.

Mr. Speaker of the Senate and Mr. Speaker of the House of Com-
mons being seated, and the General Assembly present, Mr. Speaker of the Senate addressed him as follows:

To His Excellency Thomas Burke, Esquire, Governor General and Commander in Chief in and over the State of North Carolina:

SIR:

Yesterday the General Assembly proceeded to the Choice of the Chief Magistrate to preside in the executive Department of the Government of the State, when you, Sir, was Elected to that high and important office by joint Ballot of both Houses, the first mark of public regard that this Free and Independent and Sovereign State can shew its most worthy Citizens. It gives us a peculiar pleasure to have at the head of the Executive a Gentleman on whose integrity, firmness and abilities we can rely with confidence, at a time this State is invaded by a Cruel Enemy and threatened with all the Horrors of War, which to oppose and avert, call for the most Spirited Exertions of this Country, that Independence and Peace be Secured to it on a lasting Basis.

We assure you, Sir, that nothing shall be left undone on the part of the Legislature which may tend towards the General Defence and to make your Administration easy, happy and Honorable. To you, therefore, Sir, as the first Executive Magistrate of this State, we commit and deliver the Bills of Rights and the Constitution, the one ascertaining the Civil and Political Rights of the free Men of this Country, the other giving existence to your office and the present happy form of Government; that the same, under your Guardian care may be preserved inviolate—supported, maintained and defended—we present you with this Sword as an emblem of that power and authority with which you are invested to support and defend the Rights and Liberties of the People; to chastise the guilty and all Enemies and opposers whatsoever to this Government, at the same time tempering with Mercy the justice of the State when suitable objects of clemency fall before it.

We do therefore, in full confidence of the high trust reposed in you for and in behalf of the free people of this State, announce and proclaim you, Thomas Burke, Esquire, Governor, Captain General and Commander in Chief in and over the State of North Carolina, of which all the good and liege people of the same are to take notice and Govern themselves accordingly.
To which His Excellency returned the following answer:

Mr. Speaker of the Senate, Mr. Speaker of the House of Commons and Gentlemen of the General Assembly:

I feel myself impressed with a deep sense of gratitude to the representative Body of my Country for this unexpected Honor and distinguished mark of their confidence, and sincerely wish the object of their choice were more worthy and more equal to that arduous dignity to which they have been pleased to raise him. At any period less difficult, dangerous and critical than the present, I should beg leave to decline an office so much above my abilities—so illy suiting my private inclinations and circumstances—but no consideration of private inconvenience or of difficulty or danger should deter me from any duty to which my country may call me while affairs labor under unfavorable appearances. I therefore consent to take upon me the office and dignity to which the Honorable the General Assembly have been pleased to Elect me, and shall entirely devote myself to the Establishing of Internal peace, order & economy and security from External Enemies.

I rely on the assurance that the Legislature will do everything to enable the Executive Authority to fulfill the great and important purposes of its Institution, and I indulge the pleasing hope that we shall soon see our Country emerging from its present state of disorder and Calamity into a flourishing state of Strength, opulence and security. Such happy event will fulfill every wish of mine, and should my administration contribute thereto, I shall repine at no circumstance with which it may be attended, however unpleasant to my private feelings.

I request, Gentlemen, Speakers of both Houses, to accept my thanks for the politeness of the manner in which you have signified to me the pleasure of the General Assembly.

After which the Honbl. Thomas Burke, Esquire, qualified as Governor of the State of North Carolina before the Honbl. Samuel Ash and John Williams, Esquires, two of the Judges of the Superior Courts of Law, and in presence of the General Assembly, by taking the Oaths by Law appointed for the qualification of public officers, and was proclaimed at the Door of the State House Governor, Captain General and commander in Chief in and over the
State of North Carolina, and was then waited upon by the Speakers and Members of the General Assembly to his lodgings.

The House adjourned till To-morrow Morning 10 O'clock.

Wednesday, 27 June, 1781.

The House met according to adjournment.

Mr. John Lutrell, one of the Members for Chatham County, and Mr. Charles Medlock, one of the Members for Richmond County, appeared, were qualified and took their Seats.

Resolved, That General Person, Mr. Jas. Williams and Mr. Starkey be a Committee to examine and report what Laws have become obsolete or expired, and report the same to the House.

Mr. Macon moved for leave and presented a Bill for the relief of all such persons as are rendered incapable of procuring themselves and Families Subsistence, by wounds received in defence of their Country, and for other purposes, which was read the first time, passed & sent to the Senate.

Resolved, That the following Address be presented His Excellency the Governor:

To His Excellency Thomas Burke, Esquire, Governor, Captain General and Commander in Chief in and over the State of North Carolina.

Sir: The General Assembly yesterday proceeded to the Choice of a Council of State for the current year, when Phil. Hawkins, Jun., Spruce McCoy, Willie Jones, Benjamin Seawell, John Penn, John Butler and Edward Jones, Esquires, were Elected Members thereof. You will therefore, Sir, look upon those Gentlemen, after they have properly qualified to their appointment, as the Council of State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your approbation a Message proposed to be addressed to his Excellency the Governor.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

Your proposed Message to His Excellency the Governor this House approve of, and have appointed Captain Macon to wait on him with the same.

Mr. Brickell moved for leave and presented a Bill for appointing processioners in this State, and other purposes, which was read the first time, passed & sent to the Senate.
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Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate propose that the Letter from the Att'y General of this State, herewith sent you, be referred to the Committee appointed to settle up the Depreciation of Money to be allowed by the Board of Auditors on Certificates issued for purchases, &c., to consider of and report on.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Commons concur with the Senate in referring the Letter from the Attorney General to the Committee appointed to settle up the depreciation of Money to be allowed by the Board of Auditors on Certificates issued for purchases, &c., to consider of and report on.

Read the remonstrance and Memorial of a number of the Inhabitants of Franklin County.

Ordered that the same be referred to the Committee of propositions and Grievances.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your perusal the remonstrance of a number of the Inhabitants of Franklin County, which we propose referring to the Committee of propositions and grievances.

Received from the Senate the Bill for the relief of all such persons as are rendered incapable of procuring themselves and families subsistence, by wounds received in defence of their Country, and for other purposes. Endorsed in Senate 27 June, 1781. Read the first time & passed.

Received from His Excellency the Governor the following Message:

To the Honorable the General Assembly:

Gentlemen:

I send herewith a Letter from the Commanding Officer of his Britanic Majesty's Troops at Wilmington on a Subject which may involve serious consequences, and having yet no Council whom I could Constitutionally consult, I beg leave to lay before you the answer which I judge proper to be made, and hope the importance of the subject and its Eventual consequences will excuse me for troubling you for your advice.
At the same time, received the Letter referred to in the above Message, which, being read, Resolved that His Excellency the Governor forward the same to the Commanding Officer of his British Majesty's Troops at Wilmington.

Ordered that the following address be presented His Excellency the Governor:

To His Excellency Thomas Burke, Esqr., Captain General, Governor and Commander in Chief in and over the State of North Carolina.

Sir:

Your Excellency's Letter of the 27 Instant to Major J. H. Craig, in answer to his Letter of the 20th on the subject therein contained, the General Assembly highly approve of.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your perusal a Message from His Excellency the Governor, with the answer to Major Craig's Letter, which we highly approve of; we also send for your perusal a Letter from General Gregory and a Letter from Colonel Robeson.

Received from the Senate a Bill for appointing processions in this State, and other purposes. Endorsed in Senate 27 June, 1781. Read the first time & passed.

Mr. Macon, from the Committee appointed to settle up the depreciations to be allowed by the Board of Auditors on Certificates issued for purchases, &c., in Specie, delivered in the Report, which, being read, was rejected.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve citing William Gilbert, of Rutherford County, to appear at the next Session of Assembly; we send also the affidavits which induced this House to enter into this Resolve.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Resolve of your House citing William Gilbert, of
Rutherford County, to appear at the next Session of Assembly, concurred with.

Read the Petition of David Allen and others, of Surry County, praying, &c. Ordered that the same be referred to a joint Committee; that Messrs. Phifer, Williams, Gowdy, Person, Lewis and Lenoir be a Committee on the part of this House for that purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your perusal the Petition of David Allen and others relative to certain Iron Works Erected on the Yadkin River, which we propose referring to a joint Committee, and have on our part appointed Messrs. Phifer, Williams, Gowdy, Person, Lewis and Lenoir a Committee.

On motion, Resolved that Mr. John Macon, one of the Members for Warren County, have leave to absent himself from the service of this House until Monday next.

The House adjourned till To-morrow Morning 9 O'clock.

Thursday, 28 June, 1781.

The House met according to adjournment.

Mr. Samuel Cain, one of the Members for Bladen County, appeared, was qualified and took his Seat.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We agree that the remonstrance of sundry Inhabitants of Franklin County be referred to the Committee of propositions and Grievances.

Mr. James Williams moved for leave and presented a Bill to condemn the property of all Tories in this State that have imbibed and plundered the good Citizens thereof, and for subjecting such property to make retaliation to those persons who have suffered by their depredations, and other purposes, which was read the first time, passed and sent to the Senate.

Whereas, a certain Mr. James Biggleston, late Secretary to Gov. Martin, having been confined on Parole to certain limits in Craven County, and it having been represented to the General Assembly that to admit the said James Biggleston to remain on Parole any longer in this State would be impolitic,

Therefore Resolved, that he be discharged from his Parole, and
that His Excellency the Governor, be requested to order the said James Biggleston forthwith to remove himself, his Family and personal property to New York, Charlestown, the West Indies, or within the British lines.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House for discharging Mr. James Biggleston and requesting His Excellency the Governor, to order the said Biggleston to remove himself, &c., to New York or elsewhere.

Resolved, That Mr. J. Green, Wm. Bryan and Mr. Smith be a Committee on the part of this House to enquire into the situation of the North Carolina Officers and Soldiers in Captivity at Charles Town, the supplies which have been forwarded them & such further supplies as are necessary.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House have appointed Messrs. J. Green, Wm. Bryan and Smith a Committee on their part, who will act jointly with such Gentlemen of the Senate as may be appointed to enquire into the situation of the North Carolina officers and soldiers in Captivity at Charles Town, and the supplies which have been forwarded them, and such further supplies as are necessary.

Mr. William Green moved for leave and presented a Bill to encourage the importation of Salt and Iron into this State, which was read the first time, passed and sent to the Senate.

Read the Memorial from a number of the Merchants of the Town of Edenton. Ordered that the same be referred to a joint Committee. That Messrs. Eaton, Balfour, Starkey and Payne be a Committee on the part of this House for that purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you the Memorial of a number of the Merchants in Edenton which we propose referring to a joint Committee, and have on our part for that purpose appointed Messrs. Eaton, Balfour, Starkey & Payne a Committee.
Resolved, That the Commissioners of Trade deliver to Colonel Benjamin Seawell, or order Thirteen hundred and Thirty three pounds weight of Merchants Tobacco at Market for two Rheams of writing paper furnished for the use of the present General Assembly, which shall be allowed them on the settlement of their accounts.

Ordered that the following Messages be sent to the Senate:

Mr. Speaker and Gentlemen:
We herewith send for your concurrence a Resolve of this House in favor of Colonel Seawell.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:
We send herewith the Report of the joint Committee appointed to prepare a Bill for raising regular Troops for the immediate defense of the State. We have added Col. Williams to this Committee and propose that a Member be added on the part of your House. That any instructions you may have given those already appointed be rescinded, as special instructions to a Committee from one House, not concurred in by the other, prevents that freedom of Debate in both Houses so essential a privilege in the Legislature. We recommend that the Committee proceed on the Bill in the usual way without restraint which on its passage may be so modeled & amended as the two Houses can agree.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:
We have received your Message relative to the Committee appointed to prepare a Bill for raising Regular Troops, &c., and have on our part added to that Committee Genl. Person and Col. Hawkins.

Resolved, That the Treasurers, or either of them, furnish Colo. Elijah Clark of Wilkes County, in the State of Georgia, with thirty Thousand Dollars for which they, or either of them, shall be allowed in the settlement of their public accounts.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:
We send for your concurrence a Resolve of this House in favor of Col. Clark of Wilkes County in Georgia.
Received from the Commons the following Message:

Mr. Speaker and Gentlemen:

Colo. Williams, Mr. Spicer & General Butler will act with the Gentlemen by you appointed to enquire into the Situation of the North Carolina Officers, &c.

Mr. Speaker and Gentlemen:

Mr. Collier and Mr. McKenzie will act with the Gentlemen by you appointed to consider of the Petition of David Allen and others.

Mr. Spaight moved for leave and presented a Bill for levying a pecuniary & Specific Tax for the year 1781, which was read the first time, passed & sent to the Senate.

Mr. James Williams moved for leave and presented a Bill to empower the Governor to issue Commissions of Oyer and Terminer and General Gaol delivery, which was read the first time, passed and sent to the Senate.

Received from the Senate a Bill for protecting the Navigation of Ocracoke Bar.

A Bill to encourage the Importation of Salt and Iron into this State.

A Bill to condemn the property of all Tories in this State that have imbibed and plundered the good Citizens thereof, and for subjecting such property to make retaliation to those persons who have suffered by their depredations, and other purposes. Endorsed in Senate 28 June, 1781, read the first time & passed.

Mr. Hawkins moved for leave and presented a Bill for appointing District Auditors for settling the pay of the Militia and other Claims against the State, which was read the first time, passed and sent to the Senate.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

We return the Resolve of your House in favor of Colonel Seawell concurred with.

Mr. Speaker and Gentlemen:

Messrs. Macon, McKenzie and Salter will act with the Gentlemen by you appointed to consider of and Report on the remonstrance of the Merchants of Edenton.
Mr. Speaker and Gentlemen:

We send for concurrence a Resolve relative to the Commissioners of Trade.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Resolve of your House relative to the Commissioners of Trade you will herewith receive concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve in favor of the Attorney General of this State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House in favor of the Attorney General of this State concurred with.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

The Resolve of your House relative to Mr. Biggleston we return you, concurred with.

Mr. Speaker and Gentlemen:

We return the Resolve of your House in favor of Colonel Elijah Clark, of Wilkes County, in the State of Georgia, concurred with.

Received from the Senate a Bill for appointing District Auditors for settling the pay of the Militia and other Claims against this State.

A Bill for levying a Money and Specific Tax for the year 1781.

A Bill to empower the Governor to issue Commissions of Oyer and Terminer and General Gaol Delivery. Endorsed in Senate 28 June, 1781. Read the first time and passed.

The Bill for appointing processioners in this State, and other purposes, was read the second time and rejected.

Mr. Smith moved for leave to withdraw and amend the Bill for the relief of all such persons as are rendered incapable of procuring themselves and families subsistence, &c. Ordered that he have leave.

The Bill for the protecting the Navigation of Ocracoke Bar & the
Sounds and Rivers communicating therewith was read the first time, passed & sent to the Senate.

Read a Petition from a number of the Inhabitants of the County of Guilford, praying, &c. Ordered that the same be referred to the Committee of propositions and Grievances.

Read the Petition of Burwell Pace. Ordered that the same be referred to a joint Committee; that Messrs. Lewis, Phifer, Alexander and J. Williams be a Committee on the part of this House for that purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your perusal the Petition of Burwell Pace, which we propose referring to a joint Committee, and have on our part appointed Messrs. Lewis, Phifer, Alexander and J. Williams a Committee.

Read the Petition of Ephraim Alexander, late of Mecklenburg County, praying, &c., which was rejected.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate have appointed Colonel Irwin, Colonel Taylor and Mr. Johnson a Committee who will act jointly with such of your Body as may be appointed to prepare and bring in a Bill for regulating the Commissary Department in this State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Commons have appointed Messrs. J. Green, Horn, Person, Williams and Benton a Committee on their part who will act with the Gentlemen by you appointed to prepare and bring in a Bill for regulating the Commissary Department.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate propose that the Letter from the Brigadier General Sumner, also the Letter from Colonel Robeson, herewith sent you, be referred to a joint Committee to consider of and report on, and have on their part appointed Messrs. Kenan, Williams and Taylor for that purpose.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Commons have appointed Messrs. Williams, Tillman and Gorham to act with the Gentlemen by you appointed to consider of and report on the Letter from Brigadier General Sumner and the Letter from Colo. Robeson.

Received from His Excellency the Governor the following Message:

To the Honorable the General Assembly:

Gentlemen:

I have the Honor to lay before you a letter just received from Major General Green, by Colo. Reed, and I presume to join my own wish in favor of that deserving officer, and beg leave to recommend him to the attention of the General Assembly. I must also request the Assembly to point out the means whereby the dragoon Horses requested by the General may be procured. Sensible as I am of the utility of such a supply, it would give me great pleasure to be able to send them forward without delay, if the circumstances of the State will admit it.

THOS. BURKE.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you a Message from his Excellency the Governor addressed to the General Assembly, accompanied by a Letter from the Honbl. Major General Greene, of the 11th Instant.

The House adjourned till Tomorrow Morning 9 O'clock.

Friday, 29th June, 1781.

The House met according to adjournment.

Mr. J. Williams moved for leave and presented a Bill for authorizing the juries in all Trials in the Courts of Law in future to allow depreciation, if any there be, on the present Currency in this and the United States, which was read the first time, passed & sent to the Senate.

The Bill to encourage the Importation of Salt and Iron into this State was read the second time, passed & sent to the Senate.
Received from the Senate a Bill for the speedy trial of persons accused of Treason, Misprison of Treason, Counterfeiting the Currency of this State or the United States, and for other Crimes, and for determining what persons fall within the description of the Con
ciscation Acts, and other purposes. Endorsed in the Senate 29 June, 1781. Read the first time & passed.

Received from His Excellency the following Message:

To the Honorable the General Assembly.

Gentlemen:

I beg leave to lay before you a state of the affairs of the public, as far as the little time and opportunity I have had will allow me, and also such objects as appear to me necessary for the public safety and utility.

I perceive the Country everywhere unprepared for defence—without Arms, without discipline, without arrangements—even the habits of Civil order and obedience to Laws changed into a licentious Contempt for Authority and a disorderly indulgence of violent propensities. Industry is intermitt, agriculture much deceived and Commerce struggling feebly with almost insuperable difficulties. The public money is unaccounted for, the Taxes uncollected or unproductive, the Individuals Creditors to the public for the whole produce of their Industry for years past, and the Treasury utterly unable to make payment.

The greatest exertion of wisdom and vigor are necessary for remedying those Evils, and effectual measures can only be taken by the General Assembly.

The first object deserving their attention is the defence of the Country from external Enemies; and experience has taught us that the Militia, in its present state, is very Inadequate to prevent ravages from almost any Collected Body of Troops; that the short period for which the Militia are called into service render them inadequate either to defensive or offensive operations, and yet a burden almost insupportable to the people.

This points out as the only effectual remedy, the Establishment of a force composed of officers, non-Commissioned officers and some proportion of privates to be kept in service during a period which may enable the Community to receive the benefit of that
firmness and dexterity which is acquired only by discipline and experience, and prevent the frequent drafts & substitutions, which tho' very burthensome, are of little Utility. A force competent to every occasion, might require too great a number of the people to be kept constantly in Arms, and incur an expense which may without injury to the public safety be spared, provided the standing Troops can be occasionally re-inforced, and reduced again to their ordinary establishment. I am therefore persuaded it would be eligible that the Battalions and Companies be organized so as to be capable of admitting an Augmentation or diminution of force without change or increase of officers.

In order to render any Corps efficient for the defence of the Country, Cavalry and Artillery with their proper appointments will be absolutely necessary, and adequate provision for supplying Clothing, subsistence, Arms, Ammunition, intrenching Tools, Tents and Camp requisites will be found so necessary that without them, every other expense will in a great measure be thrown away.

A good Corps of Artificers, well regulated and attended to, will prove a great advantage in making and repairing several necessaries and they will prove a great saving to the public. If adequate power be given, such a Corps can be formed from the Militia, to the satisfaction of Individuals, and without inconvenience to the people.

Arms, Ammunition and some other necessaries can only be obtained from abroad, and a contract with good reputable Merchants for the delivery of them in America, at stated prices, is probably the most cheap and certain means for procuring them. The State of Maryland contracted with Mr. Holker, the Consul of France, for supplying them with Arms and other necessaries to be delivered in America and paid for here in Tobacco or flower, and at what appeared to me a reasonable price. I made application to Mr. Holker, who very readily agreed to enter into a similar Contract with this State, provided good security could be given for payment, and even consented that the payment of the principal might be delayed to a time that might be convenient for the State, provided the payment of Interest could be secured annually. I apprehend a State so abounding in property and resources as this, can be at no loss to assign adequate funds for the performance of such a Contract.

The discipline of the Militia always of importance in a free
Country, becomes of the highest Consequence in time of War. I doubt not therefore, that upon a revision of the Militia Laws, if adequate power be not already given for this purpose, the Executive power will be enabled to cause discipline to be instituted and perfected, so as to make the Militia useful Soldiers, for it is never to be forgotten that Peace can only be procured or maintained by being in prompt readiness to avenge Insults and to repel attacks.

The next great object is the revenue or finance of the State, the wise arrangement and prudent management whereof, are of so great importance, that on them depend the operations of every department of government. On them depend the vigor of Arms and prosperity of the people. Military operations will be easy, expeditious and effectual, if supplies are furnished cheerfully and speedily. Supplies will always be furnished in great abundance and with alacrity if the Individual can receive a just and desirable equivalent, such equivalent will excite to Industry and thereby create inexhaustible resources. The having of that equivalent in the public Treasury depends on the operations of finance. This important object requires a severe exactness in the Collection of Taxes which will not be the less productive for being moderate and in the settlement of public accounts; also, prudent, though not parcimonious economy in expenditures. And above all things it requires an inviolable observance of all engagements entered into by the public with individuals, which ought always to be the most sacred as the Individual can have no compulsory remedy against the public, and therefore, will not be brought to trust them with his property, but upon that assurance and Confidence which always arise from the administration of public affairs upon the principles of candid integrity. Nothing can be more injurious than having recourse to force for obtaining what it ought to be every man’s interest to supply; such a measure never fails to produce such derangements as we now labor under.

Tho’ much amendment is necessary in this great department, it is probable that all that can be done by the present Assembly, is to provide effectually for calling to speedy account and payment all public Collectors and other accountants; and laying Taxes for defraying the public Expenses and other purposes of Government, providing funds for the performance of public contracts for supplies.
Here I beg leave to suggest that the laying of particular Taxes for particular objects and assigning them sacredly to such objects will be one great step towards producing clearness and order in the public accounts and restoring public Credit.

The numberless hands at present employed in the Collecting of the public revenue exhaust much of the product and create perplexities and difficulties without end in the public accounts. The Collectors have neglected to settle with the County Courts, and thus the first neglect entirely prevents every measure for clearing the public Accounts and compelling the due Collection of the revenue. Commerce, on which so much of the prosperity of agriculture and of all sorts of Industry in every modern Community depends, would soon regain a flourishing state if the Merchants of all denominations were protected in their property and assured of punctual payments, as no Country can be supplied with foreign Commodities, or find Markets for the abundance arising from Industry, but by the Intervention of Commerce; so it is evidently necessary for exciting Industry and furnishing the necessities and Conveniences of Life. That Enterprise which is inseparable from it will always make it flourish if it finds protection; this is all it requires. Regular Taxes and Impost are not even unfavorable to its growth, if they be not laid very injudiciously or levied oppressively. I cannot help declaring my wishes that this Delicate subject were put on a footing that might secure it from violence, and leave it in everything else to the Energy of private Enterprise and the natural operations of its own principles. The mistakes which I have observed in our own and in other Governments and their bad effects, have Induced me to touch on this subject.

I find myself obliged to trespass a little further on the patience of the General Assembly, to request their attention to the peculiar distress arising from that Internal War which is raging with intemperate fury in some parts of the State between the well affected and ill affected Citizens, and which has produced enormities dangerous in their example to all good Government and cruelly fatal to Individuals. Perhaps the most humane as well as the most prudent Council would be to reclaim all that are reclaimable of our ill advised and deluded Citizens, and expel the incorrigible by force of Arms.

THOS. BURKE.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you a Message from his Excellency the Governor, Addressed to the General Assembly.

The Bill for the speedy Trial of persons accused of Treason, Mispriision of Treason, Counterfeiting the Currency of this State or the United States, and for other Crimes, and for determining what persons fall within the description of the Confiscation Acts, and other purposes, was read the first time, passed & sent to the Senate.

Resolved, That the Bill for levying a Money and Specific Tax for the year 1781 be read To-morrow Morning the second time.

Resolved, That Colonel Hawkins, Mr. Smith, Genl. Bryan, Mr. Molton, Mr. Wilson and Mr. Tullock be a Committee to ascertain the prices of Articles impressed or furnished the public, and make Report to the House.

The Bill to condemn the property of all Tories in this State that have imbodied and plundered the good Citizens thereof, and for subjecting said property to make retaliation to those persons who have suffered by their depredations, and other purposes, was read the second time, passed and sent to the Senate.

The Bill to empower the Governor to issue Commissions of Oyer and Terminer and General Gaol delivery was read the second time, amended, passed & sent to the Senate.

Received from the Senate a Bill for protecting the Navigation of Ocracoke Bar and the Sounds and Rivers communicating therewith. Endorsed in Senate 29 June, 1781. Read the second time & passed.

The Bill for authorizing the juries in all Trials in the Courts of Law in future to allow depreciation, if any there be, on the present Currency of this and the United States. Endorsed in Senate 29 June, 1781. Read the first time & passed.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your perusal a Letter from Benjamin Hawkins, Esqr.

Resolved, That the Letter above referred to be referred to a joint Committee, and that they inquire into the state of Mr. Hawkins' Acct's and make report thereon.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House propose that a joint Committee be appointed to inquire into the state of Mr. Benjamin Hawkins' Acct's and report thereon, and have for that purpose on their part appointed Messrs. Smith, Starkey and Person a Committee.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve for procuring the number of Dragoon Horses therein mentioned.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Resolve of your House for procuring the number Dragoon Horses therein mentioned, concurred with.

Resolved, That a Company of Light Horse be immediately raised by voluntary enlistment, consisting of Forty privates, for the protection and defence of the Inhabitants on the South side of New River, in Onslow County, and that Amos Love be appointed Captain, John Mason Lieutenant, and John King, Jun., Cornet, to be continued in service so long as may be judged necessary by the Governor and Council.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve for raising a Company of Light Horse in Onslow County, &c.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send herewith the Report of the joint Committee appointed to take under consideration the Remonstrance of the Merchants of Edenton, concurred with by this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Report of the joint Committee appointed to take under consideration the Remonstrance of the Merchants of Edenton, concurred with by this House.
Resolved, That a joint Committee be appointed to take under consideration the losses sustained by Colo. Reed in his Baggage on his March to the Southward and elsewhere, and report thereon; that Messrs. Person, Hawkins, Starkey and Henderson be a Committee on the part of this House for that purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House have appointed Messrs. Person, Hawkins, Starkey and Henderson as a Committee on their part who will act jointly with such Gentlemen as you may appoint to inquire into the loss of Baggage sustained by Colo. Reed, &c.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

This House have appointed Messrs. Johnston, Coor and McKenzie who will act jointly with the Gentlemen by you appointed to inquire into the state of Mr. Benjamin Hawkins’ Accounts and report thereon.

Mr. Phifer moved for leave and presented a Bill to indemnify all such persons as have put to Death any of the Subjects of this State being known and notorious Enemies and oppressors of the Government thereof, which was read the first time, passed & sent to the Senate.

Mr. Joseph Arrington, one of the Members for Nash County, appeared, was qualified and took his seat.

The House adjourned till To-morrow 5 O’clock in the afternoon.

Saturday, 30 June, 1781.

The House met according to adjournment.

Mr. Tallock moved for leave and presented a Bill for securing all Articles left by the British Troops in this State taken from the Citizens, as well as others, and for other purposes, which was read the first time, passed and sent to the Senate.

Resolved, That no person within this State who has upon any pretence whatsoever taken a parole from any of the Enemies of this State shall be allowed to take a seat in this House.

Mr. Starkey moved for leave and presented a Bill allowing Salaries to the Governor, Delegates, Judges of the Superior Courts, Attorney General, Public Secretary, Treasurers and Members of the
Council of State, which was read the first time, passed & sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve for raising a Company of Light Horse in Onslow County, which we wish to adopt instead of the one on that head entered into by your House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Resolve of your House for raising a Company of Light Horse in Onslow County instead of the one adopted by this House for that purpose, concurred with.

Mr. Person moved for leave and presented a Bill for raising Troops for the defence of this State, and for other purposes, which was read the first time, passed and sent to the Senate.

Mr. Person, from the Committee to whom was referred the Petition of David Allen and others, Delivered in the Report as follows:

Whereas, the Encouragement for manufacturing Iron would be of general Utility to the Inhabitants of this State, your Committee beg leave to recommend to the General Assembly to exempt Twelve hands which may be employed in that business by David Allen and Company for six or Twelve Months, as they shall think proper, from all Drafts, &c., and from all Military Duty, provided such hands enter into that business for six Months at least, and shall continue exempted as aforesaid so long as they shall continue in that service. All which is submitted to the Honbl. the General Assembly.

THOS. PERSON, Chairman.

The House taking the said Report into consideration concurred therewith.

Whereupon, Resolved, That any twelve persons who shall be employed by David Allen & Company, in the business of the Iron Works, shall during the time they shall be so employed be exempted from all Military duties and drafts whatsoever, provided such persons oblige themselves at the time of entering into the said business to continue therein for the space of at least six months.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence the Report of the Com-
mittee to whom was referred the Petition of David Allen and others; also, a Resolve of this House in consequence thereof.

Received from the Senate a Bill for receiving to grace and favor all such persons who shall take the benefit thereof, and for other purposes.

A Bill for securing all Articles left by the British Troops in this State, taken from the Citizens as well as others, and for other purposes.

A Bill allowing Salaries to the Governor, Delegates, Judges of the Superior Courts, Attorney General, public Secretary, Treasurers and Members of the Council of State. Endorsed in Senate 30 June, 1781. Read the first time and passed.

