HOUSE JOURNAL---1787.

STATE OF NORTH CAROLINA,

IN THE HOUSE OF COMMONS.

At a General Assembly begun and held at Tarborough on the Nineteenth day of November, in the year of our Lord one thousand seven hundred and eighty seven, and of the Sovereignty and Independence of the United States of America, the twelfth, being the first session of the said Assembly.

The returning officers for the several Counties certified that the following persons were duly elected Members of the General Assembly to represent the same in this House. Vizt.:

For Anson County, Lewis Lanier & William Wood.
Beaufort,
Bertie, Andrew Oliver & William Horn.
Brunswick;
Bladen,
Burke,
Cumberland, William Berry Grave.
Carteret,
Currituck, Joseph Ferebee & John Humphries.
Chowan, Josiah Copeland & Lemuel Creecy.
Camden, Peter Dauge & Enoch Sawyer.
Caswell, Adams Sanders & Robert Dickins.
Chatham, James Anderson & Joseph Stewart.
Duplin, Joseph Dickson & Joseph T. Rhodes.
*Davidson, Robert Ewing.
Edgecombe, Robert Diggs & John Dolvin.
Franklin, Thomas Sherrod & Jordan Hill.
Guilford, Barzillai Gardner & William Gowdy.
Granville,
*Greene, David Campbell.
Halifax, John Dawson & John Branch.
*Hawkins,
Hertford, Robert Montgomery.
Hyde, John Eborn & Southy Rew.

*Now in Tennessee.—Ed.
Johnston, Everett Pierce & William Bridges.
Jones,
Lincoln,
Moore, Thomas Tyson.
Martin, Edward Smithwick & Joseph Bryan.
Mecklenburg, William Polk & Caleb Phifer.
Montgomery, Thomas Childs & William Kindall.
Nash, Micajah Thomas & John Bond.
Northampton, Robert Peebles & James Vaughan.
New Hanover.
Onslow, Daniel Yates & Edward Starkey.
Orange, Alexander Mebane & Jonathan Lindley.
Pasquotank, Caleb Koen & Edward Everagain.
Perquimans, Thomas Harvey.
Pitt, Reading Blount & Robert Williams.
Robeson,
Rutherford,
Rowan, Thomas Carson.
Randolph, John Stanfield & Edmund Waddell.
Richmond,
Rockingham, William Bethel.
Surry,
*Summer,
*Sullivan, George Maxwell & John Scott.
Sampson, David Dodd & Lewis Holmes.
Tyrrell, Simon Spruill & Benjamin Spruill.
*Washington, Robert Allison.
Wake, Nathaniel Jones & Britain Sanders.
Wilkes, Jesse Franklin & John Brown.
Warren,
Town of Salisbury, John Steele.
Town of Hillsborough, John Taylor.
Town of Halifax,
Town of Edenton, Stephen Cabarrus.
Town of New Bern, John Sitgreaves.
Town of Wilmington, Joshua Potts.

*Now in Tennessee.—Ed.
STATE RECORDS.

Pursuant to which the following members appeared, were qualified by taking the oaths by law appointed for the qualification of Members of the General Assembly, and took their seats, viz.:

William B. Grove,  David Dodd,
Josiah Copeland,    Lewis Holmes,
Enoch Sawyer,       William Baker,
Richard Nixon,      Robert Montgomery,
William Wood,       John Eborn,
Peter Dauge,        Everitt Pierce,
Lemuel Creecy,      William Bridges,
William Horn,       Edward Smithwick,
Lewis Lanier,       Joseph Bryan,
Andrew Oliver,      William Polk,
Joseph Fereebee,    Caleb Phifer,
Robert Dickins,     John Taylor,
James Anderson,     Stephen Cabarrus,
Joseph Stewart,     Joshua Potts,
William Sheppard,   David Campbell,
Joseph T. Rhodes,   Robert Ewing,
Thomas Sherrod,     Barzillai Gardner,
William Gowdy,      Jonathan Lindley,
William Kindall,    Simon Spruill,
Micajah Thomas,     Robert Allison,
John Bond,          William Taylor,
Robert Peebles,     Nathaniel Jones,
Daniel Yates,       Britain Sanders,
Alexander Mebane,   Jesse Franklin,
Edward Everagin,    John Brown,
Thomas Harvey,      John Steele,
Reading Blount,     John Sitgreaves,
Robert Williams,    Robert Diggs,
Thomas Carson,      John Dolvin,
John Stanfield,     Benjamin Spruill,
William Bethel,     Jordan Hill,
Edward Waddell,     John Dawson,
George Maxwell,     Thomas Tyson,
John Scott,         James Vaughan,

Mr. Cabarrus proposed for Speaker John Sitgreaves, Esq., who
On motion of Mr. Polk, Seconded by Mr. Cabarrus, Resolved, That this House will proceed to elect a Clerk by ballot, that Mr. Polk & Mr. Franklin superintend such balloting and make report.

Mr. Polk from the balloting for a Clerk of this House, reported that John Hunt was elected Clerk. The House taking this report into consideration concurred therewith and resolved, that John Haywood be appointed Assistant Clerk.

On motion, Resolved, That James Mulloy & Peter Gooding be appointed Door Keepers during this Session.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:
The Senate are now formed and ready to proceed on the public business.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:
This House are also formed & ready to proceed on the business of the public.

On motion of Mr. Polk, seconded by Mr. John Taylor, Resolved, That a Committee of Privileges & Elections be appointed which shall consist of seven members. Resolved, That Mr. Polk, Mr. Cabarrus, Mr. Baker, Mr. Harvey, Mr. Mebane, Mr. Steele and Mr. Phifer be appointed a Committee of Privileges & Elections.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:
We propose that the message which accompanies this be presented to his Excellency the Governor; should it meet your approbation Mr. Skinner and Mr. Overton will on the part of this House attend and present him with the same.

At the same time received the message addressed to His Excellency the Governor, which being read was agreed to & Mr. Polk & Mr. Cabarrus appointed to attend & present him with the same.

Received from the Senate the following Messages:

Mr. Speaker and Gentlemen:
General Ramsey, Mr. Macon & Mr. Irwin will, on the part of this House, act with such Gentlemen as you may think proper to appoint as a Committee of Claims.
Mr. Speaker and Gentlemen:

We propose that a joint committee of both Houses be appointed to consider of and report as soon as possible what bills of a public & general nature are necessary to be passed into Laws by the present Assembly. We have appointed on our part for this purpose General Jones, Mr. Coor, Mr. Johnston, Mr. Person, Mr. Kenan, Mr. Erwin, Mr. Lenoir & Mr. Bledsoe.

Mr. Speaker and Gentlemen:

We have appointed on the part of this House, as a Committee of Propositions & Grievances, Mr. Johnston, Mr. Clinton & General Kenan, who will act in conjunction with such Gentlemen of your body as may be made choice of for this purpose.

Mr. Speaker and Gentlemen:

We propose that the two Houses ballot at four o'clock this afternoon for three Engrossing & Committee Clerks. We nominate for these appointments, Mr. Curtis Ivey, Mr. Pleasant Henderson, Mr. Dempsey Battle, Mr. John Bryan, Mr. John Dixon, Mr. David Allison, Mr. Abishai Thomas and Mr. William White; we also propose that the three gentlemen who, on casting up the poll, shall appear to have the greatest number of votes be declared elected. We likewise propose by way of expediting the business, that the Superintendents wait on each House separately in order to receive the tickets. Should these propositions meet your approbation Mr. Overton and Mr. Winston will, on the part of this House, superintend the balloting.

Ordered that the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House agree to ballot for three Engrossing & Committee Clerks as by you proposed.

Ordered that the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that a Committee on Finance be appointed by the two Houses to examine and report the State and nett produce of the revenues of the last collection, and the present amount and nature of our public debts, who shall extend their inquiries into the State of the Treasury; that they be authorized to call on all officers concerned in receiving, appropriating and accounting for the pub-
lic 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 and 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. We have for this purpose on our parts appointed Mr. Franklin, Mr. Steele, Mr. Dickson, Mr. Montgomery and Mr. Blount.

We have appointed on the part of the Commons, Mr. B. Sanders, Mr. Dickins, Mr. Anderson, Mr. J. Taylor & Mr. Dodd, a Committee of Claims.

Your proposal for appointing a Committee to consider of such Bills of a public nature as are necessary to be passed into Laws at the present Session, we have received and acceded to, as also another for appointing a Committee of Propositions and Grievances; for the first we have nominated Mr. Phifer, Mr. Baker, Mr. Cabarrus, Mr. Polk, Mr. Gowdy, Mr. Steele, Mr. Mebane, Mr. Horn, Mr. Harvey & Mr. Potts; for the latter Mr. Thomas, Mr. Creecy, Mr. Ferebee, Mr. Smithwick & Mr. Montgomery.

The House adjourned till 4 o'clock, P. M.

Met according to adjournment.

Mr. Nathaniel Henderson & Mr. William Marshall, the Members from Hawkins County, appeared, were qualified & took their seats.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We agree that a Committee of Finance be appointed for the several purposes and with like powers as by you expressed. We have appointed for this purpose on our part, Mr. Allen Jones, Mr. Skinner, Mr. Person, Mr. Coor, Mr. Clinton, Mr. Winston, Mr. Macon and Mr. Bledsoe, who will act in conjunction with the Gentlemen by you appointed.

Received from the Senate a Resolution of that House appointing the reverend Samuel McDougall Chaplain, which being read, was rejected.

Ordered that the following Message be sent to the Senate
Mr. Speaker and Gentlemen:

We have added to the Committee on Finance the following Members, to-wit: Mr. Cabarrus, Mr. Henderson, Mr. Potts, Mr. Polk, Mr. Campbell, Mr. N. Jones, Mr. Brown, Mr. Mebane, Mr. Grove & Mr. Everagin.

Mr. John Baker one of the members for Gates County, and Mr. Wyatt Hawkins one of the Members for Warren County appeared, were qualified and took their seats.

Mr. Franklin, from the joint balloting for three Engrossing and Committee Clerks, reported that Mr. Curtis Ivey, Mr. Pleasant Henderson and Mr. Abishai Thomas were elected by a Majority of the votes of both Houses of the General Assembly, & the House taking this Report into consideration concurred therewith.

Resolved, That the following rules of reading & passing Bills into Laws be observed during the present Session, to-wit: Every Bill on its first introduction shall be read for information, and be noted for reading at some day prefixed, when it shall be read on the motion of a member for passage the first time, debated on and amended, and if passed be sent to the other House. Every Bill when returned by the one House to the other shall be notified to the receiving House by the Speaker, and afterwards be read, also at the motion of a Member on a day prefixed, the Second time for passage, when it may be again debated on and amended, and when read and passed the second time in both Houses shall be Engrossed and read the third time for passage, the same form being observed, when it shall be subject to no amendment but shall be either passed into a Law or rejected.

Whenever either House shall have rejected a Bill, sent to them by the other, the rejection shall be immediately signified to the House so sending.

Resolved, That the following rules of decorum be observed during the sitting of this House.

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

2nd. That no member shall be allowed to speak but in his place, and after rising and addressing himself to the Speaker shall not proceed until permitted by the Speaker's calling him by name.
3rd. That no person shall stand up or disturb another while he is speaking.

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

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

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

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

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

The House adjourns until to-morrow morning 10 o'clock.

TUESDAY, 20 Nov., 1787.

The House met according to adjournment.

Mr. Thomas Wynns one of the members for Hertford County, and Mr. John Brown one of the members for Bladen County appeared, were qualified and took their seats.

Mr. Henry Smaw one of the members for Beaufort County, Mr. Nathan Fuller one of the members for Carteret County, & Mr. Philemon Hawkins one of the members for Warren County, appeared, were qualified and took their seats.

Ordered that Mr. P. Hawkins be appointed to the Committee on Finance and the Committee appointed to consider of such bills of
a public nature as are necessary to be passed into Laws this Session.

Ordered that following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have added Mr. P. Hawkins to the Committee on Finance &
to the Committee for considering of public bills.

Mr. Steele presented the resignation of David Crawford a Justice
of the Peace for Rowan County, which being read was accepted.

Ordered that Mr. P. Hawkins be added to the Committee of Privi-
leges & elections.

Mr. Stewart presented the Petition of William Parham, praying,
&c., which being read was referred to the Committee of Propositions
& Grievances.

Mr. Rhodes presented the Petition of Hugh McDonald of Faette-
ville, praying, &c., which being read was rejected.

Ordered that Mr. Sawyer be added to the Committee of Proposi-
tions and Grievances.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

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

Mr. Anderson presented the Petition of Archibald Cain, which
being read was referred to the Committee of Propositions & Griev-
ances.

Mr. Potts presented the Memorial of Edward Bridgen, Esq., of
the City of London, Merchant, which being read was referred to
the Committee of Propositions & Grievances.

The House adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, 21 NOV., 1787.

The House met according to adjournment.

Mr. Thornton Yancey one of he members for Granville County,
Mr. James Thackston one of the members for Cumberland County,
Mr. Thomas Devane, Jun., one of the members for New Hanover
County, Mr. Robert Hayes one of the members for Davidson Coun-
ty, Mr. Joseph McDowall and Mr. Joseph McDowall, Jun., the
members for Burke County, & Mr. Richard McKinne one of the
members for Wayne County, appeared, were qualified & took their
seats.
Received from the Senate the Petition of William Parham, the Petition of Archibald Cain, & the Petition of Edward Bridgen. Severally endorsed, in Senate read & referred as by the House of Commons.

Received from the Senate the Petition of John Dickey and William Sharpe, and the Petition of Mary Richards. Endorsed, read and referred to the Committee of Propositions & Grievances; which being read, were referred by this House to the same Committee.

Received from the Senate the Petition of William Good. Endorsed, read and referred to Mr. Person, Mr. Macon & Mr. Coor; which being read, was referred to Mr. Nixon, Mr. McDowall, Mr. Polk & Mr. Goudy on the part of this House.

Received also, the resignation of David Crawford a Justice of the Peace for Rowan County. Endorsed, read & accepted.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The Resolution of your House prescribing the method by which the two Houses shall be governed in reading and passing Bills at the present Session, we have received, but do not concur therewith. We therefore propose that they be confined to no particular or other method than that which has heretofore governed them in this business.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

On receipt of your Message in answer to the Resolutions we sent to the Senate, relative to the mode of passing Bills into Laws at the present Session, we are at a loss to know what plan you mean to follow, therefore wish you to give us information whether you mean to adopt the rules of the last Assembly on that head or to observe the rules observed by the preceding Assembly.

Received from His Excellency the Governor, the following Message:

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

Gentlemen:

Agreeably to your message of yesterday I lay before you such of
the dispatches and other public papers as appear to me to be of importance and require your immediate consideration as have come to my hands since the close of the last Session. In a file endorsed *Dispatches from Congress*, will be found not only sundry Resolutions of that Honorable body, but also Letters from the Delegates of this State and from the Board of War, and other papers on the subject of the sales of our public Tobacco, and of sundry Hogsheads of Deerskins shipped from Georgia on account of the sales of Goods originally intended as presents to the Indians.

In another file endorsed *Papers respecting the Federal Convention*, are contained a resolution of Congress recommending such Convention the report and the resolution of the Convention with a Letter to Congress and a Resolve of Congress for transmitting the same to the several Legislatures in order to be submitted to a Convention of Delegates chosen in each State by the people in conformity to the Resolves of the said Convention, together with a Letter from the Deputies for this State in the said Convention. And here it may be proper to inform you that Willie Jones, Esq., who was appointed one of the Deputies to attend the said Federal Convention in behalf of this State, declined going on that service, and as I had the honor of being also named one of the Deputies, and from my bad state of health about the time appointed for the meeting of the Convention it was impracticable for me to attend, it therefore became my duty to nominate others to supply the places of Mr. Jones and myself; accordingly Dr. Williamson and Mr. William Blount were appointed. Soon after the last Assembly I applied to the Delegates in Congress to procure the Muster Rolls of the late Continental line of this State, or authenticated copies of them, and transmit them to me for the use of the Commissioners appointed by the last Assembly to re-examine the Army amounts which had passed the former Board, but not receiving a satisfactory answer in July last I repeated my application without being able to effect the purpose of it, for reasons assigned in Col. Ashe's letter of the 10th of August, to which I beg leave to refer you.

You will also be pleased to receive a File of papers containing information respecting Indian affairs, another file relating to the Troops raised for the defence of Davidson County, together with
a correspondence between General Shelby and myself regarding the people inhabiting the Counties of Washington, Sullivan, Greene and Hawkins, which I apprehend it is proper you should be acquainted with.

RD. CASWELL.

Tarborough, November 20th, 1787.

Ordered that the foregoing message, together with the several dispatches from Congress & other papers therein referred to, be referred to the Committee appointed to consider of and report such bills of a public nature as are necessary to be passed into Laws this Session.

Ordered that the following message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith transmit you a message this day received from His Excellency the Governor, together with sundry dispatches from Congress and other papers therein referred to, which we propose submitting to the consideration of the Committee appointed to report what Bills of a public nature are necessary to be passed into Laws at the present Session.

Mr. P. Hawkins presented the Memorial of the Hon. Samuel Ashe, esq., the surviving Executor named in the last Will and Testament of the late Major General John Ashe deceased, which being read was referred on the part of this House to Mr. McDowall, Mr. Mebane, Mr. Hawkins & Mr. J. Baker, and sent to the Senate.

Mr. John Humphries one of the members for Currituck County, and Mr. Caleb Koen one of the members for Pasquotank County, appeared, were qualified & took their seats.

Mr. Steele presented the Memorial of James Kerr, late Commissioner of Specific Supplies for Rowan County, &c., which being read was referred to the Committee of Propositions & Grievances, and sent to the Senate.

Received from the Senate a Certificate of the Clerk of the Superior Court of Wilmington District, purporting the Claim of Richard Fargin. Endorsed, read & referred to the Committee of Claims, which being read was referred as by the Senate and returned.

Mr. Steele presented the Deposition of Samuel Young, which
being read was referred to the Committee of Claims & sent to the Senate.

Mr. Blount presented the Petition of sundry of the Inhabitants of the town of Wilmington, complaining that the late Election for a member to represent the said town in this House was illegal and contrary to Law, and praying relief; which being read was referred to the Committee of Privileges & Elections.

Mr. Steele presented the Memorial of a number of the inhabitants of Rowan County, who became purchasers of Confiscated Lands in the year 1782, and setting forth the extreme hardship they will labour under in paying up the purchase money in cash and praying relief; which being read was referred to the Committee of Propositions & Grievances & sent to the Senate.

Mr. Potts presented the Petition of the militia in the town of Wilmington, setting forth the inconveniences of attending musters at Beauford's Bridge and praying relief; which being read was referred to the Committee of Propositions & Grievances.

Received from the Senate the Petition of James Garret and Mary his wife, and the Petition of a number of the inhabitants of Chowan County in favour of Thomas Garret; which being read was rejected.

Received from the Senate the following Bills, viz:

A Bill directing the appointment of Wardens of the poor for the County of Perquimans.

A Bill for making process in Equity effectual against persons who abscond and who reside without the limits of the State, and for better regulating the proceedings in Courts of Equity.

A Bill for granting and securing to John Fitch the sole right and advantage of making and employing the Steam Boat, by him lately invented, for a limited time.

A Bill to compel the attendance of all such persons as may be elected to represent any County or Town in the General Assembly of this State at such time and place as may be appointed.

A Bill to repeal two acts of the General Assembly of this State, one passed in New Bern in 1784, entitled "an Act to describe and ascertain such persons who owe allegiance to this State, and to impose certain disqualifications on certain persons therein described," the other passed at New Bern in the year 1785, entitled "an Act to amend an Act passed at New Bern in the year 1784, entitled an act
to amend an act entitled an act to describe and ascertain such persons who owe allegiance to this State, and to impose certain disqualifications on certain persons therein described."

A Bill to repeal an act passed in 1786, entitled "an additional Act to an act entitled an act for the regulation of the Town of New Bern and for other purposes."

A Bill authorizing and requiring the County Courts of Pleas & Quarter Sessions to divide and appropriate the real Estate of Intestates, where one or more of the Claimants are under age.

A Bill to amend an act entitled "an Act to remove all disabilities from Simon Cleary and others therein named." Severally endorsed, in Senate, read the first time and passed.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We have added Mr. Clinton to the Committee of Claims.

The Bill for granting and securing to John Fitch the sole right and advantage of making and employing the Steam Boat, by him lately invented, for a limited time, was read the first time, passed & sent to the Senate.

The Bill to repeal an act passed in 1786, entitled "an additional act to an act entitled an act for the regulation of the town of New Bern, and for other purposes," was read the first time, passed & sent to the Senate.

Received from the Senate the Memorial of sundry inhabitants of Rowan County. Endorsed, in Senate read and referred as by the House of Commons.

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

The Bill authorizing and requiring the County Courts of Pleas & Quarter Sessions to divide and appropriate the real Estate of intestates, where one or more of the claimants are under age, was read the first time, passed & sent to the Senate.

Mr. Maxwell presented the Memorial of William Armstrong, which being read was referred to the Committee of Claims & sent to the Senate.

Ordered that Mr. Carson, Mr. Franklin, Mr. Nixon, Mr. Dauge, Mr. J. Baker, Mr. T. Sherrod, Mr. Hays and Mr. Marshall be added
to the Committee of Claims, and Mr. Goudy and Mr. Wynn to the Committee of Propositions & Grievances.

Ordered that Mr. Dodd, Mr. Williams, Mr. Cabarrus, Mr. Thackston & Mr. McDowall, Jun., be a Committee on the part of this House to take under consideration Petitions, Memorials, &c.

Ordered that the following message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House have added Mr. Carson, Mr. T. Franklin, Mr. Nixon, Mr. Dauge, Mr. J. Baker, Mr. T. Sherrod, Mr. Hays and Mr. Marshall to the Committee of Claims, and Mr. Goudy and Mr. Wynn to the Committee of Propositions & Grievances; and propose that a Committee to consist of members from each House be appointed to consider of and report on Petitions and Memorials, and have for this purpose appointed Mr. Dodd, Mr. Williams, Mr. Cabarrus, Mr. Thackston & Mr. J. McDowall, Jun., on their part.

Received from the Senate the following Resolution for Concurrence, viz:

Resolved, That the following rules of reading and passing Bills into Laws be observed during the present session.

All Bills introduced in either House shall be subject to amendment on the first, second and third reading; but after being passed three times in either House shall not be altered or amended, without the consent of the House where it first originated, and shall not be engrossed until after being three times read in each House.

The House taking these resolutions into consideration concurred therewith.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We propose that the General Assembly fix on Wednesday, the fifth day of December next, as a time on which they will enter on the important business of the Federal Constitution.

Ordered that the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have received your message proposing a day for the consideration of the business of the late Federal Convention and do approve thereof.
Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose, in order to be properly ascertained of all the facts and circumstances set forth in the Memorial of Patrick Cleary, that the same together with all the testimonials therein referred to, be submitted to the examination of a Committee who shall make a report thereon as soon as possible. We have for this purpose on our part, appointed Mr. P. Hawkins, Mr. J. McDowall, Mr. Brown of Wilkes, Mr. Phifer, Mr. Mebane and Mr. Wynn.

The Bill directing the appointment of Wardens of the Poor for the County of Perquimans was read the first time, passed and sent to the Senate.

The Bill to compel the attendance of all such persons as may be elected to represent any County or Town in the General Assembly of this State at such time and place as may be appointed, was read the first time, passed and sent to the Senate.

The Bill to repeal two acts of the General Assembly of this State, one passed at New Bern in 1784, entitled "an Act to describe and ascertain such persons who owe allegiance to this State, and to impose certain disqualifications on certain persons therein described;" the other passed at New Bern in the year 1785, entitled "an Act to amend an Act passed at New Bern in the year 1784, entitled an act to describe and ascertain such persons who owe allegiance to this State, and to impose certain disqualifications on certain persons therein described," was read the first time, passed and sent to the Senate.

The House adjourned until to-morrow morning 10 o'clock.

THURSDAY, 22 November, 1787.

The House met according to adjournment.

Received from the Senate the Petitions of the Militia in the town of Wilmington. Endorsed, in Senate, read and referred as by the House of Commons.

Received from the Senate a Bill for the better regulation of the town of Edenton. Endorsed, in Senate, read the first time and passed.

Received also a Bill to repeal an act entitled "an additional Act to an act, entitled an act for the regulation of the town of New Bern,
and for other purposes." Endorsed in Senate, read the second time and passed.

The Bill for the better regulation of the town of Edenton was read the second time, amended, passed and sent to the Senate.

Mr. Timothy Bloodworth one of the members for New Hanover County, and Mr. Samuel Cain one of the members for Bladen County, appeared, were qualified and took their seats.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

We agree that the Message from His Excellency the Governor, together with the papers accompanying it, be referred as by you proposed.

Mr. Speaker & Gentlemen:

The Senate agree that the Memorial of Patrick Cleary, with the Testimonials therein referred to, be submitted to the consideration of a joint Committee; we have for this purpose appointed Mr. Person, Mr. Coor, Mr. Allen Jones and Mr. Hill.

Mr. Polk presented the Petition of a Committee of Mecklenburg County appointed by the inhabitants thereof to represent their grievances to the General Assembly, &c., which being read, was ordered to be sent to the Senate.

Ordered that Mr. Bloodworth be added to the Committee appointed to consider of such Bills of a public nature as are necessary to be passed into Laws this Session.

