THE HOUSE JOURNAL—1786.

JOURNAL OF THE HOUSE OF COMMONS COMMENCING 18 NOV., 1786

STATE OF NORTH CAROLINA,
IN THE HOUSE OF COMMONS, NOVEMBER 18TH, 1786.

At a General Assembly begun and held at Fayetteville on the Eighteenth Day of November, in the year of our Lord one Thousand Seven hundred and Eighty-six, and in the Eleventh year of the Independence of the said State, it being the first Session of the Assembly.

STATE RECORDS.

Hyde—John Eborne and Scathy Rew.
Johnston—William Avera and Needham Bryan.
Jones—William Randal.
Rockingham—
Lincoln—Daniel McKissick.
Moore—John Cox & Charles Crawford.
Mecklenburg—Caleb Phifer & George Alexander.
Montgomery—James McDonald and John Palmer.
Nash—John Bonds and Joseph J. Clinch.
Northampton—James Vaughan and Nehemiah Long.
New Hanover—
Onslow—Daniel Yates.
Orange—
Pasquotank—Thomas Reading & Edward Everagin.
Perquimans—Foster Toms.
Pitt—
Rutherford—James Withrow and James Holland.
Rowan—
Randolph—William Bell and Zebedee Wood.
Richmond—Robert Webb & Benjamin Covington.
Surry—James Martin.
Sullivan—John Scott and Thomas Hutchings.
Sampson—David Dodd & Lewis Holmes.
Tyrrell—Simon Spruill.
Washington—
Wake—
Wilkes—
Warren—Wyatt Hawkins & Henry Montfort.
For the Town of Salisbury—
Hillsborough—John Taylor.
Edenton—Stephen Cabarrus.
New Bern—John Sitgreaves.
Wilmington—

Pursuant to which the following Members appeared, were qual-
ifed by taking the Oaths by Law appointed for the qualification of Members of the General Assembly and took their Seats vizt:

Richard D. Spaight, John Fulford,
Abner Neale, Bryan Whitfield,
Peter Roberson, Joseph T. Rhodes,
John Hay, William Polk,
John G. Blount, Etheldred Philips,
William Wood, James Roberson,
Joseph Ferebee Robert Dickens,
Josiah Copeland, Enoch Sawyer,
Lemuel Creecy, Durham Hall,
Edward Winslow, Peter Dauge,
James Richardson, James Anderson,
Moses Westbrooks, David Dodd,
Joseph Dickson, Thomas Hutchings,
Needham Bryan, John Scott,
Richard Ransom, Simon Spruill,
William Avera, Wm. R. Davie,
John Cox, Stephen Cabarrus,
Seathy Rew, John Taylor,
John B. Ashe, Lewis Holmes,
William Randal, Robert Webb,
Augustine Willis, Richard McKinney,
Daniel McKissick, William Taylor,
William Hill, James Martin,
William McKenzie, John Sitgreaves,
James Vaughan, William Lanier,
John Bonds, Daniel Yates,
John Hamilton, Benjamin Covington,
John Palmer, Caleb Phifer,
William Bell, George Alexander,
James Withrow, Barzilla Gardener,
James McDonald, Adams Sanders,
Zebedee Wood, Charles Crawford,
James Holland, Edward Everagin,
Foster Toms, Henry Montfort.

Mr. Davie proposed for Speaker John B. Ashe, Esquire, who was unanimously chosen and conducted to the Chair accordingly.
On motion, John Hunt was appointed Clerk, and John Haywood, Assistant.

At the same time Peter Gooding and James Mulloy were appointed Doorkeepers.

On motion of Mr. Spaight, Seconded by Mr. Davie, Resolved, that the Salary of the Clerks be ascertained on Monday next.

The House Adjourned 'til Monday Morning 10 O'clock.

Monday, 20th November, 1786.

The House met according to adjournment.

Mr. Thornton Yancey and Mr. Philemon Hawkins, the members for Granville county, Mr. Thomas Reading, one of the Members for Pasquotank, Mr. Jesse Franklin, one of the Members for Wilkes, Mr. Wyatt Hawkins, one of the Members for Warren county, and Mr. Joseph Stewart, one of the Members for Chatham county, appeared, were qualified, and took their Seats.

Mr. Thomas Frohock, the Member for the Town of Salisbury, Mr. John Isler one of the Members for Jones county, and Mr. Thomas Carson, one of the Members for Rowan county, appeared, were qualified, and took their Seats.

Resolved, That the following Rules of decorum be observed during the sitting of this 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 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, except those of the Quaker profession.

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. 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.

10. 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.

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

12. Whoever violates any of the above Rules shall receive such censure as the House shall direct.

13. Whenever the House shall be divided on a question, two tellers shall be appointed to number the members on each side.

Resolved, that Messrs. Blount, Spaight, McKinney, P. Hawkins, Polk, Davie, Winslow, Martin, and Cabarrus, be a Committee of Privileges and Elections.

A Certificate from under the hands of Robert Rogers, Samuel Williams and Anderson Smith as Inspectors of the Poll for an election held for the Court of Washington, purporting that Landon Carter and Thomas Chapman were elected to represent the said county in this House, and one other Certificate under the hand of Joseph Tipton, Robert English and William Hughes, purporting that James White and James Stewart were elected to represent the same county, were presented and read, and, on motion, referred to the Committee of Privileges and Elections.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House being now formed, acquaint you they are ready to proceed on public business.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The Senate being likewise formed, are ready to proceed on the public business, and propose that a Message herewith sent you be presented to His Excellency, the Governor, should it meet your approbation, Messrs. Macon and Skinner will on the part of this House, attend and present him with the same.

At the same time received the Message above referred to, which,
being read, was agreed to by this House, and Messrs. Winslow and
Cabarrus appointed to wait on His Excellency, the Governor,
with the same.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

In pursuance of a Resolve of the last General Assembly, we pro-
pose balloting at four O'Clock this Evening for four Engrossing
and Committee Clerks, and nominate for the appointment, Messrs.
William White, Joshua Winslow, Curtis Ivey, Pleasant Henderson,
Montfort Stokes, John Franks and John Simpson, should you ap-
prove of this proposition, you will please to signify the same by
Message.

Received from His Excellency, the Governor, the following Mes-
age:

To the Honorable, the General Assembly of the State of North Car-
olina:

Gentlemen:

I have the honor to lay before you sundry files of public dis-
patches and papers which I have arranged under different Heads
without having regard to the particular dates or numbers, but so
as to have the whole of those on the same subject, in view at the
same time, and so as to save you the trouble of looking over a large
and confused bundle to select particular papers which others refer
to, the files are on the subjects following, viz:

1. Revenue and Taxes.
2. Trade and Commerce.
3. Tobacco.
4. Indian Treaties.
5. Boundaries.
6. Public Accounts, &
7. Representation in Congress.

With each of these files you will find a list of the papers with
references to the Council Journal and my Letter Book, by having
recourse to those some matters which would otherwise appear am-
biguous may be explained and better understood. And altho' those
papers will in a great measure point out the proper subjects
for Consideration, yet I think it my duty to observe that these sev-
eral matters appear to me to be of the utmost importance to this State and many of them to the Federal Union, and therefore recommend proper attention to be paid them by those whose immediate business it is to consider them.

The Tobacco purchased by our Commissioners is still on hand undisposed of lying at a considerable expence.

The Treaties entered into by Commissioners under the authority of Congress with the Indians of the Cherokee and Chickasaw Nations are so inconsistent with the Legislative Rights of this State, and such an infringement on the Constitution that I flatter myself they will not be passed over unnoticed by you. The accounts between this State and the United States still remain unsettled, you will observe by the papers relative to this business that the fault does not lye with us, as the Commissioner whilst in the State was not provided with Books, and since his going to the Northward on a representation of the case to the Commissioners of the Treasury, that Board thought proper to direct the Commissioner to repair to the place where the Comptroller's office is kept to effect the settlement of the Accounts, but this has not been hitherto attended to. The Regular representation of the States in Congress so often repeated, and the reasons so frequently assigned in the Resolutions of that Honorable Body evince the propriety and necessity of the same, the several Letters from the Gentlemen who have represented this State in the course of the last year show the inadequate provision heretofore made for them, which seems to have been the cause of our being so long unrepresented in that period. I therefore take the Liberty of recommending some mode nearly similar to that I had the Honor of laying before the last Assembly, to wit, the appointment of a person who shall 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 sit produce sufficient to raise the sum required, this, in my opinion, would be a means of removing the disagreeable idea of Gentlemen appointed to serve their Country at a distance from their Friends and connections being liable to distress & want, as there then would be a moral certainty of their Salaries being duly paid. At this time we are, I presume represented only by Messrs. Nash and Blount, as I have understood Mr. Bloodworth is returned to this State, and Mr. Burton whose Tour, according to
former usage should have begun the first of the year is not gone forward, and Mr. Charles Johnston who was next in rotation having resigned, it may be necessary in order to keep up a full representation to supply his place by a new choice.

The frequent and repeated observations of individuals and the clamour of the people at large respecting the Conduct of the Commissioners for liquidating the Army accounts, and their suggestions of many fraudulent accounts being passed, induced me to state the matter to the Council who advised that the Treasurer should be directed to stop the payment of any Certificates Granted on Accounts passed by that Board since the sitting of the last Assembly, and also advised me to direct the Commissioners to transmit to the present Assembly all such accounts and Vouchers as were lodged in their office since that period. This advice I have pursued, and I flatter myself these officers have and will comply therewith tho' report says the Treasurer has not attended to it, and clamour of the people have since been greater than before, and some illiberal suggestions have been thrown out against several of your principal officers. It is therefore, in my Judgement necessary to satisfy the people, who in a free Government like ours consider themselves as having a right to expect it in such cases by you, Gentlemen, who are the Guardians of their rights, entering into a minute inquiry of the Conduct of their officers as well as the justice of the Claims which have been allowed, and if on an investigation of the facts any of the officers shall be found to have acted unworthily, or those who have exhibited accounts have obtained Certificates or received money from the Treasury unjustly, you will hold up the first as proper objects of the resentment of the Public, and direct the latter to be prosecuted so as the public may obtain that justice they are entitled to.

I also lay before the Council a Letter from the Treasurer informing me that the Agent of the late Continental line of this State had refused to deliver him the final settlement Certificates signed by Mr. Pierce agreeable to a Resolve of the late Assembly, suggesting that he was not amenable to that Body. The Council advised me to take the most speedy and effectual measures for compelling the Agent to deliver such certificates agreeable to the Resolution of the Assembly, the only measure in my power was pursued, a written order was forwarded to the Agent to lodge the Certificates in the
Treasury, and this not only under the Authority of the General Assembly, but also in virtue of a Resolution of Congress directing that such Certificates should be deposited as the Supreme executive should direct, but such orders have not produced the effect required for the reasons you will find expressed in Mr. Fenner's address to the Governor and Council, you will therefore be pleased to take such further order thereon as to you shall appear just and right.

I lay before you a Letter from His Excellency Governor Henry, with a Copy of the proceedings of the Assembly of the Commonwealth of Virginia on the subject of opening a Navigable Canal from Elizabeth River in that Commonwealth to Pasquotank River in this State, and notwithstanding the specious manner in which advantages are held out to the Inhabitants of this State by such proceedings, yet I beg leave to recommend due attention to be paid to the subject matter therein contained. It appears to me that if such a plan is adopted, our neighbors will not only be carriers of our produce, but will also have the Credit and advantage of exporting the same which must have a tendency to lessen our Credit abroad and our Interest at home.

I also lay before you a Letter from his Excellency Governor Moultrie, of South Carolina, acquainting me that Mr. Thomas Hooper, whose Estate, in this State, is subject to be sold under the Confiscation Laws, has been received as a Citizen of that State, and entitled to all the privileges thereof, and requesting that I would direct the Commissioner not to proceed on the Sale of his Estate. I think it necessary upon all occasions to pay the utmost respect to the requisitions of our Sister States where the same may be done with consistency, but in this instance not conceiving myself authorized to grant the request, I take the liberty of referring the same to your consideration.

I have in pursuance of the advice of the Council suspended the Execution of a Sentence of the Superior Court of the District of Wilmington against Doct. Daniel McNiel so far as relates to his Banishment from this State until the meeting of the present General Assembly, if you shall think proper to take the Doctor's case into Consideration the papers relating thereto shall be laid before you.

Fayetteville, Nov. 20, 1786.

RD. CASWELL.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that a Committee of Finance be appointed to examine and report the state and Nett produce of our revenues, and the amount and nature of the Public Debts who shall extend their enquiries into the present state of the Treasury, the application of the Monies levied and collected in and for the years 1784, 1785 and 1786, and the use and application of the last hundred Thousand pounds Emitted by this State. That they be authorized to call on His Excellency, the Governor, the Treasurer, the Comptroller General, the Commissioners of Army Accounts, the Commissioners for purchasing Tobacco to discharge the Interest of the Foreign Debt, Commissioners of Confiscation, the Commissioners for Superintending the press of the two last Emissions and all officers concerned in receiving appropriating and accounting for the Public Monies or other persons and papers they may deem necessary to such investigation. That they Report from time to time and as soon as possible on such Matters concerning the public Monies or revenues as may stand in need of immediate amendment or alteration, and also make up an Estimate of the expenses of the foreign and incidental charges of the ensuing year, and that before the end of this Session, or as soon as possible they form a full settlement of the Debts, funds and revenues of the State, which shall be printed and bound up with the Laws Enacted this Session, and that they be authorized to require the assistance of the Comptroller if deemed necessary, in forming such statement.

We have appointed for this purpose on our part, Messrs. Davie, Blount, Polk, Spaight, Winslow, Sitgreaves, and Hay. We also send you herewith a Message received from His Excellency, the Governor, together with the papers therein referred to, which, so far as they relate to Taxes, the Revenue and the Tobacco lately purchased we propose referring to the Committee, the other papers we propose Committing to the consideration of Messrs. Hamilton, Neale, Hawkins, Holland, Cabarrus, Davie, Hay, Sitgreaves, Robertson, Spaight, Polk, and Willis, together with such Gentlemen as you may think proper to appoint for that purpose. We also propose that the Committee on Finance call upon the Entry Taker of the Western Lands for all Monies received by Virtue of his office.
Received from the Senate the following message:

Mr. Speaker and Gentlemen:

It is the opinion of the Senate that two Clerks only to Transact the business out of Doors should be appointed. We agree to Ballot at the time by you proposed, and add to your nomination Mr. Jos. Dixon. We propose that this balloting be conducted at the House lately erected by Mr. Hogg, in this Town, should you agree to ballot on these Terms, Messrs. Macon and Skinner, will on the part of this House, superintend the same.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House have received and considered the Message of yours proposing that the number of Clerks to be appointed by joint ballot for the purpose of Engrossing, &c., should not exceed two, with which they do not agree, but propose that the number should be four agreeable to our former Message, being convinced that there will be business to employ them. We agree to ballot at the place by you proposed, and add Mr. Joseph Dixon to the nomination for a Clerk.

Received from the Senate sundry petitions from Washington, Sullivan and Greene counties.

Ordered that they lie on the Table until To-morrow.

On motion, Resolved, that Mr. Cox have leave to absent himself from the service of this House until Friday next.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

From a belief that two Clerks are equal to the whole of the Engrossing and Committee business this House cannot agree that a greater number be appointed.

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

Tuesday, November 21, 1786.

The House met according to adjournment.

Mr. James Hinton, one of the members for Wake County, and Mr. Richard Pearson, one of the Members for Rowan County, appeared, were qualified and took their Seats.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have on our part appointed Messrs. Dodd, Dickson, Dickens, Martin, P. Roberson, Phifer, D. Hall, J. Roberson, Creecy, Neale and Frohock a Committee of Claims who will act jointly with such of your Body as you may appoint for that purpose.

Ordered that the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose to ballot for three Clerks to do the business of Engrossing, &c., and hope that the Senate will think that fewer cannot do the business without prolonging the Session. Should you agree to this proposition, the Commons will further agree to ballot before an adjournment.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have appointed Messrs. Richardson, McKissick, Holmes, Taylor, McDaniel, Withrow, Fulford, Wyatt, Hawkins and Gardner to act with such Gentlemen as you may appoint as a Committee of Propositions and Grievances.

Received from the Senate the following messages:

Mr. Speaker and gentlemen:

We consent that three Clerks to do the business of Engrossing, &c., be appointed and agree that they be balloted for as by you proposed.

Mr. Speaker and Gentlemen:

The Senate appoint Messrs. McCullock, Clinton, Harget, General Rutherford and Mr. Gowdy to act with the Gentlemen by you appointed a Committee of Claims.

Mr. Speaker and Gentlemen:

We agree that a Committee of Finances be appointed for the several purposes and with the like powers as by you expressed, and appoint for that purpose on the part of this House Messrs. Ramsey, Harget, Battle, Brown, Stokes and Gregory. We likewise appoint Messrs. Gillespie, Macon, Clinton, General Rutherford, Messrs. McCawley, Mayo and Simpson, who will act with the Gentlemen by
you nominated to consider of and report on such part of the Message from His Excellency the Governor, and the papers accompanying it which do not relate to Taxes, and Revenues on the Tobacco lately purchased for the use of the State. It is also agreed by this House that the Committee on Finance call on the Entry Taker of the Western Lands as by you proposed.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose balloting for the Engrossing and Committee Clerks immediately. If this proposal meets your approbation you will please to signify the same by Message. Mr. Durham Hall and Mr. Frohock are appointed on the part of this House to superintend the balloting.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We agree that the Engrossing and Committee Clerks be immediately ballotted for, and have on our part appointed Mr. Macon and Mr. McCullock to superintend the balloting.

Mr. Frohock from the joint Balloting for three Engrossing and Committee Clerks Reported, that by a Majority of the votes of the Senate and Commons, Curtis Ivey, Montfort Stokes and Pleasant Henderson were elected.

The House taking the said Report into consideration concurred therewith.

Mr. Joseph Bryan, one of the members for Martin County; Mr. John Humphries, one of the members for Currituck County; Mr. John Sloan, one of the members for Lincoln County; Mr. Francis Pugh, one of the members for Bertie County; Mr. John Humphries, one of the members for Wake County, and Mr. Joseph McDowall and Mr. David Vance, the members for Burke County, appeared, were qualified and took their Seats.

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

Wednesday, 22 November, 1786.

The House met according to adjournment.

Mr. James Martin, from the Committee of Privileges and Elections to whom were referred the returns for Members to represent the County of Washington in this House, delivered in a Report which being read was ordered to lie on the Table until To-morrow.
Mr. Davie presented a Letter from Nicholas Long, Esquire, Commissioner of Confiscation in the District of Halifax, resigning his appointment as Commissioner aforesaid.

Resolved, That this House do accept of the same.

Mr. Cabarrus presented the Petition of Samuel Johnston, Nathaniel Allen and James Iredell, Esquires, Executors of the last Will & Testament of Joseph Hewes, Esqr., Deceased, which, being read, was referred to a joint Committee. The Members appointed on the part of this House are Messrs. Cabarrus, Phifer, Dauge and Creecy.

Mr. Davie presented the representation of John Macon, Esquire, in behalf of Negro Caesar, which, being read, was referred to a Special Committee. The Members appointed on the part of this House are Messrs. Polk, Sitgreaves and Davie.

Mr. Cabarrus presented the Record of the Trial and Judgment of a Court of a Negro, the property of James Blount, which, being read, was referred to the Committee of Claims.

Ordered that Mr. Rew have leave to absent himself from the service of this House during the Session.

Mr. Neale, presented the Memorial of Samuel Pitman, which, being read, was referred to the Committee of Propositions and Grievances.

Mr. Dickens moved for leave and presented a Bill for settling the Titles and Bounds of Lands, which was read for the first reading, passed & sent to the Senate.

Mr. Archibald McLaine, the member for the Town of Wilmington, appeared, was qualified & took his Seat.

Received from His Excellency the Governor, the following Message:

To the Honorable the General Assembly:

Gentlemen:

By a letter herewith laid before you from the Honorable William Blount, you will be informed that the Treasury Board had, at the time of writing the same no prospect of disposing of our public Tobacco to greater advantage than those held out in the proposal of Mr. Morris & Mr. Romayne, the letter mentioned by the Commissioners to Mr. Blount is not come to hand.

By other Letters which I have the honor also to lay before you, you will observe that Mr. Edward Dowse is inclined to purchase
the Tobacco and is recommended by the Treasury Board to the Governor and Council for that purpose. Mr. Dowse is now in this Town and wishes that some person may be appointed to treat with him upon the subject, and in case of an agreement such person may be impowered to enter into a Contract with him for the delivery of the Tobacco.

The other part of Mr. Blount’s Letter respecting the Delegation, I presume will be an inducement to the Legislature to proceed early to the choice of a Delegate instead of Mr. Johnston, or to direct one or other of the Gentlemen formerly chosen to proceed immediately to Congress.

R. CASWELL.

Fayetteville, 22nd Nov., 1786.

Ordered that the above Message, together with the papers therein referred to, be referred to the Committee of Finance.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Messrs. P. Hawkins, McLaine, Cabarrus and McKenzie to the Committee on Finance. We have also added Mr. Maclaine and Mr. McKenzie to the Grand Committee.

Mr. Cabarrus presented the Petition of Josiah Collins, Nathaniel Allen and Samuel Dickenson, praying, &c., which, being read, Mr. Cabarrus moved for leave and presented a Bill for enabling certain persons to perfect a Canal between Scuppernong River and the Lake near its head, which, being read the first time, passed and was sent to the Senate.

Received from the Senate a Resolve of that House allowing Adlai Osborn the sum of Twenty-five pounds, which, being read, was concurred with.

Mr. Sitgreaves presented the Petition of Winston Caswell and William White, Executors to the last Will and Testament of William Caswell, Deceased, praying, &c., which, being read, was referred to the Committee of Claims.

Mr. Sitgreaves presented the Petition of Mrs. Margaret Gaston, which, being read, was referred to the Committee appointed to consider on the Petition of Mr. John Macon.

Mr. Sitgreaves presented the Petition of Matthew Mosely, which, being read, was referred to the Committee of Claims.
Mr. McDowall presented a Copy of the Judgment and Sentence of the Superior Court of Morgan District against Thomas Jones and John Lynch, &c., which, being read, was referred to the Committee of Claims.

Received from the Senate the following message:

Mr. Speaker & Gentlemen:

The Senate appoint Messrs. Medlock, Lewis, McCawley, Alexander, Eaton, Moore and John Armstrong to act with the Gentlemen by you chosen a Committee of Propositions and Grievances.

Received from the Senate the Memorial of George McNeil. Endorsed in Senate "read and referred to the Committee of Propositions and Grievances," which, being read, was referred as by the Senate.

Mr. McDowall presented the presentment of the Grand Jury of Morgan District, which, being read, was referred to the Grand Committee.

Received from the Senate the Memorial of Memucan Hunt, Public Treasurer. Endorsed in Senate "read and referred to the Committee of Finance," which, being read, was referred as by the Senate.

Received from the Senate the Petition of Sundry People complaining of the abuse committed by large sums of Money being unjustly drawn out of the Public Treasury. Endorsed, "read and referred to the Committee of Propositions and Grievances," which, being read, was referred by this House to the Committee of Finance, and the following Message ordered to be sent to the Senate.

Mr. Speaker & Gentlemen:

We cannot concur with you that the representation of certain Inhabitants of this State relative to the misapplication of the bills of Credit lately emitted should be referred to the Committee of Propositions and Grievances, but propose that the same be referred to the Committee of Finance, as all matters relative to that business are properly the subjects of their consideration.

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

Thursday, 23rd November, 1786.
The House met according to adjournment.

Mr. Reading Blount and Mr. Robert Williams the Members for Pitt County appeared, were qualified and took their Seats.

Mr. William Wood presented the claim of Morgan Brown, which, 18—16
being read, was referred to the Committee of Propositions and Grievances.

Mr. Wood presented the claim of William Boggin, which, being read, was referred to the Committee of Propositions and Grievances.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that a Committee consisting of Members from both Houses be appointed to take under consideration Petitions, Memorials, &c., and for that purpose we have appointed Messrs. J. Taylor, McDowall, Anderson, Hinton, Reading Blount, Yancey, Copeland, Pearson, Stewart, Bonds and Pugh.

Mr. P. Hawkins presented the Memorial of Pleasant Henderson, which, being read, was referred to the Committee appointed on Petitions and Memorials.

Mr. Davie moved for leave and presented a Bill for the better regulation of the Town of Halifax and extending the liberties thereof, which was read the first time, passed and sent to the Senate.

Mr. Ferebee moved for leave and presented a Bill for cutting a Canal from Currituck sound to the Indian Ridge and from thence to the head of North River, or as far as the Commissioners herein named shall think proper, which was read the first time, passed and sent to the Senate.

Mr. Polk presented the petition of the Inhabitants of Davidson county, which, being read, was referred to the Grand Committee on the State Papers, &c.

Mr. Peter Roberson presented the recommendation of Bladen Court in favor of Sarah Surgener, which being read, was ordered to lie on the Table.

Mr. Holland presented the petition of William Price, which, being read, was referred to Committee on Propositions & Grievances.

Ordered that Mr. Crawford have leave of absence till Monday next.

Received from the Senate the following Bills:

A Bill for enabling certain persons to perfect a Canal between Scuppernong River and the Lake near its head.

A Bill for settling the Titles and bounds of Lands. Endorsed in Senate, "read the first time and passed."

Received from the Senate the representation of Mr. John Macon
in behalf of Negro Caesar. Endorsed in Senate, "read and referred to Mr. Macon and Mr. Alston."

Received also the petition of the Executors of Joseph Hughes, Esquire, deceased. Endorsed in Senate, "read and referred to Mr. Jordan and Genl. Gregory."

Received from the Senate the petition of Samuel Pittman and the Record of the Tryal of a Negro, the property of James Blount. Endorsed in Senate, "read and referred as by the Commons." Received also the resignation of Nicholas Long, Esquire, as Commissioner of Confiscation for the District of Halifax. Endorsed in Senate, "read and accepted."

Mr. Franklin presented the petition of the officers of Wilkes county, which, being read, was referred to a joint Committee. The Members appointed on the part of this House for that purpose are Messrs. Hamilton, McDowall, Vance, Withrow & Martin.

The House resumed the consideration of the report of the Committee of privileges and Elections on the Washington Elections, which report is in the words following:

Your Committee to whom were referred the returns from the county of Washington, one of which signed Joseph Tipton, Robert English and William Hughes, certified that Richard White and James Stewart, Esquires, were duly Elected to represent the said county in the House of Commons in the present Session of the General Assembly. It appeared to your Committee that the then acting Sheriff in the county of Washington, had been called upon by Col. John Tipton, to advertise the Election, and hold the poll, and that he had refused so to do, that in consequence thereof, the said Joseph Tipton, Robert English and William Hughes, were appointed Inspectors to take the said Poll, agreeable to an act of Assembly passed at the last Session intitled "an Act to empower the "Freeholders, and Freemen of the counties of Washington, Sullivan "and Greene, to return their representative, otherwise than is here-"tofore directed," and that the said Election was held on the eighteenth day of August, 1786, at the House of John Rennos, where Charles Roberson formerly lived, and where the Court of that county had been formerly held under an Act intitled "an Act for erecting the District of Washington into a county by the name of Washington, passed in November, one Thousand Seven hundred and Seventy-Seven, that the Court had for some years past been adjourned
to another place, and was at present held in a House said to be the property of William Cocke, and it was admitted that there were no public Buildings deemed the Court House of the said county.

It appeared to your Committee that measures were taken by some persons to embarrass the said Election as will appear by an advertisement Signed William Cocke, and marked No. 1, to which your Committee beg leave to refer. It was also in evidence by certain affidavits produced to your Committee that various threats and means were used to prevent any Election taking place contained in the paper marked No. 2, to which your Committee beg leave also to refer this Honorable House, which depositions were corroborated by the relation of Col. John Tipton and Thomas Hutchings, Esquires.

It further appeared to your Committee by a return signed Robt. Rogers, Samuel Williams and Anderson Smith, that the said Robt. Rogers, Samuel Williams and Anderson Smith, were appointed Inspectors to Superintend an Election held for the same county of Washington, at a place called the Court House, in Jonesborough, on the third Friday and Saturday in August last, to choose Members to represent the said county in the General Assembly of the State of North Carolina, and the said Inspectors have therein certified that Landon Carter and Thomas Chapman were unanimously Elected to represent the said county in the House of Commons.

It also further appeared to your Committee from the relation of Col. John Tipton that the Inhabitants were warned to meet at the last mentioned Election by the acting Military officer of said county at a General Muster under certain penalty. It was in evidence to your Committee from a certified return of the Polls that the electors in the first mentioned Election amounted to one hundred and Seventy-nine, that the Electors in the second mentioned Election amounted to two hundred and fifty four. Your Committee had reason to believe that many persons were deterred from attending the said Elections from the above mentioned threats, and the unhappy confusion of that part of the country.

It did not appear to your Committee that any violence or disorder took place at either of the above Elections, or that they were not both conducted in an orderly peaceable manner. And your Committee have thought it most proper in order to save time to
state the facts to this Honorable House for their determination thereon.

This Report being read, it was moved and Seconded and so Resolved by the House unanimously, that the first persons mentioned in the Report to have been returned were legally Elected, and that they should be admitted to their Seats accordingly:

Whereupon the said Richard White and James Stewart, Esquires, appeared, were qualified, and took their seats.

On motion of Mr. McLaine, on behalf of Thomas Wright, Sheriff of New Hanover county, ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the Committee of Finance be directed to consider of and report whether or not it was the intention of the act “directing a Tax of one shilling and Six pence on each Taxable poll, &c., to be collected for the current year on the foundation of an Act passed in the year 1784, imposing what is commonly called the Continental Tax,” that the same should be collected wholly in money or partly in money and partly in certificates as allowed of in the case of the General public Tax of this State.

The House adjourned till To-morrow Morning 9 O’clock.

Friday, 24th November, 1786.
The House met according to adjournment.

Mr. Seth Eason, one of the Members for Gates county, appeared, was qualified and took his seat.

Received from the Senate the following Messages.

Mr. Speaker and Gentlemen:

General McDowall, Messrs. Lewis, Mayo, Moore, Griffin, Stone, Tipton and Thomas Armstrong, will on the part of this House, act with the Gentlemen by you appointed to consider of and Report on such Petitions, Memorials, &c., as may be laid before this Assembly.

Mr. Speaker & Gentlemen:

We consent that the representation of certain Inhabitants of this State relative to the misapplication of the Bills of credit lately emitted, be referred to the consideration of the Committee of Finance as by you proposed.

Received from the Senate the Representation and Petition of
James Holland. Endorsed in Senate, "read and referred to the Committee of Propositions & Grievances," which, being read, was referred as by the Senate.

Mr. Bond presented the Memorial of William Armstrong, which, being read, was referred to the Committee on Petitions and Memorials.

The Bill for enabling certain persons to perfect a Canal between Scuppernong River and the Lake near its head, was read the second time, amended, passed, and sent to the Senate.

Ordered that Mr. Joseph Bryan have leave to absent himself from the service of this House during the Session.

The Bill for settling the Titles and bounds of Lands, was read the Second time and rejected.

Received from the Senate the Bill for cutting a Canal from Currituck Sound to the Indian ridge, and from thence to the head of North River, or as far as the Commissioners herein named shall think proper. 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 the petition of the Inhabitants of Davidson county.

The Letter from Mr. Duer to General Howe.
The Memorial of Mrs. Margaret Gaston.
The Presentment of the Grand Jury of Morgan District.
The petition of Matthew Mosely.
The petition of the Executors of William Caswell, deceased.

The Copy of the Judgment & Sentence of the Superior Court of Morgan District against Thomas Jones & John Lynch. Severally endorsed in Senate, "read and referred as by the House of Commons."

Mr. Bond presented the Memorial of John Allen & Richard Nixon, complaining of an undue Election in the county of Craven for Members to represent the same in this House praying relief, which, being read, was referred to the Committee of Privileges & Elections.

Mr. McDowall presented the petition of William Moore, late Sheriff of the county of Burke, &c., which, being read, was referred to the Committee on Petitions and Memorials.

Received from the Senate the Bill for the better regulation of the
town of Halifax & extending the liberties thereof. 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 & sent to the Senate.

Mr. Stewart presented the petition of William Graves and Elijah Hunter, which, being read, on motion of Mr. Hay seconded by Mr. Sitgreaves,

Resolved, that the same be referred to the Grand Committee, who are specially instructed to enquire into the present modes of Administering the Laws of the State and report thereon.

Mr. Vaughan presented the petition of a number of People praying to have a Law passed for establishing a town on the Lands of Matthew Figures, &c., which being read, Mr. Vaughan moved for leave, and presented a Bill agreeable to the prayer of the said petition, which was read the first time, passed & sent to the Senate.

On reading the Memorial of William Aldredge, Resolved that the Comptroller be and he is hereby directed to issue to the said William Aldredge two Specie Certificates, viz: one in the name of Jesse Smith for the sum of Sixty-Eight pounds, and the other in the name of Charles Brittingham for the sum of Fifty-Six pounds nineteen shillings and two pence, it appearing to this House that Certificates in the names of the above mentioned persons, & for the sums above expressed were destroyed by fire.

Received from His Excellency, the Governor, the following Message:

To the Honorable, the General Assembly:

Gentlemen:

In pursuance of a Resolution of Congress calling upon the several States in the Union to furnish thirteen Copies of the Laws passed in the respective States since the year 1772, one Copy of which was directed to be forwarded to each State for the use and information of the States respectively, I have received the several Copies of the Laws now laid before you, that is to say,

Sundry Pamphlets containing Laws of Massachusetts from April 1781 to July 1785.

A Bound Book of the Laws passed in New Jersey.
Four Pamphlets of Ditto.

A Bound Book and four Pamphlets containing Laws of Virginia. Three Pamphlets of the Laws of South Carolina, passed in 1782, 1783 & 1785.
I should have been happy if it had been in my power to have complied with the resolution of Congress in this particular, so far as relates to this State, but it is impossible to procure Copies of the Laws so far back as required, many of the Laws being out of print and others printed on different sizes of Paper make it impracticable to have them bound, I therefore again submit to the General Assembly the propriety of a Revision of the Laws of the State.

R. CASWELL.

Fayetteville, Nov. 24th, 1786.

Ordered that the above Message be referred to the Grand Committee.

Received from the Senate the Memorial of William Armstrong, the Memorial of Pleasant Henderson, the claim of Morgan Brown, the petition of the officers of Wilkes county, the Claim of William Boggin, severally endorsed in Senate, "read and referred as by the Commons."

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:
The Senate agree that the Committee of Finance report on that which is commonly called the Continental Tax as by you proposed.

Received from the Senate the petition of John Justice. Endorsed in Senate, "read and referred to the Committee on Memorials," which, being read, was referred as by the Senate.

Mr. P. Hawkins moved for leave and presented a Bill for establishing a town on the Land of Robert Burton, Esquire, in Granville, which was read the first time, passed, and sent to the Senate.

Received from the Senate a Resolve of that House directing Henry Montfort, Esquire, to send for the Books and Papers belonging to the Commissioner's office for settling Army acco'ts, &c., which being read, was concurred with.

Ordered that Mr. Peter Roberson have leave to absent himself from the service of this House until Monday next.

Received from the Senate the petition of William Graves and Elijah Hunter, and the petition of William Moore, Sheriff. Endorsed in Senate, "read and referred as by the House of Commons."
Received from the Senate the Bill erecting a town on the Lands of Matthew Figures in Northampton county, on the Southside of Meherrin River. Endorsed in Senate, "read the first time and passed."

Received also the Bill for the better regulation of the town of Halifax and extending the liberties thereof.

Ordered that this Bill be engrossed and brought into this House for third reading thereof.

Received from the Senate the petition of James Blair and others, praying to be released from a Judgment given on a forfeited recognizance and a Resolve for that purpose, whereupon Resolved, that this House do not concur with the said Resolve, and that the petition be referred to the Grand Committee.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House cannot concur with the Resolve of the Senate on the petition of James Blair and others, but propose that the petition on which that Resolve was founded be referred to the Grand Committee.

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

Saturday 25th November, 1786.

The House met according to adjournment.

Mr. John Eborn, one of the members for Hyde county, and Mr. John Brown one of the members for Wilkes county, appeared, were qualified and took their Seats.

Received from the Senate a Resolve of that House requiring Jno. Craven to attend this present Assembly for the purpose therein expressed, and directing Capt. John White to furnish him with a Copy thereof, which, being read, was concurred with.

Ordered that the following Message be sent to His Excellency, the Governor:

To His Excellency, Richard Caswell, Esquire, Governor, &c.:

Sir:

The General Assembly have convened in order to receive information touching certain abuses committed in the Settlement of Army Acco'ts which it is suggested Your Excellency had to lay before them.
Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

The Message herewith sent you addressed to His Excellency, the Governor, we propose to be presented him if it meets your concurrence, we have appointed Messrs. Winslow and Hawkins to attend and present the same.

On motion of Mr. Hay, seconded by Mr. Sitgreaves, ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that a conference of both Houses be immediately had in the room where the House of Commons sit on the Subject of the abuses suggested to have been committed on the Treasury.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

With this you will receive a Message addressed to His Excellency the Governor, which by this House is proposed to be presented him instead of that sent us from your Body on the same head and of this Date, should it meet your approbation, Messrs. Lewis and McCawley will on the part of the Senate attend & present him with the same.

At the same time received the address above referred to which being read, the following was proposed in lieu thereof.

To His Excellency, Richard Caswell, Esquire, Governor, Captain General, &c.:

Sir:

The General Assembly are now sitting and request your Excellency to favor them with such further information as you may be possessed of relative to persons who have lodged forged, fraudulent Accounts and Vouchers in the office of the Commissioners of Army Accounts, and the procuring of Certificates and due Bills thereon.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

The Honorable, the Speakers & Members of both Houses, assembled in conference and appointed Richard Dobbs Spaight, Esquire, Chairman. The business of the Conference being opened by Mr. Hay, after some time spent in debate, they determined that the following
STATE RECORDS.

Resolutions should be proposed to both Houses for their Concurrence, viz:

It having appeared to both Houses by certain depositions and other information, that John Price, William Fairecloth, John McNeece, Thomas Butcher, Benjamin Shepperd, Timothy McKarty, Simeon Toatvine, Thomas Price, Reddick Price, William Andrews, of Nawhuntyn Creek, John Fairecloth, Sherrod Barrow, Nathan Lasseter, Jesse Lasseter, John Shepperd, James Holmes, of Dobbs, William Sanders, jun., Thomas Donnaho, Tillman Dixon, Wynne Dixon, and Charles Dixon, of Caswell county; John Marshall formerly of Warren county and Arthur Pearce, jun., of Johnston county, Philip Fishburn, of Salisbury, and sundry other persons, Citizens in this State, have embezzled the public property and been guilty of many fraudulent practices in procuring accounts to be passed by the Commissioners for liquidating Army Accounts, and in passing the same, and thereby obtaining Certificates and drawing Monies from the Public Treasury to the great injury of individuals, and to the manifest fraud of the State, to the end therefore that those persons and estates may be secured to answer and to be liable to public justice;

Resolved, That His Excellency the Governor be and he is hereby authorized and impowered immediately to issue a Warrant or warrants directed to the Sheriffs of the Counties wherein the said persons or any of them reside or may be found, or to such other person or persons as he may deem proper, directing them to take the Bodies of the said persons and every one of them without delay, and bring them before him at Fayetteville; and he is hereby authorized to commit them to close confinement, there to remain until released by due course of Law, unless they enter into recognizance with sufficient Sureties before him, to be and appear at the present General Assembly from Day to Day, and not to depart without leave or to remove, conceal or alien their Estates, real or personal, or any part thereof, and that they also deliver on Oath at the same time an Inventory or Inventories of all their Estates, real and personal, which they had or possessed on the first day of May last, or at any time since; and, whereas, such persons may refuse to enter into such recognizance, and the purposes of this Resolutions be defeated;

Resolved, further, That on such refusal, all their Estates, real and personal, be sequestered as a security for the public, and held
and deemed liable to such judgment, Sentence or decree as may be had in the premises; and His Excellency the Governor is hereby authorized to give orders to the Sheriffs of the respective Counties or other persons to take possession of the same accordingly.

Resolved, also, That the Governor have power to draw on the Treasury for such Sums as may be necessary to defray the expenses attending the execution of this business, and that he issue citations for the several persons whose names are hereto annexed to attend this General Assembly as Witnesses against the persons accused, and that these resolutions be carried into execution with speed and effect:

John Roe of Nash.
Nathan Cobb, Wayne.
Hardy Robeson, do.
Willis Pipkin, do.
Mann Phillips, Dobbs.
William Phelps, do.
Thomas Jordan, Sampson.
Thomas Gray, Duplin.
Benjamin Exum, Dobbs.
John Brown, do.
Silas Holliman.
Willoboy Williams, Dobbs.
William Wrenfrow, Wayne.
Moses Holmes, Dobbs.
John Morgan, Nash.
John Smith, Northampton.
Benjamin McCullock.
Henry Moutfort.
John Macon
William Sheppard, Dobbs.
James Glasgow, Esq., do.
Abram Sheppard, Jun.
Abram Sheppard, Sen.
Silas Holloway, Wayne.
William Williams, do.
David Dodd, Sampson.
John Stansil, Sen., Johnston.
Resolved, also, That the Commissioners of Army accounts furnish His Excellency the Governor with the names of all officers who have signed Army accounts, and that His Excellency issue a Proclamation requiring all such to be and appear before this General Assembly immediately.

Resolved, That this House do concur with the foregoing Resolutions.

Received from the Senate a Bill for establishing a Town on the Land of Robert Burton, Esquire, in the County of Granville; and a Bill erecting a Town on the Lands of Matthew Figures in Northampton County on the South side of Meherin River. Endorsed in Senate, "read the first time and passed."

Received from the Senate the Resolutions entered into in conference, &c. Endorsed in Senate, "read and concurred with."

The House adjourned till Monday morning 9 O'clock.

Monday, 27th November, 1786.

The House met according to adjournment.

Ordered that Mr. Vaughan have leave to absent himself from the service of this House.

On motion of Col. Davie,Resolved, That the rules adopted by this House for reading and passing Bills so far it directs that Bills after the second reading shall be Engrossed and then introduced for the third and last reading, and to be passed without any alteration, or rejected, shall be rescinded.

Col. Davie laid before the House the acco't of John Whitaker as Commissioner for purchasing Tobacco in the District of Halifax.

Ordered that the same be referred to the Committee of Finance.

Mr. William Hooper, one of the Members for Orange County, and Mr. Reuben Grant, one of the Members for Onslow County, appeared, were qualified and took their Seats.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We agree that the Petition of James Blair and others now before the Assembly be referred to the Grand Committee, as by you proposed.

Received from the Senate the resignation of Samuel High as a Justice of the Peace for Franklin County.

The resignation of Joseph Williams as a Justice of the Peace for Nash County.
The resignation of Thomas Ward as a Justice of the Peace for Bertie County.

The resignation of Reuben Norfleet as a Justice of the Peace for Bertie County.

Severally endorsed in Senate, "read and accepted;" which, being read, were accepted by this House.

Received from the Senate the Resolve of this House directing the Comptroller to issue certain Certificates to William Aldredge. Endorsed in Senate, "read and concurred with."

Received from the Senate the Memorial of George Doherty. Endorsed in Senate, "read and referred to the Committee on Memorials and Petitions;" which, being read, was referred as by the Senate.

Mr. William T. Lewis, one of the Members for Wilkes County, appeared, was qualified and took his seat.

Received from the Senate the Report of the Committee on the Petition of Sundry Inhabitants of Wilkes County. Endorsed in Senate, "read and concurred with;" which being read, was concurred with by this House.

Mr. Frohock moved for leave and presented a Bill to amend an Act entitled "an Act for the regulation of the Town of Salisbury in the County of Rowan," which was read the first time, passed and sent to the Senate.

Ordered that Mr. Hooper and Mr. Blount be added to the Grand Committee and Mr. Hooper to the Committee of Finance.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have added Mr. Hooper and Mr. J. G. Blount to the Grand Committee and Mr. Hooper to the Committee of Finance.

Mr. Hall presented the Petition of Thomas Hall and Bromfield Ridley, Administrators on the Estate of Thomas Bell, deceased, which being read, was referred to a joint Committee, and Messrs. Hooper, Hall and Lewis appointed on the part of this House for that purpose.

Received from the Senate a Bill to empower the overseers of the Poor in the County of Granville to sell the Glebe in the said County. Endorsed in Senate, "read the first time and passed."

Mr. Dickens, from the Committee of Claims, delivered in the following Report, viz:

The Committee of Claims wishes to know of the General Assem-
bly whether they would be justifiable in allowing such Claims as ought to have been adjusted by the State Boards of Auditors, as many of that nature have been laid before them, which by the last Act of Assembly they do not conceive themselves at liberty to allow without first having the sanction of the Legislature.

ROBT. DICKENS, Ch.

The House, taking this Report into consideration, Resolved, That the Committee of Claims be directed not to pass any acco'ts that might have been liquidated by the late boards of Auditors.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House have Resolved that they will go into a Committee of the whole for the purpose of considering what Bills of a General and public nature are necessary to be prepared-and introduced by the Grand Committee, in order to be passed into Laws at the present Session.

Received from His Excellency the Governor the following Message:

To the Honorable the General Assembly:

Gentlemen:

I beg leave to refer to your consideration the Petitions of Donald Shaw and Alexander McIver and others, to take such orders on them as you shall think proper.

R. CASWELL.

Fayetteville, 26 Nov., 1786.

At the same time, received the Petitions above referred to, which being read, were referred to the Grand Committee.

Mr. Stewart presented the Petition of a number of the Inhabitants of Chatham County, praying, &c., which being read,

Mr. Stewart moved for leave and presented a Bill for establishing a Town on the lands late the property of William Petty, adjoining Chatham Court House, as laid off by the Trustees named in the act of the last General Assembly, entitled “an Act for establishing a Town on the Lands of Mial Scurlock, deceased, in Chatham County;” for appointing Commissioners for the regulation of the Town and repealing said Act; which was read the first time, passed and sent to the Senate.
Mr. McLaine presented the Memorial of Robert Rowan, Commissioner for purchasing Tobacco at Fayetteville, which being read, was referred to the Committee of Finance.

Mr. Needham Bryan presented the Petition of James Lockhart, of Johnston County, which being read, was referred to the Committee appointed on Memorials and Petitions.

Mr. Joseph Stewart presented the Petition of John Ramsey, which being read, was referred to the Committee of Propositions and Grievances.

The Bill for the better regulation of the Town of Halifax and extending the liberties thereof, and for altering the mode of levying Taxes in the Town of Edenton was read the third time, amended, passed and sent to the Senate.

The Bill for establishing a Town on the Land of Robert Burton, Esquire, in Granville, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have received your Message proposing a Committee of the whole of the two Houses immediately. With this proposition we do not concur, but agree that such Committee be formed tomorrow morning at 9 of the Clock, in the room where the late conference of the General Assembly was held.

Ordered that the following message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the two Houses form into a Committee of the whole as by you proposed.

Received from the Senate a Bill to amend an Act entitled "an Act for the regulation of the Town of Salisbury, in the County of Rowan." Endorsed in Senate, "read the first time and passed."

Received from the Senate the Petition of Thomas Hall and Bromfield Ridley, Administrators on the Estate of Thomas Bell, deceased. Endorsed in Senate, "read and referred to Messrs. Stokes, Tipton and Macon."

Mr. Yancey presented the affidavit of Reuben Searcy respecting the loss of certain Certificates, which being read, was referred to the Committee of Propositions and Grievances.
Mr. Neale presented the Petition of Nathaniel Tooley, which being read, was referred to the Committee on Petitions and Memorials.

Mr. Neale presented the Petition of John and Elizabeth Nelson, which being read, was referred to the Grand Committee.

Mr. Davie moved for leave and presented a Bill for establishing a Town on the Lands of Andrew Bass, which was read the first time, passed and sent to the Senate.

Received from the Senate for the concurrence of this House the following resolutions, viz:

Read the Petition and Claim of Mr. George Farragut, late a Captain in the Cavalry of the State Regiment of North Carolina, whereupon,

Resolved, That Mr. George Farragut be allowed the sum of Sixty-Eight pounds Eight shillings & four pence current money, being the one-fourth part of the sum which appears by his account rendered to be due Mr. Farragut for and on acco't of his Military services performed in this State; that the Treasurer pay him the same and be allowed in the settlement of his public accounts.

Resolved also, that the Comptroller issue to Mr. Farragut a Certificate for the other three fourths of the sum due him, and

Resolved likewise, that this General Assembly are lead to adopt this measure from a conviction of the faithful voluntary and public spirited services of the said Mr. Farragut, he being a native and subject of the Kingdom of France.

A motion was made and seconded, that this House concur with the above Resolution which was objected to, the question being put was carried in the affirmative, whereupon the Yeas and Nays were required by Mr. Bonds, which are as follows, viz:


The House adjourned 'til To-morrow Morning 9 O'clock.

Tuesday, 28 November, 1786.

The House met according to adjournment.

Mr. Ferreebee presented the resignation of George Flowers as a Justice of the Peace for Currituck County, which, being read, was accepted by this House.

Mr. Joseph John Clinch, one of the Members for Nash County, and Mr. William Bethell, one of the members for Rockingham County, appeared, were qualified and took their Seats.

Mr. Spruill presented the resignation of Joseph Wyatt as a Justice of the Peace for Tyrrell County, which, being read, was accepted by this House.

Mr. Spruill presented the Petition of Isaac Davenport, Jonathan Phelps & John Davenport, jun., which, being read, was referred to the Committee of Propositions and Grievances.

Mr. Willis presented the Record of the trial of a Negro, the property of John Lindsay, which, being read, was referred to the Committee of Claims.

Mr. Hooper presented the representation of a number of the Inhabitants of Orange County, accompanied with the Memorial of Samuel Strudwick, Esquire, which, being read, were referred to a joint Committee, the Members appointed on the part of this House for that purpose are Messrs. P. Hawkins, Maclaine, Martin, J. Taylor, Phifer, Hay, McDowall, Hamilton.

Mr. James Bloodworth, one of the members for New Hanover County, appeared, was qualified and took his seat.

Mr. Hooper presented the Petition of the people called Quakers, which, being read, was referred to the Grand Committee.

Mr. McDowall presented the Memorial of James Greenlee, which, being read, was referred to the Committee on Petitions and Memorials.

Mr. Hay presented the Petition of the Inhabitants of Fayetteville, which, being read, was referred to the Grand Committee.

Mr. Neale presented the Petition of Walter Allen of Craven County, which, being read, was referred to the Committee on Memorials and Petitions.

Mr. Hamilton presented the Petition of Matthew Russell and
others, which, being read, was referred to the Committee appointed on the representation of certain Inhabitants of Orange County.

Received from the Senate the following Bills:
A Bill for levying a further tax of ——— on every hundred acres of Land, and on ——— on every Poll in the County of Camden for defraying the expense of compleating the public buildings thereof.

A Bill for establishing a Town on the Lands of Andrew Bass.

A Bill for establishing a Town on the Lands late the property of William Petty, adjoining Chatham Court House as laid off by the Trustees named in the Act of the last General Assembly, entitled "an Act for establishing a Town on the Land of Mial Scurlock, deceased, in Chatham, for appointing Commissioners for the regulation of the Town & repealing said Act." Endorsed in Senate "read the first time & passed."

The Bill to amend an Act entitled "an Act for the regulation of the Town of Salisbury in the County of Rowan," was read the second time, passed & sent to the Senate.

The Bill to impair the overseers of the Poor in the County of Granville to sell the Glebe in said County, was read the first time, passed and sent to the Senate.

Mr. J. G. Blount moved for leave and presented a Bill for establishing an academy at the place now called Martinborough in the County of Pitt, which was read the first time, passed & sent to the Senate.

Received from the Senate the Petition of John Ramsey.
The affidavit of Reuben Searcy.
The Memorial of Robert Rowan.
The Petition of Nathaniel Tooley.
The Petition of James Lockhart.
The Petition of Alexander McIver, severally endorsed in Senate "read and referred as by the Commons."

The Bill for erecting an Academy at the Town of Warrenton in the District of Halifax, was read the first time, passed & sent to the Senate.

The Bill erecting a Town on the Lands of Matthew Figures in Northampton County on the South side of Meherrin River was read the second time, passed & sent to the Senate.