Received from His Excellency the Governor the following Message:

To the Honorable the General Assembly:

Gentlemen:

I find upon enquiry that no office is kept wherein the General State of Public Accounts is entered, and as it is impossible to do justice to the State, with regard to its expenditures and advances, without regular and clear states and entries of the public accounts. I conceive it of great consequence that such office be established.

A State which has born so great a part of the burthen of the war, which has supplied so much of its property to the uses of the General Confederacy, and which must bear so considerable a proportion of the Common expenses, must be essentially interested in having its accounts so kept as that its just Debts and Credits can be clearly ascertained, nor is the Interest of the people in the clearness of Accounts inconsiderable, since that alone can restrain abuses in the expenditure of public money. My Duty therefore, obliges me to point out to the honorable the General Assembly this defect in our Civil arrangement, for which I doubt not they will make effectual provision.

THOS. BURKE.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your perusal and consideration a Message from His Excellency the Governor.
Resolved, That a writ of Election issue to Burke County to Elect one Member of this House in the room and stead of Hugh Brevard, Deceased.

Also to Halifax County to Elect one Member of this House in the room and stead of Benj. McCulloch, Esqr., who is disqualified from taking a Seat in this House by his being a Prisoner on Parole. That the said Elections be held on the second Monday and Tuesday in August next.

Also to the County of Randolph to Elect one Member of this House in the room and stead of Jeduthan Harper, Esquire, who is disqualified from taking a Seat by his being a Prisoner on Parole. That the said Election be held on the first Monday and Tuesday in August next.

Also to Nash County to Elect a Member in the room and stead of Mr. Edw' Nicholson who is disqualified from taking a Seat in this House by being a Prisoner on Parole. That the said Election be held on the third Monday and Tuesday next.

And also to the Counties of Anson and Brunswick to Elect each two Members of this House. Elections not having been held in the said Counties on the Days appointed for holding Annual Elections, and that the said Elections be held on the first Monday and Tuesday in September next.

The several Matters to this Day referred being postponed the House adjourned till Monday Morning 9 O'clock.

Monday the 2nd July, 1781.
The House met according to adjournment.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for your perusal a Letter of twenty-ninth and a Letter of the 28th Ultimo from Brigadier General Jones addressed the General Assembly. We also send Messrs. Parker & Johnston's letters therein alluded to:

Received from His Excellency the Governor the following Messages:

To the Honorable the General Assembly:

Gentlemen:

By the Letter which I send herewith Major General Green refers to Colo. Drayton for a particular State of his Situation and Circum-
stances. From the representation made by that officer I perceive that General Green is in want of reinforcements and that his situation may be very critical should he meet with any considerable check in South Carolina, an event which is far from being impossible.

I am informed, but not officially, that some Militia are drafted for service in the District of Salisbury, but the Governor has no power that I know of, to order them out of the State should it be found expedient or necessary. It may perhaps be eligible to order them to assemble at some place of rendezvous, and to march to join General Green as soon as he shall order them. Should this be approved by the General Assembly I could find means for communicating with the General on the subject.

Foreseeing that Troops must march through the District of Salisbury, either advancing or retreating, and desirous of preventing the evils inseparable from the march of an unprovided Army, I have requested Colo. Davie to form Magazines of Provisions and Forage at some convenient supply post. But it is not in my power to furnish him with the necessary means. The Exhausted state of the Country, and the very unequal burthens of Transportation which have fallen on that District will make the business very difficult. It is highly worthy the attention of the General Assembly to make provision for Compensation to those who have already borne an overproportion of the public burthens, and for preventing such inequalities in future.

I am also informed that the Militia now embodied for defence against the Enemy who remain in our Country will soon disband, their tour being nearly Compleated. As the Council of State is not yet formed, the Executive power cannot issue orders for embodying others. The General Assembly will also be pleased to take this matter into their consideration.

THOS. BURKE.

To the Honorable the General Assembly:

Gentlemen:

I herewith send you some dispatches from Major General Green, which arrived after the Letter mentioned in my former Message. The General Assembly are already well aware of the expediency of the measures which he recommends and I doubt not they will
engage their most serious attention. The Enemy being re-enforced in the State of South Carolina so as to enable them again to act offensively, and the consequent inferiority of General Greene's Army render it indispensably necessary that a considerable force of Militia be immediately embodied. The immediate safety of this State, as well as the General Utility of the United States, render it absolutely necessary. I hope therefore that the General Assembly will without loss of time empower me to proceed with vigor in this important business.

A Letter from William Pierce, Aid de Camp to General Greene, which is just come to hand, and sent for the perusal of the General Assembly, will give an Idea of the General's situation and the necessity there is for expedition.

THOS. BURKE.

To the Honorable the General Assembly:

Gentlemen:

I am informed that a considerable quantity of lead and other Stores very necessary for public service may now be procured at one of the ports in this State. If the Public would give as good a price as Individuals, and pay in commodities, proper for exportation, with punctuality, there is every reason to suppose that foreign Commodities would be pretty amply supplied by our own Merchants. It is therefore worthy the attention of the General Assembly to give power and to provide means for procuring them on the above principles.

If the General Assembly shall think proper to empower me to give assurances for the payment of the price in commodities, I will immediately give orders for securing the Stores aforesaid for the public.

THOS. BURKE.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your perusal and consideration two Messages from His Excellency the Governor, together with the several papers therein alluded to.

Resolved, That the Letters from General Jones be referred to a joint Committee; that Messrs. Balfour, Smith, Bryan, Branch, Henderson and Payne be a Committee on the part of this House for that purpose.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House propose referring the Letters of the 28 & 29 Ult. from General Jones to a Joint Committee, and have for that purpose on our part appointed Messrs. Balfour, Smith, Bryan, Branch, Green, Henderson and Payne a Committee.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

You will herewith receive the Report of the joint Committee appointed to take under consideration the Papers laid before the Assembly by the late and present Governor of this State, concurred with by this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Report of the joint Committee appointed to take under consideration the Papers laid before the Assembly by the late and present Governor of this State, concurred with by this House.

Received from the Senate a Bill for the speedy trial of persons accused of Treason, Misprision of Treason, Counterfeiting the Currency of this State or the United States, and for other crimes, and for determining what persons fall within the description of the Confiscation Acts, and other purposes. Endorsed in Senate 30 June, 1781. Read the second time & passed.

A Bill for raising Troops for the defence of this State, and for other purposes. Endorsed in Senate 30 June, 1781. Read the first time & passed.

Mr. Henderson moved for leave to withdraw and amend the said Bill. Ordered that he have leave accordingly.

Resolved, That Johnathan Skinner, John Stafford, William Creecy, Richard Pratt, Edward Hall, Simeon Long and William Newbould be appointed Justices of the Peace for the County of Perquimans, and that His Excellency the Governor be requested to Commission them immediately.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve requesting His Excel-
lency the Governor to Commission the Justices therein mentioned for Perquimans County.

The order of the Day for reading for the second time the Bill for levying a Money and Specific Tax for the year 1781, being called for and read, the House according to order proceeded to read for the second time the said Bill. The same was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

Mr. Macon, Colo. Taylor and Colo. Williams will act with the Gentlemen by you appointed to report on General Jones' Letters of the 28 & 29 Ult.

Mr. Speaker and Gentlemen:

Colonel Irwin, General Butler and General Lock will act in conjunction with such of your Body as may be appointed to prepare and bring in a Bill for Drafting the Militia of this State to reinforce the Southern Army.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Commons have appointed Messrs. Tillman, Spaight, Benton, Phifer and Hawkins a Committee on their part to act with the Gentlemen by you appointed to prepare and bring in a Bill for drafting the Militia of this State to reinforce the Southern Army.

The Bill for protecting the Navigation of Ocracoke Bar and the sounds and rivers communicating therewith was read the second time & passed and sent to the Senate.

Received from the Senate a Bill for vesting a power in the Honorable the Continental Congress to levy a Duty of five per Cent. on all foreign Merchandizes, except such articles as are therein excepted, and for other purposes. Endorsed in Senate 2 July, 1781. Read the first time and passed.

The Bill for securing all Articles left by the British Troops in this State, taken from the Citizens as well as others, and for other purposes, was read the second time, passed and sent to the Senate.
Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve directing the Clerks of the respective County Courts in this State to make return to the General Assembly as therein directed.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Resolve of your House directing the Clerks of the respective County Courts in this State to make return to the General Assembly as therein mentioned, concurred with.

The Bill for appointing District Auditors for settling the pay of the Militia and other Claims against this State was read the second time, amended, passed and sent to the Senate.

The Bill for receiving to grace and favor all such persons who shall take the benefit thereof, and for other purposes, was read the first time, passed and sent to the Senate.

Received from the Senate a Bill for securing all Articles left by the British Troops in this State, taken from the Citizens as well as others, and for other purposes. Endorsed in Senate 2 July, 1781. Read the second time and passed.

A Bill for the protecting of Ocracoke Bar and the sounds and Rivers communicating therewith, and other purposes. Endorsed in Senate 2 July, 1781. Read the third time, amended & passed.

General Bryan, from the Committee appointed to take under consideration the Letters from General Jones of the 28th & 29th of last Month, reported as follows, viz.:

That Delegates ought to be immediately chosen to relieve those now at Congress, and that they ought to be furnished with a sufficiency of Money to defray the expenses incident to their appointments.

The Committee also beg leave to report it as their opinion that the Letter from General Jones respecting the raising and arming the men ordered from Halifax District to the aid of the District of Edenton, together with the Letter from Colonel Parker, be referred to His Excellency the Governor, and that he be requested to proceed on the subject matter thereof, as to him shall seem most eligible.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence the Report of the Committee appointed to take under consideration General Jones' Letters, concurred with by this House. Should you concur with it, we request that you would cause the latter paragraph to be handed to His Excellency the Governor.

On motion, Resolved, that Mr. Jonathan Skinner have leave to absent himself from the service of the House during the Session.

The House adjourned till To-morrow Morning 6 O'clock.

Tuesday, 3 July, 1781.

The House met according to adjournment.

The Bill for vesting a power in the Honorable the Continental Congress to levy a Duty of five per Cent. on all foreign Merchandises, except such Articles as are therein excepted, and for other purposes, was read the first time, passed & sent to the Senate.

The Bill for the more effectually punishing the Enemies of this and the United States, and other purposes, was read the first time, passed and sent to the Senate.

The Bill for protecting the Navigation of Ocracoke Bar and the sounds and Rivers communicating therewith, and other purposes, was read the third time, passed and ordered to be Engrossed.

The Bill for the relief of all such persons as are rendered incapable of procuring themselves and Families subsistence by wounds received in defence of their Country, and for other other purposes was read the second time amended passed and sent to the Senate.

The Bill allowing Salaries to the Governor, Delegates, Judges of the Superior Courts, Attorney General, Public Secretary, Treasurers and Members of the Council of State was read the second time, amended, passed and sent to the Senate.

The Bill for authorizing the juries in all Trials in the Courts of Law in future to allow depreciation, if any there be, on the present Currency of this and the United States was read the second time, amended, passed and sent to the Senate.

Resolved, That His Excellency the Governor be requested and directed to adopt the most early and effectual measures in his power to carry into effect the Resolves of Congress of the . . . .
relative to the exercising the Law of retaliation upon the British prisoners in our possession by causing them to be used with the same treatment in all respects whatever as our prisoners in the possession of the British or their adherents are used with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve empowering and directing His Excellency the Governor, to exercise the Law of retaliation on the British prisoners in our possession.

Mr. Spaight from the Committee appointed to prepare and bring in a Bill for drafting the Militia to re-enforce the Southern Army presented said Bill which was read the first time, passed & sent to the Senate.

Received from the Senate a Bill directing the Duty of the Naval Officers and for preventing the exportation of provisions for a limited time, and for other purposes. Endorsed in Senate 3 July, 1781. Read the first time and passed.

A Bill for levying a Money and Specific Tax for the year 1781. Endorsed in Senate 2 July, 1781. Read the second time, amended & passed.

The Bill for raising Troops for the defence of this State, and for other purposes, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the Bill for drafting the Militia to re-inforce the Southern Army. Endorsed in Senate 3 July, 1781. Read the first time and passed.

Ordered that the said Bill be read the second time. The same was read the second time, passed and sent to the Senate.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

The Resolve of your House directing His Excellency the Governor to exercise the Law of retaliation on British Prisoners in our possession we return you concurred with.

Mr. Speaker and Gentlemen:

We return the Report of the joint Committee on General Jones' Letters concurred with, and have caused a Copy thereof to be presented his Excellency the Governor.
Received from the Senate the Bill for appointing District Auditors for settling the pay of the Militia and other Claims against this State. Endorsed in Senate 3 July, 1781. Read the second time & passed.

Mr. Macon moved for leave and presented a Bill to regulate and ascertain several officers fees in this State, which was read the first time, passed and sent to the Senate.

The Bill directing the Duty of Naval Officers and for preventing the exportation of provisions for a limited time and for other purposes, was read the first time, passed and sent to the Senate.

Mr. Payne moved for leave and presented a Bill to amend an Act passed at New Bern in May, 1780, entitled an Act to enlarge the jurisdiction of Justices of Peace, and for other purposes, which was read the first time, passed and sent to the Senate.

Resolved, That no new Bill except such as shall be of a public nature will be received after To-morrow.

Ordered, that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve for admitting no new Bill after To-morrow.

Resolved, That the Bill for appointing District Auditors for settling the pay of the Militia and other Claims against this State, and the Bill for levying a Money and Specific Tax for the year 1781, be read each for the third time To-morrow.

The House adjourned till To-morrow Morning 6 O'clock.

Wednesday 4 July, 1781.

The House met according to adjournment.

Mr. Henderson moved for leave and presented a Bill to amend and explain an Act entitled an Act for establishing Courts of Law and regulating their proceedings therein, which was read the first time, passed and sent to the Senate.

Received from the Senate a Bill to regulate and ascertain the several officers fees in this State. Endorsed in Senate 4 July, 1781. Read the first time and passed.

The order of the Day for reading the third time the Bill for appointing District Auditors for settling the pay of the Militia, &c., being called for and read. Ordered that the said Bill be read the
third time. The same was accordingly read the third time and re-
jected.

The Bill for drafting the Militia to reinforce the Southern Army,
was read the third time, amended, passed and sent to the Senate.

The order of the day for reading for the third time the Bill for
levying a Money and Specific Tax for the year 1781 being called for
and read. Ordered that the said Bill be read the third time. The
same was read the third time, amended, passed & sent to the Senate.

Read the Petition of John Ray and William Clark, praying, &c.
Ordered that the same be referred to the Committee appointed to
take under Consideration the Petition of Joshua Gordon and others.

Received from the Senate a Bill to relieve all such persons as are
rendered incapable of procuring themselves and Families a Subsis-
tence by reason of wounds received in defence of their Country and
for other purposes.

A Bill directing the duty of Naval Officers and for preventing the
exportation of provisions for a limited time, and for other purposes.
Endorsed in Senate 4 July, 1781. Read the second time and passed.

A Bill to amend an Act passed at New Bern in May, 1780, en-
titled an Act to enlarge the Jurisdiction of Justices of Peace, and
for other purposes.

A Bill to amend and explain an Act entitled an Act for the Es-
ablishing Courts of Law and regulating the proceedings therein.
Endorsed in Senate 4 July, 1781. Read the first time & passed.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your perusal the Petition of Thomas Caben
addressed to the General Assembly.

Mr. Randle presented a Petition from a number of the Inhabi-
tants of Montgomery County praying that an Act be passed to es-
ablish the Court House of the said County at the place wherein it at
present stands and moved for leave to prepare and bring in a Bill
agreeable to the prayer of the said Petition. Ordered that he have
leave accordingly.

The Bill for securing all Articles left by the British Troops in
this State taken from the Citizens as well as others, and for other
purposes was read the third time, amended, passed and sent to the
Senate.
Resolved, that Mr. Spaight, Mr. Balfour and General Bryan, be a Committee to examine and Report on the Claim of L. Van Shellebeck.

Mr. Luttrell presented a Memorial from John Wilcox which was read, and ordered to be referred to a joint Committee, that Gen. Person, Henderson, Balfour and Mr. Luttrell, be a Committee on the part of this House for that purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your perusal and consideration, the Memorial of Jno. Wilcox, of Chatham county, which we propose referring to a joint Committee to report on, and have on our part appointed Mr. Person, Henderson, Balfour and Luttrell, a Committee.

Received from the Senate a Bill to amend an Act, entitled "an Act, to Regulate the Militia of this State, and for other purposes." Endorsed in the Senate 4th July, 1781. Read the first time & passed.

A Bill for authorizing the Juries in all Tryals in the Courts of Law in future to allow depreciation, if any there be, on the present Currency of this and the United States.

A Bill allowing Salaries to the Governor, Delegates, Judges of the Superior Courts, Attorney General, Public Secretary, Treasurers, Members of the Council of State and Public Printer.

A Bill for vesting a power in the Honorable the Continental Congress to lay a Duty of five per cent. on all Foreign Merchandise except such Articles as are therein excepted, and for other purposes. Endorsed in Senate 4th July, 1781, read the second time, amended and passed.

General Bryan from the Committee appointed to Report on the Claim of L. Van Shellebeck, Reported as follows:

That they find that Mr. Shellebeck left New Bern on the 26th Feby. last, on a journey to Hampton, in Virginia, vested with powers from the Governor of this State to confer with the Commander of the French Fleet; and to gain intelligence respecting that armament, that he was Twenty-five Days in performing the journey, that travelling expenses about that time was from four to five hundred dollars per day, that the Currency has since that time depreciated Cent per Cent, that Mr. Shellebeck lost a Horse on the Road for which he paid Twelve Thousand two hundred and Forty pounds.
Your Committee are therefore of opinion that he ought to be allowed for said Horse and his expenses Twenty-one Thousand two hundred and Forty Pounds, all which is Humbly submitted.

WM. BRYAN, Ch'n.

The House taking the said Report into consideration, concurred therewith; Whereupon, Resolved, that the Treasurers or either of them pay unto L. Van Shellebeck the sum of Twenty-one Thousand two Hundred and Forty pounds to reimburse him, his expenses in travelling to Virginia to Confer with the Commander of the French Fleet, who shall be allowed in the settlement of their accounts.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your Concurrence a Report of the Committee of this House on the Claim of L. Van Shellebeck, as also a Resolve in consequence thereof, directing the Treasurers or either of them to advance him a certain sum therein mentioned to reimburse him, his expenses, &c.

The Bill for the speedy Trial of Persons accused of Treason, Misprision of Treason, Counterfeiting the Currency of this State or the United States, and for other Crimes, and for determining what persons fall within the description of the Confiscation Acts and other purposes, was read the second time and rejected.

The Bill to amend an Act, entitled an Act, to Regulate the Militia of this State and for other purposes, was read the first time, passed, and sent to the Senate.

Mr. Jas. Williams moved for leave to prepare and bring in a Bill for the more speedy Trial of all persons charged with Treason, or Misprision of Treason, against this State or the United States and other purposes. Ordered that he have leave accordingly.

The Bill for directing the duty of Naval officers and for preventing the exportation of provisions for a limited time and for other purposes, was read the second time, passed and sent to the Senate.

Whereas, a number of the Militia of this State did fly from the action at Guilford Court House on the 15th of March last, and have since then (a part of them) been turned over into the Continental Service, while others equally offenders against the Laws of the State have been suffered to stay at their respective homes and have been
STATE RECORDS.

Classed, and have assisted in raising the Twelve Months Soldiers for compleating the Continental Battalions belonging to this State, and whereas those by turning out immediately upon being requested so to do, and have marched to Head Quarters with intention to complete their respective Tours of Duty would be in a worse situation than those who refused so to do when ordered by their respective officers as they are entitled to no exemption after the twelve months expire nor to any bounty or Cloathing, nor is any provision made by the Laws of this State for the support of their Families whilst they continue in that service.

Resolved, that it be recommended by the General Assembly of this State to Major General Greene to discharge those unhappy men and to permit them to return to their Families as soon as the situation of affairs will admit of such an Act of Benevolence.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve recommending to Major General Greene to discharge those persons who fled from the action at Guilford Court House, and who were turned over into the Continental service as soon as the situation of affairs will admit of such an Act of Benevolence.

Resolved, That a writ of Election issue to the County of Wayne to Elect one Member of this House in the room and stead of Burwell Mouring, Esquire, who is disqualified from taking a seat in this House by his receiving a parole from the British; that the said Election be held on the first Monday and Tuesday in August next.

Mr. Hawkins moved for leave and presented a Bill to vest in John Hay, his Heirs and assigns, Two Thousand and Eighty Acres and one-third part of an Acre of Land on the Six Runs, in Duplin County, late the Estate of Arthur Dobbs, Esquire, Deceased, which was read the first time, passed & sent to the Senate.

The Bill to relieve all such persons as are rendered incapable of procuring themselves and Families Subsistence by reason of wounds received in defence of their Country, and for other purposes, was read the third time, amended, passed and sent to the Senate.

Mr. Payne moved for leave and presented a Bill to compel all such persons as have received or been entrusted with public monies or who by virtue of their Office ought to have received Money for
the use of the Public, to account for the same, and for other purposes, which was read the first time, passed and sent to the Senate.

Received from the Senate a Bill directing the Duty of Naval officers and for preventing the exportation of provisions for a limited time, and for other purposes. Endorsed in Senate 4 July, 1781. Read the third time, amended & passed.

A Bill for raising Troops for the defence of this State, and for other purposes. Endorsed in Senate 4 July, 1781. Read the second time, amended and passed.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate have appointed the Honorable the Speaker and Mr. Johnston a Committee who will act with such Gentlemen as you may appoint to prepare a Letter to be sent the General Assembly of Virginia, requesting that Commonwealth to assist in protecting the Navigation of Ocracoke Bar, &c.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Commons have appointed Mr. Payne and Mr. Smith to act on their part with the Gentlemen by you appointed to prepare a Letter to be sent to the General Assembly of Virginia, respecting the protection of the Navigation of Ocracoke Bar.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

Colonels Rogers, Irwin, Shepperd and Folsom will act with the Gentlemen by you appointed to consider of and report on the Petition of Mr. Wilcox.

The House adjourned until To-morrow Morning 7 O’clock.

Thursday, 5 July, 1781.

The House met according to adjournment.

The Bill directing the duty of Naval officers and for preventing the exportation of provisions for a limited time, and for other purposes, was read the third time, passed and ordered to be Engrossed.

The Bill to amend an Act passed at New Bern in May, 1780, entitled an Act to enlarge the Jurisdiction of Justices of Peace, and for other purposes, was read the second time, amended, passed and sent to the Senate.
Read the Letter from Colo. Malmedy representing the particular situation of General Greene's Cavalry for want of a further supply of Horses.

Ordered that the same be referred to a joint Committee; that Messrs. Bryan, Wilson, Horn, Balfour, Hawkins and Smith be a Committee on the part of this House for that purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you a Letter from Colonel Malmedy, which we propose committing to a joint Committee. We have on our part appointed Messrs. Williams, Bryan, Wilson, Horn, Balfour, Hawkins and Smith a Committee who will act with such Gentlemen as you may appoint to immediately take the same under consideration and report thereon.

On reading the Petition of Harrison Macon, praying that he may be permitted to remit four Hogsheads of Tobacco to Charlestown for the purpose of discharging debts incurred at that place whilst he was a prisoner with the Enemy.

Resolved, That the prayer of the said Petition be granted.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House permitting Harrison Macon to send four Hogsheads of Tobacco to Charlestown for the purposes therein mentioned; also the Petition of the said Macon by which we have been induced to enter into the said Resolve.

Read the Memorial of John Humphries, Esquire. Ordered that the same be referred to a joint Committee; that Messrs. Eaton, Smith and Starkey be a Committee on the part of this House for that purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you the Memorial of John Humphries, Esqr., which we propose referring to a joint Committee, and have on our part appointed Messrs. Eaton, Smith and Starkey a Committee.

The Bill for raising Troops for the defence of this State, and for
other purposes, was read the third time, passed and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your perusal a Letter from Henry Mounger.

Resolved, That the Bill allowing Salaries to the Governor, Delegates, Judges of the Superior Courts, Attorney General, Public Secretary, Treasurers, Members of the Council of State and Public Printer be read Tomorrow for the third and last time in this House.

The Bill for vesting a power in the Honorable the Continental Congress to levy a Duty of five per Cent. on all Foreign Merchandizes, except such articles as are therein excepted, and for other purposes, was read the second time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Resolve of your House in favor of L. Van Shellebeck we herewith return you, concurred with.

Mr. Balfour moved for leave to withdraw and amend the Bill for authorizing the Juries in all Trials in the Courts of Law to allow depreciation, &c. Ordered that he have leave accordingly.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

Messrs. Coor, Macon, Everagin, Irwin, Rogers and Spicer will act with the Gentlemen by you appointed to consider of and report on Colo. Malmedy's Letter.

Mr. Speaker and Gentlemen:

We send for your perusal a Message from His Excellency the Governor, in consequence of which we have appointed Messrs. Coor and Irwin to consider of and report on the defects of said Bill, as pointed out by His Excellency, who will act jointly with such of your Body as may be appointed for that purpose. This measure, tho' not heretofore practiced, we conceive is neither unconstitutional nor unparliamentary, as this Bill has not had a ratification.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Commons have appointed Messrs. Bryan, Williams, Person, Starkey, Smith and Balfour to act with the Gentlemen by you appointed to report upon the defects of the Bill alluded to in His Excellency the Governor's Message.

The House adjourned til To-morrow Morning 9 O'clock.

Friday 6 July, 1781.

The House met according to adjournment.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Commons have appointed Messrs. Starkey, Williams, Benton, Green and Macon a Committee on their part who will act jointly with such Gentlemen of the Senate as may be appointed to settle with such of the County Commissioners as may be ready to have their accounts adjusted.

Mr. James Williams moved for leave and presented a Bill for continuing the district auditors, directing their duty in office, and for other purposes, which was read the first time, passed and sent to the Senate.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

The Resolve of your House in favor of Captain Harrison Macon we return you herewith concurred with.

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve relative to the late District Auditors in this State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Resolve of your House relative to the late District Auditors, &c., we return you herewith concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

General Butler and Mr. Hill will act with such of your Body as may be appointed to report on an address to the General Assembly
from Sundry of the Inhabitants of Montgomery County herewith sent you.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Commons have appointed Messrs. Medlock, Balfour and Williams to act with the Gentlemen by you appointed, to report on the address from Montgomery County.

The order of the Day for reading for the third and last time in this House, the Bill allowing Salaries to the Governor, Delegates, Judges of the Superior Courts, Attorney General, Public Secretary, Treasurers, Members of the Council of State and Public Printer, being called for and read. Ordered that the said Bill be read the third time. The same was read the third time, amended, passed and sent to the Senate.

On the question shall the Bill pass or not pass, it was objected to and carried in the affirmative 39 to 10. The Yeas and Nays being required by Mr. Person are as follows:


Nya's.—Geo. Moore, Boon, Whitty, D. Wilson, Phifer, Moss, Lenoir, Person, McDowell and Hicks.

Received from the Senate a Bill to compel all such persons as have received or been intrusted with Public Monies, or who by virtue of their office ought to have received money for the use of the Public to account for the same and for other purposes.

A Bill to enable the Justices of New Hanover County to hold a Court in any part of the County and other purposes. Endorsed in Senate 4th July 1781, read the first time, & passed.

A Bill for vesting a power in the honorable the Continental Congress to levy a duty of five per cent on all foreign Merchandizes except such articles as are therein excepted and for other purposes. Endorsed in Senate 5th July, 1781, read the third time and passed.

Mr. Person from the joint Committee to whom was referred the letter from His Excellency, the Governor, respecting an Act passed
this Session of General Assembly, Reported as follows. That your Committee are of opinion that the Act referred to is expressive, and fully comprehends the Salutary purposes intended by the General Assembly, and by no means restricts the Governor with the advice of the Council from imbodying any number of Militia for the immediate defence of this State agreeable to the Constitution and the Militia Law.

The House taking the said Report into Consideration, Concurred therewith.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you the Report of the joint Committee to whom was referred the letter from His Excellency, the Governor, respecting an Act passed this Session of Assembly, concurred with by this House.

Mr. Williams according to order, presented a Bill for the more speedy Trial of all persons charged with Treason or Misprison of Treason against this State or the United States and other purposes, which was read the first time, passed, & sent to the Senate.

Resolved, that the Bill for vesting a power in the Honorable the Continental Congress, to levy a duty of five per Cent on all foreign Merchandizes except such articles as are therein excepted, and for other purposes be read to-morrow morning for the third and last time.

The Bill to enable the Justices of New Hanover County to hold a Court in any part of the County and other purposes, was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Report of the Committee on His Excellency, the Governor's Message, respecting the Act therein referred to we return you, concurred with.

The Bill to regulate and ascertain the several officers therein mentioned, was read the second time, amended, passed, and sent to the Senate.

Read the Memorial of Colo. Linton. Ordered that the same be referred to a joint Committee. That Messrs. Starkey, McDowall,
Williams, Person and General Bryan be a Committee on the part of this House for that purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you the Memorial of Colo. Linton which we propose referring to a joint Committee, and have for that purpose appointed Messrs. Starkey, McDowall, Williams, Person & Genl. Bryan a Committee.

Read the Petition of Thomas Wooten in behalf of John Witherspoon. Ordered that the same be referred to the Committee of Propositions and Grievances.

Received from the Senate a Bill to enable the justices of New Hanover County to hold a Court in any part of the County, and other purposes. Endorsed in Senate 6 July, 1781. Read the second time, amended and passed.

A Bill for the more speedy Trial of all persons charged with Treason or Misprision of Treason, against this State or the United States, and other purposes. Endorsed in Senate 6 July, 1781. Read the first time & passed.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve requesting Richard Caswell, Esquire, formerly Governor of this State to lay before the next Assembly accounts as therein mentioned.

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve requesting Abner Nash, Esquire, late Governor of this State, to lay before the General Assembly at their next Session accounts as therein mentioned.