Received from His Excellency the Governor, the following Message:

To the Honorable the General Assembly:

Gentlemen:

With my address of the 20th Current I laid before you sundry papers relating to the sales of the Tobacco belonging to the State, purchased by the late Commissioners; I then omitted furnishing a State of the Tobacco delivered, upon a presumption of my receiving a further account of the delivery of the Tobacco, but that not coming to hand I think it necessary you should be informed of the true state of the transactions in respect to the same, for which purpose I lay before you the receipts of the agent of the purchasers and an account of the deficiency so far as I am able to state the same.
Mr. Haywood, I presume, will inform you why the delivery of the remainder of the Tobacco purchased at Tarborough is not made, and Col. Whitaker's letter accompanying this will account for the Tobacco on hand at Edenton.

RD. CASWELL.

Tarborough, 22nd November, 1787.

Mr. Polk presented the representation of John Haywood, Esq., late Commissioner for purchasing Tobacco at Tarborough, respecting the appropriation of a part thereof by Mr. Richard Blackledge, Merchant of Washington, and a delivery of the balance to the agent of Constable, Ruiker & Co., Merchants of New York, which being read, together with sundry papers accompanying the same were together with His Excellency the Governor's Message, on that subject, referred to a joint Committee; the Members appointed on the part of this House for the purpose are, Mr. Polk, Mr. P. Hawkins, Mr. Cabarrus, Mr. Dickins, Mr. Mebane and Mr. McDowall.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith submit you a message of this Day's date received from His Excellency the Governor, on the subject of the public Tobacco lately stored at Washington, together with the sundry papers accompanying it, also a representation from John Haywood, Esq., late purchaser of Tobacco on the same subject; those papers as they appear to us to deserve the earliest attention, we propose referring to a joint Committee and have on our part, appointed Mr. Polk, Mr. P. Hawkins, Mr. Cabarrus, Mr. Dickins, Mr. Mebane and Mr. McDowall.

Ordered that Mr. Bloodworth and Mr. J. McDowall be added to the Committee on Finance.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Mr. Bloodworth to the Committee appointed to consider what Bills of a public nature are necessary to be passed into Laws this Session, and to the Committee on Finance we have added Mr. McDowall.

Received from the Senate the Memorial of William Armstrong.
Endorsed, In Senate read and referred as by the House of Commons:

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The Senate do not agree with you in the appointment of a Committee of Petitions and Memorials, being of opinion this business comes properly before the Committee of Propositions & Grievances.

Received from the Senate the report of the Committee on the Memorial of the Hon. Samuel Ashe, Esq., surviving Executor of the last will and Testament of Major General John Ashe deceased. Endorsed, In Senate read and concurred with, which being read was concurred with by this House and returned.

Received from the Senate the Petition of Peter Goodwin. Endorsed, In Senate, read and referred to the Committee to whom was referred the Memorial of the Hon. Samuel Ashe, Esq., which being read was referred as by the Senate and returned.

Received from the Senate a Bill authorizing and requiring the County Courts of Pleas and Quarter Sessions to divide and appropriate the real Estate of Intestates, where one or more of the claimants are under age. Endorsed, In Senate, read the second time, amended and passed.

Mr. Stewart presented the Petition of William Queen late of Randolph County, praying, &c., which being read was referred to the Committee of Propositions and Grievances, and sent to the Senate.

Received from the Senate a Bill to ascertain the true courses of a Tract of Land on Neuse River in Craven County. Endorsed, In Senate, read the first time and passed.

Received also the report of the Committee to whom was referred the Petition of William Good. Endorsed, In Senate, read and concurred with, which being read was concurred with by this House and returned.

The Bill to ascertain the true courses of a Tract of Land on Neuse River in Craven County, was read the first time, passed and sent to the Senate.

Received from the Senate a Bill for granting and securing to John Fitch the sole right and advantage of constructing, making and vending the Steam Boat by him lately invented, for a limited time. Endorsed, In Senate, read the second time, amended and passed.
Ordered that this Bill be read the second time in this House, which was accordingly read the second time, amended, passed and sent to the Senate.

Received from the Senate a Bill for establishing a Town in the County of Hyde on the Lands of Joseph Gibbs. Endorsed, In Senate, read the first time and passed.

The Bill authorizing and requiring the County Courts of Pleas and Quarter Sessions to divide and appropriate the real Estate of Intestates, where one or more of the claimants are under age, was read the second time, amended, passed and sent to the Senate.

The Bill for establishing a Town in the County of Hyde on the Land of Joseph Gibbs, was read the first time, passed and sent to the Senate.

Mr. Maxwell presented the Petition of James Hamilton of Sullivan County, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Maxwell presented the Petition of John Shelby, praying, &c., which being read was referred to the Committee of Claims, and sent to the Senate.

Mr. Maxwell presented the Petition of Ruth Hawkins, praying, &c., which being read was referred to the Committee appointed to report what Bills of a public nature are necessary to be passed into Laws this session, and sent to the Senate.

Received from the Senate a Bill making process in Equity effectual against persons who abscond and who reside without the limits of the State, for better regulating the proceedings in Courts of Equity. Endorsed, In Senate, read the second time and passed.

Mr. Potts moved for leave and presented a Bill for the more easy recovery of rents and to prevent Tenants from committing frauds, which was read the first time, passed and sent to the Senate.

Received from the Senate the Petition of Thomas Harvey, which being read was rejected.

The House adjourned until tomorrow morning 10 o'clock.

FRIDAY, 23 November, 1787.

The House met according to adjournment.

Mr. Ferebee presented the resignation of James White, one of the Justices of the Peace for Currituck County, which being read was accepted by this House and sent to the Senate.
Ordered that Mr. Yates and Mr. Bridges have leave to absent themselves from the service of this House for a few days, and Mr. Sheppard until Monday next.

The Bill for making process in Equity effectual against persons who abscond and who reside without the limits of the State, and for better regulating the proceedings in Courts of Equity, was read the second time, passed and sent to the Senate.

Received the Petition of William Queen. Endorsed, In Senate, read and referred as by the House of Commons.

Mr. McDowall exhibited the presentment of the Grand Jury for the late Superior Court of Morgan District, presenting the particular Grievances under which the people of that District labour owing to only one of the Judges attending the Court of Morgan District, which being read was referred to the Committee appointed to report such bills of a public nature as are necessary to be passed into Laws this Session, and sent to the Senate.

Received from the Senate a Bill for the better regulation of the Town of Edenton, and

A Bill to compel the attendance of all such persons as may be elected to represent any County or Town in the General Assembly of this State, at such time and place as may be appointed. Endorsed, In Senate, read the second time and passed.

The Bill to repeal an Act passed in 1786, entitled "an additional Act 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.

Received from the Senate the Petition of Jeremiah & Robert Field. Endorsed, In Senate, read and referred to the Committee on Judge Ashe's Memorial, which being read was referred as by the Senate and returned.

Received from the Senate a Bill to prevent frauds by the depreciation of paper Currency. Endorsed, In Senate, read the first time and passed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

Your Message respecting the several papers therewith transmitted on the subject of the Tobacco lately purchased by the Commissioner, we have received, and as we are of opinion with you that some of
them particularly those relative to the Tobacco stored at Washington, deserve the earliest attention. We have appointed Mr. Coor, Mr. Skinner, Mr. Person, and Mr. Allen Jones, to act as a Committee with the Gentlemen by you appointed for the consideration of them.

The Bill for the better regulation of the Town of Edenton, was read the third time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

It is the opinion of this House that the Petition of the Committee of Mecklenburg County be referred to that appointed at the present session for reporting what Bills are necessary to be passed into Laws.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the Petition of the Committee of Mecklenburg County be referred as by you proposed.

Received from the Senate a Bill to repeal part of an Act passed at Fayetteville, 1786, entitled, "an Act to empower the several County Courts therein mentioned to lay a Tax annually, not exceeding three years, for the purpose of erecting or repairing the Court House, Prison and Stocks in each County when necessary, &c.," and a Bill for the more easy recovery of rents and to prevent tenants from committing frauds. Endorsed, In Senate, read the first time and passed.

Received also a Bill for establishing a Town in the County of Hyde on the Lands of Joseph Gibbs. Endorsed, read the second time, amended and passed.

Received from the Senate a Bill to repeal an act passed in 1786 entitled "an additional Act to an act, entitled an act for the regulation of the Town of New Bern, and for other purposes;" and a Bill to ascertain the true courses of a tract of Land on Neuse River in Craven County. Endorsed, In Senate, read the second time and passed.

Received also, a Bill for granting and securing to John Fitch the sole right and advantage of constructing, making and vending the Steam Boat by him lately invented, for a limited time. Endorsed, read the third time and passed.

Received from the Senate the Petition of John Johnston, Esq.,
of Bertie County. Endorsed, In Senate, read and referred to the Committee on Judge Ashe's Memorial, which being read was referred as by the Senate and returned.

The Bill to compel the attendance of all such persons as may be elected to represent any County or Town in the General Assembly of this State at such time and place as may be appointed, was read the second time, amended, passed and sent to the Senate.

The Bill to prevent frauds by the depreciation of Paper Currency, was read the first time, passed and sent to the Senate.

The Bill to repeal part of an act passed at Fayetteville, 1786, entitled "an Act to empower the several County Courts therein mentioned to lay a Tax annually, not exceeding three years, 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 Counties, was read the first time, passed and sent to the Senate.

Mr. McKinne presented the Petition of John Beck, late entry officer of claims for Lands in Wayne County, praying, &c.; which being read was referred to the Committee of Propositions & Grievances.

Received from the Senate the Petition of the yearly meeting of the people called Quakers. Endorsed, In Senate, read and referred to the Committee appointed to report what bills of a public nature are necessary to be passed into Laws this Session; which being read was referred as by the Senate, and returned.

Mr. Eborn presented the resignation of Barridge Selby, Esq., one of the Justices of the Peace for Hyde County, which being read was accepted by this House and sent to the Senate.

Received from the Senate the resignation of Richard Warren, one of the Justices of the Peace for Johnston County. Endorsed, In Senate, read and accepted; which being read was accepted by this House and returned.

Ordered that Mr. McKinne be added to the Committee of Propositions and Grievances.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Mr. McKinne to the Committee of Propositions & Grievances.
Whereas, the Present Committee of Claims may entertain doubts with respect to the Examination of Claims which might have been exhibited to the boards of Auditors in the several Districts. Resolved, That all Claims against this State, whether of such nature as were proper for the boards of Auditors and which might have been exhibited to them, or whether they be of any other kind, provided they may appear to be just, shall be received and allowed by them.

The House adjourned until Monday morning 10 o'clock.

Monday, 26 November, 1787.

The House met according to adjournment.

Mr. Joseph Dixon one of the members for Duplin County, Mr. Richard Singleton and Mr. James Withrow the Members for Rutherford County, Mr. James Gains and Mr. Seth Coffin the Members for Surry County, Mr. William Picket one of the members for Richmond County, Mr. Elias Barnes one of the Members for Robeson County, and Mr. James Stewart one of the members for Washington County, appeared, were qualified and took their seats.

Mr. Campbell moved for leave and presented a Bill to establish order, security and efficacious Government in the Western parts of this State; which was read the first time, passed and sent to the Senate.

Received from the Senate the Memorial of the Field Officers of Davidson County. Endorsed, In Senate, read and referred to the Committee of Propositions and Grievances; which being read was ordered to be referred to a Special Committee consisting of five members of this House. The members chosen for this purpose are Mr. Campbell, Mr. Polk, Mr. J. Hill, Mr. Franklin and Mr. Ewing.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the representation of the Field Officers of Davidson County be referred to a special Committee, instead of the Committee of Claims as by you proposed, and have for this purpose on our part appointed Mr. Campbell, Mr. Polk, Mr. J. Hill, Mr. Franklin and Mr. Ewing a Committee.

The Bill for establishing a Town in the County of Hyde on the
Land of Joseph Gibbs, was read the second time, passed and sent to the Senate.

Mr. William Tatham one of the members for Robeson County, appeared, was qualified and took his seat.

Received from the Senate the presentment of the Grand Jury of Morgan District, and the Petition of John Beck. Endorsed, In Senate, read and referred as by the House of Commons.

Received also, the resignation of James White one of the Justices of Currituck County, and the resignation of Barridge Selby a Justice of Hyde County. Endorsed, In Senate, read and accepted.

Mr. Bloodworth presented the Petition of John Devane of New Hanover County, formerly Commissioner of the Gun Factory in the District of Wilmington, which being read was referred to the Committee of Claims, and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the Bill respecting the public buildings in the County of Randolph, together with the Petition herewith sent you on that head, be referred to the consideration of a joint Committee. We have appointed for this purpose on our part Mr. Ramsay, Mr. McCawley and Mr. Winston.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the Bill and the Petition therewith sent us, relative to the public buildings in the County of Randolph, be committed as by you proposed. We have on our part appointed Mr. P. Hawkins, Mr. T. Devane, Mr. Stewart and Mr. J. Taylor a Committee.

Received from the Senate the Memorial of Thomas Polk. Endorsed, In Senate, read and referred to the Committee of Propositions & Grievances; which being read was referred as by the Senate and returned.

Received from the Senate the Presentment of the Grand Jury of Salisbury District. Endorsed, In Senate, read and referred to the Committee of Propositions and Grievances; which being read, was referred as by the Senate and returned.

Received from the Senate the Report of the joint Committee appointed to consider and report what Bills of a public and general
nature are necessary to be passed into laws this present Assembly. Endorsed, In Senate, read and concurred with; which being read was concurred with by this House and returned.

Received from the Senate a Bill to charge the estate of Honore Jerec Giraud, late of the town of Halifax, deceased, with the payment of all his just debts, and to prefer the same to the title acquired by this state in the property, which was of this said Jerec in consequence of his self murder. Endorsed, In Senate, read the first time and passed.

Ordered that this Bill be read for the first reading in this House; the said Bill was accordingly read the first time, passed and returned to the Senate.

Received from the Senate the following Bills, viz:
A Bill to repeal such Laws and parts of Laws as militate against the Treaty of Peace with the King of Great Britain;
A Bill for the emancipation of the Slaves, the property of the people called Quakers, under certain rules and restrictions herein mentioned; and
A Bill to prevent the further importation of Slaves. Severally endorsed, In Senate, read the first time and passed.

Received also a Bill to compel the attendance of all such persons as are or may be elected, to represent any County or Town in the General Assembly of this State. Endorsed, read the third time, amended and passed.

The Bill to ascertain the true courses of a tract of Land on Neuse River in Craven County, was read the second time, passed and sent to the Senate.

Received from His Excellency the Governor, the following Message:

To the Honorable the General Assembly,

Gentlemen:

Herewith you will be pleased to receive an account of Warrants issued by me on the Treasury and the Collectors of Imposts, for twelve months last passed; with it are sundry vouchers on which Warrants have been made out.

You have also a separate account of the particular Warrants drawn in favour of the officers of the late Continental line of this State, in lieu of their orders from the Board of Treasury on the
Commissioner of the Continental Loan office in this State, the whole of the orders not being brought in is the reason those taken up have not yet been transmitted to the Commissioner's office; these orders also accompanying the account.

RD. CASWEL.

Tarborough, November 26th, 1787.

Resolved, That the foregoing Message from His Excellency the Governor, together with the accounts of Warrants by him issued &c., to be referred to the Committee on Finance.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This is accompanied by a Message this day received from His Excellency the Governor, with an account of Warrants by him drawn on the Public Treasury for twelve months past, which we propose referring to the Committee on Finance, together with the other papers referred to.

The Bill to prevent the further Importation of Slaves, was read the first time, passed and sent to the Senate.

The Bill to repeal such Laws and parts of Laws as militate against the Treaty of Peace with the King of Great Britain, was read the first time, passed and sent to the Senate.

The Bill for the Emancipation of the Slaves, the property of the people called Quakers, under certain rules and restrictions herein mentioned, was read the first time, passed and sent to the Senate.

Mr. Polk presented the Petition of William Alexander, praying, &c., which being read was referred on the part of this House to Mr. Polk, Mr. Phifer and Mr. Steele and sent to the Senate.

Received from the Senate the Petition of the Inhabitants of Davidson County. Endorsed, In Senate, read and referred to the Committee of Propositions & Grievances; which being read was referred by this House to the Committee appointed to report what bills are necessary to be passed into Laws during this Session.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the Petition from the Inhabitants of Davidson County be referred to the Committee appointed to consider of 20—10
Public Bills, as sundry papers relative to the subjects treated of in the said Petitions have been already referred to them, together with the papers received from His Excellency the Governor.

The Bill for granting and securing to John Fitch, the sole right and advantage of constructing, making and vending the Steam Boat by him lately invented, for a limited time, was read the third time and rejected.

Received from the Senate the resignation of John Knox one of the Justices of the Peace for Northampton County. Endorsed, In Senate, read and accepted; which being read was accepted by this House and returned.

Mr. Cabarrus presented the Petition of Charles Johnston and S. Dickinson, Executors of the last Will and Testament of John Smith, late of Chowan County; which being read, Mr. Cabarrus moved for leave and presented a Bill to enable the Executors of John Smith formerly Sheriff of Chowan, to collect the arrearages of Taxes, which was read the first time, passed and sent to the Senate.

Mr. Potts presented the Memorial and remonstrance of the Commissioners and Citizens of the town of Wilmington, relative to their demolishing the old Court House in the said Town, and praying to be relieved from the fines incurred in consequence thereof; which being read was referred to Mr. Bloodworth, Mr. P. Hawkins, Mr. Rhodes, Mr. Cabarrus and Mr. Franklin, on the part of this House, and sent to the Senate.

Mr. Grove moved for leave and presented a Bill to erect a Court of Law and Equity at Fayetteville, which being read the first time, was passed and sent to the Senate.

Mr. Thackston presented the Petition of John Campbell, which being read was referred to the Committee of Claims and sent to the Senate.

Mr. Ewing presented the Petition of sundry of the Inhabitants of Davidson County* praying a Division thereof, which being read, Mr. Ewing moved for leave and presented a Bill agreeable to the Prayer of the said Petition, which was read the first time, passed and sent to the Senate.

Mr. Carson presented the Petition of sundry of the inhabitants

*Now in Tennessee.—Ed.
of Rowan County praying a Division thereof, which being read,
Mr. Carson moved for leave and presented a Bill agreeable to
the prayer of the said Petition, which was also read and referred
to a joint Committee. The members chosen on the part of this
House for that purpose, are Mr. Phifer, Mr. Gowdy, Mr. Polk, Mr.
Hawkins, Mr. Mebane and Mr. Cabarrus.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you the Petition of sundry of the Inhabitants
of Rowan County praying a division thereof, together with a Bill
framed for that purpose, which we propose submitting to a Commit-
tee from both Houses. We have on our part appointed Mr. Phifer,
Mr. Gowdy, Mr. Polk, Mr. Hawkins, Mr. Mebane and Mr. Ca-
barrus.

Ordered that Mr. Pierce have leave to absent himself from the
service of this House until Monday next.
The House adjourned until to-morrow morning 10 o'clock.

Tuesday, 27 November 1787.

The House met according to adjournment.

Mr. B. Spruill presented the resignation of Thomas Hawkins,
one of the Justices for Tyrrell County; which being read was ac-
ccepted by this House and sent to the Senate.

Mr. Stanfield presented the Petition of Alexander Smith and
Baptist Clark, praying, &c., which being read was referred to the
Committee of Claims and sent to the Senate.

Resolved, That no private Bill be received after Thursday next.

Mr. McDowall, Jun., moved for leave and presented a Bill for
levying a further tax in the several Counties in the District of Mor-
gan, to defray the remaining expense incurred on the public build-
ings in said District, 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 resolution which accompanies this be adopted
in lieu of the one by you entered into on the same subject. At the
same time received the Resolution above referred to, which being
read was rejected.
Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House have received and considered the resolution of your House respecting the mode proposed to be adopted in allowing Claims, with which we cannot concur, from a supposition that too much time will be taken up in passing the Claims through the two Houses of the General Assembly, and hope the Senate will reconsider their resolution on that head and concur herewith.

Mr. Hill moved for leave and presented a Bill to repeal part of an Act passed at New Bern in the year 1785, entitled "an Act for destroying wolves, panthers, Bears, Wild Cats, Crows, and Squirrels, in the several Counties therein mentioned," which was read the first time, passed and sent to the Senate.

Received from the Senate the Petition of Mary White. Endorsed, In Senate, read and referred to the Committee on the Memorial of the Hon. Judge Ashe; which being read was referred as by the Senate and returned.

Mr. Potts presented the Petition of Mildred Swann widow and Administratrix, and Frederick Jones and Archibald Maclaine, Administrators of the goods, chattels, and credits which were of Samuel Swann, late of New Hanover County, deceased, praying that an act may pass to empower the Administrators of Samuel Swann, late of New Hanover County, deceased, to sell and dispose of part of the real estate of the said Samuel for the payment of his debts, in order to make the better provision for his family, and also to make conveyances for such part of the real estate as was sold by the said Samuel in his life time; which being read Mr. Potts moved for leave and presented a Bill agreeable to the prayer of the said Petition, which was read the first time, passed and sent to the Senate.

The Bill to compel the attendance of all such persons as may be elected to represent any County or town in the General Assembly of this State at such time and place as may be appointed, was read the third time, passed and ordered to be engrossed.

Mr. B. Spruill presented the Memorial of Jonathan Hooker praying, &c.; which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.
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Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We propose that the Petition of John Bradley, herewith sent you, be referred to the consideration of a Special Committee, and have for this purpose on our part appointed Mr. Owen, Mr. Kenan and Mr. Macon.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the Petition of Mr. Bradley, with the papers accompanying it, be referred as by you proposed. We have for this purpose on our part appointed Mr. Polk, Mr. Rhodes, Mr. Blount, Mr. Grove and Mr. Potts.

Received from the Senate the following Bills, viz:

A Bill for electing Wardens of the Poor; and

A Bill for revising and collecting the acts of the General Assembly of the State of North Carolina. Endorsed, read the first time and passed.

Mr. Gowdy moved for leave and presented a Bill directing the Clerks of the Several Courts of record within this State as to their duty in office, with respect to the issuing of writs, which was read the first time, passed and sent to the Senate.

The Bill for electing Wardens of the Poor was read the first time, passed and sent to the Senate.

The Bill for revising and collecting the Acts of the General Assembly of the State of North Carolina was read the first time, passed and sent to the Senate.

Received from the Senate a Bill to prevent the further importation of Slaves. Endorsed, In Senate, read the second time, amended and passed.

Ordered that the Bill be read; the Bill was accordingly read the second time, passed and sent to the Senate.

Mr. Tatham presented sundry Petitions from the Inhabitants of Anson, Montgomery and Richmond Counties praying that a Law may be passed for granting a pardon to Thomas Wade, who stands charged with having killed a certain Epperson, which being read was referred to the Committee appointed on the Memorial of John Bradley.
Mr. Polk presented the Petition of John Allen praying, &c.; which being read Mr. Polk moved for leave and presented a Bill to emancipate a mulatto woman named Betty, alias Betty Allen and her child named Mary, which being read the first time was passed and sent to the Senate.

Mr. B. Spruill presented the Petition of Jonathan Phelps and others praying, &c.; which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. P. Hawkins presented the Memorial of the Hon. Samuel Ashe, Samuel Spencer and John Williams, Esquires, Judges of the Superior Courts of Law and Equity in this State, setting forth that by the depreciation of the present circulating Currency the Salary allowed them as Judges aforesaid is inadequate and praying relief; which being read was referred to the Committee appointed on the Memorial of the Hon. Samuel Ashe, Esq., and sent to the Senate.

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

Mr. Polk presented the Petition of sundry inhabitants of Mecklenburg County, praying, &c.; which being read Mr. Polk moved for leave and presented a Bill to repeal the seventh section of an act directing the method of electing members of the General Assembly; also, one other act entitled "an act for removing the public buildings of Mecklenburg County from Charlotte," which was read the first time, passed and sent to the Senate.

Received from the Senate the following Message.

Mr. Speaker and Gentlemen:

We agree that the representation from the Field Officers of Davidson County be referred to the consideration of a joint Committee as by you proposed, for this purpose we have appointed Mr. Lenoir, Mr. Long and Mr. Owens, who will act with the Gentlemen by you named.

Mr. Speaker and Gentlemen:

We agree that the Message from His Excellency the Governor, of the 26th Inst., together with the papers therein referred to, be submitted to the Consideration of the Committee appointed on Finance.
Mr. Stewart moved for leave and presented a Bill for the better regulation of the Inspection of Tobacco at the Town of Fayetteville, and to prevent frauds, which was read the first time, passed and sent to the Senate.

Mr. Richard Dobbs Spaight one of the members for Craven County, appeared, was qualified and took his seat.

Mr. Bloodworth presented the Petition of John Walker of Wilmington, praying, &c.; which being read, was referred to the Committee of Propositions & Grievances and sent to the Senate.

Received from His Excellency the Governor, the following message:

To the Honorable the General Assembly:

Gentlemen:

I have received the resignation of sundry Public Officers, that is to say, the Hon. Timothy Bloodworth as Delegate to Congress for the Current year; Joseph Lee, Esq., as Judge of the Maritime Court at Washington, and also as Lieutenant Colonel of the Beaufort regiment of Militia.

By the death of Samuel Swann, Esq., the office of Judge of the Maritime Court at Wilmington is vacant; James Geikie, Esq., has been recommended as a proper person to supply his place, and likewise Thomas Davis, Esq.

I mention these vacancies, to the end that you at such time as you shall judge proper, will be pleased to fill the same by new appointments.

I lay before you a letter from Col. Joseph Martin Superintendent of Indian affairs, with a talk from the old Tassel a Cherokee Chief, the matters in them contained appear to me of a serious nature and I presume will meet with that attention the importance of the same require.

Permit me to take the liberty of laying before you the proceedings of the Council of State and informing that the Books in which are entered such public Dispatches and papers as I have received, and also those containing copies of my letters of a public nature, are ready to be laid before you whenever you shall think proper to call for them.