Mr. Davie moved for leave and presented a Bill for erecting a
Town on the Land of William Murfree in Hertford County, which was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We have added Mr. Galloway to the Committee of Propositions & Grievances.

Received from the Senate the petition of John Augustine Deracan. Endorsed in Senate, "read & referred to the Committee of Propositions & Grievances," which, being read, was referred as by the Senate.

Received from the Senate the recommendation of Field officers in Wilkes county. Endorsed in Senate "read & agreed to," which, being read, was agreed to by this House.

The Honorable, the Speakers and Members of both Houses assembled in conference agreeable to the determination of yesterday, and appointed Elisha Battle, Esquire, Chairman. After some time spent in debate, it was Resolved that they would submit to the respective Houses the following Bills as necessary to be passed into Laws this Session, viz:

A Bill to ascertain the Term of time in which all debts due by Bond, note or by any other Contract or agreement, shall be lawfully demanded, and after which time no such Bond note or other demand shall be recoverable either in Law or Equity in this State.

A Bill to amend the Militia Law and make provision for a public Magazine.

A Bill to alter and amend the Court System.

A Bill to carry into effect the Treaty of Peace, and to declare what shall hereafter be deemed Treason and Miprision of Treason.

A Bill to open the Land office in every part of the State.

A Bill for reprinting and publishing the Laws passed since the year 1772.

A Bill for appointing Treasurers in this State.

A Bill for appointing Commissioners to extend the dividing line and establish the Boundary between this State and the State of South Carolina.

A Bill to make effectual provision for discharging our proportion of the Interest of the foreign Debt for a number of years therein mentioned.
A Bill to prevent the exportation of Indian Corn.
A Bill to compel the proper officers to publish the application of all public Monies.
A Bill for establishing a more equitable mode of Taxing Lands within this State.
"A Bill to amend an Act intitled "an Act for Emitting one hundred Thousand pounds for the purposes therein expressed," for appropriating the Tobacco purchased by the late Commissioners for the sole purpose of discharging the Interest of our quota of the Foreign Debt.
A Bill to impose a Duty on all Slaves imported into this State by Land or Water.
A Bill to enable the Commissioners therein mentioned to sell the Pallace in the town of New Bern with the other Public Lots adjoining the same for Tobacco, for the purpose of assisting the State in payment of their quota of the Continental Debt.
A Bill to establish a Jurisdiction for the trial of all public officers therein named.
A Bill to establish Bar Inlet a Port, and to appoint a Naval officer and Collector for the same.
Resolved, that this House do concur with the foregoing recommendation, and that the Grand Committee be directed to prepare and bring in Bills accordingly.
The House adjourned 'til Thursday Morning 9 O'Clock.

Thursday, 30 November, 1786.
The House met according to adjournment.
Received from the Senate the accounts of John Whitaker as Commissioner, &c.,
The Petition of James Greenlee,
The Petition of the Inhabitants of Fayetteville,
The Petition of Walter Allen of Craven County,
The Record of a trial of a Negro, the property of John Lindsay,
The Petition of Matthew Russel & others,
The Petition of Isaac Davenport, Jonathan Phelps & John Davenport, jun., severally endorsed in Senate, "read and referred as by the House of Commons.
Received also, the resignation of Joseph Wyatt as a Justice of the Peace for Tyrrell County, and the resignation of George Powers as
a Justice for the County of Currituck. Endorsed in Senate, "read and accepted."

Received from the Senate the representation of a number of the Inhabitants of Orange County. Endorsed in Senate "read and referred on the part of the Senate to Genl. Rutherford, Messrs. Cowdy, Brown, Galloway & McCawley."

Mr. Peter Perkins, one of the Members for Rockingham County, appeared, was qualified and took his seat.

Received from the Senate sundry Petitions from the Counties of Washington, Sullivan and Greene. Endorsed in Senate "read and referred to a Special Committee; the Members chosen on the part of this House are General Rutherford, Messrs. Skinner, Macon, Stokes, Battle & Gillispie," which Petitions being read, were referred on the part of this House to Messrs. Scott, Davie, P. Hawkins, White, Phifer, Polk, Hutchings, Pearson, Lewis.

Mr. Hooper moved for leave to bring in a Bill for altering the mode of punishing Horse stealing. Ordered that he have leave accordingly.

Read the resignation of William McGregor as a Justice of the Peace for Montgomery County, which, being read, was accepted.

Mr. J. G. Blount presented a warrant granted by His late Excellency Alexander Martin, Esqr., in favor of Josiah Collins, for the sum of Eighty one pounds, one shilling & three pence, which, being read, was referred to the Committee of Claims.

Ordered that Mr. Lanier have leave to absent himself from the service of this House.

Received from the Senate the two following Bills, viz.:

A Bill to empower the County Court of Sampson to levy a further Tax on the Inhabitants of said County for defraying the expense of building the Court House, prison and Stocks in the same, and for defraying the contingencies of said County.

A Bill to empower the County Court of Richmond to levy a Tax for building a prison for said County and appointing Commissioners to contract for building the same. Endorsed in Senate, "read the first time & passed."

Whereas, it is necessary that our quota of the Federal Debt should be known and ascertained,

Resolved, That a joint Committee be appointed to enquire how far an Act entitled "an Act to ascertain the number of white and
black Inhabitants and the citizens of every age and condition in the State" has been carried into effect, and that they be hereby required to report the same in as short a time as possible.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Wyatt Hawkins and Mr. Frohock a Committee on the part of this House to enquire how far the late act, Entitled "an Act to ascertain the number of white and black inhabitants and the Citizens of every age and condition in the State" has been carried into effect, who are to report the same in as short a time as possible.

Mr. J. G. Blount moved for leave and presented a Bill for annexing a part of the County of Craven to Pitt County, which was read the first time, passed and sent to the Senate.

Mr. Phifer moved for leave and presented a Bill to prevent the obtaining of Grants of Land lying in the Western parts of this State to the prejudice of the first enterers, which Lands have been entered in the office lately established for receiving entries of Claims of such Lands by an Act for opening the Land Office, for the redemption of Specie and other Certificates, and for discharging the arrears due to the Army, which was read the first time, passed & sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added to the Committee on Finance Messrs. Dickens, Sawyer, Vance, Holland, Heale, Humphries of Currituck and Frohock. We have also added Messrs. McDowell, Philips, Creecy, Phifer, Perkins, Whitfield and Sawyer to the Grand Committee.

Ordered that Mr. Yates have leave to absent himself from the service of this House.

The Honorable the Speaker laid before the House a Letter from the Reverend Robert Andrews, of Virginia, respecting the claim of the Heirs of William Bird, Esquire, late of Virginia, to certain Lands in this State, which, being read, was referred to a special Committee. The Members appointed on the part of this House for that purpose are Messrs. Polk, Hutchings, Sitgreaves.

Mr. Bloodworth presented a Record of the Trial, &c., of a Negro, the property of Reuben Grant, of Onslow County, which, being read, was referred to the Committee of Claims.
Mr. J. G. Blount presented a Record of a Trial, &c., of a Negro, the property of Moore Knight, which, being read, was referred to the Committee of Claims.

Ordered that the Petition of John Simpson, Esquire, which was presented to the last Assembly be taken up and referred to the Committee of Claims.

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

Friday, 1 December, 1786.

The House met according to adjournment.

The House resumed the consideration of the recommendation of Bladen County Court for allowing Sarah Surgener the sum of fifteen pounds for the year 1786, and Resolved, that they do concur therewith.

Received from the Senate the account of William Williams, late a Captain in the Continental Service. Endorsed in Senate "referred to the Committee of Claims." Ordered that the same be referred on the part of this House to the said Committee.

Received from the Senate the Resolves entered into by a Committee of Conference, &c. Endorsed in Senate "read and concurred with."

Received from the Senate the resignation of William McGregory. Endorsed in Senate, "read & accepted."

Received from the Senate the Memorial of Angelica Wilton. Endorsed in Senate, "read and referred to the Committee of Memorials and Petitions," which, being read, was referred as by the Senate.

Received also, the Petition of G. J. McRae. Endorsed in Senate, "read and referred to the Committee of Finance," which, being read, was referred as by the Senate.

Received from the Senate a Resolve directing the Comptroller to issue a certificate to John Vickers, which, being read, was concurred with.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

We have received your Message informing of the addition by you made to the Committee of Finance and the Grand Committee pursuant to which we have likewise added to the Committee of Finance Messrs. Galloway, Mitchell and Eaton; and to the Grand Committee Messrs. Stokes, Lewis, Galloway, McCulloch and General McDowall.
Mr. Speaker & Gentlemen:

Messrs. Moring, John Armstrong and Harris will on the part of this House, act with the Gentlemen by you appointed to enquire and report how far the Act of Assembly entitled "an Act to ascertain the number of white and black Inhabitants & the Citizens of every age and condition in the State" has been carried into execution.

Mr. Davie moved for leave and presented a Bill to repeal an Act entitled "an Act to prevent abuses in taking up stray Horses, Cattle, Sheep & Hogs, and other things therein mentioned," which was read the first time, passed & sent to the Senate.

Mr. Franklin moved for leave and presented a Bill to amend an Act entitled "an Act for the relief of such persons who have suffered or may suffer by their Grants, Deeds and Mesne Conveyances not being proved and registered within the time heretofore appointed by Law," which was read the first time, passed and sent to the Senate.

Received from the Senate the Bill for enabling certain persons to perfect a Canal between Scuppernong river and the Lake near its head. Endorsed in Senate, "read the second time & passed."

Ordered that this Bill be read the third time in this House. The same was accordingly read the third time, amended, passed and sent to the Senate.

Mr. Polk moved for leave and presented a Bill for raising Troops for the protection of the Inhabitants of Davidson County, which was read the first time, passed and sent to the Senate.

Mr. W. Wood moved for leave and presented a Bill for the Inspection of Tobacco at Anson Court House, which was read the first time, passed and sent to the Senate.

Mr. Hamilton moved for leave and presented a Bill to release the widows and orphans of John Anderson, deceased, from a forfeiture of Recognizance, entered into for the appearance of a certain John McCroory before the Superior Court of Salisbury District, which was read the first time, passed and sent to the Senate.

Received from the Senate the following Bills, viz:

A Bill for cutting a Canal from Currituck Sound to the Indian Ridge, &c.

A Bill for erecting a Town on the Lands of William Murfree, in Hertford County.
A Bill to empower the Wardens of the Poor in the County of Granville to sell the Glebe in said County.

A Bill erecting a Town on the Lands of Matthew Figures, in Northampton County, &c.

Severally endorsed in Senate, "read the first time and passed."

Mr. Frohock moved for leave and presented a Bill to establish a public Inspection of Tobacco in the Town of Salisbury, in Rowan County, which was read the first time, passed and sent to the Senate.

Mr. Davie, from the Grand Committee, delivered in a Bill to compel certain officers therein mentioned to publish the application of the public Monies and allowances for insolvents, which was read the first time, passed and sent to the Senate.

Mr. P. Hawkins presented the representation of the Public Treasurer, which, being read, was referred to a Select Committee. The Members appointed on the part of this House for that purpose are Messrs. Sitgreaves, P. Hawkins, Franklin, Hooper, Bloodworth.

The Bill for cutting a Canal from Currituck Sound to the Indian Ridge, & from thence to the head of North River, or as far as the Commissioners herein named shall think proper, was read the third time, passed and sent to the Senate.

The House Adjourned 'til Monday Morning 10 O'clock.

Monday, 4th December, 1786.

The House met according to adjournment.

The Honorable the Speaker laid before the House a Letter from the Reverend Robert Andrews and John Cowper, inclosing Certificates of their appointments as Commissioners from the Commonwealth of Virginia to treat with this State respecting the opening a Canal from Elizabeth River to Pasquotank River, &c.

Ordered that the same be sent to the Senate.

Mr. Hall presented the representation of Thomas Brickell, Impeaching certain Justices of the Peace for Franklin County, which being read, was referred to the Grand Committee.

Mr. Hooper, according to order, presented a Bill to alter the mode of punishing Horse Stealing; also to repeal an Act entitled "an Act to prevent Horse Stealing," which was read the first time, passed and sent to the Senate.

Ordered that Mr. W. Taylor have leave to absent himself from the service of this House.
Mr. Nehemiah Long, one of the Members for Northampton County, appeared, was qualified & took his seat.

Mr. Hooper moved for leave and presented a Bill to make Securities therein named negotiable, which was read the first time, passed & sent to the Senate.

Resolved, That the Speaker of the Senate and House of Commons, in directing John Ingraham, Esquire, to withdraw from the prisoners brought in yesterday in obedience to the order of Governor Caswell, all monies and Papers of every kind of which, upon search, they might be found to be possessed, have acted in entire consistence with the wishes of this House, and that the said John Ingraham, in obeying the directions of the said Speakers, has acquitted himself to the satisfaction of this House and has met their entire approbation; and that the said John Ingraham be directed to retain in his possession all such papers and Monies until this House make further orders therein.

Mr. Hooper presented the Petition of John Johnston, which being read, was referred to Messrs. Pugh, McKenzie, Dodd, Phillips, Long, Sawyer, Phifer, Brown, Clinch, on the part of this House.

Mr. P. Hawkins presented the Petition of Zephaniah Waller, which being read was referred to the Committee appointed on the Petition of John Johnston.

The Bill for levying a further Tax of ————on every hundred acres of Land and ————on every Poll in the County of Camden for defraying the expense of completing the public buildings thereof, was read the first time, passed and sent to the Senate.

The Bill for erecting a Town on the Land of William Murfree, in Hertford County, was read the second time, amended, passed and sent to the Senate.

Resolved that a writ of Election issue to the County of Orange for the Election of one Member to represent the said County in this House in the room and stead of John Butler, Esquire, deceased, and that the said Election be held on the Twentieth & Twenty-first Days of this present month.

Mr. Sitgreaves moved for leave and presented an additional Bill to an Act entitled "an Act to amend an Act passed at New Bern the first day of December, 1766, entitled 'an Act for establishing a School House in the Town of New Bern';" which was read the first time, passed and sent to the Senate.
The Bill for establishing a town on the Lands late the property of William Petty, adjoining Chatham Court House as laid off by the Trustees named in the Act of the last General Assembly, intitled “an Act for establishing a town on the Land of Mial Scurlock, deceased, in Chatham county,” for appointing Commissioners for the regulation of the town and repealing said Act, was read the Second time, amended, passed and sent to the Senate.

Mr. Davie, from the joint Committee, presented a Bill to carry into further effect an Act intitled “an Act for opening the Land office for the redemption of Specie and other Certificates, & discharging the arrears due to the Army,” which was read the first time, passed and sent to the Senate.

The Bill erecting a town on the Land of Matthew Figures, in Northampton county, on the Southside of Meherrin river, was read the third time, amended, passed and sent to the Senate.

The Bill to empower the Wardens of the Poor in the county of Granville to sell the Glebe in said county, was read the second time, passed and sent to the Senate.

Received from the Senate the claim of Mr. Andrews in behalf of Mr. Bird.

The Record of the Tryal of a Negro, the property of Moore Knight.

The recommendation of Bladen Court allowing Sarah Surgener fifteen Pounds.

The petition of John Simpson, Esquire.

The record of the trial of a Negro the property of Reuben Grant.

The warrant granted by his late Excellency, Alexander Martin, Esqr., in favor of Josiah Collins, &c. Severally endorsed in Senate, “read and referred as by the House of Commons.”

Mr. J. G. Blount presented the resignation of Hezekiah Pearce as a Justice of the Peace for Beaufort county, which being read was accepted by this House.

Received from the Senate the Memorial of the Reverend James Tate. Endorsed in Senate, “read and referred to the Committee of Propositions and Grievances,” which, being read, was referred as by the Senate.

Received also the Claim of Wm. Webb & C. White. Endorsed in Senate, “read & referred on the part of this House to Messrs. Lewis, Reddick and Eaton,” which, being read, was referred to Messrs. Martin, W. Hawkins, Franklin, and Holland.
Received from the Senate the petition of the People called Quakers, &c. Endorsed in Senate, "read & referred as by the House of Commons."

Received from the Senate a Bill for dividing the county of Bladen. Endorsed in Senate, "read the first time and passed."

Ordered that this Bill be read the first time in this House, the same was accordingly read the first time, passed and sent to the Senate.

Mr. James Martin, from the Committee of Privileges and Elections, delivered in the following Report, viz:

Your Committee of Privileges and Elections to whom was referred the Memorial of John Allen and Richard Nixon, Reported,

That it appears to your Committee from a Certified Copy of the Poll and the relation of the sitting members, that a number of the Inhabitants of the town of New Bern did vote at the last election held for the county of Craven on the third Friday and Saturday in August last, for county Members in the House of Commons, and it was admitted by Mr. Allen, on behalf of himself and Mr. Nixon, that the following was a true state of the Poll, viz:

Richard Dobbs Spaight ................... 417 Votes.
Abner Neale ................................ 409 do
Richard Nixon ............................ 265 do
John Allen ................................ 214 do

It appears on examining a Copy of the list of Votes and the number of Ticket ballots certified by John Council Bryan, Sheriff, and introduced by the Memorialist, that the residents of the town who voted amounted to one hundred and three, so that on purging the Poll and striking off the town votes, Mr. Spaight had a Majority of forty-nine votes more than Mr. Nixon, and one hundred more than Mr. Allen and Mr. Neale a majority of forty-one votes more than Mr. Nixon, and ninety-two more than Mr. Allen, which votes were unexceptionable.

All persons who are disqualified to vote are also subject to the penalty inflicted by an Act, entitled "an Act directing the method of Electing Members of the General Assembly, and other purposes."

Your Committee are therefore of opinion that Richard Dobbs Spaight and Abner Neale, Esquires, the sitting Members, had an
undoubted Majority of legal votes, and are therefore entitled to their Seats.

All which is submitted.

JAMES MARTIN, Ch.

The House, taking the said Report into consideration, concurred therewith.

Mr. MacLaine presented the Petition of Edward Bridgen, of London, Merchant, which, being read, was referred to the Grand Committee.

Received from the Senate the Resolve of this House directing Mr. John Ingraham to retain the Papers and Money received from the Prisoners, &c., concurred with.

Received also the Petition of John Johnston. Endorsed in Senate, "read and referred to General Gregory, Messrs. Stokes, Redick, Battle and McCawley;" and

The Petition of Zephaniah Waller. Endorsed in Senate, "referred as by the Commons."

Received from the Senate the following Bills, viz.:

A Bill empowering Commissioners to dispose of the Land and Glebe, the property of St. John's Parish, formerly in the County of Bute, now in Franklin.

A Bill empowering the Courts of Pleas and Quarter Sessions in this State to exercise special Jurisdiction over the matters therein mentioned.

A Bill to enable the Executors of the last Will and Testament of Jethro Sumner, Esquire, deceased, to collect and receive the arrears of taxes in the Counties of Warren & Franklin, &c.

A Bill for erecting a Prison in the County of Franklin & to prevent the burning County Gaols in this State.

A Bill to amend an Act passed at New Bern in December, 1777, entitled "an Act directing the method of Electing Members of the General Assembly, & other purposes."

An additional Bill to an Act entitled "an Act to amend an Act passed at New Bern the first Day of December, 1766, entitled 'an Act for establishing a School House in the Town of New Bern.'"

A Bill to erect and establish an Academy in the County of Franklin.

A Bill to amend an Act entitled "an Act for the relief of such
Persons who have suffered or may suffer by their Grants, Deeds and Mesne Conveyances not being proved and registered within the time hertofores appointed by Law;" and also to amend an Act entitled "an Act for raising a public revenue for the support of the Government," and to repeal an Act entitled "an Act to suppress excessive Gaming."

A Bill directing the Courts of Pleas and Quarter Sessions of Pasquotank County to be held at Winfield, in Pasquotank, &c.

A Bill to make the Securities therein named negotiable.

A Bill to amend an Act entitled "an Act for the regulation of the Town of Salisbury," &c.

Severally endorsed in Senate, "read the first time & passed."

Mr. Davie presented the Petition of William Murfree, praying, &c., which, being read, Mr. Davie moved for leave and presented a Bill to authorize & impower William Murfree, formerly Sheriff of Hertford, now Hertford and Gates Counties, to collect the arrears of taxes due him from the Inhabitants of said Counties for the years 1768, 1769 & 1770, which was read the first time, passed and sent to the Senate.

Received from the Senate the report of the Committee on the Memorial of Alexander McIver. Endorsed in Senate, "read & concurred with." Which, being read, was concurred with by this House.

On motion of Mr. Spaight, seconded by Mr. J. G. Blount—

Resolved, That the Treasurer be directed to pay two certificates of the General Assembly granted to Benjamin Fordham, one dated the 25th of January, in the year 1773, for thirteen pounds six shillings & eight pence; the other dated December, 1773, for seven pounds eight shillings and six pence, and that he be allowed for them in the settlement of his accounts.

Received from the Senate the following message:

Mr. Speaker & gentlemen:

We have received and read the Letter and enclosures from the Rev'd Robert Andrews and John Cowper, Esquires, of the State of Virginia, addressed to the Honorable the Speaker of the House of Commons, which we propose referring to a Select Committee, and have for that purpose on our part appointed General Rutherford, General Gregory, Mr. Relfe and Mr. Lewis a Committee who will
act jointly with such of your Body as may be appointed for that purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have on our part appointed Messrs. Maclaine, J. G. Blount, Davie, Brown, Alexander, Cabarrus, John Taylor, to consider of the Letter and enclosures from the Rev’d Robert Andrews and John Cowper, Esquires, from the State of Virginia.

Received from the Senate a Resolution of that House directing the Committee of Claims to allow all Claims presented them, either for Militia service or supplies furnished, which are properly Authenticated, &c.; which, being read, was rejected.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We do not agree with you in referring the Impeachment made by Thomas Brickell, Esquire, of Franklin County, to the Grand Committee, but propose that it be referred to a select Committee, and have for that purpose on our part appointed Messrs. Galloway, Macon, Lewis, Hines, Genl. Gregory & Mr. Stokes a Committee who will act jointly with such Gentlemen of your Body as may be appointed in this behalf.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We consent that the Impeachment of Mr. Brickell of certain Justices in the County of Franklin be referred to a select Committee, and have on our part appointed Messrs. Neale, Long, W. Hawkins, Perkins, Yancey & Clinch for that purpose.

Ordered that Mr. Long be added to the Committee of Finance.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have added Mr. Nehemiah Long to the Committee of Finance.

Whereas, in obedience to the orders of the General Assembly in their present Session committed to the execution of his Excellency the Governor, Major Richard McKinney and Captain Dodd have seized and taken into custody and have delivered into this Town to abide the further orders of the Legislature divers persons charged with high Crimes and misdemeanors against the public credit of
this State; and, whereas, it is necessary that measures should be
forthwith taken, as well to hold the said prisoners in safe custody,
as to obtain all information which they may be willing to commu-
nicate, both with respect to themselves and others, relative to the
offenses imputed to the said persons and their Confederates;

Resolved, therefore, That this House do appoint Messrs. Folk and
Neale, and that the Senate be requested to appoint 2 members of their
House, who, together with Robert Rowan and John Ingraham,
Esquires, may take the examination of the said prisoners, and of
such others as may hereafter be brought to this Town in obedience
to the said order. That the persons so appointed shall have full
power and authority to send for and command the personal attend-
ance of such persons and papers as may be necessary to carry the
purposes of this appointment into the most effectual execution;
and that such persons so appointed shall be under an Injunction to
keep secret all matters and things which shall be disclosed in the
course of such examination until they shall be discharged there-
from by order of the Legislature.

Resolved further, That the persons so appointed shall have full
power and authority to search and examine all other persons, who
may be brought to this Town in obedience to the said order of the
General Assembly, and to seize all Monies and Papers that the said
Prisoners may be possessed of, they giving the said Prisoners re-
ceipts for the same.

Resolved, That the Sheriff of this County take into his Custody
all such prisoners, and all others who may be brought to this Town,
and that the Colonel or Commanding Officer of this County be di-
rected to furnish him with a sufficient number of Militia not ex-
ceeding fifty in number as a posse for the safe holding of such pris-
oners, who shall be allowed the same pay and rations as Militia are
entitled to when in service, and shall also be subject to the same
rules and regulations and paid by the order of the present General
Assembly.

Resolved, That his Excellency the Governor, be requested to
issue a Proclamation signifying to all public officers that it is the
sense of the General Assembly, that no due Bills or Certificates
issued since the first day of January, 1786, by the Commissioners
of Army accounts, shall be received in payment of any arrears due
to the public by any Citizen or Citizens of this State, until the Leg-
islature make further order therein; and that the Governor specially set forth in the said proclamation that the late multiplied frauds against the public faith have induced this resolution, and that the Governor make such proclamation as General and diffusive as possible, and that His Excellency in the same manner be directed to have the issues of Grants suspended for all real property purchased and paid for at the sales of Commissioners of Certificates since the first day of January, 1786.

Resolved, That the Attorney General be requested to attend in this Town as soon as the business of Wilmington Superior Court will permit, and that an Express go to Wilmington for this purpose.

Resolved, That the thanks of this House be tendered to Major Richard McKinnie and Captain David Dodd for their upright, spirited and expeditious exertions in seizing and bringing to this Town in obedience to the said orders of the General Assembly divers persons charged with high crimes and misdemeanors against the credit of this State.

Resolved, That the persons appointed to take the examination of the prisoners aforementioned be authorized to direct to be made out of the sums of Money withdrawn from them respectively, such advances for their comfortable subsistence and Support as to the said persons so appointed shall seem meet.

Received from the Senate the following message:

Mr. Speaker & Gentlemen:

Pursuant to the Resolutions of your body of this date relative to certain prisoners now in the Town of Fayetteville and others, the Senate have appointed General Rutherford and General Gregory, who will with the Gentlemen by you named assist in their examination, &c. At the same time received the Resolutions above referred to. Endorsed, “In Senate read & concurred with.”

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

Tuesday, 5 December, 1786.

The House met according to adjournment.

Received from the Senate the Petition of William Murfree. Endorsed in Senate, “read and referred to Messrs. Macon, McCawley and Battle,” which, being read, was referred on the part of this House to Messrs. Bloodworth, Willis, Frohock and Whitfield.

Received from the Senate the Report of the Committee on the
Petition of the Administrators of Thomas Bell, deceased. Endorsed in Senate, "read & concurred with," which, being read, was concurred with by this House.

Mr. Phifer presented the Petition of the Sheriffs of the District of Salisbury, which, being read, was referred to the Committee of Propositions and Grievances.

Mr. Perkins presented a Petition from a number of the Inhabitants of Rockingham County, praying, &c., which, being read, Mr. Perkins moved for leave and presented a Bill to amend an Act for dividing Guilford County, which was read the first time, passed and sent to the Senate.

Mr. Polk moved for leave and presented a Bill to vest certain Salt Springs and Licks in the Trustees of Davidson Academy and their Successors for the use of the said Academy.

Mr. Everargin presented the Petition of William Hollowell, praying, &c., which, being read, was referred to the Committee on Petitions and Memorials.

Mr. Eli West, one of the members for Cartaret County, appeared, was qualified and took his seat.

The Bill empowering the Courts of Pleas and Quarter Sessions in this State to exercise special Jurisdiction over the matters therein mentioned, was read the first time, passed & sent to the Senate.

The Bill to amend an Act entitled "an Act for the regulation of the Town of Salisbury, in the County of Rowan; for regulating the Town of Windsor, in Bertie County," was read the third time, amended, passed & sent to the Senate.

Received from the Senate the Petition of the Sheriffs of Salisbury District.

The Petition of William Hollowell, and
The Petition of Edward Bridgen, severally endorsed in Senate, "read & referred as by the House of Commons."

Received from the Senate the following Bills, viz.:
A Bill to amend an Act for dividing Guilford County.
A Bill for establishing an Academy at the place now called Martinborough, &c.
A bill to establish a public Inspection of Tobacco in the Town of Salisbury, &c.
A Bill to repeal an Act to prevent abuses in taking up stray Horses, Cattle, Hogs & Sheep, and other things therein mentioned.
A Bill to authorize and impower William Murfree, formerly Sheriff of Hertford, now Hertford & Gates Counties, to collect the arrears of Taxes due him, &c.

A Bill for annexing part of the County of Craven to Pitt County.

A Bill to prevent the obtaining of Grants of Land lying in the western parts of this State to the prejudice of the first enterers, &c.

A Bill to compel certain officers therein mentioned to publish the application of the Public Monies & allowances for Insolvents.

An additional Bill to an act to prevent the several Species of Hunting therein mentioned.

A Bill to carry into further effect an Act entitled "an Act for opening the Land Office for the redemption of Specie & other certificates & discharging the arrears due to the Army."

A Bill to vest certain Salt Springs and Licks in the Trustees of Davidson Academy & severally endorsed in Senate, "read the first time and passed."

Mr. Maclaine presented the Petition of John Bradley, which, being read, was referred to a Joint Committee. The members appointed on the part of this House are Messrs. Rhodes, Roberson and Grant.

Mr. Spaight moved for leave and presented a Bill for altering the time of holding the annual Elections and annual Assemblies, which was read the first time, passed and sent to the Senate.

Received from the Senate the Resolve of this House directing the Treasurer to pay two Certificates granted Benjamin Fordham, &c. Endorsed in Senate, "read and concurred with."

The Bill to enable the Executors of the last will and Testament of Jethro Sumner, Esquire, deceased, to collect and receive the arrears of Taxes in the Counties of Warren and Franklin for certain years therein mentioned, was read the first time, passed and sent to the Senate.

A Bill for erecting a Town on the Lands of William Murfree, in Hertford County, was read the third time, passed and sent to the Senate.

Received from the Senate the following Bills, viz.:

A Bill for erecting an Academy at the Town of Warrenton, in the District of Halifax.

A Bill for establishing a Town on the lands late the property of William Petty, adjoining Chatham Court House, as laid off by the
Trustees named in the act of the last General Assembly entitled "an Act for establishing a Town on the Land of Mial Scurlock, deceased, in Chatham County; for appointing Commissioners for the regulation of the Town, and repealing said Act." Endorsed in Senate, "read the second time and passed."

Received also a Bill to impower the Wardens of the Poor in the County of Granville to sell the Glebe in said County. Endorsed in Senate, "read the third time & passed."

The Bill for establishing a Town on the Lands of Andrew Bass, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the resignation of Hezekiah Pearce as Justice of the Peace, &c. Endorsed in Senate, "read and accepted."

The House adjourned 'til Tomorow Morning 10 O'clock.

Wednesday, 6th December, 1786.

The House met according to adjournment.

Received from the Senate the Petition of the Inhabitants of Chatham County, &c. Endorsed in Senate, "read and referred to the Grand Committee." Which, being read, was referred as by the Senate.

Received from the Senate the resignation of Andrew Hunt as a Justice of the Peace, &c. Endorsed in Senate, "read & accepted." Which, being read, was accepted by this House.

Mr. Dickens presented the Claim of the Clerk of Halifax Superior Court, which, being read, was referred to the Committee of Claims.

Mr. Hooper presented the Petition of a number of the Inhabitants of Orange County, which, being read, was referred to a joint Committee. The Members appointed on the part of this House are Messrs. Willis, J. Taylor, Hall, Joe. Stewart, Hamilton.

Mr. Holland presented the Petition of George Lewis and William Price, which, being read, was referred to the Committee of Propositions and Grievances.

Mr. Joseph Stewart presented a Petition of sundry Inhabitants of Chatham County, praying, &c., which, being read,

Mr. Stewart presented a Bill to repeal the thirteenth Section of an Act passed at New Bern in October, in the year 1784, entitled "an Act for raising a Public revenue for the support of Government," and to repeal an Act entitled "an Act to suppress excessive Gaming;" which was read the first time, passed & sent to the Senate.
Mr. Cabarrus, from the joint Committee appointed to prepare and bring in Bills, &c., presented a Bill to prohibit the exportation of Indian Corn, which was read the first time, passed & sent to the Senate.

The Bill to repeal an Act entitled “an Act to prevent abuses in taking up stray Hogs, Horses, Cattle and Sheep, and other things therein mentioned,” was read the second time, passed & sent to the Senate.

Resolved, That the Commissioners appointed to take the examination of the prisoners now in Custody by order of the Assembly be authorized to make such provision for their subsistence and comfort as to them shall seem meet.

The Bill to amend an Act entitled “an Act for the relief of such persons who have suffered or may suffer by their Grants, Deeds and Mesne Conveyances not being proved and registered within the time heretofore appointed by Law;” and also to amend an Act entitled “an Act for raising a Public Revenue for the support of Government,” and to repeal an Act entitled “an Act to suppress excessive Gaming,” was read the second time, amended, passed and sent to the Senate.

Mr. Hooper presented the Petition of the Trustees of the Academy at Hillsborough, which, being read,

Mr. Hooper moved for leave and presented a Bill to establish a fund for the support of the Academy at Hillsborough, which was read the first time, passed and sent to the Senate.

Mr. Spaight presented the claim of the Executors of James Davis, Esquire, late public printer in this State, which, being read, was referred to a joint Committee. The Members appointed on the part of this House for that purpose are Messrs. Martin, Spaight and Lewis.

Mr. Frohock presented the Petition of William Ledford, which, being read, was referred to the Committee on Petitions and Memorials.

Mr. Dickens, from the Committee of Claims to whom was referred the Petition of John Simpson, Esquire, reported as follows, viz:

That after duly examining the premises and strictly inquiring into the several circumstances relative thereto, are of opinion that
the allegations set forth in the said Petition are not properly supported, therefore rejected it.
All which is submitted.

R. DICKENS, Ch.

The House taking this Report into consideration concurred therewith.

Mr. Dickens from the Committee of Claims to whom was referred the Petition of Winston Caswell and William White, Executors of the last will and Testament of William Caswell, Esqr., Reported as follows, viz.:

That on examining the premises Mr. William White, one of the said Executors signified his desire of withdrawing the said Petition and gave for his reason a clause in an Act of Assembly passed in the year 1782, directing a Petition to be preferred to Court by the Creditors for all Debts against any person whose estate has been confiscated and sold for the use of the State, and on recovering Judgment against such person, may lay a State of the case before the General Assembly and receive payment therefor. As it appears to your Committee that the said Executors have not proceeded in this manner, they recommend that the said Executors have leave to withdraw their Petition agreeable to their request.

R. DICKENS, Ch'n.

The House taking this Report into consideration concurred therewith.

Mr. Dickens from the Committee of Claims, delivered in a Report on the Claim of Reuben Grant, and on the Petition of Matthew Mosely, which, being read, was ordered to lie on the table.

Mr. Dickens from the Committee of Claims delivered in a Report on the Claim of James Blount, which, being read, was recommitted.

Received from the Senate the Report of the Committee appointed to report on the Message of His Excellency the Governor, &c. Endorsed in Senate, "read & concurred with," which, being read, was concurred with by this House.

Mr. Davie from the Committee of Finance presented a Bill for levying a Tax for the support of Government, and for the redemption of the old paper Currency, Continental Money and Specie and other Certificates, which was read the first time, passed and sent to the Senate.
Mr. Spaight from the Committee of Finance, delivered in the following Report, viz.:

The Committee for ascertaining the produce of the Revenues and Taxes, and the nature and State of the Debts and estimates for the year Seventeen hundred and Eighty-Seven on examining the Reports from the Treasury and Comptroller's office with the Continental requisitions,

Report, That the net produce of our Taxes and revenues as established for the present year appear to amount on the

Land Tax........................................ £14,749 / 7 1½
Poll Tax........................................... £27,650 /17 6
Town Property.................................. £  728 /16 8½
Taxes in aid of the public revenue estimated at... £  3,800 /15 9
The impost by water estimated at................... £10,000 /10 9
The Continental Tax of ¼, &c., laid for this year
only, estimated at.............................. £  7,905 /00 00

Total amount of net revenue for 1786........... £64,835 / 7 10

Your Committee are of opinion that for the services of the year 1787, to be provided for by the present General Assembly for the payment of the Civil List, the requisitions by Congress and incidental charges it will be necessary that £81,080 /18 11¼d be raised and appropriated to the following purposes:

For the Civil List department...................... £16,000 /00 00
This State's quota of the principal & Interest on the French and Dutch loans to be paid in the year 1787.......................... £46,401 /12 00
Contingencies including warrants & drafts unpaid exclusive of 1786.............................. £11,689 / 3 9
Commissions & Insolvencies........................ £  6,990 / 3 2½

The Committee have taken the civil list charge from that of the present year, presuming that although alteration may take place during the present Session, the aggregate sum would not exceed the present establishment.

The Tobacco on hand being deemed adequate to the discharge of the Specie requisition of Congress from this State payable in 1786, Your Committee recommend that a sufficient sum from the best
established revenues be appropriated to the payment of this State's estimated Quota of the principal and Interest due on the French and Dutch Loans and payable in 1786 as before stated.

The Interest of the Domestic Federal Debt as stated in the resolution of Congress of the 2nd of August, 1786, appears to be 1,606,560 Dollars, and the requisition from this State for the present year 116,749 Dollars, payable in Indents for Interest or Loan Office Certificates, and upon other certificates of the Liquidated debt of the United States, and if not so paid, to be discharged by Specie only paid into the Continental Treasury; no provision appears to have been made in the Taxes and revenues of the present year for the above purposes.

Your Committee considering the amount of the requisition which must necessarily be paid in Specie, the internal exigencies of Government and the state of our accounts with the United States beg leave to suggest the necessity of a resolution setting forth the unsettled State of the Accounts of this State with the United States, the large Credits to which we are undoubtedly entitled and our readiness to make effectual provision for our proportion of that Interest as soon as the domestic debt can be ascertained and justly apportioned.

The Contingencies are estimated from the Warrants and Drafts issued on the Treasury and now unpaid, amounting to £4,189 3 9d, with the sum of £7,500 0 0d, estimated on the Contingencies of the year 1786, tho' considerably lower on the presumption that the allowances usually made by the Assembly would be much less than in former years.

Your Committee find that the certificates issued by the different Boards of Auditors which remain in the hands of Individuals, including the Currency Certificates reduced into Specie, and the Certificates issued by the Commissioners of Army Accounts in 1784 and 1785, exclusive of the Interest accrued thereon, amount to the Sum of £786,264 6 1d, one year's Interest of which will make the sum of £47,175 17 14d; and therefore recommend that the Tax laid in certificates should produce a sum at least equal to the said sum of £47,175 17 14d, the necessity and policy of which are evident; such tax to be payable in any of the above mentioned certificates, Loan office Certificates, rated agreeable to the Resolve of Congress of the 28th June, 1780, and the final settlement certificates issued by John Pierce to the Continental line of this State.
The Committee, taking into consideration the Resolve passed at New Bern December, 1784, for paying one year’s Interest annually after the present year, inclusive, on the certificates granted by the Commissioners of Army Accounts, and the present state of our revenues, recommended that the said Resolution be rescinded until the just amount of that debt is ascertained, and the State shall be in a condition to discharge the same with punctuality.

Your Committee beg leave to recommend it as a measure highly necessary and expedient to appropriate the several branches of revenues to the services of the next year, or succeeding years, which they may appear best calculated to discharge—a policy dictated by the example of the wisest nations, and which would certainly prevent the distress to which we have been annually reduced by the deficiencies of the Treasury.

WILLIAM R. DAVIE, Chmn.

The Sub-Committee No. 1 having made the foregoing Report to the Committee of Finances, the same being concurred with, ordered to be reported to the House.

RICHARD DOBBS SPAIGHT, Chairman.

The foregoing Report being read, was concurred with.

The Committee on Finance, on examining the papers which have been referred to them, and observed the great length of time which a minute and effectual investigation will necessarily employ, together with the difficulty of convening and proceeding with dispatch collectively thereon, report—

That for the more equal and expeditious method of transacting the business, they have been induced to form themselves into Six Sub-Committees, and apportion the business accordingly, in the manner following:

No. 1.—To take under consideration the state and produce of Revenues, Taxes, nature and amount of Debts, the Estimate for the year 1787, and Taxes: Messrs. Spaight, Polk, Battle, Davie, Hawkins, Hay, Brown, Stokes, Blount, Sitgreaves, Dickens, Vance, Phillips and Gallaway.

No. 2.—The Treasury and Monies collected in the years 1784, 1785 and 1786, and the application: Messrs. Spaight, Hawkins, Cabarrus, Davie, Sitgreaves, Gallaway and Long.
No. 3.—The Tobacco, foreign Debt and Interest, &c., and further Contracts: Messrs. Blount, Winslow, McKenzie, Maclaine, Cabarrus, Stokes, Gallaway, Humphries, Sawyer and Neale.

No. 4.—The application of the last £1,000,000, including the due Bill business and Army Accounts: Messrs. Gregory, Polk, Hay, McKenzie, Blount, Stokes, Sitgreaves, Hawkins, Maclaine, Gallaway, Hooper, Neale and Vance.


No. 6.—The Entry taker of Western Lands, the Comptroller, his progress, settlements, &c.: Messrs. Hargett, Brown, Gregory, Davie, Cabarrus, Mitchell, Ramsey, Humphries and Frohock.

Your Committee therefore beg leave to recommend that the several branches or sub-divisions may be considered as Committees of this House, and permitted to report accordingly.

RICHARD DOBBS SPAIGHT, Chairman.

The foregoing Report being read, was concurred with.

An additional Bill to an act to prevent the several Species of hunting therein mentioned, was read the first time, passed and sent to the Senate.

The Bill to annex part of the County of Burke to Rutherford County, was read the first time, passed and sent to the Senate.

The Bill vesting certain Lands therein mentioned in John Cole son, son of William Coleson, in fee Simple, was read the first time, passed and sent to the Senate.

The Bill to alter the mode of punishing Horse-Stealing—also to repeal an Act entitled "an Act to prevent Horse-Stealing"—was read the second time, amended, passed and sent to the Senate.

On motion of Mr. Hooper, seconded by Mr. Cabarrus, ordered that the Petition of the People called Quakers be withdrawn from the Grand Committee and referred to a Joint Select Committee.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the Petition of the People called Quakers, which at present stands referred to the Grand Committee, be withdrawn from the said Committee and be referred to a Joint Select Committee, and have for that purpose on our part appointed Messrs. Franklin, Sawyer, Spaight, Bloodworth, Bonds and Gardner.
We have added Mr. James Robeson to the Committee to whom is referred the Petition from the Counties of Washington, Sullivan and Greene.

The Bill to erect and establish an Academy in the County of Franklin, was read the first time, passed and sent to the Senate.

The Bill directing the Courts of Pleas and Quarter Sessions of Pasquotank County to be held at Winfield, on Pasquotank River, and for establishing a Town on the Lands of Thomas Relfe, at Winfield, in said County, was read the first time and laid over until the next Assembly.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The Senate have added Messrs. Macon, Stokes, Gallaway and Reddick to the Committee to whom were referred the Letter and enclosures from the Rev. Robert Andrews and John Cowper, Esquires, Commissioners from the State of Virginia.

Received from the Senate the Resolve of this House for finding the prisoners with comfortable subsistence, concurred with.

Received from the Senate the Claim of the Clerk of Halifax Superior Court, and the Petition of George and Lewis Price. Endorsed in Senate, "read and referred as by the Commons."

The Bill for annexing part of the County of Craven to Pitt County, was read the second time, amended, passed and sent to the Senate.

On the question, "shall the bill pass or not pass?" the yeas and Nays were required by Mr. Spaight, which are as follows, viz:


Ordered that Mr. Webb have leave to absent himself from the service of this House until Monday next.
Ordered that the Bill to carry into further effect an Act entitled "an Act for opening the Land office for the redemption of Specie and other Certificates, and discharging the arrears due to the Army," be taken up on Monday next for the second reading in a Committee of the whole House.

Received from the Senate the Petition of John Bradley. Endorsed in Senate, "read and referred to Messrs. Mitchell, Martin and Moore."

Received also the Petition of the Inhabitants of Orange. Endorsed in Senate, "read and referred to Mr. McCawley, General Ramsey, Messrs. Griffin and Gowdy."

Received from the Senate the following Bills:

A Bill to extend Three Acts passed at the last General Assembly held at New Bern concerning the County Wardens of the poor, Tobacco Inspection, and for destroying Vermin in certain counties therein mentioned to the county of Chatham.

A Bill for the promotion of Learning in the county of Chatham.

A Bill to repeal the thirteenth section of an Act passed at New Bern in October in the year 1784, entitled "an Act for raising a public revenue for the support of Government, and to repeal an Act entitled to Suppress excessive Gaming." Endorsed in Senate, "read the first time and passed."

Received also a Bill for establishing a town on the Lands of Andrew Bass, and

A Bill for levying a further Tax of —— on every hundred Acres of Land, and —— on every Poll in the county of Camden for defraying the expence of Compleating the public buildings thereof. Endorsed in Senate, "read the Second time and passed."

The House adjourned 'til To-morrow morning 10 O'clock.

Thursday December 7th, 1786.

The House met according to adjournment.

Ordered that the Bill for raising Troops for the protection of the Inhabitants of Davidson county, be read the Second time in this House on Saturday next.

Received from the Senate the Report of the Committee of Claims on the petition of Winston Caswell and William White, Executors, &c., of William Caswell, Esquire. Endorsed in Senate, "read and Concurred with."
Mr. Davie presented the petition of James Glasgow, Esquire, Public Secretary, which being read, Mr. Davie moved for leave, and presented a Bill to establish a Board to amend Errors in Patents, which was read the first time, passed and sent to the Senate.

Received from the Senate the Report of the Committee of Claims on the Claim of James Blount. Endorsed in Senate, "read and re-committed."

Mr. Frohock moved for leave, and presented a Bill to alter and amend an Act passed at Hillsborough in May 1783, entitled "an Act for repairing the Court House and prison in the Town of Salisbury for the District of Salisbury;" and also one other Act passed at New Bern 1784, entitled "an act for levying a Tax in the counties in Salisbury and Hillsborough Districts for the repairing the district Buildings in the towns of Salisbury and Hillsborough, and directing the method of calling to account all Commissioners of public buildings heretofore or hereafter to be appointed, also to alter the several Laws now in force for erecting and repairing the public building in the District of Hillsborough," which was read the first time, passed, and sent to the Senate.

Received from the Senate the Claims of the Executors of James Davis, Esquire, deceased. Endorsed in Senate, "read and referred to Messrs. Gowdy, Clinton and Gen'l. Simpson."

Ordered that Messrs. Whitfield and Covington have leave to absent themselves from the Service of this House until Monday next. Mr. West moved for leave to withdraw for amendment, the Bill to extend three acts passed at the last General Assembly held at New Bern concerning the County Wardens of the Poor, Tobacco Inspection, and for destroying Vermin, &c., to the county of Chatham. Ordered that he have leave accordingly.

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

Friday, December 8th, 1786.

The House met according to adjournment.

Received from the Senate the following:

Mr. Speaker and Gentlemen:

We have received your Message relative to the petition of the People called Quakers, which we agree to refer to a Select Committee, and have appointed Messrs. Harget, Stone and Clinton, who will act with the Gentlemen by you named for that purpose.
Mr. Speaker and Gentlemen:

We propose that the Report of the Committee on the petition of Gen'l. Simpson be recommitted as he was not present at the Investigation of the facts therein set forth.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the petition of General Simpson be recommitted as by you proposed.

Received from the Senate the Report of the Committee on Memorialis and Petitions on the Memorialis of Pleasant Henderson. Endorsed in Senate, "read and Concurred with," which, being read, was concurred with by this House.

Received from the Senate the petition of Thomas Nethery and Ambrose Carlton. Endorsed in Senate, "read and referred to the Committee on Memorialis and Petitions," which being read, was referred as by the Senate.

Received also, the Petition of William Kirkpatrick, and the Petition of William Moore. Endorsed in Senate "read and referred to the Committee on Memorialis and Petitions," which, being read, were referred as by the Senate.

And received also, The Petition of David Ross. Endorsed in Senate "read and referred to a select Committee; the members chosen are Messrs. Tipton, Gallaway, Gen'l Rutherford, Messrs. Stokes, Martin and Bledsoe," which, being read, was referred on the part of this House to Messrs. Hutchings, Scott, Hill, Sloan, Perkins, White, Ferreebe, Carson.

Received from the Senate the Report of the Committee on Memorialis and Petitions on the Memorial of William Moore, Sheriff of Burke County. Endorsed in Senate, "read and concurred with," which, being read, was concurred with by this House.

Received from the Senate the resignation of Charles Bruce as a Justice of the Peace. Endorsed in Senate "read and accepted," which, being read, was Accepted by this House.

Mr. Hawkins from the Committee of Propositions and Grievances delivered in the following Report on the Memorial of George McNeil, viz.:

Your Committee of Propositions and Grievances to whom was referred the Memorial of George McNeil, Report,

That it appears to your Committee from the relation of Colonel
McKissick and Major Franklin that a certificate was issued by the Auditors of Salisbury District to the Memorialists for value of the Stud Horse mentioned in the Memorial of the said George McNiel. It does not appear to your Committee that the said Certificate has been since lost or destroyed. It further appears to your Committee from a Certificate in the name of the said George given him by Colo. Cleveland; that the Memorialist did the duty of Chaplain while in the Army, but does not appear that he was legally appointed, nor what time he Acted in that Character, only from his own affidavit. Your Committee therefore reject his Petition.

All which is submitted.

WYATT HAWKINS, Chmn.

The House taking this report into consideration concurred therewith.

Mr. Hawkins from the Committee of Propositions and Grievances delivered in the following Report on the Petition of Samuel Pitman, viz.:

Your Committee of Propositions and Grievances to whom was referred the Petition of Samuel Pitman, late Deputy Sheriff of Halifax County, Report, That the Writ of Execution in his Petition Mentioned, to-wit: are against William Linton for two hundred pounds, and another against William Muir and Thomas Tullock for two hundred pounds were lost as in the Petition set forth, so that he could not make a return thereof to Court, but that the four hundred pounds therein Commanded to be levied was Actually collected, and that in substance he had done every thing thereupon, that his duty required.

Your Committee are therefore of opinion that the fine or amerce-ment of fifty pounds, imposed for the not returning thereof, ought not to be levied, and propose that this report being Concurred with by both Houses, shall be receivable by the Sheriff of Halifax and all other officers in lieu of the same. All which is submitted.

WYATT HAWKINS, Chmn.

The House taking this report into Consideration, Concurred therewith.

Mr. Hawkins from the Committee of Proposition and Grievances delivered in the following report on the petition of Isaac Davenport, Jonathan Phelps and John Davenport.
Your Committee of Propositions and Grievances, to whom was referred the Petition of Isaac Davenport, Jonathan Phelps and John Davenport, report—

That it appears to your Committee from the representation of the Petitioners that they have obtained a grant from this State for the Lands mentioned in their Petition, and the same hath been registered in the register’s office of the County in which it is situated, your Committee are of opinion that the grant in favor of the Petitioners, should it be a legal one, is sufficient to quiet them in their possession without the interposition of the Legislature; therefore, cannot grant the prayer of the Petition.

All which is submitted.

WYATT HAWKINS, Ch’n.

The House, taking this report into consideration, concurred therewith.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered a report on the claim of Reuben Searcy, which, being read, was ordered to lie on the Table.

Received from the Senate the report of the Committee on the Petition of John Johnston. Endorsed in Senate, “read and concurred with.” Which, being read, was rejected; whereupon,

Resolved, That the Commissioner of Confiscation for the District of Edenton forbear until the next Assembly to sell the Lands called Green Ponds, now in the occupation of and claimed by John Johnston, and which has been advertised for sale by the said Commission as the property of Henry Eustace McCulloch.

Received from the Senate the report of the Committee on the Petition of Zephaniah Waller. Endorsed in Senate, “read and concurred with.” Which, being read, was recommitted by this House to the Same Committee.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have received and considered the report of the Committee on the Petition of John Johnston, with which this House cannot concur, but in consequence thereof have entered into the resolution for directing the suspension of the sale of the Lands called Green Ponds, &c., herewith sent for your concurrence. We propose that the report on the Petition of Zephaniah Waller be recommitted.

18—19
Mr. Davis presented the Petition of John Williams, which, being read, was referred to the Committee on Petitions and Memorials.

Mr. Cox presented the Petition of John McNiel, which, being read, was referred to the Committee on Petitions and Memorials.