At the same time received the Resolves referred to in the above Messages and the same being read were rejected; whereupon,

Resolved, That Messrs. Williams, Bryan, Henderson, Person, Balfour and Benton be a Committee to prepare and bring in a Resolve requiring all persons who have had the handling of Public Moneys, &c., to account for the same.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

The Senate have appointed Messrs. Salter, McKenzie and Bryan
a Committee who will act jointly with the Gentlemen by you appointed to consider of the Memorial of John Humphries, Esquire.

Mr. Speaker and Gentlemen:

Generals Lock and Butler, Mr. Macon and Colonel Taylor will act with the Gentlemen by you appointed to consider of Colonel Linton's Memorial.

The House adjourned till To-morrow Morning 7 O'clock.

Saturday, 7 July, 1781.

The House met according to adjournment.

Mr. Bryan, from the Committee to whom was referred the Letter from Colonel Malmedy, reported as follows:

That it appears to your Committee that General Greene is in immediate want of a number of Dragoon Horses for the use of the Southern Army. They are therefore of opinion that one Hundred and sixty Horses, proper for that service, exclusive of those already ordered to be raised, be immediately procured in this State, either by purchase or impressment, and for that purpose that a Commissioner be appointed in each of the Districts of this State, and that in case recourse should be had to impressure, the said Commissioners be directed not to impress more than four Horses from any County, and to cause them to be forwarded without delay to Gen'l Greene's Camp.

WM. BRYAN, Chairman.

The House, taking the said Report into consideration, concurred therewith; whereupon,

Resolved, That one hundred and sixty Horses, exclusive of the forty already voted by this Assembly, be immediately raised for that purpose; and that Richard Grimes be appointed Commissioner for the District of Salisbury, John Gwinn for the District of Hillsborough, James Vaughan for the District of Halifax, William Baker for the District of Edenton, Lewis Bryan for the District of New Bern, and David Dodd for the District of Wilmington—each of them with power to appoint assistants for the purpose of procuring the same by purchase or Impressment from the several Districts in the following proportions: From the District of Salisbury, fifty; from the District of Hillsborough, twenty-two; from the District of Halifax, twenty-eight; from the District of Edenton, twenty-four;
from the District of New Bern, twenty-four; and from the District of Wilmington, twelve. And that the Commissioners be authorized to offer generous prices for said Horses, and to give Certificates for the same in Specie; and in case a sufficient number cannot be speedily procured by purchase, that the several Commissioners or their assistants be empowered to impress not exceeding four Horses from any one County to complete the aforesaid number, and to cause such impressed Horses to be appraised in Specie agreeable to Law, and that the Horses raised in the Districts of Salisbury and Hillsborough be forwarded with the greatest expedition to General Greene's Army, and that those raised in the four lower Districts be forwarded in like manner by the several Commissioners to Hillsborough, or to such other place as may be appointed by His Excellency the Governor or the Commander in Chief of the Southern Army, to be forwarded on to Camp. And that the Commissioners aforesaid make descriptive list of the Horses by them purchased or Impressed, of whom procured and the prices, together with an account of their expenses and expenditures in putting this Resolve into execution, and return the same to the Board of State Auditors as soon as may be, and that they be allowed all reasonable expenses and a generous compensation for their Trouble.

Resolved, That no Horse shall be purchased or impressed for the aforesaid service under four feet Eight inches high, nor under four nor over Twelve years old, and that no Stone Horse shall be impressed for the service aforesaid.

Resolved, further, that if any of the Commissioners before appointed for the purpose of procuring Horses should refuse or neglect to act in the business aforesaid, the Member or Members of the County wherein he resides shall be empowered and they are hereby required to appoint some other person to act in his stead.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your perusal and concurrence the Report of the Committee appointed to take under consideration the letter from Colo. Malmedy and a Resolve of this House entered into in consequence thereof.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House propose that the number of Delegates from this State to Congress the Current year should not exceed four, and propose Balloting for those officers as also Treasurers for the respective Districts, and the place where, and the time when the next Session of Assembly shall be held at, at four O'Clock this evening, and put in nomination for Delegates, Samuel Johnston, Abner Nash, Ephraim Brevard, Charles Johnston, Benj. Hawkins, Phil. Hawkins, jun., James Williams, Archibald McLaine, Alexander Martin, and Col. Alexander Irwin, Esquires. For Treasurers, Robert Lanier and James Brannon for the District of Salisbury, Green Hill for the District of Halifax, Timothy Bloodworth for the District of Wilmington, William Skinner for the District of Edenton, Richardard Cogdell for the District of New Bern, Matthew Jones and Mem-ucau Hunt for the District of Hillsborough. The place for holding the next Assembly at, Halifax, New Bern, Nutbush, Smithfield, and Tarborough. The time when the first Monday in November and the Second Monday in January next.

Received from the Senate a Bill to amend an Act passed at New Bern in May, 1780, Entitled an Act to enlarge the Jurisdiction of the Justices of the Peace and for other purposes. A Bill to regulate and ascertain the several officers' fees therein mentioned. Endorsed in Senate 7th July, 1781, read the second time, amended & passed.

A Bill for continuing the District Auditors directing their duty in office and for other purposes.

A Bill to enable the Governor with the advice of the Council to procure Tobacco for the purpose of obtaining Arms, &c. Endorsed in Senate 7th July, 1781, read the first time and passed. Read a letter from Joshua Potts, and one other from Col. William R. Davie, Commissary General, &c. Ordered that the same be sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send herewith the report of the joint Committee appointed to
take under consideration the Memorial of Colonel William Linton, concurred with by this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The report of the joint Committee on the Memorial of Colonel Linton we return herewith concurred in.

Whereas sundry entries have been made in the entry taker's office in the County of Rutherford for Lands which lie to the westward of a line formerly agreed on as a boundary between the people of this State and the Cherokee Indians, and which said Land was by treaty reserved to the Cherokees for places of residence, hunting grounds, &c.

Resolved, that all such entries are null and void, and that the Money or Monies paid into said office on account thereof except the Entry taker's fees, be immediately returned to the person or persons intituled thereto, and the Entry taker is hereby ordered to repay the same.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve declaring Certain Entries of Lands made in the Entry office of Rutherford County null and void, &c.

Mr. Spaight moved for leave, and presented a Bill for the relief of such persons as have taken paroles, and for other purposes, which was read the first time, passed, and sent to the Senate.

Mr. Payne moved for leave and presented a Bill to vest the Executive powers of the Governor & to continue the Delegates from this State to the Continental Congress, and for other purposes which was read the first time, passed, and sent to the Senate.

Received from the Senate the Bill for the more effectual regulation of the Comissary department. Endorsed in Senate 7th July, 1781, read the first time, and passed.

The Bill for the more effectual regulation of the Comissary department was read the first time, passed and sent to the Senate.

The Bill to amend an Act passed at New Bern in May, 1780, intitled an Act to enlarge the Jurisdiction of Justices of Peace, and
for other purposes, was read the third time, amended, passed, and sent to the Senate.

On motion, Resolved, that Mr. Ben Shepperd, one of the members for Dobbs County, and Mr. Joe. Hawkins, one of the members for Warren County, have leave to absent themselves from the service of the House for the remaining part of this Session.

Received from the Senate a Bill for the relief of such persons as have taken paroles, and for other purposes. Endorsed in Senate 7th July, 1781, read the first time, and passed.

Received from the Commons the following Messages:

Mr. Speaker and Gentlemen:

We herewith return the Resolve of your House declaring void certain Entries of Lands made in the Entry office of Rutherford County, concurred with.

Mr. Speaker and Gentlemen:

The Senate will concur with the Resolve of the Commons for procuring Dragoon Horses, provided it be agreeable to them to dele the name of Henry Pope, and insert that of James Vaughan, and to dele the name of William McKinney and insert that of Lewis Bryan.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House have received the Message of yours proposing amendments in the Resolve for raising Dragoon Horses, which they approve of, and have made the Resolve conformable thereto.

The several matters of this day referred being postponed until to-morrow morning 10 O'Clock.

The House adjourned til to-morrow morning 7 O'Clock.

Sunday 8th July, 1781.

The House met according to adjournment.

Mr. Starkey from the Committee to whom was referred the Memorial of John Humphries, Esquire, Reported as follows:

That it appears to your Committee three hundred and nine Gallons of old Spirits the said Mr. Humphries' property was impressed for the use of the Militia of Halifax District, and that he had previous to the impression thereof sold part of said Rum to General
Person, at the rate of two Gallons and a half for one hundred weight of Tobacco.

Your Committee are of opinion that Mr. Humphries ought to be paid for the above quantity of Rum on the aforesaid Terms, amounting in the whole to Twelve Thousand three hundred and Sixty pounds weight, all which is submitted.

The House taking the said Report into Consideration, Resolved that they do concur therewith.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence the Report of the joint Committee on the Memorial of John Humphries, Esquire, concurred with by this House.

Mr. James Hunter, one of the Members for Guilford County, appeared, was qualified and took his seat.

The order of the Day for reading for the third and last time the Bill for vesting a power in the Honorable the Continental Congress to levy a Duty of five per Cent. on all foreign Merchandises, except such articles as are therein excepted, and for other purposes, being called for and read, ordered that the said Bill be read the third time. The same was read the third time, passed and ordered to be Engrossed.

Mr. Person moved for leave to enter a protest against the passage of the said Bill. Ordered that he have leave.

Mr. Person, from the Committee of Propositions and Grievances, reported as follows on the Petition of Colo. Thomas Wooten:

That, after taking the Petition under consideration, we find that a certain John Witherspoon, who was an Inhabitant of Orange County, was illegally drafted a Soldier in Wake County; therefore, it is the opinion of the Committee that the said John Witherspoon be considered as discharged from the service into which he was drafted. All which is submitted.

THOS. PERSON, Chairman.

The House, taking the said Report into consideration, concurred therewith.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence the Report of the Com-
committee of Propositions and Grievances on the Petition of Colo.
Thomas Wooten, concurred with by this House.

The Bill to amend an Act entitled an Act to regulate the Militia
of this State, and for other purposes, was read the second time,
amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send herewith the Report of the joint Committee on the
address from Montgomery County, concurred with by this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Report of the joint Committee on the address from
Montgomery County, concurred with by this House.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

The Report of the joint Committee on the Petition of Colonel
Thomas Wooten we return herewith, concurred with.

Mr. Speaker and Gentlemen:

We return herewith the Report of the Committee on the Memorial
of Mr. Humphries, concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve respecting the Entry office
and Entry Taker of Rutherford County, &c.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return herewith the Resolve of your House respecting the
Entry office and Entry Taker of Rutherford County, &c., concurred
with by this House.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate have appointed Colonel Salter, Mr. Jordan and Mr.
Battle to take under consideration the Letter from the Commissary
General, herewith sent you, who will act for that purpose with such
17—60
Gentlemen of the Commons as may be appointed. We propose that this Committee likewise take under consideration the Letter from Mr. Potts, herewith sent and the condition of the other superintending Commissioners in the State. We further propose that these Gentlemen prepare and bring in a Bill to regulate the Commissary department.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Commons have on their part appointed Messrs. Starkey, Person, Lutrell, Smith and Wilson to act with the Gentlemen by you appointed to take under consideration the Letters from the Commissary General and the Letter from Mr. Potts, &c.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

This House have appointed Colonel Ramsey, General Butler and Colo. Irwin a Committee who will act jointly with such of your Body as may be appointed to report what measures are necessary to be adopted to secure from Ravage the Counties of Randolph, Chatham and Cumberland.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have appointed Messrs. Balfour, Williams, Hunter, McDowell, Miller and Person to act jointly with the Gentlemen by you appointed to report what measures are necessary to be adopted to secure from Ravage the Counties of Chatham & Cumberland.

Received from His Excellency the Governor a Letter, and the same being read, was ordered to be sent to the Senate.

The House adjourned till To-morrow Morning 6 O'clock.

Monday, 9 July, 1781.

The House met according to adjournment.

Mr. Henderson moved for leave and presented a Bill to enable the Governor and Commander in Chief for the time being during the recess of the General Assembly, to purchase Arms, Ammunition, &c., for the present War, which was read the first time, passed and sent to the Senate.

Resolved, That Messrs. Henderson, Person and Bryan be a Com-
mittee to devise ways and means to reimburse such people as lent Salt for the use of the public fishery, &c.

On motion, Resolved, That Mr. William Brickell, one of the members for Franklin County have leave to absent himself from the service of this House after To-morrow 10 O’clock.

Received from the Senate the following Message of the 28 ultimo:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve in favor of Ephraim Alexander late of Mecklinburg County.

At the same time received the Resolve referred to in the above Message, which being read was rejected.

The Bill to enable the Justices of New Hanover County to hold a Court in any part of the County, and other purposes, was read the second time, amended, passed & sent to the Senate.

Resolved, That the House will proceed to read the Bills and receive no other business until that is gone through.

On reading the Bill to empower the Juries in all cases to allow depreciation, &c., it was moved and seconded that the words herefo re be made as an amendment to the Bill, which would empower Juries to allow depreciation on all former Debts and Contracts, as well as on all others hereafter to be made, it was objected to. The question was put and carried in the negative 35 to 14 the Yeas and Nays being required are as follows:


The Bill for authorizing the Juries in all Trials in the Courts of Law in future to allow depreciation if any there be on the present Currency of this and the United States, was read the third time and rejected.

On the third and last time of reading the Bill for raising the Troops for the defence of this State in the Senate the Senate propose deleting the clause for compelling each Class to raise a bounty of
fifty pounds Specie for the person raised out of such Class. It was moved and seconded that this House should concur with the amend-
ment proposed by the Senate. It was objected to and the question
was put and it was carried in the affirmative 27 to 21, the Yeas and
Nays being required are as follows:

Yea:- Messrs. Horn, Eaton, Payne, D. Smith, Brickell, Gowdy,
Henderson, Branch, Boon, Williams, Randle, Alexander, Starkey,
Campbell, Lewis, Pope, Spaight, Turner, R. Smith, McDowall,
Benton, Hicks, Tullock, Luttrell, Medlock, H. Bryan and Hunter.

Nays:- Messrs. Tillman, Cole, Reddick, Harget, Whitty, Wilson,
Phifer, Gorham, Moss, Withrow, Miller, E. Williams, Blount, Ma-
con, Lenoir, Person, Greene, Phillips, Humphries, Evans and L.
Williams.

Received from the Senate a Bill to enable the Justices of New
Hanover County to hold a Court in any part of the County, and
other purposes. Endorsed in Senate 9 July, 1781. Read the third
time, amended & passed.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate propose that the Message from His Excellency the
Governor, of the 7 Instant, be referred to a joint Committee, and
for that purpose have appointed General Butler, Colonel Irwin and
Colonel Shepperd, a Committee.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have appointed Messrs. Smith, Spaight, Williams and Per-
son on our part to act with the Gentlemen by you appointed to con-
sider of the Governor's Message of the 7 Inst.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

This House have received and rejected the Report of the joint
Committee on the Letters from General Sumner and Colonel Robe-
son. They propose that these Letters be recommitted, and have
added Mr. Coor to the Committee.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House agree that the Letters from General Sumner and
Colonel Robeson be recommitted, and have added to the Committee Messrs. Balfour, Lutrell and Macon.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve in favor of David Allen, of Surry County.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return you the Resolve of your House in favor of David Allen, concurred with.

The Bill to enable the Governor, with the advice of the Council, to procure Tobacco for the purpose of obtaining Arms, &c., was read the first time, passed & sent to the Senate.

The Bill to amend and explain an Act entitled an Act for the establishing Courts of Law and regulating the proceedings therein was read the second time, passed and sent to the Senate.

The Bill for the Relief of such persons as have taken paroles, and for other purposes, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

This House have read and rejected the Report of the joint Committee on the Internal defence of the Counties of Chatham, Randolph and Cumberland, and propose that the subject matter thereof be recommitted.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House agree to recommit the Report of the Committee on the Internal defence of certain Counties therein mentioned, and have added Colo. Medlock & Mr. D. Smith to the said Committee.

Resolved, That the Commissioners of Trade, or any other Person having Public Tobacco in their hands, pay unto Mr. John Humphries, of Currituck County, Twelve Thousand three hundred and Sixty pounds weight of Merchantable Tobacco for a certain quantity of Rum impressed for Public use, and the person so paying the Tobacco shall be allowed in the settlement of his Accounts with the public.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve directing the Commissioners of Trade, or any other person having Public Tobacco in their hands, to pay Mr. Humphries a certain quantity therein mentioned.

Received from the Senate a Bill to amend and explain an Act entitled an Act for the Establishing Courts of Law & regulating the proceeding therein. Endorsed in Senate 9 July, 1781. Read the second time and passed.

Received from the Senate a Bill for raising Troops out of the Militia of this State for the defence thereof, and for other purposes. Endorsed in Senate 9 July, 1781. Read the first time & passed.

Ordered said Bill be read. The same being read the first time, passed & sent to the Senate.

Mr. Green moved for leave and presented a Bill for obliging the Counties who have not furnished their Quota of Continental Troops as required by a late Act of the General Assembly of this State to furnish the same, which was read the first time, passed and sent to the Senate.

Received from the Senate a Bill for raising Troops out of the Militia of this State for the defence thereof, and for other purposes. Endorsed in Senate 9 July, 1781. Read the second time, amended & passed.

The Bill for the more speedy Trial of all persons charged with Treason or Misprison of Treason against this State or the United States, and other purposes, was read the second time, amended, passed and sent to the Senate.

The House adjourned till Tomorrow Morning 6 O'clock.

Tuesday, 10 July, 1781.

The House met according to adjournment.

Received from the Senate a Bill for obliging the Counties who have not furnished their Quota of Continental Troops as required by a late act of the General Assembly of this State, to furnish the same. Endorsed in Senate 9 July, 1781. Read the first time and passed.

A Bill for the relief of such persons as have taken paroles, and
for other purposes. Endorsed in Senate 9 July, 1781. Read the
second time, amended & passed.

Mr. Thomas Armstrong, one of the Members for Cumberland
County, appeared, was qualified, and took his seat.

The Bill for continuing the District Auditors directing their duty
in office, and for other purposes, was read the Second time, amended,
passed, & sent to the Senate.

A Bill for raising Troops out of the Militia of this State for the
defence thereof & for other purposes, was read the second time,
amended, passed, and sent to the Senate.

The Bill for obliging the Counties who have not furnished their
Quota of Continental Troops as required by a late Act of the Gen-
eral Assembly of this State to furnish the same, was read the Second
time, amended, passed, and sent to the Senate.

Mr. Jas. Williams moved for leave to enter his protest against
the fees established to the Surveyors. Ordered that he have leave.

The Bill to regulate and ascertain the several officers' fees therein
mentioned, was read the third time, amended, passed, and sent to the
Senate.

Received from the Senate the Bill to amend an Act, intitled an
Act, to regulate the Militia of this State and for other purposes.

A Bill for raising Troops out of the Militia of this State for the
defence thereof and for other purposes. Endorsed in Senate 10
July, 1781, was read the third time, amended & passed.

The Bill to compel all such persons as have received or been in-
trusted with public Monies or who by virtue of their office ought to
have received Money for the use of the Public to account for the
same and for other purposes, was read the Second time, amended,
passed, and sent to the Senate.

The Bill for raising Troops out of the Militia of this State for the
defence thereof, and for other purposes, was read the third time,
passed, and ordered to be Engrossed.

Ordered that the following Message be sent to the Senate:


Mr. Speaker and Gentlemen:

The Commons propose Balloting To-morrow at 4 O'Clock in the
Evening, for the officers to Command the Troops to be raised out of
the Militia of this State for the Defence thereof, and put in nomi-
nation for Lieutenant Colonel Commandant, Benjamin Williams;
for first Major, Richard Dobbs Spaight, William Brickell, Joel Lewis and Thomas James; for second Major, John Raiford and William Eaton Johnston; for Major of the Horse, the Baron DeGlobeck, Joseph Hawkins and Guilford Dudley. If you accede to this measure you'll signify the same by Message.

The Bill to amend and explain an Act, entitled an Act, for the establishing Courts of Law and regulating the proceedings therein, was read the third time, amended, & passed, and sent to the Senate.

Resolved that the Bill to amend an Act, intituled an Act, to Regulate the Militia of this State, and for other purposes, be read tomorrow for the third and last time.

The House adjourned till To-morrow Morning 9 O'clock.

Wednesday July 11th, 1781.
The House met according to adjournment.

Whereas sundry Inhabitants in and about Edenton did voluntarily subscribe to defray the expence of an expedition against the Row Galley called the General Arnold, commanded by a certain Captain Robison, who on the fourth and fifth of June last, had plundered and burnt on the River above and below Edenton considerable quantities of valuable property. In order that those who risked their private fortunes on the public faith for the common defence may have security of being reimbursed.

Resolved, that the Auditors for the District of Edenton allow the account of fifty three thousand eight hundred pounds and grant Certificates for the same as in other cases as exhibited to this House signed by Josiah Collins, William Bennett, Joseph Smith, and Jos. Blount, Commissioners, appointed by the Subscribers to conduct the business of the above expedition.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve of this House directing the Board of Auditors to allow a certain sum therein mentioned to certain persons in and about Edenton.

On the Question shall the Resolve (referred to in the above Message) pass or not pass, it was objected to and carried in the affirmative 37 to 17. The Yeas & Nays being required are as follows:

Yea:—Messrs. Alderson, Horn, Bryan, Tillman, Eaton, Payne
STATE RECORDS.

D. Smith, W. Green, J. Williams, Gowdy, Reddick, Henderson, Hargett, Whitty, Williams, Wilson, Phifer, Randle, Alexander, Starkey, Campbell, Gorham, Miller, Blount, J. Green, Pope, Spaight, Lenoir, Turner, R. Smith, Balfour, L. Williams, Tullock, Bryan, Arrington, Benton and Armstrong.

Nays: —Messrs. Branch, Boon, Smithwick, Moss, Sikes, Withrow, E. Williams, Lewis, Hinton, Macon, Person, Philipps, McDowall, Hicks, Medlock and Cain.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House propose committing that part of General Greene's letter of the 11th Ullo, which respects Col. Reed to a joint Committee to report on, and have on our part for that purpose appointed Messrs. Person, Williams, Macon & Bryan.

Mr. James Williams, from the Committee to whom was referred the Letter from General Sumner, Reported as follows:

That your Committee are of opinion, that for all arrearages of pay and subsistence due the officers and Soldiers of this State to the first day of August last, on settlement of their Claims with the State Auditors shall be allowed pay and subsistence on the establishment settled by Congress and the Auditors be required to grant them indented Certificates in Specie to carry an Interest of Six per Cent., that the Pay Master General furnish the Auditors with a pay Roll exhibiting each officers and Soldier's Account Current, together with the sums received for the purposes of recruiting, that in all cases where the officers and Soldiers have received their pay in State Continental Currency it shall be accounted for at the time it was received according to the depreciation admitted by Congress.

Also that the Clothier General be directed to settle their accounts of Clothing and deliver them what appears to be their due, and in case there is not Clothing sufficient on hand he is hereby directed to give each officer a Certificate of what remains unpaid, that they may receive them at a future day, and the delinquents and others turned over into the Continental Service, receive Clothing from the Continental Stores, and their Families draw provisions from the Specific Tax agreeable to the Law for raising the late Troops to fill up the Continental Battalions.

JAMES WILLIAMS, Chhairman.
The House taking the said Report into Consideration, concurred therewith.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your Concurrence the Report of the joint Committee to whom was referred the Letter from General Sumner Conceded with by this House.

The Bill to enable the Justices of New Hanover County to hold a Court in any part of the County, and other purposes, was read the third time, passed and ordered to be Engrossed.

A Letter from Colo. Phillemone Hawkins, Jun., resigning his appointment as one of the Council of State being read, was sent to the Senate.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

We return the Report of the Committee on General Sumner’s Letter, concurred with by this House.

Mr. Speaker and Gentlemen:

The Senate agree to Ballot this Evening at the time proposed for officers to command the State Troops, and put in nomination for Lieutenant Colonel Commandant, Benjamin Williams, Phillip Taylor, Thomas Bloodworth, and John Dickenson, Esquires; for first Major, Richard D. Spaight, William Brickell, and Joel Lewis, Esquires; for Second Major, William Eaton, Johnston, Thomas James, John Raiford, and Barnett Pulliam, Esquires; for Major of the Horse, Joseph Hawkins and Baron De Globeck.

We propose that Delegates, Treasurers, one Member of the Council of State instead of Colo. Phil. Hawkins, who declines Acting, and the time and place for holding the next Assembly be balloted for at the same time, and put in nomination for Delegates, Samuel Johnston, William Sharpe, Ephraim Brevard, Robert Irwin, Phillemone Hawkins, Jun., and Charles Johnson, for a Councillor, John Taylor, Thomas Eaton, and Bromfield Ridley; for Treasurers, as nominated by your House; for the next Assembly, the places were New Bern and Salem; the time when, the first Monday in November.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Commons have added to the nomination for Second Major Henry Lightfoot, and agree to Ballot for all the officers as by you proposed.

Received a Letter from His Excellency the Governor, with a Letter from the Honbl. the President of Congress, enclosing Sundry Resolutions of Congress. The same were read and ordered to be sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

Colonels Irwin and Taylor will act with the Gentlemen by you appointed to report on the part of General Greene’s Letter attended to respecting Colonel Reed.

Mr. Lutrell, from the joint Committee to whom was referred the consideration of the situation of the Counties of Chatham and Randolph, reported as follows:

Your Committee are of opinion that the Commanding Officers of the said Counties be directed each to raise a Company of Light Horse, to consist of Thirty Men, Rank and file, to be officered by one Captain and Lieutenant, and one Cornet, to be employed separately or collectively (as circumstances may require), to keep in subjection and prevent in future the villainous conduct of the disaffected within the said Counties; but obliged (if found necessary) to march to any other part of this State, but on no pretense whatever to be sent out of the same; and that the said Troops be under the immediate command of the officer who enjoys the eldest commission, subject, nevertheless, to the direction of the Commanding officer of the County where the same may be impressed. And your Committee also report that 'tis their opinion that the Commanding officers be directed to discharge all persons who serve three months in said Light Horse from a Tour of Duty, and that they be entitled to the same pay and Rations as other Militia within this State. Also that at the expiration of their Tour as aforesaid, the Commanding officers of the Counties aforesaid each raise a Company of an equal number to those discharged (if to them it seems requi-
site), to be employed in the same kind of service, and be entitled to the same pay and rations as those aforementioned.

And your Committee further Report that as Richmond County seems to be in the same disagreeable situation as Chatham and Randolph are at present in, therefore, 'tis their opinion also, that it ought to be entitled to the same indulgence, all which is humbly submitted.

JOHN BUTLER, Chairm.

The House taking the said Report into consideration concurred therewith.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence the Report of the joint Committee to whom was referred the Consideration of the situation of the Counties of Chatham and Randolph concurred with by this House.

Resolved that Mr. Payne & Mr. Branch be appointed a Committee to superintend the Balloting for the several officers in nomination.

The House adjourned till Tomorrow Morning 6 O'clock.

Thursday 12 July, 1781.

The House met according to adjournment.

Resolved, that Joseph Ferebee be appointed Marshall of the Court of Admiralty for the port of Currituck in the room of Taylor Jones, Esquire, Deceased.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve appointing a Marshall of the Court of Admiralty for Port Currituck.

Mr. Payne one of the Committee appointed to Superintend the Balloting for the several officers, &c., Reported that by a Majority of the votes of both Houses of the General Assembly, William Sharpe, Samuel Johnston, Charles Johnston and Ephraim Brevard, Esquires, were elected Delegates. Whitmell Hill, Esquire, a member of the Council of State. William Skinner, Green Hill, Richard
Cogdell, Robert Lanier, Timothy Bloodworth and Matthew Jones, Esquires, Treasurers for their respective Districts.

Benjamin Williams, Esquire, Colonel Commandant of the Troops to be raised.

Joel Lewis, First Major.

Barron De Globeck, Major of the Horse.

The next Assembly to be held at Salem on the first Monday in November next.

That no person in nomination for a second Major had a majority of votes.

The House taking the said Report into consideration concurred therewith and Resolved that a second Major be appointed by a Resolve.

The Bill to indemnify and absolve from Criminal prosecution all such persons as under the Circumstances therein mentioned, have put to death any such of the Rebellious Subjects of this State as are therein described, and for other purposes, was read the second time, amended, passed & sent to the Senate.

Received from the Senate a Bill to enable the Governor with the advice of the Council, to procure Tobacco for the purpose of obtaining Arms, and for other purposes. Endorsed in Senate 11 July, 1781. Read the second time, amended & passed.

The Bill for the relief of such persons as have taken paroles, & for other purposes, was read the third time, amended, passed & sent to the Senate.

Received from His Excellency the Governor, a Message, which being read was sent to the Senate.

Resolved, That the Members of this present Assembly be allowed Eight hundred Dollars per Day for each Day’s travelling to and returning from this Session; and four hundred Dollars per Day for each Day’s attendance thereon, and that the Members who attended at New Bern in April last, be allowed Eight hundred Dollars per Day for each Day’s travelling to, attending at and returning from thence. And that the Estimate be made out to include Tomorrow.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House for ascertaining the pay of the Members of the General Assembly, &c.
Mr. Lutrell from the Committee appointed to take under consideration the Letter of Col. William R. Davie, Commissary General of the State of North Carolina, and also the Letter from Joshua Potts, superintendent of the County Commissioners for the District of Halifax, Reported as follows:

That the nature of the business will require mature Consideration and too much time to be taken up at this late Hour of the Session, therefore desire that it may lie over till next Session.

J. LUTRELL, Chairm.

The House taking the said Report into consideration concurred therewith.

Resolved, That John Spicer, Sen., Esqr., be allowed the sum of forty-three Thousand & Eight hundred Dollars for his attendance on, and travelling to the Council of State, while a member thereof. And a further sum of one hundred & twenty-two pounds for his Ferriages. That the Treasurer of this State, or either of them, advance him the same, and be allowed in the settlement of their accounts with the public.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve for allowing John Spicer, Sen., Esqr., a certain sum therein mentioned for his attendance on the Council as a member thereof.