RD. CASWELL.
Tarborough, November 27th, 1787.

Ordered that the foregoing Message, together with the Letters, &c., therein referred to, be referred to the Committee on Finance.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

The Message herewith sent from His Excellency the Governor, of this day's date, together with the Letters, &c., therein referred to, we propose referring to the Committee on Finance.

Ordered that Mr. Spaight be added to the Committee on Finance and the Committee appointed to report such Bills of a public nature as are necessary to be passed into Laws this Session.

Mr. Stanfield presented the resignation of Nathaniel Steed one of the Justices of the Peace for Randolph County, which being read was accepted by this House and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have added Mr. Spaight to the Committee on Finance and the Committee appointed to report such Bills of a public nature as are necessary to be passed into Laws this Session.

The House adjourned until to-morrow morning 10 o'clock.

Wednesday, 28 November, 1787.

The House met according to adjournment.

Mr. Bloodworth presented the Memorial of John Kingsbury praying, &c., which being read was referred to the Committee of Propositions & Grievances and sent to the Senate.

Mr. Dickins moved for leave and presented a Bill to empower the Wardens of the Poor, for the County of Caswell, to purchase lands and build a House for the reception of the Poor in the County aforesaid; which was read the first time, passed and sent to the Senate.

Mr. Cabarrus moved for leave and presented a Bill for promoting the navigation of Albemarle Sound, which was read the first time, passed and sent to the Senate.

Mr. Dawson moved for leave and presented a Bill to enable the Wardens of the Poor for the County of Halifax to levy a Tax on the Inhabitants of the said County to discharge the debts due in the year 1776 to the Rev. Thomas Burges, now deceased, for ministerial services performed in the parish of Edgecombe and for allow-
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ances made in lieu of a Glebe; which was read the first time, passed and sent to the Senate.

Mr. McDowall presented a Petition from sundry of the Inhabitants of Surry County praying a division thereof, which being read Mr. McDowall moved for leave and presented a Bill agreeable to the prayer of the said Petition; which was read the first time, passed and sent to the Senate.

Received from the Senate the following Bills, viz:

A Bill to repeal the seventh section of an act directing the method of electing members of the General Assembly, also one other act entitled "an Act for removing the public buildings of Mecklenburg County from Charlotte," &c.;

A Bill to erect a District Court of Law and Equity at Fayetteville;

A Bill empowering the Several County Courts therein mentioned to levy a Tax on all Black Polls to defray the expenses of Slaves herafter executed;

A Bill to encourage the making Salt in Davidson County;

A Bill for levying a further Tax in the several Counties in the District of Morgan to defray the remaining expense accrued for the public buildings in the said District;

A Bill to repeal part of an act passed at New Bern in the year 1785, entitled, "an Act for destroying Wolves," &c.;

A Bill to enable the Executors of John Smith, formerly Sheriff of Chowan, to collect the arrearages of Taxes, &c.;

A Bill for the better regulation of the town of Fayetteville;

A Bill for the better regulation of the inspection of Tobacco at the town of Fayetteville, and to prevent frauds;

A Bill directing the Clerks of the several Courts of Record within this State as to their duty in office, &c.; and

A Bill to empower the Administrators of Samuel Swann late of New Hanover County, deceased, to sell and dispose of part of the real estate of the said Samuel, &c. Severally endorsed, In Senate, read the first time and passed.

Received from the Senate the Memorial of the Hon. Samuel Ashe, Samuel Spencer and John Williams, Esq., Judges, &c. The Memorial of Nathan Hooker, and the Petition of Jonathan Philips.
Severally endorsed, In Senate, read and referred as by the House of Commons.

Received also, the Petition of William Alexander. Endorsed, read and referred to Mr. Berger, Mr. J. Williams and Mr. Martin.

Mr. Steele moved for leave and presented a Bill to add the County of Moore to Hillsborough District, which was read the first time, passed and sent to the Senate.

Received from the Senate the Report of the Committee of Propositions & Grievances on the Memorial of the Inhabitants of the Town of Wilmington. Endorsed, In Senate, read and concurred with; the said Report being read was concurred with by this House and returned.

Mr. Potts presented the Petition of Thomas Wright, Esq., Sheriff of New Hanover County, praying, &c.; which being read was referred to the Committee of Propositions & Grievances and sent to the Senate.

Mr. Stewart, from the Committee to whom was referred the Petition from the Inhabitants of Randolph County, Reported as follows, viz:

Your Committee to whom was referred the Petition from the Inhabitants of Randolph County, praying that Commissioners may be appointed to fix on a place at or near the centre of said county to erect public buildings thereon, are of opinion that the prayer of said Petition be granted and that a Bill may be brought in for that purpose, all which is submitted.

JOSEPH STEWART, Ch.

The House taking the foregoing Report into consideration concurred therewith.

Mr. Stewart moved for leave and presented a Bill for altering the place of holding Courts in the County of Randolph, for erecting the public buildings thereon and for appointing Commissioners; which was read the first time, passed and sent to the Senate.

Received from the Senate the resignation of Thomas Haskins a Justice of the Peace. Endorsed, In Senate, read and accepted.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

The resolutions of your House, prohibiting the Introduction of
STATE RECORDS.

Private Bills after Thursday next, we have received and concurred with.

Mr. Mebane moved for leave and presented a Bill to remove all obstructions to the passage of Fish up the Neuse River, which was read the first time, passed and sent to the Senate.

Mr. Horn moved for leave and presented a Bill to prevent the obstruction of fish from running up the streams and water courses in Bertie County, and to clear the navigation thereof; which was read the first time, passed and sent to the Senate.

Mr. P. Hawkins moved for leave and presented a Bill to provide for the making of slopes suitable for the free passage of fish over all dams of whatsoever kind, erected across Deep River and Tar River; which was read the first time, passed and sent to the Senate.

Mr. Mebane moved for leave and presented a Bill appointing Commissioners to repair the Court House, Prison and Stocks in the Town of Hillsborough, and to levy a Tax on the Inhabitants thereof, for the benefit, use and reparation of the Streets of the Town aforesaid; which was read the first time, passed and sent to the Senate.

Received from the Senate the Petition of Benjamin Wilson and Zephaniah Burgess. Endorsed, In Senate, read and referred to the Committee appointed on the Memorial of the Hon. Samuel Ashe, Esq., which being read was referred as by the Senate and returned.

Mr. Ewing moved for leave and presented a Bill for staying Executions in the County of Davidson, which was read the first time, passed and sent to the Senate.

Mr. Hill moved for leave and presented a Bill for altering the name of Jesse Hay to that of Jesse Speight, the names of Robert Porthress and Benjamin Clevers Porthress to Robert Ransom and Benj. Clevers Ransom, and of William Bonner to that of William Hunt; which was read the first time, passed and sent to the Senate.

Mr. Goudy presented the Petition of sundry of the Inhabitants of New Garden settlement, which being read was Ordered to be sent to the Senate.

Mr. Potts moved for leave and presented a Bill for establishing two places in the County of New Hanover for the purpose of holding General Musters therein, for dividing the Militia of said County into two districts suitable and convenient for the Inhabitants to
attend muster at the respective places, & for appointing the places of holding Courts Martial in said County; which was read the first time, passed and sent to the Senate.

Mr. Harvey moved for leave and presented a Bill to prevent thefts & Robberies by Slaves, Free Negroes and Mulattoes; which was read the first time, passed and sent to the Senate.

Mr. Wood moved for leave and presented a Bill to prevent Horse stealing, by imposing a fine on those who shall privately deal with persons of suspicious Characters in the Counties herein mentioned; which was read the first time, passed and sent to the Senate.

Received from the Senate the Petition of Daniel Colebreath. Endorsed, In Senate, read & referred to the Committee on the Memorial of the Honble. Samuel Ashe, Esquire; which being read was referred as by the Senate and returned.

Mr. Wood moved for leave and presented a Bill empowering the Commissioners therein named to build a Gaol in the County of Anson, to levy a Tax to defray the expence thereof, and to change the name of Newton in said County to that of Wadesborough; which was read the first time, passed & sent to the Senate.

Received from the Senate the following Bills, viz:

A Bill for promoting the navigation of Albemarle Sound;

A Bill to provide for the making Slopes, suitable for the free passage of fish over all dams of whatsoever kind erected across Deep river and Tar river;

A Bill for dividing Surry County; and

A Bill to remove all obstructions to the passage of Fish up the Neuse River. Severally endorsed, In Senate, read the first time & passed.

Mr. Jones moved for leave and presented a Bill to prevent abuses in taking up stray Horses, Cattle, Hogs and sheep, and other things therein mentioned; which was read the first time, passed and sent to the Senate.

Mr. B. Spruill presented the Petition of Josiah Collins, Nathaniel Allen and Samuel Dickinson, praying, &c.; which being read,

Mr. Spruill moved for leave and presented a Bill to encourage the draining of a Tract of Land in Tyrrell County; which was read the first time, passed and sent to the Senate.
STATE RECORDS.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We propose that a joint Committee be appointed to prepare and bring in a Bill relative to Claims against the State which remain yet unliquidated. We have for this purpose on our part appointed Mr. Allen Jones, Mr. Coor & Mr. Macon.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House have appointed Mr. Spaight, Mr. Bloodworth, Mr. Mebane, Mr. Hawkins and Mr. Cabarrus, to act jointly with the Gentlemen appointed by the Senate, for the purpose of preparing and bringing in a Bill relative to claims against the State which remain yet unliquidated.

Received from the Senate the Report of the Committee to whom was referred the Petition of John Bradley. Endorsed, In Senate, read and concurred with; which report being read was concurred with by this House and returned.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We agree that the Petition of the Inhabitants of Davidson County be referred to the Committee on Public Bills as by you proposed.

Received from the Senate the Report of the Committee of Propositions & Grievances on the Petition of Archibald Cain. Endorsed, In Senate, read & concurred with; which report being read was concurred with by this House and returned.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We have added Mr. Hill to the Committee appointed on Judge Ashe's Memorial.

The Bill to encourage the making Salt in Davidson County was read the first time, passed and sent to the Senate.

Received from the Senate a Resolve of that House referring the Petition of John Justice to the Committee appointed on the Memorial of the Honble. Judge Ashe; which being read was concurred with by this House and returned.
Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

Mr. Person, Mr. Berger & Mr. Irwin will act with the Gentlemen by you appointed to consider of and report on the Petition and Bill respecting the division of Rowan County.

Received from the Senate the Report of the Committee of Propositions & Grievances on the Petition of William Queen. Endorsed, In Senate, read and concurred with; which being read was concurred with by this House and returned.

Received also the Report of the same Committee on the Memorial of David Kerr. Endorsed, In Senate, read and concurred with; which being read was concurred with by this House and returned.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We agree that the Message from His Excellency the Governor, of this day's date, together with its enclosures, be referred to the Committee of Finance.

The Bill empowering the several County Courts herein mentioned to levy a tax on all Black Polls, to defray the Expense of Slaves hereafter executed, was read the first time, passed and sent to the Senate.

Received from the Senate the following Bills, viz:

A Bill for altering the place of holding Courts in the County of Randolph, for erecting public buildings thereon, and for appointing Commissioners.

A Bill to amend an Act for restraint of vagrants & preventing desertion.

A Bill to impower the Wardens of the Poor for the County of Caswell to purchase a House for the reception of the Poor in the County aforesaid.

A Bill to prevent thefts and Robberies by Slaves, Free Negroes & Mulattoes.

A Bill to enable the Wardens of the Poor for the County of Halifax to levy a Tax on the Inhabitants of the said County to discharge the debts due in the year 1776 to the reverend Thomas Burgess, now deceased, for Ministerial Services performed in the Parish.
of Edgecombe, &c. Severally endorsed, In Senate, read the first time & passed.

Received from the Senate the Memorial of John Kingsbury. Endorsed, read and referred as by the House of Commons.

The Bill to repeal an act entitled "an Act for removing the Public Buildings of Mecklenburg County from Charlotte," was read the second time, amended, passed and sent to the Senate.

Received from the Senate the Petition of Reham Rading. Endorsed, In Senate, read and referred to the Committee of Propositions & Grievances; which being read was referred as by the Senate and returned.

Received also the resignation of Nathaniel Steed. Endorsed, read and accepted.

Received from the Senate the following Bills, viz:

A Bill to prevent Horse Stealing;

A Bill empowering the Commissioners therein named to build a Gaol in the County of Anson, to levy a tax to defray the expense thereof, &c.;

A Bill to prevent abuses in taking up Stray Horses, &c.;

A Bill for staying execution in the County of Davidson;

A Bill for altering the name of Jesse Hay to that of Jesse Spaight, &c. Severally endorsed, read the first time and passed.

Ordered that Mr. Vaughan, Mr. Eborn and Mr. Smaw have leave to absent themselves from the service of this House for a few days.

Mr. Mebane, from the Committee of Privileges & Elections, to whom was referred the Petition of John Walker, Esquire, of Wilmington, Reports as follows, vizt:

That they have examined the several papers and other evidence exhibited relative to the Election of Joshua Potta, Esquire, to represent the Town of Wilmington in the House of Commons, vizt:

No. 1. The Petition of Daniel McGuire, Andrew Lees, Peter Mangeon and William Sanderson, setting forth that they were respectively refused the privilege of voting at said Election (on pretext that their names were not on the Tax list), although they had respectively paid Public Tax and were otherwise qualified to vote according to Law; that James Fergus, Robert Chapman, John Gylman, John Rhodes, Henry Cummings and several others were respectively permitted to vote altho' their names stood not on the Tax
list; that John Campbell and John Brown were also permitted to vote who had not their names on said Tax list, nor had they ever paid Taxes; and that in consequence of such proceedings Mr. Potts was returned to represent said Town by a Majority of one vote; the said Petitioners further assert, that Mr. Potts is not qualified to hold a seat as representative, he having never returned any Lands as Freeholder.

No. 2. An affidavit annexed to the foregoing Petition taken before Morris Ward, Esquire, J. P., by the said Petitioners setting forth that the deponents were respectively upwards of Twenty-one years of age, had lived upwards of Twelve Months in said Town of Wilmington, previous to the day of Election, and had respectively paid public Tax prior to said Election; that they respectively tendered their votes in favor of Mr. Walker to Thomas Wright, Esquire, Sheriff of New Hanover County and to Joel Parish and Thomas Devane, Inspectors of the Poll which said Sheriff and Inspectors of the Poll did then and there reject and refuse to receive said votes.

No. 3. An affidavit of Peter Mangeon one of the foregoing Petitioners & deponents, containing the same Testimony by, and for himself as an Individual, as is set forth in No. 2 by the four deponents jointly.

No. 4. The deposition of William Sanderson one of the said Petitioners and Deponents, containing the same information as No. 3.

Nos. 5 & 6. The Depositions of Daniel McGuire and Andrew Lees annexed, two of the said Petitioners and deponents, to the same effect as Nos. 3 & 4.

No. 7. The deposition of Samuel Turner setting forth that at the Election aforesaid, he voted for John Walker, Esquire, after having taken the necessary oath to qualify him, that after he had given in his vote, Mr. James Read, Justice of the Peace and Collector for Port Brunswick, came up to the deponent with much outrage and abusive language, declaring that he was a perjured fellow, villain, &c., for which he would prosecute him with the utmost rigor or words to that effect, and the deponent further declares and believes that said Mr. Read prevented numbers from coming forward in favour of Mr. Walker.

No. 8. The Deposition of Alexander McCulloch, the Collector of
Taxes in Wilmington for the year 1785, setting forth that at an Election held for a member to represent said Town, said year, he did receive at the Poll from divers of the Inhabitants Taxes who were not on the Tax list, who were immediately allowed to vote; that the Deponent had seen Thomas Wright, Esquire, Sheriff, receive Taxes of sundry of the inhabitants at the Poll and allow them to vote at said Election, and that it hath been Customary for said Sheriff to receive Taxes and give receipts to such of the inhabitants of said Town as had not paid or stood on the Tax list, and that such have always been allowed to vote at the Elections for the Town and County.

No. 9. The Deposition of John Nichols, Tax Gatherer for the Town of Wilmington for the year 1786, setting forth that the name of James Fergus was not on the Tax list, notwithstanding which he paid his Tax on the day of Election and was allowed to vote for a member to represent said Town, when divers other inhabitants were denied the same privilege by the Sheriff and Inspectors; that the said Inspectors did allow John Campbell and John Brown to vote altho' they neither stood on the Tax list nor had they ever paid him the taxes; that he hath seen said Sheriff receive Taxes of sundry of the inhabitants of the Town at the Poll and allow them to vote at the Election for the year 1786, and that it hath been customary for said Sheriff to receive Taxes at the Poll and allow such of them that paid to vote, altho' they stood not on the Tax list; and Further, that the deponent paid his own Tax to said Sheriff at the Poll at the Election in the year 1785, in consequence of which he was allowed to vote by said Sheriff and the Inspectors of the Poll at said Election.

No. 10. The deposition of John Nichols, Tax-gatherer, setting forth that Mr. Joshua Potts, who was returned as member for the Town of Wilmington for the year 1787, does not appear to have any lands or property on the Tax list for the year 1786, more than one Poll and a pair Cheer Wheels and that said Mr. Potts had not paid any Tax whatever to him the said Tax-gatherer.

Nos. 11, 12 & 13. Receipts from John Nichols Tax-gatherer, to Peter Mangeon, Daniel McGuire & William Sanderson for their Taxes, respectively, for the year 1786.
Mr. John Kingsbury being sworn before the Committee, saith that a Mr. Turner was threatened by Col. Read (as set forth in said Turner's deposition No. 7) but that Mr. Turner had voted prior to such threats, that he did not know of any persons or person being deterred from giving in their votes by or on account of the threats held out by said Colo. Read, but that the votes of Mr. Sanderson, Mr. Mangeon and Mr. Blakely & a Mr. Harrick were refused by the Sheriff and Inspectors because they had not given in their Tax list.

Mr. Thomas Wright, Sheriff of New Hanover County, being sworn before the Committee admits that he, with the Inspectors, did reject the votes of Mr. Sanderson, Mr. Mangeon and Mr. McGuire, and perhaps some others whose names were not immediately in his recollection, because those names did not appear on the Tax list; he also admits that those persons might on the day of Election pay a single Tax to the Tax-gatherers, but as they stood not on the list of Taxes they were by Law liable to a fine and to pay a double Tax which they did not comply with; consequently the Tax-gatherer was not authorized to receive or grant a receipt for a single tax, nor were the parties paying such entitled to vote; the deponent also admits that James Fergus, John Campbell and John Brown were allowed the privilege of voting, Fergus was a young man of perhaps twenty-two years of age an inhabitant of Wilmington from his infancy, and it appeared very probable to the deponent that said Fergus had, by himself or his father, paid Taxes even prior to the present year. That Campbell and Brown were inhabitants of Wilmington several years, and it never occurred to the deponent that they had not paid Taxes, nor were they even questioned or their votes objected to at the time of giving in. All which is humbly submitted to the decision of this House.

ALEXANDER MEBANE, Ch.

The House taking this report into consideration came to the following Resolutions thereon, to-wit:

Resolved, That it is the opinion of this House that Joshua Potts, the returned member for the Town of Wilmington, was at the time of the Election duly qualified to represent said Town.

Resolved, That it is the sense of this House that the last annual Election held for the Town of Wilmington was illegal, and that the seat of Joshua Potts is hereby declared to be vacated.
Ordered that a writ for the Election of a Member of this House issue to the Sheriff of New Hanover County, requiring him to summon the free holders & free men of the Town of Wilmington to meet at the Court House in the said Town on Wednesday & Thursday the 12 & 13 Days of December next, then & there to choose and elect one person properly qualified to represent the said Town in this House in the room and stead of Joshua Potts, Esquire, whose seat is vacated.

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

THURSDAY, 29 November, 1787.

The House met according to adjournment.

Mr. Adams Sanders one of the members for Caswell County, and Mr. James Sanders one of the members for Sumner County, appeared, were qualified and took their seats.

On the application of John Haywood, Esquire, Public Treasurer, for the opinion of the General Assembly with respect to the mode to be adopted in payment of Members Certificates issued in time of depreciated Money. Resolved, That he discharge all such in Money agreeable to the Scale of Depreciation, and that he shall be allowed for the same accordingly in the settlement of his Public Accots.

Mr. Montgomery moved for leave and presented a Bill to extend an act of the General Assembly held at New Bern in the year 1785, concerning the County Wardens of the Poor, to the County of Hertford; which was read the first time, passed and sent to the Senate.

Mr. Steele moved for leave and presented a Bill to amend an Act passed at Fayetteville entitled "an Act to amend an Act, entitled an Act for regulating the Town of Salisbury and for regulating the Town of Windsor in Bertie County"; which was read the first time, passed and sent to the Senate.

Mr. Bloodworth presented the resignation of David Jones, Senr., and John Devane, Sen., as Justices of the Peace for New Hanover County; which being read was accepted of and sent to the Senate.

Mr. Harvey moved for leave and presented a Bill for the accommodation of Post Riders; which was read the first time, passed and sent to the Senate.

Mr. Sheppard moved for leave and presented a Petition from
sundry of the inhabitants of the Counties of Dobbs, Edgecombe and Wayne, praying that an Act may be passed for creating a new County by taking off part of each of the said Counties; which being read, Mr. Sheppard then moved for leave and presented a Bill agreeable to the Prayer of the said Petition.

Ordered that the said Petition and Bill be referred to the Committee to whom was referred the Petition & Bill for dividing Rowan County.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you the Petition of sundry the Inhabitants of the Counties of Wayne, Edgecombe and Dobbs, together with a Bill for erecting parts thereof into a separate County, which we propose referring for a report on the propriety thereof to the Committee appointed to consider of the Petition and Bill for dividing Rowan County.

Received from the Senate the following Bills, vizt:

A Bill to encourage the draining of a Tract of Land in Tyrrel County;

A Bill for establishing two places in the County of New Hanover for the purposes of holding General Musters therein, for dividing the Militia of said County into two districts, &c.:

A Bill to extend an Act passed at New Bern the 29th day of Decem., 1785, entitled "an Act to empower the County Wardens of the Poor for the Counties therein mentioned to build Houses in their respective Counties for the reception of the Poor," &c.;

A Bill appointing Commissioners to repair the Court House, Prison and Stocks in the Town of Hillsborough, for the District of Hillsborough, &c.; Severally endorsed, read the first time & passed.

Received also a Bill authorizing & requiring the County Courts of Pleas and Quarter Sessions to divide & appropriate the real Estate of Intestates, &c. Endorsed, read the third time and passed.

Mr. Wood moved for leave and presented a Bill to restore Hugh Ross of Anson County, to his Land; which was read the first time, passed and sent to the Senate.

Received from the Senate the Petition of Thomas Wright, Sheriff of New Hanover County, and the Petition of James Hamilton of
Sullivan County. Endorsed, In Senate, read and referred as by the House of Commons.

Mr. Steele presented the Petition of John Brevard, praying, &c., which being read was referred to Mr. Carson, Mr. Steele and Mr. Brown on the part of this House, and sent to the Senate.

Mr. Spaight presented the Claim of Thomas Davis, Esquire, which being read was referred, on the part of the House, to Mr. McDowall, Mr. Bloodworth and Mr. W. Hawkins, and sent to the Senate.

Received from the Senate the Claim of Aaron Tassil. Endorsed, In Senate, read and referred to the Committee of Claims; which being read was referred as by the Senate.

The Bill for the better regulation of the Town of Fayetteville was read the second time, amended, passed and sent to the Senate.

Mr. Singleton presented the Petition of Sundry Inhabitants of the County of Rutherford, in behalf of English, Early & Company; which being read was referred to Mr. Withrow, Mr. McDowall, Mr. Singleton, Mr. Goudy & Mr. Steele, on the part of this House, and sent to the Senate.

Received from the Senate a Bill for cutting a navigable Canal from the waters of Pasquotank River in this State to waters of Elizabeth River in the State of Virginia. Endorsed, read the first time and passed.

The Bill to enable the Wardens of the Poor for the County of Halifax to levy a Tax on the Inhabitants of the said County to discharge the debts due in the year 1776 to the Reverend Thomas Burgess, now deceased, for Ministerial Services performed in the Parish of Edgecombe & for allowances made in lieu of a glebe; was read the second time, amended, passed and sent to the Senate.

Mr. Diggs moved for leave and presented a Bill for altering the times for holding the County Courts of Edgecombe, Halifax and Pitt; which was read the first time, passed and sent to the Senate.

Mr. Williams moved for leave and presented a Bill empowering the Court of Pitt County to establish a free Ferry over Tar River at the town of Greenville, and to levy a Tax on the Inhabitants of said County for that purpose; which was read the first time, passed & sent to the Senate.

Mr. Wood moved for leave and presented a Bill for securing to Thomas Johnston of Anson County, the sole right and privilege of
printing, publishing and vending a certain book therein described, for a term of years; which was read the first time and rejected.

Mr. Tatham moved for leave and presented a Bill to enforce the attendance of such Freeholders and Freemen as are entitled to vote for representatives for the Senate or House of Commons of the State of North Carolina, to give their suffrages at the annual Elections hereafter to be held in this State, under a penalty therein expressed; which was read the first time and rejected.

The Bill to amend an Act for restraint of Vagrants and preventing desertion, was read the first time, passed and sent to the Senate.

Mr. Polk presented the Petition of Matthew McClure, praying, &c.; which being read, was referred, on the part of this House, to Mr. Polk, Mr. Blount, Mr. Goudy & Mr. McDowall, and sent to the Senate.