Received from His Excellency the Governor the following Message:

To the Honorable the General Assembly:

Gentlemen:

In pursuance of the resolution of your Honorable Body of the twenty-fifth of November last, I issued State Warrants against the several persons by you directed, and also Citations for the Witnesses therein named, and as many of the persons charged and the witnesses' residence were in distant Counties, I made the warrants and Citations all returnable here on Monday next. I was furnished by the Commissioners of Army Accounts with a List of the officers who had signed such Accounts, and in pursuance of your said Resolutions, I have issued a proclamation of which the one herewith is a Copy.

John Price, one of the greatest offenders as it hath been suggested, having got notice of persons being in search of him, had secreted himself and family and was about to remove with his effects. Whereupon I Judged it to be my duty, in consequence of the Resolutions aforesaid to issue the order for Sequestering his estate of which I have the Honor to lay before you a Copy. The Management of this business was committed to the Deputy Sheriff of Dobbs county, who, in the absence of his principal, he being then attending the State prisoners to this place, as I have been informed, hath taken possession of the real and personal estate of said Price, and among other things upwards of twenty negroes, these with sundry Horses will be liable to get away unless some particular attention is paid to them, and as Mr. White, the Sheriff, is now here, I submit to the Legislature the propriety of giving him some directions on this business.

R. D. CASWELL.

Fayetteville, Dec. 8th, 1786.

The foregoing Message from His Excellency, the Governor, and the papers therein referred to being read, were referred to Messrs. Spaight, Hay and Maclaine, who are to report immediately, and to
bring in a Bill for the purpose of carrying into effect the resolution on this subject.

Ordered that the Bill to compel certain officers therein mentioned to publish the application of the public monies, &c., be read the Second time in this House To-morrow.

Mr. Hinton presented the petition of a Number of the Inhabitants of Wake county, which being read, Mr. Hinton moved for leave, and presented a Bill for adding part of Wake county to Franklin county, which was read the first time, passed and sent to the Senate.

On reading the petition of Thomas Wheelright Pearson,

Resolved, That the said Thomas Wheelwright Pearson be allowed the sum of One Hundred and fifty-seven pounds, it being for seven Thousand eight Hundred and fifty pounds weight of Tobacco borrowed of the said Pearson, in consequence of a Resolution of the General Assembly passed at Wake in the year 1781, and that the Treasurer pay the same, who shall be allowed therefor in the settlement of his Public Accounts,

Mr. Jos. Stewart presented the petition of Matthew Jones, which, being read, was referred to the Committee on Petitions and Memorials.

Mr. Jos. Stewart presented the petition of Samuel Gilmour, which, being read, was referred to the Committee of Claims.

The Bill for establishing a Town on the Lands of Andrew Bass, was read the third time, passed and sent to the Senate.

The Bill for establishing a Town on the Lands of William Petty, adjoining Chatham Court House, as laid off by the Trustees named in the Act of the last General Assembly entitled "an Act for establishing a Town on the Land of Mial Scurlock, deceased, in Chatham County; for appointing Commissioners for the regulation of the Town and repealing said Act," was read the third time, passed and sent to the Senate.

The Bill empowering Commissioners to dispose of the Land and Glebe, the property of St. John's Parish, formerly in the County of Bute, now in Franklin, was read the first time, passed and sent to the Senate.

Mr. Sitgreaves presented the Petition of Nathan Smith, which, being read, was referred to the Committee on Petitions and Memorials.

The Bill to authorize and empower William Murfree, formerly Sheriff of Hertford, now Hertford and Gates Counties, to collect the
arrears of Taxes due him, &c., was read the second time and rejected.

Ordered that Messrs. Wood, Bryan, Hill, Rew, McKenny, McKenzie, Sawyer and Hamilton be a Committee to amend the Bill to empower the County Court of Sampson to levy a further Tax on the inhabitants of said County, &c.

The Bill to empower the Wardens of the Poor in the County of Granville to sell the Glebe in said County, was read, amended, passed and ordered to be engrossed.

Ordered that the following Bills be read the second time in this House on Tuesday next, viz:

A Bill to establish a Public Inspection of Tobacco in the Town of Salisbury, &c.

A Bill for establishing an Academy at the place now called Martinborough, &c.

Mr. W. Hawkins moved for leave to withdraw for Amendment the Bill for erecting an Academy at the Town of Warrenton. Ordered that he have leave accordingly.

Received from the Senate the Petition of Matthew McClure. Endorsed in Senate "read and referred to Messrs. Hargett, Stone, Macon, Gillispie and Harris," which, being read, was referred to Messrs. Sloan, Philips, Phifer, Alexander and McDowall.

Received from the Senate a Resolve of that House directing that the Committee appointed to examine the prisoners, &c., be directed to admit no person to bail charged with embezzling the Public Money, which, being read, was concurred with.

Received from the Senate a Resolve of that House requesting the Speakers to inform the Continental Officers attending in Fayetteville their further attendance will be absolutely Necessary, &c., which, being read, was rejected.

The Bill to annex part of the County of Burke to Rutherford County, was read the second time, passed and sent to the Senate.

The Bill to release the Estate of John Anderson, Deceased, from a forfeiture of Recognizance, &c., was read the second time, amended, passed and sent to the Senate.

Resolved, That the Gentlemen appointed to examine Certain Prisoners confined in consequence of Resolutions of this Assembly on information of their having embezzled the property of this State be permitted and directed to communicate to the Gentlemen this
day appointed to prepare and bring in a Bill to carry the said resolutions into effect such facts and circumstances as may be deemed essential, to enable them to frame the Bill with propriety and that the last mentioned Gentlemen be under the same Injunction of Secrecy as the examiners.

Resolved, That the officers of the late Army attending here in consequence of the Governor's Proclamation be informed that this Assembly entertain a proper sense of their ready acquiescence to the command in the said Proclamation in order to aid the General Assembly in the discovery of frauds committed against the State and that the Speakers be requested to notify the same accordingly.

Ordered that the Bill for the inspection of Tobacco at Anson Court House lie over until Tuesday next.

Received from the Senate the representation of the officers at Fayetteville.

Mr. Polk presented the Petition of John Graham, which, being read, was referred to the Committee on Petitions and Memorials.

The additional Bill to an Act entitled "an Act to amend an Act passed at New Berne the first day of December, 1786, entitled 'an Act for establishing a School House in the Town of NewBerne,'" was read the second time, amended, passed and sent to the Senate.

Mr. Rew moved for leave and presented a Bill for altering the manner of holding the Annual Elections for the County of Hyde, 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 Samuel Johnston, Nathaniel Allen and James Iredell, Executors of the last Will and Testament of Joseph Hews. Endorsed in Senate, "read and concurred with," which, being read, was concurred with by this House.

Received from the Senate a Resolve of that House directing the Treasurer to pay Hugh Stanley forty pounds, which, being read, was concurred with.

Received from the Senate the Message of this date from His Excellency the Governor. Endorsed in Senate "read and referred to Messrs. Gillispie, Hargett and Bledsoe."

The Bill to alter the method of punishing Horse Stealing, also, to repeal an Act entitled "an Act to prevent Horse Stealing," was read the third time, amended, passed and sent to the Senate.

Ordered that Mr. Rhodes be added to the Committee of Finance.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have added Mr. Rhodes to the Committee of Finance.

The Bill for erecting a prison in the County of Franklin, 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 joint Committee to whom were referred the Resolution of the Assembly of the State of Virginia, and other papers relative to a Canal proposed to be opened from the waters of Elizabeth to those of Pasquotank River, we send you herewith concurred with by this House, who have appointed on their part Messrs. Gallaway and Macon to assist in preparing a Bill agreeably to the tenor thereof.

At the same time received the Report referred to in the above, which, being read, was recommitted by this House; whereupon, the following Message was ordered to be sent to the Senate:

Mr. Speaker and Gentlemen:

We have received the Message of your House accompanied by the Report of the Committee relative to opening a Canal from the waters of Elizabeth River in the State of Virginia to Pasquotank River in this State, with which we do not concur, but propose that the report relative to this Subject be recommitted.

Received from the Senate the following Bills, viz:

A Bill to establish a Board to amend errors in Patents.

A Bill to alter and amend an Act passed at Hillsborough in May, 1783, entitled “an Act for repairing the Court House and prison in the Town of Salisbury for the District of Salisbury,” and also, one other Act passed at NewBerne, 1784, entitled “an Act for levying a Tax in the Counties of Hillsborough and Salisbury districts for repairing the District buildings in the Towns of Hillsborough and Salisbury,” &c.

A Bill to prevent the appointing too great a number of Justices of the Peace and to compel the Clerks of the several Counties in this State to make returns as herein directed.

A Bill vesting certain powers in the several County Courts within this State, severally endorsed in Senate “read the first time and passed.”
STATE RECORDS.

Received also, A Bill vesting certain Lands therein mentioned in John Coleson, son of William Coleson, in fee simple. Endorsed in Senate "read the second time and passed."

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

Saturday, 9 December, 1786.
The House met according to Adjournment.

Received from the Senate a Bill for levying a Tax in the District of Edenton for building the jail of the said district, and for the purpose of discharging a balance due to the Executors of Joseph Hews, Deceased. Endorsed in Senate, "read the first time and passed."

Ordered that this Bill be read the first time in this House. The same was accordingly read the first time, passed and sent to the Senate.

Mr. Phifer presented the Petition of Andrew Kennedy, which, being read, was referred to the Committee of Propositions and Grievances.

Received from the Senate the Resolve of this House allowing Thomas Wheelwright Pearson the sum of one hundred and fifty-seven pounds concurred with.

Mr. Brown presented the Petition of James Fleeker, which, being read, was referred to the Committee of Propositions and Grievances.

Mr. J. G. Blount moved for leave and presented a Bill for improving the Navigation to NewBern, which was read the first time, passed and sent to the Senate.

Mr. J. G. Blount moved for leave and presented a Bill for erecting Bogue Barr and New River Inlets into a distinct Port by the Name of Swannsborough, which was read the first time, passed and sent to the Senate.

Mr. Phifer moved for leave and presented a Bill to alter the time of holding the County Court of Pleas and Quarter Sessions in the County of Mecklenburgh, which was read the first time, passed and sent to the Senate.

The Bill to compel certain officers therein mentioned to publish the application of the Public Monies and allowances for insolvents was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:
The Senate do not concur with you in referring the Claims of
Capt. Samuel Gilmore to the Committee of Claims, but propose that a Resolve herewith sent you, on that head, be adopted.

At the same time received the Resolve above referred to directing the Comptroller to issue a Certificate for such balance as may appear to be due said Gilmore, which, being read, was concurred with by this House.

Received from the Senate the Petition of Matthew Jones. Endorsed in Senate "read and referred as by the House of Commons."

Received also, the Report of the Committee of Propositions and Grievances on the Petition of Samuel Pitman, and the report on the Memorial of George McNiel. Endorsed in Senate "read and concurred with."

Ordered that the Bill to amend an Act for dividing Guilford County be read the second time in this House on Monday next.

The Honorable the Speaker laid before the House a Letter from the Rev. Robert Andrews and John Cowper, Esquire, Commissioner from the State of Virginia, appointed to confer with the General Assembly of this State relative to opening a Canal from Elizabeth to Pasquotank River, &c., which, being read,

Resolved, That Mr. McLaine and Mr. McKenbie be appointed on the part of this House to confer with Robert Andrews and John Cowper, Esquires, on the principles and draft of a Bill for opening a Navigable Canal between certain waters of this State and the State of Virginia to be submitted to the Legislatures of both States.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House have appointed Mr. Maclaine and Mr. McKenbie on their part to confer with the Rev. Robert Andrews and John Cowper, Esquires, on the Subject expressed in the Resolve herewith sent you and their Letter.

Mr. Davie presented the representation of Robert Fenner, Agent for the late line of this State, which, being read, was referred to a joint Committee. The members appointed on the part of this House for that purpose are Messrs. Spaight, Rhodes and Martin.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the papers before the Grand Committee relative to the Subject of Final Settlement Certificates, &c., be referred to
the Committee appointed on the representation of Robert Fenner, and that such Committee report as soon as possible.

The Bill vesting certain lands therein mentioned in John Coleson, Son of William Coleson, in fee simple, was read the second time, passed and sent to the Senate.

Received from the Senate a Bill to release the Estate of John Anderson, Deceased, from a forfeiture of recognizance; &c., and A Bill for establishing a Town on the Land of Robert Burton, Esq. Endorsed in Senate "read the second time and passed."

The House resumed the Consideration of the Report of the Committee on the Petition of Matthew Mosely and came to the following Resolution, viz.:

Resolved, That the Treasurer of this State pay unto Matthew Mosely the sum of Sixty-six pounds thirteen shilling and four pence in discharge of two Bills of exchange for two hundred and fifty Dollars dated the 10th of May, 1777, drawn on the Continental Treasury by John Ashe, Esquire, late Treasurer of this State, in favor of John McNees and by him endorsed, the same being for Money advanced by the said Mosely for the use of this State to the said John McNees, then a Continental officer, together with Interest on the same at the rate of Six per Cent. per Annum; that the Treasurer take up the said Bills and be allowed therefor 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 of this House directing the Treasurer to pay Matthew Moseley a bill of exchange drawn in favor of John McNees, &c.

The bill to establish a fund for the support of the Academy at Hillsborough, and providing funds for other Academies, was read the second time, amended and sent to the Senate.

On the question, "Shall the Bill pass or not pass?" the yeas and nays were required by Mr. Wyatt Hawkins, which were as follows:


The Bill to make the securities therein named Negotiable, was read the second time, amended, passed and sent to the Senate.

The Bill vesting certain powers in the several County Courts within this State, was read the first time, passed and sent to the Senate.

The Bill to release the estate of John Anderson, deceased, from a Recognizance, &c., was read the third time, passed and sent to the Senate.

Mr. Phillips presented the representation & Petition of the Board of Commissioners for the Town of Tarborough, which, being read, Mr. Phillips moved for leave and presented a Bill to establish the late Survey and plan of Tarborough, as made and laid down by the directions of the Commissioners composing the Body Politic and Corporate of the said Town, and to amend an Act entitled "an Act for the better regulation of the Town of Tarborough," which was read the first time, passed and sent to the Senate.

Resolved, That Major Robert Fenner agent of Financial Settlement Certificates, and the Secretary of State, be directed to furnish the Committee appointed to examine the State prisoners with lists of the names of all persons now in their respective offices who have served in the Continental line of this State, and that the same lists be afterwards delivered to the Committee to inquire into the application of the last £100,000.

The House resumed the consideration of the Report of the Committee on the Claim of Reuben Grant, and came to the following Resolution, vizt:

Resolved, That Reuben Grant, Esquire, be allowed the Sum of Ninety pounds for a Negro Man Slave, condemned and caused to be executed by a Court called in the County of Onslow, at the Town of Swansborough for the purpose of trying the said Slave for a Capital offence committed by him; that the Treasurer pay him the same and be allowed.
Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Senate have, pursuant to the letter from the Rev. Mr. Andrews and John Cowper, Esquire, Commissioners on the part of the State of Virginia, and the Message and resolutions of your House accompanying the same, appointed Messrs. Gallaway and Stokes to confer with the said Commissioners, and with them and the Gentlemen appointed of your body to report the form of a Bill relative to the opening a Navigable Canal between certain waters of that and this State.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

Pursuant to your proposition on that head, we agree that the Report of the Committee to whom were referred the Resolution of the Assembly of Virginia, and papers accompanying it, relative to the opening a Canal from the Waters of Elizabeth River, in that State to those of Pasquotank River, in this State, be recommitted.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report:

Your Committee of Propositions and Grievances, to whom was referred the claim of William Boggan, after inquiring into the premises and examining the papers and duly weighing every circumstance relative thereto, are of opinion his claim is not properly authenticated; therefore rejected.

All which is submitted.

WYATT HAWKINS, Chairman.

The House, taking this Report into consideration, concurred therewith.

Received from the Senate three Resolves of this House, concurred with, viz:

A Resolve the Speakers to acquaint the officers attending at Fayetteville the General Assembly entertain a proper sense of their ready acquiescence to the command in the Governor's Proclamation, &c.

A Resolve appointing Messrs. Maclaine and McKenzie to confer with the Commissioners from Virginia, &c.

A Resolve the Gentlemen appointed to examine the prisoners to
communicate to the Gentlemen appointed to prepare and bring in a Bill to carry into effect the resolutions respecting the prisoners such facts and circumstances as may be necessary, &c.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in a report on the Petition of James Tate—which, being read and amended, was agreed to—as follows, viz:

Your Committee of Propositions and Grievances, to whom was referred the Petition of the Reverend James Tate, purporting the loss of a Certificate for the three hundred and fifty-eight pounds granted to him by the Commissioner of Army Accounts in consideration of his services as Chaplain in the late Continental line of this State, are of opinion that the said certificate was actually burned in the house of the said Petitioner by the late fire of Wilmington, and therefore recommend that a Certificate of the like kind and Amount be issued to the said James Tate in lieu of the one lost, the issuing of the said Certificate to be noted in his Check Book.

All which is submitted.

WYATT HAWKINS, Chairman.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report, viz:

Your Committee of Propositions and Grievances, to whom was referred the Claim of Morgan Brown, are of opinion that the several charges mentioned in the Account laid before the Committee are not supported; therefore reject his claim.

All which is submitted.

WYATT HAWKINS, Chairman.

The House, taking this report into consideration, concurred therewith.

Received from the Senate the Report of the Committee on the Petition of Isaac Davenport, Jonathan Phillips and John Davenport, and the report of the Committee on the claim of William Boggan. Endorsed in Senate, "read and concurred with."

Received from the Senate the Memorial of John Graham. Endorsed in Senate, "read and referred as by the Commons."

The House adjourned 'til Monday Morning 10 O'clock.

Monday, 11th December, 1786.

The House met according to adjournment.

Mr. McDaniel presented the Petition of a number of the Inhabi-
tants of Montgomery County, which, being read, was referred to the Committee on Petitions and Memorials.

Received from the Senate the Resolve of this House directing Mr. Fenner, Agent, &c., and the Secretary to furnish the Committee appointed to examine the prisoners with the names of the persons who served to the end of the War, &c., concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We agree that the papers before the Grand Committee relative to final settlement Certificates be referred to the Committee appointed on the representation of Captain Robert Fenner and that the said Committee report as by you proposed.

Received from the Senate a Resolve of that House for liberating Arthur Pierce, which, being read, was concurred with.

Received from the Senate the Petition of Andrew Kennedy, and the Petition of James Flecker. Endorsed in Senate "read and referred as by the Committee."

Received from the Senate the Petition of Elizabeth Shaw. Endorsed in Senate "read and referred to the Committee appointed to report on the Petition of Samuel Strudwick, Esqr.," which, being read, was referred as by the Senate.

Received from the Senate the Report of the Committee on the petition of Nathaniel Tooley, the report on the petition of James Lockhart, and the report on the petition of William Hollowell. Endorsed in Senate "read and concurred with," which, being read, was concurred with by this House.

Received from the Senate a Resolve of that House directing the Sheriff of Dobbs County to take into his safe keeping the property of Sundry persons who have been guilty of passing fraudulent Acc'ts, &c., which, being read and amended, by inserting the name of Thomas Butcher, was concurred with by this House.

Received from the Senate the report of the division of the Committee of Finance No. 3, which, being read, was ordered to be laid on the Table until To-morrow.

Mr. Davie moved for leave and presented a Bill to amend an Act entitled "an Act to amend an Act entitled 'an Act for ascertaining what property in this State shall be deemed Taxable property, the method of assessing the same and collecting public Taxes,'" which was read the first time, passed and sent to the Senate.
Mr. Wyatt Hawkins moved for leave and presented a Bill to annex a part of the County of Granville to Warren, which was read the first time, passed and sent to the Senate.

Mr. Vance presented the resignation of William Moore as Justice of the Peace for Burke County, which, being read, was accepted.

Mr. Hooper presented the Memorial of the Executors of Robert Hogg, Deceased, which, being read, was referred to the Committee of Claims.

Ordered that the order of the day for going into a Committee of the whole House on the Bill to carry into further effect an Act entitled "an Act for opening the Land office for the redemption of Specie and other Certificates and discharging the arrears due to the Army, be postponed until To-morrow.

The additional Bill to an Act entitled "an Act to amend an Act passed at New Bern the first day of December, 1766, entitled 'an Act for establishing a School House in the Town of New Bern,'" was read the third time, passed and sent to the Senate.

The Bill for establishing a Town on the Land of Robert Burton, Esquire, in the County of Granville, was read the third time, amended, passed and sent to the Senate.

The Bill vesting certain Lands therein mentioned in John Coleson, son of William Coleson, in fee simple, was read the third time, passed and ordered to be Engrossed.

The Bill to annex part of the County of Burke to Rutherford County, was read the third time, passed and ordered to be Engrossed.

Mr. P. Hawkins from the Committee to whom was referred the application of the Treasurer, delivered in a Report, which, being read, was ordered to lie on the Table.

The Bill to prevent the appointing too great a number of Justices of the Peace, and to compel the Clerks of the several County Courts in this State to make return as herein directed, was read the first time, passed and sent to the Senate.

Mr. Hooper from the Committee to whom was referred the Inhabitants of Orange County moved for leave and presented a Bill to direct the method to appoint Jurors and Surveyors to run out disputed Lands, which was read the first time, passed and sent to the Senate.

Received from the Senate a Bill to encourage David Ross, Es-
quire, of the Commonwealth of Virginia, to erect an Iron Manufactory on the North Fork of Holston river.

A Bill permitting the emancipation of slaves under certain Regulations therein mentioned. Endorsed in Senate "read the first time and passed."

Received from the Senate the report of the Committee of Propositions and Grievances on the claim of Morgan Brown. Endorsed in Senate "read and concurred with."

Received also, a Resolve of this House allowing Reuben Grant ninety pounds, and a Resolve directing the Treasurer to pay two Bills of exchange drawn in favor of John McNees to Matthew Mosely. Endorsed in Senate "read and concurred with."

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Gentlemen appointed to examine the State provisions being now ready to report we propose that both Houses meet immediately in the room where the Commons sit to receive their report and to confer together on the measure necessary to be taken on the contents thereof.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We agree that the General Assembly meet in conference as by you proposed in order to receive the report of the Committee appointed to examine the State prisoners, &c.,—

The Honorable the Speakers and Members of the two houses of the General Assembly assembled in conference, the Speakers being seated, Mr. Hooper proposed for Chairman Elisha Battle, Esquire, who was unanimously chosen and conducted to the chair accordingly; whereupon, Mr. Polk from the Committee appointed to examine the prisoners, delivered in the following Report, viz.:

The Committee to whom was referred the examination of the State Prisoners beg leave to report—

That they have on oath examined the Persons whose names are herein inserted and whose depositions for the information of the General Assembly are subjoined and numbered, viz.:

No. 1. William Faircloth,  No. 7. John McNees,
No. 2. Thomas Butcher,  No. 8. John Shepperd,
No. 3. William Andrews, No. 9. Benjamin Sheppard,
No. 4. James Homes, No. 10. John Macon,
No. 5. Sherwood Barrow, No. 11. Andrew Armstrong,

Your Committee are of opinion that from the depositions marked
and numbered as above, as well as from many other Circumstantial
evidence they have had, that many wilful frauds have been com-
mittcd by sundry persons in procuring Soldiers' Accounts, not only
by forging the same and the orders, but wickedly employing by
large rewards sundry others to write false Accounts and orders,
whereby they might be able to obtain Monies from the public
Treasury of this State.

Your Committee beg leave to suggest that it is their opinion from
testimony given in, that the late Commissioners for Army Accounts
were sensible that very large numbers of the accounts to them pro-
duced for settlement ought by them to have been rejected, which
your Committee fear they have not done, and for which in their
opinion they stand highly reprehensible.

Your Committee find that the Treasurer of this State was sensible
that many of the Accounts passed by the Commissioners aforesaid
were obtained in an illegal manner. That he at first did laudably
and honestly refuse to pay off the due bills; but your Committee
since find through his Clerks, Absalom Tatam and Anderson Hunt
he has paid off nearly as many of the due Bills as he had Money to
discharge and hath also made a deduction from five to twelve and
a half per cent. for so doing, whereby he stands chargeable in the
opinion of your Committee.

Your Committee beg leave to remark that they find by the
papers marked and numbered 6 and 7, that Benjamin McCul-
lock and Henry Montfort previous to the passing of the Act of As-
sembly for reviewing the Board for settling Army Accounts did
as well at New Bern as elsewhere, contract and agree with sundry
individuals to pass their claims through the office for the one fourth
and more, and that a receipt hath been given by Benjamin Mc-
Cullock to John McNees, wherein he actually promises to have six-
teen or seventeen Accounts passed.

Your Committee are of opinion that such Contracts were unjust,
and it appears that it was predetermined by the said Commission-
ers to pass the Accounts as well as all that could be purchased, as you will find by the deposition.

No. 6.—Whether the Act for reviving the Board of Commissioners had been passed or not.

Your Committee find by the depositions marked 1, 2, 5, 6, 7, 8 and 12 that Benjamin McCulloch hath asked and actually received the one-third, and in some instances one-fourth, part of the amount of the Accounts for passing them in the Commissioner's office and for drawing the Money whereby he has purloined a property to a very great amount, and that although the said McCulloch did promise to procure and draw the Monies for the due Bills which he passed, yet your Committee find that the Individuals have been obliged to give ten and twelve per centum for drawing the same from the Treasury office. Your Committee, in their investigation of the conduct of the Commissioners, have not discovered that John Macon, one of the board, hath at any time received either part of those fraudulent Accounts or other reward for passing the same.

Your Committee have it not in testimony that Colonel Archibald Lyttle or Major Reading Blount, who have signed a greater part of the fraudulent Accounts, have received any gift or reward for the same, or have been promised any.

Your Committee have it in testimony that Captain John McNees hath signed almost the whole of the fraudulent accounts, and that he hath done the same knowing them to be such; that he has signed many Accounts whilst they were blank for sundry persons, and that he hath also furnished orders for drawing the same from the Commissioner's office.

Your Committee have it in testimony that Captain Jesse Reid, of Halifax, did sign twenty-blank Soldiers' Accounts for Captain Sherwood Barrow, the principal part of the same being for the War, for for which service the said Barrow did give him two Military Land Warrants for Six hundred and forty Acres each.

Your Committee have, in order to more clearly show the conduct that hath been pursued by the different persons concerned in those disgraceful transactions, and to discover to the General Assembly in whose hands the Monies have rested, beg leave to state the
proceedings on the Accounts of William Faircloth as an instance, vizt:

We find that he hath law Accounts before the Commissioners to the amount of \( \£71,369 / 7 11 \)
That the Commissioners have deducted for paying the same \( \£23,789 15 11\frac{1}{2} \)
There will then remain for Mr. Faircloth in Due Bills and Certificates \( \£47,579 11 11\frac{1}{2} \)
Deduct one-fourth of the same, the amount of the due Bill part \( \£11,894 17 11\frac{1}{2} \)
Then deduct 10 per Cent. for the Treasurer for paying \( \£1,189 9 9 \)
You will then find that Mr. Faircloth, out of \( £17,842 6 11d \), the Money part of his Acco'ts rendered, hath drawn only \( £705 8 2\frac{1}{2} \)
There then remains in the hands of the Commissioners in Certificates \( £17,842 6 11 \)
And in Money \( £5,947 8 11\frac{1}{2} \)

All which is submitted.

GRiffith Rutherford.
Isaac Gregory.
WILL. Polk.
A. Neal.

The Committee of the two Houses, taking this Report into consideration, concurred therewith.

Resolved, That Messrs. Maclaine, Hay, Davie, P. Hawkins, and Hooper be a Committee to state and arrange the Testimony contained in the Depositions laid before the Committee of the two Houses by the Committee appointed to examine the prisoners, and to which their report refers.

The business of the conference being ended, the Speakers resumed their chairs, and Mr. Chairman reported the resolutions which the Committee came to on the subjects under their consideration; whereupon,

Resolved, That the same be concurred with.

Mr. Speaker and the Members of the Senate then withdrew.

Resolved, That Messrs. Cabarrus and Martin be appointed to
examine the Prisoners, &c., in the room and stead of Messrs. Polk and Neal.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have appointed Messrs. Cabarrus and Martin to examine the prisoners, &c., in the room and stead of Messrs. Polk and Neal.

Resolved, That the persons appointed to examine the State prisoners furnish his Excellency the Governor with the names of all such now in confinement as they may deem proper to be admitted to Bail, to the end they may be bailed accordingly and bound to appear as witnesses against the others, if need be; and that they furnish his Excellency with the names of all such now at large who have been criminated before them in such manner as to make the apprehension of such persons expedient; and that Warrants be issued for that purpose as soon as possible.

Resolved, That this House do approve of the conduct of the Committee in committing to close confinement Mann Phillips, and that he remain so confined until the further order of the General Assembly.

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

Tuesday, 12th December, 1786.

The House met according to adjournment.

Mr. Thomas Brickell, one of the Members for Hertford County, appeared, was qualified and took his seat.

Ordered that Mr. Montfort be allowed time until Thursday next to show cause, if any he can, why his seat in this House should not be vacated in consequence of the criminal matters imputed to him in the report of the examiners yesterday delivered into this House, and in the meantime that he shall have access to the depositions in the report mentioned in the hands of the Committee appointed to arrange the Testimony, &c.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the General Assembly proceed to Ballot on Saturday next at 3 o'clock for the place at which the next General Assembly shall be held, for a Governor, Delegates to represent this State in Congress, and a Treasurer,
Resolved, That the examiners be directed to inquire whether Blank Land Warrants were ever issued from the Secretary's office, and into other supposed abuses relative thereto in the said office committed, and that in the investigation of these matters they particularly call on and examine Colonel Mitchell, of Onslow; and that they be further directed to examine Mann Phillips with respect to Mr. Glasgow, or any of his deputies, being privy or in any wise concerned with the making out of the fraudulent Accounts that were fabricated in his office.

Received from the Senate the Memorial of Jeptha Terrell and the Petition of John Hinton. Endorsed in Senate, "read and referred to the Committee on Petitions and Memorials;" which petitions, being read, were referred as by the Senate.

Mr. Hooper moved for leave and presented a Bill for reprinting and republishing the Acts of the Assembly of the State, which was read the first time, passed and sent to the Senate.

Mr. Sitgreaves moved for leave and presented an additional Bill to an Act entitled "an Act for the regulation of the Town of New Bern, and for other purposes," which, was read the first time, passed and sent to the Senate.

Mr. Spaight presented the Memorial of William Wood, which, being read, was referred to the Committee of Claims.

Mr. Sitgreaves moved for leave and presented a Bill to emancipate Hannah, alias Hannah Bowers, a person of mixed blood belonging to the estate of the late Alexander Gaston, deceased, 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 propriety of passing into a Law the Bill now before this Assembly for dividing Bladen County be submitted to a Committee, and have for that purpose on our part appointed Messrs. Medlock, Thomas Armstrong and Gillespie a Committee who will act jointly with such of your Body as may be appointed for this purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the propriety of dividing Bladen County be submitted to a Committee, and have on our part for this purpose

Mr. Spaight, from the Committee to whom were referred the state of the representation in Congress, delivered in the following report, viz:

The Committee to whom were referred the state of the representation in Congress, and the Letters from the Delegates, beg leave to report—

That having examined the present situation of the Delegates, they find that the Salaries allowed for their support is by no means adequate to the purpose of enabling them to perform the duty which the County expects and their appointments require of them, they find that the present Salary of a delegate is sixty-four pounds per month paid by warrants on the Treasury, which they often find great difficulty in getting the Money for, owing to the want of Money in our Treasury. When they receive it, it is in a Currency that does not pass without the bounds of the State, and for it Specie cannot be obtained under twelve shillings for a hard dollar, or a deduction of one third from their monthly allowance reduces it to forty-two pounds thirteen shillings and four pence, a sum by no means adequate to their incidental expenses in the character they have to support as the representatives of the sovereignty of a free and independent State. And we conceive it to be from this cause that our representation in Congress has not been so constant or so full as it ought to have been, nor can we presume, that the public can expect or wish that any individual should devote his time to the service of the public, and at the same time be obliged to have recourse to his private fortune for his support, which has been assuredly the case with such of our Delegates as have done their duty for these three years past.

Your Committee beg leave to state the difference between the Delegates and the other officers of Government:

The former from the nature of their office have their duty to perform in another State where their expenses are great and nothing but hard Money will pass at a distance from their property which generally yields less profit from the absence of the owner; whilst on the contrary the other officers of Government perform their duty within the State where the Money they receive for their Salaries is the only circulating medium and also enjoy the adva
tage of Superintending their own affairs and few of them are put to any more expense by the office they hold than they would have to bear, were they without it.

Your Committee highly sensible of the importance of keeping up a representation in Congress as it not only concerns the interest of this State but of the United States, are therefore of opinion that the Delegates should receive their Salary in hard Money, to be paid them in New York, or wherever Congress may sit, in payments of one Month’s Salary in advance and in order that the State may be enabled to pursue this mode of payment they recommend that His Excellency the Governor be authorized and empowered to make a Contract with some Person or Persons to Make the aforesaid payments, who shall give sufficient Security for the faithful and punctual performance of his or their Contract, and that the Governor be enabled to fulfil the Contract in behalf of the State by drawing Warrants on the Treasury in favor of the Person or Persons he may contract with, and to carry into full effect the above plan, your Committee present the draft of a Bill for that purpose.

RICHARD DOBBS SPAIGHT, Chmn.

The House taking this Report into consideration concurred therewith.

Mr. Spaught moved for leave and presented a Bill for the better and more punctual payment of the Salaries of the Delegates in Congress, which was read the first time, passed and sent to the Senate.

Received from the Senate the following Bills, vizt.:

A Bill to confirm unto Richard Dobbs Spaught an indefeasible title to certain Lands therein mentioned in Bladen County.

A Bill to direct the method to appoint Jurors and Surveyors to run out disputed lands, and a Bill to amend an Act entitled “An Act to Amend an Act entitled ‘an Act for ascertaining what property in this State shall be deemed Taxable property, the method of assessing the same and collecting public Taxes.’” Endorsed in Senate “read the first time and passed.”

Received from the Senate the Memorial of the Executors of Robert Hogg, Deceased, the Petition of a number of the Inhabitants of Montgomery County, and the Petition of John McNeil. Endorsed in Senate “read and referred as by the House of Commons.”

Received from the Senate the Resolve of this House, directing the
Committee appointed to examine the prisoners, &c., to furnish His Excellency the Governor, with the names of such Prisoners as might be admitted to Bail, &c., concurred with.

Received also, the resignation of William Moore, Justice of the Peace for Burke County.  Endorsed in Senate "read and accepted."

Mr. Hooper presented the resignation of Thomas Bloodworth, as Colonel of New Hanover County, and as a Justice of the Peace, which, being read, was accepted by this House.

The order for the day for going into a Committee of the whole House to take up for the Second reading the Bill to carry into further effect an Act entitled "An Act for opening the Land office for the redemption of Specie and other Certificates and discharging the arrears due to the Army," being called for and read,

Resolved, That the House Resolve itself into a Committee of the whole House to take up for the second reading the said Bill, the HouseResolved itself into a Committee of the whole House accordingly, and chose John Sitgreaves, Esqr., Chairman. After some time spent therein, Mr. Speaker resumed the Chair and Mr. Chairman Reported—

That it was the opinion of the Committee that the Bill should pass the Second reading, whereupon, the Bill was taken up and read the Second time, amended, passed and sent to the Senate.

On reading this Bill, it was moved and seconded that the blank wherein the Sum to be paid for each 100 Acres of Land to be entered should be filled up with the words, "Ten Pounds," which was objected to, and a larger Sum proposed. The question being put, was carried in the negative, whereupon the yeas and nays were required by Mr. Phifer, which are as follows, viz:\n


It was then moved that the blank should be filled up with the words, "Twenty Pounds," which was also objected to, and a larger sum proposed. The question being put, was carried in the affirmative, whereupon the yeas and nays were required by Mr. J. G. Blount, which are as follows:


Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

The Senate have on their part appointed Messrs. Gillespie and Hargett to examine the State prisoners in the stead of Generals Rutherford and Gregory.

Mr. Speaker and Gentlemen:

We agree that the General Assembly ballot at the time by you proposed for a Governor of this State, Delegates to represent this State in Congress, and for the place where the next Assembly shall be held. And put in nomination for Governor the Honbl. Richard Caswell, Esquire; for Delegates, Abner Nash, Alexander Martin, Timothy Bloodworth, Nathaniel Macon, Robert Burton, William Blount and John B. Ashe, Esquires, and for the place where the next Assembly shall be held, the Towns of Hillsborough, Fayetteville, Tarborough, Warrenton, NewBern, Salisbury and Edenton. It is not the wish of this House to ballot for a public Treasurer at the time by you proposed.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have added to the nomination for Delegates by you made James White, William Walters, Stephen Moore, John Steel, Thomas Polk and James Holland, Esquire.

Received from His Excellency the Governor the following Message:

To the Honorable the General Assembly:

Gentlemen:

This accompanies certain resolutions of the United States in Congress assembled, in favor of Colonel Stephen Moore, with a statement of his Account with the United States as entered in the Register's office and the Register's certificate.

Permit me to recommend as speedy a determination on this business as the nature of the case will admit of.

R.D. CASWELL.

At the same time received the Acco'ts of Stephen Moore, Esquire, above referred to, which were referred to a joint Committee. The Members appointed on the part of this House are Messrs. Spaight, Hooper, Blount and Sitgreaves.

Received from the Senate the Memorial of William Wood. Endorsed in Senate "read and referred as by the Commons."

Received from the Senate a bill for the better and more punctual payment of the Salaries of the Delegates in Congress. Endorsed in Senate "read the first time and passed," and a bill to compel certain officers therein mentioned, to publish the application of the public monies and allowances for insolvencies. Endorsed "read the second time and passed."

The House Adjourned 'til Monday Morning 10 O'clock.

Wednesday 13 December, 1786.
The House met according to adjournment.
Received from the Senate the following Bills, vizt.:
A bill for reprinting and republishing the Acts of Assembly of this State.

An additional bill to an Act entitled "an Act for the regulation of the Town of NewBern," and for other purposes.

A bill to emancipate Hannah, Alias Hannah Bowers, a person of
mixed Blood belonging to the estate of Alexander Gaston, Deceased. Endorsed in Senate "read the first time and passed."

Received from the Senate the report of the Committee appointed to examine the prisoners, &c., and the resolutions of the joint Committee in Conference relative thereto, concurred with.

The Bill to establish a Public Inspection of Tobacco in the Town of Salisbury, in Rowan County, was read the second time, amended, passed and sent to the Senate.

The bill for the Inspection of Tobacco at Anson Court House was read the second time, amended, passed and sent to the Senate.

Mr. J. G. Blount moved for leave and presented a Bill for amending an Act entitled "an Act for emitting One Hundred Thousand Pounds for the purposes therein mentioned, and for appropriating the Tobacco lately purchased by the Commissioners to discharge the Interest of this State's Quota of the foreign Debt and for making effectual provision for the future discharge of this State's Quota of the principal and Interest of the Foreign Debt," which was read the first time, passed and sent to the Senate.

Mr. P. Hawkins moved for leave and presented a Bill for extending the Boundary Line between this State and the State of South Carolina, which was read the first time, passed and sent to the Senate.

The order of the day for reading for the second reading the bill for raising Troops for the protection of the Inhabitants of Davidson County, being called for, on motion of Mr. Polk the second reading thereof was postponed until Saturday next.

Received from the Senate the bill to erect and establish an Academy in the County of Franklin, and a Bill for erecting a prison in the County of Franklin.

A bill for levying a tax in the district of Edenton for building the Jail of the said district. Endorsed in Senate "read the second time and passed."

Received from the Senate the Message from His Excellency the Governor, with the resolutions of Congress and the Acts of Stephen Moore, &c. Endorsed in Senate "read and referred to Messrs. John Armstrong, Macon and Mitchell."

The Bill to amend an Act for dividing Guilford County, was read the second time, amended, passed and sent to the Senate.
Received from the Senate the resignation of Thomas Bloodworth, as Colonel and Justice of the Peace, &c., concurred with.

Received also, the Resolve of this House directing the examiners to enquire—whether blank Land Warrants were ever issued from the Secretary's Office, &c., concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We propose that the resolution of the General Assembly of the 11th instant herewith sent you be amended by deleting the word “by” in the sixteenth line of the first page thereof, and inserting the words “belonging to,” in the place thereof. Our wishes on this head have been occasioned by a representation that several Houses are now in this Town the property of those mentioned in the said Resolve, which the Sheriff as the Resolve now stands, is not authorized to seize.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to the alteration by you proposed to be made in the Resolve of the 11th Instant.

Mr. Sitgreaves presented the Petition of Henry Peers, which, being read, was referred to the Committee of Claims.

Received from the Senate the Memorial of Sarah Rounsavall. Endorsed “read and referred to a Special Committee. The Members chosen are Mr. Macon and Mr. Harris,” which, being read, was referred to Messrs. Frohock, Alexander and Carson on the part of this House.

Received from the Senate a Resolve of that House requesting His Excellency the Governor, to issue a Proclamation offering a reward for taking and bringing to justice John Price, of Dobbs County, &c., which, being read, was concurred with.

Received from the Senate the report of the Committee on the Petition of Matthew McClure. Endorsed in Senate “read and concurred with,” which, being read, was recommitted by this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have received and considered the report of the Committee on the Petition of Matthew McClure, which we have not concurred
with, but propose that it be recommitted; and as Mr. McClure's is a Claim against the United States which ought to be settled by a Commissioner appointed by Congress, we propose further that the Committee report a sum of money to be advanced him on loan, which he shall account for and pay after he shall make such settlement.

Received from the Senate the Petition of William Wafford. Endorsed in Senate "read and referred to Messrs. Hill, Riddick, Martin and Hines," which, being read, was referred on the part of this House to Messrs. McDowell, Vance, Perkins, McKissick and Sloan.

The resignation of Needham Bryan as Justice of the Peace for Johnston County, was read and accepted by this House.

Received from the Senate the Petition of John Randle. Endorsed in Senate "read and referred to the Committee of Propositions and Grievances," which, being read, was referred as by the Senate.

Mr. Polk presented the Petition of William T. Lewis, which, being read, was referred to the Committee on Petitions and Memorials.

Mr. West who had leave to withdraw for amendment the Bill to extend three Acts passed at the last General Assembly held at New Bern concerning the County Wardens of the Poor, Tobacco Inspection and for destroying Vermin in certain Counties therein mentioned, to the County of Chatham, delivered in the said bill, which was read with the amendments, passed the first reading in this House and was sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have received and rejected the Report of the Committee of Propositions and Grievances on the Petition of the Reverend James Tate, and propose the Resolution herewith sent you in lieu thereof.

At the same time received the Resolve above referred to, which, being read, was agreed to in the words following, vizt.:

Whereas, it appears to this General Assembly that a Certificate granted by the Commissioners of Army Accounts to the Revd. James Tate for the Sum of Three Hundred and fifty-eight pounds for his services as Chaplain in the late Continental Army, and which remained the property of Mr. Tate was consumed by the late fire in Wilmington and is now wholly lost, therefore
Resolved, That the Treasurer pay unto the Revd. James Tate the sum of Eighty-nine pounds ten shillings, being the one fourth part of the Certificate lost, and that the Comptroller issue to Mr. Tate a Certificate for the other three fourths of the Claim aforesaid, for which this shall be their warrant.

On the question to agree to this Resolve the yeas and nays were required by Mr. Bonds, which are as follows, vizt.:


The Bill permitting the emancipation of Slaves under Certain regulations therein mentioned, 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. Gardner, which are as follows, vizt.:


The Bill to vest certain Salt Springs and Licks in the Trustees of Davidson Academy and their successors for the use of the said Academy, was read the second time, passed and sent to the Senate.

Mr. Winslow moved for leave and presented a Bill to erect a District Court of Law and Equity at Fayetteville, which was read the first time, passed and sent to the Senate.
Ordered that the bill to compel certain officers therein mentioned to publish the application of the public monies and allowances for insolvents be read the third time in this House to-morrow.

The House resumed the Consideration of the report of the Committee on the claim of Reuben Searcy. Ordered that it be recommitted.

Mr. Hay moved for leave and presented a Bill to render amenable to law and to secure their Estates so as to be answerable to the Justice of the General Assembly persons therein mentioned, accused of certain crimes and fraudulent practices, and to indemnify such persons as have acted in pursuance of certain resolutions of this Assembly from vexatious suits and prosecutions and to establish a Board for the detection and further discovery of the said fraudulent practices and for settling and liquidating the Accounts of the Officers and Soldiers of the Continental Line, which was read the first time, passed and sent to the Senate.

The Bill for establishing an academy at the place now called Martinsborough, in the County of Pitt, and for altering the name of Martinsborough to that of Greensville, was read the second time, amended, passed and sent to the Senate.

It having been represented to this House that the Sheriff of Dobbs, has seized as the property of Benjamin Shepperd a Horse, which is the bona fide property of a certain Captain Martin of the State of Maryland, it is the sense of this House that the Sheriff should enquire into the premises and if the said Horse to him on enquiry appears the property of the said Martin that he be accordingly restored.

Resolved, That the following persons who were employed under Major Richard McKinne and Captain David Dodd in apprehending certain persons in Dobbs County who had been guilty of embezzling the public Money, be allowed for the said service as follows, viz.:

John Crumpler, Three pounds four shillings.
Joseph Scott, Three pounds four shillings.
Thomas Clinton, Three pounds four shillings.
James Thompson, Two pounds eight shillings.
Barabey McKinne, Three pounds four shillings.
John Everitt, Two pounds eight shillings.
Joseph Everitt, Three pounds four shillings.
John Beck, Three pounds four shillings.
William Fellows, Two pounds eight shillings.
John Fellows, Two pounds eight shillings.
David Cogdell, Two pounds eight shillings.
John Sasser, Two pounds eight shillings.
William Boykin, Three pounds four shillings.

That the Treasurer pay the same for which he shall be allowed in the settlement of his public accounts.

Ordered that the Bill to establish a Board to amend Errors in Patents be read the second time in this House To-morrow.

Received from the Senate a bill for dividing the County of Bladen. Endorsed in Senate "read the second time and passed."

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

Thursday 14 December, 1786.

The House met according to adjournment.

Received from the Senate a Bill to erect a District Court of Law and Equity at Fayetteville.

A Bill to establish the late Survey and Plan of the Town of Tarborough, &c., and a Bill for extending the boundary line between this State and the State of South Carolina. Endorsed in Senate "read the first time and passed."

Received from the Senate the Petition of Henry Purs, and the Petition of William T. Lewis. Endorsed in Senate "read and referred as by the Commons."

Received also, the resignation of Needham Bryan as Justice, &c. Endorsed in Senate "read and accepted."

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We agree that the report of the Committee on the Petition of Matthew McClure be recommitted, and that the Committee be directed to report him a sum of Money on loan as by you proposed.

Mr. Hooper moved for leave and presented a Bill to prevent long and extensive Credits, which was read the first time, passed and sent to the Senate.

Resolved, That no private bill, Petition or Memorial shall be received after Monday next.

Resolved, That the Clerk of this House, every Morning, furnish the Speaker with the order of the day extracted from the Journal, in which all public bills shall stand first in order, and all County
or private Bills in the order they are noted to be read, with respect to each other.

Resolved also, That as it will be necessary to sit after Night after Monday next, that the waiters be directed to prepare a sufficient number of Sconces and Candles for that purpose.

The Bill to compel certain officers therein mentioned, to publish the application of the public Monies and allowances for Insolvents, was read the third time, amended, passed and sent to the Senate.

Received from the Senate the Petition of James Christian. Endorsed in Senate "read and referred to the Committee on Petitions and Memorials," and the Memorial of Thomas Harris. Endorsed in Senate "read and referred to the Committee appointed on the Petition of Sarah Rounsavall." These Petitions being read were referred as by the Senate.

Received from the Senate a Resolve of that House requesting the Honorable Timothy Bloodworth and James White, Esquires, to attend the General Assembly Conference on Friday next, &c., which, being read, was concurred with.

Received from the Senate the resignation of George Myrick, a Justice of the Peace for New Hanover County. Endorsed in Senate "read and accepted," which, being read, was accepted by this House.

The Bill to establish a Board to amend Errors in Patents, was read the second time, amended, passed and sent to the Senate.

The Bill to prevent the obtaining of Grants of Lands lying in the Western Parts of this State to the prejudice of the first enterers, which Lands have been entered in the office lately established for receiving Entries of Claims of such Lands by an Act for opening the Land office for the redemption of Specie and other Certificates, and for discharging the Arrears due to the Army, was read the second time, passed and sent to the Senate.

Received from the Senate the report of the Committee on the representation of Thomas Brickell impeaching certain Justices of the Peace in Franklin County, which, being read, was ordered to lie on the Table until to-morrow.

The Bill for reprinting and republishing the acts of Assembly of this State, was read the second time, amended, passed and sent to the Senate.

Ordered that the Bill to direct the method to appoint Jurors and
Surveyors to run our disputed lands, be read the second time in this House on Monday next.

Mr. J. G. Blount moved for leave and presented a Bill to impose a duty on all Slaves brought into this State by Land or Water, which was read the first time, passed and sent to the Senate.

The Bill to amend an Act passed at New Bern in December 1777 entitled "an Act directing the Method of Electing Members of the General Assembly and other purposes," was read the first time, passed and sent to the Senate.

The Bill for the better and more punctual payment of the Salaries of the Delegates in Congress, was read the second time, passed and sent to the Senate.

Ordered that the reading of the Bill to Amend an Act entitled "an Act to amend an Act entitled 'an Act for ascertaining what property in this State shall be deemed Taxable property'" &c., the second time, shall be considered as the order of the day on Monday next.

Ordered that the Bill for levying a tax for the support of the Government, and for the redemption of old paper Currency, &c., be read the second time in this House on Monday next.

The Bill to repeal the thirteenth section of an Act passed at New Bern in October, in the year 1784, entitled "an Act for raising a public revenue for the Support of Government, and to repeal an Act entitled 'an Act to suppressive excessive gaming,'" was read the second time, passed and sent to the Senate.

Received from the Senate the petition of John Beck. Endorsed "In Senate read and referred on the part of this House to Messrs. Herritage and Moring," which being read was referred on the part of this House to Messrs. McKinne, Dodd and Whitfield.

Resolved that the examiners of the State prisoners be directed to re-examine any persons (who have been already examined) upon any interrogatories to be drawn up in writing by the Committee appointed to State and arrange the Testimony of the said prisoners that shall be presented to the examiners for that purpose.

Received from the Senate a Bill to prevent long and extensive Credits. Endorsed "in Senate, read the first time and passed."

Received from the Senate the Resolve of this House allowing certain persons therein mentioned the several sums annexed to their
respective names who were employed under Major McKinne and Captain David Dodd in apprehending sundry Persons in Dobbs county. Conceded.

Received from the Senate the report of the Committee appointed to examine and report the propriety of passing a Bill for dividing Bladen county. Endorsed "in Senate, read and Conceded with, which being read, was Conceded with by this House."

The Bill for dividing the county of Bladen, was read the second time, passed and sent to the Senate.

Received from the Senate the Resolve of this House directing the examiners to re-examine the said prisoners upon any interrogatories, &c. Conceded with.

Received from the Senate a Bill to amend an Act for dividing Guilford county. Endorsed "in Senate, read the second time, and passed."

Received from the Senate a Bill to render amenable to law and secure their Estates so as to be answerable to the Justice of the General Assembly persons therein mentioned accused of certain crimes and fraudulent practices, &c., &c.

A Bill to consign to oblivion the misconduct of the Inhabitants of Washington and Sullivan and Greene, and

A Bill to impose a duty on all Slaves brought into this State by Land or Water. Endorsed "in Senate, read the first time and passed."

Mr. Henry Montfort having been allowed until this day to make his defence and confute the charges exhibited against him in the report of the Committee appointed to examine the prisoners. Mr. Montfort being called upon to introduce such Testimony as he had to offer, which he accordingly did, but the House not thinking them sufficient to exonerate him from such charges, proceeded to determine whether he should keep his seat as a Member of the House or not, when it was resolved that his seat be vacated and himself expelled from the House.

The House adjourned til to-morrow morning 10 O'clock.

Friday 15th December, 1786.
The House met according to adjournment.