Mr. Person from the Committee to whom was referred that part of General Greene's Letter relative to Col. Reed, reported as follows:

Your Committee upon investigating that Matter beg leave to recommend that a Resolve be past allowing Captain Reed two suits of Cloaths including six Shirts and six pairs of Stockings suitable to his Rank in office, and that the Commissioners of Trade be directed to furnish the material for that purpose. The House taking the said Report into Consideration, concurred therewith.

Whereas, Captain James Reed of the North Carolina Continental Troops, has (as appears to this House) sustained a very considerable loss in the Capture of his Baggage by the Enemy thereof.

Resolved, that the Commissioners of Trade be directed to furnish him with two suits of broad or other cloth, one piece of good linen
not exceeding twenty-five yards, six pairs of Stockings, and three yards of Cambrick, all suitable to the office he bears in the Army, for which they shall be allowed in the settlement of their public Accounts.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your Concurrence a Report of the joint Committee on Gen. Greene's Letter in favor of Col. Reed, also a Resolve of this House in consequence thereof, in his favor.

Resolved, that the Commissioners of Trade deliver Mr. Robert Hightower or order Six hundred and Sixty pounds weight of Merchant's Tobacco at Market for one Rheam of Writing paper furnished for the use of this Session of Assembly, and they shall be allowed in the settlement of their accounts with the public for the same.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your Concurrence a Resolve directing the Commissioners of Trade to furnish Mr. Robert Hightower a certain quantity of Tobacco, &c.

Received from the Senate the Bill for continuing the District Auditors, directing their Duty in office and for other purposes. Endorsed in Senate 11 July, 1781, read the second time, amended, & passed. Ordered that the same be read the third time, the same was read the third time, amended, passed, and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Report of the Committee on the situation of Chatham and Randolph Counties we return you, concurred with.

Mr. Henderson moved for leave and presented a Bill to extend the powers of the Governor and Council on such occasions as are therein mentioned, which was read the first time, passed & sent to the Senate.

Read a Petition from a number of the Field and other officers of the District of Salisbury, respecting the appointment of a Brigadier General for the said District. Ordered that the same be sent to the Senate.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your perusal and consideration a petition of sundry of the officers of the Militia Battalions of Salisbury District.

Resolved, That William Tisdale, Esquire, Judge of the Court of Admiralty for the port of Beaufort, be suspended from the exercise of the said office until the Charges of Bribery and Corruption lately found by the Grand Jury of the Superior Court of the District of New Bern shall be disproved and refuted; and that James Green, Jun., Esquire, be appointed Judge of the said Court of Admiralty pro Tempore, who shall exercise the said office and the powers (and be entitled to the emoluments) thereunto appertaining, until the said William Tisdale, Esquire, shall be duly acquitted of the Charges aforesaid.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House appointing a Judge of the Court of Admiralty pro Tempore for the Port of Beaufort.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate have received the Resolve of the Commons ascertaining the pay of the Members of the General Assembly, with which they do not concur, but propose that the Estimate be made out to include Saturday next.

That the allowance to the Members be four hundred Dollars per Day for going to and attending at and returning from the Session which was to have been held at New Bern in April last; Four hundred Dollars per Day for coming to and returning from the present Session, and two hundred Dollars per Day for attendance thereon.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Commons, thinking that the allowance as ascertained by them not more than adequate to their expenses, wish that the Senate would reconsider it & reflect on their own expenses, after which they think that the Senate will concur in the allowance as ascertained in their Resolve.
The Bill to amend an Act entitled an Act to regulate the Militia of this State, & for other purposes, was read the third time and Rejected.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:
We return herewith the Resolves of your House allowing Mr. Hightower a quantity of Tobacco therein mentioned, concurred with.

Mr. Speaker and Gentlemen:
We herewith return the Report of the joint Committee and the Resolve of your House in favor of Colonel James Reed, concurred with.

Mr. Speaker and Gentlemen:
The Resolve of your House appointing a Marshal of the Court of Admiralty for port Currituck we return you, concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:
This House have appointed Messrs. Smith, Balfour, Henderson, and Mr. Person a Committee on their part who will act jointly with such Gentlemen as you may appoint to examine and report on the Estimate from Congress, and Remonstrate on the situation of this State, &c.

Read the Petition of Matthew Collins, praying, &c.

Whereas, it is represented to this House that Matthew Collins, after having long served as a North Carolina Continental Soldier, received wounds in the said service which rendered him unable to procure a subsistence for himself and family,

Resolved, therefore, That the Commissary General of this State, or any of the County Collectors of provision supplies for the Army, be directed to supply the said Collins & his Family from time to time with such quantities of Corn and meat as will be sufficient to support & subsist them.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:
We send for your concurrence a Resolve of this House in favor of Matthew Collins.

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WHEREAS, the Counties of Washington, Burke, Rutherford, & Sullivan are much exposed to the depredations of the Indians, whereby it becomes necessary that an armed force should be immediately raised in the said Counties & stationed at places where they may the most effectually have it in their power to protect the same.

Resolved, therefore, That two hundred and forty Men be raised by voluntary enlistments or otherwise from the said Counties in the proportion following—that is to say, from Washington, seventy; from Sullivan, fifty; from Burke, Seventy, and from Rutherford, fifty—to be properly officered.

Resolved, That the said Troops when raised shall be posted at such places as the Governor or Commander in Chief or the Commanding officer of the respective Counties wherein they may be raised shall direct; and shall furthermore at all times during their service be under his Command and directions.

Resolved, That the said Troops shall continue in service, when raised, for the space of three months, and shall be entitled in consideration of the said service and during the time thereof to all the emoluments and privileges that the Militia of this State are entitled to for a Tour of three Months duty and while they are performing the same.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your Concurrence a Resolve of this House for protecting certain of the Frontier Counties of this State.

The House adjourned til To-morrow Morning 7 O'clock.

Friday 13th July, 1781.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

The Senate have appointed Messrs. Coor, Bryan and Irwin who will act jointly with the Committee by you appointed to examine and Report on the Estimate from Congress & remonstrate on the present situation of this State.

Mr. Speaker and Gentlemen:

Your Resolve appointing a judge of the Court of Admiralty pro Tempore for the Port of Beaufort, we return you Concurred with.

Mr. Speaker and Gentlemen:

This House cannot agree that any larger Sum be allowed the
Members of Assembly than five hundred Dollars per Day for going to, continuing at, and returning from the Session which was to have been held at New Bern in April last, Five hundred Dollars per Day for coming to & returning from the present Session, and two hundred and Fifty Dollars per Day for attendance thereon.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Commons agree to your last proposed allowance to be made the members for their attendance at New Bern, and on this present Session. The Senate proposed on the last Reading of the Bill for continuing the District Auditors, &c., that a clause in the said Bill empowering & directing the several Boards to resettle their Claims heretofore allowed by them and make further allowances equal to what they are to make hereafter be deled, it was moved and Seconded that this House should Concur in the amendment proposed by the Senate, it was objected to. The question was put and carried in the affirmative 30 to 22. The Yeas and Nays being required are as follows:


Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

We send for Concurrence a Resolve allowing John Spicer a certain sum therein mentioned which we wish to substitute in stead of the one on that head entered into yesterday by your House.

Mr. Speaker and Gentlemen:

We send for Concurrence a Resolve allowing Robert Bignall, Esqr., a certain sum therein mentioned.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith return the Resolve allowing John Spicer, Esqr., a
certain sum therein mentioned, also the Resolve allowing Robert Bignall, Esq., a certain sum therein mentioned. Concurred with.
Resolved unanimously that Bennett Crafton be appointed Second Major of the State Troops to be raised, and that the Governor be directed to Commission him accordingly.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:
We herewith send for your Concurrence a Resolve appointing Bennett Crafton Second Major of the Troops to be raised.
The Bill to enable the Governor with the advice of the Council to procure Tobacco for the purpose of obtaining Arms, and for other purposes, was read the second time, amended, passed, & sent to the Senate.
This House taking into consideration John Hays' claim for certain Lands in Duplin County, late the property of Arthur Dobbs, Esq., Deceased.
Resolved that, convinced of the propriety and justice of this claim, this House as soon as time of greater tranquility will permit them to resume the consideration of private affairs, deem it the duty of the Legislature of this State to vest by a Law in John Hay, &c, Two Thousand and Eighty-three & one third Acres of Land of a Tract of about Six Thousand Acres on the Six runs in Duplin County, known by the name of Governor Dobb's Survey.
Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:
We send for your Concurrence a Resolve of this House in favor of John Hay.
Resolved, that the Clerks of the two Houses of the General Assembly, do immediately after the rising thereof, and before they leave Wake Court House, proceed to make out a fair Copy of all the several Acts passed during this Session for His Excellency, the Governor, to the end that he may be able to carry into effect whatever may be required of him therein.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:
We herewith send for your Concurrence a Resolve directing the
Clerks of the General Assembly to make out a Copy of the Acts of Assembly for his Excellency, the Governor.

Received from the Senate a Bill to enable the Governor, with the advice of the Council, to procure Tobacco for the purpose of obtaining Arms, and for other purposes. Endorsed in Senate 13 July, 1781. Read the third time, amended & passed.

A Bill to compel the Counties who have not furnished their quota of Continental Troops as required by a late Act of the General Assembly of this State to furnish the same. Endorsed in Senate 13 July, 1781. Read the second time, amended & passed.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

The Resolve of your House appointing a Second Major to the Troops to be raised for the defence of the State, &c., we return you concurred with.

Mr. Speaker and Gentlemen:

The Resolve of your House for protecting certain of the Frontier Counties of this State, we return you concurred with.

The Bill to compel the Counties who have not furnished their quota of Continental Troops, as required by a late Act of the General Assembly of this State to furnish the same, was read the third time, amended, passed & sent to the Senate.

Resolved, That Joseph Hawkins, Esqr., be appointed Lieutenant Colonel of Warren County until such time as General Jones shall call a Court Martial for the trial of Herbert Haynes, Esqr., who was suspended from the office of Lieutenant Colonel of the said County.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve appointing Joseph Hawkins, Esquire, Lieut. Colo. of Warren County, &c.

Received from the Senate a Bill to enable the Governor with the advice of the Council, to procure Tobacco for the purpose of obtaining Arms, and for other purposes. Resolved, that the said Bill be read To-morrow for the third & last time.

Received from the Senate a Bill to indemnify and absolve from Criminal Prosecution all such persons, who under the circumstances
there mentioned, have put to Death such of the Rebellious subjects of this State as are therein described.

Resolved, That the said Bill be read To-morrow for the last time in this House.

Resolved, That no word, clause or section in the act passed this present Session of Assembly intituled an Act for drafting the Militia to re-inforce the Southern Army shall be construed to restrain or in any manner affect the Constitutional powers of the Governor and Commander in Chief for the time being as Captain General and Commander in Chief of the Militia.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve declaring that no clause or Section in the Act therein mentioned shall affect the Constitutional power of the Governor.

The House adjourned till To-morrow Morning 9 O'clock.

Saturday 14 July, 1781.

The House met according to adjournment.

Resolved, That the following persons be appointed officers to Command the Troops to be raised by virtue of an Act passed this present Session. And that they be arranged in the following manner and take rank accordingly, viz:

Nicholas Long, Jun., first Captain of the Horse.
George Thoroughgood, second Captain, and
James Shepperd, third Captain.
Samuel Ferebee, Lieutenant to the first Troop, and
Martin Frank, Lieutenant to the second Troop,
Joseph Hodges, Lieutenant to third Troop.
Frances Jones, Cornet to the first Troop,
Charles Gordon, Cornet to the second Troop and
James Johnston, Cornet to the third Troop.
1st. John Hodges, Capt. of Foot. James McRory, Lieutenant. &
Hugh McRory, Ensign.
2nd. Samuel Jones, Capt; Herndon Henderson, Lieutenant. &
William Burnap, Ensign.
3rd. Henry Bond, Captain; Joseph Ballard, Lieutenant, & Joseph
Hudson, Ensign.
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4th. David Bunting, Captain; Swann Froughton, Lieutenant, &
Morris Raiford, Ensign.

5th. John Farrar, Captain; Edward Douglass, Lieutenant, & John
Riley, Ensign.

6th. Charles Gordon, Captain; John Walton, Lieutenant, & Moses
Bledsoe, Ensign.

7th. John Hunt, Captain; James Blackshore, Lieutenant, & Allen
Ramsey, Ensign.

8th. John Cleveland, Captain; Gabriel Loven, Lieutenant, &
George Barber, Ensign.

Resolved, That His Excellency the Governor, be requested to
Commission the officers herein before nominated and appointed
agreeable to their arrangement.

Ordered that the following Message be sent to the Senate.

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve for appointing
the officers to command the Troops to be raised, &c.

Received from the Senate a Bill for the more speedy Trypto of
persons charged with Treason or Misprision of Treason against this
State or the United States, and other purposes. Endorsed in Senate
13 July, 1781. Read the second time amended & passed.

Resolved, That a Bounty of Twenty pounds Specie, or the value
thereof in Currency, be allowed to any able bodied man that shall
enlist as a soldier to serve one year in the State Troops to be raised
in virtue of an Act of the General Assembly passed this Session.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House
for giving a bounty of Twenty pounds, &c., to any person enlisting
in the Services for one year.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve in favor of —— Aldredge,
of Rowan, also, a Resolve in favor of certain persons heretofore Cit-
izens of this State therein described, and likewise a Resolve in favor
of John Philip Clapp of Guilford County. At the same time re-
ceived the Resolve referred to in the above Message, which being read were rejected.

Received from His Excellency the Governor, a Letter inclosing a Letter from Colonel Emmitt of the 11th Inst., which being read were sent to the Senate.

The Bill to enable the Governor, with the advice of the Council, to procure Tobacco for the purpose of obtaining Arms, and for other purposes, was read the third time, passed & ordered to be Engrossed.

The Bill to indemnify and absolve from Criminal prosecution all such persons who under the circumstances therein mentioned, have put to Death such of the rebellious subjects of this State as are therein described, was read the third time and rejected.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve in favor of Joseph Kerr of Rowan County.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Resolve of your House in favor of Joseph Kerr we return you concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Resolve of your House declaring that no clause or Section in the Act therein recited shall affect the Constitutional powers of the Governor we return you herewith, concurred with.

Mr. Speaker and Gentlemen:


Received a Letter from Charles Johnston, Esquire, resigning his appointment as a Delegate from this State to Congress.

Resolved, That Ephraim Washington, of Granville County, be released by the County Commissioner and District Collector from the payment of the fourfold Tax for the year 1780.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House in favor of Ephraim Washington, of Granville County.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We return herewith the Resolve of your House for appointing the officers to command the Troops to be raised, &c., concurred with.

Whereas, Major Thomas Harris by receiving a wound while in the service of this State, at the defeat of General Gates, has been rendered incapable of procuring subsistence for himself and family and the allowance made him at the last Session being not adequate to the relief of his distresses,

Resolved, That the Commissioners of the Confiscated property for the County of Mecklenburg be directed to put the said Harris in possession of a Confiscated negro man, and that he be suffered to continue in possession of the said Negro until the General Assembly shall otherwise direct.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House in favor of Major Thomas Harris.

The Bill for the more Speedy Trial of all persons charged with Treason or Mispriison of Treason against this State or the United States, and other purposes, was read the third time, amended, passed and sent to the Senate.

The Bill to compel all persons as have received or been entrusted with public Money, &c., and for other purposes, was read the third time, amended, passed & sent to the Senate.

Received from His Excellency the Governor a Letter addressed to the Honbl. the General Assembly, which, being read, Resolved, that the same be referred to a joint Committee, and that Messrs. Person, Henderson, and William Bryan be a Committee on the part of this House for that purpose.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you a Letter from His Excellency the Governor, which we propose referring to a joint Committee, and have for that purpose on our part appointed Messrs. Person, Bryan, & Henderson a Committee.

Resolved, That the Commissioners of Trade be and they are hereby directed to deliver to John Haywood, Jun., Eight hundred pounds of good Merchantable Tobacco for paper furnished the present Assembly, and that the said Commissioners be allowed therefor in the Settlement of their accounts with the public.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House in favor of John Haywood.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House propose Balloting at 5 O'clock this Evening for a Delegate in the room & stead of Charles Johnston, Esquire, who declines accepting the appointment of a Delegate. We put in nomination Abner Nash, Benjamin Hawkins, and Archibald McLaine, Esquires.

Read the Memorial of Vincent Vass, ordered that the same be referred to Mr. Macon, Mr. Starkey and Mr. Greene.

Resolved, that the Colonels or Commanding officers of the respective Counties within this State, be and they are hereby authorized and impowered to erect or cause to be erected made and equipt Three Waggons or Six good and well fixed Carts, one hundred Canteens, and one hundred Cartouch or Cartridge Boxes, and for that purpose are hereby impowered to call a sufficient number of the Militia men from their several Battalions in equal proportions as near as may be from each Captain's Company, Regard being had to men best qualified for the purpose aforesaid, and such men so called out shall serve faithfully for the Space of three months which service shall be considered as a Tour of Militia Duty.

Resolved, further, that the Colonels or Commanding officers aforesaid, are hereby authorized to call upon the Quarter Master
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General or any other person or persons, for Iron sufficient for the purpose of carrying the foregoing Resolve into Execution, and they or any of them, who shall furnish as aforesaid, shall be allowed for the same in the settlement of their public accounts.

Resolved, further, that the men so employed shall be allowed the same pay and rations per Day as Militia Soldiers in actual Service.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your Concurrence a Resolve empowering the Colonels, &c., to take from the Militia, persons to erect Wagons, &c.

Resolved, that Robert Bignall or Benjamin Hawkins, Esquire, deliver, or cause to be delivered to Thomas Person, Esquire, fifty-five Bushels of Salt, a part of a larger quantity by him lent for the use of this State, for which they shall be allowed in settlement of their accounts with this State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your Concurrence a Resolve of this House in favor of Thomas Person, Esq.

Mr. Person, from the joint Committee appointed to take under Consideration the Petition of John Wilcox concerning his Claim and William Englands, for Iron, &c. Reported as follows:

That your Committee find a Considerable sum of Money due from the public to the said Wilcox, but how much we cannot well determine at present, as the accounts are not properly stated.

Your Committee further Report as their opinion that for the encouragement of the said England and Wilcox to carry on the said Iron works, which is so essentially necessary towards prosecuting the present war, that twenty men such as they shall choose, who are to be employed by them in carrying on the said business of making Iron, together with all other who shall be by the said Wilcox & England, employed & brought from any of the other States, not exceeding twenty men to assist in the said business of making Iron be exempted from Military Duty of every kind so long as they con-
tinue employed in the aforesaid mentioned business, all which is submitted.

THOS. BURKE, Esq.

The House taking the said Report into Consideration, concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:
We herewith send for your Concurrence the Report of the joint Committee to whom was referred the Petition of John Wilcox. Conccured with by this House.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:
We return your Resolve in favor of Major Harris, concurred with.

Mr. Speaker and Gentlemen:
The Resolve of your House in favor of John Haywood, jun., we return you concurred with.

Mr. Speaker and Gentlemen:
The Senate agree to Ballot at 8 O'Clock this evening for a delegate, and put in nomination Abner Nash & Benjamin Hawkins, Esquires.

Mr. Speaker and Gentlemen:
We send for Concurrence a Resolve in favor of Matthew Collins. Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:
We return the Resolve in favor of Matthew Collins. Conccurred with.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:
Messrs. Coor, Taylor & Macon will act with the Gentlemen by you appointed to consider of His Excelleney, the Governor's Message of this Day.

Mr. Macon, from the Committee appointed to take under considera- tion the Memorial of Vincent Vass, Reported as follows:
That it is the opinion of the Committee that the said Mr. Vass be allowed for Candles, Fowls, &c., which he purchased for the use
of the Assembly One Thousand Eight hundred Dollars. It is further the opinion of the Committee that the said Vass was justifiable in the agreement he made with several persons, for superintending the Cooking, &c., and that Nicholas Atkins be exempted from two towers of Militia Duty, for the services rendered the public in that department, and that Joshua Sugg, Kemp Goodloe, Isaac Bracken, Matthew Calours, Richard King, Willis Pope, Solomon Hood, John Rand, Hardy Sanders, Thomas Wooten, Joel Lane, James Alford and Francis Wilkes, be also exempted from a Tour of Militia Duty, and that the said Vass be allowed for his trouble, expenses and losses, for things borrowed and hired, the sum of thirty-five thousand pounds, all which is submitted.

The House, taking the said Report into consideration, concurred therewith.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Report of the Committee appointed to take under consideration the Memorial of Vincent Vass, concurred with by this House.

Resolved, That the Treasurers of the different Districts be required to attend every Session of the General Assembly, and be allowed for their expenses on those occasions, exclusive of their Salaries.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a resolve of this House directing the District Treasurers to attend the future Assemblies.

Read the Memorial of Timothy Bloodworth, Esqr.; whereupon, Resolved, That Timothy Bloodworth, Esqr., be allowed the sum of Seven Thousand five hundred pounds, for sundry sums advanced to express on public services, for his attendance at the place of the rendezvous appointed for the Continental Soldiers lately raised in this State, and for other public services; that the Treasurers pay him the same and be allowed.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for your concurrence a Resolve of this House in favor of Timothy Bloodworth, Esquire.
Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

The Report of the Committee on Mr. Wilcox's Petition we return you, concurred with.

Mr. Speaker and Gentlemen:

The Resolve of your House in favor of Thomas Person, Esquire, we return you, concurred with.

Mr. Speaker and Gentlemen:

We send herewith the Report of the joint Committee on the Petition of Joshua Gordon, concurred with by this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Report of the joint Committee on the Petition of Joshua Gordon, concurred with by this House.

Resolved, That Thomas Dudley, Jr., be appointed Captain of the fourth Company of Infantry of State Troops, in the room of David Bunting, who declines acting.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve for appointing Thomas Dudley, Jun., Captain in the room of David Bunting.

Resolved, That Mr. Payne and Mr. Spaight be appointed to superintend the Balloting for a Delegate.

Read an address from Colonel Malmedy respecting allegations against him concerning certain Horses impressed for the use of the public, and also sundry Depositions, which prove to the satisfaction of this House that such allegations are groundless. Ordered that the same be sent to the Senate for their perusal, with the following Message:

Mr. Speaker and Gentlemen:

We herewith send you an address from Colonel Malmedy, for your perusal.

Mr. Spaight from the joint Committee on Balloting a Delegate in the room of Charles Johnston who has resigned, Reported
That Benjamin Hawkins was elected a Delegate by a large majority of the votes of both houses of the General Assembly.

The House taking the said report into consideration concurred therewith.

Read a Letter from General Gregory. Ordered that it be referred to His Excellency for answer.

Ordered that the following Message be sent to His Excellency the Governor:

To His Excellency Thomas Burke, Esquire, Governor, Captain General, &c., &c., Sir:

The Letter from General Gregory is herewith sent you and your Excellency is requested to answer.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We send for Concurrence a Resolve appointing Robert Bignall, Esquire, Commissioner for the purpose therein mentioned.

Robert Bignall, Esquire, being appointed Commissioner of Trade for this State until the next Session of Assembly which will require constant attendance at and about home.

Resolved, That he be therefore exempted from Militia Duty during the said appointment.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Resolve of your House appointing Robert Bignall, Esqr., Commissioner, &c.; also, a Resolve of this House in consequence thereof, exempting him from Military Duty.

Resolved, That it be recommended to His Excellency the Governor to issue his proclamation holding out grace and favor to all delinquents under the several Militia Drafts heretofore made in this State releasing them from all the pains and penalties by them incurred for such Delinquency upon such Conditions, with the advice of the Council, assuring the good people of this State no such Act of Benevolence will in the future be extended to any person hereafter who shall omit strictly to conform to the Militia Law of this State.

Resolved further, That His Excellency the Governor be requested to recommend to Major General Greene the Discharge of the Militia
who have been turned over to the Continental Service since the battle of Guilford House now at head Quarters whenever the situation of affairs will admit of such act of benevolence.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your Concurrence a Resolve recommending to His Excellency the Gov. to issue a proclamation for the purposes therein mentioned.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

The Senate cannot concur with the Report of the Committee in favor of Mr. Vass but propose that a Certificate of Twenty-five Thousand pounds be presented him exclusively of the amount of 1800 Dollars.

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve respecting such persons as may be appointed Secretary to the Governor or Clerk to the Council of State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House agree to the allowance proposed by the Senate to be made to Mr. Vass, and return the Resolve respecting such persons as may be appointed as Secretary to the Governor, &c., concurred with by this House.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

Your Resolve appointing Thomas Dudley in the room of D. Bunting we return you concurred with.

Resolved, That Samuel Johnston, William Sharpe, Ephraim Brevard, and Benjamin Hawkins, Esquires, be and they or any two of them are hereby authorized and empowered to represent this State in Congress for the present year, and to sit and vote in the said Congress upon any and all manner of Matters, things & questions concerning the United States that shall be therein agitated and moved, at their discretion, unless where they shall receive particular instructions from the General Assembly of this State.
Resolved, That the Delegates of this State in Congress be and they are hereby severally authorized to draw upon the faith and Credit of this State upon the Continental Treasury for such sums of Money as they shall from time to time stand in need of for defraying the expenses incurred by them while attending on the duties of their appointment, for which they are to account with this State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The resolution for the pay of the Delegates of this State which attend the Congress we send you for concurrence.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We return the Resolve of your House recommending to His Excellency the Governor to issue a proclamation for the purposes therein mentioned, concurred with.

Mr. Speaker and Gentlemen:

The Resolve of your House directing the officers to attend the future Assemblies we return you, concurred with.

Mr. Speaker and Gentlemen:

We herewith return the two Resolves of your House respecting the Delegates, concurred with by this House.

Mr. Speaker and Gentlemen:

We send for concurrence a Resolve respecting the State Board of Auditors.

Ordered that the following Messages be sent to the Senate:

Mr. Speaker and Gentlemen:

We return the Resolve of your House relative to the allowance to the State Board of Auditors, concurred with.

Received from the Senate a Resolve to pay Joel Lane, Esquire, the sum of Fifteen Thousand pounds as a compensation in full for house rent, &c., which, being read, was again passed and returned to the Senate.

The business of the Session being ended, Resolved, that the

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The House adjourned till the first Monday in November next, and then to meet as

By Order,

J. HUNT, C. H. C.
Extracts From Cornwallis-Clinton Correspondence---1781.

GEN. EARL CORNWALLIS TO SIR HENRY CLINTON.

No. 128.

WYNNESSBOROUGH, 6th January, 1781.

Sir:

I am just honored with your Letter of the 13th ulto. I have written several Letters in the course of the last month, to give your Excellency an account of the state of the Provinces of South Carolina and Georgia, and of the Military Transactions. I fear they are all still at Charleston, as no Opportunity has offered of transmitting them to N. York. The present Addition to the Naval Force in this Quarter will, I hope, enable me, or if I am too distant, Lt. Colonel Balfour, to transmit Reports more frequently.

The difficulties I have had to struggle with have not been occasioned by the opposite Army, They always keep at a considerable distance, and retire on our Approach. But the constant Incursions of Refugees, North Carolinians and back Mountain Men, & the perpetual Risings in the different Parts of this Province; the invariable Successes of all these Parties against our Militia, keep the whole Country in continual Alarm, and renders the Assistance of regular Troops everywhere necessary. Your Excellency will judge of this by the disposition of the Troops, which I have the Honor to enclose to you.

I shall begin my march tomorrow (having been delayed a few Days by a Diversion made by the Enemy toward Ninety-six), and propose keeping on the West of Catawba for a considerable distance. I shall then proceed to pass that River and the Yadkin. Events alone can decide the future Steps. I shall take every Opportunity of communicating with Brig. Gen. Arnold.

I have directed Lt. Col. Balfour to apply to the Commanding Officer of the Navy to send a Force into Cape Fear immediately, and to embark about 200 Men, & establish some Post for the Protection of the Victuallers and Vessels in the River.

The Expression made use of in the Letter from Lt. Col. Balfour to Major General Leslie was only meant to convey his private Opin-
ion of the Necessity of his complying with my request, and of the Danger to which the Province you'd be exposed if it was again left as destitute of Troops as in October last. He certainly had no Prehensions whilst the Army remained on the Frontiers. I can with Truth assure your Excellency that Lt. Col. Balfour does not hold the Language of despondency, and that his Spirited Exertions & constant Attention to the good of the Service have rendered me the most effectual Assistance.

In the hurry of Business your Excellency omitted answering the following Paragraph in my Letter of the 30th June: "Mr. Graham, Lt. Governor of Georgia, has presented an Account of Money advanced for Refugees, to which is added a Charge of 20/ $ Diem to the 24th of June, as Inspector of Refugees in Georgia. But as he informs me that his Commission for that Office is not signed, I beg to know your Pleasure whether this account is to be allowed."

I have the pleasure to inform your Excellency that the Army here is perfectly healthy and in good Order.

CORNWALLIS.

His Excellency Sir Henry Clinton.

MAJ. GEN. A. LESLIE TO SIR HENRY CLINTON.

CAMDEN, 8th January, 1781.

Sir:

I arrived here some Days ago with the Guards—the Regiment of Bose and Yagers. I went to Wynnesborough to see Lord Cornwallis. He moves today. I March tomorrow with the above Troops & No. Carolina Regiment. I meet his Lordship about 70 miles from hence.

The Troops are exceeding healthy & the Weather has been favorable. As to News, I refer your Excellency to your other Letters. I find my good friend Captain Gayton returns to the Chesapeake and Capt. Barclay continued at Charles Town. He was ready to go home in the room of Camilla.

I wrote your Excellency on my arrival in Carolina.

I have the honor, &c.,

A. LESLIE.

His Excellency Sir Henry Clinton.
STATE RECORDS.

GENERAL EARL CORNWALLIS TO SIR HENRY CLINTON.

CAMP ON TURKEY CREEK, BROAD RIVER,
18th January, 1781.