Received from the Senate a Bill for fixing the final settlement of unliquidated Claims against this State, and against the United States within this State; and

A Bill to enable William Nall, Sheriff of Wilkes County, to collect all the Taxes due from said County for 1785 and 1786, and to allow him further time to settle for his collection with the Treasurer. Endorsed, read the first time and passed.

Mr. B. Spruill presented the Petition of Sundry Inhabitants of Tyrrell County, praying, &c.; which being read Mr. Spruill moved for & presented a Bill for establishing a Town on the River Scuppernong, in the County of Tyrrell; which was read the first time, passed and sent to the Senate.

The Bill to empower the administrators of Samuel Swann late of New Hanover County, Esquire, deceased, to sell and dispose of part of the real Estate of the said Samuel for the payment of his Debts in order to make the better provision for his Family, and also to make Conveyances for such part of the real Estate as was sold by the said Samuel in his life-time; was read the second time, amended, passed and sent to the Senate.

Mr. McDowall, Jun., moved for leave to bring in a Bill to encourage the building of Iron Works in the District of Morgan, when convenience admits, by granting vacant Lands not fit for cultivation to the persons who will carry on that useful Branch of business in a limited time. Endorsed, that he have leave accordingly.
The Bill for dividing the County of Surry was read the second time and ordered to lie on the Table until the next Assembly.

Received from the Senate a 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 Relf at Winfield, in said County; and

A Bill to amend & continue an act entitled "an Act to authorize the late Commissioners of Specific Supplies, for the several Counties therein mentioned, to collect the arrearages of Taxes yet due the Inhabitants thereof." Endorsed, read the first time and passed.

Received from the Senate a Resolve of that House for making an adequate allowance to such persons as the Public Treasurer may employ as a Clerk during this Session; which being read was concurred with and returned.

Mr. P. Hawkins moved for leave and presented a Bill to declare & explain the true meaning of the several Acts of Assembly heretofore passed for giving further time to Surveyors within the different Counties to make their Surveys and return Plotts thereof to the Secretary's office, and more especially of a Act passed at New Bern in the year 1785, entitled "an Act to amend an Act entitled an Act for opening the land office, and other purposes, and to give further time for the registration of Deeds and Grants therein described;" which was read the first time, passed and sent to the Senate.

Received from the Senate the Report of the Committee of Propositions and Grievances on the Petition of William Parham. Endorsed, In Senate, read and rejected.

The Bill to enable the Executors of John Smith formerly Sheriff of Chowan, to collect the arrearages of Taxes, was read the second time and rejected; whereupon the Yeas and Nays were required by Mr. Cabarrus which are as follows, viz:

Yeas—Messrs. Grove, Sawyer, Phifer, Harvey, Dodd, Jones, Cabarrus, Ferebee, Dawson, Fuller, McDowall, Thackston, McKiune, Bloodworth, Barns, Tatham—16.


Received from the House the following Bills, viz:—

A Bill to amend an Act entitled "an Act to keep open Roanoke River for the passage of fish up the same, &c.;"

A Bill to emancipate Joseph, a Mulatto Slave, the property of the Estate of Agerton Willis late of Bladen, deceased, &c.;

A Bill for annexing part of the County of Dobbs to Pitt County;

A Bill for the accommodation of Post Riders. Severally endorsed, read the first time and passed.

Received also a Bill to encourage the making of Salt in Davidson County. Endorsed, read the second time and passed.

The Bill to repeal part of an Act passed at New Bern in the year 1785, entitled "an Act for destroying Wolves, Panthers, Bears, Wild Cats, Crows and Squirrels in the several Counties therein mentioned," was read the second time, passed and sent to the Senate.

Received from the Senate the Petition of John Brevard. Endorsed, In Senate, read & referred to Genl. McDowall, Mr. Irwin and Mr. Crawford.

The Bill appointing Commissioners to repair the Court House, Prison & Stocks in the Town of Hillsborough, for the District of Hillsborough, and to levy a Tax on the Inhabitants thereof for the benefit, use and repairation of the Streets of the Town aforesaid; was read the second time, amended, passed and sent to the Senate.

Mr. P. H. Hawkins presented the Memorial of James Thackston, Esquire, setting forth, &c.; which being read was referred to the Committee of Propositions & Grievances and sent to the Senate.

Mr. McKinne moved for leave and presented a Bill for extending the dividing line between the Counties of Wayne and Johnston, which was read the first time, passed and sent to the Senate.

Received from the Senate a Bill to establish a Port at the Town of Woodstock in the County of Hyde on Pungo River, and a Bill for altering the times for holding the County Courts of Edgecombe, Halifax and Pitt. Endorsed, In Senate, read the first time and passed.
STATE RECORDS.

Received from the Senate the Claim of Thomas Davis. Endorsed, read and referred to Mr. J. Martin, Mr. Irwin & Mr. Abram Jones.

Mr. Creecey moved for leave and presented an additional Bill to an Act entitled "an Act to amend an Act intituled an Act to impower the County Courts of Pleas and Quarter Sessions of the several Counties in this State to order the laying out Public Roads, and to establish and settle ferries, and to appoint where bridges shall be built, and to clear inland Rivers and Creeks; which was read the first time, passed and sent to the Senate.

Received from the Senate the representation and remonstrance of the members of Moore County. Endorsed, read and referred to the Committee on Judge Ashe's Memorial; which being read was referred as before the Senate and returned.

The Bill to amend an Act entitled "an Act to keep open Roanoke River for the passage of fish up the same, and other purposes therein mentioned," was read the first time, passed and sent to the Senate.

Received from the Senate the Petition in behalf of English, Early & Company. Endorsed, In Senate, read and referred to Mr. Overton, Mr. McDowall & Mr. Miller.

The Bill to extend an Act passed at New Bern the 29th day of December, 1785, entitled "an Act to impower the County Wardens of the Poor for the Counties therein mentioned to build houses in their respective Counties for the reception of the Poor, and other purposes," to the Counties of Warren, Caswell and Pasquotank; was read the first time, passed and sent to the Senate.

The Bill for annexing part of the County of Dobbs to Pitt County, was read the first time, passed and sent to the Senate.

Mr. Henderson moved for leave and presented a Bill to amend an Act entitled "an Act to Pardon and consign to oblivion the offences and misconduct of certain persons in the Counties of Washington, Sullivan, Greene and Hawkins; which was read the first time, passed and sent to the Senate.

The Bill to remove all obstructions to the passage of Fish up the Neuse River, was read the second time, amended, passed & sent to the Senate.

Mr. Brown presented the Petition of James Fletcher, praying,
&c.; which being read was referred to the Committee of Claims and sent to the Senate.

Received from the Senate the following Bills, vizt.:

A Bill to require & direct the Treasurer to receive the Certificates therein mentioned for two thirds of the debts due by bonds now held in his office for confiscated property;

A Bill empowering the Court of Pitt County to establish a free Ferry over Tar River at the Town of Greenville, &c.;

A Bill for adding part of Craven County to Dobbs County;

A Bill to declare and explain the true meaning of the several Acts of Assembly heretofore passed for giving further time to Surveyors within their different Counties to make their Surveys, &c. Endorsed, In Senate, read the first time and passed.

Received also, a Bill to repeal such Laws and parts of Laws as Militate against the Treaty of Peace with the King of Great Britain. Endorsed, read the second time and passed.

Mr. Dickson moved for leave and presented a Bill to improve the Navigation of the North East branch of Cape Fear River, the North East Swamp, and Goshen Swamp in Duplin County; which was read the first time, passed and sent to the Senate.

The Bill to provide for the making of Gates or Slopes suitable for the free passage of fish over all dams of whatsoever kind, erected across Deep River & Tar River, the South fork of the Catawba river, the first, second & third Broad River, & Rocky river of Pee Dee as far as White's Ford; was read the second time, passed and sent to the Senate.

Mr. Bloodworth moved for leave and presented a Bill to repeal part of an Act passed at Hillsborough 1784, entitled "an Act for the regulation of the Town of Wilmington."

Mr. Polk moved for leave and presented a Bill to enable the County Courts of Mecklenburg & Burke to lay a fine on Tavern keepers who act contrary to the rules established by the said Courts, and to lay fines on such as retail Liquors within the said Towns without License.

Mr. Bloodworth, by an address to the Speaker, informed the House that there were reports circulating out of doors much to the prejudice of the Character of Mr. Bonds one of the sitting Members, as those reports contain charges of his having drawn Monies out of the
Public Treasury, the property of others, by false orders; whereupon it was moved, and so ordered by the House, that Mr. Bonds shall have time until Saturday next to acquit himself of the said charges.

Resolved, That no member of the General Assembly who shall absent himself from the service thereof, on his own private business, after the day appointed for its meeting shall receive pay for the time of such absence.

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

Friday, 30 November, 1787.

The House met according to adjournment.

Received from the Senate the following Bills, viz:—

A Bill to amend an act entitled "an Act to encourage the building of Public Mills," &c.;

A Bill to amend an Act entitled "an Act to pardon & consign to oblivion the offences, &c., in the Counties of Washington, Sullivan, &c. Endorsed, In Senate, read the first time and passed.

Received also, a Bill to repeal an Act entitled "an Act for removing the Public buildings of Mecklenburg County, &c. Endorsed, read the second time and passed.

The Bill for fixing the final settlement of unliquidated Claims against this State and the United States within this State, was read the first time, passed and sent to the Senate.

Mr. Phifer moved for leave and presented a Bill to regulate the proceedings in dividing of Counties hereafter in this State, which was read the first time, passed and sent to the Senate.

Received from the Senate the Resolve of this House directing the Public Treasurer, with respect to paying the Certificates therein mentioned, concurred with by that House.

The Bill for staying execution in the County of Davidson, was read the second time and rejected.

Received from the Senate a Bill to effect the Cutting and clearing a Road from the lower end of Clinch Mountain to the Cumberland settlements, & for preserving peace and guaranteeing safety to the Inhabitants thereof. Endorsed, read the first time & passed.

Received from the Senate the resignation of David Jones and
John Devane, Justices in New Hanover County. Endorsed, read and accepted.

Mr. Nixon presented the Petition of William Caps, which being read was referred on the part of this House to Mr. Nixon, Mr. Sanders and Mr. Dawson, 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 Relf at Winfield in said County, was read the first time and Rejected.

Mr. McDowall presented the Memorial of James Green Lee, setting forth, &c.; which being read was referred to the Committee appointed to consider of the Petition of John Brevard, and sent to the Senate.

Ordered that Mr. Dickins and Mr. Franklin be added to the Committee appointed on the Petition of John Brevard.

Received from the Senate a Bill to restore Hugh Ross of Anson County, to his Lands. Endorsed, read the first time and passed.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that a joint Committee of Members from both Houses be appointed to receive from the Public Treasurer and burn up, all members Certificates for attendance on the General Assembly, old Dollar Bills and such of the Currency of the two last emissions now in his possession as is unfit by means of its raggedness for any further Circulation; who shall make report of the amount thereof to this Assembly. We further propose that this Committee be authorized to receive from the Treasurer all Warrants issued by the Governor of this State and punch them thro' the middle with a Circular punch of at least three quarters of an inch in diameter, and that they also make report of their proceedings herein to this Assembly. We have for this purpose on our part appointed Mr. Polk, Mr. Mebane, Mr. Cabarrus, Mr. Dickins, Mr. Phifer, Mr. Horn and Mr. Dickson.

The Bill for altering the times for holding the County Courts of Edgecombe, Halifax and Pitt, was read the second time, passed & sent to the Senate.

Mr. Dawson presented the Petition of Fanny McNeil, praying,
&c.; which being read was referred to the Committee of Propositions & Grievances, and sent to the Senate.

Ordered that the inquiry into the charges against Mr. Bonds be postponed until Tuesday next.

Mr. Dickins moved for leave to withdraw from the possession of the House the Bill to impower the Wardens of the Poor for the County of Caswell to purchase Lands and build a House for the reception of the Poor in the County aforesaid. Ordered that he have leave accordingly.

The Bill to direct a District Court of Law and Equity at Fayetteville, was read the second time, amended, passed and sent to the Senate.

Mr. Spaight presented the Petition of Spyers Singleton, praying that a resolution should pass requiring the Public Treasurer to pay off and take up a certain warrant therein mentioned; which being read was referred to Mr. Spaight, Mr. Bloodworth, Mr. Phifer and Mr. Goudy, on the part of this House & sent to the Senate.

Mr. Polk moved for leave and presented a Bill to prevent litigious suits; which was read the first time, passed and sent to the Senate.

Mr. Bloodworth moved for leave and presented a Bill to amend an Act intitled "an Act directing the method of electing Members of the General Assembly and other purposes," passed at the —— day of ———, 1777; which was read the first time, passed and sent to the Senate.

The Bill to repeal an Act passed in 1786 intitled "an additional Act to an Act intitled an Act for the regulation of the Town of New Bern and for other purposes;" was read the third time and rejected.

Mr. Stewart moved for leave and presented a Bill to establish and regulate the Toll fees on lower Little river in Cumberland County, & repairing the roads leading to the fords on said river, which was read the first time, passed and sent to the Senate.

The Bill for adding part of Craven County to Dobbs County, was read the first time and rejected.

Ordered that Mr. Sherrod have leave to absent himself from the Service of this House until Tuesday next.

The Bill to establish a part of the Town of Woodstock in the County of Hyde on Pungo River, was read the first time, passed and sent to the Senate.
Ordered that Mr. Smithwick have leave to absent himself from the service of this House until Monday next.

The Bill for the accommodation of Post Riders was read the second time, passed and sent to the Senate.

Received from the Senate the Petition of Matthew McClure. Endorsed, In Senate, read & referred to Mr. Lenoir, Mr. Person, Mr. Macon & Mr. Irwin.

Ordered that Mr. McKinne have leave to absent himself from the service of this House until Tuesday next.

Received from the Senate the Petition of Thomas Talbot. Endorsed, In Senate, read and referred to the Committee of Propositions & Grievances, which being read was referred by this House to the Committee appointed on the Petition of John Brevard.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the Petition of Thomas Talbot be referred to the Committee appointed on the Petition of John Brevard, instead of the Committee of Propositions & Grievances.

Ordered that the Bill for cutting a Navigable Canal from the Waters of Pasquotank River in the State of Virginia, lie over until the next Assembly.

The Bill to enable William Nall Sheriff of Wilkes County, to collect all the Taxes due from said County for the year 1785 and the year 1786, and to allow him further time to settle for his collection with the Treasurer; was read the first time, passed and sent to the Senate.

The Bill to encourage the making of Salt in Davidson County was read the second time, passed and sent to the Senate.

The Bill empowering the Commissioners therein named to build a Gaol in the County of Anson, to levy a Tax to defray the expense thereof, and to change the name of Newton in said County to that of Wadesborough; was read the second time, passed and sent to the Senate.

The Bill to amend and continue an act entitled "an Act to authorize the late Commissioners of Specific Supplies for the several Counties therein mentioned, to collect the arrearages of Specific Taxes yet due from the Inhabitants thereof," was read the first time, passed and sent to the Senate.
The Bill for establishing two places in the County of New Hanover for the purpose of holding General Musters therein, for dividing the Militia of said County into two districts suitable and convenient for the Inhabitants to attend Muster at the respective places, and for appointing the place of holding Courts Martial in said County, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We approve of the resolution of your House relative to the manner of paying Members who absent themselves from the services of the Houses, and propose as an amendment thereto the words "after the day appointed for its meeting," be inserted after the word "business."

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House have agreed to the amendment proposed by your House to the Resolve declaring the members shall not receive pay for any time they may be absent from the service of the General Assembly, and have made the Resolve conformable thereto, and now send it for concurrence.

Received from the Senate a Bill to prevent the further importation of Slaves. Endorsed, read the third time, amended and passed.

Received from the Senate the following Bills, viz:

A Bill to prevent the obstructing fish from running up the streams & water courses in Bertie County, & to clear the navigation thereof;

A Bill to prevent litigious suits;

A Bill to appoint a Trustee in the room of James Sampson, Esquire, deceased, &c. Endorsed, In Senate, read the first time and passed.

The Bill to prevent abuses in taking up Stray Horses, Cattle, Hogs and Sheep, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We agree to your proposition relative to the appointment of a
Committee to receive from the Public Treasurer, and punch through Certificates, &c., and have appointed Mr. Hill, Mr. Macon, Mr. Skinner and Mr. Irwin to act with the Gentlemen by you appointed for this purpose.

Ordered that the summons issue to Nash County Summoning Henry Hines and Ann Strichlin to appear and give Testimony against Mr. Bonds, relative to the charges exhibited against him.

Ordered that the enquiry into the charges against Mr. Bonds be further postponed until Monday, the 10th Day of December.

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

SATURDAY, 1 December, 1787.

The House met according to adjournment.

Mr. Edward Starkey one of the members for Onslow County, appeared, was qualified and took his seat.

Received from the Senate the Petition of Fanny McNeil and the Memorial of James Green Lee. Endorsed, In Senate, read & referred as by the House of Commons.

Received also the Petition of William Caps. Endorsed, read and referred to Mr. Crawford, Mr. McAllister & Mr. Warrington; and the Petition of Spyers Singleton read and referred to Mr. Person, Mr. Coor and Mr. Henly.

Received from the Senate the following Bills, vizt:

A Bill to improve the navigation of the North East Branch of Cape Fear, &c.;

A Bill to repeal the fourth section or clause of an Act passed at New Bern in the year 1784 entitled "an Act to amend and supply the deficiencies of an Act passed last Assembly at Hillsborough entitled an Act to regulate the descent of real Estates, &c." Endorsed, read the first time & passed.

Received also, a Bill to impair the Administrators of Samuel Swann, Esquire, deceased, late of New Hanover County, to sell & dispose of part of the real Estate of the said Samuel, &c.;

A Bill appointing Commissioners to repair the Court House, prison & Stocks in the Town of Hillsborough, &c.;

A Bill to charge the Estate of Honore Giroud, late of the Town of Halifax, with the payment of all his just debts, &c.;
A Bill for altering the times for holding the County Courts of Edgecombe, Halifax and Pitt;
A Bill for the accommodation of Post Riders;
A Bill impowering the Commissioners therein named to build a Gaol in the County of Anson, &c.;
A Bill to repeal part of an Act passed at New Bern in the year 1785, entitled "an Act for destroying Wolves, &c.";
A Bill for establishing the places in the County of New Hanover for the purpose of holding General Musters, &c.;
A Bill to encourage the making of Salt in Davidson County;
A Bill to establish a port at the Town of Woodstock in the County of Hyde, &c.;
A Bill to enable William Nall sheriff of Wilkes County, to collect all the Taxes due from the said County for the year 1785 and the year 1786, &c. Endorsed, read the second time and passed.
And received also, a Bill for establishing a Town on the Land of Joseph Gibbs;
A Bill to ascertain the true courses of a Tract of Land on Neuse River, &c. Endorsed, read the third time & passed.
Received from the Senate the following Message:

Mr. Speaker & Gentlemen:
We agree that the Petition of Thomas Talbot be referred to the Committee appointed on the Petition of John Brevard, as by you proposed.

Mr. Cabarrus moved for leave and presented a Bill to repeal an Act passed at Fayetteville the 19th day of Novr., 1786, intitled "an Act for raising Troops for the protection of the inhabitants of Davidson County," which was read the first time, passed and sent to the Senate.

The Bill to prevent Horse Stealing, &c., was read the second time, amended, passed and sent to the Senate.

The Bill to require and direct the Treasurer to receive the Certificates therein mentioned for two thirds of the debts due by Bonds now filed in his office, for Confiscated Property heretofore sold, was read the first time and rejected.

Received from the Senate a Bill to restrain the fraudulent de-
precipitation of the paper Currency of this State. Endorsed, read the
first time and passed.

And a Bill for fixing the final settlement of unliquidated claims
against this State and against the United States within this State.
Endorsed, read the second time and passed.

The Bill to prevent Thefts & Robberies by Slaves, Free Negroes
& Mulattoes, was read the second time, amended, passed and sent
to the Senate.

Received from the Senate a Bill for Electing Wardens of the
Poor; and

A Bill to extend an Act passed at New Bern the 29th day of De-
cember, 1785, intituled "an Act to impower the County Wardens of
the Poor for the Counties therein mentioned," &c. Endorsed, read
the second time and passed.

Mr. Polk presented the Claim of William Shaw, which being read
was rejected.

The Bill to appoint a Trustee in the room of James Sampson,
Esquire, deceased, who, together with others was appointed a Trust-
ee for the purposes therein mentioned by an Act passed at Fayette-
ville, 1787, intituled "an Act to vest in Trustees certain powers for
the benefit of Elizabeth Torrens and her Children;" was read the
first time, passed and sent to the Senate.

The Bill to emancipate Joseph, a mulatto Slave, the property of
the Estate of Agerton Willis late of Bladen, deceased, to confirm
the said Joseph Willis and to invest certain property herein referred
to in the said Joseph, by the name of Joseph Willis, was read the
first time, passed and sent to the Senate.

The Bill to amend an Act entitled "an Act to encourage the build-
ing of Public Mills and directing the duty of Millers, passed at New
Bern 1776;" was read the first time, passed and sent to the Senate.

The Bill for altering the place of holding Courts in the County
of Randolph, for erecting public buildings thereon & for appointing
Commissioners, was read the second time and ordered to lie over
until the next Assembly.

The Bill to encourage the draining of a Tract of Land in Tyrrel
County, was read the second time, amended, passed and sent to the
Senate.

The Bill to prevent the obstructing fish from running up the
streams and water courses in Bertie County and to clear the Navigation thereof, was read the second time, passed and sent to the Senate.

Mr. W. Hawkins presented the claim of Young Maclemore and James Ransom; which being read, was referred to Mr. Hawkins, Mr. Mebane and Mr. Phifer and sent to the Senate.

The Bill empowering the Court of Pitt to establish a free Ferry over Tar River at the Town of Greenville, and to levy a Tax on the Inhabitants of said County for that purpose, was read the second time, passed and sent to the Senate.

Received from the Senate a Bill to ascertain the Sheriff's fees within this State. Endorsed, read the first time and passed.

Received also, a Bill to amend an Act entitled "an Act to keep open Roanoke River, for the passage of fish up the same," &c.;

A Bill to repeal part of an act passed at Fayetteville, 1786, intitled "an Act to impower the several County Courts therein mentioned to lay a tax annually, not exceeding three years, for the purpose of erecting & repairing the Court House, Prison and Stocks in each County;

A Bill to remove all obstructions to the passage of Fish up the Neuse river. Endorsed, read the second time & passed.

The Bill to prevent litigious suits was read the second time, passed and sent to the Senate.

The Bill for altering the name of Jesse Hay to that of Jesse Spaight, the names of Robert Porthress & Benjamin Clevers Porthress to Robert Ransom and Benjamin Clevers Ransom, and of William Bonner to that of William Hunt, and also the name of William Barret to that of William Ashley was read the second time, passed and sent to the Senate.

The Bill to ascertain the Sheriff's fees within this State, was read the first time, passed and sent to the Senate.

The Bill to restrain the fraudulent depreciation of the paper Currency of the State, was read the first time and rejected.

On the question shall this Bill pass or not pass, the Yea's & Nays were required by Mr. Polk, which are as folows, vizt:

Wynns, Brown of Bladen, Fuller, Thackston, Tatham, Spaight, Starkey—28.


Ordered that Mr. Horn have leave to absent himself from the service of this House until Tuesday next, & Mr. McDowall until Monday.

Received from the Senate a Bill to repeal an Act passed at Fayetteville the 19th day of Novr., 1786, intitled "an Act for raising Troops for the Protection of the Inhabitants of Davidson County. Endorsed, read the first time and passed.

Received also, a Bill to provide for the making of gaps or slopes suitable for the free passage of fish over all dams of whatsoever kind erected across Deep river, & Tar river, the South fork of the Catawba river, the first, second and third Broad rivers, and the Rocky river of Pee Dee as far as White's Ford. Endorsed, read the second time and passed.

The House adjourned till 4 o'clock.

Met according to adjournment.

Received from the Senate an additional Bill to an Act entitled "an Act to amend an Act intitled an Act to impower the County Courts of Pleas and Quarter Sessions of the several Counties in this State to order the laying out Public roads," &c. Endorsed, read the first time and passed.

Received also the following Bills, vizt:

A Bill to encourage the draining of Land in Tyrrell County;

A Bill to prevent Thefts & Robberies by Slaves, Free Negroes & Mulattoes;

A Bill to appoint Trustees in the room of James Sampson, Esquire, &c. Endorsed, read the second time and passed.

The Bill to establish a Port at the Town of Woodstock in the County of Hyde, on Pungo River, was read the second time and rejected.

The Bill for establishing a Town in the County of Hyde on the
Lands of Joseph Gibbs, was read the third time, passed and ordered to be Engrossed.

Received from the Senate a Bill empowering the Court of Pitt County to establish a free Ferry over Tar river at the town of Greenville, &c., and a Bill to prevent the obstructing fish from running up the streams in Bertie County, &c. Endorsed, read the second time and passed.

The Bill to provide for the making of Gaps or Slopes suitable for the free passage of fish over all dams of whatsoever kind erected across Deep River and Tar River, the South Fork of the Catawba River, the first Broad river, as far as the North fork of the second Broad river, as far as the Tumbling Shoals of the third Broad river, the Rocky river of Pee Dee as far as White’s Ford and Dan River; was read the third time, passed and sent to the Senate.

The Bill appointing Commissioners to repair the Court House, Prison and Stocks in the Town of Hillsborough for the District of Hillsborough, and to levy a Tax on the Inhabitants thereof for the benefit use and reparation of the Streets of the Town aforesaid; was read the third time, amended, passed and sent to the Senate.