Mr. Winslow presented the petition of James Hogg which being read, Mr. Winslow moved for leave and presented a Bill for alter-
ing the names of Walter Hogg and Gavin Hogg to Walter Alves and Gavin Alves, which was read for the first time, passed and sent to the Senate.

Mr. J. Taylor moved for leave, and presented a Bill for the better regulation of the town of Hillsborough, which was read the first time, passed and sent to the Senate.

Ordered that a writ of Election issue to the county of Warren for the Election of one Member of this House in the room and stead of Mr. Henry Montfort whose seat is vacated, that the said election be held on the 29th and 30th inst.

Mr. McKinne moved for leave and presented a Bill for the Inspection of Tobacco at Joseph Green's in Wayne county, which was read the first time, passed and sent to the Senate.

Mr. Dickens moved for leave and presented a Bill to amend an Act entitled "an Act to empower the County Courts of Pleas and quarter Sessions in the several counties in this State, to order the laying out of 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. McDowell presented the Memorial of John B. Ashe and Jas. Gray, Executors, &c., which, being read, was referred to Messrs. McDowell and Blount.

Mr. McDowell moved for leave and presented a Bill to Authorize and empower the County Commissioners in the several counties in this State to Collect the Arrears of Specific Taxes for the years 1780, 1781 and 1782, which was read the first time, passed and sent to the Senate.

Mr. Hamilton presented the petition of Jeremiah Field and Robt. Field, which being read, Mr. Hamilton moved for leave, and presented a Bill to invest the title of a certain Tract of land therein mentioned in Jeremiah and Robert Field, sons of Wm. Field, which was read the first time, passed and sent to the Senate.

Received from the Senate the petition of Benjamin Exum. Endorsed "in Senate, read and referred to the Committee on Memorials and Petitions, which being read, was referred as by the Senate.

Ordered that the Bill for extending the boundary line between this State and the State of South Carolina, be read the second time in this House on Tuesday next.
The petition of John Beard was read and referred to the Committee on Memorials and Petitions.

Received from the Senate the report of the Committee on the Petitions of the Inhabitants of Washington, Sullivan and Greene. Endorsed "in Senate read and concurred with," which being read, was concurred with by this House.

Mr. James Martin, from the Committee to whom was referred the Memorial of Robert Fenner, Esquire, agent to the late Continental line of this State, delivered in the following Report, viz.:

Your Committee to whom was referred the Memorial of Robert Fenner, Esquire, agent to the late Continental line of this State, Report,

That after examining the several papers laid before them together with the resolutions of Congress on that Subject they are of opinion as Mr. Fenner was legally appointed by the officers of the late Continental line of this State to make a final settlement with the United States for all pay and arrears of pay due to the officers and soldiers of the line aforesaid, that he was perfectly Justifiable in refusing to deliver the Certificates lodged in his hands in virtue of his said office as directed by a resolve of the last General Assembly, and that the Legislature had no control over the business in the situation it was at that time.

JAMES MARTIN, Chmn.

The House taking this report into consideration concurred therewith.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

In consequence of the Petition of Memucan Hunt, Esquire, Public Treasurer, we propose, that the General Assembly meet in conference on Saturday the 23rd Instant in order to hear Mr. Hunt in his Defence as to those matters and things wherewith he stands charged by the report of the Committee appointed to examine the State Prisoners and the Depositions by them handed therewith. We also propose that the Clerks be directed in the mean time to furnish Mr. Hunt with Copies of such of the Depositions alluded to as tend to validate the charges against him in the said Report contained.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the Treasurer be heard in exculpation of himself from the charges in the report of the examiners on Tuesday next, the time by you proposed being in our opinion at too great a distance. If you agree with this proposition we will concur with yours on that Subject.

Mr. Maclaine presented the Memorial of William Ingland, which, being read, was referred to Messrs. Blount, Maclaine, Winslow, Perkins and Polk on the part of this House.

Ordered that the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the Delegates of this State now attending here be requested to reduce to writing such Communications as they have to lay before the General Assembly and that the resolve on this Subject the other day entered into, be rescinded.

Received from the Senate a Resolve of that House directing the Committee appointed to examine the Prisoners to discharge such Persons attending here as witnesses, &c., which, being read, was rejected.

Resolved, That the Committee for examining the State prisoners be, and they are hereby required and Authorized to discharge from day to day such Persons cited here as witnesses, whose testimony they shall deem not material, and such witnesses whose testimony will be necessary to convict any Person or Persons, charged with being concerned in the frauds upon the Treasury of this State, or having committed any malpractices in office, be reported to the Governor after their depositions are taken, who is hereby required and Authorized to take the recognizance of such Witnesses to attend at such time and place as they may be hereafter required by Proclamation or by Summons from any proper Authority, but should the said Committee or the Committee appointed to arrange the Testimony already taken deem it necessary to impeach any person or persons the Witnesses to support such impeachment may be detained.

The House resumed the consideration of the Resolutions of the Senate on the report of the Committee and the Impeachment made by Mr. Brickell against certain Justices of the Peace in Franklin County and concurred therewith.
Received from His Excellency, the Governor, the following Message:
To the Honorable, the General Assembly:
Gentlemen:

By the Deposition of Robert White, Sheriff of Dobbs, herewith laid before you, you will perceive the necessity of enforcing your resolutions and bringing to a proper sense of their duty, those who Transgress or disobey them.

R.D. CASWELL.

Resolved that Colo. Thomas Armstrong be directed to call on Mr. William Armstrong and demand the Horses belonging to Nathan Lassiter and Simon Totevine, and that he pay to Mr. Armstrong the amount of his Account for keeping Said Horses and other expenses of Said Lassiter and Totevine, he first proving his acc'ts of the charges contained in which, shall be agreeable to the rates fixed by the Court of the County.

And that Colo. Armstrong shall be reimbursed said sum out of the Money belonging to said Lassiter and Totevine.

The Bill to annex a part of the County of Granville to Warren, was read the second time, passed and sent to the Senate.

Received from the Senate a Copy of Green Hill's Account, &c. Endorsed in Senate "read and referred to Messrs. Gallaway, Hines, Brown and Bledsoe." Ordered that the same be referred to Messrs. W. Hawkins, Dickens and Frohock on the part of this House.

Received from the Senate the following Bills, viz.:
A Bill for a removal of the place for holding Court of Pleas and Quarter Sessions in the County of Washington, &c.
A Bill to vest the title of a piece or parcel of Land lying in Jones County in Howell Brown, &c.
A Bill to repeal an Act entitled "an Act to allow further time for saving Lotts in the several Towns," &c.
A Bill for dividing the County of Sullivan.
A Bill to alter the names of Walter Hogg and Gavin Hogg, &c. Endorsed in Senate, "read the first time and passed.

Received also the following Bills, Viz.:
A Bill to amend an Act passed at NewBern in Dec., 1777, entitled "an Act directing the method of Electing Members of the General Assembly," &c.
A Bill vesting the power of establishing towns in this State in the County Courts.

A Bill empowering Commissioners to dispose of the Lands and Glebe of St. John's Parrish, &c.

A Bill for the Inspection of Tobacco at Anson Court House.

A Bill for establishing an Academy at the place now called Martinsborough, &c. Endorsed in Senate "read the second time and passed."

Received from the Senate a Resolve of that House empowering His Excellency the Governor, to draw a Warrant on the Treasury in favor of some person who shall be authorized to pay the Witnesses Summoned to appear against the Prisoners, &c., at a certain Sum therein mentioned per day, which, being read, was concurred with.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We agree that the Resolution of the General Assembly of the 13th Inst., requesting the Honbl. Timothy Bloodworth and James White, Esquires, two of the Delegates from this State in Congress to attend the two Houses this day in the Conference Room be rescinded and that those Gentlemen be requested to lay before this Assembly in writing, such matters as they may have to communicate.

Mr. Hamilton who had leave to withdraw for amendment the Bill to empower the County Court of Sampson to levy a further Tax, &c., brought in and presented a bill to empower the several County Courts therein mentioned to lay a Tax annually for the purpose of erecting or repairing the Court House, Prison and Stocks in each County where necessary, and for defraying the Contingent charges of the Counties, which was read the first time, passed and sent to the Senate.

The Bill for adding part of Wake County to Franklin County, was read the second time, passed and sent to the Senate.

The Bill to alter the time of holding the County Court of Pleas and Quarter Sessions in the County of Mecklenburg, was read the second time, passed and sent to the Senate.

Mr. Sitgreaves presented the resignation of William Avera as a Justice of the Peace for Johnston County, which, being read, was accepted by this House.
The additional Bill to an Act entitled "an Act for the regulation of the Town of NewBern and for other purposes," was read the second time, amended, passed and sent to the Senate.

The Bill to establish the late Survey and plan of the Town of Tarborough, as made and laid down by the direction of the Commissioners composing the body Politic and Corporate of the said Town, and to amend an Act entitled "An Act for the better regulation of the Town of Tarborough," was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have received and considered the Resolutions of your House of yesterday declaring that no Bill of a private nature and that no Petition or Memorial shall be received into the General Assembly after Monday next, and that after that day the two Houses will continue business by Candle Light. As to the first part of your Resolve we concur with it, but as to transacting the business of the Session by Candle Light; it is a Measure which we think by no means advisable, and to which we therefore cannot agree.

The Bill for Erecting an Academy at the Town of Warrenton, in the District of Halifax, was read the second time, amended, passed and sent to the Senate.

The Bill to amend an Act for dividing Guilford county, was read the third time, passed and sent to the Senate.

The Bill for levying a Tax in the District of Edenton for building the jail of the said district, was read the Second time, passed and sent to the Senate.

The Bill for altering the manner of holding the Annual Elections for the county of Hyde, was read the Second time, passed and sent to the Senate.

Mr. Davie presented the representation of Robert Fenner, agent of the late Continental line of this State, which, being read, was referred to Messrs. J. Blount, P. Hawkins and Davie on the part of this House.

Mr. Jacob Lennard, one of the Members for Brunswick county, appeared, was qualified and took his seat.

Received from the Senate the Claim of Thomas Wright, &c. Endorsed "in Senate, read and referred to the Committee of Claims," which, being read, was referred as by the Senate."
Received also the petition of Timothy Riggs. Endorsed, "in Senate, read and referred to Mr. Macon, Genl. Rutherford and Genl. McDowell," which, being read, was referred to Messrs. Phifer, Bloodworth, Polk and Lewis on the part of this House.

The Bill for improving the Navigation to New Bern, was read the second time, amended, passed and sent to the Senate.

Mr. W. Hawkins presented the petition of James Ransom and Young Maclemore, which, being read, was referred to the Committee on Petitions and Memorials.

The Bill for the promotion of learning in the county of Chatham was read the first time, passed and sent to the Senate.

The Bill to alter and amend an Act passed at Hillsborough in May 1783, entitled "an Act for repairing the Court House and prison in the town of Salisbury for the district of Salisbury," and also one other Act passed at New Bern in 1784, entitled "an Act for levying a Tax in the counties in Hillsborough and Salisbury districts, for repairing the District buildings in the Towns of Hillsborough and Salisbury, and directing the Method of calling to account all Commissioners of Public buildings heretofore or hereafter to be appointed, also to alter and amend the Several Laws now in force for erecting and repairing the Public buildings in the District of Hillsborough," was read the second time, passed and sent to the Senate.

Received from the Senate a Resolve of that House directing the Secretary to issue a Land Warrant to the heirs of William Watts, deceased, which, being read, was concurred with.

Resolved, that the following persons be allowed for their services in attending on and assisting the Sheriff of Dobbs county to apprehend certain State prisoners, the sums following to wit:

John Tuttle, one pound Twelve shillings.
James Wilson, One pound four shillings.
Lazarus Pierce, One pound Twelve shillings.
Neale Hopkins, One pound four shillings.
William Mann, One pound four shillings.
Benajah White, three pounds twelve shillings.
Henry Lennard, Sixteen shillings.
George Linton, Sixteen shillings.
James Whitfield, two pounds.
Robert White, Eight pounds.
And that the treasurer pay them the same and be allowed in the settlement of his public accounts.

Received from the Senate the report of the Committee on Petitions and Memorials on the petition of Kirkpatrick. Endorsed, "read, and concurred with," which being read, was concurred with by this House.

Received also the report of the same Committee on the Memorial of William Armstrong. Endorsed "in Senate, read and Concurred with," which being read, was concurred with by this House, and returned.

Mr. Wyatt Hawkins from the Committee of Propositions and Grievances, delivered in the following report to wit.

Your Committee of Propositions and Grievances to whom was referred the petition of George Lewis and William Price, report that from the representation of George Lewis and the several affidavits and other papers laid before them in support of the facts set forth in the said petition, it appears to your Committee that Capt. Thomas Price, father to William, one of the petitioners, was regularly licensed to trade with the Cherokee Indians, and that during the time of his trading with them he credited them for goods to a very large amount. It also appears that George Lewis was in partnership with said Price while trading with said Indians, and that they from necessity were obliged to accept of a Deed from the Indian Chiefs for a considerable Quantity of Lands as a restitution for the monies due them from said Indians, as they had no other means of satisfaction for the debts due. It also further appears that the Land in that part of the country has since the late War, been indiscriminately allowed by the State to be entered by the Citizens thereof. That previous to the opening of the Land office, Captain Price was killed in defence of his Country, and left behind him an helpless widow and orphans, that George Lewis was at the same time blind of both his eyes in which situation he now is, and being far distant from the office at which Lands in that part of the Country were to be entered, and having as they thought a right to said Lands as Capt. Price in his life time and the said George Lewis had made considerable improvements thereupon did not avail themselves of the opportunity of entering the said Lands until some time ago, when on attempting to enter them they found it was previously
done by a certain William Sharpe so long before that the said Lewis
and William Price was by law excluded from a right of Caveating.

Your Committee under these considerations and from the dis-
tressed situation of said petitioners, are of opinion that they are ob-
jects worthy the benevolence of the Legislature, therefore recom-
mend that a Portion of Lands in that part of the Country equal to
the sum of money specified in the Deed given by the Indians to
Capt. Price be laid off to the said George Lewis and the widow and
orphans of the said Thomas Price.

All which is submitted.

W. HAWKINS, Chmn.

The House, taking the said Report into consideration, concurred
therewith.

Whereupon the following resolution was entered into in pursu-
ance of a report of the Committee appointed to consider of the
petition of George Lewis and William Price this day delivered and
conurred with by this House.

Resolved, That the said George Lewis be allowed the Quantity of
four Thousand acres of unappropriated Land lying in this State on
the west side of Cumberland Mountains, and that the male orphans
of the said Thomas Price in the said report mentioned, be also
allowed the same quantity of Lands situated on the west side of
the said Cumberland Mountains, and that John Armstrong,
Esquire, Sole Entry Taker, be directed to issue warrants for the
same.

Resolved, That the application made for the sense of this House
by the Treasurer respecting certain Warrants issued by His Excel-
lency the Governor, to Nicholas Long for services as Commissioner
of Confiscated property for the District of Halifax, be considered
and decided on upon Wednesday next. And that the Comission-
ers of Confiscation be informed that this Matter will be agitated on
that day, and that in it will be involved the fate of their Warrants
for similar services.

Mr. Wyatt Hawkins from the Committee to whom was recom-
mittted the report on the Claim of Reuben Searcy delivered in a
Report, which, being read, was ordered to lie over until the next
Assembly.

Resolved, That William White be appointed a Clerk to Engross
Bills and attend Committees in addition to those already appointed. And that Joshua Winslow shall be allowed for such Bills as he may draw.

Received from the Senate a Bill for cutting a Navigable Canal from the waters of Pasquotank River in this State to the waters of Elizabeth River in the State of Virginia. Endorsed in Senate, "read the first time and passed."

Received from the Senate the Resolve of this House directing the Committee appointed to examine the State prisoners to discharge such Witnesses whose Testimony may not appear Material, &c. Concluded with.

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

Saturday, 16th December, 1786.
The House met according to adjournment.

Mr. Speight presented the Memorial of James Armstrong, Nicholas Long, Hardy Murfree, G. J. McRee and Charles Bruce, Commissioners of Confiscation, which, being read, was ordered to lie on the table until Monday morning next.

Mr. Wyatt Hawkins from the Committee to whom was referred the Petition of John Ramsey delivered in the following report, viz.: Your Committee to whom was referred the Petition of John Ramsey, Report—

That from the relation of Colo. Nicholas Long, Quarter Master General of this State it appears to your Committee that the Horse mentioned in the petition was purchased by Matthew Ramsey, a deputy under him, for the use of the public for the sum of four hundred pounds, and that the said Matthew gave to the person from whom he purchased the said Horse an order on him, the said Nicholas, for the amount of said purchase Money which order be, the said Nicholas, did not discharge as no Public Monies was at that time remaining in his hands for that purpose.

It does not appear to your Committee that the said Horse was put into the service of the public as set forth by the petitioner, nor does it appear that Colo. Long has not been allowed for said Horse in his settlement with the Public. They are therefore of opinion the Petition should be rejected.

All which is submitted.

WYATT HAWKINS, Chmn.
The House, taking this report into consideration, concurred therewith.

Received from the Senate the resignation of William Avers, as Justice of the Peace, &c. Endorsed in Senate, "Accepted."

Received also, a petition of a number of the Inhabitants of Randolph County, and the Memorial of the Executors of General Davidson. Endorsed in Senate "read and referred to the Committee on Petitions and Memorials," which, being read, were referred as by the Senate.

Received also, the Memorial of John B. Ashe and James Gray. Endorsed in Senate "read and referred to Mr. Bledsoe and Mr. Martin."

Received from the Senate the Petition of John Beard. Endorsed in Senate, "read and referred as by the House of Commons."

Mr. Dickens, from the Committee of Claims, delivered in the following report, vizt.:

Your Committee of Claims to whom was referred the Memorial of William Wood, are of opinion that the Law has already made provision for the Claims he set up against the State, therefore reject it.

All which is submitted.

ROBERT DICKENS, Chmn.

The House taking this report into consideration concurred therewith.

Received from the Senate the report of the Committee on the Petition of Benjamin Exum. Endorsed in Senate, "read and concurred with," which, being read, was concurred with by this House.

Received from the Senate the report of the Committee on the Memorial of John Justice.

The report of the Committee on the Memorial of Sarah Rounsvall. Endorsed in Senate, "read and concurred with," which, being read, was concurred with by this House.

Received from the Senate a Resolve of that House for releasing from Confinement John Kimbrough, &c., which, being read, was rejected.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

With this you will receive a Resolve of this House empowering
Colo. Thomas Armstrong to take into his possession sundry Horses and other property belonging to Nathan Lassiter and Simon Tote-vine, which we wish to substitute in the place of the one by your body entered into on that head.

At the same time received the Resolve above referred to, which, being read, was concurred with by this House.

Mr. Winslow presented the Petition of Daniel Buie, which, being read, was referred to the Committee on Petitions and Memorials.

Received from the Senate the Petition of part of the three Creeks in Burke County. Endorsed in Senate, "referred to Messrs. Griffin, Brown, Genl. Gregory and Genl. McDowell," which, being read, was referred to Messrs. McDowell, Sloan, Franklin, Bloodworth and Phillips.

Received also, the Certificate of Samuel Cross. Endorsed in Senate, "read and referred to Messrs. Macon, McCawley, Genl. McDowell and Mr. Hill," which, being read, was referred to Messrs. McDowell, Franklin, Phifer, McKissick, Pearson, Jas. Stewart, on the part of this House.

And received also, the Memorial of William Inglend. Endorsed in Senate, "read and referred to Messrs. Moring, Wynne and Genl. Ramsey.

Mr. Winslow presented the Petition of Gilbert Clarke, John Smith, Archd, McNeil, Hugh Ray and John McLain, which, being read, was referred to the Committee on Memorials and Petitions.

Received from the Senate the following Messages.

Mr. Speaker and Gentlemen:

We add to the nomination for Delegates to represent this State in Congress, Benjamin Hawkins, Esquire.

Mr. Speaker and Gentlemen:

Thro' the hurry of business a Message was yesterday sent you (in consequence of your resolution of the 14th Inst., declaring that no private Bill, Memorial, or Petition should be received after Monday next) not expressive of the sense of this House; you will therefore consider it as having been the Intention of the Senate by that Message to inform you that they consented to continue the daily business of the Session by Candle Light, but could not agree with you in declining to receive Bills, Petitions, &c., after Monday next.
Received from the Senate the Bill for dividing the County of Bladen. Endorsed in Senate, "read the third time, amended and passed."

Mr. Cabarrus from the Committee appointed to examine the State Prisoners, delivered in the following Report, viz.:

Your Committee appointed to examine the State Prisoners, and take the deposition of Witnesses against them, Report,

That it appears by the deposition of Hardy Robertson that Thomas Butcher and John Shepperd had drawn the Sum of one hundred & eighty-six pounds twelve shillings & six pence in his name, that although he had never served in the Army he thought proper to call on them for the Money drawn in his name, that Shepperd acknowledged the fact and promised to settle with him, which with other circumstances will appear by the deposition marked:

The Depositions of John Brown, Mann Phillips and William Johnston marked No. 3, 5 and 6, add to the charges against John Shepperd, William Faircloth and others, and by which it appears that the said Philips had been generally employed in making out accounts and orders.

The Depositions marked 1, 4, 7, 8, 10, contain additional charges against Price, Faircloth and others already committed.

It appears to your Committee upon examining Col. Mitchell, Mr. Williams and Mann Phillips that the report with respect to blank warrants issued from Mr. Glasgow's office was ill founded and refer the House to the Depositions marked 9, 11, 3.

It appears to your Committee on Examination of General James Armstrong, that John Bond, Esquire, a Member of this House had illegally drawn the due Bill and Certificates of a certain James Crimor, a twelve months Soldier out of the office of the Commissioners of Army Accounts, that he denied the above facts to Genl. Armstrong at New Bern Assembly, 1785, and afterwards confessed it by a letter to one David Perkins, a conduct apparently on a line with the other frauds Committed on Individuals, and which your Committee think highly reprehensible. For the several circumstances your Committee refer to the deposition No. 12, and the letter annexed.

S. CABARRUS,
F. HARGETT,
J. MARTIN,
JAS. GILLISPIE.
The House taking the report into Consideration, Concluded therewith.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the General Assembly ballot this Evening at the time already appointed for a Governor of this State and the place where the next Assembly shall be held but that the Election of Delegates to represent the State in Congress be deferred to a future day.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received and considered the Message of yours proposing to postpone balloting for Delegates to represent the State in Congress with which we do not concur.

Received from the Senate the Petition of William Jones. Endorsed in Senate, "read & referred to Mr. Lewis & Mr. Moore," which being read, was referred to Mr. Yancey & Mr. Hawkins on the part of this House.

Received also two Memorials of George Lainé Moore. Endorsed in Senate, "read & referred to the Committee on the Petition of William Jones," which, being read, were referred as by the Senate.

Received from the Senate the Report of the Committee to whom was recommitted the report of the Committee in favor of Matthew McClure. Endorsed in Senate, "read and concurred with," which, being read, was concurred with by this House.

The Bill for raising Troops for the protection of the Inhabitants of Davidson County was read the Second time, amended, passed and sent to the Senate.

Mr. Hay presented the Bill to amend and alter the Court System. Ordered that this Bill be read for the first reading on Monday next.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that Mr. Polk and Mr. Neal be added to the Committee to examine the prisoners. We have also appointed them to superintend the balloting for the officers to be elected this Evening.

Received from the Senate the Bill for establishing a Militia in this State. Endorsed, "read the first time and passed."
Ordered that Mr. John Bond have time until Wednesday the 27th Instant to shew cause, if any he can, why his seat in this House should not be vacated in Consequence of the Criminal Matters imputed to him in the report of the examiners of this day.

Resolved, That the General Assembly entertain the highest sense of the upright, spirited and vigorous exertions of His Excellency Governor Caswell who in obedience to the sense of the General Assembly expressed in divers resolutions passed at the Conference of this House on the 24th day of November, hath apprehended and secured and taken very effectual measures to bring to condign punishment divers persons charged with divers mal-practices against the credit and true dignity of this State, and also for his diligence in Summoning divers persons who may be possessed of such information as may tend to investigate the frauds charged to have been committed against the public, and that this Resolve be communicated to His Excellency the Governor by two Members from the Senate and as many from the Commons who shall attend His Excellency with a Copy of this Resolve in person.

The House adjourned 'til 3 O'clock.

Met according to adjournment.

Mr. Polk, from the joint balloting for a Governor, Delegates to represent this State in Congress, and the place at which the next Assembly shall be held, Reported

That the Honbl. Richard Caswell, Esquire, was Elected Governor, Messrs. James White, Alexander Martin, John B. Ashe, Timothy Bloodworth, Benjamin Hawkins and Thomas Polk, Esquires, were Elected Delegates. That no place in nomination for holding the next Assembly had a majority of Votes.

The House taking the Report into Consideration Concurred therewith.

Adjourned 'til Monday Morning 10 O'clock.

Monday, 18th December, 1786.

The House met according to adjournment.

Resolved, That His Excellency the Governor be requested to direct the Honbl. Robert Burton and Nathaniel Macon, Esquires, to proceed on immediately to New York, to take their seats in Congress.
Ordered that Mr. Bond have leave to absent himself from the Service of this House until Wednesday 27th Inst.

Mr. Rhodes moved for leave and presented a Bill to establish a Town on the East side of the North East of Cape Fear River in Duplin County.

Ordered that this Bill be read for the first reading To-morrow.

Mr. Grant moved for Leave and presented a Bill to add part of Carteret County to the County of Onslow.

Ordered that this Bill be read the first time on Wednesday next.

Received from the Senate a Bill for the better regulation of the Town of Hillsborough. Endorsed In Senate, "read the first time and passed."

Received also a Bill for adding part of Wake County to Franklin County, and

A Bill to annex a part of the County of Granville to Warren Endorsed In Senate, "read the Second time & passed.

Received from the Senate the Petition of Daniel Buie, and the Petition of James Ransom and Young Maclemore. Endorsed In Senate, "read and referred as by the House of Commons.

The Bill for establishing a Militia in this State, was read the first time, passed and sent to the Senate.

Received from the Senate the Memorial of Joseph Cain. Endorsed In Senate, "read and referred to the Committee appointed on the Copy of the accounts of Green Hill, Esqr.," which being"read was referred as by the Senate.

Received also the Resolve of this House allowing certain persons therein mentioned who served under the command of the Sheriff of Dobbs County in apprehending certain prisoners the several Sums therein mentioned, &c., and the report of the Committee on the Memorial of Wm. Wood Concurred with.

Ordered that Mr. Needham Bryan, Mr. Avera and Mr. Withrow, have leave to absent themselves from the service of this House.

Received from the Senate the representation of Maj. Robert Fenner. Endorsed In Senate, "read and referred to Mr. Stokes & Mr. Lewis."

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

The Senate have received and concurred with the resolutions of
your Body of this day expressive of the high sense the General Assembly entertain of the exertions made by His Excellency the Governor, for effectually carrying into execution the resolutions of the Legislature of the 24th Ulto. relative to sundry persons accused of passing fraudulent accounts, &c., and have appointed Mr. Brown and Mr. Wynns on their part to attend and present him therewith.

Mr. Speaker & Gentlemen:

The Senate approve of the addition by you made to the Committee appointed to examine the State prisoners.

The Bill to amend and alter the Court System, was read the first time, passed and sent to the Senate.

Ordered that Mr. Montford and Mr. Craven be directed to attend the Sub Committee of Finance No. 4, at 4 O’Clock this Evening.

Ordered that the Committee appointed to examine the prisoners &c., and the Sub Committee of Finance No. 4, be directed to make report To-morrow.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the Committee appointed to examine the prisoners, &c., and the Sub Committee No. 4, be directed to make report To-morrow.

The Bill to impose a duty on all Slaves brought into this State by Land or Water, was read the Second time, amended, passed and sent to the Senate.

Received from the Senate a Bill to repeal part of an Act passed at New Bern the 29th of December, 1785, entitled “an Act for destroying wolves, &c.” Endorsed in Senate, “read the first time & passed.”

Received also a Bill to extend two Acts passed at the last General Assembly, concerning the County Wardens of the Poor & Tobacco Inspection to the counties therein mentioned. Endorsed in Senate, “read the Second time & passed.”

The Bill to direct the method to appoint Jurors and Surveyors to run out disputed Lands, was read the Second time, amended, passed and sent to the Senate.

The Bill to prevent long and extensive Credits, was read the Second time, amended, passed and sent to the Senate.
The Bill to erect and establish an Academy in the county of Franklin, was read the Second time, passed and sent to the Senate.

The Bill to annex a part of the County of Granville to Warren, was read the third time, amended, passed & sent to the Senate.

The Bill for adding part of Wake county to Franklin county, was read the third time, passed and sent to the Senate.

The Bill for erecting Bogue, Barr, and New River Inlets into a distinct Port by the name of Swansborough, was read the Second time, amended, passed and sent to the Senate.

The Bill for establishing an Academy at the place heretofore called Martinborough, in the county of Pitt, and for altering the name of Martinborough to that of Greensville, was read the third time, amended, passed and sent to the Senate.

The Bill to establish a Public Inspection of Tobacco in the town of Salisbury in Rowan county, was read the third time, passed and sent to the Senate.

The Bill for dividing the county of Bladen, was read the third time, passed and ordered to be engrossed.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that two Delegates to represent this State in Congress for the remainder of the present year, the one to supply the place of the Hon. Abner Nash, Esquire, lately deceased, the other in the stead of the Hon. Charles Johnston, Esqr., be ballotted for at 4 O'Clock this Evening, also at the same time that we ballot for the place of holding the next General Assembly, and for a Council of State. We nominate Benjamin Hawkins, Stephen Moore, William Walters, Alexander Martin, & John Steele, Esquires, for Delegates. And Thomas Barker, Joseph Green, John Hawks, Spyers Singleton, Thomas Rutledge, Doct. William McClure, Robert Bignall, James Gillespie, Frederick Harget, Joseph McDowell, Doct. Miles King, Doct. Isaac Guion, James Sampson, Doct. Boyd, Joseph Leech, John Wright Stanley, John Nelson, Genl. Rutherford, Esquires, for Councillors of State, and have appointed Col. Polk, and Mr. Neal to Superintend the balloting on the part of this House.

Mr. Maclaine moved for leave, and presented a Bill directing the mode of proceeding upon Impeachments, which was read the first time, passed & sent to the Senate.
Mr. Spaight moved for leave, and presented a Bill for raising Money by a Lottery for the purpose of building a House for the reception of the Poor in Craven county, which was read the first time, passed and sent to the Senate.

Mr. Hay presented two petitions of John Ray, which, being read, were referred to the Committee of Claims.

Mr. Cox presented the petition of Burwell Stricklin, of Richmond county, which, being read, was referred to the Committee of Claims.

Mr. Maclaine moved for leave, and presented a Bill prescribing the method of admitting attorneys to practice in the several Courts of Law & Equity in this State, and ascertaining how they shall be tried for misbehaviour, which was read the first time, passed & sent to the Senate.

Received from the Senate the account of Hugh Torrence. Endorsed in Senate, "read and referred to Messrs. Ramsey, McCawley, & Brown," which being read was referred to Messrs. Frohock, Carson & Winslow on the part of this House

Mr. Maclaine moved for leave, and presented a Bill declaring in what manner and for what limit of time Foreigners to whom real estate may have descended or may hereafter descend, shall hold and enjoy them, which was read the first time, passed and sent to the Senate.

Mr. Maclaine moved for leave, and presented a supplementary Bill to an Act entitled "an Act concerning proving Wills, and Granting Letters of Administration, and to prevent frauds in the management of Intestate Estates," which was read the first time, passed & sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We consent to ballot this evening as by you proposed. We think it most advisable that the persons appointed to Superintend this balloting attend and receive the votes of the Members of each House separately, and without convening the whole in one room. Mr. Macon and Mr. Lewis will on the part of this House, Superintend the Balloting. We nominate for the place for holding the next Assembly at the town of Warrenton, Fayetteville, Tarborough, Hillsborough and New Bern.

Received from the Senate the Resolve of this House requesting
His Excellency, the Governor, to direct the Hon. Robert Burton and Nathaniel Macon to proceed to Congress, and the Resolve allowing George Lewis four Thousand Acres of Land, and the Male Heirs of Thomas Price the same quantity. Endorsed in Senate “Concurred with.”

The House adjourned 'til 4 O'Clock.

Met according to adjournment.
Mr. Polk, from the Joint Ballotting for two Delegates, a Council of State and the place at which the next Assembly shall be held, Reported, that Benjamin Hawkins, Esquire, was elected Delegate, Frederick Harget, Joseph Green, Joseph Leech and John Hawks, Esquires, were Elected Members of the Council of State.

That there was yet to be Elected one Delegate and three Members of the Council of State, and

That no place in nomination for holding the next Assembly at, had a Majority of Votes.

The House adjourned 'til To-morrow Morning 9 O'Clock.

Tuesday, 19th December, 1786.
The House met according to adjournment

Received from the Senate the two Petitions of John Ray. The Petition of Burwell Stricklin, and the Petition of Gilbert Clark, John Smith, Arch. McNeal, Hugh Ray and John McLain. Severally endorsed in Senate, “read and referred as by the House of Commons.”

Received also, the Report of the Committee appointed to examine the prisoners, &c.


Received from the Senate the following Bills, endorsed in Senate, “read the first time and passed,” viz.: A Bill for destroying wolves, wild cats, &c.

A Bill for amending an Act entitled “an Act for emitting one Hundred Thousand pounds for the purposes therein mentioned,” and for appropriating the Tobacco lately purchased by the Commissioners, &c.

A Bill to alter the place of holding the Superior Court of the District of Morgan.
A Bill to vest in Trustees certain powers for the benefit of Elizabeth Torrens and her children.

A Bill to amend an Act entitled "an Act to empower the County Courts of Pleas and Quarter Sessions in the several Counties in this State to order the laying out of Public Roads, &c.

A Bill directing the mode of proceeding upon Impeachments.

A Bill prescribing the method of admitting attorneys to practice in the several Courts of Law & Equity.

A Bill to empower the several County Courts therein mentioned to lay a Tax annually for the purpose of erecting or repairing the Court House, Prison and Stocks in each County where necessary, &c.

A Bill to empower the Executors of William Hill, deceased, late Commissioner of Franklin County, to carry into effect as far as relates to the County of Franklin, an Act entitled "an Act to authorize Richmond Pearson to collect the Specific Tax which remains due from the Inhabitants of Rowan County for the year 1781," &c.

A Bill to amend an Act entitled "an Act to empower the County Courts of Pleas and Quarter Sessions of the several Counties in this State to order the laying out of public Roads and to establish & settle Ferries," &c.

A Bill to invest the title of a certain Tract of Land therein mentioned in Jeremiah and Robert Field, sons of William Field.

A Bill for raising Money by a Lottery for the purpose of building a House for the reception of the Poor in Craven County.

A Bill for removing the place of holding the Courts in the County of Sullivan.

A Bill for establishing the dividing line between the Counties of Burke & Rutherford.

A Bill to direct the Commissioners appointed to sell Confiscated property, to collect the debts due to confiscated Estates, and to enable certain persons therein described to obtain Titles to their Lands.

Received from the Senate the following Bills, viz.:

A Bill for altering the manner of holding the annual Elections for the County of Hyde.

An additional Bill to an Act entitled "an Act for the regulation of the Town of NewBern and for other purposes."

A Bill for improving the Navigation to NewBern.

A Bill to alter the time of holding the County Court of Pleas and
Quarter Sessions in the County of Mecklenburg, and a Bill for the promotion of learning in that County, severally endorsed in Senate, “read the second time and passed.”

Received also, a Bill to erect and establish an Academy in the County of Franklin. Endorsed in Senate, “read the third time & passed.

The Bill to amend an Act entitled “an Act to amend an Act entitled ‘an Act for ascertaining what property in this State shall be deemed Taxable property, the method of assessing the same and Collecting public Taxes,’” was read the Second time, amended, passed & sent to the Senate.

On reading this Bill Mr. Spaight proposed that all that part relative to classing Lands should be dealed and the following would be substituted as an amendment, viz.: “That all Lands shall be Taxed by the hundred acres and so in proportion for a greater or less quantity.”

This being objected to the question was put and carried in the affirmative, whereupon, the Yeas and Nays were required by Mr. William T. Lewis, which are as follows, viz.:


Received from the Senate a Resolve of that House directing the Treasurer to advance Matthew McClure the Sum of four hundred pounds, which, being read, was concurred with by this House.

On motion of Mr. Davie, Resolved, That the Door-keeper shall be allowed to receive one Shilling of each member of this House when he shall be ordered after any absent Members on a call thereof.
On the question to agree to this Resolve the Yeas and Nays were required by Mr. Spaight, which are as follows, viz.:


Received from the Senate the following Bills, viz.:

A Bill for the more expeditious recovery of Stolen Horses.
A Bill for the relief of George Laine Moore and William Jones.
A Bill to amend and alter the Court System.
A Bill to prevent the selling of Goods, Wares or Merchandize for hard money, &c.

A Bill to adopt a mode whereby each County shall defray the expense of their own Members in the General Assembly of this State, severally endorsed in Senate, "read the first time & passed."

Received from the Senate a Bill to establish the late Survey and plan of the town of Tarborough as made and laid down by the directions of the Commissioner, &c. Endorsed in Senate "read the Second time and passed."

A Bill for Erecting an Academy at the Town of Warrenton in the District of Halifax. Endorsed in Senate, "read the third time and passed."

Received from the Senate a Resolve for dissolving the Sub-Committee to whom was referred the Papers relative to Indian Affairs and for appointing a Committee to prepare & bring in a Resolve expressive of the sense of the Legislature with respect to the late Cherokee and Choctaw Treaties, which, being read, was rejected.

Mr. Maclaine from the Committee to whom was referred Sundry papers respecting Indian Treaties and Indian Affairs delivered in a Report, which, being read, was ordered to lie on the Table for Consideration.

The Bill for levying a Tax for the support of Government and
for the redemption of old Paper Currency Specie, Continental Money and Specie and other Certificates, was read the second time, amended, passed and sent to the Senate.

On reading this Bill Mr. McDowell proposed as an amendment thereto, that the blank, wherein, the sum to be paid in Money on each Hundred acres of Land should be filled up with the words “two shillings and six pence,” which was objected to, the question being put was negatived, whereupon the Yeas and Nays were required by Mr. McDowell, which are as follows, viz.:


The Bill to establish a Town on the East side of the North East of Cape Fear River in Duplin County, was read the first time, passed and sent to the Senate.

Received from the Senate the Report of the Committee on the Claim of Hugh Torrence, Sheriff of Rowan County, and the Report of the Committee on the Memorial of Thomas Harris. Endorsed in Senate, “read and concurred with,” which report being read the second time was concurred with by this House.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

The Senate have added Generals Rutherford and Gregory to the Committee appointed to examine the State Prisoners.

Mr. Speaker & Gentlemen:

We propose that the General Assembly ballot to-morrow Evening at 4 O’Clock for a Continental Delegate in the room of Charles
Johnston, Esquire, resigned, for the three Councillors of State yet to be Elected, and for the place where the next Assembly shall be held. We nominate for a Delegate as aforesaid Stephen Moore, John B. Ashe, William Walters and William Sharpe, Esquires.

For Councillors Robert Bignall, Thomas Rutledge, Miles King, Isaac Guion, William McClure, Spyers Singleton and John Nelson, Esquires, and for the place of holding the next General Assembly, the Towns of Tarborough, Fayetteville, Salisbury and New Bern. Mr. Macon & Mr. Lewis are appointed on the part of this House to superintend the balloting.

Should you agree to this measure you will please signify the same by Message.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to ballot as by you proposed and have added to the nomination for Councillors, Joseph McDowell and James Sampson.

Received from His Excellency the Governor a Message, which, being read was ordered to lie on the Table until To-morrow.

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

Wednesday 20 December, 1786.

The House met according to Adjournment.

The House resumed the Consideration of the Message received from His Excellency the Governor, of yesterday, in the words following, viz.:

To the Honorable the General Assembly,

Gentlemen:

I have the Honor to lay before you the Journal of Congress from the 7th of November, 1785, to the 3rd of November, 1786, with sundry Dispatches of a Public nature, from Congress and the Board of Treasury which came to hand this day.

R. CASWELL.

Fayetteville, December 19, 1786.

At the same time received the Journal of Congress & public dispatches referred to in His Excellency's Message, which, being read, the following Message was ordered to be sent to the Senate.

Mr. Speaker & Gentlemen:

We herewith send you a Message from His Excellency the Gov-
ernor, resolutions of Congress and dispatches from the Board of Treasury, which we propose referring to a Joint Committee, and have for that purpose on our part appointed Messrs. Davie, Spaight, Hooper, J. G. Blount, Hay, Maclaine, and McDowell.

Mr. Hay, from the Joint Committee to whom was referred the petitions of divers Inhabitants of Orange & Guilford counties, delivered in the following Report, viz.:

The Joint Committee of both Houses to whom was referred the petitions of divers Inhabitants of Orange and Guilford counties.

Having taken the same into Consideration, beg leave to report.

That your Committee conceiving the allegations in two of the said petitions contained to be well founded are of opinion that the prayer thereof ought to be granted.

Your Committee having read the petition of a certain Elizabeth Shaw from Guilford county complaining of suffering under the operation of the Confiscation Law as carried into effect by the Commissioners of Salisbury District do not find any evidence to support the allegation thereof, which is submitted.

JOHN HAY, Chn:

The House taking this Report into Consideration concurred therewith.

Mr. Hooper moved for leave and presented a Bill to vest a title in the Lands therein mentioned in the persons therein named, which was read the first time passed & sent to the Senate.

Ordered that the following Message be presented to His Excellency, the Governor, viz.:

To His Excellency Richard Caswell, Esquire, Governor, Captain General, &c., &c.:

Sirr:

You have been again Elected by the Suffrages of the representatives of a free people on the 16th instant, to the important office of Governor and Chief Magistrate for the ensuing year. It is therefore the wish of the two Houses that you qualify to that office and take upon yourself the exercise of the powers thereto annexed on Saturday next at 12 O'Clock.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send a Message addressed to His Excellency, the
Governor, should it meet your approbation. Messrs. Polk & Winslow with such of your Body as you may appoint, will attend and present him with the same.

Received from the Senate the report of the Committee on the petition of James Christian. Endorsed in Senate, "read & Concluded with," which, being read, was Concluded with by this House.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We do not agree that the Committee for examining the prisoners, &c., and the Sub Committee No. 4, should be directed to report at the time by you proposed.

Received from the Senate the petition of Robert Bogle. Endorsed, "read & referred to the Committee of Petitions and Memorials," which, being read, was referred as by the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The Senate have appointed Messrs. Macon & Galloway who will act jointly with such Gentlemen of your Body as may be appointed to cause to be burned, and destroyed all such Sums of old State Dollars Money as may be delivered into the Assembly during the present Session, and make report of their proceedings therein.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

Messrs. Long, Neal, Hall & W. Hawkins, will act with the Gentlemen by you appointed a Committee to receive & destroy the old State Dollar Bills.

Received from the Senate the following message:

Mr. Speaker & Gentlemen:

We propose that the petition of William Graves and Elijah Hunter, which at present stand referred to the Grand Committee, be withdrawn from them and referred to the Committee of Propositions and Grievances.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the petition of William Graves and Elijah Hunter be withdrawn from the Grand Committee & referred as by you pro-
posed, and propose that the Petition of the Inhabitants of Fayette-
ville be withdrawn from the Grand Committee & referred to the
Committee of Propositions and Grievances.

Received from the Senate a Resolve of that House directing the
Comptroller not to receive any Certificates which may be offered
him by the Commissioners of Certificates & others that have been
issued since the last Assembly, which being read, was rejected,
whereupon the following Message was ordered to be sent to the
Senate:

Mr. Speaker & Gentlemen:

We have rejected the Resolve of your House directing the Comptroller not to receive from the Commissioners of Confiscation and others any Certificates Granted and issued since last Session of Assembly, as we suppose the evil you wish to guard against is already provided for by a Resolution of the fourth instant "directing His Excellency, the Governor, to issue a Proclamation informing all public officers that it is the sense of the General Assembly that no due Bills or certificates issued since the first Day of January, 1786, "shall be received in payment for any arrears due, &c."

The Bill for cutting a Navigable Canal from the Waters of Pasquotank River in this State, to the Waters of Elizabeth river in the state of Virginia, was read the first time, whereupon a motion was made by Mr. Spaight, Seconded by Mr. McKinne, that this Bill be laid over to the next General Assembly, and that in the interim the public printer be directed to print three Copies for each of the counties in this State, and cause the same to be transmitted to each Member in each county to the end that the same may be submitted to and maturely considered by the inhabitants of the respective counties in order that they may instruct their representatives with respect to the propriety of passing or not passing the same into a Law. This motion being objected to, the question was put and carried in the affirmative, whereupon the Yeas and Nays were required by Mr. Willis, which are as follows, viz,:


Received from the Senate a Resolve of that House allowing Hugh Torrens Eighty-one pounds fourteen Shillings & two pence, & directing the Treasurer to pay the same, which, being read was concurred with by this House.

Received from the Senate the petition of Thomas Frohock, the petition of John Kendrick and the Memorial of James MacDonald. Endorsed in Senate, "read & referred to the Committee on Memorials and Petitions," which, being read, were referred as by the Senate.

Received from the Senate the petition of George Mitchell. Endorsed "in Senate, read and referred to Messrs. Armstrong, Eaton, and Campbell," which, being read, was referred on the part of this House to Messrs. Blount, Grant and Long.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The Senate have received and rejected the report of the Committee to whom was referred the representation of Capt. Robert Fenner, agent of the late North Carolina Line. And now propose that Captain Fenner's Papers as agent aforesaid, be submitted to the consideration of a Special Committee, who shall report what allowance in their opinion Captain Fenner shall be considered as justly entitled to in consequence of his appointment as agent pursuant to a Resolution of Congress, and who shall also report such further measures as they deem necessary relative to the Certificates of which Captain Fenner, as agent, hath taken charge, for which purpose we have appointed on our part Messrs. Gallaway, Stokes, McCawley and Brown, a Committee.
Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House cannot agree with the Senate in referring the Papers of Robert Fenner, as agent, &c., to a select Committee, but propose that they be referred to the Committee to whom was referred the petition of the officers of the late Continental line of this State.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the Message herewith sent you be presented to His Excellency the Governor, instead of the one sent us from your House, we have been induced to do so, from a belief that as the time for which the Governor of this State under his former appointment can of right hold and exercise the powers & authorities of that office will not expire until May next. It was necessary the Message now to be sent him should be more explicit.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received your Message relative to the Message to be presented to the Governor, with which we do not concur, conceiving the same grounded in a mistaken belief as to the time of his continuance in office.

Mr. Davie moved for leave and presented a Bill for the support of Government and for appropriating the revenues of the State, which was read the first time, passed and sent to the Senate.

Received from the Senate the representation of the Honbl. Timothy Bloodworth and Jas. White, Esquires, late Delegates in Congress, which were read.

The House adjourned 'til 4 O'clock.

The House met according to adjournment.

Mr. Polk from the joint Balloting for a Delegate, three Members of the Council of State and the place at which the next General Assembly shall be held,

Reported, that by a Majority of the Votes of both Houses of the General Assembly,

The Honorable John B. Ashe, Esqr., was elected Delegate.

That Tarborough is the place appointed for holding the next General Assembly at.
That no Gentlemen in nomination for Councillors had a Majority of Votes, so that the three Members of the Council are yet to be Elected.

The House taking the Report into Consideration, Concurred therewith.

Received from the Senate a Bill for adding part of Craven county to Dobbs county. Endorsed "in Senate, read the first time and passed.

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

Thursday, 21 December, 1786.

The House met according to adjournment.

Received from the Senate the following Bills, viz:

A Bill for the support of Government & for appropriating the revenues of the State.

A Bill to direct the method to appoint Jurors and Surveyors to run out disputed Lands.

A Bill to establish a Town on the East side of the Northeast of Cape Fear River in Duplin county.

A Bill to vest a title in the lands therein mentioned in the persons therein named. Severally endorsed "in Senate, read the first time and passed."

Received from the Senate a Resolve of the House, directing Thomas Harris, Sheriff of Mecklenburg county, to pay into the hands of the Treasurers one hundred & seventy-two pounds, which, being read, was concurred with.

Received from the Senate the two following Messages:

Mr. Speaker & Gentlemen:

We agree that the petition of the Inhabitants of Fayetteville be withdrawn from the Grand Committee and referred as by you proposed.

Mr. Speaker & Gentlemen:

We agree that the Message of yesterday from His Excellency, the Governor, and the public dispatches accompanying it, be referred to a special Committee, and have appointed Messrs. Harget, Hemdon, Brown, Stokes, Gallaway and Stone, a Committee, who will act with the Gentlemen by you appointed for this purpose.

Received from the Senate a Resolve of that House directing Hugh
Torrence, Sheriff of Rowan county, to take into his possession the property of William Turner, who is charged with having murdered John Latshaw, which, being read, was rejected.

Received from the Senate the Report of the Committee to whom was referred the papers of John Beck. Endorsed "in Senate, read and Concluded with," which being read, was concurred with.

On motion of Mr. Hooper, seconded by Mr. Davie, Resolved that the Attorney General be requested to allow the Sub Committee of Finance No. 4, commonly called the Hundred Thousand pound Committee, to give advice respecting the Subject Matter to them referred.

The Bill to prevent doubts as to the rights of Sovereignty and Jurisdiction in and over the counties of Washington, Sullivan, and Greene, and to Consign to oblivion the misconduct of the Citizens within the same, was read the first time, passed and sent to the Senate.

Mr. Wyatt Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report:

Your Committee of Propositions and Grievances to whom was referred the petition of Andrew Canady, Report:

That on examining the several papers laid before them, it appears by the affidavit of said Canady that he lost a Certificate to the amount of one hundred and sixty-four pounds four shillings, also a note of hand from Cornelius Morris to him for the sum of five pounds. It also appears to your Committee by the deposition of Cornelius Morris, that some time after the said Canady had told him he had lost the above mentioned Certificates he the said Morris was hunting in the woods near the place where the said Canady had told him he expected the Certificate was lost together with a note on him for five pounds, and that he found a bundle of papers in which was the said note, but that the other papers were so rotten that they could not discover what they were. Under these circumstances your committee think there is a great probability of the Certificates being among the rotten papers, and that they are actually destroyed, therefore submit the facts to your Honorable Body to take such order, therefore as to you may appear just, all which is submitted.

WYATT HAWKINS, Ch'n.
The foregoing Report being read,

Resolved, that the Comptroller be directed to issue a Certificate for the sum within mentioned to the said Canady, and that the said Comptroller be also further directed to check the same and make mention therein of its being issued in pursuance of this Report.

The Bill directing the mode of proceeding upon Impeachments was read the Second time, amended, passed and sent to the Senate.

Received from the Senate a Bill to authorize the Commissioners of Bertie to Collect the Arrearages of the Specific Tax for the years 1780, 1781, 1782. Endorsed, “read the first time, passed,” and a Bill to alter and amend an Act passed at Hillsborough in May 1783, entitled “an Act for repairing the Court House and prison in the Town of Salisbury,” &c. Endorsed, “read the Second time, amended and passed.”

The Bill prescribing the method of admitting attorneys to practice in the several Courts of Law and Equity in this State, and ascertaining how they shall be tried for misbehaviour, was read the second time, amended, passed and sent to the Senate.

Ordered that Mr. Cox have leave to absent himself from the service of the House until Monday next.

Received from the Senate a Bill to impose a duty on all Slaves brought into this State by Land or Water, and a Bill to prevent doubts as to the right of Sovereignty and Jurisdiction in and over the Counties of Washington, Sullivan & Greene.

Endorsed, “read the second time, and passed.”

Received also a Bill prescribing the method of admitting attorneys to practice, &c. Endorsed, “read the second time, amended and passed.”

The Bill to amend an Act entitled “an Act to empower the County Courts of Pleas and Quarter Sessions in 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,” was read the second time, passed and sent to the Senate.

Received from the Senate a Bill for empowering the Court of Chatham County to adjourn to the Town of Pittsburg. Endorsed, “read the first time and passed.”

The Bill for improving the Navigation to New Bern was read the third time, passed & sent to the Senate.
The Bill to emancipate Hannah, alias Hannah Bowers, a person of mixed Blood belonging to the estate of the late Alexander Gaston, deceased, was read the second time, passed & sent to the Senate.