Sir:

In my Letter of the sixth of this month, I had the honor to inform your Excellency, that I was ready to begin my March for North Carolina, having been delayed some days by a diversion made by the Enemy towards Ninety Six. General Morgan still remained on the Pacolet, his Corps by the best accounts I could get, consisted of about five hundred men, Continentals & Virginia State Troops, & one hundred Cavalry under Colonel Washington, & six or seven hundred Militia, but that Body is so fluctuating, that it is impossible to ascertain its number, within some hundreds, for three days following Lieut. Colonel Tarleton with the Legion & Corps annexed to it, consisting of about 300 Cavalry & as Many Infantry, & the 1st Battalion of the 71st Regiment, and one three pounder, had already passed the Broad River, for the Relief of Ninety-six. I therefore directed Lieut. Colonel Tarleton to march on the West of Broad River, to endeavor to strike a blow at General Morgan, & at all events, to oblige him to repass the Broad River. I likewise ordered that he should take with him the 7th Regiment, and one three pounder, which were marching to reinforce the Garrison of Ninety-six, as long as he should think their Services could be useful to him. The Remainder of the Army marched between the Broad River and Catauba. As General Greene had quitted Mecklenburgh County, & crossed the Pedee, I made not the least doubt that General Morgan would retire on our advancing. The Progress of the Army was greatly impeded by heavy Rains, which swelled the Rivers & Creeks; yet Lieut. Col. Tarleton conducted his march so well, & got so near to General Morgan, who was retreating before him, as to make it dangerous for him to pass Broad River, & came up with him at 8 A.M. on the 17th inst. Everything now bore the most promising Aspect. The Enemy were drawn up in an open wood and having been lately joined by some Militia, were more numerous; but the different Quality of the Corps under Lieut. Col. Tarleton's Command and his great superiority in Cavalry, left him
no room to doubt of the most brilliant Success. The attack was begun by the first Line of Infantry, consisting of the 7th Regiment, the Infantry of the Legion & Corps of Light Infantry annexed to it; & Troop of Cavalry was placed on each Flank; the 1st Battalion of the 71st, and the Remainder of the Cavalry, formed the reserve. The Enemy's Line soon gave way, & their Militia quitted the Field; but our Troops having been thrown into some disorder by the pursuit, General Morgan's Corps faced about & gave them a heavy fire. This unexpected event, occasioned the utmost confusion in the first Line, the 1st Battalion of the 71st & the Cavalry were successively ordered up but neither the exertions, intreaties or Example of Lieut. Colonel Tarleton could prevent the panic from becoming general; the two three pounders were taken, & I fear the Colors of the seventh Regiment shared the same fate. In justice to the Detachment of the Royal Artillery, I must here observe that no terrors could induce them to abandon their Guns, & they were all either killed or wounded in defense of them. Lieut. Colonel Tarleton with difficulty assembled fifty of his Cavalry, who having had time to recollect themselves, & being animated by the Bravery of the Officer who had so often led them to victory, charged & repulsed Colonel Washington's Horse, retook the Baggage of the Corps, & cut to pieces the detachment of the Enemy who had taken possession of it, & after destroying what they could not conveniently bring off, retired with the Remainder, unmolested, to Hamilton's Ford, near the Mouth of Bullock's Creek. The Loss of our Cavalry is inconsiderable, but I fear, about 400 of the Infantry are either killed wounded, or taken. I will transmit the particular account of the Loss, as soon as it can be ascertained.

It is impossible to foresee all the consequences, that this unexpected & extraordinary event may produce, but Your Excellency may be assured, that nothing but the most absolute necessity shall induce me to give up the important object of the Winter's Campaign. I shall direct Lieut. Colonel Balfour to transmit a Copy of this Letter, by the first opportunity, to the Secretary of State.

I have the Honor to be Your most obedt. & most hum. Servt.,

CORNWALLIS.

His Excellency Sir Henry Clinton, K. B. &c., &c., &c.
STATE RECORDS.

EXTRACT.—FROM BRIGADIER-GENERAL ARNOLD TO SIR HENRY CLINTON, K. B.

PORTSMOUTH, January 23rd, 1781.

SIR:

The line of works begun, which are necessary for the defence of this place, your Excellency will observe (by the plan inclosed) are very extensive, and from the situation of it, cannot be contracted. The engineer's opinion of them, and the number of men necessary for their defence, against a superior force, I do myself the honor to enclose. Lieut.-Colonels Dundas and Simcoe, are clearly of the opinion with me, that three thousand men are necessary for their defence. We have all been greatly deceived in the extent and nature of the ground. There are many places in the river much easier defended with half the number of men. From the sketch of the place your Excellency will judge whether our opinion is well founded or not.

This province and North Carolina, are collecting the Militia, undoubtedly with a view to pay us a visit. Their numbers, from the best information I can obtain, are four thousand or five thousand. At present, I can hardly imagine they will attack this post though the works are no manner of service to us; and all our force cannot complete them in three months. I therefore think it my duty to request a reinforcement of at least two thousand men, which would render the post permanent and secure against any force the country could bring, as detachments could always be made (leaving the garrison secure) to disperse the Militia whenever it was found they were collecting, and the advantages of transportation, which we may derive from light boats (of which I propose to build fifty) would enable us to move with double the celerity, that the Militia could do with every exertion.

The country people have not come in, in numbers, as I expected; the necessity of General Leslie's removing from this place, after their being assured of his intention to remain here, has impressed them with the idea that we shall do the same; which is not easily effaced, as they have many of them suffered severely since his departure. I have not with certainty been informed where he is at
present. Reports, which are contradictory, say at Cape Fear; others that he is at Charleston; and some say at neither. I know not what opinion to form; neither have I heard from Lord Cornwallis, but by reports, which say that he is at or near Camden. No opportunity has yet presented of writing to either of these gentlemen, but I am of opinion our diversion at Richmond will operate much in his favor, as I am informed the Militia and Lighthorse, sent to reinforce the rebel army, under Greene, have been ordered to return.

GENERAL ARNOLD.

FROM SIR HENRY CLINTON, K. B. TO GEN. EARL CORNWALLIS.

New York, February 5th, 1781.

Sir:

My Lord, I have the honor to inclose to your Lordship, the copy of a letter I have lately received from Brigadier General Arnold, by which you will perceive that with scarcely one thousand men (for several of his transports, that had been separated on the voyage had not then rejoined him) he penetrated to Richmond, the capital of Virginia, and has rendered important service, by destroying a valuable foundry, a considerable quantity of public stores, cannon &c., &c. Indeed the whole of his operations upon the occasion appear to have been conducted in a manner which strongly marks his character of a very active and good officer, and I sincerely hope that this important stroke will essentially aid your Lordship's operations.

HENRY CLINTON.

EXTRACT OF A LETTER FROM BRIGADIER GENERAL ARNOLD TO GENERAL SIR HENRY CLINTON, K. B.

Portsmouth, 13th February, 1781.

Sir:

No time has been lost in repairing the old and erecting new works here (in which the Negroes have been very serviceable) but none
STATE RECORDS.

are yet compleat. Repairing Barracks, foraging and patrolling with large Parties, has engrossed the time of a great part of the Troops. One hundred Men are posted at the Great Bridge. Lieut. Colonel Simcoe, with near Four hundred Men, are in Princess Anne County scouring the Country of several parties and arranging matters with the Country people.

The Enemy are at Suffolk with Two thousand five hundred, or three thousand men. They threaten an attack on us, but I cannot suppose them capable of so much temerity. We are prepared for them at all points, and I believe nothing will induce them to attack us, but the hope of succeeding in a surprize, and despair of keeping their tattered force together, through want of Provisions, and the necessity of ploughing their Lands to prevent a famine the ensuing Year.

I have requested a Ship from Commodore Symonds to send to My Lord Cornwallis, I have not received an answer, but if she is furnished me, I intend proposing to My Lord, if the Co-operation will be of Service to him, to send some Boats with four or five hundred Troops thro' Curratuck Inlet, to Sweep the Albemarle Sound as high as Edington, & to go to New Bern and destroy their Shipping Stores, &c., while a few armed Vessels take Post at Ocracoke Bar, and a Frigate Cruises without. This movement I am convinced will have a good effect, first, by destroying the Navigation of North Carolina, and thereby distressing the Inhabitants, and secondly by taking off their attention from my Lord Cornwallis and General Leslie.

A number of my Boats are begun, & if fifty or one hundred Ship Carpenters and Boat Builders could be procured in New York, or elsewhere and sent here, they might be employed to great advantage.

I have sent Six Vessels under Convoy of a Frigate to the Eastern Shore of Maryland, for forage, provision, and lumber.

February 14th.

Yesterday at one O'Clock P. M., anchored in Linn Haven Bay. Three French Ships of War, one of 64 Guns and two Frigates, it remains a doubt where they are from, and whether they are the King's Ships or Merchantmen. I believe the latter, tho' the Gentlemen of the Navy are of the opinion they are the former, & from
Rhode Island. A vessel sails this evening at my request for Charles Town to prevent Commodore Gayton, or any Frigate coming this way from falling into their hands.

GENERAL ARNOLD.

EXTRACT.—FROM SIR HENRY CLINTON, K. B., TO BRIGADIER GENERAL ARNOLD.

NEW YORK, February 18th, 1781.

SIR:

Appearance at Rhode Island give me reason to suppose that the ships seen last Wednesday were the avant garde from that place. Should they pay you a visit from Rhode Island, you may rest assured every attention will be paid to your situation, and that our movements will be regulated by theirs.

I am afraid Tarleton's affair is too true; but I have reason notwithstanding, to believe-Lord Cornwallis is far advanced in North Carolina.

HENRY CLINTON.

CORNWALLIS' PROCLAMATION.

By the Right Honorable Charles Earl Cornwallis, Lieutenant General of His Majesty's Forces, &c., &c., &c.

WHEREAS, it has pleased the Divine Providence to prosper the operations of His Majesty's arms in driving the rebel army out of this province; and WHEREAS it is His Majesty's most gracious wish to rescue his faithful and loyal subjects from the cruel tyranny under which they have groaned for several years, I have thought proper to issue this Proclamation, to invite all such faithful and loyal subjects to repair; without loss of time, with their arms and ten days provisions, to the Royal Standard now erected at Hillsborough, where they will meet with the most friendly reception. And I do hereby assure them that I am ready to concur with them
in effectual measures for suppressing the remains of rebellion in this province, and for the re-establishment of good order and constitutional government.

Given under my hand at headquarters at Hillsborough this 20th day of February, in the year of our Lord 1781, and in the twenty-first year of His Majesty's reign.

CORNWALLIS.

By his Lordship's command,
H. BRODDICK, Aid de Camp.

God save the King.

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EXTRACT—FROM BRIGADIER GENERAL ARNOLD TO SIR H. CLINTON, K. B.

PORTSMOUTH, February 25, 1781.

Sir:

After my dispatches were closed (which were intended to go by the General Monk) three French ships, one a sixty-four, the other two frigates, arrived from Rhode Island, and anchored in Lynnhaven Bay. On the 14th instant they arrived in Hampton Roads and remained there until the 19th when they left the Capes and are said to be now cruising to the southward of them.

Before the arrival of the French ships the enemy's force did not exceed two thousand five hundred men at Suffolk and in the vicinity, which was greatly augmented soon after their arrival. On the 18th they came down in force near our lines and surprised a piquet of six men; but soon retired. Lieutenant Colonel Simcoe with four hundred men being in Princess Anne County, I did not think it prudent to leave our works to attack them.

I have very good intelligence that the rebels at Suffolk have been informed by express from General Greene, that on the 16th or 18th instant my Lord Cornwallis crossed the Dan River, sixty miles above Halifax and one hundred and twelve from Petersburgh, with one thousand cavalry and four thousand infantry and was on the march for Petersburgh. Generals Greene and Morgan with three thousand or four thousand men, chiefly Militia, were retiring before
him; in consequence of which a considerable part of their troops have been detached to join General Greene. I have not been able to ascertain the number of troops remaining at Suffolk and the vicinity. I expect to do it in a day or two, in which time every possible effort shall be made to complete our works in such a manner that a considerable detachment may be made to proceed up the James River, with some ships to co-operate with Lord Cornwallis; and if he should have reached the river to furnish him with such supplies of provisions, &c., as we can spare and his troops must be in need of.

ARNOLD.

FROM SIR HENRY CLINTON TO LORD CORNWALLIS.

5 March, 1781.

Sir:

I am sorry to say, my Lord, that I have the same reason to lament the want of safe Conveyances for my Dispatches, which your Lordship regrets in your Letter of the 6th January, having had several prepared for your Lordship ever since the beginning of that Month. And I am even now obliged to trust them by the precarious Conveyance of a Merchant Vessel, as I have in vain applied for a Ship of War for these two Months past for the purpose.

I request your Lordship's Forgiveness for the omission I was guilty of in not answering the Paragraph of your Letter of the 30th June, relative to Lieut. Governor Graham. As there are now no Refugees in Georgia, and of Course no occasion for such an Office as that to which he was appointed, and as he is now in full Possession of his Property, and does not seem to wish for a continuance of the Employment, it is very proper that it shou'd cease, and but reasonable that Mr. Graham shou'd be reimbursed the Sums he has advanced, as well as paid his Salary of 20/ 9 Day for himself and Clerk from the 3d of March to the Period he ceased to act.

It gives me great Pleasure to learn from your Lordship that the Army under your Command is now perfectly healthy and in good Order.
Lord George Germain having informed me that as Major Ross was of opinion that many of the Prisoners in our Hands in Carolina might be induced to serve on board the King's Ships or in Privateers, or enlist in the Regiments serving in the West Indies, or go as Volunteers upon Expeditions in that Quarter, he had recommended to your Lordship to get rid of all you could in these several ways, or any other your Lordship should think fit to be adopted. It is unnecessary for me to add anything on that Subject, but to say that I leave them entirely to your Lordship's disposal.

I wish it had been possible to have procured the Horses for Gen'l Vaughan, as I fear the Troops may suffer from the drudgeries they were intended to perform.

I know not at present how it is possible, my Lord, to avoid the Expence of quartering the Troops at Charlestown, consistent with Terms of the Capitulation. But I will endeavor to find some means of doing it if it is practicable.

I am most exceedingly concerned, my Lord, at the very unfortunate affair of the 17th of January. From the account your Lordship gives me of it, I fear Morgan has been in very great Force; that our first line has been too impetuous, and that the Reserve was sustained too nearly and probably in too loose Order, and that the Enemy has moved against them in that critical Situation. I confess I dread the Consequences. But my hope is, as it ever will be, in your Lordship's Abilities and Exertions.

I shall always be happy in paying every Attention to your recommendations in filling up the Vacancies in the 33d Regiment, as I shall be constantly guided by your Lordship's Wishes with respect to the Promotions of your own Regiment. I have already had an Opportunity of fulfilling my Intentions respecting Col. Webster, but this is too unsafe a Conveyance to trust the Commission by.

I have, &c.,

H. CLINTON.

Earl Cornwallis.
LORD GEO. GERMAIN TO SIR HENRY CLINTON.

WHITEHALL, 7th March, 1781.

SIR:

Since my Letter to you of the 7th Feb'y, I have received your Dispatches, numbered from 113 to 117 inclusive, and laid them before the King. The Revolt of the Pennsylvania Line and Jersey Brigade, though not attended with all the good Consequences that might have been expected, are certainly Events of great Importance and must have very extensive Effects both in reducing Washington's present Force and preventing its being recruited by new Levies; and, as I doubt not, you will avail Yourself of his Weakness and Your own great Superiority to send a considerable Force to the Head of the Chesapeake, as soon as the Season will permit Operations to be carried on in that Quarter. I flatter myself the Southern Provinces will be recovered to His Majesty's Obedience before the long promised Succors (none of which are yet sailed) can arrive from France, and Mr. Washington unable to draw Subsistence for his Troops from the West Side of Hudson River, be compelled to cross it and take Refuge in the Eastern Provinces. I am very anxious to hear of Lord Cornwallis' Progress since General Leslie joined him. I have no doubt his Movements will be rapid and decisive, for His Lordship appears to be fully impressed with the absolute necessity of vigorous Exertions in the Service of this Country in its present Circumstances. The Success of General Arnold's Enterprise up James River, which the Rebel News Papers confirm, must greatly facilitate His Lordship's Operations, by cutting off Greene's Supplies and obliging the Militia to return to take care of their own Property. Indeed, so very contemptible is the Rebel Force now in all Parts, and so vast is our Superiority everywhere, that no resistance on their Part is to be apprehended that can materially obstruct the Progress of the King's Arms in the Speedy Suppression of the Rebellion; and it is a pleasing, tho' at the same time a mortifying, reflection, when the Duration of the Rebellion is considered, which arises from the View of the Return of the Provincial Forces you have transmitted, that the American
Levies in the King’s Service are more in number than the whole of
the Enlisted Troops in the Service of the Congress.

GEO. GERMAIN.

His Excellency Sir Henry Clinton.

LORD GEO. GERMAIN TO GEN. EARL CORNWALLIS.

WHITEHALL, 7th March, 1781.

Earl Cornwallis:

My Lord:

I have had the honor to receive and lay before the King your
Lordship’s Dispatch of the 18th of Dec’t from Wynnesborough,
transmitting Copies of your own and Lord Rawdon’s Letters to Sir
Henry Clinton & Brig’r Gen’l Leslie, and His Majesty observed
with Particular Satisfaction that you were in perfect Health when
the former were written, and I beg leave to add my own Congrat-
ulations upon your Lordship’s recovery.

The reason which you assign for calling Gen’l Leslie from Vir-
ginia are founded in Wisdom, and could not fail being approved by
the King; and as I have had the pleasure to learn from Col. Bal-
four that Gen’l Leslie had joined you and you were in motion on
the 11th of January, I make no doubt but your Lordship will by
this time have had the honor to recover the Province of North Car-
olina to His Majesty; and am even sanguine enough to hope from
your Lordship’s distinguished Abilities and Zeal for the King’s Ser-
vice that the Recovery of a part of Virginia will crown your Suc-
cesses before the Season becomes too intemperate for Land Opera-
tions, as Sir Henry Clinton has informed me that he has sent a force
under Brigadier General Arnold to replace General Leslie’s at Ports-
mouth and co operate with your Lordship.

I am, &c.,

GEO. GERMAIN.
"On the 6th I received Information that my Lord Cornwallis had not penetrated further than the Dan or Roanoke Rivers, and that in consequence of the Misinformation (sent to the Rebel Army by Express, as mentioned in my last) being contradicted, their Detachment had returned to their Army at Suffolk, as well as Mr. Gregory to the Northwest Bridge. Their Force at the former Place, 3,000 men; at the latter, 500. On this Change of Affairs the Troops under the orders of Colonel Dundas, who were designed up the James River, were countermanded; but as they were on board Ship, and a favorable Opportunity offering to attack the Enemy's Post at the half way House between Hampton and York, twelve Miles from the former, Lieut. Col. Dundas, being joined by Thirty dismounted Dragoons of the Queen's Rangers, proceeded in Boats on the Night of the 7th to the back River, thirty Miles from his Ships, on the Chesapeake Bay, where he landed at 4 O'clock about 200 Men, Two Boats with a part of his Detachment having parted with him in a thick Fog and heavy Squall of Wind and Rain. He marched three miles to the Enemy's Post, which he found had been evacuated three Nights before. He, however, destroyed a small Magazine of about One hundred Stand of Arms, some Provision and Ammunition, and on his way to Newport News fell in with a Party of Forty of the Enemy; a Skirmish ensued, in which fourteen of the Enemy were left dead on the Field and Seventeen made Prisoners. Among the former was a Colonel Mallory, and a Colonel Curl among the latter. Lieut. Stewart, of the 80th Regiment, was killed in Action. Lieut. Salisbury, of the Romulus, and two Privates slightly wounded. Lieut. Col. Dundas had his Horse shot under him, and upon this, as well as every other occasion, has behaved with great Bravery."

"The Enemy within two Days have moved with their Force, said to be upwards of three thousand Men, to Brisket's Mills, twelve Miles from this Place, and threaten an attack upon us. I have every reason to believe that they have collected this Force to co-operate with the French Ships and Troops, which they hourly expect from Rhode Island."
"I have invited the Commodore to meet Lieut. Col's Dundas, Simco, Robinson, & myself, with some of his Officers, to determine our mode of Defence in case of an attack, which I expect will be done this Evening or tomorrow Morning. I am clearly of opinion that if the Commodore gives up Crany Island Bar, that every King's Ship and Transport here will fall a Sacrifice in forty Eight Hours after the Arrival of a superior Fleet and Army to ours.

"We are, however, all in High Spirits, not doubting but that our Wants and critical Situation will be properly attended to."

SIR HENRY CLINTON TO EARL CORNWALLIS.

NEW YORK, 2d & 5th March, 1781.

My Lord:

March 2nd. Your Lordship may probably hear that the Army and Navy in Chesapeake are blocked up by a superior French Naval Force to that under Capt. Symonds. The first account I had of it was from Gen. Arnold dated the 14th Feb., & I sent it immediately to the Admiral at Gardner's Bay. A day or two afterwards, I had it confirmed that they were part of the fleet from Rhode Island, which I have since heard sailed from there on the 9th Ultimo. Notwithstanding which I greatly fear he has not a Naval Force to relieve them. Washington has detached some New England Troops under La Fayette and Howe that way.

March 5th. If so much time is given I cannot answer for consequences. Portsmouth is safe at this Season against any attack from the Suffolk side; but not so far from a landing in any of the Bays to the Southward of Elizabeth river. I have much to lament that the Admiral did not think it advisable to send there at first, as Brigadier General Arnold's projected move in favor of your Lordship's Operations will have been stopped. And if the Admiral Delays it too long, I shall dread still more the fatal consequences. I have Troops already embarked in a great proportion to that of the Enemy, but to send them under two Frigates only before the Chesapeake is our own, is to sacrifice the Troops and their Convoy.

I inclose your Lordship all the news I have been able to collect.

17—63
Ethan Allen has, I think, quitted Congress, and put them at Defiance. Your Lordship will see his Plan by the Newspaper of the 28th February, said to be genuine. Discontent runs high in Connecticut. In short my Lord there seems to be nothing wanting to give a mortal Stab to Rebellion, but a proper Reinforcement and a permanent Superiority at Sea for the next Campaign, without which any Enterprize depending on Water Movements must certainly run great Risque. Should the Troops already embarked for Chesapeake proceed, & when there, be able to undertake any Operation in addition to what Brigadier Gen. Arnold proposes; I am confident it will be done. Major Gen. Philips will command this Expedition. Till Col. Bruce arrives, I am uncertain what Reinforcements are intended for this Army. The Minister has, however, assured me that every possible Exertion shall be made.

I shall fear for our Post at Portsmouth should the Enemy’s Reinforcements arrive in that Neighborhood, before the Force which I now flatter myself the Admiral will order a sufficient Convoy for arrives.

8th March. I have received a Letter from Gen. Arnold dated the 25th Ulto, wherein he tells me that the French left him on the 19th. And in another letter of the 27th, he says he has not the least doubt of defending his Post against the Force of the Country, and 2,000 French Troops, until a Reinforcement can arrive from New York. And that he proposed to send 500 Men under Colonel Dundas up the James River, to make a Diversion in favor of your Lordship. The Admiral informs me of the return of the French Ships to Rhode Island, and of their having taken the Romulus and carried her to that place. But the Admiral in his Letter of the 4th seems to think that the whole or a great part of the French Fleet sailed for Chesapeake on the 27th Ulto, and that he was at that time ready to sail. I flatter myself he is either gone there, or has sent a sufficient Force to clear the Chesapeake. The Troops under General Philips, have been embarked for some time, and are now at the Hook waiting for the Admiral or a Message from him. General Philips commands, and I am sure you know his inclinations are to co-operate with your Lordship, and you will therefore be pleased to take him under your orders until you hear further from me.

H. CLINTON.

To Earl Cornwallis.
STATE RECORDS.

GENERAL EARL CORNWALLIS TO LORD GEO. GERMAIN.

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Guilford, 17th March, 1781.

My Lord:

Your Lordship's Dispatch No. 1, dated the 9th of Nov. Ult, was delivered to me by my Aide-de-Camp Major Ross. The Officers and Soldiers, who fought so gallantly on the 16th of August, received with the warmest sense of Gratitude, the Royal Approbation of their behavior, and it is particularly pleasing to me, that my Conduct has given Satisfaction to His Majesty, and to his Ministers.

By the long interruption of our communication with South Carolina, I have not been informed whether Lieut. Gov. Bull, and the other Civil Officers have arrived in that Province; I shall pay proper attention to your Lordship's direction upon that Subject, as well as, relating to the Prisoners of War confined at Charlestown. There are at present some hopes, that a negotiation now on foot, between me and General Greene, will terminate in a Cartel for their Exchange. If it fails, I shall endeavor to dispose of them in the manner recommended by your Lordship, the expence and inconvenience of keeping them being intolerable.

I have the honour to be with great respect My Lord, your Lordship's most obedient & most humble Servant,

EARL CORNWALLIS.

Right Honorable Lord Geo. Germain, &c., &c., &c.

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GENERAL EARL CORNWALLIS TO LORD GEO. GERMAIN.

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Guilford, March 17th, 1781.

My Lord:

Having occasion to dispatch my Aide-de-Camp, Capt. Brodrick, with the particulars of the Action of the 15th. in compliance with the general directions from Sir Henry Clinton. I shall embrace the opportunity to give your Lordship an account of the operations of the Troops, under my Command, previous to that event, and of those subsequent, until the departure of Captain Brodrick.
My Plan for the Winter's Campaign, was to penetrate into North Carolina, leaving South Carolina in security against any probable attack in my absence.

Lord Rawdon with a considerable body of Troops had charge of the defensive and I proceeded about the middle of January, upon the offensive operations. I decided to march by the upper in preference to the lower roads leading into North Carolina, because Fords being frequent above the Forks of the Rivers, my passage there could not be easily obstructed. General Greene having taken post on the Pee Dee, and there being few fords in any of the great rivers of this Country below their Forks, especially in Winter, I apprehended being much delayed, if not entirely prevented from penetrating by the latter route. I was the more induced to prefer this route, as I hoped in my way to be able to destroy or drive out of South Carolina the Corps of the Enemy, commanded by General Morgan, which threatened our valuable district of Ninety Six; and I likewise hoped by rapid marches, to get between General Greene and Virginia, and by that means force him to fight without receiving any reinforcements from that province, or failing of that to oblige him to quit North Carolina with precipitation, and thereby encourage our friends, to make good their promises of a general rising, to assist me in re-establishing His Majesty's Government.

The unfortunate Affair of the 17th of January was a very unexpected and severe Blow; for besides reputation our loss did not fall short of 600 men; however, being thoroughly sensible that defensive measures would be certain ruin to the Affairs of Britain on Southern Colonies, this event did not deter me from prosecuting the original plan.

That General Greene might be uncertain of my intended route as long as possible, I had left General Leslie at Camden, until I was ready to move from Wynnesborough, and he was now within a march of me. I employed the 18th in forming a junction with him, and in collecting the remains of Lieut. Colonel Tarleton's Corps; after which great exertions were made by part of the Army without baggage, to retake our Prisoners, and to intercept General Morgan's Corps on its retreat to the Catawba; but the celerity of their movements and the swelling of the numberless Creeks in our way, rendered all our efforts fruitless. I therefore assembled the Army on the 25th at Ramsoure's Mill on the South Fork of the
Catawba, and as the loss of my light Troops could only be remedied by the activity of the whole Corps, I employed a halt of two days in collecting some flour, and in destroying superfluous Baggage. And all my Waggons, except those loaded with Hospital Stores, Salt and Ammunition, and four reserved empty in readiness for sick or wounded. In this measure, tho' at the expence of a great deal of Officer's Baggage, and of all prospect in future of Rum, and even a regular supply of provisions to the Soldiers, I must in justice to this Army say that there was the most general and cheerful acquiescence.

In the mean time the rains had rendered the North Catawba impassable and General Morgan's Corps the Militia of the rebellious Counties of Rowan & Mecklenburg, under General Davidson, or the Gang of Plunderers, usually under the command of General Sumpter, not then recovered from his wounds, had occupied all the Fords in a space of more than forty miles upward from the Fork, during its height. I approached the River by short marches so as to give the enemy equal apprehensions for several Fords, and after having procured the best information in my power I resolved to attempt the passage at a private Ford (then slightly guarded) near McCowan's ford, on the morning of the 1st of February.

Lieut. Colonel Webster was detached with part of the Army and all the Baggage to Beattie's Ford, six miles above McCowan's, where General Davidson was supposed to be posted with 500 Militia and was directed to make every possible demonstration by cannonading and otherwise, of an intention to force a passage there, and I marched at one in the morning with the Brigade of Guards, Regiment of Bose, 23rd Regiment, 200 Cavalry, and two three pounders, to the ford fixed upon for the real attempt; the morning being very dark and rainy & part of our way through a wood where there was no road, one of the three pounders in front of the 23rd Regiment and the Cavalry, overset in a swamp, and occasioned those Corps to lose the line of march, and some of the Artillery Men belonging to the other Gun, (one of whom had the match) having stopped to assist were likewise left behind. The Head of the Column in the meanwhile, arrived at the bank of the River and day began to break. I could make no use of the Gun that was up and it was evident from the number of fires on the other side, that the opposition would be greater than I had expected. However, as I knew
that the Rain that was then falling would soon render the River again impassable, and I had received information the evening before that General Greene had arrived in General Morgan's Camp, and that his Army was marching after him with the greatest expedition, I determined not to desist from the attempt; and therefore, full of confidence in the Zeal & Gallantry of Brigadier O'hara and of the Brigade of Guards under his command, I ordered them to march on, but to prevent confusion, not to fire until they gained the opposite bank. Their behavior justified my high opinion of them; for a constant fire from the enemy, in a ford upwards of five hundred yards wide, in many places up to their middle, with a rocky bottom and strong current made no impression on their cool and determined valor, nor checked their passage. The light Infantry landing first immediately formed, and in a few minutes killed or dispersed everything that appeared before them, the rest of the Troops forming and advancing in succession. We now learned that we had been opposed by about three hundred Militia that had taken post there only the evening before under the command of General Davidson. Their General and two or three other officers were among the killed, the number of wounded was uncertain, and a few were taken prisoners. On our side Lieut. Colonel Hall and three men were killed and thirty-six wounded, all of the Light Infantry, and Grenadiers of the Guards. By this time the rear of the Column had joined and the whole had passed with the greatest dispatch. I detached Lieut. Colonel Tarleton with the Cavalry and 23rd Regiment to pursue the routed Militia. A few were soon killed or taken and Lieut. Colonel Tarleton having learned that 3 or 400 of the neighboring Militia were to assemble that day at Tarrant's house, about ten miles from the ford. Leaving his Infantry he went on with the Cavalry and finding the Militia as expected, he with excellent conduct and great spirit, attacked them instantly and totally routed them, with little loss on his side; and on theirs between forty and fifty killed, wounded or prisoners. This stroke with our passage at the Ford so effectually dispirited the Militia that we met with no further opposition on our march to the Yadkin, through one of the most rebellious tracts in America.