The Bill to charge the Estate of Honore Giraud late of the Town of Halifax, deceased, with the payment of all his just debts and to prefer the same to the title acquired by this State on the property which was of the said Giraud, in consequence of his Self murder, was read the second time, passed & sent to the Senate.

The Bill to repeal part of an Act passed at New Bern in the year 1785, intitled “an Act for destroying Wolves, Panthers, Bears, Wild Cats, Crows and Squirrels in the several Counties therein mentioned,” was read the third time, passed and sent to the Senate.

The House adjourned till Monday morning 10 o’clock.

Monday, 3 December, 1787.

The House met according to adjournment.

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

Mr. Bloodworth presented the Petition of Caleb Mason, setting forth that a number of Certificates were destroyed & praying relief, which being read was referred, on the part of this House, to Mr. Bloodworth, Mr. Fuller, Mr. Tatom, Mr. Harvey and Mr. Hawkins & sent to the Senate.
Received from the Senate a Bill for the better regulation of the Town of Fayetteville. Endorsed, read the second time and passed.

Received also, a Bill to charge the estate of Honore Giraud late of the Town of Halifax, deceased, with the payment of his just debts and to prefer the same to the title acquired by this State. Endorsed, read the third time and passed.

The Bill for promoting the navigation of Albemarle Sound, was read the second time, amended, passed and sent to the Senate.

Mr. Yancey presented the affidavit of Reben Searcy, purporting the loss of certain Certificates therein mentioned, which being read was referred to Mr. P. Hawkins, Mr. W. Hawkins & Mr. Yancey & sent to the Senate.

Received from the Senate a Bill for empowering Commissioners to sell the Palace and Public Lotts within the Town of New Bern in manner therein mentioned; and

A Bill to explain the Seventh Section of an Act passed at Fayetteville in January, 1786, intitled "an Act to amend an Act passed at New Bern, December, 1785, for increasing the Jurisdiction of County Courts, &c. Endorsed, read the first time and passed.

Mr. Nathan Bryan and Mr. William Randal the members for Jones County, appeared, were qualified and took their seats.

Received from the Senate a Bill to emancipate certain persons therein mentioned. Endorsed, read the second time and passed.

The Bill to declare and explain the true meaning of the several Acts of Assembly heretofore passed for giving further time to Surveyors within the different Counties to make their Surveys and return Plotts thereof to the Secretary's office, and more especially of an act passed at New Bern in the year 1785, intitled "an act to amend an act intitled an act for opening the land office and other purposes, and to give further time for the registration of the marriage contracts therein described," was read the Second time, amended, passed and sent to the Seate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have added General Jones to the Committee appointed on Judge Ashe's Memorial, and Mr. Gallaway to the Committee of Finance and Public Bills.

Received from the Senate the Report of the Committee on the
Petition of Richard Reading, and the Report of the Petition of Jonathan Phelps & others. Endorsed, read & concurred with; the said reports being read were concurred with by this House and returned.

Received also, the Report on the Petition of John Beck, &c., and a resolution of the Senate in Consequence thereof; which being read were concurred with by this House & returned.

Received from the Senate a Bill for promoting the Navigation of Albemarle Sound. Endorsed, read the second time and passed.

Received also, the Petition of Caleb Mason. Endorsed, read and referred to Mr. Lane, Mr. Hill, Mr. Easton, Mr. Gallaway, Mr. Hargett & Mr. Abn. Jones.

Received from the Senate the Report of the Committee on the Petition of James English, Jeremiah Early & Co., and also a Resolution of the Senate in consequence thereof; which being read were rejected; whereupon,

Resolved, That David Miller, Esquire, Entry Taker of Lands in the County of Rutherford, be and he is hereby directed on application of James English, Jeremiah Early & Company owners of the Iron Works in said County, to issue a Warrant or Warrants to the Surveyor thereof for two thousand acres of vacant, unappropriated Land, which may be found most convenient to the said Iron Works, who is hereby commanded to lay off and survey the same and make return thereof to the Secretary's office, the said Company paying to the respective officers all fees accruing for their services in the progress of this business to its final completion; Provided, that if the said Iron Works shall not be finished and rendered completely fit for the making of Iron within two years and an half after the present Session of Assembly then the benefits allowed by this resolution to the said Company shall cease and the said Lands revert to the State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a Resolve of this House which we propose adopting in lieu of the one entered into by the Senate allowing James English, Jeremiah Early & Company certain privileges therein mentioned.
The Bill to emancipate certain persons therein mentioned, was read the second time, amended, passed & sent to the Senate.

Received from the Senate the Memorial of Francis Child. Endorsed, read & referred to the Committee on Finance; which being read was referred as by the Senate and returned.

The Bill for empowering Commissioners to sell the Palace and Public Lots within the Town of New Bern in manner therein mentioned, was read the first time, passed and sent to the Senate.

The Bill to explain the Seventh Section of an Act passed at Fayetteville in January, 1786, intitled "an Act to amend an Act passed at New Bern, December, 1785, for increasing the Jurisdiction of County Courts of Pleas and Quarter Sessions, and of Justices of the Peace out of Court, and to direct the time of holding Courts in this State, was read the first time, passed and sent to the Senate.

The Bill to repeal the fourth Section or clause of an Act passed at New Bern in the year 1784, intitled "an Act to amend and supply the deficiencies of an Act passed last Assembly at Hillsborough, entitled an Act to regulate the descent of real Estates, to do away entails, to make provision for Widows, and to prevent frauds in the execution of last Wills and Testaments, and for directing how deeds of Gifts and Bills of Sales of Slaves shall be executed, authenticated & perpetuated; was read the first time, passed and sent to the Senate.

The Bill to ascertain the true courses of a Tract of Land on Neuse River in Craven County, was read the third time, passed and ordered to be Engrossed.

The Bill to encourage the making of Salt in Davidson County, was read the third time, amended, passed and ordered to be Engrossed.

Received from the Senate the resignation of Allen Jones, Esquire, as Brigadier General of the Militia of the District of Halifax. Endorsed, read and accepted; which being read was accepted by this House and returned.

Received from the Senate the report of the Committee on the Petition of Field Officers of Davidson County. Endorsed, read & concurred with; the said report being read was concurred with by this House and returned.

Received from the Senate the Resolve of this House directing David Miller, Entry Taker, &c., on the application of James English, Jeremiah Early & Co., to grant a warrant or warrants for two thousand Acres of Land. Endorsed, read & concurred with.
STATE RECORDS.

Received from the Senate the following Message:
Mr. Speaker & Gentlemen:

We have appointed Mr. Macon & Mr. Skinner who, together with such Gentlemen of the House of Commons as may be made choice of, will examine the Engrossed Bills.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have on our part appointed Mr. Polk and Mr. Steele to assist in examining the Engrossed Bills.

The Bill to amend and regulate the Law for the inspection of Tobacco in this State, was read the Second time, amended, passed and sent to the Senate.

The Bill to effect the cutting and clearing a Road from the lower end of Clinch Mountain to the Cumberland settlements, and for preserving Peace and guaranteeing safety to the Inhabitants thereof, was read the first time, passed and sent to the Senate.

Mr. P. Hawkins moved for leave and presented a Bill for the more speedy determining disputes that have arisen or may hereafter arise from erecting Mill Dams in the several Counties in this State; which was read the first time, passed and sent to the Senate.

The Bill to empower the administrators of Samuel Swann late of New Hanover County, Esquire, deceased, to sell and dispose of part of the real estate of the said Samuel for the payment of his Debts, in order to make the better provision for his Family, and also to make Conveyances for such part of the real Estate as was sold by the said Samuel in his lifetime; was read the third time, passed and sent to the Senate.

The Bill empowering the Commissioners therein named to build a Gaol in the County of Anson, to levy a Tax to defray the expense thereof, and to change the name of Newton in said County to that of Wadesborough, was read the third time, amended, passed and sent to the Senate.

The Bill for establishing two places in the County of New Hanover for the purpose of holding General Musters therein, for dividing the Militia of said County into two districts suitable and convenient for the inhabitants to attend Muster at the respective places and for appointing the place of holding Courts Martial in said County, was read the third time, amended, passed and sent to the Senate.
The Bill empowering the Court of Pitt County to establish a free Ferry over Tar River at the town of Greenville, and to levy a Tax on the Inhabitants of said County for that purpose, was read the third time, passed & sent to the Senate.

The Bill for electing the Wardens of the Poor, was read the second time, passed and sent to the Senate.

The Bill directing the Clerks of the Several Courts of Record within this State as to their duty in office, with respect to the issuing of write, was read the second time, amended, passed & sent to the Senate.

The House adjourned till Tomorrow morning 10 o'clock.

Tuesday, 4 December, 1787.

The House met according to adjournment.

Mr. Steele presented the resignation of John Collier and James Dougan two of the Justices of the Peace for Randolph County, which being read, was accepted by this House and sent to the Senate.

Mr. Perkins presented a Petition from sundry of the Inhabitants of Randolph County, & sundry other papers purporting a charge against Traverse Harper one of the Justices of the Peace for the said County; which being read was referred to Mr. N. Bryan, Mr. Gardner & Mr. Perkins, on the part of this House, and sent to the Senate.

Mr. William R. Davie the member for the Town of Halifax, appeared, was qualified and took his seat.

Mr. Creecy presented the Petition of Thomas Benbury, Esquire, Collector of Port Roanoke, which being read was referred to the Committee of Propositions & Grievances and sent to the Senate.

The Bill to enable William Nall, Sheriff of Wilkes County, to collect all the Taxes due from said County for the year 1785 and the year 1786, and to allow him further time to settle for his collections with the Treasurer, was read the second time, amended, passed and sent to the Senate.

The Bill to extend three acts passed at New Bern the twenty-ninth Day of December, 1785, intitled "an Act to empower the County Wardens of the Poor for the Counties therein mentioned to build houses in their respective Counties for the reception of the Poor and other purposes, to the several Counties therein mentioned;" was read the second time, amended, passed and sent to the Senate.
The Bill to encourage the draining a Tract of Land in Tyrrel County, was read the third time, passed and sent to the Senate.

Received from the Senate a Bill to impower the Honble. the Continental Congress, to regulate the trade and Commerce of this State and to levy and collect duties within the same for the purpose therein mentioned. Endorsed, read the first time and passed.

Received also, a Bill to amend an Act passed at Fayetteville in January, 1786, intitled "an Act to amend an Act passed at New Bern December, 1785, for increasing the Jurisdiction of County Courts, &c.; and

A Bill to repeal the fourth Section of an Act passed at New Bern in the year 1784, intitled "an Act to amend and supply the deficiencies of an Act passed last Assembly at Hillsborough, intitled an Act to regulate the descent of real Estate, &c." Endorsed, read the Second time and passed.

The Bill for fixing the final settlement of unliquidated Claims against this State and against the United States within this State, was read the second time, amended, passed and sent to the Senate.

The Bill to prevent Thefts & Robberies by Slaves, Free Negroes & Mulattoes, was read the third time, amended, passed and sent to the Senate.

The Bill to restore to Hugh Ross of Anson County, his Land, was read the third time, amended, passed and sent to the Senate.

The Bill for levying a further Tax in the several Counties in the District of Morgan to defray the remaining expense accrued for the Public Buildings in the said District, and also to levy a further Tax on the County of Mecklenburg to defray the expense of the Public Buildings in the said County, was read the second time, amended, passed and sent to the Senate.

Received from the Senate a Bill to impower the County Court of Pleas and Quarter Sessions in the County of Perquimans, to lay a Tax for the purpose of repairing the Prison & building a Gaolers House in the County aforesaid. Endorsed, read the first time and passed.

The Bill to impower the Honble. the Continental Congress to regulate the Trade and Commerce of this State, and to levy and collect duties within the same for the purpose therein mentioned, was read the first time, passed and sent to the Senate.
Received from the Senate the Claim of Robert White Sheriff of Dobbs County. Endorsed, read and referred to the Committee of Claims; which being read was referred as by the Senate, and returned.

The Bill to repeal an Act passed at Fayetteville the 19th day of November, 1786, intitled "an Act for raising Troops for the Protection of Davidson County," was read the second time, passed and sent to the Senate.

The Bill to improve the Navigation of the North East branch of Cape Fear river, the North East Swamp and Goshen Swamp in Duplin County, was read the second time, passed and sent to the Senate.

The Bill to remove all obstructions to the passage of Fish up the Neuse river, was read the third time, amended, passed and sent to the Senate.

Ordered that Mr. Davie be added to the Committee on Finance, and the Committee appointed to report such Bills of a Public nature as are necessary to be passed into Laws this Session.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Mr. Davie to the Committee on Finance and the Committee appointed to report such Bills of a public nature as are necessary to be passed into Laws this Session.

The Bill for the more easy recovery of rents and to prevent tenants from committing frauds, was read the second time, passed and sent to the Senate.

The Bill to repeal part of an Act passed at Fayetteville, 1784, intitled "an Act to impower the several County Courts therein mentioned to lay a Tax annually, not exceeding three years 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 Counties, was read the second time, passed and sent to the Senate.

The Bill to amend an Act entitled "an Act to keep open Roanoke River for the passage of fish up the same, and for other purposes therein mentioned, was read the second time, passed and sent to the Senate.

The Bill to appoint a Trustee in the room of James Sampson,
Esquire, deceased, who, together with others was appointed as trustee for the purpose therein mentioned, by an Act passed at Fayetteville, 1787, intitled "An Act 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 accommodation of Post Riders, and 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, and to appoint where bridges shall be built, and to clear inland rivers and Creeks," passed at New Bern the 22d day of October, 1784, was read the third time, amended, passed and sent to the Senate.

Received from the Senate a Bill empowering Commissioners to make Sale of the Palace and Public Lotts within the Town of New Bern in manner therein mentioned. Endorsed, read the second time, amended and passed.

The Bill for revising and collecting the Acts of the General Assembly of the State of North Carolina, was read the second time, amended, passed and sent to the Senate.

Received from the Senate a Resolution of that House directing the Treasurer to settle the Account of James Green Lee, late Coroner & Sheriff of Burke County according to the several duplicates furnished him by the Clerk, allowing him a credit for the Dollar Bills at their nominal value in the discharge of the Tax for the years 1780 & 1781, &c.; which being read was concurred with by this House and returned.

The Bill to impower the Conuty Courts of Pleas and Quarter Sessions in the County of Perquimans to lay a Tax for the purpose of repairing the prison and building a Gaoler's House in the County aforesaid, was read the first time, passed and sent to the Senate.

Mr. Tatham moved for leave and presented a Bill to encourage the Citizens of this State and others, to promote and improve the several Arts, Sciences and Manufactures within the limits of the same; which was read the first time, passed and sent to the Senate.

The Bill to repeal the fourth Section of an Act passed at New Bern in the year 1784, entitiled "an act to amend and supply the deficiencies of an Act passed last Assembly at Hillsborough, entitiled an Act to regulate the descent of real Estates, to do away entails,
to make provision for Widows, and to prevent Frauds in the Execution of last Wills and Testaments, and for directing how deeds of Gifts and Bills of Sales of Slaves shall be executed, authenticated & perpetuated," was read the second time, passed and sent to the Senate.

The Bill to prevent the obstructing fish from running up the Streams and Water Courses in Bertie County, and to clear the navigation thereof, was read the third time, passed and sent to the Senate.

Resolved, That no Bill of a public nature shall be read for the second or third time without at least one day's previous notice.

The Bill to amend an Act passed at Fayetteville in January, 1787, entitled "an Act to amend an Act passed at New Bern December, 1785, for increasing the Jurisdiction of County Courts of Pleas and Quarter Sessions, and of Justices of the Peace out of Court, and to direct the time of holding Courts in this State," was read the second time, amended, passed and sent to the Senate.

Received from the Senate a Bill to impower County Courts to proceed in certain Cases as therein directed. Endorsed, read the first time and passed; and

A Bill for altering the names of certain persons therein mentioned. Endorsed, read the second time, amended & passed.

Received from the Senate the resignation of John Collier and James Dougan. Endorsed, read and accepted.

The Bill for promoting the Navigation of Albemarle Sound, was read the third time, passed and sent to the Senate.

Received from the Senate the Petition of Thomas Benbury, Esquire, Collector, &c. Endorsed, read & referred as by the Commons.

The Honble. the Speaker, laid before the House a Letter from William Blount, Esq., inclosing a Resolution of Congress of the 26th October last, relative to the Indian affairs; which being read was sent to the Senate.

Mr. Lewis Dupree & Mr. Jacob Leonard the members for Brunswick County, appeared, were qualified and took their seats.

The Bill to impower the County Courts to proceed in Certain Cases as therein directed, was read the first time, passed & sent to the Senate.

The Bill for altering the names of certain persons therein men-
tioned, was read the third time, amended, passed & sent to the Senate.

Mr. Wyatt Hawkins, from the Committee to whom was referred the affidavit of Reuben Searcey, Reported,

That on or about the last day of May in the year 1786, the said Searcey lost a small Pocket Book and therein Certificates issued by Messrs. Jones, McCullock & Montfort, Commissioners of Army Accounts, to the amount of three hundred and one pounds nineteen Shillings and eight pence, to-wit: One in the name of Jeptha Parker, No. 9, for Eighty-eight pounds ten Shillings; one in the name of Asa Searcey, No. 66, for fifteen Pounds six shillings and Six Pence; and one in the name of Richard Donaldson Cooke, No. 400, for one Hundred and Ninety-eight Pounds three shillings and two pence.

Your Committee from the aforesaid affidavit, together with a Certificate from Mr. Hunt, late Treasurer, herewith presented, being convinced the said Certificates are destroyed, are of opinion that the said Reuben Searcey be allowed the said sum of three hundred and one pounds, nine shillings and Eight pence, wherefore,

Resolved, That the Comptroller issue Certificates to be of equal value to those lost in lieu thereof, in the names of the aforesaid Parker, Searcey and Cooke, bearing the same numbers and amount, the reissuing whereof shall be noted in the Check book.

WYATT HAWKINS, Chairman.

The House taking this report into consideration concurred therewith.

Received from the Senate the following Report of the Committee of Petitions and Memorials Concluded with by the Senate and House of Commons the last Session of Assembly, vizt.:

The Committee of Petitions and Memorials to whom was referred the Petition of William Ashley, William Ship and James Dial, Report, that they find that the said Petitioners have become liable to pay the Sum of Twenty-five Pounds each for forfeiting their recognizance entered into for the appearance of a Nicholas Martin at the Superior Court of Hillsborough District.

That the said William Ashley hath already paid that sum, with cost on the same; and as it is made appear to your Committee that
the said Nicholas Martin was killed during the sitting of the Superior Court aforesaid, they are of opinion that the said forfeitures be fully remitted together with the Cost that have been charged thereon.

JOHN TIPTON, Chn.

Received also, at the same time the following Resolution of the Senate, endorsed on the back of the report, vizt.:

Resolved, That the Public Treasurer pay unto William Ashley the within mentioned sum of Twenty-five Pounds, for which he shall be allowed.

The House taking this Resolution into Consideration Concurred therewith.

The House adjourned till Tomorrow Morning 10 o'clock.

WEDNESDAY, 5 December, 1787.

The House met according to adjournment.

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

Mr. Spaight presented the Petition of Walter Allen, setting forth that he had lost certain Certificates & praying relief, which being read was referred to the Committee appointed on the affidavit of Reuben Searcey & sent to the Senate.

Mr. Stewart presented the recommendation of the County Court of Chatham in favor of John Windrick, which being read was referred to the Committee of Propositions & Grievances, and sent to the Senate.

Received from the Senate a Bill to encourage the Citizens of this State and others, to promote and improve the several Arts, Sciences and Manufactorys within the limits of the same. Endorsed, read the first time and passed.

Received also, a Bill to emancipate certain persons therein mentioned; and

A Bill to appoint a Trustee in the room of James Sampson, Esquire, &c. Endorsed, read the third time & passed.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

We propose that the Committee of Finance and Public Bills be
consolidated, as the whole of the Gentlemen who act on the one are members of the other.

Mr. Speaker & Gentlemen:

It is the sense of this House that no Bill be received by either House after Monday next, should this be your opinion you will give us information thereof.

Mr. Speaker & Gentlemen:

We propose that the representation of Thomas Benbury, Esquire, be referred to the Consideration of a joint Committee in lieu of the Committee of Propositions & Grievances. We have for this purpose on our part, appointed Mr. Coor, Mr. Gallaway, Mr. Skinner & Mr. Mitchell.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received your Message proposing that no Bills of whatsoever nature be received by either House after Monday next, with which we have concurred. We have also concurred with your proposal for uniting the Committees of Finance and on Public Bills.

Your proposition with respect to the representation of Thomas Benbury, Esquire, we have also concurred with, and have on our part, appointed Mr. Horn, Mr. Mebane, Mr. Franklin, Mr. Cabarrus and Mr. Spaight, a Committee who will act with the Gentlemen by you nominated to consider of the said representation.

Resolved, That pursuant to the Report of the joint Committee, to whom was referred the Petition of the Field Officers of Davidson County, which report hath been concurred with by both Houses of the General Assembly, the Public Treasurer be and he is hereby required to pay unto Anthony Bledsoe, James Robertson, Isaac Bledsoe and Samuel Barton jointly, or to either of them in behalf of the whole, the sum of Three Hundred and Seventy-Six Pounds Current Money for which he shall be allowed.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

Agreeable to the resolution of the two Houses of the General Assembly of the 21st of November, this day was set apart for taking under Consideration the Federal Constitution; we therefore propose
that the two Houses meet in Conference on this business in the Commons room immediately.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the two Houses adjourn into Conference in order to take up the Consideration of the Federal Constitution as by you proposed.

The foregoing being read the Senate and House of Commons convened in the Conference room, whereupon, on motion of Mr. Spaight

Resolved, That the two Houses form themselves into a Committee of the whole to take under consideration the proposed Federal Constitution. The two Houses accordingly formed themselves into a Committee of the whole and chose Mr. Battle Chairman; whereupon the proposed Federal Constitution was read and debated, and after some time spent therein Mr. Speaker resumed the Chair and Mr. Chairman reported that the Committee had come to several resolutions on the Subject to them referred, which he should first report to the Senate.

The House taking this Report into Consideration Concurred therewith.

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

THURSDAY, 6 December, 1787.

The House met according to adjournment.

Mr. Howall Lewis one of the members for Granville County, appeared, was qualified and took his seat.

Mr. Singleton presented the Claim of Thomas Stockton, which being read was referred to the Committee of Claims, and sent to the Senate.

Resolved, That the Committee of Claims be authorized to allow all such Claims as may be introduced to them for allowance; provided the Claimant may be entitled to draw Money of the Public Treasury in consequence of such Claim, and the same may appear to be just.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that a joint Committee be appointed to settle and liquidate such Claims appearing to them to be just, and have for this purpose appointed one member of this House from each dis-
trict, to-wit: Mr. Lewis, Mr. Tatham, Mr. McDowall, Jun., Mr. Dawson, Mr. Copeland, Mr. Gardner, Mr. Whitfield.

Mr. W. Baker presented the resignation of Isaac Pipkin, one of the Justices of the Peace for Gates County; which being read was accepted of by this House and sent to the Senate.

Mr. Hawkins moved for leave and presented a Bill for fixing the residence of the officers of Government, and the place for the meeting of the future General Assembly; which was read the first time, passed and sent to the Senate.

The Bill to emancipate certain persons therein mentioned, was read the third time, passed and ordered to be engrossed.

Mr. Williams presented the Memorial of John Simpson, which being read was referred to the Committee appointed on the affidavit of Reuben Searcy, & sent to the Senate.

The Bill to appoint a Trustee in the room of James Sampson, Esquire, deceased, who, together with others, was appointed a Trustee for the purposes therein mentioned by an Act passed at Fayetteville 1787, intitled "an Act 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.

Received from the Senate a Bill for hiring out Persons convicted on an indictment or presentment and not being able or willing to pay the fine and fees of office. Endorsed, In Senate, read the first time & passed.

Received also, A Bill to restore to Hugh Ross of Anson County, his Land, and a Bill for levying a further Tax in the several Counties in the District of Morgan to defray the remaining expense accrued for the public buildings in said District, and also to levy a further Tax in the County of Mecklenburg to defray the expense of the public buildings in the said County. Endorsed, read the second time & passed.

And received also a Bill to repeal the fourth Section of an Act passed at New Bern in the year 1784, entitled "an Act to amend and supply the deficiencies of an Act passed last Assembly at Hillsborough, intitled an Act to regulate the descent of real Estates, to do away entail, to make provision for Widows, and to prevent frauds in the execution of last Wills and Testaments, and for direct-
ing how Deeds of Gifts and Bills of Sales of Slaves shall be executed, authenticated and perpetuated.” Endorsed, read the third time and passed.

Received from the Senate the following Resolutions entered into on yesterday by the Senate & House of Commons in Conference, Conceded with by that House, vizt:

Whereas, The General Convention lately held in the City of Philadelphia have agree upon a Constitution for the future Government of the United States; and Whereas, Congress have unanimously resolved that the said Constitution be transmitted to the several Legislatures in order to be submitted to a Convention of Delegates chosen in each State by the people thereof,

Resolved, That it be recommended to such of the inhabitants of this State as are entitled to vote for representatives of the House of Commons to meet in their respective Counties on the last Friday and Saturday in March next at the several places fixed by Law for holding the annual Elections, and Elect five Suitable Persons to serve as Delegates from each County, and one Person from each Borough Town, in a State Convention for the purpose of deliberating and determining on the said Constitution, and that such Election shall be conducted agreeably to the mode, and conformably to the rules and regulations prescribed by Law for conducting the Elections of Members of the General Assembly, and any citizen within this State being a free holder shall be eligible to a seat in the Convention.

Resolved, That any person living in any one of the Borough Towns in this State and having a free hold therein shall have a right to vote for Members to represent the County in which such Town shall be.