An Additional Bill to an Act entitled "an Act for the regulation of the Town of New Bern, and for other purposes," was read the second time, passed and sent to the Senate.

The Bill to extend two Acts passed at the last General Assembly held at New Bern to the County of Chatham, was read the second time, passed & sent to the Senate.

The Bill for the relief of George Laine Moore and William Jones was read the first time, passed and sent to the Senate.

Mr. Sitgreaves presented the Memorial of His Excellency Richard Caswell, Esquire, which, being read was referred to Messrs. Sitgreaves, Cabarrus, Blount and Davie on the part of this House.

Mr. P. Hawkins moved for leave and presented a Bill for keeping open Cape Fear, Deep River & Rocky Rivers for the passage of Fish up the same, which was read the first time, passed & sent to the Senate.

Mr. Sitgreaves moved for leave and presented a Bill to alter the time of holding the annual Assemblies of this State, which was read the first time, passed and sent to the Senate.

Mr. Hamilton moved for leave and presented an Additional Bill to an Act entitled "an Act to prevent the several Species of Hunting therein mentioned," which was read the first time, passed & sent to the Senate.

Mr. Sitgreaves moved for leave and presented a Bill for enabling Executors and Administrators to make a speedy settlement of their accounts, which was read the first time, passed & sent to the Senate.

Mr. Grant presented the petition of Sundry People, Inhabitants of Carteret County, which, being read, Mr. Grant moved for leave and presented a Bill to add part of Carteret County to the County of Onslow, which, being read, was laid over until the next Assembly.

Mr. Grant presented the Claim of Samuel Clegg, which, being read, was referred to the Committee of Claims.

Received from the Senate the resignation of John Jackson as a Justice of the Peace and Lieutenant Colonel of Anson County. Endorsed in Senate, "read and accepted," which, being read, was accepted by this House.
The Bill to adopt a mode whereby each County shall defray the expense of their own Members in the General Assembly of this State, 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. Phifer, which are as follows, viz.:


Received from the Senate the Report of the Committee on the Petition of Andrew Canady and the Resolution of this House in consequence thereof. Endorsed in Senate, “read and concurred with.”

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

Friday, 22 December, 1786.

The House met according to adjournment.

Mr. Joseph Stewart presented the Petition of John Copeland, which, being read, was referred to the Committee on Petitions and Memorials.

Mr. Dickens presented the resignation of John Beck as a Justice of the Peace for Duplin County, which, being read, was accepted by this House.

Resolved, That the following persons who served as a Guard under the command of Mr. Adams Sanders in bringing to Fayetteville Wynn Dixon, be allowed for such service as follows, viz.:

Martin Cole, three pounds twelve Shillings.
John Carigan, three pounds twelve Shillings.
James Bartin, three pounds twelve Shillings.
William Cummins, three pounds twelve Shillings.
That the Treasurer pay the same and be allowed therefor in the settlement of his public Accounts.
The Bill for dividing the County of Sullivan was read the first time, passed and sent to the Senate.

The Bill for erecting a Prison in the County of Franklin was read the second time, passed and sent to the Senate.

A Bill for the removal of the place for holding Courts of Pleas and Quarter Sessions in the county of Washington, for appointing Commissioners to fix on the most convenient place for the same, was read the first time, amended, passed and sent to the Senate.

The Bill for removing the place of holding Courts in the county of Sullivan, was read the first time, passed and sent to the Senate.

Received from the Senate a Bill for erecting Bogue Bar and New river Inlets into a distinct Port by the name Swansborough. Endorsed "in Senate, read the second time and passed," and

A Bill for the relief of George Laine Moore and William Jones. Endorsed, "read the first time and passed."

Received from His Excellency, the Governor, the following Message of yesterday's date:

To the Honorable, the General Assembly:

Gentlemen:

Upon application of the late Richard Henderson, Esquire, who was one of the Commissioners for extending the Boundary line between this State and the Commonwealth of Virginia, I borrowed of Captain Lustre, then at New Bern, one Hadley's quadrant, and of Messrs. Thomas and Titus Ogden, an Azimuth Compass, these Instruments were made use of by the Commissioners on extending the line aforesaid. And altho' every enquiry has been made on the frequent importunities of the owners, I have not been able to obtain them again or any satisfactory Account where these Instruments are. I therefore submit to the Legislature the propriety of making an allowance to the proprietors agreeable to the Tenor of the Act of Assembly passed in the year 1779, entitled "an Act for extending the Boundary line between this State and the Commonwealth of Virginia."

Capt. Lustre's account is herewith laid before you, the Compass I am told was a very good one. I presume the owners will be satisfied with such allowance as the public shall think proper to make.

R. CASWELL.

Fayetteville, 21 Dec. 1786.
Ordered that the Claim referred to in his Excellency's Message be referred to the Committee of Claims.

Received from His Excellency, the Governor, the following Message:

To the Honorable, the General Assembly:

Gentlemen:

I have the Honor to lay before you for your information and consideration, a Letter from Mr. Thomas Amis, his Deposition, his account of Sundries deposited in the Public Stores at Fort Natchez, and his passport from the Commandant of this Fortress.

These matters, however trifling they may appear on the first view, on due Consideration I persuade myself, will evince the necessity of giving your Delegates in Congress, some instructions respecting the Navigation of the Mississippi, as that is an object of very great importance and remaining undetermined by Congress.

R. CASWELL.

Fayetteville, 22 Dec. 1786.

Ordered that the above Message and subject matter therein mentioned and the papers relative thereto be referred to the Committee to consider of the Communications from Congress.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the representation of the Hon. Timothy Bloodworth and James White, Esquires, be referred to the Committee appointed to consider of the Communications from Congress.

Received from the Senate the petition of Samuel Clegg, and the petition of John Copeland. Endorsed "in Senate read and referred as by the House of Commons."

Received from the Senate the Resolve of this House allowing certain persons who served as a Guard under Mr. Adams Sanders, the several Sums therein mentioned Concurred with.

Received also the two Messages from His Excellency, the Governor, the one covering the Claim of Capt. Lustre, the other the letter and Deposition of Thomas Amis, &c. Endorsed, "read & referred as by the Commons."

Received from the Senate the following Bills, viz:

A Bill to keep open Cape Fear, Deep River, Haw River & Rockey River, &c.
A Bill for enabling Executors and Administrators to make speedy Settlement of their Acco'ts.

A Bill to alter the time of holding the annual Assemblies of this State.

A Bill for purchasing Arms and Military Stores, and for establishing a Magazine.

An Additional Bill to an Act entitled "an Act to prevent the several Species of Hunting therein mentioned." Severally endorsed in Senate, "read the first time and passed," and

A Bill for removing the place of holding the Courts in the county of Sullivan.

A Bill to emancipate Hannah, alias Hannah Bowers, &c.

A Bill for dividing the county of Sullivan.

A Bill for annexing part of the county of Craven to Pitt county.

A Bill for removal of the place for holding Courts in the county of Washington.

A Bill to repeal the thirteenth Section of an Act passed at New Bern in October, in the year 1784, entitled "an Act for raising a public revenue for the support of Government," &c. Severally endorsed, "read the Second time and passed."

Received also a Bill to extend two Acts passed at the last General Assembly held at New Bern, concerning the County Wardens of the Poor & Tobacco Inspection to the County of Chatham. Endorsed, "read the third time & passed."

Received from the Senate the resignation of John Beck. Endorsed, "read and accepted."

The Bill to amend and alter the Court System, was read the Second time, amended, passed & Sent to the Senate.

On reading this Bill, Mr. Spaight moved & was seconded, that the clause increasing the Jurisdiction of Justices of the Peace out of Court should be struck out of the Bill, which was objected to.

The question being put was Negatived, whereupon the Yeas & Nays were required by Mr. Spaight, which are as follows, viz :


Nays.—Messrs. J. G. Blount, Ferebee, Hay, Creecy, Fulford, Whitfield, Polk, Dickens, Hall, Dauge, Anderson, Richardson,

Mr. Maclaine proposed, as a further amendment to this Bill in the clause directing the duty and defining the powers of the Judge, that the words "to relate their opinion or doubt thereon to the next General Assembly that whatever doubt arising between the construction of Law and the Constitution should be expunged and the words following substituted in lieu thereof to wit, "but shall decide according to the true spirit and meaning of the Constitution and the General Laws of the Land," this being objected to, the question was put and Negatived, whereupon the Yea and Nays were required by Mr. Maclaine, which are as follows, viz:


The House adjourned 'til 5 O'clock.

The House met according to adjournment.

The Bill to prevent the selling of Goods, Wares or Merchandise, for hard Money only, and to prevent the depreciation of the paper Currency, was read the first time, passed and sent to the Senate.

On the question, shall this Bill pass, the Yeas and Nays were required by Mr. Cabarrus, which are as follows, viz.


Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the Sub-Committee appointed by the Grand Committee to consider of the present modes of Administering the Laws of this State be appointed to consider of complaints to be alleged against the Judges in their official Character, that the said sub-Committee be considered as the Committee of the Assembly, and that they proceed immediately to this enquiry and make report as soon as the nature of the business will admit.

Mr. Sitgreaves presented a representation of the Inhabitants of the Town of New Bern, complaining of the Conduct of the Judges, which, being read, was referred to the Sub-Committee appointed to Consider of the mode of Administering the Law, &c., of this State.

Resolved, that any person whatsoever, that have any charges to exhibit against any of the Judges of this State for any Misconduct in office, be directed to introduce and exhibit the same into this House before twelve O'Clock To-morrow, to be referred to the Sub-Committee appointed to consider of the present mode of Administering the Law, &c., of this State, who shall receive the same, and cause such charges to be reduced to writing, together with every Circumstance relative thereto, and to be delivered into the hands of the Judges, that they may, if they think proper, appear before the Committee appointed to examine such charges.

Mr. Spaight moved for leave, and presented a Bill to amend an Act entitled "an Act for the more regular collecting, payment of and accounting for the Public Taxes," which was read the first time, passed & sent to the Senate.
The Bill for altering the names of Walter Hogg and Gavin Hogg to Walter Alves and Gavin Alves, was read the Second time, passed and sent to the Senate.

The Bill to vest the title of a piece or parcel of Land lying in Jones county in Howel Brown and his heirs in fee Simple, 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 & sent to the Senate.

The Bill to emancipate Hannah, alias Hannah Bowers, a person of mixed Blood belonging to the late Alexander Gaston, deceased, was read the third time, passed and sent to the Senate.

Mr. McKinne presented the petition of William Sanders Lancaster, which, being read, Mr. McKinne moved for leave & presented a Bill to vest the title of certain Negroes therein mentioned in William Sanders Lancaster, which was read the first time and rejected.

The Bill for establishing the dividing line between the counties of Burke and Rutherford, was read the first time, passed and sent to the Senate.

The Bill for empowering the Court of Chatham county to adjourn to the Town of Pittsborough, was read the first time, passed & sent to the Senate.

The Bill to vest in Trustees certain powers for the benefit of Elizabeth Torrens and her Children, was read the first time, passed & sent to the Senate.

The Bill for the more expeditious recovery of Stolen Horses, was read the first time, passed and sent to the Senate.

The Bill to repeal part of an Act passed at New Bern the 29th Day of December, 1785, entitled "an Act for destroying Wolves, Wild Cats, Crows and Squirrels" in the several Counties therein, was read the first time, passed & Sent to the Senate.

The Bill to amend an Act entitled "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," &c., was read the first time, passed & sent to the Senate.

The Bill to authorize the Commissioners of Bertie to Collect the arrearages of the Specific Tax for the years 1780, 1781 & 1782, was read the first time, passed and sent to the Senate.
Mr. Franklin presented the Petition of John Brown, which, being read was referred to the Committee of Claims.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Mr. Franklin and Mr. Hamilton to the Committee of Propositions and Grievances, and propose that any five of them shall be a quorum.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the representation made by the Honbl. Mr. Bloodworth & Mr. White, Delegates from this State in Congress, be referred as by you proposed.

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

Saturday 23 December, 1786.

The House met according to adjournment.

Received from the Senate the petition of Mr. McKenzie & C. Young. Endorsed "read and referred to Mr. Wynns & Mr. Campbell," which, being read, was referred by this House to Mr. Blount and Mr. Long.

Mr. McKinne presented the Petition of Andrew Bass, which, being read, was referred to the Committee on Petitions and Memorials.

Received from the Senate the Petition of Messrs. Casey and Green. Endorsed, "read and referred to the Committee appointed on the Petition of Mr. KckKenzie & C. Young," which, being read, was referred as by the Senate.

Whereas, it is represented to this General Assembly by Benjamin Williams, Needham Bryan and William Avera, Esquires, Members of the General Assembly for Johnston County, that a certain Henry Finch, one of the Justices of the Peace for the said County, is unworthy of the trust reposed in him as a Justice of the Peace, Therefore,

Resolved, That the said Henry Finch be and he is hereby cited to appear before the next General Assembly to answer such Matters and things as then may be objected against him, and that in the mean time he shall stand suspended from exercising the office of a Justice of the Peace.
STATE RECORDS.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:

The Senate have appointed Mr. Macon and Mr. Galloway who will on their part act with such of your Body as may be appointed to examine & compare the Engrossed Copies of such Bills as may be passed into Laws by the present Assembly.

Mr. Speaker & Gentlemen:

We have approved of the Message by you proposed to be presented to His Excellency the Governor, have caused the same to be signed and have appointed Mr. Galloway & Mr. Wynn on the part of this House to attend and present him with the same.

Mr. Speaker & Gentlemen:

We consent that Captain Fenner's papers as Agent of the late North Carolina Line be referred to the Committee by you mentioned, but propose that this Committee be directed (in addition to the duties enjoined a Select Committee on the part of this House for the above mentioned purposes appointed) to enquire into and report on the receipts and issues of Captain Fenner as Agent aforesaid, and that they deliver in such their report without delay.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Hooper and Mr. Davie to assist the Gentlemen appointed by the Senate to examine the Engrossed Bills.

Received from the Senate a Bill to carry into further effect an Act entitled "an Act for opening the Land Office," &c. Endorsed "read the second time and passed."

Mr. Sitgreaves presented the Petition of James Coor, Esquire, which, being read, was referred to the Committee on Memorials and Petitions.

Received from the Senate the Report of the Committee on the Memorial of John Graham, and the Report of the Petition of William Ledford. Endorsed in Senate "read and concurred with," which, being read, was concurred with.

Mr. Holland presented the Petition of John Sloan, which, being read, was referred to the Committee of Propositions and Grievances.

The Bill to extend two Acts passed at the last General Assembly
held at New Bern concerning the County wardens of the Poor and Tobacco Inspection to the Counties of Chatham, Camden and Currituck, was read the third time, passed & ordered to be Engrossed.

Received from the Senate the Petition of Mrs. Clara Salter, which, being read, was referred to the Committee on Memorials and Petitions.

Received from the Senate the report of the Committee on the Petition of John Hinton. Endorsed in Senate "read & concurred with," which, being read and amended by adding the following words, viz.:

"Resolved, That the Comptroller issue such Certificate accordingly," was Concluded with by this House.

The Bill to alter and amend an Act passed at Hillsborough in May, 1788, entitled "an Act for repairing the Court House and prison in the Town of Salisbury for the District of Salisbury," and also, one other act passed at New Bern, 1784, entitled "an Act for levying a Tax in the Counties of Hillsborough and Salisbury Districts, for the repairing the District buildings in the Towns of Hillsborough and Salisbury & directing the method of calling to account all Commissioners of public buildings heretofore or hereafter to be appointed, also to alter and amend the several Laws now in force for Erecting & repairing the public buildings in the District of Hillsborough," was read the third time, passed & sent to the Senate.

The Bill to confirm unto Richard Dobbs Spaight an indefeasible title to certain Lands therein mentioned in Bladen County, was read the first time, passed & sent to the Senate.

The Bill for annexing part of the County of Craven to Pitt County was read the third time, passed & sent to the Senate.

The Bill for Erecting Bogue Bar and New River Inlets into a distinct port by the name of Swannsbrough, was read the third time, passed & sent to the Senate.

Mr. Holland moved for leave & presented a Bill for appointing Treasurers, which was read the first time, passed and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the Gentlemen who delivered to His Excellency
the Governor, the Message signifying his Election for the ensuing year, again wait on him and acquaint him that the two Houses are now ready to receive him and see him qualify to his office and that on this occasion both Houses assemble in the Commons room.

The Bill to establish the late survey and plan of the Town of Tarborough as made and laid down by the direction of the Commissioners composing the Body politic and Corporate of the said Town, and to amend an Act entitled "an Act for the better regulation of the Town of Tarborough," was read the third time, passed and sent to the Senate.

The Bill for erecting an Academy at the Town of Warrenton in the District of Halifax, was read the third time, passed & ordered to be Engrossed.

The Bill for altering the manner of holding the annual Elections for the County of Hyde, was read the third time, passed & sent to the Senate.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

We agree that the Gentlemen who delivered to His Excellency the Governor the Message signifying his election for the ensuing year shall now attend and conduct him to this place, and that on this occasion the two Houses assemble as by you proposed.

Mr. Speaker & Gentlemen:

We agree that the sub-Committee appointed to consider of the present mode of administering the Laws of this State shall be considered as the Committee of this Assembly, that they consider of such Complaints as have been or may be alleged against the Judges in their official Character, and that they proceed as by you proposed to make enquiry and report. We have not concurred with your resolution limiting the time in which charges to be exhibited against the Judges shall be delivered in to the Assembly, but propose that you amend it by prolonging the time therein mentioned to Monday next 12 O'clock.

We have added Messrs. Macon, Stokes and Gallaway to the sub-Committee above mentioned.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree to prolong the time in which charges shall be exhibited
against the Honbl. the Judges until Monday as by you proposed and have made the Resolve of our House on that head conformable thereto.

Ordered that the following Message be sent to His Excellency the Governor:

To His Excellency, Richard Caswell, Esquire, Governor, Captain General, &c., &c.:

The General Assembly being informed that you were about to leave this place suggest to your Excellency that the situation of the public business is such as will render your stay some few Days longer absolutely necessary.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send for your Concurrence a Message addressed to His Excellency the Governor. Should it meet your approbation Mr. Winslow will on the part of this House attend and present the same.

Received from the Senate, the Petition of John Sloan, the Petition of Andrew Bass, the Petition of John Brown & the Petition of Mrs. Clara Salter, severally endorsed, “read and referred as by the Commons.”

Received from the Senate the following Bills, viz.:

A Bill to repeal part of an Act passed at New Bern the 29th of December, 1785, entitled “an Act for destroying wolves,” &c.

A Bill for establishing the dividing line between Burke and Rutherford Counties.

A Bill to authorize the Commissioners of Bertie to collect the arrearages of Specific Taxes, &c.

A Bill for empowering the Court of Chatham County to adjourn to the Town of Pittsborough.

A Bill for altering the names of Walter Hogg and Gavin Hogg to Walter Alves and Gavin Alves.

A Bill for the more expeditious recovery of Stolen Horses, severally endorsed, “read the Second time & passed.”

Received also a Bill for establishing a Town on the Land of R. Fagin in the County of Moore, &c. Endorsed “read the first time & passed.”
STATE RECORDS.

Received from the Senate the representation of the Inhabitants of the Town of New Bern complaining of the conduct of the Judges. Endorsed in Senate, "read & referred as by the House of Commons."

The Bill to impose a duty on all Slaves brought into this State by land or water, was read the third time, amended, passed and sent to the Senate.

Received from the Senate a Letter from the Honbl. Judge Ashe, which, being read, was referred to the Committee appointed to consider of the mode of Administering the Law, &c., of this State.

Received from the Senate the Petition of James Coor. Endorsed "read and referred as by the House of Commons."

Received from the Senate a Bill for appointing Treasurers. Endorsed in Senate "read the first time and passed."

A Bill to vest in Trustees certain powers for the benefit of Elizabeth Torrens & her Children. Endorsed "read the second time & passed."

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We approve of the addition by you made to the Committee of Propositions and Grievances, and consent that the Member of that Committee by you mentioned be considered as a quorum.

Received from the Senate the Resolve of this House citing Henry Finch to appear at the next Assembly, & in the mean time suspending him from the exercise of the office of a Justice of the Peace.

Ordered that the Treasurer attend this House on Monday Morning next to confront the charges reported against him by the secret Committee, and that in the mean time the Clerk of this House furnish the said Treasurer with a Copy of all depositions relative to the said charges so far as the same are in the possession of this House.

The Senate and Commons, according to order assembled in conference, the Speakers and Members being seated, the Gentlemen appointed by both Houses to attend and acquaint His Excellency the Governor, that the General Assembly were ready to receive and see him qualify as Governor, accordingly attended and conducted him

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to the place appointed for his reception, where he qualified as Governor by taking the oath of Allegiance, and also an oath of office.

The House Adjourned 'til Monday Morning 10 O'clock.

Monday, 25th December, 1786.

The House met according to adjournment.

Mr. Wood presented the petition of Dennis McClendon, which, being read, was referred to the Committee of Propositions and Grievances.

The Bill for the relief of George Laine Moore and William Jones, was read the second time, passed and sent to the Senate.

Mr. McDowell moved for leave, and presented a Bill to enable William Moore, late Sheriff of Burke county, to collect all the Taxes due from the said county for the year 1785, and to allow him a further time for settling for his collections with the Treasurer, which was read the first time, passed and sent to the Senate.

The Bill for raising Money to buy a Lottery for the purpose of building a House for the reception of the Poor in Craven county, was read the second time, amended, passed and sent to the Senate.

Mr. Phifer presented the resignation of David Reese as a Justice of the Peace for Mecklenburg county, which, being read, was accepted.

Mr. James Robertson moved for leave, and presented a Bill for dividing the county of Davidson into two counties, which was read the first time, passed, and sent to the Senate.

Mr. Cabarrus, from the Committee to whom was referred the examination of the State Prisoners delivered in the following Report, viz.:

Your Committee to whom was referred the Examination of the State prisoners.

Report, That they have taken the several depositions as well of the prisoners as the witnesses. That additional charges appears against John Bonds, Esquire, by the depositions marked No. 3, 4, and 10, and also against the Treasury office and one of the Commissioners of Army accounts by the Depositions No. 2, 5, 7, 8, and 10 and 15.

The Depositions No. 1, 5, 6, 11, 12 and 13, containing charges
against William Sanders, Charles Dixon, Wynn Dixon, John Marshall and others, to all which Depositions the Committee beg leave to refer the House.

As the examinations are now gone almost through, with respect to those persons already apprehended or accused, your Committee beg leave to refer the House to the opinions of the Attorney General relative to their being held to Jail or Bailed, the proper mode, time and place of prosecution and trial, all which is submitted.

S. CABARRUS,
F. HARGET,
GRiffith Rutherford,
Isaac Gregory,
James Gillespie,
James Martin,
A. Neal.

The House taking this Report into Consideration, Concurred therewith.

Mr. J. G. Blount presented the petition of Josiah Parker, which, being read, was referred to Messrs. Blount, Phifer and Holland, on the part of this House.

Received from the Senate a Bill to amend an Act, entitled “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,” &c., and

A Bill to vest the title of a piece of Land or parcel of Land lying in Jones' county, in Howell Brown & his Heirs in fee Simple. Endorsed in Senate, "read the Second time and passed."

Resolved, that the several persons apprehended and charged with the Crimes of fabricating false accounts, and being concerned in wrongfully and fraudulently procuring claims to be passed in the Commissioner's office of Army accounts and thereby drawing Monies out of the Treasury of this State be admitted to Bail on giving proper Security for their personal appearance at a Court of Oyer and Terminer, to be held at Warrenton on the last Monday in January next, and also for the Security and forthcoming of their respective estates agreeable to a Resolve entered into by the General Assembly at this Session on the Twenty-fifth of November last,
such Security to be given before one or more of the Judges of the Superior Courts, and that the Clerk of this House be directed to deliver the Depositions taken against such persons and all the papers thereto relating to the said Judges who are hereby requested to proceed accordingly.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Messrs. McKenzie and Sitgreaves to the Committee for examining the Engrossed Bills.

Received from the Senate the following Bills, viz:

A Bill to emancipate Ceasar, formerly a Servant of Samuel Yeargan, deceased.

A Bill for dividing the county of Davidson into two counties. Endorsed "in Senate, read the first time and passed."

A Bill for raising Money by a Lottery for the purpose of building a House for the reception of the poor in Craven county. Endorsed, "read the Second time and passed," and

A Bill for the relief of George Laine Moore and William Jones. Endorsed, "read the third time & passed."

Received from the Senate the petition of Dennis McClendon. Endorsed, "read and referred as by the Commons."

Received also the resignation of David Reese. Endorsed, "accepted."

Mr. Hooper moved for leave, and presented a Bill to enable the Executors of Robert Hogg to maintain and defend Suits under the regulations therein mentioned, which was read the first time, passed and sent to the Senate.

Mr. Sitgreaves moved for leave, and presented a Bill for laying a Tax on all Seamen coming into the respective ports of this State, for raising a fund for the support of such Seamen, and for the proper appropriation of the same, which was read the first time, passed and sent to the Senate.

The Bill to emancipate Ceasar, formerly a servant of Samuel Yeargan, deceased, was read the first time, passed & sent to the Senate.

Mr. Maclaine moved for leave and presented a Bill to amend the Law relative to attachment of property, which was read the first time, passed and sent to the Senate.
Mr. Maclaine moved for leave, and presented a Bill to amend an Act entitled "an Act directing the mode of proceeding against the real estates of deceased persons where the personal estate is insufficient for the payment of Debts, which was read the first time, passed & sent to the Senate.

Received from the Senate a Bill to enable William Moore, late Sheriff of Burke county, to collect all the Taxes due from the said county for the year 1785, &c. Endorsed "in Senate, read the first time and passed."

The Bill to alter the place of holding the Superior Courts of the district of Morgan, was read the first time and was laid over until the next Assembly.

Mr. Maclaine moved for leave and presented a Bill for allowing to Benjamin Smith a further time for finishing the Causeway over the Great Island opposite to the Town of Wilmington under such regulations and restrictions as therein expressed and declared, which was read the first time, passed and sent to the Senate.

The Bill to direct the Commissioners appointed to sell Confiscated property to collect the debts due to confiscated estates and enable certain persons therein described to obtain titles for their Lands, was read the first time, passed and sent to the Senate.

The Bill to direct the method to appoint Jurors and Surveyors to run out disputed Lands, was read the third time, passed and sent to the Senate.

The Bill to erect a District Court of Law and Equity at Fayetteville was read the second time, amended, passed and sent to the Senate.

Ordered that Mr. Hinton have leave to absent himself from the service of this House.

Mr. Davie from the Committee to whom was referred the proposal of Captain Fenner, Agent, &c., delivered in a report, which, being read, was ordered to lie on the Table until To-morrow.

Received from the Senate the account of Colo. Nicholas Long. Endorsed in Senate "read and referred to the Committee of Claims," which, being read, was referred as by the Senate.

The Bill vesting the power of establishing Towns in this State in the respective County Courts, was read the second time and laid over until next Assembly.
The House adjourned 'til To-morrow Morning 9 O'clock.

Tuesday, 26 December, 1786.
The House met according to adjournment.
Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

In the Report of the Committee appointed to examine the prisoners, &c., of yesterday, that part thereof relative to Colo. Glasgow was ordered by this House to be struck out of the report. It was accordingly done on the Journal, and the Deposition relative thereto withdrawn, but omitted in the report sent for your Concurrence. The House was induced to this from a conviction of Mr. Glasgow's innocence which appeared by Sundry papers produced. We therefore propose that the report so far as relates to him be expunged.

Ordered that a writ of Election issue to the County of Brunswick for the Election of one Member of this House in the room and stead of Major General Robert Howe, Deceased, and that such Election be held on the third Friday & Saturday in January next.

Received from the Senate the Resolve of this House for admitting the Prisoners, &c., to Bail, on their being bound to appear at a Court of Oyer and Terminer to be held at Warrenton. Concluded with.

Received from the Senate the Petition of Josiah Parker. Endorsed in Senate "read and referred to Messrs. Wynns, Hill & Miller."

Received from the Senate the following Bills, viz.:

A Bill to amend an Act entitled "an Act for directing the method of proceeding against the real estates of deceased persons," &c.

A Bill to appoint Commissioners to carry on and finish the public buildings in the County of Anson.

A Bill to amend an Act for the more regular collecting payment of and accounting for the Public Taxes.

A Bill to amend an Act passed at Hillsborough in the year 1782, entitled "an Act to vest the title of a certain Tract of Land in Robert Cummins." Severally endorsed in Senate "read the first time and passed."

The Bill for the support of Government and for appropriating the revenues of the State was read the second time, amended, passed and sent to the Senate.
On motion of Mr. Spaight, Seconded by Mr. Sitgreaves, Resolved that the Sub Committee of Finance No. 2, be instructed to count the ragged money in the hands of the Treasurer that may be unfit to go again into circulation, to burn the same and make report of the Sum so destroyed to the Houses, also that they proceed to punch with a circular punch such warrants on the Treasury and orders of the General Assembly as may have been taken up and paid by the Treasurer and make report thereof.

The Bill to amend an Act entitled "an Act for emitting one hundred thousand pounds paper Currency for the purposes herein mentioned for appropriating the Tobacco lately purchased by virtue of the said act towards discharging the Interest of the foreign debt due by the United States, and for making provision for the future discharge of the principal and Interest of the said debt," was read the Second time, amended, passed and sent to the Senate.

Mr. Jonathan Lindley, one of the Members for Orange county, appeared, was qualified and took his seat.

Whereas, pursuant to a proclamation issued by His Excellency, the Governor, in consequence of a Resolution of this General Assembly, the following officers of the late Continental Line of this State to wit: Hardy Murfree, John Armstrong, Reading Blount, John Nelson, Griffith John McRee, John Ingles, Robert Fenner, William Lyttle, Tillman Dixon, James Read, Thomas Armstrong, Gee Bradley, Thomas Evans, James Tatam, John Ford, John Daves, and Benjamin Coliman, and Dixon Marshall, have attended and borne testimony before a Committee of the Legislature in order to aid, as much as in them lay, the Exertions of this State to detect and bring to punishment all persons concerned in passing fraudulent accounts or Committing frauds upon the Treasury of this State.

Resolved, That the General Assembly entertain a high and proper sense of the laudable conduct, ready attendance and former as well as present public Spirited Exertions of these Gentlemen. and that such of them as are above named and are now attending, be informed by the Speakers of the two Houses of this Resolution and that their attendance is no longer required.

And whereas, Thomas Hogg, Selby Harney, Joseph Montfort, Robert Hays, Nathaniel Williams, Clement Hall, Captain Brevard, Abner Lamb, James Pearl and John Sumners have been prevented
by sickness and other accidents from attending the present General Assembly agreeable to the aforesaid Proclamation,

Resolved, That the General Assembly have a high and proper sense of the laudable and public Spirited conduct of those Gentlemen during the late war and of their readiness to have attended in pursuance of the said Proclamation had the same been in their power.

The Bill to carry into further effect an Act entitled "an Act for opening the land office for the redemption of Specie and other Certificates and discharging the arrears due to the Army, was read the third time, amended, passed and sent to the Senate.

On reading this Bill Mr. Phifer moved as an amendment thereto that the word "fifteen" being the sum to be paid for each hundred Acres of Land to be entered should be expunged and the word "Ten" inserted in lieu thereof, which was objected to. The question being put was Negatived, whereupon, the Yeas and Nays were required by Mr. Phifer, which are as follows, viz.:


Mr. Hay for himself and others moved for leave to protest against the above Bill.

Ordered that Mr. Ransom have leave to absent himself from the service of this House.

The Bill for extending the Boundary Line between this State and the State of South Carolina was read the second time and laid over until next Assembly.

Whereas, the General Assembly of this State have been informed by Letter from His Excellency Governor Moultrie to His Excellency the Governor of this State that the State of South Carolina have appointed Commissioners to act with such as may be appointed by
this State to extend the boundary line between this State and the State of South Carolina, and on consideration of the same,

Resolved, That so soon as proper stipulations and agreements for settling and extending the said Boundary Line between the two States shall be agreed on (which ought on a subject of this great Importance to be previously entered into) Commissioners shall be appointed to settle and extend the line between this and the aforesaid State on principles consistent with the true Interest and meaning of such stipulation with the respective Charter of the said States and the Bill of rights of this State, and that His Excellency the Governor, be requested to notify the same to the Executive of South Carolina together with a Transcript of this resolution.

The House adjourned 'til 4 O'clock.

Met according to adjournment.

Received from the Senate a Bill for the support of Government, &c., and a Bill for establishing a Militia in this State. Endorsed "read the first time & passed."

Received from the Senate the Resolve of this House directing the sub-Committee of Finance to receive of the Treasurer such ragged Money as may not be fit to go in circulation and cause the same to be burnt & destroyed, concurred with.

The Bill for altering the names of Walter Hogg and Gavin Hogg to that of Walter Alves and Gavin Alves, the name of James Mason to that of James Isham, and the name of Jonathan Ballinger to that of Jonathan Parker, was read the third time, amended, passed and sent to the Senate.

Received from the Senate a Resolve of that House directing the Sheriff of Dobbs County to deliver certain property in his possession belonging to certain persons therein described, on Complying with the requisitions therein mentioned, &c., which being read was concurred with.

Received from the Senate the report of a Committee appointed by the last General Assembly to receive of the Treasurer the old State Dollar Bills, &c. Endorsed in Senate, "read and concurred with."

Mr. Dickens moved for leave and presented a Bill to empower the several County Courts therein mentioned, to appoint processions of Land within the same, which was read the first time and was rejected.
The Bill empowering Commissioners to dispose of the Land &
Glebe, the property of St. John's Parish, formerly in the County of
Bute (now in Franklin), was read the second time, amended, passed
and sent to the Senate.

The Bill for inspection of Tobacco at Joseph Green's, in Wayne
County, was read the second time, passed and sent to the Senate.

The Bill to amend an Act passed at Hillsborough in the year
1782, entitled "an Act to vest the title of a certain Tract of Land
in Robert Cummins," &c., was read the first time, passed and sent
to the Senate.

The Bill for dividing the County of Sullivan, was read the second
time, passed and sent to the Senate.

The Bill for a removal of the place for holding Courts of Pleas
and Quarter Sessions in the County of Washington and for appoint-
ing Commissioners to fix on the most convenient place for the same,
was read the second time, passed and sent to the Senate.

Ordered that the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the nomination of Justices of the Peace and
Field Officers shall be made on Thursday next and desire your
concurrence thereto.

The Bill to erect and establish an Academy in the County of
Franklin was read the third time, passed & ordered to be Eng-
grossed.

The Bill for the relief of George Laine Moore and William Jones
was read the third time, passed and ordered to be Engrossed.

The Bill for empowering the Court of Chatham County to ad-
journ to the Town of Pittsburg, was read the second time, passed
and sent to the Senate.

The Bill for removing the place of holding Courts in the County
of Sullivan, was read the second time, passed & sent to the Senate.

The Bill to appoint Commissioners to carry on and finish the
public buildings in the County of Anson, was read the first time,
passed & sent to the Senate.

The Bill for raising Money by a Lottery for the purpose of build-
ing a House for the reception of the Poor in Craven County, was
read the third time, amended, passed & sent to the Senate.

The Bill to vest in Trustees certain powers for the benefit of
Elizabeth Torrens and her Children, was read the second time, passed and sent to the Senate.

The Bill for the promotion of learning in the County of Chatham was read the second time, passed and sent to the Senate.

The Bill to repeal part of an Act passed at New Bern the 29th Day of December 1785, entitled "an Act for destroying Wolves, Wild Cats, Panthers, Bears, Crows and Squirrels, in the several Counties therein mentioned," was read the second time, amended, passed and sent to the Senate.

The additional Bill to an Act entitled "an Act to prevent the several species of hunting therein mentioned," was read the second time, passed and sent to the Senate.

The Bill to enable William Moore, late Sheriff of Burke County, to collect all the Taxes due from the said County for the year 1785, and to allow him a further time for settling for his collections with the Treasurer, was read the second time, passed & sent to the Senate.

The Bill to establish a Town on the East side of the North East of Cape Fear River in Duplin County, was read the second time, passed & sent to the Senate.

Resolved, That the Comptroller settle the accounts of Mr. McKinne, who acted as paymaster to the witnesses summoned against the prisoners, &c.

Received from the Senate the following Bills, viz.:

A Bill to empower the Commissioners therein mentioned to sell the public Lots in the Town of NewBern, &c. Endorsed, "read the first time and passed."

A Bill for empowering the Court of Chatham to adjourn to Pitts-

A Bill to amend an Act passed at Hillsborough in the year 1782, entitled "an Act to vest the title of a certain Tract of Land in Robt. Cummins," &c.

A Bill for the Inspection of Tobacco at Joseph Green’s in Wayne county.

A Bill to appoint Commissioners to carry on and finish the public buildings in Anson county. Endorsed, "read the second time and passed," and

A Bill for dividing the county of Sullivan. Endorsed, "read the third time and passed."
A Bill for establishing a Town on the Land of R. Fagin in the county of Moore, &c., was "read the first time, passed & sent to the Senate."

Received from the Senate the following Bills:
A Bill to amend the Law relative to attachment of property.
A Bill for laying a Tax on all Seamen coming into the respective ports.
A Bill to enable the Executors of Robert Hogg to maintain and defend Suits under the regulations therein mentioned. Endorsed, "in Senate, read the first time and passed."

The House adjourned until To-morrow Morning 9 O’Clock.

Wednesday, 27th December, 1786.
The House met according to adjournment.
Received from the Senate the following Bills, viz:
A Bill for the removal of the place of holding Courts in Washington, &c.
An Additional Bill to an Act entitled "an Act to prevent the several Species of hunting," &c. Endorsed in Senate, "read the Second time and passed."

The Bill for the promotion of learning in the county of Chatham.
A Bill to repeal part of an Act passed at New Bern the 29th Day of December, 1785, entitled "an act for destroying wolves," &c., and
A Bill to vest in Trustees certain powers for the benefit of Elizabeth Torrens and her Children. Endorsed in Senate, "read the third time and passed."

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:
We agree that the Justices of the Peace and the Field officers to be appointed by the present Assembly, be nominated on Thursday next.

The House resumed the Consideration of the Report of the Committee to whom was referred the Proposal of Captain Fenner, agent, &c., which being amended to read as follows, was concurred with (viz.):

Your Committee to whom was referred the proposal of Captain Fenner, agent, for the late North Carolina Line, Report, that the orders from the Board of Treasury of the United States drawn on William Skinner, Esq., Commissioner of the Continental Loan
office in this State amount to 13,367.34-90 Dollars. That the payment of this Sum would entitle the State to a Specie credit with the United States. The officers in whose favour these orders are drawn are willing to accept warrants on the Treasury of this State for the payment of their respective orders. Your Committee beg leave to recommend that His Excellency be required to issue warrants payable out of the Revenue of the Contingent fund in the name of such officers as may apply by themselves or by the said Agent with the said orders which he shall send to the Continental Commissioner of Loans in this State obtaining a proper receipt for the same, which shall be lodged in the Comptroller's office of this State to be credited accordingly on the settlement with the United States.

Your Committee had also referred to them the allowance they deem Mr. Fenner entitled to as Agent of the late North Carolina line in the final settlement of the Accounts, and in making the issues of the said Certificates. On this Subject the Committee observe with pleasure that the accounts appear to have been settled with the utmost accuracy and precision, that the settlement amounted to 388,271.84-70 Dollars, and that the Agent has been engaged in the business of the said settlement and making the issues of the said Certificates from the first of September, 1784, until the present time. That by a Resolution of Congress of the 27th May, 1785, the several States are requested to cause the services of such Agents to be examined and make them such allowances as they may think them entitled to, and charge the same to the United States. Your Committee therefore recommend that the said Agent be allowed Six hundred pounds in full of all services, travelling and other expenses.

Your Committee on examining the receipts and issues, find that the amount of issues is 268,972 64-90 Dollars, and that there remains on hand the sum of 82,677 76-90 Dollars, 20,677 76-90 Dollars of which is the property of Commissioned officers, that about 11,000 dollars is due to fifty-five War Soldiers, 17,000 dollars to two hundred and fifty of the eight month's drafts, and 34,000 dollars to Eight hundred & fifty of the twelve months' drafts.

That the present Agent is possessed of the necessary information and cheques to prevent frauds in the issues. That it would therefore be an advantage to the Army Claimants that the certificates remain in his hands to be issued on proper application until the next General Assembly, at which time the balance shall be withdrawn.
from the hand of the Agent to be disposed of as the United States in Congress shall direct, and that proper notice of this resolution be given that all persons entitled to such Certificates may apply for the same in the mean time, for which service your Committee recommend, that he be allowed the sum of fifty pounds after such service shall be performed. All which is submitted.

WILLIAM R. DAVIE, Ch’n.

Received from His Excellency the following Message, viz:

To the Honorable, the General Assembly:

Gentlemen:

 Permit me to recommend to your Consideration the petition of John Freebody, which was presented to the last Assembly and laid over to the present.

The petition with sundry Letters and Papers relating to Mr. Freebody’s case, are herewith laid before you.

R. CASWELL.

At the same time received the Letters and Papers above referred to, which, being read, were referred to Messrs. Hooper and P. Hawkins on the part of this House.

Resolved, that if it should appear to the Judges that in the investigation of the frauds lately committed against this State, and the examination of divers witnesses respecting the same, nothing appears against John Faircloth, Jesse Lassiter, Reddick Price, or any others, which may be a reason for holding them in custody or to bail, that the said Judges be directed to discharge such persons.

Received from the Senate the following message:

Mr. Speaker & Gentlemen:

This House do not concur with the resolution of yours of this day, relative to the officers of the late Continental line of this State, but return it herewith in order that you may amend it, by inserting the name of Colonel John Armstrong in the 6th line of the first page of this Resolve immediately after the name of Hardy Murfree; by inserting likewise the name of Dixon Marshall immediately after that of Benjamin Coleman in the Eleventh line of the same page; and by deleting the last part of your Resolve which is relative to Col. Armstrong and Major Blount, and which is now included within lines marked by a pen.
Should you think proper to make these amendments we will then
on its being returned concur with it.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have made the Resolve respecting the officers conformable to
your proposition which we now send for your Concurrence.

The Bill to amend an Act entitled "an Act for the more regular
collecting, payment of and accounting for the public Taxes, and for
laying certain duties therein mentioned," was read the Second time,
amended, passed and sent to the Senate.

Received from the Senate a Bill to amend an Act entitled "an
Act for emitting one hundred Thousand pounds paper Currency
for the purposes therein mentioned, & appropriating the Tobacco,"
&c. Endorsed, "read the Second time & passed."

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The Senate propose in order to save time, that the Bill altering
the Court System be Committed, to which end they appoint Gene-
ral Rutherford, Messrs. Stokes and Macon a Committee on their part,
and propose further that such Committee be directed to report the
amendments by them deemed necessary by To-morrow 12 of the
Clock.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the Bill for altering the Court System be com-
mitted as by you proposed, and have on our part as a Committee
for that purpose appointed Messrs. P. Hawkins, Sitgreaves & J. G.
Blount.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the two Houses assemble To-morrow morning
at nine O'Clock to hear the Treasurer in defence of himself with
respect to the charges of Misconduct in office contained in the sev-
eral depositions taken on that subject by the secret Committee.

Received from the Senate a Bill to confirm unto Richard Dobbs
Spaight an indefeasable title to certain Lands therein mentioned,
&c. Endorsed in Senate, "read the second time & passed."
Mr. Hooper, from the Committee of Finance, delivered in the following Report, viz:

The subdivision of the Committee of Finance appointed to consider and report upon the application of the one hundred thousand pounds, omitted, beg leave to report that with much care and attention they have investigated the accounts of the Treasurer so far as they apply to the due Bills, that they find he has paid to the holders of them the Sum of Sixty-one thousand eight hundred & forty-eight pounds and three pence. That the said due Bills are signed by the Commissioners of Army Accounts, to wit, by Benjamin McCullock, Henry Montfort, and John Macon, in some instances by the three, occasionally by two of them.

They further report that they have critically inspected the Army Accounts and orders under and by authority of which the said Commissioners have granted due Bills and Certificates. That they find the said accounts signed in almost every instance by a Captain or Subaltern, and Countersigned by a Field officer. That the accounts in the very face of them, in most of the instances in which your Committee have examined them, carry with them the most decided proof of fraud.

That the orders produced by the Commissioners of Army Accounts so far as they relate to Butcher, Faircloth, Price, Totevine and Sanders, are almost without an exception so far as your Committee could discover, false, fraudulent & counterfeit. These orders have been made out with so little caution and with such an entire disregard of appearances that your Committee have in a very few instances only, hesitated to decide upon them, so few that they have not thought it necessary to note the distinction.

Your Committee have not passed through, but in part the accounts of Butcher, Price, Totevine, and Sanders; the further investigation of them must be reserved for a Board of Commissioners specially appointed for that purpose, who may sit in the recess of the Assembly, such a one with powers competent to its object, your Committee beg leave to recommend to be appointed by the Legislature during its present Session.

Your Committee request that you would regard these whose names are herein inserted tho' perhaps the principal offenders, yet but as a small portion of the numbers of those who have been in-
volved in this iniquitous business. For the rest of them your Committee beg leave to refer you to the books of the Accounts of the Commissioners and Treasurer to the Army Accounts, orders and due Bills in the hands of the Commissioners as well as those which have been deposited in the course of our examination with Pleasant Henderson, Clerk of this Committee.

Your Committee for the general information of this House, have thought proper to state from the Treasurer's list of payments the names of those who have been the principal receivers from the Treasury office with the several sums that have been paid into their hands for themselves and others, to wit:

Benjamin McCullock ........................................ £23,132 /14
Henry Montfort ........................................... 6,939 / 2 7
William Faircloth .......................................... 6,985 / 8 11
Thomas Donoho ........................................... 1,790 / 0 4
William Sanders ........................................... 1,997 / 6 8
John McNees ................................................ 476 /14 2

Amounting to .............................................. £41,271 / 6 8

Your Committee had an explanation with the Secretary of this State relative to certain due Bills paid to him, and received from him the most unequivocal proof of the integrity of his conduct on that business, nor have they, from any information which they have had the slightest reason to call his Character into question.

Your Committee further report that the Commissioners of Army Accounts have received from the Treasury of this State by virtue of Ten Thousand pounds which was to be applied so far to the payment of the claims of the officers and Soldiers, that the said Commissioners have not rendered to your Committee any account of the disposition of the said Money.

From various depositions and reports upon your table, it will appear that John Price hath received due Bills from the Commissioners for liquidating Army Accounts to a vast amount. From the Treasurer's Books it will appear that receipts have been had upon 18—25
these by others for and in behalf of Price or for themselves by his order, all which is submitted.

ISAAC GREGORY,
JAS. GALLOWAY,
JOHN STOKES,
WM. HOOPER,
JNO. SITGREAVES.
A. NEAL,
WILL. POLK,
DAVID VANCE.

The foregoing report was read and concurred with.
The Honorable, the Speaker, laid before the House a Letter from Mr. Benjamin Smith, which, being read, was sent to the Senate.

The House resumed the consideration of the Report of the Committee appointed on the application of the Treasurer respecting the payment of two warrants granted to Nicholas Long as Commissioner of Confiscation, which, being read and debated, was rejected.

The Bill for establishing a Militia in this State, was read the second time, amended, passed and sent to the Senate.

The Bill for appointing Treasurers, was read the Second time and rejected.

Ordered that the enquiry with respect of Major John Bonds be postponed until To-morrow.

The House adjourned till to-morrow morning 9 O'clock.

Thursday, 28th December, 1786.
The House met according to adjournment.

The Bill for the better regulation of the Town of Hillsborough, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker & Gentlemen:

The Senate have added Messrs. Stokes and Harget to the Committee for examining the Engrossed Copies of Bills.

Received from the Senate the report of the Committee appointed to examine the prisoners, &c., which was delivered into this House the 25th instant. Concurred with.
Resolved that the Public Printer strike off two hundred copies of the report of the Committee of Finance respecting the revenue and estimates for the year 1787 to be divided among the Members of the General Assembly for the satisfaction of their Constituents.

Mr. Hooper, from the Committee to whom the Governor's Message covering the Accounts of Stephen Moore, &c., delivered in a Report, which, being read, was amended and agreed to as follows, viz:

The Committee to whom the Governor's Message, covering the Accounts of Stephen Moore, of Caswell county, was referred,

Report, That on examining the said accounts a balance appears due to said Moore (authenticated by a Certificate of Joseph Nourse, Register of the Treasury office of the United States) of Three Thousand four hundred and nine Dollars and twenty-two ninetieths of a Dollar, allowing an Interest of Six per cent per annum from the first day of January 1784, until the same shall be paid.

It also appears to your Committee by a resolution of Congress bearing date the 18th July, 1786, that the said Stephen Moore obtained a draft from the United States on this State for Thirty Thousand Dollars when depreciated to forty for one, and that this State had at that rate been credited for the same in the Books of the Treasury of the United States.

By a Certificate from the Comptroller of this State, it also appears that the said Stephen Moore received the aforesaid sum of thirty Thousand Dollars of Richard Cogdell, then Treasurer of New Bern District in May 1780, at a time when the depreciation was Sixty for one, making a difference of two hundred & fifty Dollars in favor of this State.

Your Committee sensible of the advantages that will accrue to this State by payments made in consequence of and under the said Resolution, beg leave to recommend that the Treasurer be directed to pay the said sum of Three Thousand four hundred and nine dollars and the twenty-two nintieths of a Dollar with the accruing interest, whenever he shall produce any Resolve of Congress that the same when paid shall be deducted out of the amount of any requisition then next to be made on this State, also the further sum of two hundred and fifty Dollars the difference of depreciation on
the draft aforesaid, with Interest from May 1780, until paid, all which is submitted.

JNO. ARMSTRONG,
WILL. HOOPER,
JNO. SITGREAVES,
JNO. MACON.

The Bill to repeal the 13th Section of an Act passed at New Bern in October in the year 1784, entitled "an Act for raising a public revenue for the support of Government," &c., was read the third time and laid over until the next Assembly.

Received from the Senate the Report of the Sub division of the Committee of Finance appointed to consider and report upon the application of the one hundred thousand pounds. Endorsed in Senate, "read & concurred with."

The Bill to amend an Act entitled "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 and settle Ferries," &c., was read the second time, amended, passed and sent to the Senate.

Mr. Hooper proposed the following clauses as an amendment to this Bill, viz:

And be it enacted by the Authority aforesaid that one person in each county in this State shall be appointed by the County Court that shall first sit in every year, whose business it shall be to superintend the roads of the county in which he shall be so appointed, and to make a faithful report of the same to the County Courts, which officer shall be stiled the Surveyor of the roads.

Be it further enacted by the authority aforesaid, that it shall be the duty of such surveyor twice in every year, to visit and examine the Public Roads, and at the next succeeding Court of the county give information to the State Attorney of all delinquent overseers that he may be enabled to prosecute such.

And be it further Enacted by the authority aforesaid that such surveyor shall have and receive such allowance for his services as the County Courts shall think reasonable.

And be it further Enacted that such person appointed to the said office refusing or neglecting to act shall forfeit and pay ten pounds to the use of the County.
On the question to receive these clauses as an Amendment, the Yeas and Nays were required by Mr. P. Hawkins, which are as follows, viz:


The Bill to make securities therein named negotiable, was read the third time, amended, passed and sent to the Senate.

Received from the Senate the following Message of yesterday's date:

Mr. Speaker & Gentlemen:

The Senate have received the Message of your House proposing that the two Houses assemble to-morrow Morning at nine o'clock to hear the Public Treasurer in his Defence as to the charges against him contained in the Depositions taken by the secret Committee; to which proposition they do not agree, thinking such a measure productive of too great a delay of business but consent (if agreeable to the House of Commons) that the two Houses convene for that purpose at one of the Clock in the afternoon Tomorrow.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

The two Houses according to agreement assembled in Conference in the Commons room when Mr. Hooper proposed going into a Committee of the whole, and that Mr. Battle should take the Chair which was assented to and done accordingly. The several charges contained in the depositions, as arranged by Mr. McLaine and others, the secret Committee appointed to arrange the Testimony, so far as the same are criminating to the Treasurer, were then read and the Treasurer permitted to introduce sundry persons and witnesses and to be heard in his defence. The Com-
mittee then rose and Mr. Battle reported that the treasurer had been heard in his defence but that the Committee conceived that there was no necessity for giving particular detail of this proceedings or that they should come to any resolutions thereon as the intention of the meeting was only to afford the Treasurer an opportunity of vindicating his Character as a public officer, with respect to which each individual Member had probably formed a decided opinion in the course of the proceedings.