During this time, the Rebels having quitted Beattie's Ford, Lieut. Colonel Webster was passing his detachment and the Baggage of
the Army, this had become tedious and difficult by the continuance of the rain and the swelling of the River, but all joined us soon after dark, about six miles from Beattie's Ford. The other fords were likewise abandoned by the Enemy; the greater part of the Militia dispersed, and General Morgan, with his Corps, marched all that afternoon and the following night towards Salisbury. We pursued next morning, in hopes to intercept him between the Rivers, and after struggling with many difficulties, arising from swelled Creeks & bad Roads, the Guards came up with his rear, in the evening of the 3rd, routed it, and took a few Waggons at the Trading Ford of the Yadkin. He had passed the Body of his Infantry in Flats, & his Cavalry and Wagons by the ford, during that day and the preceding night, but at the time of our arrival, the Boats were secured on the other side, and the ford had become impassable. The River continuing to rise, and the weather appearing unsettled, determined to march to the upper Fords, after procuring a small supply of provisions at Salisbury. This, and the height of the Creeks in our way, detained me two days, and in that time, Morgan having quitted the Banks of the River, I had information from our friends who crossed in Canoes, that General Greene's Army was marching with the utmost dispatch, to form a junction with him at Guilford. Not having had time to collect the North Carolina Militia, and having received no reinforcement from Virginia, I concluded that he would do everything in his power, to avoid an action on the Southside of the Dan; it being my interest to force him to fight, I made great expedition, and got between him and the upper Fords, and being assured that the lower fords are seldom practicable in winter, and that he could not collect many Flats at any of the Ferries, I was in great hopes that he would not escape me without receiving a blow. Nothing could exceed the patience and Alacrity of the Officers and Soldiers, under every species of hardship and fatigue, in endeavoring to overtake him; but our intelligence upon this occasion, was exceedingly defective, which, with heavy rains, bad roads, and the passage of many deep Creeks, and bridges destroyed by the Enemy's Light Troops, rendered all our exertions vain, for upon our arrival at Boyd's Ferry, on the 15th, we learned that his rearguard had got over the night before his Baggage and main body having passed, the preceding day, at
that and a neighboring ferry where more flats had been collected, than had been represented to me as possible. My force being ill suited to enter by that quarter so powerful a Province as Virginia, and North Carolina being in the utmost confusion, after giving the Troops a halt of one day, I proceeded by easy marches to Hillsborough, where I erected the King's Standard, and invited by Proclamation, all loyal Subjects to repair to it, and to stand forth and take an active part, in assisting me to restore order, and Constitutional Government. As a considerable body of Friends were said to reside between the Haw and Deep Rivers, I detached Lieut.-Colonel Tarleton on the 23rd with the Cavalry, and a small body of Infantry, to prevent their being interrupted in assembling. Unluckily a detachment of the Rebel light Troops, had crossed the same day, & by accident, fell in with about two hundred of our Friends, under Col. Pyle, on their way to Hillsborough, who, mistaking the Rebels for Lieut. Colonel Tarleton's Corps, allowed themselves to be surrounded, and a number of them were most inhumanly butchered, when begging for quarters, without making the least resistance. The same day I had certain intelligence that General Greene having been reinforced, had recrossed the Dan; which rendering it imprudent to separate my Corps, occasioned the recall of Lieut. Colonel Tarleton's detachment, and forage and provisions being scarce in the neighborhood of Hillsborough, as well as the position too distant (upon the approach of the Rebel Army) for the protection of the body of our Friends, I judged it expedient to cross the Haw, and encamped near Allamance Creek, detaching Lieut. Colonel Tarleton, with the Cavalry, Light Company of the Guards, and 150 men of Lieut. Colonel Webster's Brigade, a few miles from me on the road to Deep River, more effectually to cover the Country.

General Greene's light Troops soon made their appearance, and on the 2d, a patrol having reported that they had seen both Cavalry and Infantry near to his Post, I directed Lieut. Colonel Tarleton to move forward with proper precautions and endeavor to discover the designs of the Enemy. He had not advanced far when he fell in with a considerable Corps, which he immediately attacked and routed, but being ignorant of their Force, and whether they were supported, with great prudence desisted from pursuit. He soon learned from Prisoners that those he had beat were Lee's Legion, 300 or 400 back Mountain Men under Colonel Preston, with a num-
ber of Militia, and that General Greene, with part of his Army, was not far distant. Our Situation for the former few days had been amongst timid friends, and adjoining to inveterate Rebels. Between them I had been wholly destitute of information, which lost me a very favorable opportunity of attacking the Rebel Army. General Green fell back to Thompson's house, near Boyd's Ford, on the Reedy Fork, but his light Troops and Militia still remained near us, and as I was informed that they were posted carelessly at separate Plantations for the convenience of subsisting, I marched on the 6th to drive them in and to attack General Greene, if an opportunity offered. I succeeded completely in the first, and at Weitzell's Mill, on the Reedy Fork, where they made a stand, the back Mountain men and some Virginia Militia suffered considerably, with little loss on our side; but a timely and precipitate retreat over the Haw prevented the latter. I knew that the Virginia Reinforcements were upon their march, and it was apparent that the Enemy would, if possible, avoid risking an Action before their arrival.

The neighborhood of the Fords of the Dan in their Rear, and the extreme difficulty of subsisting my Troops in that exhausted Country putting it out of my power to force them, my resolution was to give our Friends time to join us by covering their Country as effectually as possible, consistent with the subsistence of the Troops, still approaching the communication with our Shipping in Cape Fear River, which I saw it would soon become indispensably necessary to open, on account of the sufferings of the Army from the want of supplies of every kind. At the same time I was determined to fight the Rebel Army if it approached me, being convinced that it would be impossible to succeed in that great object of our arduous Campaign—the calling forth the numerous loyalists of North Carolina—whilst a doubt remained on their minds of the superiority of our Arms. With these views, I had moved to the Quaker Meeting House in the fork of Deep River, on the 13th, and on the 14th I received the information, which occasioned the movement that brought on the Action at Guilford, of which I shall give your Lordship an account in a separate letter.

I have the honor to be, with great respect, My Lord, Your Lordship's Most obedient & Most humble Servant,

CORNWALLIS.

Right Honorable Lord George Germain, &c., &c., &c.
My Lord:

I have the satisfaction to inform your Lordship that His Majesty's Troops under my command obtained a signal Victory on the 15th Inst. over the Rebel Army, commanded by General Greene.

In pursuance of my intended Plan, communicated to your Lordship in my dispatch No., &c., I had encamped on the 13th Inst. at the Quakers' Meeting, between the forks of Deep River. On the 14th I received information that General Butler with a body of North Carolina Militia, and the expected Reinforcements from Virginia, said to consist of a Virginia State Regiment, a Corps of Virginia eighteen months men, 3,000 Virginia Militia, & Recruits for the Maryland Line, had joined General Greene, and that the whole Army, which was reported to amount to 9,000 or 10,000 men, was marching to attack the British Troops. During the afternoon intelligence was brought, which was confirmed in the night, that he had advanced that day to Guilford, about 12 miles from our Camp. Being now persuaded that he had resolved to hazard an engagement, after detaching Lieut. Colonel Hamilton with our Waggon and Baggage, escorted by his own Regiment, a detachment of 100 Infantry and 20 Cavalry, towards Bell's Mill on Deep River, I marched with the rest of the Corps, at daybreak on the morning of the 15th, to meet the Enemy or to attack them in their encampment. About four miles from Guilford our advanced Guard, commanded by Lieut. Colonel Tarleton, fell in with a Corps of the Enemy, consisting of Lee's Legion, some back Mountain Men, and Virginia Militia, which he attacked with his usual good conduct and Spirit, and defeated. And continuing our March, we found the Rebel Army posted on rising Grounds about a mile and a half from the Court House. The Prisoners taken by Lieut. Colonel Tarleton having been several days with the advanced Corps, could give no account of the Enemy's Order or position, and the Country people were extremely inaccurate in their description of the Grounds. Immediately between the head of the Column and the Enemy's Line was a considerable Plantation, one large Field of which was

GUILFORD, March 17th, 1781.
on our left of the Road, and two others, with a Wood of about two hundred yards broad, between them on our right of it. Beyond these Fields the Wood continued for several miles to our right. The Wood beyond the Plantation in our front, in the Skirt of which the Enemy's first Line was formed, was about a mile in depth, the road then leading into an extensive space of cleared Ground about Guilford Court House. The woods on our right and left were reported to be impracticable for Cannon, but as that on our right appeared to be most open, I resolved to attack the left Wing of the Enemy, and whilst my disposition was making for that purpose, I ordered Lieutenant Macleod to bring forward the Guns and cannonade their Center. The Attack was directed to be made in the following Order.

On the right, the Regiment of Bose and the 71st Regiment, led by Major General Leslie, and supported by the 1st Battalion of Guards; on their left, the 23d and 33d Regiments, led by Lieut. Colonel Webster & supported by the Grenadiers, and 2d Battalion of Guards, commanded by Brigadier General O'Hara. The Yagers and Light Infantry of the Guards remained in the wood on the left of the Guns, and the Cavalry in the Road, ready to act as circumstances might require. Our preparations being made, the Action began about half an hour past one in the afternoon. Major General Leslie, after being obliged by the great extent of the Enemy's Line to bring up the 1st Battalion of Guards to the right of the Regiment of Bose, soon defeated everything before him. Lieut. Colonel Webster having joined the left of Major General Leslie's division, was no less successful in his front, when on finding that the left of the 33d was exposed to a heave fire from the right Wing of the Enemy, he changed his front to the left, & being supported by the Yagers & Light Infantry of the Guards, attacked & routed it. The Grenadiers & 2d Battalion of Guards, moving forward to occupy the Ground, left vacant by the movement of Lieut. Colonel Webster.

All the Infantry being now in the Line, Lieut. Colonel Tarleton had directions to keep his Cavalry compact, and not to charge without positive orders, except to protect any of the Corps from the most evident danger of being defeated. The excessive thickness of the woods rendered our bayonets of little use, and enabled the bro-
ken enemy to make frequent stands, with an irregular fire, which occasioned some loss and to several of the Corps great delay, particularly on our right, where the 1st Battalion of Guards and Regiment of Bose were warmly engaged in front, flank & rear with some of the enemy that had been routed on the first attack, and with part of the extremity of their left wing, which by the closeness of the wood had been passed unbroken. The 71st Regiment & Grenadiers & 2d Battalion of Guards, not knowing what was passing on their right, and hearing the fire advance on their left, continued to move forward, the Artillery keeping pace with them on the road, followed by the Cavalry. The 2d Battalion of Guards first gained the clear ground near Guilford Court House, and found a Corps of Continental Infantry, much superior in number, formed in the open field on the left of the Road. Glowing with impatience to signalize themselves, they instantly attacked and defeated them, taking two six-pounders; but pursuing into the wood with too much ardour, were thrown into confusion by a heavy fire, and immediately charged and driven back into the field by Colonel Washington's Dragoons, with the loss of the six-pounders they had taken. The Enemy's Cavalry was soon repulsed by a well directed fire from two three-pounders, just brought up by Lieut. Macleod, & by the appearance of the Grenadiers of the Guard and of the 71st Regiment, which, having been impeded by some deep Ravines, were now coming out of the wood on the right of the Guards, opposite to the Court House. By the spirited exertions of Brig. General O'Hara, tho' wounded, the 2d Battalion of Guards was soon rallied, & supported by the Grenadiers, returned to the charge with the greatest alacrity. The 23d Regiment arriving at that instant from our left, and Lieut. Colonel Tarleton having advanced with part of the Cavalry, the enemy were soon put to flight, & the two six-pounders once more fell into our hands, two Ammunition Waggons & two other six-pounders, being all the Artillery they had in the field, were likewise taken. About this time the 33d Regiment and Light Infantry of the Guards, after overcoming many difficulties, completely routed the Corps which was opposed to them, and put an end to the Action in this quarter. The 23d and 71st Regiments, with part of the Cavalry, were ordered to pursue; the remainder of the Cavalry was detached with Lieut. Col. Tarleton to our right, where a heavy fire still
continued, and where his appearance and spirited attack contributed much to a speedy determination of the action. The Militia with which our right had been engaged dispersed to the woods; the Continentals went off by the Reedy Fork, beyond which it was not in my power to follow them, as their Cavalry had suffered but little. Our troops were excessively fatigued by an action which lasted an hour & a half, and our numerous wounded, dispersed over an extensive space of Country, required immediate attention. The Care of our wounded and the total want of provisions in an exhausted Country made it equally impossible for me to follow the blow next day. The Enemy did not stop until they got to the Iron Works on Troublesome Creek, 18 miles from the field of Battle.

From our own observation, and the best accounts we could procure, we did not doubt but the strength of the enemy exceeded 7,000 men. Their Militia composed their Line, with parties advanced to the Rails of the Fields in their front, the Continentals were posted obliquely in the rear of their right wing. Their Cannon fired on us, whilst we were forming, from the center of the Line of Militia, but were withdrawn to the Continentals before the attack.

I have the honor to inclose to your Lordship, the list of our killed and wounded. Captain Schwutz's wound is supposed to be mortal, but the Surgeons assure me, that none of the other Officers are in danger, and that a great number of the men will soon recover. I cannot ascertain the loss of the enemy, but it must have been considerable, between 2 & 300 dead were left upon the field. Many of their wounded that were able to move, whilst we were employed in the care of our own, escaped and followed the routed enemy, and our Cattle Drivers and foraging parties have reported to me, that the houses in a circle of 6 or 8 miles around us are full of others. Those that remained we have taken the best care of in our power. We took few prisoners owing to the excessive thickness of the woods facilitating their escape, and every man of our army being repeatedly wanted for action.

The conduct and actions of the Officers and Soldiers that compose this little Army, will do more justice to their merit, than I can by words. Their persevering intrepidity in Action, their invincible patience in the hardships and fatigues of a march of above 600 miles, in which they have forded several large Rivers, and number-
less Creeks, many of which would be reckoned large rivers in any other Country in the world, without Tents or covering against the Climate, and often without provisions, will sufficiently manifest their ardent zeal for the honor and interests of their Sovereign and their Country.

I have been particularly indebted to Major General Leslie, for his gallantry and exertion in the Action, as well as his Assistance in every other part of the Service. The zeal & Spirit of Brigadier General O'Hara, merit my highest commendations, for, after receiving two dangerous wounds, he continued in the field while the Action lasted. By his earnest attention on all other occasions, seconded by the Officers and Soldiers of the Brigade, His Majesty's Guards are no less distinguished by their order and discipline than by their Spirit and valour.

The Hessian Regiment of Bose, deserves my warmest praises for its discipline, alacrity and Courage, and does honor to Major Du Buy who commands it, and who is an Officer of superior merit. I am much obliged to Brigadier General Howard, who served as Volunteer, for his spirited example on all occasions.

Lieut. Colonel Webster conducted his Brigade like an Officer of experience and Gallantry. Lieut. Colonel Tarleton's good conduct & spirit in the management of his Cavalry, was conspicuous during the whole action, & Lieut. Macleod, who commanded the Artillery, proved himself, upon this, as well as all former occasions, a most capable & deserving Officer. The attention and exertion of my Aides-de-Camp, and of all the other public Officers of the Army, contributed very much to the success of the day.

I have constantly received the most zealous assistance from Governor Martin during my command in the southern district. Hoping that his presence would tend to incite the loyal Subjects of this Province to take an active part with us, he has cheerfully submitted to the fatigues and dangers of our Campaign, but his delicate constitution has suffered by his public spirit, for by advice of the Physicians, he is now obliged to return to England for the recovering his health.

This part of the Country is so totally destitute of subsistence that forage is not nearer than nine miles, and the Soldiers have been two days without bread; I shall therefore leave about 70 of the
worst of the wounded cases, at the New Garden Quaker Meeting house, with proper Assistance, & move the remainder with the Army tomorrow morning to Bell's Mill. I hope our friends will heartily take an active part with us, to which I shall continue to encourage them; still approaching our shipping by easy marches, that we may procure the necessary Supplies for further operations, and lodge our sick and wounded, where proper attention can be paid to them.

This Dispatch will be delivered to Your Lordship by my Aide-de-camp Captain Brodick, who is a very promising Officer, and whom I beg leave to recommend to Your Lordship's Countenance and favor. I have the honor to be with great respect My Lord, Your Lordship's Most obedient & Most humble Servant,

EARL CORNWALLIS.

CORNWALLIS' PROCLAMATION.

NORTH CAROLINA.

By Charles Earl Cornwallis, Lieutenant-General of His Majesty's Forces, &c., &c., &c.

Whereas, By the blessing of Almighty God, his Majesty's arms have been crowned with signal success by the complete victory obtained over the Rebel forces on the 15th instant, I have thought proper to issue this proclamation to call upon all loyal subjects to stand forth and take an active part in restoring good order and government. And, whereas, it has been represented to me that many persons in this province who have taken a share in this unnatural rebellion, but having experienced the oppression and injustice of the Rebel government, and having seen the errors into which they have been deluded by falsehoods and misrepresentations, are sincerely desirous of returning to their duty and allegiance, I do hereby notify and promise to all such persons (murderers excepted) that if they will surrender themselves with their arms and ammunition at headquarters, or to the officer commanding in
the district contiguous to their respective places of residence, on or before the 20th day of April next, they shall be permitted to return to their homes, upon giving a military parole, and shall be protected in their persons and properties from all sort of violence from the British troops, and will be restored as soon as possible to all the privileges of constitutional government.

Given under my hand at headquarters, this 18th day of March, A. D. 1781, and in the twenty-first year of his Majesty's reign.

CORNWALLIS.
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<tr>
<th>Regiment</th>
<th>Jan. 1, 1781</th>
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<td>Regiment of Hees, etc.</td>
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STATE RECORDS.

EXTRACT—MAJOR GENERAL PHILLIPS TO SIR HENRY CLINTON,
K. B., DATED PORTSMOUTH, APRIL 3, 1781.

I apprehend from various rebel accounts that Lord Cornwallis,
although he kept the field, has suffered very much after the action
of the 15th ulto. He is said to be fortifying to the west of the Haw
river, near Guilford, which seems a good position, having that river
in front of the communication quite down to Cross Creek and Cape
Fear.

Should his Lordship want support, he must in course draw it
from Charlestown to Cape Fear river by directing Lord Rawdon to
abandon the frontier, and keep only a garrison in Charlestown.

PHILLIPS.

LORD CORNWALLIS TO SIR HENRY CLINTON.

CAMP NEAR WILMINGTON, 10th April, 1781.

SIR:

I am just informed that I have a chance of sending a few lines
to New York by the Amphithrite, but as it depends upon my being
expeditions, I cannot attempt to give your Excellency a particular
account of the Winter's Campaign, or the battle of Guilford. I
have, however, the satisfaction of informing you that our military
operations were uniformly successful; and the Victory of Guilford,
altho' one of the bloodiest of this War, was very complete. The
Enemy gave themselves out for nine or ten, & undoubtedly had
seven thousand Men in the field, upwards of two thousand of which
were eighteen-months men or Continentals.

Our force was 1,360 Infantry, rank & file, and about 200 Cav-
ality. General Greene retreated the night of the Action to the Iron
Works, on Troublesome Creek, eighteen miles from Guilford, leaving
us four six-pounders, being all the Cannon he had in the field.
The fatigue of the Troops and the great number of wounded put it
out of my power to pursue beyond the Reedy Fork in the afternoon.
of the Action; and the want of Provisions and all kinds of neces-
saries for the soldiers made it equally impossible to follow the blow
next day. I therefore issued the enclosed Proclamation; and hav-
ing remained two days on the field of battle, marched to Bell's Mill
on Deep River, near part of the Country where the greatest number
of our friends were supposed to reside. Many of the Inhabitants
rode into Camp, shook me by the hand, said they were glad to see
us, and to hear that we had beat Greene, and then rode home again;
for I could not get 100 men in all the Regulator's Country to stay
with us, even as Militia.

With a third of my Army sick & wounded, which I was obliged
to carry in Waggons or on horseback, the remainder without Shoes
and worn down with fatigue, I thought it was time to look for some
place of rest & refitment. I therefore, by easy Marches, taking care
to pass through all the Settlements that had been described to me
as most friendly, proceeded to Cross Creek. On my arrival there I
found, to my great mortification, that it was impossible to procure
any considerable quantity of provisions, and that there was not four
days' forage within twenty miles. The Navigation of Cape Fear
River, with the hopes of which I had been flattered, was totally
impracticable, the distance from Wilmington by water being 150
miles, the breadth of the river seldom exceeding one hundred yards,
the banks generally high, and the Inhabitants on each side almost
universally hostile. Under these Circumstances I determined to
move immediately to Wilmington. By this measure the Highland-
ers have not had so much time as the people of the upper Country
to prove the sincerity of their former professions of friendship. But
tho' Appearances are rather more favorable among them, I confess
they are not equal to my expectations.

General Greene marched down as low as the mouth of Deep
River, where he remained four days ago. He never came within
our reach after the action, nor has a shot been since fired, except
at Ramsay's Mill on Deep River, where Colonel Malmedy, with
about 20 of a gang of plunderers that are attached to him, gal-
loped in among the Sentries, and carried off three Yagers.

I cannot sufficiently commend the behaviour of both Officers and
men under my command. They not only showed the most perse-
vering intrepidity in action, but underwent with cheerfulness such
fatigues & hardships as have seldom been experienced by a British Army, and justly merit every mark of favor and reward. The great assistance I received from Generals Leslie, O'Hara, & Lieut. Colonel Tarleton, deserves my warmest acknowledgements & highest commendations.

I am now employed in disposing of the sick and wounded, and in procuring supplies of all kinds, to put the troops into a proper state to take the field. I am, likewise, impatiently looking out for the expected reinforcements from Europe, part of which will be indispensably necessary, to enable me either to act offensively, or even to maintain myself in the upper parts of the Country, where alone I can hope to preserve the Troops, from the fatal Sickness, which so nearly ruined the Army last Autumn.

I am very anxious to receive your Excellency's commands, being as yet totally in the dark, as to the intended operations of the Summer. I cannot help expressing my wishes, that the Chesapeake may become the Seat of War, even (if necessary) at the expense of abandoning New York. Until Virginia is in a manner subdued, our hold of the Carolinas must be difficult, if not precarious. The Rivers of Virginia are advantageous to an invading Army, but North Carolina is, of all the Provinces in America, the most difficult to attack, (unless material Assistance could be got from the Inhabitants, the contrary of which I have sufficiently experienced) on account of the great extent of the numberless Rivers and Creeks, & the total want of interior navigation.

In compliance with your Excellency's general directions, I shall dispatch my Aide-de-camp, Captain Broderick, to England, with the particular accounts of the Battle of Guilford, of the Winter's Campaign, and the present State of the Province, Copies of which I shall have the honor of transmitting to your Excellency with my next dispatch. I have the honor to be with great respect, Sir, Your most obedient & Most humble Servant,

EARL CORNWALLIS.
SIR HENRY CLINTON, K. B., TO EARL CORNWALLIS.

New York, April 13, 1781.

My Lord:

As it appears, even from the Rebel account of the action, that your Lordship has gained a victory over Greene; and it is probable he may in consequence have repassed the Roanoke, I beg leave to submit to your Lordship the propriety of your coming to Chesapeake Bay in a frigate as soon as you have finished your arrangements for the security of the Carolinas, and you judge that affairs are in such a train as no longer to require your presence; directing at the same time such troops to follow you thither, as your lordship is of opinion can be best spared.

By Lieutenant Colonel Bruce's arrival I am made acquainted that six British regiments are intended as an immediate reinforcement to the army under my command; should therefore any of these Corps stop at Carolina your Lordship may probably direct them either to replace such troops as follow you, or to proceed immediately to the Chesapeake.

Agreeable to what I have already said to your Lordship in my letters of the 1st of June and 6th of November, it is my wish that you should continue to conduct operations as they advance North-erly; for, except as a visitor, I shall not probably move to Chesapeake, unless Washington goes thither in great force. The success which has hitherto attended your Lordship excites the fullest assurance of its continuance; and as it is my inclination to assist your operations to the utmost extent of my power, I am convinced, from your disinterestedness, that you will not ask from me a larger proportion of troops than I can possibly spare.

As this goes by an unarmed vessel to Chesapeake, Major General Phillips will add what he thinks necessary to it, and forward it to Cape Fear.

The Admiral has at last consented that the Medea shall sail for Cape Fear, as soon as she is ready. Perhaps your Lordship may take that opportunity of Returning in her; and, as we can prevail upon the Admiral, or Commanding Naval Officer here, to spare
Captain Duncan to conduct the naval part of our business in the Chesapeake, I think we shall have gained a great point.

I have the honor to be, &c

H. CLINTON.

EARL CORNWALLIS TO LORD GEO. GERMAIN.

WILMINGTON, 18th April, 1781.

My Lord:

I marched from Guilford on the morning of the 18th of March, and next day arrived at Bell's Mill, where I gave the Troops two day's rest, and procured a small supply of provisions. From thence I proceeded slowly towards Cross Creek, attending to the convenience of subsistence, & the movement of our wounded. On my way, I issued the inclosed Proclamation, & took every other means in my power to reconcile enemies, & to encourage our friends to join us.

From all my information I intended to have halted at Cross Creek, as a proper place to refit and refresh the Troops, and I was much disappointed on my arrival there, to find it totally impossible. Provisions were scarce, not four days forage within twenty miles, and to us the Navigation of the Cape Fear River to Wilmington, impracticable; for the distance by water is upwards of a hundred miles, the breadth seldom above a hundred yards, the banks high, and the Inhabitants on either side generally hostile. Under these circumstance, was obliged to continue my march to this place, in the neighborhood of which I arrived on the 7th inst.

I have been busy since my arrival in disposing of our sick & wounded, and in procuring the necessary Supplies, to put the troops in a proper state, to take the field. I am in daily expectation of seeing the reinforcement from Europe, and of receiving the Commander-in-Chief's directions for the further operations of the Campaign.

Captain Schutz died a few days after the action, as we expected, but I am sorry to inform your Lordship, that, notwithstanding the flattering appearances & the Assurances of the Surgeons, Colonel Web-
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ster (whose loss is severely felt by me & the whole Army) Captain Maynard of the Guards, Captain Wilmousky and Ensign De Trott of the Regiment of Bose are since dead.

Major Craig who took possession of this place in the latter end of January, has conducted himself with great Zeal & Capacity, having with a very small force, not only secured the Post from all insults, but made himself respectable in this part of the Country, by several successful excursions.

I shall not trouble your Lordship on the subject of South Carolina, having directed Lord Rawdon who commands on the Frontiers, and Lieut. Colonel Balfour Commandant of Charlestown, to take every opportunity of communicating to your Lordship, as well as to the Commander-in-Chief, the state of affairs in that Province; as they are both Officers of capacity & great merit, I trust that their conduct will have given satisfaction.

I have the honor to be with great respect, My Lord, Your Lordship's Most obedient & Most humble Servant.

EARL CORNWALLIS.

Right Honorable Lord George Germain, &c., &c., &c.

EARL CORNWALLIS TO LORD GEORGE GERMAIN.

WILMINGTON, 18th April, 1781.

My Lord:

As Governor Martin returns to England by this opportunity, I shall beg leave to refer your Lordship to him for many particulars relating to this Province, but I think it incumbent on me to be explicit to your Lordship, as his Majesty's Minister, on one or two capital points.

The principal reasons for undertaking the Winter's Campaign were, the difficulty of a defensive War in South Carolina, & the hopes that our friends in North Carolina, who were said to be very numerous, would make good their promises of assembling & taking an Active part with us, in endeavoring to re-establish His Majesty's
Government. Our experience has shown that their numbers are not so great as had been represented, and that their friendship was only passive, for we have received little assistance from them since our arrival in the province, and altho' I gave the strongest & most public assurances that after refitting & depositing our sick & wounded, I should return to the upper Country, not above two hundred have been prevailed upon to follow us either as Provincials or Militia. This being the case, the immense extent of this Country cut with numberless Creeks & rivers, and the total want of internal navigation, which renders it impossible for our Army to remain long in the heart of the Country, will make it very difficult to reduce this Province to obedience by a direct attack upon it. If, therefore, it should appear to be the interest of Great Britain to Maintain what she already possesses, & to push the War in the Southern provinces, I take the liberty of giving it as my opinion, that a serious attempt upon Virginia would be the most solid plan, because successful operations might not only be attended with important consequences there, but would tend to the security of South Carolina, & ultimately to the submission of North Carolina. The great reinforcements sent by Virginia to General Greene, whilst General Arnold was in the Chesapeake, are convincing proofs that small expeditions do not frighten that powerful Province.

I have the honor to be My Lord Your Lordship's Most obedient and Most humble Servant,

EARL CORNWALLIS.

Right Honorable Lord George Germain, &c., &c., &c.

EARL CORNWALLIS TO LORD GEORGE GERMAIN.

WILMINGTON, 23 April, 1781.

MY LORD:

I yesterday received an express by a small Vessel from Charleston, informing me that a Frigate was there but not then able to get over the bar, with Dispatches from Sir Henry Clinton, notifying to me that Major General Phillips had been detached into the Chesa-
peak with a considerable force, with instructions to co-operate with this Army & to put himself under my orders. This Express likewise brought me the disagreeable accounts, that the upper posts of South Carolina were in the most imminent danger from an alarming Spirit of Revolt among many of the people and by a movement of Gen. Greene's Army.