Resolved, That the persons so elected to serve in the State Convention do assemble and meet together on the third Monday of July next, at a place to be appointed by joint Ballot of both Houses of the General Assembly, then and there to take into consideration the aforesaid Constitution, and if approved of by them, to confirm and ratify the same in behalf and on the part of this State and make report thereof to the United States in Congress assembled, agreeably to the resolution annexed to the said Constitution.

Resolved, That the Sheriffs in the several Counties within this State give as early notice as may be, to the People in their respective
Counties and Borough Towns, of the time, place and purpose of holding said Election.

Resolved, That three hundred Copies of these Resolutions and fifteen hundred copies of the Federal Constitution be immediately printed and dispersed by the Members of the General Assembly among their respective Constituents, and that the Executive transmit a Copy of them to Congress and to the Legislatures and Executives of the several States.

ELISHA BATTLE, Chairman.

The House taking these Resolutions into Consideration Concurred therewith.

Resolved, That it be recommended to the People of this State to authorize and direct their representatives to be elected for the purpose of deliberating on the Federal Constitution, to fix on the place for holding the future meetings of the General Assembly and the place of residence of the Chief officers of the State, which, when fixed, shall be considered the unalterable seat of Government for this State.

Resolved, That the Public Printer be directed, by an express to be sent to him by the Speakers of the two Houses, to print and transmit to the General Assembly on or before the fourteenth instant, three Hundred Copies of the Resolution of the General Assembly on the subject of the Federal Constitution and fifteen hundred Copies of the said Constitution, to be dispersed by the Members amongst their Constituents as in the said Resolutions is directed, and that a Copy of the said Resolutions be conveyed to him by the Clerks of the two Houses, authenticated by the Signatures of the Speakers.

The Bill for revising and collecting the Acts of the General Assembly of the State of North Carolina, was read the second time, amended, passed and sent to the Senate.

Received from the Senate a Bill for the more regular collecting and accounting for the Revenue of this State, for allowing the Public Treasurer a Clerk, and for the Collection of arrearages.

A Bill to erect and establish a Town in Rutherford County on the Land already procured by the Commissioners for the purpose of building a Court House, Prison and Stocks for the said County,
and to regulate the Town of Salisbury. Endorsed, read the first time and passed.

Received from the Senate the following Message:
Mr. Speaker & Gentlemen:

We propose that the General Assembly ballot at 4 o'clock this afternoon for the place at which the State Convention shall be held. We nominate for this purpose the Towns of Hillsborough, Tarboro, New Bern and Fayetteville. We also propose that the place at which the next Assembly shall be held be made choice of at the same time, and a Brigadier General for the District of Halifax; we nominate the Towns of Tarborough, New Bern and Fayetteville for holding the next Assembly at, and Thomas Eaton, Esquire, for Brigadier General.

Should these Propositions meet your approbation, Mr. Gallaway & Mr. Macon will superintend the balloting on the part of this House. We also propose that the Ballots be taken in the respective Houses.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received your Message proposing to ballot at 4 o'clock this evening for the places of holding the next Assembly and the Convention, &c. We agree to all the proposals therein except that of balloting for a Brigadier General for the District of Halifax. We have added to the nomination for the place for holding the Convention, the Town of Halifax; for the Assembly the Towns of Hillsborough and Salisbury. Should you think proper to ballot for these places without balloting for a Brigadier General, we will go into that business at 4 O'clock this Evening, as by you proposed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree to ballot agreeable to your last Message and are now ready to enter on that business.

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

Ordered that Mr. Cabarrus and Mr. Franklin be appointed, on the part of this House, to conduct the balloting.

Mr. Cabarrus, from the joint Balloting for the place at which the Convention and the next General Assembly shall be held, Reported that the Convention was to be held at Hillsborough; that no place
in nomination for holding the next Assembly at has a Majority of votes.

The House taking this Report into consideration concurred there-with.

The House adjourned till Tomorrow Morning 10 O'clock.

**Friday, 7 December, 1787.**

The House met according to adjournment.

Received from the Senate the Resolve of this House recommending to the people of this State to authorize their representatives in the Convention to be held at Hillsborough to deliberate on the Federal Constitution, to fix on a place for the future meetings of the General Assembly, &c. Endorsed, read & concurred with.

Received from the Senate a Bill to improve the Navigation of the North East branch of Cape Fear River, the North East Swamp and Goosen Swamp in Duplin County. Endorsed, read the second time and passed.

Received from the Senate the recommendation of the County Court of Chatham in favour of John Kindrick, & the Memorial of John Simpson. Endorsed, read and referred as by the House of Commons.

Received from the Senate the Resolve of this House, for authorizing the Committee of Claims to allow such Claims as will intitle the owners thereof to draw Money out of the Public Treasury; and the Resolve in Consequence of the Report of the Committee on the Memorial of the Field Officers of Davidson County, directing the Treasurer to pay unto Anthony Bledsoe, James Robertson, Isaac Bledsoe and Samuel Burton, jointly, or to either of them, in behalf of the whole sum of three hundred and Seventy Six Pounds, Con-curred with.

Received from the Senate the resignation of Isaac Pipkin as one of the Justices of Gates County. Endorsed, read and excepted.

Received from the Senate the report of the Committee on the Memorial of Patrick Cleary. Endorsed, In Senate, read and con-curred with; which being read was concurred with by this House and returned.

The Bill to amend an Act entitled "an Act to remove all disabil-
ities from Simon Cleary and others therein named," was read the first time, passed and sent to the Senate.

Mr. Cabarrus presented the Memorial of John Mace, which being read was referred to the Committee of Claims, and sent to the Senate.

Mr. Davie moved for leave and presented a 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," which was read the first time, passed and sent to the Senate.

Mr. Davie presented the Petition of Henry Hill and Thomas Fitts which being read was referred to the Committee of Propositions & Grievances, and sent to the Senate.

Mr. Steele presented the Petition of Margaret Balfour of Randolph County, praying, &c., which being read was referred to the Committee appointed on the Memorial of William Alexander, and sent to the Senate.

Received from the Senate the Petition of Winston Caswell and William White, executors of William Caswell, deceased. Endorsed, In Senate, read and referred to the Committee on the Petition in favour of Caleb Mason; which being read was referred as by the Senate, and returned.

Mr. Tatham moved for leave and presented a Bill to repeal so much of an Act entitled "an Act for building a Prison & Stocks in the County of Franklin," as relates to the imprisonment of Criminals and others in the district Gaol, which was read the first time, passed and sent to the Senate.

Received from the Senate the Claim of James Vinson & Samuel Lockhart. Endorsed, In Senate, read & referred to the Committee of Claims; which being read were referred as by the Senate, and returned.

Mr. Dupree moved for leave and presented a Bill for levying a Tax in the County of Brunswick for the purpose of building a Gaol therein, which was read the first time, passed & sent to the Senate.

Received from the Senate the following reports. Endorsed, In Senate, read and Concurred with; viz:

A Report of the Committee of Propositions & Grievances on the Memorial of John Kingsbury;

A Report on the Petition of Fanny McNeil; and
A Report on the Petition of Jonathan Hooker; which being read were severally concurred with and returned.

Received from the Senate a Resolve of that House for Suspending from exercise of the office of a Justice of the Peace, Travis Harper of Chatham County, which being read was concurred with and returned.

The Bill for the better regulation of the Town of Fayetteville, was read the third time, passed & sent to the Senate.

Received from the Senate a Bill to impower the Court of Pleas and Quarter Sessions in the County of Perquimans, to lay a Tax for the purpose of repairing the Prison & building a Gaoler's House in the County aforesaid. Endorsed, read the first time, and passed.

Received also, A Bill to repeal two Acts of the General Assembly of this State, one passed at NewBern in 1784 intituled "an Act to describe and ascertain such persons who owe allegiance to this State, and to impose certain disqualifications on certain persons therein described;" the other passed at New Bern in the year 1785 entitled "an Act to amend an Act passed at New Bern in the year 1784 entitled an Act to amend an Act intituled an Act to describe and ascertain such persons who owe allegiance to this State," &c. Endorsed, read the second time & passed.

The Bill for the more regular collecting and accounting for the Revenue of this State, for allowing the public Treasurer a Clerk, and for the Collection of Arrearages, was read the first time, passed and sent to the Senate.

Received from the Senate the Petition of Sundry inhabitants of Rowan County. Endorsed, In Senate, read & referred to the Committee on Judge Ashe's Memorial; which being read was referred as by the Senate and returned.

The Bill to repeal the fourth Section of an Act passed at New Bern in the year 1784 entituled "an Act to amend and supply the deficiencies of an Act passed last Assembly at Hillsborough, entituled an Act to regulate the descent of real estate, to do away en-tails, to make provision for widows and to prevent fraud in the Execution of last Wills and Testaments, and for directing how deeds of Gifts and Bills of sales of Slaves shall be executed, authenticated and perpetuated," was read the third time, passed and ordered to be Engrossed.
The Bill to encourage the Citizens of this State and others to promote and improve the several Arts, Sciences and Manufactories within the limits of the same, was read the second time & rejected.

The Bill to repeal two acts of the General Assembly of this State, one passed at New Bern in 1784 intituled "an Act to describe and ascertain such persons who owe allegiance eto this State, and to impose certain disqualifications on certain persons therein described," the other passed at New Bern in the year 1785 intituled "an Act to amend an Act passed at New Bern in the year 1784, intitled an Act to amend an Act Intituled an Act to describe and ascertain such persons who owe allegiance to this State and to impose certain disqualifications on certain persons therein described," wts read the Second time and rejected.

Received from the Senate a Bill to repeal an Act passed at New Bern in the year 1784, intituled "an Act to repeal an Act of the late General Assembly intituled an Act ceding to the Congress of the United States certain Western Lands therein described, and authorizing the Delegates from this State in Congress to execute a Deed or Deeds for the same." Endorsed, read the first time and passed.

The Bill to restore to Hugh Ross of Anson County, his Land, was read the third time, passed and sent to the Senate.

Received from the Senate the Petition of Pleasant Henderson, and the Account of William Bryant Sheriff of Bertie. Endorsed, read and referred to the Committee of Claims; which being read were referred as by the Senate and returned.

Received from the Senate the Memorial of John Willis of Robeson County. Endorsed, In Senate, read & referred to the Committee on Judge Ashe's Memorial; which being read was referred as by the Senate and returned.

The Bill to repeal an Act passed at New Bern in the year 1784, intituled "an Act to repeal an Act of the last General Assembly intituled an Act ceding to the Congress of the United States certain Western Lands therein described, and authorizing the Delegates from this State in Congress to execute a Deed or Deeds for the Same," was read the first time and rejected.

Mr. Grove presented the resignation of Thomas Armstrong as
Lieutenant Colonel of Cumberland County, which being read was accepted by this House, and sent to the Senate.

Mr. Cabarrus exhibited the presentment of the Grand Jury of the late Superior Court held for the District of Edenton, expressive of other sentiments on the now proposed Federal Government.

Ordered that the said presentment lie on the Table.
The House adjourned till To-morrow morning 10 o'clock.

Saturday, 8 December, 1787.

The House met according to adjournment.

Received from the Senate the Memorial of John Mair, and the Petition of Margaret Balfour. Endorsed, read and referred as by the House of Commons.

Mr. Cabarrus presented the Petition of Thomas Vail, &c., which being read was referred to the Committee appointed on the Memorial of Judge Ashe, and sent to the Senate.

Received from the Senate a Bill to amend an act intituled "an Act to keep open Roanoke river for the passage of fish up the same, and other purposes therein mentioned;" and

A Bill to prevent frauds committed by the Swapping of Horses, Endorsed, read the second time and passed.

Received also, a Bill for fixing the final settlement of unliquidated claims against this State and against the United States within this State. Endorsed, read the third time and passed.

Mr. Mebane presented the Petition of Nicholas Gibbs and sundry other persons whose names are thereunto subscribed, praying, &c.; which being read was referred to Mr. McDowall, Mr. Oliver and Mr. Phifer on the part of this House, and sent to the Senate.

Received from the Senate a Bill to enable the County Courts to appoint Commissioners to keep open rivers and Creeks at their several falls, so far as they think necessary for the passage of fish up the same; and

A Bill to establish an Inspection of Tobacco at Murfreesborough. Endorsed, read the first time and passed.

Received from the Senate the Report of the Committee on the Memorial of Matthew McClure. Endorsed, read and Concedured with; which being read was Concedured with by this House, and returned.
The Bill to erect a District Court of Law and Equity at Fayetteville, was read the third time, amended, passed and sent to the Senate.

Mr. Polk presented the Petition of Samuel Knox, setting forth that he lost certain Certificates therein mentioned and praying relief; which being read was referred to the Committee on the Petition of Reuben Searcey, and sent to the Senate.

Mr. Tatham presented the Petition of Richard Goode Sheriff of Surry County, praying, &c.; which being read was referred to the Committee of Propositions & Grievances, and sent to the Senate.

Mr. Davie presented the Memorial of Richard Dobbs Spaight, Esquire, setting forth that part of the Ground on which the Palace and other public buildings in the Town of New Bern was built by order of the General Assembly in the year 1767, was taken from him without the consent of him, the said Richard Dobbs Spaight, or his Guardian, and for which a Consideration was paid to the said Guardian far inadequate to the value of the Ground so taken, praying relief; which being read was referred to Mr. McDowall, Mr. Steele and Mr. Lewis, who are to withdraw for amendment the Bill for empowering Commissioners to make sale of the Palace, &c., and report their opinion on the Memorial and Bill.

The Bill declaring the Treaty of Peace between the United States of America and the King of Great Britain to be the Law of the Land, was read the second time, amended, passed and sent to the Senate.

Received from the Senate a Bill for amending an Act intitled "an Act for establishing Courts of Law and for regulating the proceedings therein;" and another Act intitled "an Act for giving an Equity Jurisdiction to the Superior Courts." Endorsed, In Senate, read the first time & passed.

Mr. Tatham proposed that the House should enter into sundry resolutions, which he delivered in at the Table where they were read and debated; and on the question to agree to the proposed Resolutions it was negatived, whereupon Mr. Tatham moved for leave to enter his dissent against the vote of the House. Ordered that he have leave accordingly.
Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the Petitions herewith sent you from sundry of the Inhabitants of the Western parts of this State be referred to the Committee appointed to report what Bills are necessary to be passed at the present Assembly.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree to your proposition with respect to the referring of the Petition of the Inhabitants of the Western Parts of this State to the Committee on Public Bills.

Received from the Senate 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. Endorsed, read the first time and passed.

Received also, a Bill to impower County Courts to proceed in certain Cases as therein directed. Endorsed, read the second time and passed.

Received from the Senate the Petition of Thomas Vail. Endorsed read and referred as by the House of Commons.

Received also, the resignation of Thomas Armstrong as Lieutena nt Colonel of Cumberland County. Endorsed, read and accepted.

Resolved, That the Chairman and six members of the Committee of Claims be a quorum to proceed to business.

The Bill for amending an Act intituled "an Act for establishing Courts of Law, and for regulating the proceedings therein;" and another Act intituled "an Act for giving an Equity Jurisdiction to the Superior Courts," 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 a joint Committee be appointed to prepare and introduce a Bill directing the mode of trying impeachments. We have for this purpose on our part, appointed Mr. Bloodworth, Mr. Tatham, Mr. Spaight, Mr. Mebane and Mr. Gowdy.

The Bill for laying a tax for the Support of Government, and for the redemption of the old paper Currency, Continental Money
and Specie & other Certificates, was read the first time, passed & sent to the Senate.

The Bill to prevent frauds committed by the swapping of Horses, was read the second time and rejected.

The Bill for levying a further Tax in the several Counties in the District of Morgan, to defray the remaining expense accrued for the Public Buildings in said District, and also to levy a further Tax in the County of Mecklenburg to defray the expense of the Public Buildings in said County, was read the third time, passed and sent to the Senate.

Received from the Senate the Report of the Committee on the Memorial of Caleb Mason. Endorsed, read and Concurred with; which being read was concurred with and returned.

Received also, a Resolution of the Senate entered into in Consequence of the above report, allowing him for certain Certificates which were destroyed in his possession; which being read was Concurred with and returned.

Received from the Senate a Bill for electing Wardens of the Poor; and

A Bill to extend an Act passed at New Bern the 29th day of December, 1785, intituled "an Act to empower the County Wardens of the Poor for the Counties therein mentioned, to build Houses in their respective Counties for the reception of the Poor, and other purposes," to the several Counties therein mentioned. Endorsed, read the third time and passed.

Received from the Senate the Petition of Richard Goode, Sheriff of Surry County. Endorsed, read and referred as by the House of Commons.

Received also the Petition of Nicholas Bibbs. Endorsed, read and referred to Mr. Berger, Mr. Gallaway, Mr. Moore and Mr. Hinley.

The Bill to prevent the further importation of Slaves, was read and ordered to lie over until the next Assembly.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the General Assembly proceed to Ballot on Monday next at 4 O'clock in the Evening for a Governor, Treasurer and a Brigadier General for each of the Districts of Halifax and Wash-
ingston, and the place at which the next Assembly shall be held. We nominate for Governor Samuel Johnston and the Honble. John Williams, Esquire; for Treasurer, John Haywood, Esquire; for a Brigadier General for the District of Halifax, Thomas Eaton, Esquire; for Washington District, Joseph Martin and Anthony Bledsoe, Esquires.

For the place at which the next Assembly shall be held, the Towns of Tarborough, Fayeteville, Hillsborough, Salisbury, Halifax, Salem and New Bern.

The Bill granting to the inhabitants living on the South East side of Mecklenburg County a privilege of holding a separate Election for members of Assembly and to repeal an Act intitled "an Act for the removing of the Public Buildings of Mecklenburg County from Charlotte to the Centre of said County," was read the third time, amended, passed and sent to the Senate.

The Bill authorizing and requiring the County Courts of Pleas and Quarter Sessions to divide and appropriate the real Estate of Intestates, where one or more of the claimants are under age, was read the third time, passed and ordered to be Engrossed.

The Bill charging the Estate of Honore Giraud late of the Town of Halifax, deceased, with the payment of all his just debts, and to prefer the same to the title acquired by this State in the property which was of the said Giraud, in consequence of his Self Murder, was read the third time, passed and ordered to be Engrossed.

The House adjourned till Monday Morning 10 O'clock.

MONDAY, 10 December, 1787.

The House met according to adjournment.

Mr. Smithwick moved for leave and presented a Bill to settle the title and bounds of Land, which was read the first time, passed and sent to the Senate.

Mr. Robert Webb one of the members for Richmond County, appeared was qualified and took his seat.

The Bill declaring what crimes and practices against this State shall be Treason, and what shall be misprision of Treason, and providing punishments adequate to crimes of both Classes, was read the second time, amended, passed and sent to the Senate.

Mr. Davie moved for leave and presented a Bill to amend an Act
entitled "an Act to bring to condign punishment, and to secure their Estates so far 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 further detection & further discovery of the said fraudulent practices, and for settling and liquidating the Accounts of the officers and Soldiers of the Continental line, to give the Public further Security and to relieve the Creditors of persons who have been presented or indicted in consequence of the said Act;" which was read the first time, passed and sent to the Senate.

Received from His Excellency the Governor, the following Message:

To the Honorable the General Assembly:

Gentlemen:

Herewith you will receive a Receipt Granted by Mr. Robert Stewart, Agent for Messrs. Constable, Reuker & Company, for a further delivery of 214,400 lbs. of Tobacco by Colo. Whitaker, on account of the State.

RD. CASWELL.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a Message this day received from His Excellency the Governor, together with the papers therein referred to, which we propose referring to the Committee on Finance.

Received from His Excellency the Governor, the following Message:

To the Honorable the General Assembly:

Gentlemen:

I have the honor to lay before you sundry Resolutions of the Commonwealth of Virginia, concerning the Federal Constitution, as transmitted to me by the Executive of that State, with a Letter Addressed to the Honorable the Speaker of the House of Commons.

RD. CASWELL.
Ordered that the above Message, with its inclosures, be sent to the Senate.

Received from the Senate a Resolution of that House declaring that no allowance shall be hereafter made for Certificates either lost, Mislaid or destroyed, which being read was rejected.

Received from the Senate the Report of the Committee on the Petition of Mary White, and the Report on the Petition of Benjamin Wilson & Zepheniah Burgee. Endorsed, In Senate, read and concurred with; which reports being read were concurred with by this House and returned.

Received from the Senate the Petition of Benjamin Sheppard, Endorsed, read & referred to the Committee on the Memorial of Judge Ashe; which being read was referred as by the Senate & returned.

Received from the Senate a Resolution of that House directing the Public Treasurer to pay unto Thomas Hill of Halifax County, Two Hundred & Twenty-two Pounds thirteen Shillings, &c., which being read was Concurred with and returned.

Mr. Spaight, from the Committee to whom was referred the representation of Thomas Benbury, Esquire, Collector of Port Roanoke, delivered in a Report which being amended, was agreed to in the following words, viz:

That in their opinion it is absolutely necessary a Bill should pass this General Assembly directing the duty of Naval officers and Collectors and of all Masters and owners of Vessels coming into this State, so as effectually to prevent in future the abuses complained of in said Memorial.

All which is submitted.

RICHD. D. SPAIGHT, Chairman.

The House taking this report into consideration concurred therewith.

Received from the Senate a Bill for fixing the residence of the officers of Government & the place for the meeting of the future General Assembly. Endorsed, read the first time & passed.

Received also, a Bill declaring the Treaty of Peace between the
United States of America and the King of Great Britain to be the Law of the Land. Endorsed, read the third time & passed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have received your Message proposing to ballot at 4 O'clock this evening for a Governor, the place at which the next Assembly shall be held, and other officers therein mentioned, with which we do not concur; but propose that it be postponed till 4 O'clock on Wednesday next.

We approve of the whole of your nomination and add thereto for Governor, the Honorable Alexander Martin and Richard Dobbs Spaight, Esquire.

It is the request of Anthony Bledsoe, Esquire, that his name be withdrawn from the nomination for Brigadier General for the District of Washington.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received your Message with respect to balloting for the place of holding the next General Assembly and public officers. As to that part thereof which proposes the Honorable Alexander Martin to be ballotted for as Governor for the ensuing year we cannot concur with; as this House, upon a full consideration of the point of his eligibility to that office, have determined that question in the Negative. The other parts of the Message we agree to.

Received from the Senate the Resolution of this House authorizing & empowering the Chairman & any Six members thereof to proceed to business, concurred with.

Received from the Senate the following Bills, viz.:

A Bill to direct the application of such Public Tobacco as already is or may hereafter be purchased by the Commissioners for that purpose appointed by the last General Assembly, and to repeal the thirteenth Section of an Act intituled "an Act for the regulation of Commerce."

A Bill directing the duty of Naval officers and of all Masters of Vessels coming into any of the Ports or Inlets of this State. Endorsed, read the first time & passed.

Received also a Bill to amend an Act entitled "an Act to remove
all disabilities from Simon Cleary, and others therein named." Endorsed, read the second time & passed.

Mr. McDowall moved for leave and presented a Bill authorizing and requiring the Sheriffs of the Several Counties in this State to bring suit or take into possession, receive and make sale of all property left by the British in this State during the late War; which was read the first time, passed and sent to the Senate.

Mr. Wyatt Hawkins presented the Memorial of Henry Montfort, Esquire, praying that permission may be given to dispose of part of the property held by the State as Security for certain supposed frauds for the benefit of his Creditors, &c.; which being read was referred to the Committee appointed on the Memorial of the Honble Judge Ashe, & sent to the Senate.

Mr. Davie presented the Memorial of John Geddy, Esquire, setting forth that he hath, as Sheriff of Halifax County, received a considerable amount of the Certificates called due Bills in his late collection of the Public Tax & that in consequence of certain resolutions of the last General Assembly the Public Treasurer does not think himself justifiable in giving him a credit therefor; which being read was referred to the Committee of Finance and sent to the Senate.

The Bill directing the duty of Naval officers and of all Masters of Vessels coming into any of the Ports or Inlets of this State, was read the first time, passed & sent to the Senate.

The Bill to direct the application of such Public Tobacco as already is or may hereafter be purchased by the Commissioners, for that purpose appointed by the last General Assembly, and to repeal the thirteenth Section of an Act intituled "an Act for the regulation of Commerce;" was read the first time, passed & sent to the Senate.

The Bill to empower the County Courts to proceed in certain cases as therein directed, was read the second time, passed & sent to the Senate.

Mr. Spaight moved for leave and presented a Bill to alter the times of the annual meetings of the General Assembly of this State; which was read the first time, passed and sent to the Senate.

Mr. Davie presented the Claim of Jesse Glasgow, Esquire, public Secretary, for the depreciation of his Salary; which being read was referred to the Committee of Claims & sent to the Senate.
Mr. Mebane exhibited the representation of James Glasgow, Esquire, Public Secretary, relative to two returns made for one Tract of Land sold by the Commissioner of Confiscation to different persons, & desiring the sense of the General Assembly with respect to issuing a Grant for the said Land; which being read was referred to the Committee appointed on the Memorial of the Honble. Judge Ashe, and sent to the Senate.

Received from the Senate a Bill to alter the mode of Taxation on Lands, by arranging the Lands within this State into Classes as therein directed. Endorsed, read the first time & passed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that a Committee be appointed to prepare and introduce a Bill directing the mode of trying impeachments. We have appointed Mr. Allen Jones, Mr. Coor & Mr. Person for this purpose, who will act with the Gentlemen by you made choice of.

Received from the Senate a Resolution of that House directing the Committee of Claims in what manner to allow Claims for fees on prosecution, which being read was concurred with and returned.