The Honorable the Speaker laid before the House a Letter from the Honbl. Judge Spencer and Judge Williams, which, being read, the following resolution was adopted.

This House having received and read a Letter from the Honorable Samuel Spencer and the Honorable John Williams, Esquires, Resolved, That the Committee to whom was referred the papers respecting the Honorable the Judges, report To-morrow thereon, that the Judges have transcripts this evening of any complaints that may be made against the present mode of administering Justice in the Superior Courts of Law and Equity, and that agreeable to their request they shall be heard by the two Houses of the General Assembly in conference on Saturday next.

Received from the Senate the Resolve of this House directing the Judges to discharge John Faircloth, Jesse Lassiter & Reddick Price under the circumstances therein mentioned, concurred with.

The Bill to amend an Act passed at New Bern in December, 1777, entitled, "an Act directing the method of Electing Members of the General Assembly," &c., was read the second time & rejected.

Received from the Senate a Bill to amend an Act entitled "an Act for ascertaining what property should be deemed Taxable Property," &c. Endorsed, "read the second time & passed."

The Bill to alter the time of holding the annual assemblies in this State was read the second time, passed & sent to the Senate.

The Bill for purchasing Arms and Military Stores and for establishing Magazines was read the first time, passed & sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the estimate of allowances for the present Session
be made up so as to include Wednesday agreeable to the rates inserted in the Bill for allowing, &c., to the officers of the public.

The House adjourned 'til 5 O'Clock.

The House met according to adjournment.

Mr. Sloan presented the resignation of Daniel McKissick as a Justice of the Peace for Lincoln County, which, being read, was accepted by this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:
We propose that the recommendation for Militia Field Officers shall take place and be made on Saturday next.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:
We propose that the General Assembly proceed to Ballot at 4 O'Clock on Saturday next, for the three Councillors yet to be appointed.

A Collector and Naval Officer for the Port of Swannsborough, Vendue Masters for Washington and New Bern, Field Officers for the several Troops of Horse and Battalions of Infantry.

A Commissioner of Confiscation for Halifax District in the room of Col. Long, resigned.

An Entry Officer for the Western Lands; Officers to Command the Troops intended to be raised for the defence of the Western Country. Should you accede to this proposition you will signify the same by Message.

Mr. McLaine moved for leave and presented a Bill empowering the administrators of Robert Schaw, late of Brunswick County, Esquire, deceased, to sell certain Lands in Bladen County, commonly called the Western prong, late the estate of the said Robert Schaw, to save the personal estate of his widow & son, which was read the first time, passed and sent to the Senate.

The Bill to alter the time of holding the County Court of Pleas and Quarter Sessions in the County of Mecklenburg and the other Counties therein mentioned, was read the third time, amended, passed and sent to the Senate.

Mr. Maclaine moved for leave and presented a Bill empowering Hiram Jeremiah Richards, of New Hanover County, to take, hold,
and enjoy all the real and personal estate late of Norman Harrison
Cheves of the same County, Deceased, and to vest the same in the
said Hiram Jeremiah Richards, his Heirs, Executors, Administra-
tors, and assigns respectively, which was read the first time, passed
and sent to the Senate.

Received from the Senate the Message from His Excellency the
Governor, covering sundry papers, &c., in support of the claim of
John Freebody. Endorsed in Senate, "read and referred to Mr.
Galloway and Mr. Eaton."

The Bill to confirm unto Richard Dobbs Spaight an indefeasable
title to certain Lands therein mentioned in Bladen County, was
read the second time, passed and sent to the Senate.

The Bill to empower the several County Courts therein mentioned
to levy a Tax annually for the purpose of Erecting or repairing the
Court House, Prison and Stocks in each County where necessary,
& for defraying the Contingent charges of the County, was read the
second time, passed & sent to the Senate.

The Bill for a removal of the place of holding Courts of Pleas &
Quarter Sessions in the County of Washington & for appointing
Commissioners to fix on the most Convenient place for the same,
was read the second time, amended, passed & sent to the Senate.

Mr. J. G. Blount presented the Petition of Robert Bignall, which,
being read, was referred to the Committee on Petitions and Mem-
orials.

Resolved, That the Honorable the Speaker of the two Houses be
requested to ratify any Bills of a private nature after they have been
properly examined in order that the same may be printed for the
information or benefit of those whom they may concern, provided
they may be willing to be at that expence.

The Bill for dividing the County of Sullivan was read the third
time, passed and ordered to be Engrossed.

The Bill for the Inspection of Tobacco at Joseph Green's, in
Wayne County, was read the third time, passed and sent to the
Senate.

The Bill for the promotion of learning in the County of Chatham,
was read the third time, passed & ordered to be Engrossed.

The Bill to vest in Trustees certain powers for the benefit of
Elizabeth Torrens and her Children, was read the third time, passed
and ordered to be Engrossed.
The Additional Bill to an Act entitled "an Act to prevent the several species of hunting therein mentioned," was read the third time, passed and sent to the Senate.

The Bill for empowering the Court of Chatham County to adjourn to the Town of Pittsborough, was read the third time, passed & ordered to be Engrossed.

Mr. Hamilton moved for leave and presented a Bill to suspend the Execution of Grants to certain Lands in Guilford County for the purpose therein mentioned, which was read the first time, passed and sent to the Senate.

The Bill to empower the Commissioners therein mentioned to sell the Public Lots in the Town of New Bern, &c., was read the first time & laid over until the next Assembly.

The Bill for destroying Wolves, "Wild Cats, Panthers, Bears, Crows and Squirrels in the several Counties therein mentioned, was read the first time, passed and sent to the Senate.

The Bill to repeal an Act entitled "an Act to allow further time for saving Lots in the several Towns within this State so far as the same relates to the Town of Kinston," was read the first time, passed and sent to the Senate.

Received from the Senate the Report of the Committee on the claim of Stephen Moore, concurred with by that House.

Received from the Senate the Resolve of this House notifying to the officers who attended in Consequence of the Governor's Proclamation the sense the General Assembly entertain of their Acquiescence, &c.

A Resolve directing the Committee to whom the papers respecting the Honorable the Judges were referred to report.

A Resolve directing the Comptroller to settle the accounts of Mr. McKinne, &c., and a Resolve directing the printer to strike off two hundred Copies of the report of the Committee of Finance, severally Concluded with.

Received from the Senate a Bill to repeal the several Acts of Assembly respecting Slaves as far as the same relates to making allowances to the owner, &c. Endorsed, "read the first time and passed."

Received also, a Bill for the better regulation of the Town of Hillsborough.

A Bill to establish a Town on the East side of the North East of
Cape Fear, &c., and a Bill for raising Troops for the protection of the Inhabitants of Davidson County. Endorsed in Senate, "read the second time and passed."

The House adjourned 'til To-morrow Morning 9 O'Clock.

Friday 25th December, 1786.

The House met according to adjournment

Received from the Senate a Bill for purchasing Arms and Military Stores, &c., and a Bill to emancipate Cesar, formerly the servant of Samuel Yeorgan, Deceased. Endorsed, "read the second time & passed."

Received also, a Bill appointing Commissioners to fix on a convenient place for holding the Courts of Pleas and Quarter Sessions in the County of Washington. Endorsed, "read the third time and passed."

Received from the Senate two Resolves of this House, viz.:

A Resolve directing the Comptroller to lay before the General Assembly a list of the names of the District Treasurers, &c.

A Resolve requesting the Speakers to ratify private Bills. Conceded with.

Received from the Senate a Resolve of that House directing the Committee of Claims to allow claims for services performed in the State Legion, &c., which being read was rejected.

Received from the Senate the Petition of Robert Bignall. Endorsed, "read & referred as by the House of Commons."

Received also, the Petition of James Collins. Endorsed, "read & referred to the Committee on the Petition of William England," which, being read, was referred as by the Senate.

Mr. James Martin from the Committee to whom was referred the papers of James Davis, delivered in the following report, viz.:

The Committee to whom was referred the papers of Mr. James Davis, requesting payment in Money for amount of an Auditor's Certificate granted to James Davis, Esquire, Deceased, by the New Bern District Board of Auditors for his Salary as Public Printer for the year 1780, beg leave to report—

That your Committee have considered the papers referred to them, and find by an annexed Certificate of the Auditors, that the Certificate No. 331, granted to James Davis for two hundred and thirty-three pounds six shillings & eight pence, was for his Salary.
as Public Printer, and that in Specific supplies included in it except
the paper which he was necessarily obliged to make use of for the
Public. And as your Committee find that the Public Printer has
usually been paid in Money for his Services, they think it but Justi-
tice that the Heirs of James Davis, Deceased, should be paid the
amount of the said Certificates, whereupon they submit the follow-
ing Resolution, viz.:

Resolved, That the Treasurer be and he is hereby authorized and
required to take up and pay the Certificate No. 331, granted by the
New Bern District Auditors to James Davis, Deceased, for two hun-
dred & thirty-three pounds six shillings & eight pence dated the
17th day of August, 1782, and he shall be allowed the same in the
settlement of his public accounts.

JAMES MARTIN, Ch’n.

The House taking this Report into Consideration concurred therewith.

Received from the Senate the Petition of Lodwick Wray, the Pe-
tition of Mary Moore, the Petition of George Pea, the Petition of
Hugh Ross and the Petition of William Ashley. Endorsed in
Senate, “read & referred to the Committee on Petitions and Mem-
orials,” which, being read, were referred as by the Senate.

Received from the Senate the Report of the Committee on the
Claim of Samuel Cross and the report on the Petition of Colo.
George Mitchell. Endorsed in Senate, “read & concurred with,”
which, being read, were concurred with by this House.

Mr. Sitgreaves presented the Memorial of Hodge & Blanchard,
which, being read, was referred to Messrs. Sitgreaves, McDowell,
Spaight and Neal on the part of this House.

Whereas, there may not be a sufficient Sum of Money in the
Treasury to pay off the whole estimate of the General Assembly,
and it would be highly improper that a part of the Members should
receive the whole of the allowance for their attendance and others
not receive any part thereof.

Resolved, That the Treasurer be and he is hereby instructed and
required, in case there should not be a sufficient Sum of Money in
the Treasury to pay off the whole estimates of the present General
Assembly that he shall make equal payments to the Members in
proportion to the amount of their respective Certificates, and that in
these proportionate payments take up the Certificates to be granted by the General Assembly, and give an acknowledgment of the balance due which shall entitle the holders to receive the same out of the Treasury or from any holder of Public Money at a future day.

Received from the Senate a Bill to empower the several County Courts therein mentioned, to lay a Tax annually for repairing Public Buildings, &c. Endorsed, "read the second time & passed."

Received from the Senate the Account of James Brantley, and a Resolution of that House for discharging the same, which, being read, was rejected, and the following adopted by this House, viz.:

Resolved, That Richard McKinne, Esquire, be directed to advance to James Brantley the sum of fifteen pounds in full discharge of his Account for feeding and stabling Horses, &c., employed in the business of apprehending the Persons here lately confined as Prisoners, out of the Monies delivered into his possession for the purpose of paying for the attendance of Witnesses to bear Testimony against such Persons.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send for your Concurrence a Resolve of this House which we propose in lieu of the one entered into by your House in favor of Mr. Brantley.

Mr. Wyatt Hawkins from the Committee of Propositions and Grievances delivered in the following report, viz.:

Your Committee of Propositions and Grievances to whom was referred the Petition of John Augustine Duncan are of opinion that the facts therein set forth are not supported by any kind of Corroborating Circumstances, therefore reject it.

All which is submitted.

WYATT HAWKINS, Ch'n.

The House taking this report into Consideration concurred therewith.

Received from the Senate a Bill to confirm unto Richard Dobbs Spaight an indefeasible title to certain Land therein mentioned in Bladen county. Endorsed, "read the third time and passed."

Mr. J. G. Blount, from the Committee to whom was referred the Memorial of John B. Ashe and James Gray, Guardians, &c., delivered in the following Report, viz.:
Your Committee to whom was referred the Memorial of John B. Ashe and James Gray Guardians of McKinne Sumner and Jackie S. Sumner, orphans of General Jethro Sumner, deceased. Report,
It is their opinion that whenever the said Guardians shall show to the Secretary by a resurvey the quantity of the Land taken from the said General Sumner's Survey by a prior right, he shall then issue a warrant for such quantity so taken and certify the reason in the said warrant why the same is issued, and when so issued it may be laid on any vacant or unlocated land where the first warrant, if now unlocated, might be laid, any Law to the Contrary, notwithstanding.

Received from the Senate a Bill to amend an Act entitled "an Act for the more regular collecting payment of and accounting for Public Taxes," &c. Endorsed, "read the second time, amended and passed."

The Bill for raising troops for the protection of the Inhabitants of Davidson county, was read the third time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The Senate pursuant to your proposition have agreed, that the General Assembly ballot at 4 O'Clock on Saturday next for the three Councillors of State yet to be chosen, and nominate Doctor William McClure and Thomas Brown, Joseph McDowell, Spyers Singleton, Robert Bignall, Miles King and Thomas Rutledge, Esqrs;

For a Collector and Naval officer for port Swansborough, and nominate Mr. John McCulloch for Collector, and Mr. Samuel Hall for Naval officer of the said port.

For Vendue Masters for the Towns of Washington and New Bern, and nominate Mr. Peter Casseu for the Town of Washington, and Mr. Bazell Smith for the Town of New Bern.

We propose that the General Assembly do, at the same time and on the same Day, proceed to ballot for a Treasurer of this State, and put in nomination General Griffith Rutherford and James Gillespie, Memucan Hunt, John Haywood.

It is not the sense of the Senate that any of the appointments enumerated in your Message, should take place at this intended Ballotting.
Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree to ballot as by you proposed, and add to the nomination for Vendue Master at New Bern, Mr. Titus Ogden for Councilor, John Nelson and Wyatt Hawkins, Esqrs.; for Treasurer, Robert Rowan, Esq.

The House adjourned til 4 O’Clock.

The House met according to Adjournment.

Mr. Maclaine moved for leave, and presented a Bill for the better ascertaining the Taxable property in the Town of Wilmington, and collecting the Public and other Taxes which may be imposed thereon and for the further regulation of the said Town, and also for repairing Episcopal Church of Saint James situated therein, which was read the first time, passed and sent to the Senate.

Mr. Maclaine moved for leave, and presented a Bill to amend an Act entitled “an Act for the promotion of learning in the District of Wilmington,” which was read the first time, passed and sent to the Senate.

The Bill to empower the several County Courts therein mentioned to lay a Tax annually for the purpose of erecting or repairing the Court House prison and Stocks in each county when necessary, and for defraying the Contingent Charges of the county, was read the third time, amended, passed and sent to the Senate.

Received from the Senate a Bill to repeal an Act entitled “an Act to allow further time for saving Lots in the several Towns within this State, so far as the same relates to the Town of King-ston,” and

A Bill for levying a Tax for the support of Government, & for the redemption of the old Paper Currency, &c. Endorsed, “read the Second time and passed.”

The Bill to establish a Town on the East side of the Northeast of Cape Fear River in Duplin county, was read the third time, passed and sent to the Senate.

The Bill to empower the Executors of William Hill, deceased, late Commissioner of Franklin county to carry into effect as far as relates to the county of Franklin, an Act passed at Hillsborough in the year 1784, entitled “an Act to authorize Richmond Pearson to
collect the Specific Tax,” &c., was read the first time, passed and sent to the Senate.

The Bill to authorize the late Commissioners of Specific supplies for the counties therein mentioned to collect the arrearages of Specific Tax yet due from the Inhabitants thereof, was read the Second time, amended, passed and sent to the Senate.

Mr. P. Hawkins moved for leave, and presented a Bill declaring that the late Treaty of Peace between the United States of America and Great Britain is and hath been in full force, in this State as part of the Law of the Land, which was read the first time, passed and sent to the Senate.

Mr. Sitgreaves moved for leave, and presented a Bill to amend an Act entitled “an Act to establish in the Towns of Edenton, Washington, New Bern and Wilmington, Courts for the more speedy decision of Mercantile transactions with foreigners & transient persons & of Maritime affairs,” which was read the first time, passed and sent to the Senate.

The Bill for the better regulation of the Town of Hillsborough, was read the third time, passed and sent to the Senate.

Mr. Hamilton moved for leave, and presented a Bill to repeal an Act entitled “an Act 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 by the Commissioners of forfeited Estates legally appointed for that purpose, which was read the first time, passed and sent to the Senate.

On the question shall this Bill pass or not pass, the Yeas & Nays were required by Mr. Cabarrus, which are as follows, viz.:


The Bill to emancipate Caesar, formerly the Servant of Samuel Yeargan, Deceased, was read the second time, passed and sent to the Senate.

The Bill to confirm unto Richard Dobbs Spaight an indefeasible title to certain Lands therein mentioned in Bladen County, was read the third time, passed and ordered to be Engrossed.

The Bill to repeal the several Acts of Assembly respecting Slaves as far as the same relates to making an allowance to the owner or owners for any executed or outlawed Slave or Slaves, was read the first time, passed and sent to the Senate.

The Bill appointing Commissioners to fix on a convenient place for holding the Courts of Pleas and Quarter Sessions in the County of Washington, was read the third time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We further add to the nomination for Treasurer Colo. Stephen Moore, of Caswell County.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We further add to the nomination for Councillors, Bryan Whitfield, Esquire.

Received from the Senate the Resolve of this House directing Mr. McKinne to advance James Brantley fifteen pounds, concurred with.

Received from the Senate the Petition and Memorial of John Rutherford, in behalf of himself and his Brother & Sister, William Gordon Rutherford and Frances Menzies, Widow. Endorsed, "read and referred to General Rutherford, Mr. Gillespie and Mr. Stokes," which, being read, was referred to Messrs. Bloodworth, Maclaine, McDowell, Hooper.

Whereas, in the resolution of the 26 Instant respecting the Officers of the late Continental line of this State it was thought most proper by the House of Commons that the names of Colo. John Armstrong & Major Reading Blount should be omitted in the said Resolution as they were Members of the General Assembly, but which was not concurred with by the Senate. And the name of
Col. John Armstrong was afterwards by Resolution of both Houses entered therein, therefore,

Resolved, that the name of Major Reading Blount be also inserted in the aforesaid Resolve immediately after the name of Col. John Armstrong.

Resolved, that the Bill to invest the title of a Certain Tract of Land therein mentioned in Jeremiah and Robert Field, sons of William Field, be laid over til the next General Assembly, and that the Commissioners of Confiscated property for the District of Salisbury, be directed in the mean time to forbear to sell the Tract of Land thereby intended to be secured to Jeremiah and Robert Field, which was late the property of William Field, and is situated in the counties of Rowan and Surry.

Mr. J. G. Blount, from the Committee to whom was referred the petition of Josiah Parker, delivered in the following Report, viz:

Your Committee to whom was referred the representation of Col. Josiah Parker, report:

That Col. Josiah Parker is possessed of a Note dated the 7th Day of May 1781, signed by Benjamin Hawkins, Esquire, late Commercial Agent for this State, as Agent aforesaid, for Ninety-four Barrels of Merchantable Pork, with an Interest of Ten per Cent til paid, and by Mr. Hawkins' Account settled, it appears that seven hundred and fifty-two bushels of Alum Salt were purchased by him of Col. Parker, and a note given for the aforesaid Ninety-four Barrels of Pork, and that the State is indebted to Col. Josiah Parker and Messrs. Thomas and Titus Ogden for the same, but said Parker being possessed of the note is entitled to a recovery from this State for the whole amount thereof, wherefore the Committee Report that the Pork at that time was worth as appears by a late adjudication of the Superior Court at New Bern Five pounds Ten Shillings per Barrel, which with the Interest will amount to Eight hundred & fourteen pounds five Shillings & Six pence. Your Committee are of opinion that the Governor be directed to take up Mr. Hawkins' note and issue two warrants in favor of Col. Josiah Parker, for the Sum of Eight hundred & fourteen pounds five Shillings and Six pence, being the amount of the note and Interest up to the Seventh of January, 1787.

J. G. BLOUNT, Ch.
The House taking this report into Consideration, Concurred therewith.

Mr. Dickens, from the Committee of Claims, delivered in the following Report, viz.:

Your Committee to whom was referred the claim of Nicholas Long, Commissioner of Confiscated property for the District of Halifax, on examining the several papers in support of the said claim, find that the said Nicholas Long, during his continuance in office, did expend for the purpose of employing an attorney to prosecute for the State in Condemning disputed property, paying the printers of Virginia, South Carolina and this State for publishing advertisements for the sale of confiscated property, and other extra expenditures not included in his Commissions, the Sum of Seventy-five pounds one Shilling and Nine pence, of which Sum he has received Articles of Confiscated property to the amount of Thirty-two pounds Seven Shillings, whereby a balance of forty-two pounds fourteen Shillings and Nine pence appears to be due the said Long, which Sum of forty-two pounds fourteen Shillings & Nine pence the Treasurer is hereby directed to pay and shall be allowed in the settlement of his public accounts, all which is submitted.

ROBERT DICKENS, Ch.

The House taking this Report into consideration, Concurred therewith.

Mr. Wyatt Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report, viz.:

Your Committee of Propositions and Grievances to whom was referred the petition of the Inhabitants of Fayetteville, praying that sundry persons therein named should be exonerated from the fines and amercements of the Superior Court of Wilmington District in consequence of a prosecution carried on against them by a certain Thomas Caban and Mary Brown, for a Riot and assault, are of opinion that the prayer of the petition be granted all which is submitted.

WYATT HAWKINS, Ch’n.

The House taking this Report into consideration, concurred therewith.

Mr. Wyatt Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report, viz.:
Your Committee of Propositions and Grievances, to whom was referred the petition of James Fletcher, Report,

That it appears to your Committee by a Certificate from Chas. Gordon, that the said James Fletcher, Entry Taker for the county of Wilkes, did in January, 1779, furnish the said Charles Gordon with Nine hundred and Seventy-five Dollars for the public use. It also appears from the deposition of the said Fletcher on the back of Mr. Gordon's Certificate, that these said Monies had never been reimbursed him. But it does not appear to your Committee that the said James has settled his account as Entry Taker, or that the said Certificate was refused to be allowed as the Law directs, in such cases.

Your Committee beg leave to lay those facts before your Honbl. body for a decision thereon, all which is submitted.

WYATT HAWKINS, Ch'n.

The House taking this report into consideration, Concurred therewith.

Whereupon, Resolved, That James Fletcher be allowed the sum of Sixty-five pounds Currency for the sum of Nine hundred and Seventy-five dollars in the State Currency furnished Charles Gordon, Colonel of Wilkes County, in January in the year 1779, for the public use, the same having never yet been repaid to him, that the Treasurer pay him the same and be allowed in the settlement of his public accounts.

Mr. Dickens from the Committee of Claims delivered in the following Report, viz:.

Your Committee of Claims to whom was referred the Claim of James Blount, on examining the premises they find that in April, 1779, a Certain Negro woman called Esther the property of said Blount, was tried and condemned by a Court held for that purpose and was executed pursuant to the Judgment of said Court, which said Negro was valued by the Court at Eight hundred pounds as will appear by the proceedings of the Court to which your Committee beg leave to refer your Honorable House.

All which is submitted.

ROBERT DICKENS, Ch'n.

The House taking this report into Consideration concurred therewith, whereupon,
Resolved, That James Blount be allowed the sum of forty pounds for a Negro Woman called Esther, tried, condemned and caused to be executed by a court called for the purpose of trying her for a Capital offence, that the Treasurer pay him the same and be allowed in the settlement of his accounts with the public.

Mr. Dickens from the Committee of Claims delivered in the following Report, viz.:

Your Committee of Claims to whom was referred the Memorial of the Executors of Robert Hogg, Deceased, Report—

That on examining the several depositions, receipts and other papers laid before your Committee in support of the several matters in the said Memorial contained. It appears that in March, 1776, pursuant to a determination of a Court of Officers as set forth by the Memorialist, Four hundred and twelve bushels of Salt was impressed from George Mylne, &c., whose rights since devolved on the said Robert Hogg, which quantity of Salt was actually delivered to the public as will appear by the papers marked Nos. 1 & 2, to which your Committee beg leave to refer this Honorable House.

That in the same year (from the relation of Colo. Nicholas Long then quarter Master General of this State) it also appears that twenty-four thousand feet of lumber was taken from Hogg & Campbell (whose rights have since devolved on the said Robert Hogg) for the purpose of building Barracks for the Troops then stationed in the Neighborhood of Wilmington under the command of General Moore and General Ashe; and that the said Robert Hogg never received any satisfaction for the same, nor any person claiming by or under him as will more fully appear by the deposition of James Burges contained in the paper marked No. 3, to which your Committee beg leave also to refer your Honorable House, at the same time suggest that by an act of Assembly passed at Wake,1781, salt was rated at forty shillings specie per bushel.

Your Committee have thought proper to thus state the facts and submit them to this Honorable House for a determination thereupon.

ROBERT DICKENS, Ch'n.

The House taking this Resolution into Consideration came to the following Resolution:

Whereas, it appears from the report of a Committee this day de-
livered into this House that in March in the year one Thousand Seven hundred & Seventy-six four hundred & twelve bushels salt were impressed for the public use from Myline & Company whose rights have since devolved on Robert Hogg, and that about the same time a quantity of Lumber to the amount of twenty-four thousand feet the property of Hogg and Campbell, whose rights have also since devolved on the said Robert Hogg was impressed for the use of the Continental Troops then on their march to South Carolina; And whereas, it is reasonable that the said Hogg should be allowed and paid for the same by the public in like manner as other individuals have been allowed and paid for articles impressed from them for public uses,

Resolved, therefore, that the Comptroller be directed to issue a Specie Certificate to the Executors of said Robert Hogg for Eight hundred and Ninety-six pounds, which shall be chequed in the usual manner and shall stand on the same footing with respect to payment and value as other Specie Certificates and to bear Interest from the last day of March in the year 1776. That the Comptroller be directed to charge the same to the continent and to file the Vouchers of Mr. Hogg's Accounts in his office.

Mr. Wyatt Hawkins from the Committee of Propositions and Grievances delivered in the following Report, viz.:

Your Committee of Propositions & Grievances to whom was referred the representation and Petition of James Holland, Report—

That on examining the several papers in support of the allegations in the said representation and Petition set forth it appears that Mr. Holland was legally appointed Superintending Commissioner of Specific supplies in the District of Morgan in the year 1782, and that he was authorized by the then Governor, to barter a proportionable part of the Grain Tax of that District, by him to be received from the County Commissioners for Beef Cattle and other necessaries to support the expedition then going forward against the Hostile Towns of the Cherokees under the Command of General McDowell. That in order to procure such Cattle and provisions he was compelled to pledge himself which he did on the faith of the Tax then about to be collected, but in the event it so happened that Specifics equal to the discharge of the whole of his contracts in this behalf could not be obtained, in consequence of which recoveries have been had against him to a very considerable amount, and that
he now stands liable for Considerable Sums on Account of purchases actually made for and converted to the use of the public agreeable to the express directions of the then Governor.

It also further appears that Mr. Holland has not received any Satisfaction or reimbursement from the public for his own services in this business, or for the Monies he expended in employing others, necessary to assist him in conducting the business properly.

Your Committee in order that Mr. Holland should be reimbursed, do recommend that the Treasurer be directed to pay him two hundred and forty-three pounds eight shillings and seven pence, it being the amount of the sum by said Holland expended on the public Account.

All which is submitted.

WYATT HAWKINS, Ch'n.

The House taking this Report into Consideration, Concurred therewith.

Received from the Senate a Resolve of that House directing the Secretary to issue Military Land Warrants or the application of Isaac Hicks & others, which, being read, was ordered to lie on the Table, whereupon,

Resolved, That the Secretary be ordered to issue Land Warrants to such Officers and Soldiers of the late Continental Line as by Law they are entitled to, to prevent frauds.

Resolved, That all Certificates on which such claim for warrants shall be grounded, shall be signed by a Captain or Subaltern and Countersigned by a Field Officer, both of which shall certify that they know of their own knowledge that such claimant has actually performed the service for which he claims said warrants.

Whereas, it appears by the report of the Committee appointed to consider of and report upon the Petition of Sundry the inhabitants of Fayetteville in behalf of Nathan Steadman, Senior, Nathan Steadman, Junior, Duncan Ockeltree, James Dick and Anthony Rooney, that they were indicted, convicted and fined at the Superior Court of Law and Equity, held for the District of Wilmington some time past, for a riot and assault committed in the attempting to expell from Fayetteville a certain Thos. Caban and Mary Brown, who had rendered themselves obnoxious to the Inhabitants of Fayetteville by many immoralities repeatedly committed and continued by
them, and by their lewd life and Conversation; and, Whereas, the said Committee have recommended to this Assembly that the said persons should be relieved from the said fines on them respectively imposed as being a case of a peculiar hardship.

Resolved, therefore, That the said Nathan Steadman, Sen., Nathan Steadman, Jun., Duncan Ockeltree, James Dick and Anthony Rosney, and each of them shall be and they and each of them are hereby discharged and fully acquitted of and from the payment of the said fines so imposed upon them for the cause aforesaid; and from all obligations made in consequence thereof, and all public officers are required to take notice of this resolution and to Govern themselves accordingly.

The House adjourned till To-morrow Morning 9 O’clock.

Saturday 30 January, 1786.

The House met according to adjournment.

The Honbl. the Speaker laid before the House a Petition from Sundry the Inhabitants of the Counties of Wayne, Dobbs and Nash, which, being read, Mr. McKinne moved for leave to withdraw the said Petition. Ordered that he have leave accordingly.

Mr. Dickens presented the Petition of John Smith & Robert Brak, which, being read, was referred to the Committee of Propositions and Grievances.

Received from the Senate the Petition of Mary White. Endorsed in Senate, “read & referred to the Committee of Petitions & Memorials,” which, being read, was referred as by the Senate.

Ordered that a writ of Election issue to the County of Hertford for the Election of one Member of this House, in the room and stead of William Hill, Esquire, deceased, and that the said Election be held on the twenty-second Day of February next.

Mr. Dickens from the Committee of Claims delivered in the following Report, viz.:

Your Committee of Claims to whom was referred the Message from His Excellency the Governor, respecting a Captain Lustre, on examining the several papers laid before your Committee in support of Captain Lustre’s claim. It appears that in the year 1779, the then Governor, borrowed of Captain Anthony Lustre a quadrant for the use of the Commissioners appointed to run the dividing line between this State and the State of Virginia and it was actually
made use of by said Commissioners in extending the said line, as also by the Commissioners for laying out the bounds of the Officers and Soldiers lands, and that the said quadrant has not been returned to the said Captain Lustre nor any satisfaction therefor. It also appears by incontestible testimony that the said quadrant cost Captain Lustre twenty-five pounds in Specie a few months before he lent it to the Governor.

Your Committee are therefore of opinion that he be allowed the said Sum with interest amounting in the whole to thirty-five pounds Sixteen Shillings as per Account marked No. I.

All which is submitted.

ROBERT DICKENS, Ch'n.

The House taking this Report into consideration concurred therewith.

The Honorable the Speaker laid before the House a letter from the Honorable Judge Spencer & Judge Williams, which, being read, the following Message was ordered to be sent to the Senate:

Mr. Speaker & Gentlemen:

Agreeable to the request of the Honorable the Judges this day handed to us, and herewith transmitted to you we propose that the two Houses meet in conference for their reception at ten of the Clock on Monday morning next.

Received from the Senate a Resolve of that House declaring that the mode adopted by the Court of New Hanover for the admission of certain Justices of the Peace (who were suspended from exercising the office of Justices) was illegal and authorising them to qualify & act under such qualification, which, being read, was concurred with.

Received from the Senate the following Message of yesterday:

Mr. Speaker & Gentlemen:

The Senate approve of part of the Resolution of your body of this date relative to the mode of paying the members of the present Assembly, and will concur with it provided you will agree to amend the latter part thereof by deleting from the word Certificates in the 7th line from the bottom and inserting in the place of the lines so to be deleted, the words, "he taking a receipt for the money so advanced, and endorsing on the Back of each Certificate the amount of the sum or part paid."
Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We cannot agree with the alteration by you proposed to be made in the resolution of yesterday respecting the payment of the Members of the General Assembly, but propose the following amendment to it, "and that he shall endorse on each Certificate so taken in the sum paid on it and the sum still remaining due." We have made the resolve conformable to this proposition.

Received from the Senate the reports of the Committee on the Petition of Mrs. Salter and the Memorial of John McNeil. Endorsed in Senate, "read & concurred with," which, being read, was concurred with by this House.

Received also, the report of the Committee on the Petition of James Ransom and Young Maclemore. Endorsed, "read & concurred with," which, being read, was recommitted by this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We do not concur with the report of the Committee on the Petition of James Ransom and Young Maclemore, but propose that it be recommitted.

The Bill to amend an Act entitled "an Act to amend an Act entitled 'an Act for ascertaining what property in this State shall be deemed Taxable property, the method of assessing the same & collecting public Taxes,'" was read the third time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

Pursuant to your proposition of this day we agree that the two Houses assemble in Conference on Monday next, for the purpose by you expressed and at the time by you appointed.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

By the request of Mr. Rowan and Col. Moore, we propose that their names be withdrawn from the nomination for Treasurer.

Mr. Dickens, from the Committee of Claims, delivered in the following Report, viz.:
Your Committee of Claims, to whom was referred the petition of Burwell Stricklin, Report,

That on examining the premises, it appears that the said Burwell Stricklin had consumed by fire Auditors Certificates to the amount of Seventy-eight pounds Specie. Your Committee therefore are of opinion that the Comptroller be directed to grant him a Certificate for that sum.

All which is submitted.

ROBERT DICKENS, Ch'n.

The House taking this report into Consideration, Concurred therewith.

The Bill for levying a Tax for the support of Government, and for the redemption of old paper Currency, Continental Money, and Specie and other Certificates, was read the third time, amended, passed and sent to the Senate.

Mr. Holland moved for leave to enter his protest against this Bill. Ordered that he have leave accordingly.

Mr. Dickens, from the Committee of Claims, delivered in the following Report, viz.:

Your Committee of Claims to whom was referred the Petition of Henry Purse, after examining the several charges mentioned in his claim, are of opinion that the said Purse exhibited a claim for the same articles to the last General Assembly, and was allowed a considerable sum in full of all such accounts to that time, therefore reject the petition. All which is submitted.

ROBERT DICKENS, Ch'n.

The House taking this Report into Consideration, Concurred therewith.

The Bill to amend an Act entitled "an Act for emitting one hundred Thousand pounds paper Currency for the purpose therein mentioned, for appropriating the Tobacco lately purchased by virtue of the said Act towards discharging the Interest of the foreign Debt due by the United States," &c., was read the third time, amended, passed and sent to the Senate.

Received the Resolve of this House for laying over until the next Assembly a Bill to invest the Title of a certain Tract of Land therein mentioned in Jeremiah and Robert Field, sons of William Field.

The Resolve for acquitting Nathan Steadman, Sen., and Nathan
Steadman, Jun., Duncan Ockeltree, James Dick, and Anthony Rosney, from certain fines imposed by the Superior Court of Wilmington District, and

The report of the Committee of the claim of Nicholas Long, Commissioner of Confiscated property, &c., severally concurred with.

Received from the Senate a Bill directing the Commissioners of Confiscated property to receive Certificates agreeable to a resolution of the last General Assembly. Endorsed, "read the first time & passed."

Received from the Senate the Memorial of Hodge and Blanchard. Endorsed "in Senate, read and referred to Messrs. Herndon, Hill & Herritage," received also,

The Report of the Committee on the petition of John B. Ashe and James Gray, Guardians of McKinney Sumner and Jackie S. Sumner, orphans, &c. Concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We further add to the nomination for Councillors, James Sampson, Esquire.

The Bill to bring to condign punishment, and to secure their estates so as to be answerable to the public the persons accused of certain crimes and fraudulent practices, and to indemnify such persons as have acted in pursuance of certain resolutions of this Assembly from Vexatious Suits and prosecutions, and to establish a board for the detection and further discovery of the said fraudulent practices, and for settling and liquidating the accounts of the officers and Soldiers of the Continental line, was read the second time, amended, passed & sent to the Senate.

Ordered that Messrs. Polk and Neale be appointed to superintend the Balloting for the several officers, &c., on the part of this House.

Received from the Senate the following message:

Mr. Speaker & Gentlemen:

We have appointed Col. Harget and Mr. Lewis to superintend the Balloting, and are now ready to proceed on the same.

Mr. Davie moved, and was seconded, that the House should meet and proceed on the dispatch of business To-morrow, which was objected to, the question being put, was carried in the affirma-
tive, whereupon the Yeas and Nays being required by Mr. W. Hawkins, which are as follows, viz.:


Received from the Senate the report of the Committee on the petition of Robert Bogle.

The Report on the memorial of Jeptha Terrell, & the report on the petition of William Moore. Endorsed, "read and occurred with."

Received from the Senate the Report of the Committee on the petition of John Baird. Endorsed "in Senate, read and Concurred with," which being read and amended by adding the following words to the report, viz.: "And that in the Certificate so to be issued the Comptroller make mention that the same was issued in lieu of the one burnt as above mentioned," was Concurred with by this House.

Received from the Senate a Resolve of that House appointing Messrs. Harget, McCawley and Gillespie, a Committee to report to the House the names of such officers of the late North Carolina line who have attended on this Assembly in consequence of a proclamation issued by His Excellency, the Governor, and who ought to be allowed for such attendance.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree to the Resolve of your House for appointing a Committee to report to the two Houses the names of such officers who have attended on this Assembly, &c., and have on our part appointed Messrs. Hawkins and Lewis a Committee.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

With the recommendation of your House for appointing Justices
of the Peace for the county of Orange, we do not wholly concur for this reason, that there appears two Gentlemen named in the Town of Hillsborough, where there is three acting Justices already; as to Mr. Anderson, C. Nicholas, Gibbes, and Jonathan Lindley, we concur.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received your Message relative to the Justices recommended to be Commissioned for the county of Orange, and we do not concur on it. We find that Mr. William Walters and William Lytle recommended by both the Members for the county as well as by the Member for the Town, one of the Justices for the said county chiefly resides in the Western county, and we cannot but conceive that three of the representatives of the said county are as well acquainted with the State of the bench of Justices as the single Member opposed to the nomination of this House, and that the said three Members are as well disposed to support the Character of the bench of Justices as the Individual who does not concur with their recommendation.

Received from the Senate the petition of Mary Moore. "Endorsed in Senate, "read and referred to the Committee on Petitions and Memorials," which, being read, was referred as by the Senate."

The Bill for laying a Tax on all Seamen coming into the respective parts of this State, for raising a fund for the support of such Seamen and for the proper appropriation of the same, was read the second time, passed and sent to the Senate.

The Bill for the more expeditious recovery of Stolen Horses, was read the second time & rejected.

Mr. Polk, from the joint Ballotting, Reported that John Haywood, Esquire, was elected Treasurer; John McCullock, Collector; and Samuel Hall, Naval Officers, for Port Swanborough; and Peter Cassean, Vandue Master for the Town of Washington.

That the three Councillors and a Vandue Master for New Bern were yet to be ballotted for.

The House taking this report into Consideration, Concurred therewith.

Mr. Wyatt Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report, viz.:

Your Committee of Propositions and Grievances to whom was
referred the petition of William Graves and Elijah Hunter, Report. That on examining the premises, it appears to your Committee that the said petitioners were arrested by the Superior Court of Hillsborough district to the amount of Twenty-five pounds each for failing to deliver the body of a certain Thomas Landram agreeable to their recognizances taken by the Justices of Chatham county and returned to the said Court, which fines were actually levied and collected by the Sheriff of Chatham county, pursuant to a writ of Election from the said Superior Court. That the said petitioners were at the expense of bringing the said Landram from Georgia and delivered him to the Superior Court of said District at the term held next after the said fines were decreed, and he was then tried and acquitted of the charges of which they were bound for his appearing and answering, but was convicted of another crime then brought against him.

Your Committee taking under Consideration these Circumstances are of opinion that the State was not injured by the non-appearance of the said Thomas Landram, and that the fine decreed against the said petitioners by the said Court, and levied and Collected as aforesaid was only in Compliance of the strict formalities of Law, and do therefore recommend that the Treasurer be directed to pay the Sum of Twenty-five pounds to each of the petitioners, it being the amount of the fine levied and collected from them in consequence of the decree of the said Court.

All which is Submitted.

WYATT HAWKINS, Ch'n.

The House taking this report into Consideration, Concurred therewith.

Mr. Hay, from the Committee to whom was referred the petition of Sundry Inhabitants of Randolph county, delivered in the following Report, viz.:

The Committee to whom was referred the petition of Sundry Inhabitants of Randolph county in behalf of Joseph Clarke, having examined the papers touching the same Report,

That from the Depositions of John and Joseph Haggett and William Robins, as also the information of Mr. Bell, one of the Members for Randolph county, and of Thomas Frohock, Esquire, the member of Salisbury. It doth not appear that Henry Eustice
McCulloch ever had any title to the one hundred and fifty acres patented by Joseph Clarke aforesaid; and by the Commissioners for Hillsborough District to sell Confiscated property sold to Andrew Gibson, who, as appears to your Committee bid off the same with full notice of the premises.

Your Committee are therefore of opinion that no grant ought to issue pursuant to the said sale for the said one hundred and fifty Acres.

JOHN HAY, Ch'n.

The House taking this Report into consideration concurred there-with.

Received from the Senate the Report of the Committee on the Memorial of Angelica Wilton. Endorsed in Senate, "read and concurred with," which, being read, was concurred with by this House.

The House adjourned 'til To-morrow Morning 9 O'clock.

Sunday 31 December, 1786.
The House met according to adjournment.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

The Senate have considered of the Report of the Committee to whom was referred Captain Fenner's second representation, and to whom was committed the consideration of the purport of his first, and have determined that this report so far as it relates to making Captain Fenner an allowance for his services as Agent of the late North Carolina Line shall be deleted, that Captain Fenner be allowed the sum of two hundred pounds for his Services aforesaid in advance; that he be allowed one hundred pounds in full of his Expenses in this business to the present date, and that he make up and deliver to the next General Assembly a Complete Statement of his Accounts as Agent, and that his Services in this business be then considered and an adequate Compensation made him, and that he deliver up the Certificates and cheques thereof now on hand to the Public Treasurer taking his receipt for the same. Should the House of Commons concur with the Senate in opinion as to these propositions they will, on being informed thereof, cause a Resolution to be drawn up for those purposes.
Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree to the measures by you proposed with respect to the report on the representation of Captain Fenner as amended by this House.

Ordered that Mr. Palmer have leave to absent himself from the services of this House.

The Bill to consign to oblivion any misconduct of the Citizens within the Counties of Washington, Sullivan and Greene, was read the second time, amended, passed and sent to the Senate.

The Bill to repeal part of an Act passed at New Bern the 29th Day of December, 1785, entitled "an Act for destroying Wolves, Wildcats, Panthers, Bears, Crows and Squirrels in the several Counties therein mentioned," was read the third time, passed and ordered to be Engrossed.

Received from the Senate a Bill to amend and alter the Court System. Endorsed, "read the second time, amended and passed," and a bill for appointing the place of holding Courts in the County of Sullivan. Endorsed, "read the third time and passed."

Received from the Senate the Report on the Petition of Josiah Parker, the report on the Petition of James Holland, the report on the claim of Captain Lustre, the report on the claim of Burwell Stricklin and the report on the claim of Henry Pruss, severally endorsed, "read & Concurred with."

Received from the Senate the Report of the Committee on the Memorial of the Executors of Robert Hogg, Deceased, & the Resolve of this House in consequence thereof, and the Report on the Claim of James Blount & Resolve in consequence thereof. Endorsed, "read & Concurred with."

Received from the Senate the Resolve of this House directing the Secretary to issue Land Warrants to such Officers and Soldiers of the late Continental Line as by Law they are entitled to. Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We consent that the Report of the Committee on the Petition of James Ransom and Young Macemore be re-committed.

Received from the Senate the Resolve of this House for inserting
the name of Major Reading Blount in a former Resolve of the General Assembly immediately after the name of Col. John Armstrong. Concluded with.

The Bill to amend an Act entitled "an Act for the more regular collecting payment of and accounting for the public Taxes, and for levying certain duties therein mentioned," was read the third time, amended, passed and sent to the Senate.

The Bill for enabling Executors and administrators to make a speedy settlement of their Accounts, was read the second time, passed & sent to the Senate.

The Bill for purchasing Arms and Military Stores, and for establishing a Magazine, was read the second time, amended, passed and sent to the Senate.

The Bill prescribing the method of admitting Attorneys to practice in the several Courts of Law & Equity in this State and ascertaining how they shall be tried for misbehaviour, was read, the third time, amended, passed & sent to the Senate.

The Bill to appoint the place of holding Courts in the county of Sullivan, was read the third time, passed and ordered to be engrossed.

The Bill to appoint Commissioners to carry on and finish the Public Buildings in the county of Anson, was read the Second time, amended, passed and sent to the Senate.

The Bill to enable the Executors of Robert Hogg to maintain and defend Suits under the regulations therein mentioned, was read the Second time, passed & sent to the Senate.

The Bill directing the Commissioners of Confiscated property to receive Certificates agreeable to a resolution of the last General Assembly, was read the first time, passed and sent to the Senate.

Received from the Senate the Report of the Committees on the petition of John Rutherford. Endorsed in Senate, "read and Concurred with," which, being read, was Concurred with by this House.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

The Senate have not agreed with you as to the time of making up the Estimates, but propose that they be made up to Saturday next inclusive, which is in their opinion as short a day as can with 18—27
propriety be fixed on, the multiplicity of business now before the two Houses considered. We agree with you as to the mode of making up these Estimates.

Mr. Speaker & Gentlemen:

We have again taken up and considered the Report of the Committee on the petition of Zepheniah Waller, and have determined that the said Report shall not be considered as having been rejected, but as being laid over till the next Assembly, by which time it is suggested Mr. Waller will be able to produce other and more sufficient Testimony in support of his Claim therein set forth.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the Estimate of allowances be made up to include Saturday next by you proposed, and also agree that the report of the Committee on the petition of Zepheniah Waller be laid over until the next Assembly.

The Bill to repeal an Act entitled "an Act, to allow further time for saving Lots in the several Towns within this State so far as the same relates to the Town of Kingston," was read the second time, passed and sent to the Senate.

The Bill to amend an Act passed at Hillsborough in the year 1782, entitled "an Act to vest the title of a Certain Tract of Land in Robert Cummins," was read the second time, passed & sent to the Senate.

The Bill to keep open Cape Fear, Uharie, Rocky River of Pee Dee, the Catawba, Deep River, Haw River and Rocky River for the passage of fish up the same, was read the second time, amended, passed and sent to the Senate.

Resolved, That the Sheriff of New Hanover county be and he is hereby required and directed to restore to John Rutherford the negro Slaves the property of the said John Rutherford, William Gordon Rutherford, and Frances Menzies' Widow, hired out by order of the Court of said county, together with such Monies and Securities as he may have received for the said hire.

The Bill to vest the title of a Piece or Parcel of Land lying in Jones county in Howel Brown, &c., was read the second time, passed and sent to the Senate.
Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the report of the Committee on the accounts of the officers of confiscation, &c., be amended by striking out the clause relative to Col. Sitgreaves included within lines, this amendment being made we will concur with the same.

Received from the Senate the Bill to repeal an Act entitled 'an Act to secure and quiet in their possession all such persons their heirs and assigns who have purchased or may hereafter purchase Lands & Tenements, &c. Endorsed, "read the first time & passed."

Whereas, Benjamin Shepperd, the late Commissioner of the District of New Bern, hath neglected to take Bond for the Sales of property in many Instances, and to account with the public therefor, and hath notwithstanding charged a Commission on such sales, therefore,

Resolved, that the Comptroller be directed to furnish General James Armstrong, the present Commissioner for the District of New Bern with an account of the property sold by the said Shepperd for which no Bonds hath been given or payment made, and that General Armstrong be and he is hereby directed to sell the same agreeable to Law and under the same terms which he has disposed of Confiscated property in virtue of the Law under which he has acted, and

Resolved, that the Comptroller be directed to furnish the Treasurer with the amount of the Commissions drawn by the said Benjamin Shepperd on the above described property, and the said Treasurer is hereby directed to make demand of the same from the said Benjamin Shepperd, and upon his refusal or neglect to pay to commence Suit against him without delay, and

Whereas, the General Assembly are informed that Benjamin Exum, late Treasurer for New Bern District, has never finally settled and accounted for the monies which came to his hands as Treasurer,

Resolved, therefore, that the Comptroller immediately report the balance or balances due from the said Benjamin Exum to the State, as well as the balances due from all other defaulters in whose hands public Monies may be, to the Treasurer who is hereby required without delay to demand, sue for and recover the same.
Received from the Senate the Report of the Committee on the petition of John Kendrick, which, being read was recommitted, that the Committee may report whether there is not an Act of Assembly in force making provision for Persons under the description of the petitioner.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose balloting at 4 O'Clock to-morrow evening for purchasers of Tobacco for the Towns of Halifax, Tarborough and Fayetteville, for the three Councillors yet to be elected, for a vendue master for the Town of New Bern, an Entry Taker of Western Lands. We nominate for Commissioners of purchasing Tobacco, Thomas Hogg, for the Town of Halifax, James Porterfield and John Ingram for Fayetteville, Ethelred Philips for the Town of Tarborough; for Councillors we nominate the four Gentlemen who had the greatest number of votes the last Balloting to wit, Joseph McDowell, Thomas Brown, John Nelson and Spyers Singleton, Esquires; John Armstrong and William McCawley, Esqrs., for Entry Taker of Western Lands, Titus Ogden & Bazel Smith for Vendue Master for New Bern. We further add to the nomination for Councillors Robt. Bignall, Esqr. We have appointed Col. Polk and Mr. Neal to superintend the Balloting.

The House adjourned 'til To-morrow Morning 9 O'clock.

Monday, 1 January, 1787.

Resolved, That His Excellency be and he is hereby required to cause the list of Negroes carried away by the British, in contravention of the late Treaty of Peace, which are supposed to belong to the Citizens of this State to be published for one month in the North Carolina Gazette for the information of all persons whom it may concern.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the two Houses meet immediately agreeable to the proposition of this House on Saturday last to receive and hear the Judges on the subject of the charges to be exhibited against them, and that two of the Members from each House attend their Honors and acquaint them therewith.
STATE RECORDS.

Received from the Senate a Resolve of that House allowing Robert Fenner, Agent, &c., two Hundred Pounds, & directing him to deliver up to the Public Treasurer the Cheques, &c., which, being read was concurred with.

Received from the Senate the following Message of yesterday:

Mr. Speaker & Gentlemen:

We agree to ballot to-morrow at the time and for the several appointments by you mentioned except an entry Taker for western Lands, to which we do not agree. But propose that the fate of the Bill which alone renders such appointment necessary be first known.

Received the following Message:

Mr. Speaker & Gentlemen:

We agree that the two Houses meet in Conference agreeable to your proposition and have appointed Mr. Macon & Mr. Galloway to wait on the Honorable the Judges with this information.

Resolved, That the return of the Comptroller to the Committee respecting the Estimates and Public Debts, shewing the State of our Certificate debt be published and be bound up with the Laws.

Received from the Senate the representation of Duncan McNicoll & Co., Robert Adam, Maurice Carmichael and James Thackston, Merchants in the Town of Fayetteville, which was read.

Agreeable to the request of the Honorable Samuel Spencer, and John Williams, Esquires, and to the Resolution entered into by both Houses in pursuance thereof, the said Houses met in conference in the Commons room to hear the said Judges with respect to certain charges exhibited against them at this Session and committed to the examination of the persons appointed to enquire into the present administration of Justice in the Superior Courts, whereupon the Judges appearing,

Mr. Maclaine from the Committee to whom was referred the examination into the present mode of the administration of Justice in the Superior Courts of Law and Equity, delivered in a report, which was read in the following words.