Although the expresses I sent from Cross Creek to inform Lord Rawdon of the necessity I was under of coming to this place, and to warn him of the possibility of such an attempt of the Enemy had all miscarried, yet his Lordship was lucky enough to be apprized of General Greene's Approach, at least six days before he could possibly reach Camden, and I am therefore still induced to hope from my opinion of His Lordship's Abilities, & the precautions taken by him & Lieut. Colonel Balfour, that we shall not be so unfortunate as to lose any considerable Corps.

The distance from hence to Camden, the want of forage and subsistence, on the greatest part of the Road, and the difficulty of passing the Pedee, when opposed by an Enemy, render it utterly impossible for me to give immediate assistance, and I apprehend a possibility of the utmost hazard to this little Corps, without the chance of a benefit in the attempt. For if we are so unlucky as to suffer a severe blow in South Carolina, the spirit of Revolt in that Province, would become very general, and the numerous Rebels in this Province be encouraged to be more than ever active & violent. This might enable General Greene to hem me in among the great Rivers, & by cutting off our subsistence, render our Arms useless. And to remain here for Transports to carry us off, would be a work of time, would lose our Cavalry, and be otherways as ruinous and disgraceful to Britain as most events could be. I have therefore, under so many embarrassing circumstances, (but looking upon Charlestown as safe from any immediate attack from the Rebels) resolved to take advantage of General Greene's having left the back part of Virginia open and march immediately into that province, to attempt a junction with General Phillips.

I have more readily decided upon this measure because if General Greene fails in the object of his March his retreat will relieve South Carolina. And my force being very insufficient for offensive operations in this province may be employed usefully in Virginia,
in conjunction with the Corps under the Command of General Phillips.

I have the honor to be with great respect My Lord,

Your Lordship's Most obedient and Most humble Servant,

CORNWALLIS.

Right Honorable Lord George Germain, &c., &c., &c.

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EARL CORNWALLIS TO SIR HENRY CLINTON.

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WILMINGTON, April 23, 1781.

SIR:

I have the honor to inclose to you a duplicate of my letter of the 10th sent by the Amphitrite, and copies of all my letters to the Secretary of State; as they contain the most exact account of every transaction of the campaign, of the present state of things in this district, of my great apprehensions from the movement of General Greene towards Camden and my resolutions in consequence of it. I have nothing to add to it for your Excellency's satisfaction.

Neither my cavalry or infantry are in readiness to move; the former are in want of everything; the latter of every necessary but shoes, of which we have received an ample supply; I must however, begin my march to-morrow. It is very disagreeable to me to decide upon measures so very important and of such consequence to the general conduct of the war, without an opportunity of procuring your Excellency's directions or approbation; but the delay and difficulty of conveying letters and the impossibility of waiting for answers render it indispensably necessary. My present undertaking sits heavy on my mind; I have experienced the distresses and dangers of marching some hundreds of miles, in a country chiefly hostile, without one active or useful friend; without intelligence and without communication with any part of the country. The situation in which I leave South Carolina adds much to my anxiety; yet I am under the necessity of adopting this hazardous enterprise hastily and with the appearance of precipitation; as I find there is no prospect of speedy reinforcement from Europe and that the
return of General Greene to North Carolina, either with or without success, would put a junction with General Phillips out of my power. I have the honor to be, &c.,

CORNWALLIS.

EARL CORNWALLIS TO SIR HENRY CLINTON, K. B.

WILMINGTON, April 24, 1781.

SIR:

I have reflected very seriously on the subject of my attempt to march into Virginia, and have in consequence written a letter to Major General Phillips, of which I have the honor to enclose a copy to your Excellency. I have likewise directed Lieutenat Colonel Balfour to send transports and provisions to this port, in case I should find the junction with Major General Phillips inexpedient or impracticable, and that I should have the mortification of seeing that there is no other method of conveying his Majesty's troops to South Carolina without exposing them to the most evident danger of being lost.

I have the honor to be, &c.,

CORNWALLIS.

EARL CORNWALLIS TO MAJ. GEN. PHILLIPS.

WILMINGTON, 24th April, 1781.

DEAR PHILLIPS:

My situation here is very distressing. Greene took the advantage of my being obliged to come to this place, and has marched to South Carolina. My express to Lord Rawdon on my leaving Cross Creek warning him of the possibility of such a Movement have all failed. Mountaineers & Militia have poured into the back part of that province, and I much fear that Lord Rawdon's posts will be so distant from each other and his Troops so scattered as to put him in the greatest danger of being beat in detail, and the worst of con-
sequences may happen to most of the Troops out of Charlestown. By a direct Move towards Camden I cannot get time enough to relieve Lord Rawdon, and should he have fallen, my Army would be exposed to the utmost danger from the great rivers I should have to pass, the exhausted state of the Country, the numerous Militia, the almost universal spirit of revolt which prevails in South Carolina, and the strength of Greene's Army, whose Continentals alone are at least as numerous as I am. And I could be of no use on my arrival at Charlestown, there being nothing at present to apprehend for that post. I shall therefore March immediately up the Country by Duplin Court House, pointing towards Hillsborough, in hopes to withdraw Greene; if that should not succeed, I should be much tempted to try to form a junction with you. The Attempt is exceedingly hazardous, and many unforeseen difficulties may render it totally impracticable, so that you must not take any steps that may expose your Army to the danger of being ruined. I shall March to the lowest ford of the Roanoke, which I am informed is about 20 Miles above Taylor's Ferry. Send every possible intelligence to me by the Cypher I enclose, and make every Movement in your power to facilitate our Meeting, which must be somewhere near Petersburg, with safety to your Army. I mention the lowest ford because in a hostile Country Ferries cannot be depended upon. But if I should decide upon the measure of endeavoring to come to you, I shall endeavor to surprise the boats at some of the ferries from Halifax upwards.

I am, dear Phillips, Most faithfully yrs.,

CORNWALLIS.

Major Gen'l Phillips.

SIR HENRY CLINTON, K. B., TO MAJ. GEN. PHILLIPS.

New York, April 26th, 1781.

[Received by Earl Cornwallis at Petersburg, May 24.]

Dear Sir:

Your letters of the 15th, 16th, 18th and 19th instant were delivered to me on the 22d by Captain Biggs, of his Majesty's ship Am-
phithrite. And I should have now entered largely into and given a detailed answer (agreeable to your desire) to the several subjects thereof if I had not, from the purport of Lord Cornwallis' letter of the 10th, and yours of the 19th, judged it to be unnecessary at present to give either you or me that trouble.

What you say in your letter of the 15th instant respecting the post at Portsmouth, and the choice of another somewhere else on Elizabeth River, you will find fully answered in mine to you of the 11th, which accompanies this; for (although written above a fortnight since) I had no safe opportunity before the present of sending it to you.

Lord Cornwallis' arrival at Wilmington has considerably changed the complexion of our affairs to the southward, and all operations to the northward must probably give place to those in favor of his Lordship, which at present appears to require our more immediate attention. I know nothing of his Lordship's situation but what I have learnt from his letter to me of the 10th, which you have read; and as I have the strongest reason to believe that he had above three thousand men (exclusive of cavalry and militia) when he entered North Carolina, I am totally at a loss to conjecture how his numbers came to be reduced before the day of action to one thousand three hundred and sixty infantry, except by supposing (as you have done) that he had previously weakened his army by detachments. Of this, however, I shall probably be informed when I receive the copy of his Lordship's letter to the Minister; and I shall most likely be at the same time informed what prospects he may still have of arming the numerous friends we were taught to expect his finding in the districts he has visited in his march to and retreat from Guilford; without whose assistance we shall, I fear, hold those provinces by a very precarious tenure.

I had great hopes before I received Lord Cornwallis' letter that his Lordship would have been in a condition to have spared a considerable part of his army from Carolina for the operations in Chesapeake, but you will observe from it that instead of sending any part of his present force thither, he proposes to detain a part of the reinforcement coming from Europe for his more southern operations, even though they should be defensive. I shall therefore take the opinions of the General officers near me upon the present state of
our affairs, and I propose afterwards to send you such further detach-
ment from this army as we may judge can be done with tolerable
security to this post—at least while we remain superior at sea.

With so large a force as you will then have, I flatter myself that
you will be able to make the most effectual exertions, either directly
or indirectly, in Lord Cornwallis' favor, as far as your efforts on the
shores of the Chesapeake can co-operate with what he may be doing
in Carolina. What these, however, may be you, as being upon the
spot, must certainly be the best judge, until you either hear further
from or see his Lordship.

In yours and Brigadier General Arnold's joint letter you mention
that from one thousand six hundred to two thousand more men
would enable you to take a post in force at Petersburg; from whence
you might break up Mr. Greene's communications with Virginia,
and in co-operation with Lord Cornwallis, probably disperse the
Rebel army. And that you could, moreover, with this increased
strength, attempt Fayette's corps, Baltimore and Annapolis, with
great probability of success, and finally attempt Philadelphia, and
take post in the lower counties of Delaware, for which you appre-
hend your force would then be sufficient.

The security of the two Carolinas is certainly an object of the
greatest importance, and should at all events be first attended to.
Success also against any considerable corps of the enemy, which
may be collected anywhere within reach, and the taking or destroy-
ing their public stores, magazines, &c., are undoubtedly very im-
portant advantages. But there is, in my humble opinion, still
another operation which if successful would be most solidly decis-
ive in its consequences, and is therefore well worth our considera-
tion. It is the trying the same experiment (which has hitherto
unfortunately not succeeded to the southward) in other districts
which have been represented as most friendly to the King's inter-
est. Virginia has been in general looked upon as universally hos-
tile. Maryland has not as yet been tried, but it is supposed to be
not quite so much so; but the inhabitants of Pennsylvania, on both
sides of the Susquehannah, York, Lancaster, Chester and the Pen-
insula between Chesapeake and Delaware, are represented to me to
be friendly. There or thereabouts I think this experiment should
now be tried, but it cannot be done fairly until we have a force suf-
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sificant not only to go there, but to retain a respectable hold of the
country afterwards, should it be judged necessary. I wish that our
numbers were competent to the occupying two corresponding stations
at Baltimore and Elk river. Agreeable to what I mentioned to you
in the conversations we have had together on this subject (to which
that you may be able on occasion to refer) I have committed the
substance of them to writing, and send them to you enclosed. This
I should have done sooner, had I had a safe opportunity before.
I have now the greater reason to be convinced that the opinions I
then gave you were right, from a conversation I have since had
with a very intelligent friend of ours from the country, known to
Colonel Simcoe, who goes to you by this opportunity, and will be
able to give you the fullest information thereon.

HENRY CLINTON.

Major General Phillips.

SIR HENRY CLINTON, K. B., TO EARL CORNWALLIS.

NEW YORK, April 30th, 1781.

[Received June, 1781.]

MY LORD:

Captain Biggs, of his Majesty's ship Amphitrite, who arrived here
the 22d, has delivered to me your Lordship's two letters from Wil-
mington, of the 10th instant, informing me of your having obtained
a compleat victory over the rebel General Greene, near Guilford, on
the 15th ult., on which occasion I beg leave, my Lord, to offer your
Lordship my most hearty congratulations, and to request you will
present my thanks to Major-General Leslie, Brigadier-General
O'Hara, and Lieutenant-Colonel Tarleton, for the great assistance
you received from them, and to the officers and men under your
command, for their great exertions on the march through Carolina,
and their persevering intrepidity in action.

The disparity of numbers between your Lordship's force and that
of the enemy opposed to you, appears to be very great, and, I con-
fess I am at some loss to guess how your Lordship came to be re-
duced before the action to one thousand three hundred and sixty
infantry, as by the distribution sent to me in your letter of the 6th of January, I am to suppose it was your intention to take with you the regiments mentioned in the margin, † which (notwithstanding the loss of the seventy-first and legion, in the unfortunate affair of Cowpens) I should have imagined must have amounted to considerably above three thousand, exclusive of cavalry and Militia.

Before I was favored with your Lordship's letter, the rebel account of the battle of Guilford had led me, indeed, to hope, that its consequences would have been more decisive, and that Greene would have passed the Roanoke, and left your Lordship at liberty to pursue the objects of your move into North Carolina. Under the persuasion, therefore, that you would soon be able to finish your arrangements for the security of the Carolinas, I submitted to you in my letter of the 13th instant, (a duplicate of which I have the honor to enclose) the propriety in that case of your going in a frigate to Chesapeake, and directing such corps to follow you thither as you judged could be best spared. But, as it is now probable that your Lordship's presence in Carolina cannot be so soon dispensed with, I make no doubt that you will think it right to communicate to Major-General Phillips, without delay, the plan of your future operations in that quarter, together with your opinion how the Chesapeake army can best direct their's to assist them. That General officer has already under his orders three thousand five hundred men, and I shall send him one thousand seven hundred more which are now embarked, and will sail whenever the Admiral is ready.

With these, my Lord, which are rank and file fit for duty, and great part of them taken from the elite of my army, General Phillips is directed by his instructions to act in favor of your Lordship to the best of his own judgment, until he receives your orders, and afterwards in such manner as you may please to command him, &c. But I shall be sorry to find your Lordship continue in the opinion that our hold of the Carolinas must be difficult, if not precarious, until Virginia is in a manner subdued, as that is an event which I fear, would require a considerable space of time to accomplish, and

as far as I can judge, it might not be quite so expedient at this advanced season of the year to enter into a long operation in that climate. This, however, will greatly depend upon circumstances, of which your Lordship and General Phillips may probably be the better judges, hereafter.

With regard to the operations of the summer, which your Lordship is anxious to receive my directions about, you cannot but be sensible that they must in great measure depend on your Lordship's successes in Carolina, the certainty and numbers of the expected reinforcement from Europe, and, likewise on your Lordship's sending back to me the corps I had spared to you, under Major-General Leslie, which Colonel Rawdon, in his letter of the 31st of October, told me you could return in the spring. For until I am informed of the particulars of your Lordship's march through North Carolina, the effective strength of your moving army, your plan of operations for carrying those objects you had or may have had in view, into execution, as well by the corps acting under your immediate orders, as those acting in co-operation under Major-General Phillips, it must be obviously impossible for me to determine finally upon a plan of operations for the campaign.

I was indeed in great hopes that your successes in North Carolina would have been such as to have put it in my power to avail myself of a large portion of your Lordship's army, the whole Chesapeake corps, and the entire reinforcement from Europe, for this campaign's operations to the northward of Carolina, but I observe with concern, from your Lordship's letter, that so far from being in a condition to spare me any part of your present force, you are of opinion that part of the European reinforcement will be indispensably necessary to enable you to act offensively, or even to maintain yourself in the upper parts of the country.

Had I known what your Lordship's further offensive measures were intended to be for the remaining part of the season, I might now have given an opinion upon them, as well as upon the probable co-operation of the corps in the Chesapeake, without having which it will be scarce possible for me to form any; for as I said before, I fear no solid operation can be carried on to the northward of Chesapeake before those to the southward of it are totally at an end, either from success, or the season; and my letter to your Lordship...
ship of the 6th of November will have informed you what were my ideas of the operations proper to be pursued in Chesapeake, and my expectations from them, had circumstances admitted of my pursuing the plan to its full extent.

But I must not defer fixing ultimately on a plan for the campaign, until I am made acquainted with the final success of your Lordship’s operations, your prospects and sentiments, and I can judge what force I can collect for such measures as I can then determine upon. I have the honor to be, &c.,

H. CLINTON.

SIR HENRY CLINTON, K. B., TO MAJOR-GENERAL PHILLIPS.

NEW YORK, 30th April, 1781.

[Received by Lord Cornwallis at Petersburg.]

DEAR PHILLIPS:

I cannot judge from Lord Cornwallis’s letter, whether he proposes any further operations in the Carolinas—what they may be, and how far you can operate in his favor. If I was to give a private opinion from reading his letter, I would say, I cannot conceive from it that he has any offensive object in view. He says, that North Carolina is a country in which it is impossible for an army to act or move without the assistance of friends, does not seem to think we have anywhere nor do you. I shall give no opinion respecting that at present, or until I receive his Lordship’s account of the state of the province, and of his winter campaign.

His Lordship tells me that he wants reinforcements—with nine British Battalions, and detachments from seven more, (besides those from the Artillery and seventeenth Dragoons)—five Hessian Battalions, and a detachment of Yagers, and eleven Provincial Battalions exclusive of the cavalry and infantry of the Legion, and the Provincial Light Infantry. I would ask, how can that be possible, and if it is, what hopes can I have of a force sufficient to undertake any solid operation?

HENRY CLINTON.
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<tr>
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<td></td>
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<tr>
<td>North Carolina Volunteer Light Company</td>
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COLONEL BALFOUR TO SIR HENRY CLINTON.

CHARLESTOWN, May 6th, 1781.

Sir:

In my letters of the 20th & 22d Ultimo I had the honor to inform your Excellency that our Post at Wright's Bluff was invested by the Enemy, & the apprehensions I was then under of Camden being in the same situation.

I am now to acquaint you that the former has since been surrendered. The circumstances which led to this cannot be more fully explained, or with more honor to himself, than by Lieutenant McKay’s Journal of the Siege, which, together with the Articles of Capitulation, I therefore Enclose for your Excellency’s Inspection.

On the 19th of last Month General Greene, with about fourteen hundred Continentals & a Body of Militia, came before Camden, where he continued changing his Positions till the 25th; in the Morning of which Lord Rawdon, with the greater part of his Garrison, upwards of Eight hundred, marched out, & about ten o'clock attacked him in his Camp at Hobkirk’s Hill, with that Conduct & Spirit which claimed the Victory he gained, tho’ long contested & against superior Numbers, especially of Cavalry, the Enemy’s advantage in which hindered the Pursuit being continued further than three Miles, & enabled them to take off their Cannon, which they at first preserved by drawing out of the Road into Thickets, where they escaped the Troops, eager in pursuit of the flying Rebels.

To this decided line of Conduct which has produced the best Effects, Lord Rawdon was induced by knowing that General Greene was in expectation of Reinforcements, which in a day or two must arrive, & that he had Detached to bring forward his Supplies, an occasion which his Lordship’s Abilities & zeal did not fail to embrace.

The Enemy’s Loss on this Occasion is estimated by Lord Rawdon at about five hundred; his own appears from the returns as he informs me, two hundred & twenty, in which number is one Officer killed & eleven wounded, but not dangerously.

The consequences of this Defeat of the Rebel Army gave Lord
Rawdon an opportunity of drawing from the Country a Supply of Provisions, of which he was in want, & obliged Greene immediately to retire to Rugeley's, where he was joined by the Corps under Brigadier Marion & Colonel Lee, & from whence he has since moved, but I have not yet learned in what direction.

By tomorrow I am in hopes Lord Rawdon will be Reinforced by Lieut. Colonel Watson, with his Corps & the 64th Regiment.

But notwithstanding this brilliant Success, I must inform your Excellency that the general State of the Country is most distressing; that the Enemy's Parties are everywhere, the communication by land with Savannah no longer exists, Colonel Brown is Invested at Augusta, & Colonel Cruger in the most critical Situation at Ninety-Six, nearly confined to his Works, & without any present Command over that Country. Indeed I should betray the Duty I owe Your Excellency did I not represent the Defection of this Province, so universal that I know of no mode short of depopulation to retain it.

This Spirit of Revolt is, in some measure, kept up by the many Officers Prisoners of War here; & I should therefore think it advisable to remove them, as well as to make the most striking Examples of such as, having taken Protection, snatch every occasion to rise in arms against us.

I have the honor to be, Sir, Your Excellency's Most obedient humble Servant,

N. BALFOUR.

His Excellency Sir Henry Clinton, K. B., &c., &c., &c.

LORD CORNWALLIS TO SIR HENRY CLINTON.

PETERSBURG, 20th May, 1781.

SIR:

You will easily conceive how sensible an Affliction it was to me, on entering this province, to receive an account of the death of my friend General Phillips, whose loss I cannot sufficiently lament, from personal or public considerations.

The Corps which I had brought from North Carolina arrived here this morning: The information conveyed by your Excellency to
General Arnold relative to the probable movements of the French Armament restrains me at present from any material offensive operations; but as soon as I can hear any satisfactory account of the two Fleets, I will endeavor to make the best use in my power of the Troops under my command. General Arnold being of opinion that Portsmouth, with its present Garrison, is secure against a Coup de main, I would wish to avoid making a precipitate movement towards that place without absolute necessity; because it would lessen our reputation in this province but I have sent to assure the Commanding Officer that I will do everything I can to relieve him in case the French should attack the post.

LaFayette is at Wilton, on the other side of James River, not far from Richmond. I have not heard that Wayne has yet joined him.

It is with infinite satisfaction that I enclose to your Excellency copies of two Letters from Lord Rawdon, which have relieved me from the most cruel anxieties. His Lordship's great abilities, courage & firmness of mind cannot be sufficiently admired and applauded.

There is now great reason to hope that we shall meet with no serious misfortune in that province; if, however, General Greene should persevere in carrying on offensive Operations against it, we must, I think, abandon Camden, & probably Ninety-Six, and limit our defence to the Congaree & the Santee. This will only be giving up two bad posts, which it is difficult to supply with provisions, & quitting a part of the Country which for some months past we have not really possessed.

I have taken every means to inform Major Craig of my having passed the Roanoke, on which event it was previously concerted between us that he should fall down to Bald River, & from thence proceed to Charlestown, as soon as Transports arrive to carry him.

The Legion, being in the utmost distress for want of Arms, Clothing, Boots, & indeed appointments of all kinds, I must beg that your excellency will be pleased to direct the Inspector General to forward a Supply of every article with the greatest dispatch.

I have the honor to be, with great respect, Sir, Your most obedient & most humble Servant,

CORNWALLIS.

His Excellency Sir Henry Clinton, K. B., &c., &c., &c.
STATE RECORDS. 1031

LORD RAWDON TO LORD CORNWALLIS.

CAMP AT MONK'S CORNER, 24th May, 1781.

MY LORD:

The Situation of Affairs in this Province has made me judge it necessary for a time to withdraw my Force from the Back Country, and to assemble what Troops I can collect at this point. I hope a recital of the Circumstances which have led to this determination will satisfy your Lordship as to the Expediency of the Measure.

After the Action on the 25th April (an account of which I had the honor of transmitting to your Lordship), Major General Greene remained for some days behind the farthest Branch of Granny's Quarter Creek.

A second Attempt upon his Army could not in that Situation be undertaken upon the Principles which advised the former. In the first instance I made so short an Excursion from my Works that I could venture without Hazard to leave them very slightly guarded; and I had the Confidence that had fortune proved unfavorable, we should easily have made good our Retreat, and our loss in all probability would not have disabled us from the further Defence of the place. To get at General Greene in his retired Situation, I must have made a very extensive circuit in order to head the Creek, which would have presented to him the fairest Opportunity of slipping by me to Camden. And he was still so superior to me in numbers that had I left such a Garrison at my Post as might enable it to stand an Assault, my Force in the Field would have been totally unequal to Cope with the Enemy's Army. I had much to hope from the Arrival of Reinforcements to me, and little to fear from any probable Addition to my Antagonist's Force.

While upon that Principle, I waited for my expected Succours. Gen. Greene retired from our Front, and crossing the Wateree took a position behind Twenty-five Mile Creek. On the 7th of May, Lieut.-Colonel Watson joined me with his Detachment, much reduced in Number, the Casualties, Sickness and a Reinforcement which he had left to strengthen the Garrison at Georgetown. He had crossed the Santee near its Mouth & recrossed it a little below the Entrance of the Congaree.
By him I received the unwelcome intelligence that the whole interior Country had revolted, and that Marion & Lee (after reducing a small Post where Lieut. Col. Watson kept his Baggage at Wright's Bluff), had crossed the Santee to support the Insurgents upon the same Night which he passed it to join me. Information reached me the same day, that the Post at Motte's House near the Mouth of the Congaree was invested and Batteries opened against it. I had been long sensible of the necessity for my retiring within the Santee; but whilst Lee and Marion were in a Situation to retard my March in front, at the same time that my Rear was exposed to Greene, I conceived it impracticable without the disgrace of abandoning my Stores and particularly my Wounded at Camden.

The Measure even now could only be effected at Neilson's Ferry which was Sixty Miles from me.

I determined to undertake it immediately, but I thought it first requisite to attempt reaping some Advantage from the additional strength which I have received. On the Night of the 7th, I crossed the Wateree at Camden Ferry, proposing to turn the Flank and attack the Rear of Green's Army, where the Ground was not strong, tho' it was very much so in front.

The Troops had scarcely crossed the River when I received notice that Greene had moved early in the Evening, upon getting intimation of my being reinforced. I followed him by the direct Road, & found him posted behind Sawney's Creek.

Having driven in his pickets, I examined every point of his Situation. I found it everywhere so strong that I could not hope to force it without suffering such Loss as must have crippled my Force for any future Enterprise, and the retreat lay so open for him that I could not hope that Victory would give us an Advantage sufficiently decisive to counterbalance the Loss.

The Creek (tho' slightly marked in the Maps) runs very high into the Country. Had I attempted to get around him he would have evaded me with ease; for as his Numbers still exceeded mine, I could not separate my force to fix him in any point, and Time (at this Juncture most important to me) would have been thus unprofitably wasted. I therefore returned to Camden the same Afternoon, after having in vain attempted to decoy the Enemy into Action by affecting to conceal our Retreat.

On the 9th I published to the Troops and to the Militia my
design of evacuating Camden, offering to such of the latter as chose to accompany me every Assistance that we could afford them. During the ensuing Night I sent off all our Baggage, &c., under a strong Escort, and destroyed the Works, remaining at Camden with the rest of the Troops till 10 O'clock the next day in order to cover the March.

On the Night of the 13th I began to pass the River at Neilson's Ferry, & by the Evening of the 14th everything was safely across. Some mounted Militia had attempted to harrass our Rear Guard on the March, but a party of them having fallen into an Ambuscade, the rest of them gave us no further Trouble. We brought off all the Sick & Wounded, excepting about thirty, who were too ill to be moved; and for them I left an equal Number of Continental Prisoners in Exchange. We brought off all the Stores of any kind of Value, destroying the rest; and we brought off not only the Militia who had been with us in Camden, but also all the well affected Neighbors on our route, together with the Wives, Children, Negroes and Baggage of almost all of them.

My first News upon landing at Neilson's was that the Post at Motte's House had fallen. It was a simple Redoubt, & had been attacked formally by Sap. Lieut. McPherson had maintained it gallantly till the House in the Center of it was set in Flames by fire Arrows, which obliged his Men to throw themselves into the Ditch, & surrender at discretion. The Stroke was heavy upon me, as all the Provisions had been forwarded from Neilson's to that Post, for the Supply of Camden.

Lieut. Col. Balfour was so good as to meet me at Neilson's. He took this Measure that he might represent his Circumstances to me. He stated that the Revolt was universal; that from the little reason to apprehend this serious invasion the old Works of Charles-town had been in part levelled to make way for new Ones, which were not yet constructed; that his Garrison was inadequate to oppose any Force of consequence, and that the dissatisfaction of the Town's Peoples hewed itself in a thousand Instances. I agreed with him in the Conclusion to be drawn from hence that any Misfortune happening to my Corps might entail the Loss of the Province! But as Major McArthur had joined me with near 300 Foot and 80 Dragoons, I conceived I might, without hazarding too far, endeavor to check the Enemy's Operations on the Congaree. On the 14th at
Night I marched from Neilson's, and on the Evening of the 15th I reached the Point where the Roads from Congaree & McCoard's Ferry unite. Various information was brought to me thither by Spies whom I had detached that Greene had passed the Congaree at McCoard's Ferry, and had pushed down the Orangeburgh Road. The Accounts, tho' none of them positive or singly satisfactory, corresponded so much that I was led to believe them, and the matter was of such moment that it would not admit of my pausing for more certain Information; therefore, after giving the Troops a little Rest, I moved back to Eutaw's the same Night, but hearing nothing there, I pursued my march hither.

I had been five Days within the Santee before a single man of the Country came near me. My first Intelligence on this Ground was that it had been only Sumpter with his Corps who had marched to Orangeburgh & that Greene had marched to Congarees, when the Post (unable to oppose such Force) had been surrendered to him on the 14th.

I dispatched Emissaries immediately to Ninety-six directing Lieut. Col. Cruger to retire to Augusta and I desired Lieut. Col. Balfour to forward the same Order by different Routes.

Should Lieut. Col. Cruger not have received this Order I fear his Situation will be dangerous. I did not think it practicable to assist him without running hazards which I judged the general State of the Province would not allow. Besides I had no deposit of Provisions left on the Frontier, and as to the expectation of gleaning them as I advanced in a wasted country and surrounded as I should have been by a swarm of Light Troops and mounted Militia; I conceived that my whole Force must have been so employed in procuring its daily Subsistence that little else could have been effected with it.

By my present position I cover those Districts from which Charleston draws its principal Supplies. I am in readiness to improve any favorable Concurrence and I guard against any untoward Event.

It is a secondary, but not a trifling advantage, that I have been able to supply the Troops with Necessaries, for the want of which (occasioned by the long interruption of our Communications) they suffered serious Distress.

I am using every effort to augment our Cavalry; in hopes that
the Arrival of some force which may put Charlestown out of Danger, will speedily enable us to adopt a more active Conduct.

But the plundering parties of the Enemy have so stripped the Country of Horses and there is such difficulty in getting Swords and other Appointments made at Charlestown, that I get on but slowly in this undertaking.

I have the honor to be with great Respect,

Your Lordship’s Most obedient & affectionate Servant,

RAWDON.

Lieut. General Earl Cornwallis, &c., &c., &c.

SIR HENRY CLINTON TO EARL CORNWALLIS.

NEW YORK, May 29th, 1781.

[Received July 12, 1781, from Lieut. Col. MacPherson.]

MY LORD:

I had the honor of writing to your Lordship by Lord Chewton, who sailed from hence in the Richmond the 4th instant, to join you at Wilmington; but your Lordship’s departure from thence will have prevented his meeting you there and I hope he has since then joined you in the Chesapeake.