Mr. Davie moved for leave and presented a Bill for erecting the Counties of Davidson & Sumner* into a District, and for appointing an Assistant Judge and Attorney General; which was read the first time, passed and sent to the Senate.

The Bill to amend an Act intituled "an Act to keep open Roanoke river for the passage of fish up the same, and other purposes therein mentioned," was read the third time, passed & ordered to be Engrossed.

Mr. Spaight, according to order, moved for leave and presented a Bill directing the mode of trials upon impeachments; which was read the first time, passed and sent to the Senate.

The Bill to alter the mode of Taxation on Lands, by arranging the Lands within this State into Classes as therein directed, was read the first time, passed and sent to the Senate.

The Bill to erect and establish a Town in Rutherford County, on the Land already procured by the Commissioners for the purpose of building a Court House, Prison and Stocks for the said County,

*Now in Tennessee.—Ed.
and to amend an Act to regulate the Town of Salisbury, was read the first time, passed & sent to the Senate.

Received from the Senate a Bill to effect the Cutting and Clearing a Road from the lower end of Clinch Mountain to the Cumberland Settlements, & for preserving peace & guaranteeing safety to the inhabitants thereof. Endorsed, read the Second time and passed.

The Bill for hiring out persons convicted on indictment or presentment, and not being able or willing to pay the fine and fees of office, was read the first time, passed and sent to the Senate.

Mr. Steele moved for leave and presented a Bill directing a method which shall be observed in future for the better regulating the division of Counties, addition of Counties & fixing the Public buildings in the same, and to prevent unfair practices from taking place in divisions, additions and removal of public buildings; which was read the first time, passed and sent to the Senate.

The Bill to enable the County Courts to appoint Commissioners to keep open rivers & Creeks at their several falls, so far as they think necessary, for the passage of fish up the same, was read the first time, passed & sent to the Senate.

The Bill to establish an Inspection of Tobacco at Murfreesborough, was read the first time, passed and sent to the Senate.

Mr. Tatham moved for leave to bring in a bill to regulate all differences concerning Lots and Tenements in the Town of Lumberton, and to establish titles to the same as Town property, and bring the said Town within the powers of Taxation as Town Property, and to regulate and ascertain certain differences between the inhabitants of Bladen and Robeson respecting their duty in working on the Great Swamp. Ordered that he have leave accordingly.

The Bill to impower the Court of Pleas and Quarter Sessions in the County of Perquimans to lay a Tax for the purpose of repairing the Prison and building a Gaoler's House in the County aforesaid, was read the second time, amended, passed and sent to the Senate.

The Order of the Day for going into an investigation of the charges exhibited against Mr. John Bonds being called for and read, it was on Motion, Resolved, That the Committee of Privileges and Elections do take up the subject, examine the several Witnesses, and report to the House specially the facts.
The House adjourned till Tomorrow morning 10 O'clock.

TUESDAY, 11 December, 1787.

The House met according to adjournment.

Mr. Dickins presented the Memorial of Stephen Moore, Esquire, late Deputy Quarter Master General, which being read was referred, on the part of this House, to Mr. Everagin, Mr. Dickins and Mr. Phifer, and was sent to the Senate.

Mr. Gowdy presented the Petition of Geo. H. Berger, which being read was referred to the Committee on Judge Ashe's Memorial, and sent to the Senate.

Mr. Cox presented the Petition of Sundry of the Inhabitants of Moore County, praying that Thomas Mathews who was suspended from the exercise of the office of a Justice of the Peace, may be reinstated in the Commission of Peace, which being read was referred to the Committee of Propositions & Grievances, and sent to the Senate.

Mr. Anderson presented the Petition of James Christian, which being read was referred to the Committee of Propositions & Grievances, & sent to the Senate.

Received from the Senate a Bill to alter the times of the annual meeting of the General Assembly of this State, and A Bill to vest the title of a certain tract of Land therein mentioned, in John Johnston. Endorsed, In Senate, read the first time & passed.

The Bill for fixing the residence of the officers of Government & the place for the meeting of the future General Assemblies, was read and ordered to lie over until the next Assembly.

Received from the Senate the Memorial of Henry Montfort. Endorsed, read and referred as by the House of Commons.

Ordered that the Bill to alter the times of the Annual Meetings of the General Assembly of this State lie on the Table until the next Assembly.

The Bill to amend an Act entitled "an Act to remove all disabilities from Simon Cleary, and others therein named," was read the second time, passed and sent to the Senate.

Received from the Senate a Bill to amend an Act to bring to condign punishment and to secure their Estates so far as to be answerable
to the public, the persons therein described, accused of certain crimes and fraudulent practices, &c. Endorsed, read the first time and passed.

Received from the Senate the report of the Committee on the Petition of Messrs. Henry Hill and Thomas Pitt. Endorsed, In Senate, read & concurred with; this report being read, was rejected by this House.

Received from the Senate a Resolution of that House directing the Public Treasurer to enter the statements of James Green Lee, late Sheriff, &c., on his books, and directing the Comptroller to Credit him accordingly; which being read was concurred with & returned.

Received from the Senate the Report of the Committee on the Petition of Peter Goodwin. Endorsed, In Senate, read & concurred with; which being read was concurred with this House and returned.

Received from the Senate the Report of the Committee on the Petition of John Johnston. Endorsed, In Senate, read & Concurred with, which being read was concurred with by this House and returned.

The Bill to vest the Title of a certain tract of Land therein mentioned, in John Johnston, was read the first time, passed & sent to the Senate.

Received from the Senate the Petition and Memorial of John Willis. Endorsed, In Senate, read and referred to the Committee on Judge Ashe's Memorial; which being read was referred as by the Senate and returned.

Received from the Senate, the Claim of Lovett Burges, Esquire, Clerk of the Superior Court of Law and Equity in Halifax District. Endorsed, In Senate, read & referred to the Committee of Claims; which being read was rejected.

Resolved, That it is the opinion of this Assembly that the Clerks of the Superior Courts ought not to be paid by the public for any services officially done on indictments or other Criminal prosecutions carried on against persons who are insolvent, and that the Committee of Claims be directed to disallow all such Accounts.

Received from the Senate the following Petitions, endorsed, In Senate, read & referred as by the House of Commons, vizt.:

The Petition of James Christian;
The Petition of George H. Berger; and
The Petition of Sundry Inhabitants of Moore County in favour of Thomas Matthews;

The Bill to effect the Cutting & Clearing a Road from the lower end of Clinch Mountain to the Cumberland Settlements, & for preserving Peace and guaranteeing safety to the Inhabitants thereof, was read the second time, passed & sent to the Senate.

Mr. Gowdy presented the Memorial of Joseph Cain; which being read was referred to Mr. Gowdy, Mr. Bloodworth & Mr. Lewis on the part of this House, & sent to the Senate.

Mr. Williams presented the Memorial of Stephen Brooks; which being read was referred to the Committee appointed on the Memorial of Joseph Cain, and sent to the Senate.

Received from the Senate a 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.” Endorsed, read the first time & passed.

Mr. Spaight presented the Petition of James Camey, praying, &c.; which being read was referred to the Committee on the Petition of William Goode, and sent to the Senate.

Received from the Senate the Act of Mr. Benjamin Hawkins late Commercial Agent for this State, respecting purchases made of Mr. John W. Stanley, &c. Endorsed, In Senate, read and referred to the Committee on Judge Ashe’s Memorial; which being read was referred as by the Senate and returned.

Received also, the Memorial of Joseph Arrington Sheriff of Nash County. Endorsed, read & referred to the Committee of Propositions & Grievances; which being read was rejected.

Received from the Senate the Memorial of Stephen Moore late Deputy Quarter Master General. Endorsed, In Senate, read & referred to Mr. Shaw, Mr. Miller & Mr. Moore.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the Message from His Excellency the Governor, together with its inclosures, be referred to the Committee of Finance.

Received from the Senate the Report of the Committee on the
representation of Thomas Benbury, Esquire. Endorsed, read & concurred with.

The Bill to amend an Act intituled "an Act to bring to condign punishment, and to secure their estates so far 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 to certain resolutions of this Assembly from vexatious suits and prosecutions, and to establish a board for the further 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, to give the public a further Security and to relieve the Creditors of Persons who have been presented or indicted in consequence of the said Act;" was read the Second time, amended, passed & sent to the Senate.

Mr. Polk, from the Committee to whom was referred the representation of John Haywood, Esquire, relative to the misapplication of the public Tobacco, delivered in a report, which being read was ordered to lie on the Table until Thursday next.

The Bill declaring the Treaty of Peace between the United States of America and the King of Great Britain to be part of the Law of the Land, was read the third time, passed and ordered to be Engrossed.

Received from the Senate a Bill to amend and explain the true meaning of the several Acts of Assembly heretofore passed for giving further time to Surveyors to make returns, &c. Endorsed, read the Second time, amended & passed.

Received from the Senate the representation of the Secretary respecting the two Grants therein mentioned, and the claim of the Secretary for the depreciation of his Salary. Endorsed, In Senate, read & referred as by the House of Commons.

Mr. Tatham presented the Petition of Richard Sears, praying, &c., which being read was referred to the Committee of Propositions & Grievances and sent to the Senate.

Received from the Senate the Memorial of Charles McDowall and David McPeters. Endorsed, read & referred to the Committee on the Memorial of the Honble. Judge Ashe; which being read was referred as by the Senate and returned.
Received from the Senate the Memorial of Stephen Brooks. Endorsed, read and referred as by the Commons.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We cannot agree that the name of the Honorable Alexander Martin, Esquire, be left out of the nomination for Governor, being still of opinion he is eligible to that appointment.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

At the particular request of the Honorable Alexander Martin, Esquire, his name is withdrawn from the nomination of Governor.

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

Wednesday, 12 December, 1787.

The House met according to adjournment.

Received from His Excellency the Governor, the following Message:

To the Honorable the General Assembly:

Gentlemen:

Herewith you will be pleased to receive a letter addressed to me by Colo. John Tipton, to whom I had committed the distribution of the Commissions recommended to be issued by the last General Assembly for the County of Washington.

I presume the General Assembly will judge it necessary to make a new appointment to the Command of the Cavalry in the room of Mr. Sevier.

RD. CASWELL.

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

To the Honorable, the General Assembly:

Gentlemen:

Permit me to lay before you a Public news paper, in which is contained an address to me as Governor of the State, under the Signature of Proculus, this Author being so illiberal in his statement of the several matters he has thought proper to charge me with, tho' he appears to be well informed of the particular circumstances at-
tending the Conviction of the Criminals, if we take his own assertions for facts, and of the conduct of the Culprits on their release; yet his having been ignorant of the motives which Governed me in granting the Pardons or from the Malignity of his Heart, desiring to conceal them, has only published so much of these transactions, as whether right or wrong might have a tendency to injure my reputation in the minds of the Citizens of this State, and altho' the author doth not deserve an answer from me, yet as this publication may fall into the hands of those who may be unacquainted with the particular circumstances, I think with him, that it is necessary an enquiry should be made into these matters by your Honorable Body, and accordingly submit the same to your consideration.

And in order to enable you to judge with propriety and precision I take the liberty of following *Proculus*, by laying before you the Petition of William Smith and others, subscribed by Eight of the Jurors who passed on his Tryal and the state of the case of the said Smith, endorsed on the Petition by which, if any thing was meant by the Judge, I was to understand by his conclusion “that upon the whole he did not think Smith intended to deprive the woman of life,” he had recommended Smith to the clemency of the State as he could not under construction of Law, in such case, be considered as Guilty of Murder.

*Proculus* next introduces the case of Atkinson, permit me to refer you to the Petition of the Members of Assembly and a Copy of my reprieve Granted in Consequence of their application.

The last is the case of P. Alston whom *Proculus* calls Holston, this person was recommended by the General Assembly by their resolutions of the 19th of December, 1785, as an object to whom the Clemency of the State ought to be extended and in pursuance of the same he was pardoned; under the several circumstances herein alluded to I consider it my duty to submit to the General Assembly, with all proper respect, the propriety of making the enquiry called for, and in Justice to the Public as well as myself to require that they do therein what right and Justice demand.

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

Mr. Speaker & Gentlemen:

We herewith transmit to you an address this day handed into the Commons from His Excellency the Governor, on the subject of certain pardons lately granted to condemned persons requesting an inquiry into his conduct and the motives thereof in granting the said pardons which we propose referring to a joint Committee who shall report thereon on Friday next. We have appointed on our part Mr. Davie, Mr. Polk and Mr. Spaight.

Received from the Senate a Bill to amend an Act entitled “an Act to remove all disabilities from Simon Cleary, and others therein named.” Endorsed, read the third time & passed.

Received from the Senate the Petition of Joseph Cain, and the Memorial of John Geddy. Endorsed, read and referred as by the House of Commons.

Received also the Resolve of this House declaring the Clerks of the Superior & County Courts shall not be allowed for fees on Criminal Prosecutions, where the defendants prove insolvent, Con- curred with.

Mr. McDowall, according to order, presented a Bill to suppress Sutling and to regulate Tavern or Ordinary Keepers in the Counties therein mentioned; which was read the first time, passed and sent to the Senate.

On reading the Petition of Thomas Ryan Butler, late in the service of this State in the State Legion,

Resolved, That the Comptroller be and he is hereby directed to receive and audit the Claims of the said Butler for services performed in the State Legion and grant him a Certificate for such sum as may be found to be justly due him, such Certificate to be on the same footing as Auditors Certificates.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

On the representation of the Gentlemen appointed to punch the Governor's warrants and to burn the Certificates granted by the General Assembly to their Members and officers we conceive it to be improper to burn those Certificates as they are necessary for the Treasurer as Vouchers in the making up his accounts with the Comptroller.
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We therefore propose that these Certificates, as well as the Governor's Warrants and Resolutions of the Assembly directing the payment of Money now in the possession of the Treasurer, be all of them punched as directed by our former Message to you on this subject.

The Bill to carry into further effect an Act intituled "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 second time, amended, passed and sent to the Senate.

Received from the Senate the following Bills, vizt.:

A Bill directing the mode of trials upon impeachments;

A Bill for the more speedy determining disputes that have arisen or may hereafter arise from erecting Mill Dams in the several Counties in this State;

A Bill to empower the Wardens of the Poor for the County of Currituck to lay a Tax to enable them to settle the arrears due from the said County;

A Bill authorizing and requiring the Sheriffs of the several Counties in this State to bring Suit or take possession, receive and make sale of all property left by the British, &c. Endorsed, read the first time and passed.

Received from the Senate the Report of the Committee on the representation of the Members for Moore County, and the report on the Petition of Daniel Culbreath. Endorsed, read & concurred with; which reports being read were concurred with by this House and returned.

Whereas, great inconvenience may arise from the present practice in delivering the original acts of the General Assembly to the printer, whereby they may be mislaid or never returned to the Secretary of State;

Therefore be it Resolved, That it shall be, and it is hereby declared to be the Duty of the Clerk of the Senate, to deliver the Original Acts of each Session of the General Assembly to the Secretary of State whose duty it shall be to transmit attested copies of such Acts to the Public Printer or Person employed to print and publish the same, and the Secretary of State is hereby directed to take the necessary measures for the safe keeping and preservation of the Original Acts in the order in which they were respectively enacted.
Whereas, it would certainly prevent much trouble, risque and expense, if the Treasurer was authorized to punch or perforate all Warrants, orders and allowances, and Money drafts of every nature and kind received and paid into the Treasury, and Specie and other Certificates received by him or otherwise. Therefore be it

Resolved, That the Treasurer be and he is hereby authorized and required immediately on the payment of any Warrant, order, allowance, or other draft on the Treasury of this State, or on the receipt of any Specie or other Certificates by Taxes or otherwise, to cause the same to be struck thro' with a punch of half an Inch diameter at least so as effectually to prevent the future Circulation or Credit of such Warrant, order, allowance or Certificate.

Resolved, That these Resolutions be printed and bound up with the Laws of this Session.

Received from the Senate a Bill for erecting the Counties of Davidson and Sumner into a District, and for appointing an assistant udge, &c.; and a Bill for levying a Tax in the County of Brunswick for the purpose of Building a Gaol therein. Endorsed, read the first time and passed.

Received also, a Bill directing the duty of Naval officers, and of all Masters of Vessels coming into any of the Ports or Inlets of this State; and a Bill to erect and establish a Town in Rutherford on the Land already procured by the Commissioners for the purpose of building a Court House, &c. Endorsed, read the second time and passed.

Mr. Wyatt Hawkins, from the Committee to whom was referred the Memorial of John Simpson, Reported,

That on examining the several papers produced in support of the said Memorial it appears from the Certificates of M. Hunt and A. Ramsay that the said John Simpson exhibited his account to them as Auditors in the year 1781, by which a balance appeared to be due to the said Simpson, but the said Account was not finally settled owing to the great confusion in the Country occasioned by the enemy at that time. It also appears that the said account and vouchers were left in the hands of the said Auditors which have been mislaid or lost, whereby Mr. Simpson has been unable to settle with the Public. It also further appears that the said John Simpson has a Certificate, for his attendance as a Member of the General As-
sembly, for forty-four pounds, and that from unavoidable accident it was lost and destroyed by which accident the said Mr. Simpson has been prevented from drawing his Money out of the Treasury. Your Committee therefore have thought it most expedient to thus state the facts and refer them to your Honorable body for a determination thereof.

All which is submitted.

WYATT HAWKINS, Chairman.

The House taking the foregoing report into Consideration came to the following Resolution:

Whereas, it appears to this Assembly that there is a Statement in the Comptroller's Books whereby John Simpson, Esquire, stands charged to the public as a debtor for a sum of Money of three hundred pounds or thereabouts; and whereas, it also appears that in the year 1781 the said John Simpson presented his Accounts and vouchers to the Auditors for settlement, which have been lost in their possession, and the said Auditors have Certified that upon the examination of the said Vouchers it appears to them his credits exceeded the debt due by the Public.

Resolved therefore, That the Comptroller be and he is hereby directed to cancel the said Statement so as that all the Accounts between the State and the said Simpson be balanced finally, so far as relates to the balance reported by the Comptroller against the said Simpson.

Received from the Senate a Bill to amend an Act intitled "an Act to pardon and consign to oblivion the offences and misconduct of certain persons in the Counties of Washington, Sullivan, Greene and Hawkins; and

A Bill to impower the Court of Pleas and Quarter Sessions in the County of Perquimans to lay a Tax for the purpose of repairing the Prison, &c. Endorsed, read the Second time and passed.

Ordered that the Bill for the more speedy determining disputes that have arisen or herafter may arise from erecting Mill Dams in the several Counties in this State, be laid over until the next Assembly.

Mr. Davie presented the representation of Robert Fenner, Esquire, agent for the late North Carolina line; which being read was
referred to the Committee on Finance, who are directed to report thereon on Friday next.

Received from the Senate the Petition of Martha Mitchell. Endorsed, read and referred to the Committee of Propositions & Grievances; which being read was referred as by the Senate and returned.

Mr. Goudy presented the resignation of John Ballinger one of the Justices of the Peace for Guilford County, which being read was accepted of and sent to the Senate.

Mr. Horn presented the resignation of William Cherry one of the Justices of the Peace for Bertie County, which being read was accepted of and sent to the Senate.

Mr. Mebane presented the Petition of Sundry Inhabitants of Orange County, recommending & praying that John Ray be appointed a Justice of the Peace for the said County; which being read was ordered to lie over until the next Assembly.

Received from the Senate the following Bills, vizt.:

A Bill for making process in Equity effectual against persons who abscond and who reside without the limits of the State, and for better regulating the proceedings in Courts of Equity;

A Bill to repeal part of an Act entitled "an Act to empower the several County Courts therein mentioned to lay a Tax annually, not exceeding three years, for the purpose of erecting or repairing the Court House, Prison & Stocks in each County, &c. Endorsed, read the third time & passed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We are now ready to proceed on the balloting, and have appointed General Person & Mr. Gallaway to superintend the same on the part of this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Cabarrus & Mr. Franklin to Superintend the balloting & are now ready to proceed on that business. The Bill for erecting the Counties of Davidson and Sumner into a District and for appointing an assistant Judge and Attorney General, was read the second time, amended, passed and sent to the Senate.
Received from the Senate the Report of the Sub-Committee of Finance No. 1 and No. 3, and the estimate of the Civil List. Endorsed in Senate, read & concurred with; which being read were concurred with by this House and returned.

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

Thursday, 13 December, 1787.

The House met according to adjournment.

Mr. Franklin from the joint balloting for a Governor, Treasurer, a Brigadier General for each of the Districts of Halifax and Washington, and the place at which the next Assembly shall be held, reported,

That Samuel Johnston, Esquire, was elected Governor; John Haywood, Esquire, Treasurer; Thomas Eaton, Esquire, Brigadier General for the District of Halifax, and Joseph Martin for the District of Washington;

That no place in nomination for holding the next Assembly at had a Majority of Votes.

The House taking this Report into consideration Concurred therewith.

Received from the Senate the Resolve of this House requiring the Clerk of the Senate to deliver the Original Acts of the General Assembly to the Secretary, &c., Concurred with.

Received also, the Resolve of this House directing the Comptroller to receive and audit the Claims of Thomas Ryan Butler. Endorsed, read & concurred with.

Received from the Senate a Bill to establish an inspection of Tobacco at Murfreesborough. Endorsed, read the second time and passed.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

The Honorable Samuel Johnston being elected Governor of this State for the ensuing year it is proper he should attend this Assembly and be qualified into his office; we therefore propose that the Speakers of the two Houses be requested to inform him of his Election and desire his attendance for the above purposes.
Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have received your Message inclosing an address from His Excellency the Governor, and proposing that it be referred to a Joint Committee, to which we agree and have appointed Mr. Person, Mr. Harget and Mr. Allen Jones, on the part of this House to act with the Gentlemen by you named.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

It is the sense of this House that the place yet to be made choice of for the sitting of the next Assembly be balloted for at 4 o'clock this afternoon. We also propose that a Council of State be balloted for at the same time, and nominate Charles Johnston, John Mair, Thomas Eaton, John Faulcon, Nathaniel Macon, Josiah Collins, John Johnston, John Skinner, Samuel Strudwick & Edward Evergin, Esquires.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree to your Message proposing a ballot at 4 O'clock this evening for the place of holding the next Assembly, and for a Council of State. In addition to the persons by you nominated for Councillors we nominate the following names, to-wit: Willie Jones, John Kinchen, Whitmill Hill, Charles Johnston, James Sanders, Maxwell Chambers, William Hooper, Thomas Brown, Henry W. Harrington & William Littlejohn.

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

Received from the Senate the resignation of William Cherry and John Ballinger, Justices. Endorsed, read and accepted.

Received also the representation of Robert Fenner, Agent, &c. Endorsed, read & referred as by the House of Commons.

Also the Resolve of this House authorizing the Comptroller to finally settle the Accounts of John Simpson & balance the same. Endorsed, read and concurred with.

Mr. Richmond Pearson one of the members for Rowan County, appeared was qualified & took his seat.

Received from the Senate a Bill for hiring out persons convicted
on indictment or presentment, not being willing to pay the fine and fees of office; and

A Bill directing the Clerks of the several Courts of Record within this State as to their duty in office, with respect to the issuing of Writs. Endorsed, read the Second time and passed.

Received also, a Bill to empower the County Courts to proceed in certain cases, as therein directed. Endorsed, read the third time and passed.

The Bill to amend and explain the true meaning of the several Acts of Assembly heretofore passed for giving further time to Surveyors within the different Counties to make their Surveys and return platts thereof to the Secretaries office; and more especially of an Act passed at New Bern in the year 1785 intituled "an Act to amend an Act intituled an Act for opening the Land office and other purposes, and to give further time for the registration of Deeds and Grants therein described;" was read the third time, amended, passed and sent to the Senate.

Mr. Tatham moved for leave to enter his dissent against the passage of the above Bill. Ordered that he have leave accordingly.

Mr. Polk presented the Memorial of Micajah Thomas, Administrator of Colo. Thomas Hunter, late of Nash County, deceased; which being read was referred to the Committee appointed on the Memorial of Judge Ashe & sent to the Senate.

Mr. P. Hawkins presented the Memorial of the Honble. William Blount, Esquire, late a Delegate from this State in the Congress of the United States, on the Subject of the depreciation of his Salary as Delegate aforesaid; which being read was referred to a joint Committee of Mr. Wynn, Mr. Franklin & Mr. Polk, appointed on the part of that House for that purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that a joint Committee, to consist of five Members from each House, be appointed in order to agree upon and adopt some general mode that shall in future be observed between the two Houses of the General Assembly on the passage of Bills, particularly on the last reading, and that such Committee shall make report To-morrow. We have for this purpose on our part, appointed Mr. Spaight, Mr. Davie, Mr. Bloodworth, Mr. Hawkins & Mr. Polk.
Ordered that the Report of the Committee of Privileges and Elections on the case of Mr. Bonds, be taken up to-morrow morning.

Received from the Senate the Petition of Richard Sears. Endorsed, read and referred as by the House of Commons.

Received from the Senate a Bill to enable the County Courts to appoint Commissioners to keep open rivers and Creeks at their several falls, so far as they think necessary, for the passage of fish up the same; and

A Bill to amend an Act intituled "an Act to encourage the building of Public Mills, and directing the duty of Millers," passed at New Bern 1777. Endorsed, read the Second time and passed.

Received from the Senate a resolution of that house impowering His Excellency the Governor, on the application of Benjamin McCulloch, to grant a pardon to the said McCulloch, so far as to release him from his present confinement; and one other Resolution impowering His Excellency the Governor, to grant pardens to all those confined in Halifax Gaol by judgment of the Court of Oyer and Terminer held at Warrenton, on their application to him for such release. The latter resolution being read was concurred with and returned.