The Committee to whom was referred the examination into the present mode of the administration of Justice in the Superior Courts of Law and Equity, Report—

That Peter Mallett having been indicted for high Treason in Wilmington Superior Court, was in May term, 1783, brought to hi
trial, and having pleaded a pardon of the Governor, the verdict of
the Jury was, that he was not excepted out of the same, and that
he had performed the Conditions thereof, and the Judgment there-
on was that the pardon should be admitted according to the pur-
port thereof for pardoning the said crime and restoring the said
Peter Mallett to all the Privileges of a Citizen; and it was the opin-
ion of the Court at the last term under the Act of Assembly for sus-
pending the privilege of the said Peter Mallett to commence or pro-
secute any suit in Law or Equity, in consequence of the said pardon
such judgment be rescinded and fully vacated. That at Hillsborough
in October term, 1785, two suits of the said Peter Mallett were refused
to be tried, the Court questioning the right of him, the said Peter, to
commence or prosecute any Suits, and that at Wilmington in De-
cember term in the year last mentioned, the said Peter Mallett hav-
ing obtained Judgments at the said term against divers persons,
the Court ordered that Executions on the said Judgments should be
stayed until it should be decided whether the said Peter Mallett was
not disabled from suing in the Court.

That at Wilmington Court in June, 1786, upon motion of Peter
Mallett's Attorney that cause might be shown why his the said
Peter's, right to sue in the Courts of this State, should be suspended,
a day was given them to argue the same, and on argument the
Court were of opinion that this question had been before decided in
May term, 1783, therefore, it was the opinion of the Court that the
subsequent order should be vacated, and for the proof of these facts,
your Committee beg leave to refer to the paper marked No. 1, contain-
ing extracts from the records of Wilmington Court, the latter part
of the deposition of John Huske, marked B, No. 2, the information
of the Lawyers on the Committee who practice in Hillsborough and
Wilmington Courts, and McNeill's Petition with papers enclosed
marked A.

That at Wilmington Superior Court in December term, 1785, indi-
citments were preferred by express directions of the Court against
a certain Francis Brice and a certain Daniel McNeil for misde-
meanor in returning to this State after having committed divers
treasurable acts, and having fled for the same, contrary to the
meaning and spirit of the Treaty of Peace and to the Laws and
Constitution of the State, and in order that the Bills might be found
by the Grand Jury who doubted whether the charges in the indict-
ments amounted to a crime, did expressly direct the said Grand Jury that if the facts charged appeared to them to be true, they were to find the Bills and that the Court and not they were to judge whether the act was Criminal and in what degree, and that the Judges during the trial in these causes hereafter mentioned, said that no Sovereign State or Government was without a power to prevent it from receiving injury, that the return of the said Francis Brice and Daniel McNeil was a misdemeanor in each of them and that a Law should have been made against the return of such Characters to the State, or to that effect. That the Indictments were found and the said Brice and McNeil tried (although the former prayed time for his trial alleging the want of his Counsell) and convicted, and the Court laid a small fine upon each of them (reasons in arrest of Judgment being offered by Francis Brice's Attorney and overruled) and adjudged that the said Francis Brice should stand committed until he should pay his fine and enter into Security before two Magistrates himself, in the Sum of five hundred pounds, and two Securities in the sum of two hundred and fifty pounds each, that he should depart the State within Sixty Days and the like Judgment with respect to Daniel McNeil, and for proofs of the above facts your Committee refer to authenticated copies of the Indictments, verdicts and judgments marked No. 3, the deposition of the Attorney General marked No. 4, and the deposition of John Huske marked B, No. 2.

That the Judges, Spencer & Williams, did in some instances receive monies levied for forfeited recognizances and fines imposed by themselves, and that all the Judges at Wilmington Court in December term, 1785, did declare that the General Assembly had no power to remit or suspend the payment of fines until they should be paid into the Treasury. See the papers marked No. 5 & 6. And your Committee for the declaration of the Judges as to the power of the General Assembly refer to the information of the practitioners of the Law on the Committee who attended Wilmington Court.

That Judge Williams at Wilmington in June, 1786, in the case of Williams, surviving partner of John & Co. against Whitsett on a bond to which the defendant had pleaded payment and on which the Jury meant to calculate the interest and deduct some payments which had been made, the said Judge after directing them to find the issue for the Plaintiff expressly directed the Clerk of the Court
to strike off Six years Interest without any plea of the defendant or any suggestion on his part that the plaintiff came within the description of the Act of last Session for preventing the recovery of Interest in certain cases; for proof of this your Committee refer to the information of Colo. Thomas Brown, who was one of the Jury, William Hooper, Esquire, of Council for the defendant, and a transcript of the records in that cause marked No. 7.

That Judge Spencer at Morgan Superior Court in the term of September, 1785, declined to relieve the Securities in a recognizance on a supposed judgment and erroneous execution thereon issued, after it appeared that the principal had been surrendered and was actually ordered into custody though the whole appeared to be a misprision of the Clerk. See the Petition of James Blair and others marked No. 8 and the paper inclosed, and that all the said Judges at Wilmington Court in June term, 1786, in the case of Alexander McIver, who was surrendered by his bail on criminal prosecution did adjudge that the said bail should forfeit five pounds each, notwithstanding that they pleaded that they were released and without suffering to try the validity of their plea. See the Petition of Alexander McIver No. 9 and copy of the Record No. 10.

That the Judges, Ashe and Williams, have never attended the Superior Court of Morgan District by reason of which matters of Law in that Court remain undecided (see the presentment of the Grand Jury in that district marked No. 11) and that all the Judges occasionally neglect to attend their Courts regularly, some times arriving late in the terms and sometimes leaving the Courts early. That Judge Ashe frequently arrived at Salisbury when the term of the Court was far advanced, and almost constantly left New Bern three or four days before the term ended.

That the delay of the Judges was greatly increased by tedious disputes between Judge Spencer and Judge Williams, and all the Judges as if combined to waste their time and delay business by long and frequent unnecessary charges to the juries, even in cases where they have been all agreed, seldom trying more than six or eight cases during a term.

That the number of causes in the Superior Courts are from the above causes and perhaps from others, so much increased that many Suitors have lost hopes of ever seeing them determined, and from the non-attendance of the Judges and their difference of opinion
when there were but two on the bench, matters of Law are left undecided.

All the circumstances with respect to the neglect and delay of the Judges being matter of public notoriety, your Committee have not thought it necessary to produce any proof thereof. That at New Bern Court in May term, 1786, in several Suits brought against Mr. Singleton and others, the defendants under the act for quieting in their possessions the purchasers of confiscated property, produced such affidavits as the act appears to require, and prayed that their Suits might be dismissed, but the Judges declined to decide either for or against the defendant, though another term has elapsed since the arguments were heard, whereas if any insuperable doubts arose on that subject, your Committee submit whether they should not have stated them to the General Assembly, that the act in question might have undergone a revisal. See the New Bern Petition marked No. 12.

Your Committee from the shortness of time which they have had since the examinations were finished and from the delay which would have been occasioned by giving an opinion on the several charges have been obliged to refer them to the General Assembly.

All which is submitted.

A. MACLAINE,
W. R. DAVIE,
WILL HOOPER,
R. D. SPAIGHT,
J. G. BLOUNT,
JNO. STOKES,
JNO. SITGREAVES.

Resolved, That the House resolve itself into a Committee of the whole House to take under consideration the Charges contained in the foregoing report of the Committee against the Honorable the Judges. The House accordingly resolved itself into a Committee of the whole House and chose Richard Dobbs Spaight, Esquire, Chairman, and after some time spent therein Mr. Speakers resumed the Chairs and Chairman reported that the Committee had come to several resolutions but not having time to reduce them to form desired leave until to-morrow to Report them. Ordered that he have leave accordingly.
The House adjourned 'til To-morrow Morning 10 O'Clock.

Tuesday 2 January, 1787.

The House met according to adjournment.

Resolved, That John Macon be allowed the sum of Twenty-Eight pounds Sixteen Shillings for serving twenty-four Days as Commissioner for liquidating Army Accounts, and that the Treasurer pay the same and be allowed in the settlement of his Public Accounts.

Resolved, That a Certificate issue to Doctor Charles Pasteur for his attendance as a member of Assembly at New Bern November and December Sessions, 1785, expressing that it issued in consequence of the first being lost by Colo. Whitaker to whom it was delivered, and should they both come to the treasury the said Charles shall be accountable.

Resolved, That Thomas Bridges, who was employed by the Clerk of this House to remove the papers belonging to the General Assembly from New Bern to Fayetteville be allowed the sum of fifteen pounds for such service, which sum the Treasurer is hereby required to pay him, any order to the contrary notwithstanding and for which this shall be his warrant.

Received from the Senate a Bill to authorize the late Commissioners of Specific Supplies for the Counties therein mentioned to collect the arrears, &c.

A Bill to enable the Executors of Robert Hogg to maintain and defend Suits, &c.

A Bill to appoint Commissioners to carry on and finish public buildings in the County of Anson. Endorsed, "read the Second time and passed."

A Bill to repeal an Act entitled "an Act to allow further time for saving lots in the several Towns within this State so far as the same relates to the Town of Kinston," read the third time & passed.

In pursuance of the report of a Committee on the recommendation of Congress on the Claims of Colo. Stephen Moore concurred with by both Houses.

Resolved that the Treasurer be hereby warranted to pay the Sum of two hundred and fifty Dollars with the Interest thereon to the said Moore, and that he be also warranted to pay him the further Sum of three thousand four hundred and nine Dollars and
twenty-two ninetieths with the Interest whenever the said Stephen Moore shall produce a Resolve of Congress signifying that the said Sum when paid, shall be deducted out of the Specie part of any requisition made or to be made on this State, both or either of which payments when made agreeable to this resolution shall be allowed the Treasurer of this State in the Settlement of his accounts.

The Bill for the Support of Government and for appropriating the revenues of the State, was read the third time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have received the Message of your House of yesterday, proposing an amendment in the report of the Committee on the account of the officers of the Confiscation, as to that part thereof which respects the account of Col. Sitgreaves, to which proposition we have unanimously agreed to, made the amendment accordingly and now again send that report for your Concurrence.

At the same time received the report above referred to amended agreeable to the proposition of the Senate, which was concurred with as amended & returned.

Received from the Senate the Resolve of this House directing the Comptroller to furnish the Commissioner of Confiscation of New Bern District & the public Treasurer, the former with an Account of the property sold by Benjamin Sheppard, late Commissioner, &c., with an acct' of property by him sold, and for which he hath not taken bond agreeable to Law, and the latter with an account of the Commissions allowed on such sales, and directing each of them in what manner to proceed thereon. Concurred with.

Received from the Senate the Report of the Committee on the petition of William Graves and Elijah Hunter, and the report on the petition of the Inhabitants of Randolph county. Concurred with.

The Bill to amend and alter the Court System, was read the third time and laid over until the next Assembly.

Received from the Senate a Bill to enable William Moore, late Sheriff of Burke county, to collect all the Taxes, &c.

A Bill for laying a Tax on all Seamen coming into the respective ports of this State, &c., and
A Bill declaring what shall be considered misbehaviour, &c., in a Justice of the Peace. Endorsed, "read the second time, & passed."

Received also a Bill for establishing a Militia in this State. Endorsed, "read the third time & passed."

Received from the Senate the Resolve of this House requiring His Excellency, the Governor, to cause to be published the list of Negroes carried away by the British. Concluded with.

Received from the Senate the Resolve of this House allowing John Macon twenty-eight pounds, sixteen Shillings. Concluded with.

The Chairman of the Committee of the two Houses in conference met, who had leave until this day to reduce to form the resolutions of the Committee on the charges reported against the Honorable, the Judges, delivered in the following Report, viz.:

On the first charge as stated in the report of the Committee appointed to enquire into the present mode of administration of Justice in the Superior Courts of Law and Equity, which respected the conduct of the Judges, in the case of Peter Mallett, it was Resolved that the facts reported by the Committee respecting the suspension of Peter Mallett's suits in the Superior Courts, do not amount to a misdemeanor in office. On the Second, which was the banishment of Francis Brice and Daniel McNeill, the following question was proposed, to wit, "are the Judges guilty of any Malpractice in office in the banishment of Francis Brice and Daniel McNeill?"

It was resolved in the Negative.

The Committee then proceeded to take up the remaining part of the report containing sundry charges against their Honors, the Judges, and to decide hereon generally, by the following general questions:

"Have the Judges been guilty of any Malpractice in office or not?"

Which was resolved in the Negative.

All which is submitted.

RICHARD DOBBS SPAIGHT, Ch'n.

The question was put.

"Does the House Concur with this Report or not?"

It was Resolved in the affirmative, whereupon the Yeas and Nays were required by Mr. Davis, which are as follows, viz.:

Yeas.—Messrs. P. Robeson, W. Wood, Creecy, Rhodes, James


Mr. Davie moved for leave to enter his protest against the Concurrency of this Report. Ordered that he have leave accordingly.

Ordered that the report be sent to the Senate for concurrence.

Resolved, that four hundred Copies of the Bill to amend and alter the Court System, which is laid over until the next Assembly be published by the Public Printer in hand bills.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose balloting at 5 O'Clock this evening for the officers that were to have been ballotted for last evening, and put in nomination for the said officers respectively the persons before nominated, and add to that nomination for purchaser of Tobacco at Halifax, Egbert Haywood.

The House adjourned 'til 5 O'clock.

Met according to adjournment.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We add to the nomination for a Commissioner for purchasing Tobacco at the Town of Halifax, Egbert Haywood, Esquire, but do not agree to ballot at the time by you proposed.

Resolved, that Mr. Neal and Col. Polk be requested to collect all the original depositions and other evidences, and the digest of the said depositions, and the reports of the Committee relative to the fraudulent making out and framing thereupon & passing accounts thro' the office of the Commissioners of Army accounts, and the fabrication of false orders to procure the same out of the said
office and transmit the said papers by the earliest and safest opportunity to the Attorney-General, that the same shall be certified by the Speakers to be such.

And, whereas, sundry papers are lodged in the hands of Pleasant Henderson who acted as Clerk to the Sub Committee of Finance commonly called the Thousand Pounds Committee, which may be necessary to be laid before the Court of Oyer at Warrenton.

Resolved, therefore, That Mr. Henderson attend the said Court with all such papers (due bills excepted) in his possession as aforesaid.

The Bill to keep open Uharie, Rockey River of Pee Dee, the Catawba, Cape Fear, Deep River, the Yadkin River, Haw River and Rockey River for the passage of Fish up the same, was read the third time, amended, passed and sent to the Senate.

The Bill to authorize the late Commissioners of Specific Supplies for the Counties therein mentioned, to collect the arrearages of Specific Taxes yet due from the Inhabitants thereof, was read the third time, passed & ordered to be Engrossed.

The Bill to enable the Executors of Robert Hogg to maintain and defend Suits under the regulations therein mentioned, was read the third time, passed & sent to the Senate.

The Bill declaring what shall be considered misbehavior, absence and inability in a Justice of the Peace, &c., was read the second time, passed and sent to the Senate.

The Bill to emancipate Caesar, formerly a Servant of Samuel Yeargan, deceased, was read the third time, passed and ordered to be Engrossed.

The Bill to enable William Moore, late Sheriff of Burke County, to collect all the Taxes due from the said County for the year 1785, and to allow him a further time for settling for his collections with the Treasurer, was read the third time, passed and sent to the Senate.

The Bill to appoint Commissioners to carry on and finish the public buildings in the County of Anson, was read the third time, passed and ordered to be Engrossed.

Mr. Eborne presented the resignation of Augustin Spain & Reuben Slade, justices of the Peace for Hyde County, which, being read was accepted.

Received from the Senate the Resolve of this House directing the
Treasurer to pay Stephen Moore two hundred and fifty Dollars, &c. concurred with.

Received from the Senate the Memorial of Martin Armstrong and the Petition of Hugh McLean. Endorsed in Senate, "read & referred to the Committee on Petitions and Memorials," which, being read, were referred as by the Senate.

Received from the Senate a Resolve of that House for suspending Thomas Matthews, a Colonel and Justice of the Peace for Moore County, from the exercise of his office, &c., which, being read, the following Message was ordered to be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received and considered of your Resolve relative to the suspension of Colo. Matthews, with which we do not concur, that Gentleman being now in Town and desirous to be admitted to his defence immediately. We therefore propose that a Committee be appointed to examine into and report on the charges against him. We have on our part appointed Messrs. Whitfield, Hamilton and McDowell for this purpose.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We have appointed Messrs. Macon, Harris and Wynns a Committee, who will act jointly with such of your Body as may be appointed, to receive from the several Committees such Continental and old Dollar Bill Money as may be in their hands belonging to the public and who will cause such Continental Money to be delivered to the Comptrollers and the other to be burned and destroyed, and make report of their proceedings herein.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Messrs. Sloan, McDowell, Brown, Carson and Holland to act with the Gentlemen by you appointed to receive from the Sub-Committee, &c., the old Continental and State Dollar Money and to do therewith as by you proposed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

It being represented to this House that there is an error in the report of the Committee, (with respect to calculation), on the peti-
tion of James Fletcher, they have determined at the request of Col. Herndon, that he have leave to withdraw the whole of the papers on that subject in order to their being laid before the next Assembly.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the petition of James Fletcher and all the papers relative to the subject matter thereof, be withdrawn as by you proposed.

Received from the Senate the Report of the Committee on the Claim of the late Honbl. William Byrd. Endorsed in Senate, "read and Concurred with," which, being read, was Concurred with by this House.

Received from the Senate a Resolve of that House in favor of Winston Caswell, which being read, was rejected, whereupon,

Resolved, that Winston Caswell in favor of whom a warrant hath been issued by His Excellency the Governor on the Treasury of this State for the purpose of paying off expresss and others employed in bringing to Fayetteville sundry persons charged with frauds on the Treasury by virtue of a Resolution of this Assembly, be and he is hereby required to settle and account for monies so by him drawn as aforesaid with the public Comptroller.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We cannot agree to the Resolve of your House directing the Printer to Publish and bind up with the Laws a Copy of the Estimates of Certificates due by the State, but propose that the one herewith sent you on that subject be adopted in lieu thereof.

At the same time received the Resolve referred to in the above Message, which, being read, was concurred with.

Received from the Senate a Resolve of that House directing General Gregory to deliver Memucan Hunt, Esquire, late Treasurer all the due Bills in his possession, &c., which, being read, was rejected, whereupon,

Resolved, That General Gregory be and he is hereby directed to deliver to the Comptroller all the due Bills which the Committee for examining, &c., received of the Treasurer during their sitting as such.
Mr. Wyatt Hawkins, from the Committee to whom was referred the returns made from the different counties in pursuance of an Act entitled "an Act ascertaining the number of white and black Inhabitants and the citizens of every age and condition in the State." Reported that due returns are made from about eighteen counties which are as follows, viz.:

<table>
<thead>
<tr>
<th>Number</th>
<th>Counties</th>
<th>White males from 21 years to 60</th>
<th>White males under 21 &amp; over 60</th>
<th>White females under every age</th>
<th>Black males from 12 years to 60</th>
<th>Black males under 12 &amp; over 60</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Franklin</td>
<td>740</td>
<td>1069</td>
<td>1814</td>
<td>931</td>
<td>913</td>
<td>5475</td>
</tr>
<tr>
<td>2</td>
<td>Tyrrell</td>
<td>552</td>
<td>966</td>
<td>1486</td>
<td>874</td>
<td>879</td>
<td>8859</td>
</tr>
<tr>
<td>3</td>
<td>Pasquotank</td>
<td>615</td>
<td>1023</td>
<td>1551</td>
<td>789</td>
<td>815</td>
<td>4798</td>
</tr>
<tr>
<td>4</td>
<td>Northampton</td>
<td>769</td>
<td>1329</td>
<td>1906</td>
<td>1721</td>
<td>1584</td>
<td>7043</td>
</tr>
<tr>
<td>5</td>
<td>New Hanover</td>
<td>579</td>
<td>722</td>
<td>1397</td>
<td>1382</td>
<td>1013</td>
<td>5042</td>
</tr>
<tr>
<td>6</td>
<td>Duplin</td>
<td>734</td>
<td>1856</td>
<td>1997</td>
<td>605</td>
<td>548</td>
<td>5248</td>
</tr>
<tr>
<td>7</td>
<td>Warren</td>
<td>735</td>
<td>1399</td>
<td>2409</td>
<td>1792</td>
<td>1870</td>
<td>5995</td>
</tr>
<tr>
<td></td>
<td>Addition to the above</td>
<td>1.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>701</td>
</tr>
<tr>
<td>8</td>
<td>Richmond</td>
<td>380</td>
<td>757</td>
<td>1126</td>
<td>168</td>
<td>154</td>
<td>2555</td>
</tr>
<tr>
<td>9</td>
<td>Caswell</td>
<td>1373</td>
<td>2748</td>
<td>8611</td>
<td>1110</td>
<td>1097</td>
<td>9839</td>
</tr>
<tr>
<td>10</td>
<td>Chowan</td>
<td>488</td>
<td>641</td>
<td>970</td>
<td>992</td>
<td>716</td>
<td>8782</td>
</tr>
<tr>
<td>11</td>
<td>Nash.</td>
<td>650</td>
<td>1269</td>
<td>1850</td>
<td>799</td>
<td>709</td>
<td>2577</td>
</tr>
<tr>
<td>12</td>
<td>Edgecomb</td>
<td>1045</td>
<td>1977</td>
<td>2985</td>
<td>1271</td>
<td>1202</td>
<td>8490</td>
</tr>
<tr>
<td>13</td>
<td>Halifax</td>
<td>1088</td>
<td>814</td>
<td>8145</td>
<td>2638</td>
<td>2552</td>
<td>10327</td>
</tr>
<tr>
<td>14</td>
<td>Gates</td>
<td>543</td>
<td>901</td>
<td>1361</td>
<td>927</td>
<td>1183</td>
<td>4917</td>
</tr>
<tr>
<td>15</td>
<td>Granville</td>
<td>738</td>
<td>1488</td>
<td>2149</td>
<td>925</td>
<td>954</td>
<td>6247</td>
</tr>
<tr>
<td></td>
<td>Addition to the above</td>
<td>4058</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Sampson</td>
<td>565</td>
<td>1197</td>
<td>1786</td>
<td>884</td>
<td>888</td>
<td>4288</td>
</tr>
<tr>
<td>17</td>
<td>Hyde.</td>
<td>496</td>
<td>887</td>
<td>1282</td>
<td>430</td>
<td>876</td>
<td>3431</td>
</tr>
<tr>
<td>18</td>
<td>Surry</td>
<td>340</td>
<td>584</td>
<td>436</td>
<td>106</td>
<td>94</td>
<td>1559</td>
</tr>
</tbody>
</table>

And that partial returns are made from about twenty-five other counties, which said returns are so promiscuously thrown together, and being irregularly drawn, occasions them to be in so confused a 18—28
manner as to be almost unintelligible to your Committee, neither
is the names of the counties expressed, which has caused your com-
mittee to state them as follows, viz.:

<table>
<thead>
<tr>
<th>Number</th>
<th>White males from 21 years to 60.</th>
<th>White males under 20 &amp; over 80.</th>
<th>White females of every age.</th>
<th>Blacks from 12 under 50.</th>
<th>Blacks under 12 &amp; over 50.</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>No County named.</td>
<td>75</td>
<td>150</td>
<td>236</td>
<td>175</td>
<td>188</td>
</tr>
<tr>
<td>2</td>
<td>Ditto.</td>
<td>88</td>
<td>143</td>
<td>204</td>
<td>105</td>
<td>44</td>
</tr>
<tr>
<td>3</td>
<td>Ditto.</td>
<td>101</td>
<td>228</td>
<td>807</td>
<td>79</td>
<td>61</td>
</tr>
<tr>
<td>4</td>
<td>Ditto.</td>
<td>98</td>
<td>190</td>
<td>261</td>
<td>54</td>
<td>36</td>
</tr>
<tr>
<td>5</td>
<td>Ditto.</td>
<td>34</td>
<td>74</td>
<td>99</td>
<td>21</td>
<td>90</td>
</tr>
<tr>
<td>6</td>
<td>Ditto.</td>
<td>96</td>
<td>171</td>
<td>243</td>
<td>181</td>
<td>145</td>
</tr>
<tr>
<td>7</td>
<td>Ditto.</td>
<td>99</td>
<td>188</td>
<td>244</td>
<td>38</td>
<td>27</td>
</tr>
<tr>
<td>8</td>
<td>Ditto of Edenton.</td>
<td>141</td>
<td>105</td>
<td>234</td>
<td>414</td>
<td>218</td>
</tr>
<tr>
<td>9</td>
<td>Ditto.</td>
<td>79</td>
<td>129</td>
<td>199</td>
<td>25</td>
<td>31</td>
</tr>
<tr>
<td>10</td>
<td>Ditto.</td>
<td>333</td>
<td>686</td>
<td>952</td>
<td>58</td>
<td>55</td>
</tr>
<tr>
<td>11</td>
<td>Ditto.</td>
<td>92</td>
<td>152</td>
<td>258</td>
<td>146</td>
<td>136</td>
</tr>
<tr>
<td>12</td>
<td>Ditto.</td>
<td>96</td>
<td>185</td>
<td>226</td>
<td>75</td>
<td>57</td>
</tr>
<tr>
<td>13</td>
<td>Ditto.</td>
<td>182</td>
<td>494</td>
<td>501</td>
<td>58</td>
<td>37</td>
</tr>
<tr>
<td>14</td>
<td>Ditto.</td>
<td>41</td>
<td>75</td>
<td>132</td>
<td>58</td>
<td>43</td>
</tr>
<tr>
<td>15</td>
<td>Ditto.</td>
<td>57</td>
<td>88</td>
<td>137</td>
<td>65</td>
<td>62</td>
</tr>
<tr>
<td>16</td>
<td>Ditto.</td>
<td>147</td>
<td>233</td>
<td>394</td>
<td>57</td>
<td>39</td>
</tr>
<tr>
<td>17</td>
<td>Ditto.</td>
<td>91</td>
<td>207</td>
<td>313</td>
<td>105</td>
<td>101</td>
</tr>
<tr>
<td>18</td>
<td>Ditto.</td>
<td>59</td>
<td>89</td>
<td>189</td>
<td>20</td>
<td>35</td>
</tr>
<tr>
<td>19</td>
<td>Ditto.</td>
<td>82</td>
<td>187</td>
<td>203</td>
<td>10</td>
<td>11</td>
</tr>
<tr>
<td>20</td>
<td>Ditto.</td>
<td>125</td>
<td>255</td>
<td>372</td>
<td>72</td>
<td>85</td>
</tr>
<tr>
<td>21</td>
<td>Ditto.</td>
<td>114</td>
<td>241</td>
<td>346</td>
<td>54</td>
<td>43</td>
</tr>
<tr>
<td>22</td>
<td>Ditto.</td>
<td>90</td>
<td>179</td>
<td>258</td>
<td>20</td>
<td>11</td>
</tr>
<tr>
<td>23</td>
<td>Ditto.</td>
<td>153</td>
<td>357</td>
<td>503</td>
<td>31</td>
<td>23</td>
</tr>
<tr>
<td>24</td>
<td>Ditto.</td>
<td>87</td>
<td>144</td>
<td>233</td>
<td>56</td>
<td>35</td>
</tr>
<tr>
<td>25</td>
<td>Ditto.</td>
<td>103</td>
<td>235</td>
<td>329</td>
<td>35</td>
<td>33</td>
</tr>
</tbody>
</table>

Total: 18579
Therefore your Committee recommend the following Resolution:
Resolved, that His Excellency, the Governor, be and he is hereby required to issue his Proclamation expressly requiring Courts of the Counties which have complied with the said Act to proceed immediately to carry the same into effect, and His Excellency lay before the next General Assembly a Statement of such returns and forward to the Delegates from this State in Congress of the United States, a complete Copy of such returns as soon as they are obtained from the whole State.
All which is submitted.

WYATT HAWKINS, Ch'n.

The House taking this report into Consideration, Concurred therewith.
The House adjourned 'til to-morrow morning 9 O'clock.
Wednesday, 3d January, 1787.
The House met according to adjournment.
Received from the Senate a Resolve of that House for revising the several Boards of Auditors, which being read, was rejected.
Received from the Senate the following message:

Mr. Speaker & Gentlemen:
We have rejected the recommendation of Justices for the county of Orange on account of its not being signed by the representatives of that county as is usual.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:
We herewith send you a recommendation of persons to be added to the Commission of the Peace for the county of Orange signed by the representatives.
The Bill for dividing the county of Davidson into two counties, was read the Second time, passed and sent to the Senate.
The Bill to repeal an Act entitled "an Act to allow further time for saving Lots in the several Towns within this State so far as the same relates to the Town of Kinston," was read the third time and rejected.

Received from the Senate a Bill to suspend the examination of Grants to certain Lands in Guilford county, &c. Endorsed in Senate, "read the first time and passed," and a Bill to bring to condign
punishment certain persons therein described and to secure their estates so as to be answerable to the public, &c. Endorsed, "read the Second time & passed."

Received also the following Bills:

A Bill for levying a Tax in the District of Edenton for building a jail, &c.

A Bill to amend an Act passed at Hillsborough in the year 1782, entitled "an Act to vest the title of a certain Tract of Land in Robt. Cummins" &c., and,

A Bill to amend an Act to empower the County Courts to order the laying out public Roads, &c. Endorsed in Senate, "read the third time and passed."

Mr. J. G. Blount moved for leave, and presented a Bill declaratory of the powers of Courts and the rights of Juries, which was read the first time, passed and sent to the Senate.

The Bill to vest the title of the lands therein mentioned in the persons therein mentioned, was read the Second time, passed and sent to the Senate.

The Bill for levying a Tax in the District of Edenton for building the jail of the said District, was read the third time, passed and ordered to be engrossed.

The Bill for erecting a prison in the county of Franklin, was read the third time, passed and ordered to be engrossed.

The Bill to amend an Act, entitled "an Act, directing the mode of proceeding against the real estates of deceased persons where the person's estate is insufficient for the payment of Debts", was read the second time, passed and sent to the Senate.

The Bill to amend the Law relative to the attachment of property, was read the second time, passed and sent to the Senate.

Received from the Senate a Bill directing the Commissioners of Confiscated property, &c., and,

A Bill to repeal the several Acts of Assembly respecting Slaves as far as the same relates to making an allowance to the owners, &c. Endorsed, "read the second time and passed."

Received also the Bill to vest the title of a piece or parcel of Land lying in Jones county in Howell Brown, &c., and

A Bill empowering Commissioners to dispose of the Land and Glebe, the property of St. Johns' Parish, &c. Endorsed, "read the third time & passed."
Received from the Senate the Resolve of this House, directing Mr. Neal and Col. Polk to collect all the original depositions, &c. Taken by the Secret Committee for the purpose therein expressed.

A Resolve directing Winston Caswell to settle his accounts with the Comptroller.

A Resolve directing the Public Printer to strike four hundred Copies of the Bill to alter and amend the Court System, and,

A Resolve directing Genl. Gregory to deliver the Due Bills in his possession to the Comptroller. Severally concurred with.

Received from the Senate the following message:

Mr. Speaker & Gentlemen:

Messrs. Lewis, McCawley, Reddick and Bledsoe, will on the part of this House, act with the Gentlemen by you appointed as a Committee to hear and report of Col. Matthews' defence as to the charges exhibited to this Assembly against him.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that a Judge of the Court of Admiralty for Port Roanoke be balloted for, at the time the other officers are ballotted for, put in nomination John B. Beasley.

The Bill for establishing a Militia in this State, was read the third time, passed and ordered to be Engrossed.

The Bill to bring to condign punishment and to secure their estates so as to be answerable to the Public the Persons therein described accused of certain crimes and fraudulent practices, and to indemnify such persons as have acted in pursuance of certain resolutions of this Assembly from vexatious Suits and prosecutions, and to establish a Board for the detection and further discovery of the said fraudulent practices, and for liquidating the accounts of the officers and Soldiers of the Continental line, was read the third time, passed and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker & Gentlemen:

We do agree to ballot for a Judge for the Court of Admiralty for Port Roanoke, but propose that officers be appointed by Resolve to which end we send herewith a resolution for your Concurrence.
Received the Resolve above referred to, which, being read, was concurred with.

Received from the Senate a Bill to amend an Act passed at Hillsborough in May, 1784, entitled "an Act for regulating the pilotage of Cape Fear River," and,

A Bill to amend an Act passed at New Bern in December, 1785, entitled "an Act for increasing the Jurisdiction of the County Courts of Pleas and Quarter Sessions, and of the Justices of Peace out of Court, and directing the time of holding the several Courts of this State. Endorsed, "read the first time & passed."

Received also a Bill declaring what shall be considered misbehaviour in a Justice of the Peace, &c. Endorsed, "read the third time and passed."

Received from His Excellency the Governor the following Message:

To the Honorable the General Assembly:

Gentlemen:

Herewith be pleased to receive a Letter from the Commissioners of the Board of Treasury, with Sundry Resolutions of Congress, a General Account of receipts & expenditures of the United States from the first of November, 1785, to the 30th of June, 1786, and a Schedule of requisitions by the United States on the several States to the 30th June last. Also two Letters from Governor Randolph, with an act of the Legislature of Virginia for appointing Deputies to revise the Federal Constitution.

These Papers came to my hands on Saturday last, at Kinston, and I take the earliest opportunity in my power of laying them before you, judging their importance to be of such consequence as to require the consideration of the Legislature in the course of the present Session.

R. CASWELL.

Fayetteville, Jan., 3d, 1787.

At the same time received the Letters "a Resolution of Congress," &c., above referred to, which, being read, were referred to the Committee to whom was referred the last Communications from Congress.
Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a Message from His Excellency, the Governor, accompanied with sundry papers from Congress and the Board of Treasury, which we propose referring to the Committee to whom the last communications from Congress were referred, and as those papers appear to be of consequence of the first Magnitude, we further propose that the Committee report without delay.

Resolved, that two hundred Copies of the act to bring to condign punishment, &c., certain persons accused of fraudulent practices against the State be printed by the Public Printer, and distributed amongst the Members, each Member from the District of Halifax to be served with two Copies whose business it shall be to make the same known to the Sheriffs and Justices of their county in order that the intentions of the said Act may be effected in time.

The Bill declaring what shall be considered misbehaviour in a Justice of the Peace, &c., was read the third time & laid over until the next Assembly.

The Sheriff of Warren county certified that Mr. Edward Jones was duly elected a Member of this House to represent the said county in General Assembly, whereupon Mr. Jones appeared, was qualified and took his seat.

Received from the Senate the resignation of Augustin Spain and Reuben Slade. Concluded with.

Received also the Resolve of this House for issuing Doct. Chas. Pasteur another Certificate, &c. Concluded with.

Received from the Senate the Reports of the Committee appointed to report the number of white and black inhabitants of every age sex and condition agreeable to the several returns. Concluded with.

Received from the Senate a Bill for dividing the county of Davidson into two counties. Endorsed, "read the second time & passed."

Received from the Senate the Resolve of this House, directing the Printer to Publish two hundred Copies of the Acts to bring to condign punishment certain persons therein described, &c. Concluded with.

The Bill to repeal the several Acts of Assembly respecting Slaves as far as the same relates to making an allowance to the owner or
owners for any executed or outlawed Slave or Slaves, was read the Second time, passed and sent to the Senate.

On the question, shall this Bill pass or not pass, the Yeas and Nays were required by Mr. Spaight which are as follows. viz.:


The Bill to consign to oblivion any misconduct of the Citizens within the counties of Washington, Sullivan and Greene, was read the third time, passed and ordered to be engrossed.

The Bill to vest the title of a piece or parcel of Land lying in Jones county, in Howell Brown and his Heirs in fee simple, was read the third time, passed and ordered to be engrossed.

The Bill to amend an Act, entitled "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," was read the third time, passed and ordered to be engrossed.

The Bill to amend an Act passed at Hillsborough in the year 1782, entitled "an Act to vest the title of a certain Tract or parcel of Land in Robert Cummins," was read the third time, passed and ordered to be engrossed.

The Bill empowering Commissioners to dispose of the land and Glebe the property of St. John's Parish formerly in the county of Bute, (now Franklin), was read the third time passed & ordered to be engrossed.

The Bill for dividing the county of Davidson into two counties, was read the third time, passed and sent to the Senate.

Resolved, that the thanks of this House be presented to Colonel Adams Sanders for his ready acquiescence and conformity* to the resolutions of the General Assembly directing the apprehension of
certain persons accused with fraudulent practices against the Treasury of the State, for the activity zeal and public Spirit, which he discovered in proceeding to apprehend and bring a number of them to answer the Public Justice of the State before the General Assembly.

The Bill for establishing the dividing line between the counties of Burke and Rutherford, was read the Second time, passed and sent to the Senate.

The Bill to suspend the execution of Grants to certain Land in Guilford county for the purpose therein mentioned, was read the Second time, passed and sent to the Senate.

The Bill directing the Commissioners of Confiscated property to receive Certificates agreeable to a Resolve of the last General Assembly, was read the second time, passed and sent to the Senate.

Received from the Senate the report of the Committee appointed to ascertain the officers of the Continental Line who are entitled to pay, &c., which, being read, was concurred with.

The Bill for laying a Tax on all Seamen coming into the respective Ports of this State, for raising a fund for the support of such Seamen and for the proper appropriation of the same, was read the third time, passed and sent to the Senate.

The House adjourned 'til To-morrow Morning 9 O'clock.

Thursday, 4 January, 1787.

The House met according to adjournment.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We consent that the Message and papers this day laid before the General Assembly by His Excellency the Governor, be referred as by you proposed, and that the Committee to whom they are so referred report forthwith.

Mr. Blount from the Committee to whom the Memorial of William England was referred, delivered in a report, which, being read and amended was agreed to as follows:

That it appears to us by a Certificate signed by Philip Alston that he, the said Alston did, when Commissioner for the State employ Mr. England to superintend the said Iron Works, and by Mr. England's account it appears he expended for the use of the works, the sum of one hundred & sixty pounds, sixteen shillings & two
pence and charges for his services the sum of one hundred and twenty pounds, and Credits the State for Iron sold, &c. to the amount of fourteen pounds five shillings and eleven pence, which leaves a balance due him of two hundred and sixty-six pounds sixteen shillings & three pence, which, Mr. Alston certifies he has never paid him, which Sum we recommend shall be paid him by the Treasurer, and be allowed him in the settlement of his Accounts.

All which is submitted.

J. G. BLOUNT,
A. MACLAINE,
F. WINSLOW,
PETER PERKINS,
AMBROSE RAMSEY,
THOMAS WYNNS,
WILL POLK.

The House taking this Report into consideration, concurred therewith.

Resolved, That the Iron Works mentioned in the report of the Committee on the subject of Wilcox's Iron Works, dated in the House of Commons 23rd April, 1778, delivered in by Mr. Jones and concurred with in the Senate 29 April, 1778, were intended by the Legislature to have been returned to both the proprietors thereof, although the name of Mr. Wilcox only was used, he being the principal Agent in the application to the Assembly on that subject, and the name of Mr. England having been omitted thro' neglect and that the Thousand pounds with the materials and Pig Iron above referred to was intended as a recompence to both the proprietors according to each man's proportion of interest in the said Iron works.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the name of Colo. Lytle be inserted among the other names in the resolution for returning the thanks of the Legislature to the officers who attended at this Session in obedience to a Proclamation of the Governor, &c., to assist in the discovery of frauds against the public.
On the question to agree to this Message the Yeas and Nays were required by Mr. Hall, which are as follows, viz.:


Mr. Hay presented a Resolution of the Assembly for the payment of such Militia as might be called to guard the State Prisoners accompanied by the Pay roll of such Militia as have been in service agreeable thereto, which was referred to Mr. Dodd & Mr. McKinne on the part of this House.

Received from the Senate the report of the Committee on His Excellency the Governor's Message on the claim of John Freebody. Endorsed in Senate, "read & concurred with," which, being read, was amended and concurred with by this House as amended.

Received also, a Resolve relative thereto, which, being read, was rejected, and the following adopted in lieu thereof:

On reading and concurring with the report of the Committee on the Claim of John Freebody,

Resolved, That the parties reciprocally bind themselves to each other, the possessor of the Land that he will give possession thereof to Mr. Freebody, his brother and Sisters, and Mr. Freebody to the possessors, that he will previously pay to Mr. Neal and Mr. Jones the value of all the improvements made thereon to be ascertained by persons mutually to be appointed and agreed upon, who shall consider of the damage done to the Land and deduct the same from the full value of the improvements, and the residue thereof shall be the sum to be paid Mr. Jones and Mr. Neal.

Resolved also, That the rents for the said Land due or paid into the Treasury previous to the sale thereof shall be refunded.

Mr. J. G. Blount presented the Petition of Richard Clarkson,
which, being read, was referred to Messrs. Sitgreaves, Blount and Martin, on the part of this House.

Received from the Senate the Report of the Committee on the Petition of William Murphy. Endorsed, "read & concurred with," which, being read, was concurred with by this House.

Resolved, That Memucan Hunt, Esquire, late Treasurer of this State, be allowed the Sum of sixty-one pounds eight shillings for attending on the General Assembly at New Bern and on the Comptroller for settlement, for cash paid for taking to Fayetteville the Books and Papers of the Treasury and for Books, papers and other Stationery for the Treasury, that the Treasurer pay him the same and be allowed.

Resolved, That John Haywood, Esquire, who was elected Treasurer of the State on the thirteenth of December last, be required to enter into Bond for the faithful performance of the duty of his office in the Sum prescribed by Act of Assembly, that he furnish the General Assembly with the names of his Securities, that the same may be subject to the approbation of the General Assembly, and upon such approbation being had that the said Bond be executed and delivered to His Excellency the Governor, and

Resolved further, That the said John Haywood, Esquire, be directed after execution of the said Bond to take the Oath of Office before some person properly authorized to administer the same, and to enter upon the execution of the duties of his office, and that the late Treasurer pay into the hands of Mr. Haywood all the public Monies which are now in his hands.

Resolved, That for the future the Treasurer, the Comptroller and the Secretary of State shall reside and constantly keep their respective offices at the Town of Hillsborough in order that those offices may be convenient to the greater part of the Inhabitants of the State.

Received from the Senate the Resolve of that House recommending to His Excellency the Governor, James McADow, Henry Reed, William Hall and others, who were accessory to the Death of a certain Alexander Shannon for a pardon for such offense, which, being read, was concurred with.

On the question to concur with this Resolve the Yeas and Nays were required by Mr. Hay, which are as follows, viz.:

Yeas: Messrs. W. Wood, Copeland, Creecy, Fulford, Polk,


Received from the Senate the Report of the Committee on the Petition of Andrew Bass, and the report of the Committee on the Petition of Hugh Ross. Endorsed in Senate, "read and concurred with," which, being read, were concurred with by this House.

Resolved, That the Comptroller be and he is hereby directed and required to pay into the hands of the Continental loan officer for this State, or such other person as may be authorized to receive the same, all the old Continental dollar bills he may have in his possession, he taking a receipt for the same.

Received from the Senate a Resolve of that House allowing Hugh McDonald fifteen pounds, which, being read, was rejected.

Received from the Senate the Report of the Committee on the accounts of Joseph Cain, late District Treasurer. Endorsed, "read and Conceded with," which, being read, was amended, passed and Conceded with as amended.

Resolved, That the General Assembly entertain a high and proper sense of the laudable conduct and ready attendance of Capt. Abner Lamb, and that his attendance is no longer required.

Mr. Cabarrus moved for leave and presented a Bill for revising the several boards of Auditors, which, being read the first time, passed & sent to the Senate.

Received from the Senate the Report of the Committee on the Petition of Major George Doherty and a Resolution of that House in consequence thereof, which, being read, the following resolution was adopted by this House, viz.:

On reading the report of a Committee on the Memorial of George Doherty, late a Major in the Continental line in this State, concurred with by the Senate and a resolution of that body in pursuance thereof.
Resolved, That this House do not concur therewith, but that the following resolution be adopted in lieu of the same, to-wit:

Resolved, That George Doherty, late a Major in the Continental line of this State, be allowed the Sum of Eighty pounds for a Horse lost in the Continental service, also, that the Comptroller be directed to issue a Certificate to him for thirty eight pounds, being the one fourth of a Sum due for his deficiency in forage while in the Continental Army, and that he be allowed one hundred and eighty pounds in full for that Sum due him for services and expenditures when on duty in the service of the Continent by orders of the late Governor Martin. All which Sums the Treasurer is hereby directed to pay him in Money.

Resolved, That the Comptroller issue to the said George Doherty a Certificate for one hundred and fifteen pounds thirteen Shillings being the three fourths of the deficiency of forage aforesaid, which shall be on the footing of Specie Certificates.

Resolved further, That the Comptroller be and he is hereby directed to charge all the aforesaid Sums to the account of the United States.

The Bill to amend an Act passed at New Bern in December, 1785, entitled "an Act 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," was read the first time, passed and sent to the Senate.

The Bill to repeal the several Acts of Assembly respecting Slaves as far as the same relates to making an allowance to the owner or owners for any executed or outlawed Slave or Slaves, was read the third time, passed and ordered to be Engrossed.

The Bill directing the Commissioners of Confiscated Property to receive Certificates agreeable to a resolution of the last General Assembly, was read the third time, passed and ordered to be Engrossed.

The Bill to amend an Act passed at Hillsborough in May, 1784, entitled, "an Act for the regulation of the Pilotage of Cape Fear River," was read the first time, passed and sent to the Senate.

Received from the Senate the Resolve of this House directing Mr. Haywood to proceed on the execution of his office as Treasurer, &c. Concurred with.

Received from the Senate the report of the Committee on the
petition of Hodge and Blanchard. Endorsed in Senate, "read &
concluded with," which, being read, was concurred with by this
House."

Received from the Senate the Resolve of this House giving the
thanks of the General Assembly to Adams Sanders, and the Resolve
declaring the sense of the Legislature on the delivery of the Iron
works in Chatham county. Endorsed, "read and concurred with."

Received from the Senate a Resolve of that House directing Mary
White, reliek of David Lindsay White, Sheriff of Bladen county, to
pay old Dollar bills into the Treasury, which, being read, was con-
curred with.

Received from the Senate a Resolve, giving the thanks of the
General Assembly to Edwin Graham, which, being read, was con-
curred with.

Received from the Senate a Resolve of that House for allowing
the officers who attended on the Assembly agreeable to the Gov-
ernor's Proclamation fifteen Shillings per day for their attendance,
&c., which being read, was concurred with.

Whereas sundry claims and accounts against the State yet remain
in the hands of individuals, unliquidated, some of the Boards of
Auditors as revised by the act passed at New Bern in the year 1785,
having failed to convene as the Act directs, and for other unavai-
able obstacles.

Resolved, that William Righton, Edward Everagin and Lott
Brewster, be and they are hereby appointed a Board of Auditors for
the District of Edenton, and James Hunter, John Armstrong and
Trangott Baggs, constitute a Board for the upper part of Salisbury
District, which said Board shall have, possess and enjoy the same
powers, privileges and immunities that were incident or appertaining
to the office of the respective Boards of Auditors for the said
Districts by the Act entitled "an Act impowering Commissioners to
liquidate the accounts of the officers and Soldiers of the Continent-
al line of this State, and to revise the late Boards of District Aud-
itors for a limited time," and the aforesaid Board shall meet at such
place as they were directed to meet at, by the said Act on the first
Monday in May next, and shall continue to sit ten days for the
purpose of receiving and auditing all just Claims which may be
presented them by the Inhabitants of said Districts not heretofore
allowed, and the said Board shall give notice of the purport of this
resolution three months previous to their meeting, and all claims which shall not be presented for liquidation at the aforesaid boards shall forever be barred and precluded from allowance.

Received from the Senate the report of the Committee on the petition of Mary Moore, which being read, was rejected.

Received also one other Report on another petition of Mary Moore, which, being read, was concurred with.

Received from the Senate a Bill to amend an Act passed at Hillsborough in May, 1784, entitled "an Act for regulating the pilotage of Cape Fear River." Endorsed, "read the second time and passed."

A Bill for establishing the dividing line between the counties of Burke & Rutherford. Endorsed, "read the third time and passed."

Resolved, that James Thackston and Company be allowed the Sum of Twenty-three pounds fifteen Shillings and Six pence, for Stationery furnished the Clerks of the General Assembly, that the Treasurer pay the said James Thackston & Company the same, for which he shall be allowed in the settlement of his accounts with the public.

Received from the Senate the Resolve of this House allowing Memucan Hunt, Esquire, Sixty-one pounds eight Shillings. Concurred with.

Received from the Senate the Report of the Committee on the petition of George Pea.

The report of the Committee appointed to receive old Dollar Bills, &c. Endorsed, "read & concurred with," which, being read, were Concurred with.

Received from the Senate a Resolve of that House directing Thomas Frohock to pay twenty-five pounds to the Commissioner of Confiscated property of Salisbury District, which, being read, was Concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose to ballot To-morrow Morning at 7 O'Clock for the different officers yet to be appointed by ballot. The ballots to be taken in each House and the Superintendents to retire and count the tickets while the Houses are proceeding on the business of the Session, so the same will not be delayed, and as there are a number of officers for various employments to be balloted for. In order to
facilitate the business we further propose that there be two sets of boxes and two sets of Superintendents in each House, the one for receiving the Ballots for the officers of Cavalry and of Artillery of the State and the officers for Commanding the Troops in the Western Country, and the other for receiving the ballots for the Councillors yet to be appointed, Vendue Master for the Town of New Bern, Commissioners for purchasing Tobacco in the Towns of Halifax, Tarborough and Fayetteville, Commissioners for revising the Certificates passed by the late Board of Commissioners, a Brigadier General for Washington District, and a Judge for Davidson County, the Sheet accompanying this contains the names of the persons in nomination. Should you approve of this you will please signify the same by Message. We also appoint on the part of this House Colo. Polk & Mr. Cabarrus, for one set; Mr. Willis & Mr. Sawyer for the other.

Nominations as follows, viz.:

Officers of the Horse for the District of New Bern:
- Ben. Williams, Reading Blount, Colos.
- John Daves, Ben. Coleman, 1st Majors.
- Charles Gerrard, William Buch, 2nd Majors.

District of Wilmington:
- Thomas Brown, James Read, Griffith J. McRee, Colos.
- Peter Robeson, Saml. Ashe, jun., Edward Winslow, 1st Majors.
- David Dodd, 2nd Majors.

District of Salisbury:
- William T. Lewis, Thos. Frohock, 1st Majors.

Morgan:
- William Lenoir, Colo.
- James Holland, 1st Major.
- John Moore, 2nd Major.

Hillsborough:
- Howell Lewis, Colo.
- Demsey Moore, John Taylor, 1st Majors.
- Lewis Bledsoe, 2nd Major.

Halifax:
- William R. Davie, Colo.

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John Macon, 1st Major.
Durham Hall, 2nd Major.

Edenton:
Hardy Murfree, Colo.
Lemuel Creecy, Seth Eason, Francis Pugh, Clement Hall, 1st Majors.

Washington:
Valentine Sevier, Colo.
Edward Hickman, 1st Major.
Thos. Kings, 2nd Major.
Evan Shelby for Brigadier General for Washington.

Troops for defence of Western Country:
Major Commandants:
Tillman Dixon, Thomas Evans.

Captains:
Walter Carruth, James Tatom, John Ford, Richard Fenner,
James Scurlock, Charles Crawford, Joshua Hadley, Henry Hyland.

Lieutenants:
James Nelson, James Brownlow, James McDonald, Jacob Rhodes, John Howard, John Watkins, William Howard,
Richard Thomas.

Ensigns:
James McDonald, Jun., Alexander Biggum, Patrick O'Neal,
James Mackay, William Finlay, Robert Johnston.
John Brown, Esquire, for Judge of Davidson.

Artillery:
Richard Dobbs Spaight, Colonel.
Jo. Scott Cray, 1st Major.
Thomas Wright, Nathaniel Allen, 2nd Majors.

Councillors:

Vendue Master for New Bern:
Titus Ogden, Bazil Smith.

Commissioner of Tobacco for Halifax:
Thomas Hogg, Egbert Haywood.
For Tarborough:
   Ethelred Phillips.

Fayetteville:
   James Porterfield, Robert Rowan.

Commissioners for revising the Certificates of the late Board of
Commissioners:
   Robert Fenner, Nehemiah Long, Matthew Lock, John Nelson,
   Joseph T. Rhodes, John Armstrong, Thomas Person.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree to ballot at the time, in the manner and for the several
officers and appointments by you enumerated.