When I first heard of your Lordship’s retreat from Cross Creek to Wilmington, I confess that I was in hopes you had reason to consider Greene so totally hors de combat as to be perfectly at ease for Lord Rawdon’s safety. And after your arrival at Wilmington I flattered myself that if any change of circumstances should make it necessary, you could always have been able to march to the Waccamaw, where I imagined vessels might have passed you over to Georgetown. I cannot therefore conceal from your Lordship the apprehensions I felt on reading your letter to me of the 24th ult., wherein you inform me of the critical situation which you supposed the Carolinas to be in and that you should probably attempt to effect a junction with Major General Phillips.

Lord Rawdon’s officer-like and spirited exertions in taking advantage of Greene’s having detached from his army, have indeed eased me of my apprehensions for the present. But in the disordered
state of Carolina and Georgia, as represented to me by Lieutenant-Colonel Balfour, I shall dread what may be the consequences of your Lordship's move, unless a reinforcement arrives very soon in South Carolina, and such instructions are sent to the officer commanding there, as may induce him to exert himself in restoring tranquility in that province at least. These I make no doubt your Lordship has already sent to Lord Rawdon and that every necessary measure for this purpose will be taken by his Lordship in consequence of them, should he remain in the command. But as there are many officers in the regiments coming out who are older than Lord Rawdon, I have to lament the probability of his being superseded in it as I can scarce flatter myself that any of them will be possessed of the knowledge requisite for conducting operations in Carolina without having ever served in that country, or be so competent to the command there as officers of more local experience. I therefore beg leave to submit to your Lordship the propriety of sending either Major General Leslie or Brigadier General O'Hara to Charlestown, to take the command of the troops in that district; which in the present critical situation of affairs in the Southern Colonies, will certainly require an officer of experience and a perfect knowledge of the country. Had it been possible for your Lordship in your letter to me of the 10th ult., to have intimated the probability of your intention to form a junction with General Phillips, I should certainly have endeavored to have stopped you, as I did then, as well as now, consider such a move as likely to be dangerous to our interests in the Southern Colonies. And this, my Lord, was not my only fear; for I will be free to own, that I was apprehensive for the corps under your Lordship's immediate orders, as well as for that under Lord Rawdon; and I should not have thought even the one under Major General Phillips in safety at Petersburg, at least for so long a time, had I not fortunately on hearing of your being at Wilmington sent another detachment from this army to reinforce him.

I am persuaded your Lordship will have the goodness to excuse my saying thus much; but what is done, cannot now be altered; and as your Lordship has thought proper to make this decision, I shall most gladly avail myself of your very able assistance in carrying on such operations as you shall judge best in Virginia, until we are
compelled, as I fear we must be by the climate, to bring them more northward. Your Lordship will have been informed of my ideas respecting operations to the northward of the Carolinas, by my instructions to the different General Officers detached to the Chesapeake; and the substance of some conversations with General Phillips on that subject, which I committed to writing and sent to him with my last dispatch, with directions to communicate it to your Lordship. By these your Lordship will observe that my first object has ever been a co-operation with your measures; but your Lordship's situation at different periods, made it necessary for me occasionally to vary my instructions to those General Officers according to circumstances. They were originally directed to assist your Lordship's operations in securing South and recovering North Carolina; their attention was afterwards pointed to the saving South Carolina; and now your Lordship may possibly think it necessary to employ your force in recovering both or either of those provinces, by either a direct or indirect operation. With respect to the first, your Lordship must be the sole judge; with respect to the last, you have my opinions, which may however probably give way to yours, should they differ from them, as they will have the advantage of being formed on the spot, and upon circumstances, which at this distance I cannot of course judge of. I therefore leave them totally to your Lordship to decide upon, until you either hear from me or we meet.

HENRY CLINTON.

STATE DEPT, WASHINGTON, D. C.


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The North Carolina Cavalry, Com’d by the Marquis of Bretigney, lost one man killed and one wounded. I have received no return of one of the North Carolina Regiments; those missing are supposed to have gone home. According to the reports of the Genl. and Field Officers very few were killed or taken, most of them having thrown away their arms and abandoned the field early in the action.

O. H. WILLIAMS,
D. A. G.

GEN. WILLIAM MOULTREY TO LT. COL. BALFOUR.


March 21st, 1781.

Sir:
You cannot possibly be more tired with reading my letters than I am of writing them; yet I must intrude upon your multiplicity of business, and remonstrate against every violation of the capitulation,
and represent every grievance which occurs to us, whether they are attended to or not.

What I am now to remonstrate against, is a most violent and inhuman breach of the capitulation; which is the impressing the American soldiers from on board the prison ships, taking them away by violence, and sending them on board the transports, to be carried from the continent of America; many of them leaving wives and young children, who may possibly perish for want of the common necessaries of life; if I cannot prevail upon you to countermand this violation altogether, let me plead for those unhappy ones who have families to be exempted from this cruelty. I beg you will consider their situation and suffer your humanity to be partial in their favor.

I am &c.,

WILLIAM MOULTRIE.

—

GEN. WM. MOULTRIE TO LT. COL. BALFOUR.

—


April 3rd, 1781.

SIR:

I am to acknowledge the receipt of yours of yesterday's date, and as I cannot be permitted to send an officer to General Greene with my dispatches, I have sent them down for your perusal, and request the favor you will forward them. I am also to request that I may be permitted to send to Congress your letter and my answer relative to the sending the continental and militia prisoners of war to the West Indies, which, if you agree to, I have sent down to be put immediately on board the flag going to Philadelphia, that she may not be detained one moment.

I am, &c.,

WM. MOULTRIE.
The State of North Carolina ordered a detachment of their militia to take the field and to be relieved every three months; this army was intended to raise the siege of Charlestown, but too late for that purpose, they were however a very great check to the British and stopped their rapid progress over North and South Carolina. Upon Col. Tarleton's near approach with his detachment to Mecklenburgh county, Gen. Rutherford took the field, and in three days raised fifteen hundred men, which obliged Col. Tarleton immediately to retreat, and the militia returned to their homes; soon after, Lord Rawdon took post at Waxsaws; Gen. Rutherford again raised a body of militia of eight hundred men, and obliged his lordship to retreat.

The North Carolinians were always active and ready to defend their country, but they were badly provided with suitable armor for defence; they were obliged to turn their implements of husbandry, into those of war, by hammering up their scythes and sickles, and forming them into swords and spears; powder and lead was also scarce with them.

The war was now carried from the lower to the upper part of South Carolina, and into North Carolina, and the friends of independence were obliged to retreat before them into North Carolina; among the most conspicuous and useful of these was Colonel Sumpter, who had formerly commanded the fifth South Carolina continental regiment; a brave and active officer, and well acquainted with the interior parts of North and South Carolina; the exiles from South Carolina joined their friends in North Carolina and made choice of Colonel Sumpter to command them; at the head of this small body of republicans, he returned into South Carolina, almost without arms or ammunition, and no stores to supply their wants, and when most of the inhabitants had given up the idea of supporting their independence; in this situation did he oppose himself to the victorious British army; they sometimes began an action with not more than three rounds per man, and were obliged to wait to be supplied with more, by the fall of their friends or enemies in battle; when they proved victorious, they supplied themselves with arms and ammunition, from the killed and wounded.
General Marion, who as Lieutenant Colonel commandant of the second South Carolina continental regiment, was in Charlestown at the beginning of the siege by Sir Henry Clinton, by some accident sprained his ankle, which rendered him unfit for service; he therefore came under that general order issued by General Lincoln—that all supernumerary officers and all officers who were unfit for duty must quit the garrison and retire into the country. Fortunately for Carolina, he went out, and when he went was so lame that he was obliged to skulk about from house to house among his friends, and sometimes hide in the bushes until he grew better. He then crept out by degrees, and began to collect a few friends; and when he got ten or twelve together he ventured out, and upon hearing of Gen. Gates' army, he moved on and joined them. After the defeat of Gen. Gates, he was obliged to quit the State and go into North Carolina for a few days; when he returned he had about seventy volunteer militia with him, but most of them quite unarmed.

GENERAL SUMNER TO COL. ROBT. BURTON.

April 18th, 1781.

Sir:

I am to inform you that the drafts now about to be raised will make their Gen'l rendezvous at Hillsborough, about the 25th Inst., near two thousand men. You will immediately give directions for the supply'g that post with provisions for the reception of them. I beg you to exert yourself, night and day, to have it accomplished. I also desire you to treat with some person to provide soap for the use of those troops as soon as may be, and at least one thousand or fifteen Hundred weight. I shall be glad to hear from you.

I am, Sir, yr. Servt.,

JETHRO SUMNER.

Col. Robt. Burton.

17—66
ROLL OF CAPTAIN BYNUM'S COMPANY OF MILITIA.

[Taken from the 7th of April, 1781.]

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<td>Wm. McKendree, Q. M. Serg't.</td>
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</tr>
<tr>
<td>Wm. Sykes, Ensign.</td>
<td></td>
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<tr>
<td>Cordell Dupree, Serg't.</td>
<td></td>
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<tr>
<td>Nich's Lane, Sergt.</td>
<td></td>
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<tr>
<td>John Blick, Serg't.</td>
<td></td>
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<tr>
<td>Jno. Londay, Serg't.</td>
<td></td>
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<tr>
<td>Thos. Yeargin, Corp'l.</td>
<td></td>
</tr>
<tr>
<td>Seth Harrison, Corp'l.</td>
<td></td>
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<tr>
<td>Frs. Foggerson, Corp'l.</td>
<td></td>
</tr>
<tr>
<td>Nath'l Woodroof, Corp'l.</td>
<td></td>
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</tbody>
</table>

**PRIVATEs.**

<table>
<thead>
<tr>
<th>Name</th>
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<tbody>
<tr>
<td>Thomas Garris</td>
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<td>Wm. Dupree</td>
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<td>Arch'd Wood</td>
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<td>James Londay</td>
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<td>Avent Massey</td>
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<td>Elijah Harrison</td>
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<td>James Going</td>
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<tr>
<td>Robert Hill</td>
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<tr>
<td>Rich'd Mason (Deserted)</td>
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<td>Dan'l Harrison</td>
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<td>John Hamour</td>
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<td>Jno. Edwards</td>
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<td>Anth'y Sweet</td>
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<td>Henry Jones</td>
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<td>Jno. Williamson</td>
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<td>Thos. Goin</td>
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<td>George Graham</td>
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<td>Benj. Harris</td>
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<td>Joseph Graham</td>
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<td>Thos. Johnson</td>
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<td>Wm. Wright</td>
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<td>Answorth Harrison</td>
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<td>Rabon Ingall</td>
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<td>Rice Rollins (discharged)</td>
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<td>Alex'r Stewart</td>
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<td>Peter Williams (Do.)</td>
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<td>John White</td>
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<td>Edw'd Wallis</td>
<td></td>
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<td>Lewis Williams</td>
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<td>Peter Willis</td>
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<tr>
<td>John Jordan (disch'd)</td>
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<tr>
<td>Britain Bynum</td>
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<tr>
<td>Michael Gwaltney (disch'd)</td>
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<tr>
<td>Drury Bynum</td>
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<td>Lewis Brewer</td>
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<td>Peter Wyche (discharged)</td>
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<td>John Rivers (deserted)</td>
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<td>Peter Clark</td>
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<td>Clifton Harrison</td>
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<tr>
<td>James Thompson</td>
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<tr>
<td>John Thompson</td>
<td></td>
</tr>
<tr>
<td>Burwell Jordan</td>
<td></td>
</tr>
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</table>

Rich'd Mason (deserted).

(From Pension Office "North Carolina Miscellaneous Rolls."

Roll endorsed. CAPT. BYNUM'S N. C. MILITIA.)
A GENERAL RETURN OF THE NORTH CAROLINA MILITIA, COMMANDED BY BRIGADIER GEN'L CASWELL.

MAY 2nd, 1780.

<table>
<thead>
<tr>
<th>OFFICERS.</th>
<th>RANK AND FILE.</th>
<th>ACCOUTREMENTS.</th>
</tr>
</thead>
<tbody>
<tr>
<td>REGIMENTS</td>
<td>DRUMS AND FIFES</td>
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<tr>
<td>REGIMENTS</td>
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<td>STAFF.</td>
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<td>REGIMENTS</td>
<td>Captains.</td>
<td>Majors.</td>
</tr>
<tr>
<td>REGIMENTS</td>
<td>1st.</td>
<td>2nd.</td>
</tr>
<tr>
<td>REGIMENTS</td>
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<td>11.</td>
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<td>11.</td>
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<tr>
<td>REGIMENTS</td>
<td>11.</td>
<td>3.</td>
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Total: 215 14 10 1 2 3 1 2 3 235 11 60 2 3 8 14 24 690 428 439 82 398

W. CASWELL, B. G.
STATE RECORDS.

STEPHEN MOORE AND JOHN BARNWELL TO GEN. N. GREENE.

Vol. II., No. 155, Pp. 217--221.

PRISON SHIP FORBAY, CHARLES TOWN HARBOUR, 18th May, 1781.

We have the honor of inclosing you a copy of a letter from Colonel Balfour commandant of Charlestown, which was handed us immediately on our being put on board this ship. The letter speaking for itself needs no comment; your wisdom will best dictate the notice it merits. We just beg leave to observe that should it fall to the lot of all, or any of us, to be made victims, agreeable to the menaces therein contained, we have only to regret that our blood cannot be disposed of more to the advancement of the glorious cause to which we have adhered. A separate Roll of our names attends this letter.

With the greatest respect, we are, Sir,
Your most obedient and most H'ble Servants,
STEPHEN MOORE,
Lieut Colo. No. Carolina Militia.
JOHN BARNWELL,
Major So. Carolina Militia.

For ourselves and one hundred and thirty other Prisoners.
To Major Gen'l N. Greene.

FORBAY PRISON SHIP, CHARLES TOWN, HARBOUR,
18th May, 1781.

Roll of the Militia Prisoners on board said Ship:

Axson, Williams, Junr., Dorsius, John,
Ash, Samuel, Dewar, Robert,
Arthur, George, Dessaussure, William,
Anthony, John, Dunlap, Joseph,
Atmore, Ralph, Edmunds, Rever,
Barnwell, John, Major, Eveliegh, Thomas,
Baddily, John, Do., Edwards, John, Junr.,
Barnwell, Edward, Capt., Edwards, John Warren,
Bonnethan, Peter, Capt., Lt., Elliott, Thomas, Senr.,
<table>
<thead>
<tr>
<th>Name</th>
<th>Name</th>
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<tbody>
<tr>
<td>Bembridge, Henry</td>
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<tr>
<td>Black, John, Lieut.</td>
<td>Evans, John</td>
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<tr>
<td>Branford, William</td>
<td>Eberly, John</td>
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<tr>
<td>Ball, Joseph</td>
<td>Ezan, John, (protection)</td>
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<tr>
<td>Barnwell, Robert</td>
<td>Elliott, William</td>
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<tr>
<td>Blundell, Nath'l.</td>
<td>Guerard, Benjamin</td>
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<tr>
<td>Bricken, James</td>
<td>Gibbons, John</td>
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<td>Bailey, Francis</td>
<td>Grayson, Thomas</td>
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<td>Basqum, William</td>
<td>Guerard, Peter</td>
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<td>Clarke, Jonathan</td>
<td>Graves, William</td>
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<td>Cockran, Thomas</td>
<td>Geir, Christian</td>
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<td>Cooke, Thomas</td>
<td>Gadsden, Phillip</td>
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<tr>
<td>Calhoone, John, (protection)</td>
<td>Graves, John</td>
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<tr>
<td>Cray, Jos., Capt. 16 Aug., '80</td>
<td>Glover, Joseph</td>
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<tr>
<td>Conyers, Norwood</td>
<td>Grott, Francis</td>
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<tr>
<td>Cox, James</td>
<td>George, Mitchel</td>
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<tr>
<td>Commius, Richard</td>
<td>Harvey, Wm., Lieut.</td>
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<td>Cohen, Jacobs</td>
<td>Henry, Jacobs</td>
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<td>Holmes, William</td>
<td>Hamilton, David</td>
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<td>Hughes, Thomas</td>
<td>Holmes, John B.</td>
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<tr>
<td>Heward, James</td>
<td>Prioleau, Samuel, Senr.</td>
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<td>Harris, Thomas</td>
<td>Prioleau, Phillips</td>
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<td>Hornby, William</td>
<td>Pinkney, Charles, Junr.</td>
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<td>Jones, George</td>
<td>Pogas, James</td>
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<td>Jacobs, Daniel</td>
<td>Palmer, Job</td>
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<td>Kent, Charles</td>
<td>Robinson, Joseph</td>
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<tr>
<td>Kain, John</td>
<td>Revin, Thomas</td>
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<tr>
<td>Lockhart, S., Capt. 16 Aug. '80</td>
<td>Rhodes, Daniel</td>
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<tr>
<td>Libby, Nathaniel</td>
<td>Righton, Joseph</td>
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<tr>
<td>Liston, Thomas</td>
<td>Scott, John, Senr.</td>
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<td>Lee, Stephen, Lieut.</td>
<td>Snelling, William</td>
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<td>Legare, Thomas</td>
<td>Stephenson, John, Junr.</td>
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<td>Lessone, John</td>
<td>Stephens, Daniel</td>
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<td>Legbert, Henry</td>
<td>Snyder, Paul</td>
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<td>Meyers, Phillip</td>
<td>Smith, Samuel</td>
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<td>Michl, John</td>
<td>Seavers, Abraham</td>
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<tr>
<td>Minott, John, Senr.</td>
<td>Singleton, Rippily</td>
</tr>
<tr>
<td>Moncrieff, John</td>
<td>Scotton, Samuel</td>
</tr>
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</table>
Magdalen, Charles, Sayle, William,
Minott, John, Junr., (Protection, 61 years of age does
Miller Samuel, not mean to be exchanged.)
Moore, St'n, Col. 16 Aug.'80, Shrewsbury, Stephen,
Murphy, William, Tousiger, James,
Monks, George, Tandirs, John,
Morgan, Jonathan, Tayloe, Paul,
Moss, George, Doct., White, Sime., Lieut.,
Marriott, Abraham, Wigg, William,
Miller, Solomon, Lieut., Williams, James,
Neufville, John, Junr., Warham, Charles, Adj't.,
Neufville, William, Waring, Thomas, Sen'r,
Owen, John, Waring, Richard,
White, Isaac,
Welch, George,
Wheeler, Benjamin,
Watties, John, Jun'r,
Wilcocks, William,
Warham, David,
Wilkie, William,
You, Thomas,
Yeadon, Richard,

[NOTE.—These were doubtless prisoners mostly of the battle of Camden, Aug.,
1780. Those of the two States cannot be separated, but the list is of interest in
itself.—Ed.]

RESOLUTIONS OF CONGRESS.


Thursday, September 20, 1781.

On motion of Mr. Sharpe, Resolved, That the governor and council of the State of North Carolina be desired to erect a monument, at the expense of the United States, not to exceed the value of 500 dollars, to the memory of the late Brigadier General Davidson, who commanded the Militia of the district of Salisbury, in the State of
North Carolina, and was killed on the first day of February last, fighting gallantly in the defence of the liberty and independence of these states.

By a Resolution of the Continental Congress, passed Nov. 4, 1777, $500 were appropriated to erect a monument to Gen. Francis Nash, of Hillsboro', N. C., who was mortally wounded at the Battle of Germantown, Oct. 4, 1777, and died Oct. 7th. (See Journal of the Congress, Vol. II, Page 312.)

By a similar Resolution, passed Sept. 20, 1781, a like sum was appropriated to build a monument to Gen. Wm. Davidson,* of N. C., who was killed in an attempt to prevent the crossing of the Catawba River, N. C., at Cowan's Ford, by the troops of Lord Cornwallis, Feb. 1, 1781.

Neither Monument was ever erected.

The N. C. Generals in the Continental Establishment were:

Major General Robert Howe, App'd October 20, 1777.
" " James Hogan,† " " " "

---

*Gen. Davidson was Lieut. Col. in the Continental Line and Brig. Gen'l of N. C. Militia.—Ed.
†Made prisoner of war at surrender of Charleston, May 13, 1780, and died a prisoner of war at Haddrell's Point, near Charleston, S. C., 4th Jan., 1781.—Ed.
---

EXTRACTS.—N. C. LETTER BOOK.


"It appears by the derangement that took place the 1st January, 1781, that Lt. Col. Davidson was one of the retiring officers. He left Camp two or three months before Jan. 1, 1781, as the other retiring officers did; he was immediately made a Brigadier General in the State Militia, and was killed in action.

"If it appears that Col. Davidson retired under the Resolve of
Oct. 3d and 21st, 1780, he is and must be entitled to the commutation," &c.

[Ibid., Page 38.]

"Capt. T. Kingsbury, Capt. Lt. Philip Jones, and Lieut. John Vance, of the North Carolina or Independent Co. of Artillery were taken at the siege of Charleston, in the year 1780, and not exchanged until some time in 1782.

"All the separate Corps of the Army were deranged by the Resolve of October 3d and 21st, 1780, which must include these officers."

(See also Journal of Congress, Vol. III, p. 532 and p. 538, Resolves of Oct. 3d and 21st, 1780, which explain the "derangement" of Jan. 1, 1781. N. C. to furnish four Regiments.)

GENERAL SUMNER TO GENERAL WASHINGTON.

HALIFAX, N. CAROLINA, October 21st, 1781.

SIR:

I am ordered by Gen'l Greene into this State to collect and forward on the remaining troops raised for the Southern Army, and to give him the earliest intelligence from the Army in Virginia, their operations and successes, &c., with the fate of Lord Cornwallis, or of any manoeuvre made by him Southward, to head the force of this State, and impede his march as much as possible, and constantly advise him of the movements, for which purpose I have fixed and stationed expresses for the immediate conveyance of any extraordinary matter; which you will be pleased to give such further order for this communication of intelligence between the two Camps as you may find necessary.

I have the honor to be, with respect and esteem, y'r very obed't Servant,

JETHRO SUMNER.

His Excel'cy Genl. Washington.
PROCLAMATION OF GOVERNOR ALEXANDER MARTIN.

[From Executive Letter Book.]

STATE OF NORTH CAROLINA, 25 Dec., '81.

By the Hon'ble Alexander Martin, Esquire, Speaker of the Senate, Captain General and Commander in Chief, for the Time being, in and over the said State.

Whereas, Divers citizens of this State have been deluded by the wicked artifices of our enemies to revolt, and withdraw themselves from the faith and allegiance which, before God they solemnly plighted to owe their Country, and traitorously to take up arms against the same, being convinced that they have been buoyed up with false hopes supported by deceit, now find themselves at last deserted by our feeble and despairing enemies—left unprotected to the vengeance of the State, ready to inflict those punishments due to their crimes.

In tender compassions to the feelings of humanity to spare such who are truly penitent, and to stay the hand of the Executioner in the unnecessary effusion of the blood of Citizens who may be reclaimed, I have thought fit to issue this my Proclamation of pardon to such of the above persons who have surrendered, or who shall surrender themselves to the clemency of the State before the tenth day of March next; on this express condition, that they immediately enlist in the Continental Battalions thereof, and there render a personal service for twelve months after the time of their rendezvous at headquarters; who after having faithfully performed the same for said term, shall be deemed as having expiated their offence, and be entitled and restored to the privileges of a Citizen.

All Officers, leading men, and persons of this class, guilty of murder, robbery, and house burning, to be precluded from the above, notwithstanding.

And I do hereby require the Honorable the Judges of the Superior Courts of Law, Oyer and Terminer, and General Gaol Delivery, and all Officers, Civil and Military, within this State to take notice of this Proclamation of pardon, with the exceptions, and govern themselves accordingly.

Given under my hand and Seal at Arms, at Halifax, the twenty-
fifth day of December, anno dom. 1781, and in the sixth year of
the Independence of the said State.

ALEXANDER MARTIN.

By his Honor's Command,
JO. HAWKINS, Pro. Sec'y.

*God Save the State.*

IN THE MATTER OF PAY OF N. C. OFFICERS TAKEN PRISONERS AT
CHARLESTON.


MONDAY, April 16, 1781.

"On a report of a Committee, &c.,
Resolved, That in settling the accounts of the officers returned
from captivity; the auditors consider their pay to the first of Au-
gust last, in bills of the old emissions, agreeable to the usual mode
of paying the army; and from the said first day of August, till such
officers returned from captivity or rejoined their corps, in bills of
the new emission agreeable to the resolution of 18th March, 1780.
That subsistence money be allowed to the said officers, at the
rate of 1-6th of a dollar per ration in specie; and that the monies
paid to them by the commissary of prisoners, pursuant to former
resolutions, be charged as so much advanced."

[Letters from the Board of War, 1781. Vol. II, No. 148, P. 75.]

WAR OFFICE, July 20th, 1781.

SIR:

The Board have considered the Resolution of Congress respecting
the payment of the money due for the passages of the several Con-
tinental Officers from Charlestown to this place; and enclose a list
of them and their ranks, as also an account of the money due for
the passages of those already reported to the Board, amounting to
one hundred guineas, as certified by the Hon'b'le Brigadier General
McIntosh. The Board are farther of opinion that considering the
particular situation of these Gentlemen, three months effective pay ought to be advanced them. The Board have not funds either for the payment of the passages, or for the three months pay, and therefore they submit the same to the wisdom of Congress.

By order of the Board.

With the highest respect, Sir,
Your most ob’ld’t serv’t,

WILL’M GRAYSON.

His Excellency,
The Pres’nt of Congress.


MONDAY, August 13, 1781.

"Congress took into consideration a report of the board of war of the 20th July; and thereupon,

Ordered, That the board of war draw warrants on the pay-master general, in favor of the several officers of the army of these States, lately prisoners-of-war in South Carolina and Georgia, for six months nominal pay in the new emission."


THURSDAY, November 16, 1781.

"On a report of a Committee, &c.,

Ordered, That the comptroller settle the accounts of the officers from Charleston, for the expenses incurred by them on their removal to Philadelphia."


PHILADELPHIA, Dec. 6th, 1781.

SIR:

In consequence of the Resolution of Congress of the 13th of August, directing six months nominal pay to the officers lately
prisoners of war in South Carolina and Georgia, I have come from North Carolina for the purpose of receiving the same for the officers of that State; and on application to the Secretary at War, find that he does not think himself authorised to grant warrants, as the execution of this resolution was vested in the Board of War.

I beg the favour of your Excellency to lay this matter before Congress for their determination therein.

My expenses coming here have been great, particularly to me, who am an officer, and they are accumulating daily in this expensive city, so that should there be a difficulty in this matter, and I should not get my portion, agreeable to the above resolution, I shall not be able either to stay here or to return.

Your Excellency and Congress will please to excuse me for giving them this trouble.

I am with sincere regard, Sir,

Your Excellency's ob't humble servant,

JNO. DAVES,

Captain in 2nd N. C. Battalion.

His Excellency
The President of Congress.


FRIDAY, December, 14, 1781.

"On a report of the Secretary at War, to whom was referred sundry applications of particular officers.

Resolved, That in future no particular warrants issue in favor of any officers in actual service in the Line of any State, for pay or subsistence, but that at all times they draw their pay and subsistence with the regiment to which they respectively belong, from the paymaster of such regiment."


PHILADELPHIA, 14th Dec., 1781.

SIR:

The petition I laid before Congress the other day in behalf of the
officers of the State of North Carolina, and referred by them to the Secretary at War, appears to me not to have been acted upon agreeable to the instructions of Congress, so far as the same respects myself, and therefore I am necessitated to state the matter to them anew:

In consequence of the resolution of the 13th of August, directing the six months pay to the Officers lately prisoners in South Carolina and Georgia, I came here from North Carolina to receive the proportion for the officers of that State. Now as Congress have seen fit to repeal the said resolution, it will be exceedingly hard and distressing to me, who have been so long a prisoner, and who have traveled four hundred and fifty miles to receive the supplies promised by Congress, and to be disappointed. It could not be supposed that the three months real pay was an object to draw me here, but as I am disappointed in obtaining the supply for the other officers, it is an object of importance to receive it as without it I shall not be able to return.

I hope Congress will order this provision for me, my situation being widely different from one who comes to solicit them for favors. I came for what had been promised, and not to solicit anything anew; and, Sir, as it is judged best for the welfare of the whole to repeal the resolution, I beg that Congress would allow me so much as will bear my expenses back to Carolina in any way they approve.

I am unhappy upon being informed that the principal difficulty in this matter is in setting a precedent which Congress must avoid, but, Sir, I hope it will be remembered that the resolution of the 13th August drew me here, and in consequence thereof I am compelled to this measure.

I pray your Excellency to excuse the trouble of this second letter which I beg you to lay before Congress.

I am, with due respect, Sir,

Your Excellency most ob't servt.,

JOHN DAVES,
Captain North Carolina Line.

His Excellency
The President of Congress.
## PAY ROLL OF CAPT. ALEXANDER WHITEHALL'S COMPANY OF THE 1st NORTH CAROLINA REGIMENT OF MILITIA, COMMANDED BY COL. SAML JARVIS.

**June 2, 1780.**

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<th>No.</th>
<th>Names</th>
<th>Ranks</th>
<th>Commissary's Payment</th>
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<th>Pay per Month</th>
<th>Subsistence</th>
<th>Amount in Dollars</th>
<th>Remarks</th>
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<td>1</td>
<td>Alexander Whitehall</td>
<td>Capt.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Sick at Salisbury.</td>
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<tr>
<td>2</td>
<td>Thos. Jarvis</td>
<td>Lieut.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Sick at Ch. Co. house</td>
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<tr>
<td>3</td>
<td>Hezekiah Woodley</td>
<td>Lieut.</td>
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<td>4</td>
<td>Thos. Davis</td>
<td>Lieut.</td>
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<td>5</td>
<td>Griffin Dung</td>
<td>Ensign</td>
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<td>6</td>
<td>Randolph Jones</td>
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<td>7</td>
<td>Charles Dial</td>
<td>Sergt.</td>
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JUNE 2ND, 1780.

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17—67
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| Remarks | Am’t in Dollar | |
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