We add to your nomination for Councillors Thomas Brown,
Joseph McDowell and Doctor McClure.

We add Mr. William Green to your nomination for Commissioners
to revise the Certificates passed by the late Board of Commiss-
ioners, &c.

We add Mr. William Crawford for the 2nd Major of the Horse in
Salisbury District.

We also add Mr. William Martin for a Captain in the Troops to
be raised for the protection of the Western Country.

We propose David Campbell as assistant Judge in Washington
District, and have appointed Mr. Herndon and Mr. Harris to
superintend & receive the ballots to be put in the box kept for the
purpose of receiving the ballots for officers of Horse, &c., and Mr.
Mitchell and Mr. Herritage to superintend and direct the Balloting
in the other Box.

Received from His Excellency the Governor a Message accom-
panied by a Talk from the Corn Tassel and Hanging Maw, which,
being read, was ordered to lie on the Table.

Received from the Comptroller a list of the names of the late
District Treasurers, County Commissioners of Confiscated Property,
Commissary of Prisoners & Commissioners of Specific in Arrears, &c.

Received from the Senate the Resolve of this House declaring the
offices of the Treasurer, Comptroller and Secretary shall be kept at
Hillsborough concurred with.

Received from the Senate the Petition of Richard Clarkson.
Endorsed, "read and referred to Mr. Lewis & Mr. Brown."

The House adjourned 'til To-morrow Morning 7 O'clock.
Friday 5 Jany., 1787.

The House met according to adjournment.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

It is the sense of this House that those Gentlemen who on summing up the Poll shall have the greater number of votes for any of the offices for which they are Candidates be declared duly Elected, the Councillors excepted.

Mr. Speaker & Gentlemen:

As the Election of Commissioners for revising the Certificates issued by the late Board of Commissioners is a matter of great importance, we propose that it be postponed until another balloting.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We do not concur with your House in postponing the time of balloting for Commissioners to revise the Army Certificates as the greatest part of the Members have their tickets made out.

Received from the Senate a Bill to prevent the obtaining of Grants of Land lying in the western parts of this State to the prejudice of the first enterers which Lands have been entered in the office lately established for receiving entries of claims for Lands by an Act entitled "an Act for opening the Land office for the redemption of specie and other Certificates and for discharging the arrears due to the Army."

Resolved, That the Clerks be directed to allow in the estimates to be made up the sum of fifty pounds to each of the Members for Davidson for travelling thro' the wilderness exclusive of mileage and attendance.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have reconsidered the report in favor of Mary White and propose that the words at 800 for 1, be expunged and the following words be inserted "at the rates as fixed by the scale at the time when the same were received in payment of Public Taxes."

The Bill to prevent the obtaining of grants for land lying in the western parts of this State to the prejudice of the first entered, which
Lands have been entered in the office lately established for receiving entries of claims of Land, by an Act entitled "an Act for opening the Land office for the redemption of Specie and other Certificates, and for discharging the arrears due to the army" was read the third time, amended, passed and sent to the Senate.

The Bill to amend an Act entitled "an Act 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 the Commissioners of forfeited estates legally appointed for that purpose," was read the second time, amended, passed and sent to the Senate.

The Bill to erect the Counties of Richmond, Robeson, Anson, Cumberland, Sampson and Moore into one district and appointing a Superior Court of Law and Equity to be held for the said Counties at Fayetteville, was read the third time and laid over to the next Assembly.

The Bill for establishing the dividing line between the Counties of Burke and Rutherford, was read the third time and laid over to the next Assembly.

On reading the Petition of Christian McKenzie and Christian Young setting forth that they have lately removed from the State of Georgia into this State and brought with them a number of Negroes not for sale but for the cultivation of their plantations and farms and that they are charged with the payment of duties on the value of the said Negroes and praying to be discharged therefrom. And it appearing to this Assembly that the facts therein set forth are true.

Resolved therefore, That the Collector of Port Brunswick shall be and he is hereby directed to release them from the payment of the said impost and from all bonds given for the purpose of securing payment of the said duties.

On reading the Petition of Casey and Green,

Resolved, That their Bond in the office of the Collector of Port Brunswick for duties on rum imported from Rhode Island in the Ship Minerva shall be discharged upon their producing in the office of the said Collector within twelve Months hereafter a certificate from the proper officer of the Port to which such rum shall be entered for exportation purporting that the same was there landed unavoidable acci-
dents excepted and the same shall be a sufficient discharge to the Collector of Port Brunswick in the settlement of his Accounts with the Treasurer.

Resolved, That Lewis Bowell be allowed the sum of fifty-five pounds four Shillings for provisions, rum, &c., furnished the prisoners lately confined at this place in full. That the Treasurer pay him the same and be allowed.

Received from the Senate the report of the Committee of Petitions and Memorials to whom was referred the Petition of Lodowick Wray. Endorsed, "read and concurred with," which, being read, was concurred with and returned.

The Bill to amend an Act passed at Hillsborough in May, 1784, entitled, "an Act for regulating the Pilotage of Cape Fear River," &c., was read the second time, passed and sent to the Senate.

Received from the Senate a Resolve of that House in favor of William McRee, Sheriff of Bladen County, which was read and concurred with by this House and returned.

Mr. Spaight from the Sub-Committee of Finance No. 2, appointed to take under Consideration the Treasury and Monies called in and destroyed for the years 1784 & 1785 & 1786, &c., delivered in the following Reports, viz.:

That they received from the Treasurer examined and burnt the Sum of three thousand one hundred and fifty-six pounds two shillings in Bills of Credit of the following denominations omitted under an Act of the Assembly passed in Hillsborough in the year 1788, to-wit.:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Bills of 40/- each</td>
<td>£108 0 0d</td>
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<tr>
<td>504 do of 20/- do</td>
<td>504 0 0</td>
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<tr>
<td>2342 do of 10/- do</td>
<td>1171 0 0</td>
</tr>
<tr>
<td>3508½ do of 5/- do</td>
<td>877 2 6</td>
</tr>
<tr>
<td>4680 do of 2/- do</td>
<td>468 0 0</td>
</tr>
<tr>
<td>384 do of 1/- do</td>
<td>19 4 0</td>
</tr>
<tr>
<td>351 do of 6d do</td>
<td>8/15 6</td>
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</tbody>
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**£3,156 2 0d**

Your Committee further report that they also examined and purchased Warrants and other drafts on the Treasury which have been
honored to the amount of Seventy-five Thousand one hundred and Ninety-eight pounds Eleven shillings.
All which is submitted.

RICHARD DOBBS SPAIGHT, Chairman.

The foregoing report being read was Concurred with and sent to the Senate.

Mr. Spaight from the same Committee delivered in the following report, to-wit:

The Sub-Committee of Finance No. 2, appointed to take under Consideration the Treasury and Monies Collected in and for the years 1784, 1785 and 1786, &c., Report—

That the business of the House preventing them from attending to the different calculations necessary to be gone through in order to settle the accounts of the Public Treasurer directed that officer to settle with the Comptroller which he has Accordingly done and from the state of the Account as Certified by the Comptroller it appears that there remains in the hands of Memucan Hunt, Esquire, late Treasurer, the Sum of five Thousand two hundred and Sixty eight pounds, four Shillings, seven pence and three farthings in the Current Money of the State, and that a balance remains due to the said Hunt of £505 12 3d in Specie Certificates.

The Specie Certificates and old Dollar Bills, and Continental Dollar bills received by the Treasurer since the last Session of the Assembly have been lodged by that officer agreeable to the direction of the Sub-Committee of Finance in the hands of the Comptroller.

Your Committee further report that under their direction Mr. Wm. White has made out a state of the Treasury from January, 1785 to January, 1787, from the Treasurer's books containing the receipts and expenditures of those years (including the £100,000 emitted by the Act of last Session) in whose names the warrants & Grants have issued and to whom the Monies were paid, which statement your Committee recommend to have published with the Journals of the two Houses for the information of the Citizens of this State, and for that purpose submit the following resolution:

Resolved, That the Public Printer publish with the Journals of the present Session the present Statement of the Receipts and expenditures of the Treasury (including the 100,000 emitted by the
Act of the last General Assembly) from January, 1785 to the first of January, 1787, as reported to the House by the Committee of Finance, No. 2.

Your Committee observe that there is a difference in the balance in the two statements but as this report is not nor cannot be considered as a settlement with the late Treasurer the Error will be rectified in his final settlement with the Comptroller which he is now proceeding in.

All which is submitted.

RICHARD DOBBS SPAIGHT, Chairman.

Mr. Spaight, from the Sub-Committee of Finance, No. 2, delivered in the following Report, to-wit:

The Sub-Committee of Finance, No. 2, beg leave to Report.—That on examining the Books of the Entry taker for the Western Lands they find that there has been entered in his office 4,393,945 acres, amounting in certificates to the Sum of £439,394 /10 that warrants have issued for 3,221,928 acres, amounting in Certificates to the sum of £322,192 /16.

That it appears from the Comptroller's Certificate that the Entry taker has paid into his office the sum of Two hundred and eighty-nine thousand, seven hundred and twenty-one pounds, eight shillings and eleven pence; that he has on hand ready to pay to the Comptroller the Sum of Fifty thousand pounds, by the above statement it appears that he has received the Sum of seventeen thousand, five hundred and thirty-eight pounds, twelve shillings, and eleven pence in part of different entries that no warrants have yet issued for and that there remains due to his office from individuals the Sum of Ninety-nine thousand, six hundred and sixty-three pounds, one shilling and one penny.

All which is submitted.

RICHARD DOBBS SPAIGHT, Chairman.

The foregoing reports being read, were concurred with, and sent to the Senate.

Received from the Senate, a report of the Committee on the late Messages of the Governor, and the last dispatches from Congress, endorsed, "read and concurred with," which, being read, was concurred with by this House and returned.
A resolve in favor of James Thaxton and Company. Endorsed, "read and concurred with."

A report on the Committee appointed to consider of the Petition of Daniel Bagg and others, endorsed "read, and concurred with," which, being read, was concurred with by this House and returned.

Received also the report of the Committee of Conference with respect to the charges exhibited against the Judges endorsed in Senate read and concurred with.

Received also a resolve of the Senate directing the Certificates and State paper currency to be burned, &c., which, being read, was concurred with and returned.

Also the report of the Committee on the allowances to be made to certain Companies and persons employed in guarding the prisoners, &c., endorsed "read and concurred with," which was read in this House, concurred with, and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:
We agree that the report of the Committee in favor of Mary White be amended as by you proposed.

Also the following Message:

Mr. Speaker & Gentlemen:
We herewith send you a list of Justices as recommended to be Commissioned by the present Assembly which we propose shall be delivered his Excellency the Governor after being approved of by your House in order that Commissions may be obtained.

Ordered that the following message be sent to the Senate:

Mr. Speaker & Gentlemen:
We herewith return you the recommendation of certain persons to be added to the Commission of the Peace and agree that they be sent to the Governor as by you proposed for the purpose in your Message mentioned.

Received from the Senate the report of the Committee of Petitions and Memorials on the petition of William Ashley, William Ship and James Dial, endorsed in Senate, "read and concurred with," which was read and concurred with by this House, and returned to the Senate.
Colo. Polk, from the balloting for Military officers, reported as follows, to-wit:

That the following Gentlemen were elected by the joint ballots of both Houses:

For Washington District:
  Valentine Sevier, Lieutenant Colonel Commandant of the Cavalry.
  Edward Hickman, 1st Major.
  Thomas Kings, 2nd Major.

Salisbury District:
  John Stokes, Lieutenant Colonel Commandant.
  William T. Lewis, 1st Major.
  Charles Polk, 2nd Major.

Morgan District:
  William Lenoir, Lieutenant Colonel Com'd.
  James Holland, 1st Major.
  John Moore, 2nd Major.

Hillsborough District:
  Howell Lewis, Lieutenant Colonel Com'd.
  Dempsey Moore, 1st Major.
  Lewis Bledsoe, 2nd Major.

Halifax District:
  John Macon, 1st Major.
  Durham Hall, 2nd Major.

Edenton District:
  Hardy Murfree, Lieutenant Colonel Commandant.
  Clement Hall, 1st Major.
  William Ferebee, 2nd Major.

New Bern District:
  Benjamin Williams, Lieutenant Colonel Commanding.
  John Daves, 1st Major.
  Charles Gerard, 2nd Major.

Wilmington District:
  Thomas Brown, Lieutenant Colonel Commandant.
  Samuel Ashe, 1st Major.
  David Dodd, 2nd Major.
Officers of the Western Troops:
    Thomas Evans, Major Commandant.
Captains:
    Joshua Hadley, Henry Hyland, William Martin.
Lieutenants:
    James Nelson, James McDonald, Richard Thomas.
Ensigns:
    James McDonald, Jun., Patrick O’Neal, Robert Johnston.
Evan Shelby, Brigadier General of Washington District.
Officers of the Artillery:
    Richard Dobbs Spaight, Lieutenant Colonel Commanding.
    Joseph Scott Cray, 1st Major.
    Nathaniel Allen, 2nd Major.

Resolved that this House do concur therewith.

Mr. Willis from the Balloting for the Civil Officers reported that
Thomas Brown, Joseph McDowell, John Nelson were elected Coun-
cillors of State. Titus Ogden, Vendue Master for New Bern. James
Porterfield, purchaser of Tobacco for the Town of Fayetteville;
Ethelred Philips, for the Town of Tarborough; Egbert Haywood,
for the Town of Halifax. That Thomas Person, William Green
and Matthew Locke were elected Commissioners to receive the
Army accounts. That John Brown was elected Judge of the
Superior Court of Law and Equity for the County of Davidson and
David Campbell Assistant Judge for the District of Washington.

Resolved, That this House do concur therewith.

Received from the Senate a Resolve of this House in favor of
John Freebody. Endorsed, “read and concurred with.”

Mr. Blount from the Committee to whom was referred the
Memorial of Richard Clarkson, delivered in the following report:

The Committee to whom was referred the Memorial of Richard
Clarkson, report—

That it appears to your Committee from the facts set forth in the
Memorial that the said Richard Clarkson hath been condemned
under recognizance to appear at New Bern Superior Court from
November term, 1785, until the present period upon a charge
which no proof has been adduced to support as your Committee are
informed and believe that he hath regularly attended said Courts
in conformity to his recognizance at a great expence to himself and
to the great neglect of his private affairs as it has been his sole business from Baltimore three different times, that no reason appears to your Committee why he should be longer delayed under recognizance and they are therefore of opinion that it be recommended to their Honors the Judges to release him from the said recognizance.

All which is submitted.

J. G. BLOUNT.

This report being read the House concurred therewith.

Received from the Senate the resolve of this House for revising Boards of Auditors in Edenton and Salisbury District. Endorsed, "read and concurred with."

Received from the Senate a resolve of that House directing Henry Montfort to deliver to the Comptroller the Books, Papers, &c., of the Commissioner of Army Accounts, which was read, concurred with and returned.

Received from the Senate the resolve of this House in favor of Major George Doherty, read and concurred with.

The Bill to amend an Act passed at Hillsborough in May, 1784, entitled "an Act for regulating the pilotage of Cape Fear river, &c.," was read the third time, passed and sent to the Senate.

A Bill for appointing Deputies from this State to a convention proposed to be held in the City of Philadelphia in May next for the purpose of revising the federal constitution, was read the first time, passed and sent to the Senate.

Received from the Senate the Bill last above mentioned endorsed, "read the second time and passed," which was again taken up, read the second time, passed and sent to the Senate.

Received from the Senate the Bill for appointing deputies from this State to a convention proposed to be held at Philadelphia in May next, for the purpose of revising the federal constitution. Endorsed in Senate, "read the third time and passed," which was read the third time, passed in this House and ordered to be Engrossed.

Received from the Senate a resolve directing William Good and Joseph Leech to take into their care the public ground called the Palace Square, which was read, concurred with and returned.

Received from the Senate a resolve allowing Richard McKinne,
Esquire, a certain sum therein mentioned, which was read, concurred with and returned to the Senate.

Received from the Senate a resolve of this House allowing Lewis Bowell a certain sum therein mentioned. Endorsed, "read and concurred with."

Received from the Senate a resolve directing the Governor to issue warrants on the Treasury in favor of the Continental Officers," &c., which being read was concurred with.

Received from the Senate the resolve of this House in favor of Casey and Green. Endorsed in Senate, "read and concurred with."

Also the resolve of this House in favor of Christian McKenzie and Christian Young. Endorsed, "read and concurred with."

Resolved, That Hardy Jones of Edgecombe County be allowed the sum of Fifteen pounds Current Money in full of all services by him performed in transporting the Public Papers from New Bern to the County aforesaid and from thence to the Town of Fayetteville, that the Treasurer pay him the same and be allowed in the settlement of his Public Accounts.

Received from the Senate a resolve directing thanks to be given to the Judges, &c., which, being read was rejected and the following adopted in lieu thereof.

Resolved, That the thanks of the General Assembly be presented by the Speakers of the two Houses to the Honorable Samuel Ashe, Samuel Spencer and John Williams, Esquires, Judges of the Superior Courts of Law and Equity for their long and faithful services whilst they have been in that department.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

The Resolution by you proposed respecting the thanks to the Judges of the Superior Court of Law and Equity, we do not agree to, but propose the one sent herewith in lieu thereof.

The House Adjourned 'til Monday Morning 7 O'clock.

Saturday 6 January, 1787.

The House met according to adjournment.

Received from the Senate the following message:

Mr. Speaker & Gentlemen:

We propose that the Election for Commissioners to revise the
Federal Constitution take place immediately. Mr. Herritage and Mr. Wynne, will superintend the balloting.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree to ballot for persons to assist in an alteration of the federal constitution as by you proposed. We nominate Governor Caswell, Alexander Martin, Esqr., Richard Dobbs Spaight, Hugh Williamson, William R. Davie, Willie Jones and Samuel Johnston, Esquires.

Ordered that Mr. Willis & Mr. Winslow be appointed to superintend the balloting.

Received from the Senate the report of the Committee on the charges against Colo. Thomas Matthews of Moore County. Endorsed, "read and Concurred with," which, being read, was concurred with by this House.

Received from the Senate the report of the Committee on the Petition of Hugh Maclaine. Endorsed, "read & concurred with," which, being read, was Concurred with by this House.

Received from the Senate the report of the Committee on the Memorial of His Excellency Richard Caswell, Esquire. Endorsed, read & Concurred with," which, being read was concurred with.

Mr. Willis from the joint Balloting for Members to attend a meeting proposed to be held at Philadelphia in May next for the purpose of revising the Federal Constitution, Reported—

That His Excellency Richard Caswell, Esquire, Alexander Martin, William R. Davie, Richard Dobbs Spaight and Willie Jones, Esquires, were elected for the purpose aforesaid.

The House taking this Report into consideration, Concurred therewith.

The House resumed the consideration of the Report of the Committee on Sundry Papers respecting Indian Treaties, &c., which, being read and amended, was concurred with in the following words:

Your Committee to whom was referred Sundry Papers respecting Indian Treaties and Indian Affairs, beg leave to report—

That they have examined with attention the papers to them referred, and they find that by the Treaties entered into between the Commissioners appointed by the United States to treat with the
Southern Indians, and the Cherokee & Chickasaw Indians at Hope-
well on the Keevee, the Commissioners of the United States have
allotted to the said Indians certain Lands as their Hunting Ground
which are obviously within the Jurisdiction of this State being
North of the Boundary Established by Law between the Citizens
and Indians, and a great part of which is for a valuable consid-
eration sold to our Citizens, some of whom are now actually living
thereon.

Your Committee observe that the Commissioners having only
allowed these Lands to the Indians as their Hunting Grounds the
treaty doth not thereby annul the title of those who hold under our
Laws, but have closed it in a manner different from the Intentions
of the Legislature and which does in effect suppose a right in the
United States to interfere with out Legislative rights which is inad-
missible.

Your Committee thereupon recommend that the Delegates of this
State in Congress be instructed to state our rights to the Land in
Question to the United States of America in Congress Assembled to
obtain a disavowal of the Treaties so far as they affect the same,
and if the same should be persisted in, which your Committee
cannot suppose from the known rectitude and wisdom of Congress
that finally they formally protest against the same.

Your Committee further Report—

That the Honorable William Blount was appointed by the Execu-
tive in pursuance of the notification from the Commissioners from
the United States founded in a Resolution of Congress an Agent on
the part of this State to be present with the Commissioners; and
that he has wisely protested against the said Treaties so far as they
affect us. And further, that he was appointed to hold a Treaty
with the Cherokee Indians and did attend at the meeting of the
Commissioners and Indians, and according to the direction of the
Governor and Council, he shipped to the care of A. Vanderhorst in
Charleston the Goods, &c., purchased for the purpose: That from
unavoidable delays in procuring Wagons Col. Vanderhorst could
not send forward the Goods to the place of their destination until
the Commissioners of the United States had commenced their
Negotiations with the Indians, the Tenor of which inspired the
Indians with an Idea of such extensive advantages, that the Agent
could not prevail on them to Treat on Terms admissible by the
State, and was therefore necessitated to sell the Goods for the most that could be obtained, which is as follows:

To Bryan Ward, one third payable on the first day of April, 1786, and the other thirds on the first day of April, 1787, in Deer Skins, Furs and Tobacco..................£1333 / 3 10d
To George Ogg for Clay Telfair & Co., at their Franklin Store kept by said George Ogg............. 39/15 9
To William Blount........................................ 145 / 9 9

Sterling..................................................£1518 / 9 4d

And the Rum procured for holding a Treaty disposed of as follows:
To Bryan Ward 1 Hhd at 1\frac{1}{2} dollars per Gallon.
To George Ogg 1 Hhd at 1\frac{1}{2} dollars per Gallon.
3 Hhds sent to Washington to J. G. & Thos. Blount.
1 Hhd lost at Charleston by the heads bursting putting it into the Wagon as appears by Colo. Vanderhorst's Letter.
The quantities sold Mr. Ward and Mr. Ogg not known for want of a Gauging rod.

That the first payment being Deer skins an article liable to damage if not early sent to market, was ordered to be shipped to Philadelphia to Stewart & Barr, and the after payment is subject to the order of the General Assembly.

That on the first payment four Thousand Deer skins or there about were received by Mr. George Ogg as Payment, and in all probability shipped to Philadelphia.

Your Committee further Report—
That it is evident the Cherokee Indians are much dissatisfied with our disposition of the Lands claimed by them within our State and that probably this dissatisfaction may arise from our not having given what they supposed an equivalent for their Claim, and as our last advices from Congress assure us that the Northern Indians will soon be engaged in a war with us, it may be prudent to use such means as are in our power to remove the dissatisfaction in question in as speedy and amicable a manner as is practicable.

Whereupon, your Committee recommend that Troops be immediately raised and Stationed in Davidson County to prevent the
Indians from taking any Hostile resolutions, in aid of the Northern Tribes, and that our Delegates in Congress be instructed to lay before the United States of America in Congress Assembled, the necessity of this Measure and to obtain leave to continue the same in Service while the necessity exists.

As a further reason why your Committee are of opinion that the said Indian Treaties are injurious to the Citizens within the Bounds ceded to the Indians, your Committee refer to the act of Cession to the United States by which alone Congress can pretend any claim to territory within this State, one of the Conditions in which is, that all Grants of Land theretofore made to any Citizen or Citizens or any entries made should have the same force and effect as if the Act of Cession had not been made, whereas the Citizens to whom Grants were made before the Cession aforesaid have been left to the Mercy of the Indians, so that admitting the Cession to be valid Congress have not in this instance performed that Condition of the said Act.

All which is submitted.

A. MACLAINE, Ch'n.

Resolved, That Messrs. John Gray and Thomas Blount be directed to have sold at Public Vendue with Ten Days previous notice whatever Public Rum remains in their Store and remit the net proceeds thereof into the Public Treasury.

Resolved, That the Deputies appointed by this State to attend the Federal Convention at Philadelphia in May next, be entitled to the same allowance for travelling to, attending at and returning from, Philadelphia that is provided by Law for the support of our Delegates in Congress, and that His Excellency the Governor be requested to issue a warrant or warrants in favor of such of the Deputies as may apply therefor, who shall account with the next General Assembly for the warrants so received.

Resolved, That in case any of the Commissioners appointed to revise the Certificates issued by the Commissioners of Army Accounts should die or refuse to Act, that it shall and may be lawful for the Governor with the advice of the Council to appoint some person to act in the room and stead of such person dying or refusing, who shall be entitled to the same powers and emoluments
as the Person appointed by Law and liable to the same Pains and Penalties, and be it further

Resolved, That the said Commissioners shall have full power and authority to appoint one or more Clerks for the purpose of forwarding and expediting business who shall be allowed and paid the same wages as the Commissioners appointed by Act of Assembly, and whose business it shall be to provide stationery and shall be allowed for the same exclusive of his wages.

Resolved, That James Moore be allowed the sum of nineteen pounds four shillings for firewood and candles furnished for the use of the General Assembly, which the Treasurer is required to pay, for which this shall be his warrant.

Whereas, the Public Printer published with the Journals of last Session of General Assembly the Estimates of the Accounts of the United States, and has to publish with the Journals of the present Session, the State of the receipts and expenditures of the Treasury from January, 1785, to January, 1787, and the Estimates of the Account of this State as Stated by the Comptroller, and sundry other extra services, which are not included in his duty as Public Printer.

Resolved, That Hodge & Blanchard be allowed the sum of one hundred & fifty pounds in full as a consideration for the extra services performed or required of them during the last and present Session of the General Assembly.

The Bill to amend an Act entitled "an Act 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 may be sold by the Commissioners of forfeited Estates legally appointed for that purpose," was read the third time, passed and sent to the Senate.

The Bill declaring of the Powers of Courts and the rights of Juries, was read the second time, passed & sent to the Senate.

Resolved, That Isaac Burkloe be allowed the sum of twelve pounds eleven shillings and eight pence for making benches for the use of the General Assembly & finding the Materials, which the Treasurer is required to pay.

Whereas, John Marshall, late of Warren County, who is charged with having Committed frauds upon the Treasury of this State and being concerned in procuring fraudulent accounts to be passed the
office of the Commissioners of Army Accounts hath fled from this State and removed his property therefrom, and is supposed to be in some of the neighboring States.

Resolved therefore, That His Excellency the Governor be requested to issue a Proclamation offering a reward of one hundred pounds for the apprehending the said John Marshall so that he may be secured and brought to Justice, and that a Copy of the Proclamation be forwarded to the Governors of Virginia, South Carolina and Georgia, and be published in the papers of this and the neighboring States.

Whereas, under an Act of the General Assembly passed January the fifth 1787, for raising Troops for the protection of Davidson county, there are no more than ten officers belonging to said Troops so about to be raised, a number not sufficient to try by Court Martial, agreeable to the Laws of this State any Officer or Soldier who may transgress the Military Law.

Resolved therefore, That any five officers of the said Troops shall be a number sufficient to try any officer or officers, Soldier or Soldiers, who may transgress the Laws to which by their appointment and enlistment they are subject.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

It is the wish of the Senate that the Resolution of your House entered into a few days ago and concurred with by this House directing that the offices of Comptroller and Secretary be held at Hillsborough be reconsidered and expunged from the Journal as we are of opinion that it will be attended with a useless expense.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We cannot accede to your proposal relative to the reconsideration of the resolve directing the Comptroller, &c., to hold their offices at Hillsborough.

Resolved, That the Governor be requested to issue a Proclamation directing all persons who may be settled on the Lands contained within the bounds prescribed by the Laws of this State for the Cherokee Indians to remove therefrom without delay and that he be requested to send them a friendly answer to inform them of this Resolve.
Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

For sufficient reasons shewn it is the opinion of this House that His Excellency the Governor be requested to strike the name of Nicholas Gibbs from the recommendation of Justices for the County of Orange handed him this Assembly.

Resolved, That the Comptroller, who is directed by an Act of this Assembly to attend a Court of Oyer and Terminer to be held at Warrenton on the last Monday of January with his books and papers be allowed the Sum of twenty Shillings for every day he shall be attending at, travelling to or returning from the said Court.

Received from the Senate two Resolves of this House, concurred with, viz.: The one allowing James Malloy £19.4/; the other allowing Hodge & Blanchard one hundred and fifty pounds for the purpose therein expressed.

Received from the Senate a Resolution of that House directing the several County Courts to direct the Attorney General to prosecute such Attorneys as shall be guilty of Malpractice in office, which being read was rejected.

The Bill to amend an Act passed at New Bern in December, 1785, entitled “an Act 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,” was read the second time, amended, passed and sent to the Senate.

On reading this Bill it was proposed that the stay of Execution issued by the Justices of the Peace should not extend to length of time as at present. This being objected the question was put and negatived, whereupon, the Yeas and Nays were required by Mr. Willis, which are as follows, viz.:


—46.

Mr. Hooper proposed the following as an amendment to this Bill, viz.:

And whereas, it is the Constitutional right of the Citizens of this State that their property should not be withdrawn from them but by a trial by a Jury. Be it therefore Enacted by the General Assembly and by the authority of the same, that when any trial shall be had before any Justice for any sum exceeding five pounds, in that case such Justice shall cause to be summoned from the vicinity twelve Jurors who shall be freeholders neither of affinity of consanguinity to either party and entirely disinterested, who shall pass upon the trial of such demand and give a verdict accordingly to the merits of the cause, and such Jury shall be sworn by the said Justice to find a verdict according to Justice, and such Jurors so summoned shall be allowed each of them two shillings for every cause they so try to be taxed by the Justice in the bill of cost and paid by the party cast.

On this question to agree to this an amendment to the Bill, the Yeas and Nays were required by Mr. Hooper, which are as follows:


A question was put shall this Bill lie over till next Assembly or not, and carried in the affirmative, whereupon the Yeas and Nays were required by Mr. Willis, which are as follows, viz.:

Yeas: Messrs. P. Robeson, W. Wood, Creecy, J. Robeson, Dick-


Received from the Senate a Resolve of this House allowing the Deputies to attend at Philadelphia on the Federal Constitution, &c., the same pay as the Delegates attending Congress from this State and a Resolve empowering the Governor to appoint a Commissioner or Commissioners in case of death, or refusal to act, of the Commissioners appointed to revise the Army Certificates, &c., concurred with.

Received from the Senate a Bill to amend an Act passed at New Bern in December, 1785, entitled "an Act for increasing the Jurisdiction of the County Courts of Pleas and Quarter Sessions and of the Justices of the Peace out of Court," &c. Endorsed in Senate, "read the third time, amended & passed."

The House adjourned 'til 5 O'clock.

Met according to adjournment.

The Honorable the Speaker laid before the House a Letter from Henry Montfort, which, being read,

Resolved, That Mr. Henry Montfort be and he is hereby directed to deposit all the Due Bills now in his hands in the possession of the Comptroller taking his receipt for the same.

A motion was made and seconded that the Bill to amend an Act passed at New Bern in December, 1785, entitled "an Act 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" should be read for the last and third time in this House, which was objected to by Mr. J. G. Blount, who alleged that it was contrary to the rules heretofore adopted by the House, for reading Bills, that any Bill should be twice read in the same House on the same Day, the
question being put was carried in the affirmative, whereupon, the Yeas and Nays were required by Mr. John Gray Blount, which are as follows, viz.:


The Bill was then taken up and read the third time, passed and ordered to be Engrossed.

On the question shall this Bill pass or not pass the Yeas and Nays were required by Mr. J. G. Blount, which are as follows, viz.:


Received from the Senate a Resolve of this House allowing the Comptroller for his attendance at Warrenton the Court of Oyer, &c.; a Resolve directing Messrs. J. Gray and Thos. Blount to dispose of Public Rum, and a Resolve directing His Excellency the Governor, to issue a Proclamation requiring persons to remove off the Lands within the Indian Boundary, &c., concurred with.

Resolved, That the Treasurer be required to pay off the allowances made by the Estimate of the present General Assembly except the Members of Davidson County who shall be entitled to
receive the whole of their pay in proportion to the sum of Money in his hands as nearly as he can conveniently calculate, and that he take up the Certificates of allowances of which he shall so pay any part, and issue in lieu thereof a Certificate to the same persons for the Balances that may remain unpaid, which latter Certificates shall be hereafter entitled to payment from the Treasury in the same manner as those originally issued in conformity to the Estimate.

Resolved, That the several Collectors be requested by the Governor, to hold in their hands to meet his Warrants in favor of the Deputies this Day appointed to attend the Convention proposed to be held in the City of Philadelphia in May next, for the purpose of revising the Federal Constitution, such Monies as they may hereafter collect for Goods heretofore imported.

Received from the Senate the Report of the Committee on the Memorial of Martin Armstrong. Endorsed in Senate, "read & Concurred with," which, being read, was concurred with.

Received from the Senate a Resolve of that House allowing Lewis Bowell £6.11/., a Resolve allowing Sarah Roundsevell £120.6/., a Resolve allowing John McCoy Ten pounds and a Resolve appointing Hodge & Blanchard Public Printers, which, being read, were severally concurred with.

Received from the Senate the Resolve of this House directing five officers to hold a Court for the trial of officers appointed for the protection of Davidson, &c., and the Resolve allowing Isaac Burkloe £12.11/8d, concurred with.

Resolved, That James Malloy be allowed the Sum of three pounds six shillings for candles, &c., furnished the House of Commons at this Session and that the Treasurer pay him the same immediately.

Resolved, That the Treasurer be directed to suspend any Suit which he has or may be commenced against John Simpson, Esquire, at the Instance of the State until the next General Assembly so far as relates to his account in the Comptroller's office, he having signified to this Assembly that he has lost his Vouchers.

Received from the Senate the Resolve of this House requesting His Excellency the Governor to issue a Proclamation offering a reward for apprehending John Marshall, concurred with.

Received from the Senate a Resolve of that House in favor of John Gaillard, which, being read, was ordered to lie on the Table.
Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that in making up the Estimate of allowance to the Members of Davidson County that the Clerks be directed to allow them fifty pounds including all travelling charges.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

The Estimate to the Members of Davidson County was made up agreeable to the Resolve of yesterday.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

It was the sense of this House that the Waiters receive the Sum of Twenty Shillings for every thirty Miles travelling to and from the Assembly.

Received from the Senate a Resolution of that House for barring the Commissioners appointed to purchase Tobacco from being Concerned in Trade, which, being read, was rejected.

Mr. Wyatt Hawkins from the Committee to whom was referred the Petition of John Randle delivered in a Report, which, being read, was ordered to lie over until the next Assembly.

Mr. Dickens from the Committee to whom was referred the Petition of John Simpson, Esquire, delivered in a Report, which, being read, was rejected.

Mr. Wyatt Hawkins from the Committee to whom the Memorial of the Sheriffs of Salisbury District was referred, delivered in the following report, viz.:

Your Committee of Propositions & Grievances to whom was referred the Memorial of the Sheriffs of the several Counties in the District of Salisbury, Report—

That on examining the facts therein set forth that the Sheriffs are by Law obliged to settle with the Treasurer within two Months after they have a right to call the Collectors of their respective Counties to a settlement, which time in the opinion of your Committee is too short as the Sheriffs have it not in their power to enter up Judgements against such of the Collectors as do not settle punctually before they are obliged to account with the Treasurer by

*Note by Ed.—The Davidson county referred to throughout this Journal is now Davidson county, Tenn., in which Nashville is situated.
which means they unjustly may be deprived of their Commissions.

Your Committee therefore recommend that a resolve pass allowing
the Sheriffs of the several Counties in this State two months longer
to settle their accounts with the Treasurer.

All which is submitted.

WYATT HAWKINS, Ch'n.

This Report being read was concurred with and sent to the Senate
for their Concurrence.

Mr. Wyatt Hawkins from the Committee of Propositions and
Grievances to whom was referred the Petition of Dennis McClendon,
delivered in the following report—

That it appears to your Committee that the said Dennis became
bound to appear at the Superior Court of Law and Equity for the
District of Hillsborough at April Term in the year 1785, to bear
Testimony against a certain Thomas Landrum indicted of a Capital
offence therein; that at the sitting of the said Court in April afore-
said the said Landrum was tried, convicted and condemned, but
that the petitioner was confined at home by a severe fit of sickness
which made it impossible for him to attend, that in consequence of
his non-attendance writs of Scire facias issued but to a different
County from that wherein the defendant lived and Judgment was
thereupon given. It appears to your Committee by the Certificate
of all the Judges that if he had appeared his testimony could have
been of no material use as there was other testimony sufficient
to convict him. It further appears to your Committee that the
said McClendon is a very poor man and unable to pay the said
forfeiture without the utter ruin of himself and family, and the
Judges have recommended his case to the Legislature as one
attended with circumstances of peculiar hardship.

Your Committee therefore recommend the following resolve in
his favor:

Resolved, That Dennis McClendon be and he is hereby released,
discharged and fully and freely acquitted of and from all forfeitures
and sums of money wherewith he stands chargeable by any Judg-
ment or otherwise for his non-appearance at Hillsborough in April
Term in the year, 1785, to give testimony as he became bound to
do against a certain Thomas Landrum indicted therein of a Capital
offence, the General Assembly being sufficiently ascertained of his
inability so to do on account of a severe fit of sickness which he
was at that time afflicted with and that all officers be directed to take notice hereof and govern themselves accordingly.

All which is submitted.

W. HAWKINS, Ch'n.

The House taking this report into Consideration, Concurred therewith.

Resolved, That this House do entertain a proper sense of the Public Spirit manifested by Mr. Hogg in accommodating the General Assembly with rooms for the business of the Session without any wish, as declared to this House by his direction, of any recompence for so doing.

Received from the Senate the Estimate of allowances made to the Members, Clerks and Officers of the Senate, which, being read, was agreed to by this House, and the Estimate of allowances of this House sent for Concurrence of the Senate.

Received from the Senate the Resolve of this House directing Henry Montfort to deliver the due Bills in his possession to the Comptroller.

A Resolve allowing James Malloy three pounds six shillings,

A Resolve directing the Treasurer to suspend any suit heretofore brought against John Simpson, Esquire.

A Resolve directing the Collectors to hold Money in their hands subject to the Governor's Warrant in favor of the Deputies appointed to attend the Federal Convention, &c. Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree to the resolve of your House respecting the payment of Members' Certificates.

At the same time received the report of the Committee of Propositions and Grievances in favor of Dennis McClendon, concurred with.

Received from the Senate a resolve of that House for releasing Robert Bogue and John Smith from the forfeiture of a Recognizance, &c., which, being read, was Concurred with.

Resolved, That a Writ of Election issue to the County of Halifax, for the Election of one Member of this House in the room and stead of the Honbl. John Baptist Ashe, Esquire, appointed a Delegate to
represent this State in Congress and that the said Election be held on the 22nd & 23rd February next.

Received from the Senate the Report of the Committee to whom was referred sundry papers respecting Indian Treaties and Indian Affairs, concurred with.

Received from the Senate a Resolve of that House requiring that the Checks of the due Bills, &c., in the possession of Pleasant Henderson should be deposited with the Comptroller, which, being read was rejected.

Received from the Senate the Resolve of that House directing the Clerks to deliver the Acts passed this Session to Mr. Winslow, which, being read, was concurred with.

Received from the Senate a Resolve of this House allowing Thomas Bridges Fifteen Pounds. Concurred with.

Resolved, That the Printer be directed to strike off Twenty-five Copies of the Act for appointing Deputies to attend the Federal Convention at Philadelphia in May next and deliver the same to His Excellency the Governor.

Received from the Senate the Resolve of this House directing the Speakers to present the thanks of the General Assembly to the Honorable the Judges of the Superior Courts. Concurred with.

Resolved, That a Writ of Election issue to the County of Robeson for the Election of two Members of this House and that the said Election be held on the third Friday and Saturday in February next.

Received from the Senate the Estimate of allowances of this House, concurred with.

Mr. J. G. Blount delivered in the following protest according to order, viz.:

We the subscribers protest against the Passage of the Bill to Amend an Act entitled, "an Act for the more regular Collecting, payment of and accounting for the Public Taxes and for levying certain duties therein mentioned."

Because by said Act a duty of five per cent. is laid on sundry Imported Articles essentially necessary for the people of this State, which is impolitic as only two and a half per Cent. is paid by the Merchants of the Neighboring States. This Measure will necessarily induce the Planters to carry their valuable Exports and all the Specie which they can collect to the Neighboring States to purchase
their Goods to the manifest injury of this State as it will tend to
discourage our own Commerce and Navigation already in a very
distressed situation.

Because by said Act the duty on Rum and sundry other Articles
is raised so much as will probably induce persons concerned in
importing to smuggle them whereby the good intent of the Bill will
be frustrated and our revenue much less productive.

J. G. BLOUNT,
A. NEAL.

Mr. Hooper presented the following protest:

We the subscribers, who declared our dissent to receiving and
concurring in the report of the Committee of both Houses so far as
it relates to an unlimited unqualified approbation of the Conduct of
the Judges of the Superior Court in the sentence given by them at
Wilmington Superior Court against Brice & McNeil, dissented for
the following reasons, to wit:

That a Resolve proposed by Col. Davie, and which was by the
Committee refused to be substituted in lieu of that part of the
report to which we objected was perfectly expressive of the true
Spirit of our Constitution and the rights of the Citizens, and might
tend to prevent the effects of a precedent from which the most dan-
gerous consequences might be apprehended if not corrected by
timely Animadversion.

We, the dissentients, owe it to our Country in the most plain and
explicit terms to declare that it is our opinion that banishment is a
punishment unknown to the Laws, and that no Judicial power of
this State have a right to adjudge the same against any of the free
Citizens thereof.

We had it not in our intentions at the time we expressed our
dissent, nor have we now to impute the Judgment of Banishment
in the Case of Brice and McNeil to the Judges who pronounced it
as a Misdemeanor in office. The measure we say was illegal, the
motive might be pure, the Condition of the Country, the Obnoxious
character of the Culprits, the Clamour of the people, had awakened
the Zeal of the Judges and led them into an Error from which the
wisest and best of men are not exempt. Signed by William Hooper
for Col. Davie by his order, William Polk, Richard Dobbs Spaight,
John Sitgreaves and John Hay.

On the passage of the Bill to amend an Act passed at New Bern
1785, entitled "an Act 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."

Mr. Hooper presented the following protest:

We hold it as the Constitutional right of the Citizens of this State that they should not be deprived of their property, but by the voice of a Jury of Free Citizens of this State.

We remember that under a Government of which we most justly complained that one Justice of the Peace could only try a demand of forty Shillings, and our policy then, depraved as it was, did not admit a Jurisdiction even to two Justices to a greater extent than five pounds.

Having changed the System of our Government and glorying as we might in the change, if we pursued the true Spirit and Principles of it, we have in giving to a single man a right to try claims of Twenty pounds each, and as many of those as may be brought before him, a greater proportion of the Debts of this Country being under that Sum, given him a Jurisdiction of an alarming extent, and in our own opinion have violated the most sacred and dearest privileges of the Citizens of this State.

Be the consequences what they will, let them be charged upon those who produced them. This protest will give us and our Conduct to the World. Signed by William Hooper, Austin Willis, Edward Eversgin, John Sitgreaves, William Polk, John Hay, Edward Winslow, James Martin, Enoch Sawyer, Richard Dobbs Spaight, David Dodd, Richard McKinne, William McKenzie.

Mr. Maclaine presented the following protest, viz:

Protest against the resolution of the House of Commons declaring that the Judges ought not to be accused of any Misdemeanors in office.

Dissentient.

Because the Proclamation of pardon which Peter Mallet pleaded on his trial restored him to all the rights, privileges and emoluments of a Citizen, and the Judge having acknowledged that he pleaded the said pardon and was acquitted thereby, was in itself sufficient cause of knowledge that as to his right of suing he was in the same situation as other Citizens, and therefore the depriving
him of that right, was by the Judge's own showing a willful Misdemeanor.

Because the prosecution of Francis Brice and Daniel MacNeil was ordered by the Court without any Oath of any information to the Attorney-General who is the proper and only Law officer under our Constitution to receive application for prosecution, and without any Color of reason alleged at the time for so doing, the Complaints against the persons banished having been made a year before, and then was the proper time for a prosecution if any could have been justified or excused.

Because the Judges to serve the then present purpose declared that the Treaty of Peace was the Law of the Land, (tho' they had in many other cases denied it), and laid their return into this State of Brice and MacNeil to be Misdemeanor contrary to the said treaty and drew their doctrine of expulsion from the fifth article thereof, which is merely recommendatory by Congress, and has not been recognized by this State as an Article by which they were bound, and Judge Spencer acknowledged that the Treaty was the only law in those cases.

Because from the said Fifth Article which recommends a permission to return into the State the Judges have inferred the return to be a Misdemeanor implying Contrary to the Construction of all Laws, pains and penalties when a benefit was intended if the Article had been inforced by Law and expressly Contrary to the Fifth Article of the said Treaty, the crime, if any, arising out of the War.

Because the Judges declared that the return became a Misdemeanor by reason of the previous treason (though the particular overt acts were neither charged nor proved), and although there was no Act of Assembly for the expulsion of the prisoners, it was plainly implied by the Fifth Article of the Treaty that the Treaty was the Law of the Land, that they, (the Judges), were the Guardians of the State, and that there was no State or Sovereign Nation that had not a power somewhere within itself to prevent it from receiving injury, thereby Arrogating to themselves the Authorities vested by the Constitution in the Legislative and Executive departments of the State, and the more easily to accomplish their purposes of grasping all powers to themselves when the Grand Jury applied to them to be informed whether the return into this State
of Brice and MacNeil was a crime by any Law, and though the Attorney-General had declined giving any opinion on a similar Application, they the said Judges did inform the said Jury that they were to find the facts, and that they the Judges would declare the Law, contrary to their Oath of office as Judges, contrary to one of the fundamental principles of the Constitution, and in order to erect a detestable tryanny in their own persons upon the liberties of the people.

Because the said Judges did not attempt to produce any authorities from the laws or the Constitution, or even to rely upon the Fifth Article of the treaty, but seemed to expect exemption from censure from the unpopular political character of the defendants, and the Clamours of the populace against them twelve months before the prosecution took place, and in order as they alleged to prevent the expulsion of the defendants by violence or worse consequences from a mob, and by the same reason and under the sanction of a vote of this House the Judges may at any time by undue influence on Juries expel the most valuable citizen to gratify the wishes of a prejudiced multitude.

Because if the Judges can once mold Juries to their purposes, they may take their vengeance on every person they may happen to dislike, and as prosecutors they are utterly unqualified to determine impartially it being an invariable Maxim, and is comprised in their Oath of office, that Judges should in mere matters of Law be of Council for the prisoner.

Because the Argument (if it merits that term) of Judge Williams to wit, that there was no sentence of banishment inflicted by the Court for that, the prisoners had an Alternative (that was either to leave the State or remain a prisoner), is an insult to common sense and a wretched quibble altogether unworthy of a learned Judge, and even disgraceful in any person admitted to plead at the Bar of a Court of Justice.

Because the Judges, Spencer and Williams, instead of the justifying the receiving of fines and forfeitures imposed and adjudged by themselves, endeavored to excuse it from the plea of Necessity, and the former after a tedious and disgusting narrative of his services to the State, said if he received any such fines and forfeitures it was at a time when the Currency was greatly depreciated, though by the proofs produced to the Committee of both Houses many of
them appear to be of a very late date, almost all of them since the present Current Money was in circulation.

Because the charge against the said Judges of asserting that the General Assembly had no power to remit or suspend the payment of fines and forfeitures until the same should be paid into the Treasury hath neither been denied nor in any manner answered, and the said assertion was an extra Judicial interference with the powers of the Legislature, and tends to weaken the confidence of the people in their representation.

Because Judge Williams avowed the charge against him in the case of William Hay against Whitsell with insinuations that the said William Hay was one of the lukewarm Citizens who kept up their bonds when the Currency was in a depreciated State, though no such objection was made on the trial, and tho' the said William Hay was known to have been employed during the War (and it was so offered to have been proved) by the Commonwealth of Virginia as a Commercial Agent.

Because the charge in the case of Alexander McIver on a forfeited recognizance was not answered but by Judge Williams who Acknowledged that if the bail pleaded that defence the judgment was wrong, but that he did not know it or hear it.

Because the delay and neglect of Judges was too notorious to be denied, and therefore was in some measureAcknowledged by their Assertion, that the blame was partly owing to the lawyers, and the non Attendance of Judge Williams at Morgan Court was palliated by his alleging that he was paid by the number of Courts he should attend and not by a yearly salary, though he knew that no mere matter of law could be determined by a single Judge, and the particular charge of delay occasioned by long and unnecessary charges to Juries remain unanswered.

Because the case of James Blair and others on a forfeited recognizance in Morgan District which Judge Spencer endeavors to excuse by saying he thought it had gone too far for him to interfere, discovers that he was unacquainted with his duty as a Judge, it appearing that the principal had been surrendered by his bail, ordered Into Custody, and twice sent out under different officers to procure fresh bail and therefore the Judgment had no foundation.
but what arose from the Blunder and Misprision of the Clerk, the Surrender making void the recognizance.

Because in the cases of Singleton Good and others at New Bern Court under the Act for quieting purchasers of Confiscated property in their possessions, the Judges, Spencer and Williams, without declaring their opinions even at this time made an Apology that they delayed to decide thereon out of respect to the General Assembly.

Whereas, it was their duty to determine thereon if they were decided and uniform in their opinions, or if they doubted to state such doubts to the Legislature.

Because the plea of the Judges that an error in Judgement is no misdemeanor cannot apply to most of the charges against them, and if admitted in the present instance may be used hereafter to justify them in committing the greatest enormities.

Because the distinction made in the Committee of both Houses between a Citizen, and a person who is not a Citizen, is unfounded, the twelfth Article of the declaration of rights applying not to Citizens only but to free men generally, and the distinction is refuted by the Indictment the persons therein accused being charged as offending Citizens, who owe allegiance to this State, who were not otherwise chargeable.

Because the vote of this House confirming the resolution of the Committee of both Houses is contrary to express proof and to the Acknowledgements of two of the Judges. By this vote the Judges have been suffered to escape with impunity and even without censure after having grossly violated the Laws and fundamental Constitutions of the State merely as I conceive, because they had deprived some obnoxious characters of the rights of freemen, and the entire Acquittal of the Judges without a trial has a manifest tendency to obstruct public justice, to trample upon the rights of Juries, to invest our Magistrates with powers unknown to the Constitution, to a deprivation of the rights of our Constituents, to the increase of their complaints for want of due administration of Justice, and to the deplorable situation of our lives, liberties and property at the will and pleasure of three of our fellow Citizens.

For these reasons I have thought proper to protest against the vote of this House in favor of the Judges, that it may appear to my Constituents and to posterity that I am not answerable for the evils which must in my opinion be the necessary consequences of
suffering the Judicial authority to usurp the rights of Juries and to grasp at the Legislative Executive powers of the State.

A. MACLAINE.

From the foregoing facts supported by the testimony and admitted by the Judges without forming therefrom the same conclusions, I do enter this my protest.

Because by whatever pure motives the Judges might have been Actuated, the precedents thereby set are dangerous to the rights of the free men of this State, and to express an unlimited approbation of the conduct of the Judges in those instances would indicate an insensibility to the alarming encroachments upon the Constitutional rights of those whom I represent.

JOHN HAY.

Received from the Senate a Resolve of that House, presenting the thanks of the General Assembly to Mr. James Hogg and W. B. Grave for having provided a commodious and convenient house for the General Assembly to sit in, which being read, was concurred with.

Resolved, that the thanks of this House be presented to the Honorable John B. Ashe, Esquire, for his able, faithful and public Spirited Services as Speaker thereof, during this Session.

Received from the Senate a Resolve of that House respecting the Treaty held at Hopewell on the Keeowee, by Commissioners appointed by Congress for that purpose with the Cherokee, Chickasaw and Southern Indians, which, being read, was agreed to by this House except the following part thereof, which was rejected, (to wit,)

"Resolved, that the General Assembly of North Carolina view a treaty calculated to deprive a respectable part of the Citizens of their property, and to endanger their lives with the utmost horror and indignation, and that it be represented to Congress in the strongest terms that the late treaty of Hopewell instead of procuring the blessings of peace to the Citizens of this State, will most likely produce the contrary effect and involve them in all the Horrors of War, as the Savages appear much more hostile since than before."

JOHN B. ASHE, S. C.

By Order, J. HUNT, C. H. C.