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

Friday, 14 December, 1787.

The House met according to adjournment.

Resolved, That the Delegates of this State, now in Town, be requested to lay before this Assembly To-morrow Morning the present State and Circumstances of the Union, and such transactions of Congress in the course of the last year as may be conducive to the better understanding of this Subject, or what in their opinion may be necessary to be made known to this Assembly.

Mr. Franklin from the Joint Balloting for the place at which the next Assembly shall be held, and a Council of State, Reported, That the next Assembly shall be held at Fayetteville; That Willie Jones, Charles Johnston and Whitmill Hill, Esquires, were elected Members of the Council of State, and that four Members of the Council yet to be elected.

The House taking this report into Consideration Concluded therewith.
Mr. Bloodworth presented the Memorial of Captain John McCrohorne setting forth that the Schooner Phœnix was impressed from him by Messrs. Hawkins & Speed, Commercial Agents, & destroyed in the public Service, and praying to be allowed the value of such Vessel; which being read was referred to the Committee appointed on Judge Ashe’s Memorial and sent to the Senate.

Received from the Senate the Memorial of the Honble. William Blount, Esquire. Endorsed, in Senate, read and referred to Mr. Gallaway, Mr. Person & Mr. Clinton.

Resolved, That the Chairman and Six Members of the Committee of Finance be a quorum to do business, and that they be required to report to-morrow on such of the business as may possibly be finished, and that they finally report on Monday next.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

Mr. ‘Allen Jones, Mr. Skinner, Mr. Coor, Mr. Lenoir and Mr. Gallaway, will act with the Gentlemen by you appointed for the purpose of preparing rules to be observed by the two Houses in amending and passing Bills by Message.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that a joint Committee be appointed to consider of and report, what alterations if any, be necessary to be made in the present Constitution of this State at the intended Convention, and have appointed on the part of this House for the above Mentioned purpose Mr. Gallaway, Mr. Coor, Mr. Person, Mr. Skinner & Mr. Hill.

On the question to agree to this Message it was resolved in the negative; whereupon the Yeas & Nays were required by Mr. P. Hawkins, which are as follows, vizt.:


Nays—Messrs. Nixon, Lanier, Horn, Sawyer, Creecy, Rhodes, W. Baker, Montgomery, Smithwick, Polk, Mebane, Everagin, Wil-
liam Carson, Bethell, Dodd, Allison, W. Taylor, B. Sanders, Franklin, Brown (Wilkes), Diggs, Dolvin, B. Spruill, Marshall, Brown (Bladen), Fuller, Lindley, Tyson, McDowall, McDowall, Jun., Thackston, McKinnie, Devane, Bloodworth, Jenkins, Pickett, Singleton, Gains, Withrow, Randal, Davie, Dupree, Cox—43.

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 to-morrow evening for four Members of the Council yet to be Elected, and that the five Gentlemen who had the greatest number of votes on the last balloting be in nomination for Councillors. We propose also, that Six Persons be Elected at the same time to represent this State in the Congress of the United States for the ensuing year, and two for the present year, to supply the places of the Honorable Timothy Bloodworth and the Honorable Alexander Martin, Esquires, resigned.


The Bill directing the mode of trials upon impeachments was read the Second time, amended, passed and sent to the Senate.

Received from the Senate the Resolve of this House requesting the Delegates to lay before the General Assembly the present State & circumstances of the Union, &c., Concur'd with.

At the request of Mr. Cabarrus, Ordered that his name be withdrawn from nomination as Delegates.

Received from the Senate a Bill to ascertain the fees of Sheriffs within this State; and

A Bill to amend an Act intituled "an Act to bring to condign punishment, and to secure their estates so far as to be answerable to the Public, the persons therein described accused of certain crimes & fraudulent practices, &c. Endorsed, read the second time & passed.

Received also, a Bill to effect the Cutting and clearing a road
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from the lower end of Clinch Mountain to the Cumberland Settlements, &c. Endorsed, read the third time & passed.

Received from the Senate the Memorial of Micajah Thomas, Administrator on the Estate of Colo. Thomas Hunter, and the Petition of John McCrohine. Endorsed, read & referred as by the House of Commons.

Received also, the Resolve of this House requiring the Committee of Finance to make report, &c. Endorsed, read & concurred with.

The Bill directing the duty of Naval Officers, and of all masters of vessels coming into any of the Ports or Inlets of this State, was read the Second time, amended, passed & sent to the Senate.

Mr. Bloodworth presented sundry papers relative to the Conduct of Certain Justices of the Peace for New Hanover County who were suspended from office by the General Assembly, which being read was referred to Mr. Tatham, Mr. McDowall & Mr. Campbell, on the part of this House, and sent to the Senate.

Mr. Davie presented the Memorial of John Armstrong, Entry Taker of the Western Lands, which being read was referred to the Committee of Finance who are to make a special report thereon.

Mr. Davie presented the Memorial of Edmund Gamble, which being read was referred to the Committee of Propositions & Grievances, and sent to the Senate.

Received from the Senate a Bill to vest the title of a certain Tract of Land therein mentioned in John Johnston. Endorsed, read the Second time, amended & passed.

Mr. P. Hawkins presented the resignation of Richard Ellis one of the Justices of the Peace for Warren County, which being read was accepted by this House and sent to the Senate.

Whereas, it hath been represented to this General Assembly that the claimants and holders of Lands entered in the late office of John Armstrong at Hillsborough, have evaded or refused to return such Lands in their list of Taxable property, upon the pretense of being Caveated by an Act of the last General Assembly.

Resolved, That the County Courts be directed and required to instruct the Persons who take the list of Taxable Property within their respective Counties to require by advertisement all persons holding such Lands to make immediate return thereof under the
pain of being prosecuted for a false return, and the Justices of the several Counties within this State are hereby expressly required to see this resolution carried into effect.

The Bill to amend an Act intitled "an Act to bring to condign punishment and to secure their estates, so far 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 to certain resolutions of this Assembly from vexatious suits and prosecutions, and to establish a board for the further 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, to give the public a further Security and to relieve the Creditors of Persons who have been presented or indicted in Consequence of the said Act," was read the third time, passed and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

It is the opinion of this House that Witnesses who attended in behalf of the State at the Court of Oyer and Terminer lately held at Warrenton, and all such as have attended any of the Superior Courts on similar business, should be allowed for their attendance and travelling expenses by the Committee of Claims, and that the Certificates expressing the sums allowed for such services shall entitle them to draw Money out of the Public Treasury.

Mr. Davie presented the Memorial of William Wootten setting forth that the estate of John Bradford, Esquire, Decd., has a claim against the State for house rent, &c., which being read was referred to the Committee on Petitions & Memorials & sent to the Senate.

Mr. Tatham presented the Petition of John Crawford, which being read was referred to the Committee of Propositions and Grievances & sent to the Senate.

Mr. Cabarrus presented the Memorial of John Humphries, Esquire, setting forth that in the year 1781 he had a quantity of Rum impressed from him for which he has not received payment, and praying relief; which being read was referred to the Committee of Propositions & Grievances and sent to the Senate.

Mr. Blount presented the Petition of Benjamin Gaylard, which
being read was referred to Mr. Tatham, Mr. Blount, Mr. Phifer and Mr. Coffin, and sent to the Senate.

Mr. Davie presented the Memorial of William Wooten, Executor to the last Will & Testament of John Bradford, Esquire, deceased, setting forth that among the papers of the deceased there are Specie Certificates to the amount of thirty-eight hundred and twenty-six Pounds three Shillings & four pence, which were in the possession of the said Mr. Bradford in his lifetime as one of the Auditors of Halifax District, and desiring the sense of the General Assembly as to the disposition to be made of the same; which being read was referred to the Committee of Finance & sent to the Senate.

Mr. Davie presented the Claim of John Jones, Esquire, which was referred to the Committee of Claims and sent to the Senate.

Mr. Mebane, from the Committee of Privileges and Elections, to whom was referred the enquiry into the conduct of Mr. John Bonds, delivered in the following report, to-wit:

The Committee to whom was referred the case of John Bonds, Esquire, beg leave to report:

That Mr. Bonds was before the Committee charged with having fraudulently drawn from the Commissioners of Army Accounts sundry due bills and Certificates.

General James Armstrong being introduced and sworn, sayeth that a certain James Cremer, who had served twelve Months in the Continental line of this State, produced to the deponent his discharge and an order to draw the pay due thereon;

That he lodged the same in the Commissioner’s office at Halifax, some time afterwards he applied for the due Bill and Certificates and found they had been drawn by John Bonds, and a receipt signed for the same. He afterwards applied to Cremer to know whether he had not sold his claim to Mr. Bonds, that he received for answer, “I know not Mr. Bonds, nor have I ever sold my pay to him or to any other person whatever.”

On an application to Mr. Bonds by General Armstrong, to know of him whether he had not drawn James Cremer’s pay, Mr. Bonds did deny to have ever drawn or receipted for his account, but that he had drawn for Thomas Cremer. General Armstrong did again call on the Commissioners and obtained a certificate from under the hand of their Clerk that Mr. Bonds had drawn the due Bill & Certifi-
cate of James Cremer; the General a second time called on Mr. Bonds for the Money and Certificates, when Mr. Bonds acknowledged to have received it and did actually pay the whole amount unto General Armstrong, but said he drew it for Thomas Cremer for whom he had a Claim and suggested the Clerk had made a mistake and entered James instead of Thomas Cremer.

Colo. W. R. Davie being sworn, says, that Mr. Bonds stands indicted in Halifax Superior Court for producing false tokens to the Army Commissioners whereby he had obtained Due Bills and Certificates fraudulently.

Colo. Griffin being sworn, sayeth, he was a Witness before the Grand Jury at Halifax last Superior Court when John Bonds was found guilty by an Indictment of having without any authority drawn the Due Bill, Certificate and Land Warrant of a certain Peter Jones who died in service; altho' the right of drawing was in Colo. Griffin, he having a power of Attorney from the father of Jones, who lived in Wake County. The Deponent finding the Account was drawn by Mr. Bonds he applied to him for the amount, Mr. Bonds acknowledged to the fact & immediately paid the full account.

Mr. Hines being sworn, sayeth, that Robert Bailey was raised in his Family and when near of Age enlisted into the Service where he died; that he, by the consent of Bailey's highest of kin, applied to the Commissioners office for Bailey's pay, but found it had been drawn by John Bonds; that Mr. Bonds has since been indicted for this transaction at Halifax last Superior Court and a Bill found against him for Forgery.

Mr. Bonds introduced a Certificate in which it is set forth that Mr. Bonds hath purchased several Acco'ts. in which the name of Robert Bailey and W. Gay is inserted.

Henry Burges being sworn, supports the fact so far as the same relates to a purchase made by Mr. Bonds from a Thomas Clemens, whom he did not know or had ever seen before or since.

Henry Montfort being sworn, says it was Customary for the Commissioners to suffer persons whom they knew to draw Acco'ts out of the office without orders.

Captain Pridgen being sworn, sayeth, he saw Mr. Bonds on his way from Halifax who told him he had several due Bills and Certificates
for persons who died in the Army, and that when they would call
on him they should have them.

Ann Strickland being sworn, sayeth, that her Husband William
Gay, enlisted into the service and died to the Northward. That she,
supposing Mr. Bonds would give her the necessary information how
she could obtain the pay, &c., due her husband applied to him, who
gave her for answer I would not give you a snap of my Finger for
your chance. The deponent further sayeth that she has found that
Mr. Bonds had drawn her Husband's pay, & produced to the Com-
mitee a Certificate from the Comptroller, wherein it is declared
that the Due Bill and Certificates due unto William Gay has been
drawn by John Bonds. She further says that Mr. Bonds has never
paid her one farthing of the pay or Certificates due her Husband.

Your Committee have stated the facts and submit the determina-
tion hereon to the House.

ALEXR. MEBANE, Chairman.

The House taking this Report into consideration on Motion of
Mr. McDowall, Seconded by Mr. Steele, it was Resolved, That Mr.
John Bonds be expelled from this House.

Ordered that a Writ for the Election of one Member of this House
issue to Nash County, and that the Election be held on the last Fri-
day and Saturday in March next.

The Bill to amend an Act entitled “an Act to pardon and consign
to oblivion the offences and misconduct of certain persons in the
Counties of Washington, Sullivan, Greene and Hawkins, was read
the third time, amended, passed and sent to the Senate.

Mr. Cabarrus presented the representation of a number of the In-
habitants of Edenton District, setting forth that Thomas Vail who
was Indicted at a Superior Court lately held for the District of
Edenton, for Forgery, had ever supported a fair Character, &c.;
which being read, together with Sundry depositions of the Jury who
passed upon the trial of the said Vail, the House came to the follow-
ing Resolution, Vizt:

Whereas, it has been represented to this General Assembly and
confirmed by several depositions, and those of record, and by the
Testimony of the Sheriff who was present at the trial, that Thomas
Vail of the County of Chowan, has been indicted in the Superior
Court of Law and Equity for the District of Edenton, for forging and publishing, Knowing to be forged, in November, 1786, an obligatory note; and that on the trial of the said Indictment the Jury found him not guilty, yet by some accident the said Verdict was recorded as guilty of passing it knowing it to be forged. And Whereas, it appears that the said Vail has heretofore supported a fair and unblemished Character.

Resolved, That it be recommended to His Excellency the Governor, to issue and grant a full and ample pardon to the said Thomas Vail for the Crime or Crimes aforesaid, and that it be recommended to the Attorney General to enter a Nolle prosequi in the same charge.

Ordered that all the depositions relative to this Subject be entered on the Journal.

(See the last day's proceedings.)

The House adjourned till To-morrow morning 9 O'clock.

SATURDAY, 15 December, 1787.

The House met according to adjournment.

Received from the Senate the Petition of Colo. Hardy Murfree, and the Petition of Elizabeth Williams. Endorsed, read and referred to the Committee appointed on Judge Ashe's Memorial; which being read was referred as by the Senate and returned.

Mr. Bloodworth presented the Memorial of James Mulloy, which being read was referred to the Committee of Propositions and Grievances, and sent to the Senate.

Received from the Senate a Resolution of that House for suspending Henry Spears a Justice of the Peace for Surry, from the exercise of the office of a Justice of the Peace; which being read was Concurred with and returned.

Received from the Senate the following Reports, Vizt:

A Report of the recommendation of the County Court of Chatham in favour of John Kendrick.

A Report on the Representation of James Glasgow, Esquire, and one other Report on the Memorial of Edward Bridgen. Endorsed, in Senate, read and Concurred with; which reports being read were concurred with by this House and returned.

Resolved, That Thomas Benbury, Esquire, be allowed the Sum of Fifty-two pounds Eighteen Shillings, being the Amount of his ex-
penditures in the seizure of the Schooner "Bold Attempt," and that he be allowed the same in his settlement with the Treasurer.

The Bill to repeal part of an Act entitled "an Act to impower the several County Courts therein mentioned to lay a Tax annually, not exceeding three years, 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 Counties;" was read the third time, passed and ordered to be Engrossed.

The Bill to impower the County Courts to proceed in certain Cases as therein directed, was read the third time, passed and ordered to be Engrossed.

The Bill authorizing and requiring the Sheriffs of the several Counties in this State to bring Suit or take in possession, receive and make sale of all property left by the British in this State during the late War; was read the second time, passed and sent to the Senate.

The Bill directing the Clerks of the several Courts of Record within this State as to their duty in office, with respect to the issuing of Writs, was read the third time, passed and sent to the Senate.

The Committee appointed to superintend the Balloting for a Council, again reported on examination of the balloting that it appeared John Kinchen, Esquire, was also elected a Member of the Council by a Majority of the Votes of both Houses of the General Assembly.

The House taking this report into consideration concurred therewith; whereupon it was ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

On examining the balloting for a Council we find that John Kinchen, Esquire, was elected a Member by a Majority of the Votes of both Houses of the General Assembly; we therefore propose that only three Members be yet elected, instead of four, as by this House proposed on yesterday.

Mr. McDowall, from the Committee to whom was referred the report of the Committee on the Memorial of Richard D. Spaight, Esquire, Reported,

That on examining the said Memorial and the records of Craven County, they find that under an Act of Assembly passed in the year 1768, intituled "an Act for vesting certain lots in the Town of New Bern in His Excellency the Governor and his Successors," that a
jury was convened, qualified and valued said lots agreeably to the
directions of said Act; they are therefore of opinion that the property
of the said Lots is vested in the Public. All which is submitted.
HOWELL LEWIS,
JOS. McDOWALL,
JOHN STEELE.

On the question to agree to this report it was carried in the affirma-
tive; whereupon the Yeas & Nays were required by Mr. Davie which
are as follows, vizt:

Yeas—Messrs. Oliver, Dauge, Horn, Copeland, Creecy, Jos. Stew-
art, Sheppard, Sherrod, J. Bryan, Kendal, phifer, Peebles, Mebane,
Carson, Bethell, Waddell, Maxwell, Scott, W. Taylor, Jones, B. San-
ders, Franklin, Brown (Wilkes), Steele, J. Taylor, Vaughan, Dawson,
Marshall, Gardner, Lindley, Yancey, McDowall, McDowall, Jun., Cain,
Jenkins, Dickson, Gaines, Barnes, Coffin, Lewis.—40.

Nays—Messrs. Wood, Nixon, Lanier, Sawyer, Dickins, Goddy,
W. Baker, Montgomery, Eborn, Smithwick, Polk, Thomas, Yates,
Everalin, Harvey, Dodd, Allison, Cabarrus, Campbell, Diggs, Dol-
vin, Holmes, Henderson, J. Baker, Wynns, Brown (Bladen), Fuller,
McKinne, Bloodworth, Humphries, Tatham, Jas. Sanders, Starkey,
Whitfield, N. Bryan, Randal, Davie, Pearson.—38.

Resolved, That the proposals made by Richard Dobbs Spaight, Es-
quire, in his Memorial respecting his claim to certain lots in New
Bern in possession of the Public, commonly called the Palace Lotts,
and described in the said Memorial, be accepted by the General As-
sembly and that a Committee be appointed to amend the Bill inti-
tled "a Bill empowering Commissioners to make sale of the Palace
and Public Lotts within the Town of New Bern in manner therein
mentioned," agreeably thereto.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed on our part, Mr. Bryan, Mr. McDowall, Mr.
Wynns, a Committee, who with such Gentlemen as may be appointed
by the Senate, shall amend the Bill for selling the Palace, &c., agree-
ably to the proposals made by Mr. Spaught, in his Memorial on that
subject herewith sent you. We propose that the Committee so ap-
pointed shall make report on Monday next.
Received from the Senate the Resolve of this House allowing Thomas Benbury, Esquire, the Sum of Fifty-two Pounds Eighteen Shillings. Endorsed, read and Concurred with.

Received from the Senate a Bill directing the mode of trials upon impeachments. Endorsed, read the Second time & passed.

The Bill to amend an Act intitled "an Act to remove all disabilities from Simon Cleary and others therein named," was read the third time, passed and ordered to be Engrossed.

On reading the above Bill Mr. P. Hawkins proposed to amend the first enacting clause by adding to the last part thereof the following words, Vizt: "and excepting also all such parts of the said personal estate as has been legally sold by Commissioners of Confiscated property, and for which the said Patrick has received satisfaction from this State."

The Question being put to agree to this proposed Amendment was negatived, whereupon the Yeas and Nays were required by Mr. P. Hawkins, which are as follows, Vizt:


On the question shall the Bill to amend an Act intitled "an Act to remove all disabilities from Simon Cleary & others therein named," pass or not pass, it was resolved in the affirmative; whereupon the Yeas and Nays were required by Mr. Spaight, which are as follows, vizt:

**Yeas—** Messrs. Wood, Nixon, Lanier, Oliver, Dauge, Grove, Horn,


The Bill to amend an Act entitled "an Act to encourage the building of Public Mills, and directing the duty of Millers," was read the Second time and rejected.

Ordered that Mr. W. Hawkins have leave to absent himself from the Service of this House after Monday next.

Received from the Senate the Memorial of Edmund Blount. Endorsed, read and referred to the Committee on Judge Ashe's Memorial; which being read was referred as by the Senate and returned.

Received from the Senate the Resolve of this House requesting His Excellency the Governor, to grant a pardon to Thomas Vail & directing the Attorney General to enter a Nolle prosequi on the bill of Indictment, Concurred with by that House.

Received from His Excellency the following Message:

To the Honourable the General Assembly:

Gentlemen:

I have this day been favored by Colo. Burton with the requisition of Congress for 1788, and also a Resolution of Congress respecting the Cession of Western Lands to the United States; and altho' these papers have not been officially received from Congress, yet, being under the signature of the Secretary, I take the liberty of laying them before you with the Journal of Congress from the first Monday in November, 1786, to the 25th of September, 1787.

RD. CASWELL.

15 December, 1787.

Agreeable to the resolution of yesterday requesting the Delegates now in Town to lay before the Assembly, the present State and Cir-
cumstance of the Union, &c., The Honble. Robert Burton, William Blount and Benjamin Hawkins, Esquires, Delegates, attended, when Mr. Hawkins presented the following address, vizt.:

To the Honorable the General Assembly:

Gentlemen:

We received the commands of the Honourable the General Assembly last evening to lay before you this morning "The present state and circumstances of the Union," and altho' the time limited to us is short, yet we shall endeavor to make a statement as in our opinion may answer the object of your request. The subject is of great latitude, but we have tried to view it in the most interesting point of light.

All the resolutions of Congress, with the letters of your Delegates, have been laid before you, and Mr. Hawkins attended at the opening of the session expressly for the purpose of assisting in arranging of them and to throw such further light on them as might serve to explain any ambiguities, but they were ordered to be committed without a reading.

A narrative of transactions, other than the connecting of these papers together, we feel ourselves bound to give, and shall do it accordingly from notes which we must reserve to ourselves.

To describe the present state and circumstances of the Union, we may declare in one word that we are at the Eave of a Bankruptcy and of a total dissolution of Government. Since the close of the War there has not been paid into the General Treasury as much money as was necessary for one year's interest of the domestic and foreign debt, and Congress have been reduced to the dreadful alternative of borrowing principal to pay interest. Our efforts at home to this end were ineffectual; abroad where we were not known and where enthusiasm for liberty enrolled us among the most deserving of mankind, we were more successful. The deception cannot be much longer kept up and unless something can be done before the close of the ensuing year we must cease to be a United Government. Our friends must give us up, and we shall become a laughing stock to our enemies.

The annual requisitions are so partially attended to by the States that our foreign and domestic embarrassments have accumulated beyond the possibility of being retrieved by other means than the punc-
tual compliance on the part of the States. Congress, in their persevering desire of doing justice to their Creditors and supporting the Federal Government, have tried every possible means in their power. The sale of the Western land has gone and will go a great way in discharge of our domestic debt, but our foreign debt is increasing and the best way of judging of the possibility of soon discharging of it is by our own exertions in five years. We have made one payment, something less than forty thousand dollars, and the Schedule of requisitions will shew the deficiencies of the States respectively.

On the subject of the Treaty, you have every thing necessary to be said in the circular letter accompanying the resolutions of the 13th of April, with which several of the States have complied.

On the settlements of accounts, you have the ordinance of the 13th May, and the subsequent Resolution of the 28th of July, which will wind up the whole expences of the War on principles perfectly equitable. Several of the States are far advanced in their settlement, and we have reason to expect the Commissioner for settling our accounts will very soon give us notice of his attendance.

The Subject of the Navigation of the Mississippi is of so delicate a nature that we cannot commit it to paper. We are only at liberty to say that it has been seriously agitated, and that it has claimed and we presume it will continue to claim the serious attention of your Delegates. We can say in general, the conduct of Spain on this subject is not liberal, and we presume it would be very different if they thought us a more formidable neighbour.

Having mentioned the western lands we must add that Sales already made will Sink near five millions of Dollars of the Principal of the Domestic debt, and that the States generally, who have ceded Western lands or who claim a share in them, complain pointedly and heavily against North Carolina and Georgia for claiming a part of the lands in the possession of Congress without ceding any part of their claims.

To close our remarks, a change of measures for the consolidation of the Union in which is involved our prosperity, felicity, safety and perhaps our national existence, is so obvious that the whole of the Union, Rhode Island excepted, have appointed their deputies in Convention for that purpose; the result of their deliberations you have had before you, whether the plan adopted by them is the proper
one will depend in the sense of a Convention of Delegates in each State by the people thereof.

We have the Honor to be, with great respect, your Hbl. Servts,

RO. BURTON,
WM. BLOUNT,
BENJAMIN HAWKINS.

15 December, 1787.

Ordered that the foregoing address from the Delegates, together with the Message from His Excellency the Governor, inclosing the requisitions of Congress for the year 1788, & other papers therein referred to be referred to the Committee on Finance.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

Herewith you will receive an address from the Honourable Robert Burton, William Blount and Benjamin Hawkins, Esquires, late Delegates from Congress, accompanied by a Message from His Excellency the Governor, inclosing the requisitions of Congress for the year 1788, and other papers therein mentioned, all of which we propose referring to the Committee of Finance.

Received from His Excellency the Governor the following Message:

To the Honourable the General Assembly:

Gentlemen:

I have the Honor to lay before you a letter from Colo. Richard D. Spaight requesting to know in what manner the different Companies of Artillery are to be supplied with Field pieces, and how the expense which may be incurred by the transportation of the pieces and putting of them in proper order for Service, is to be defrayed.

I have been informed that there are several Field Pieces belonging to the Public, at Salisbury, and I believe there are some others in different parts of the State; as I have no returns of them it is not in my power to give you full information on the Subject, but presume that may be obtained from the Members in your Honourable Body.

You will be pleased to consider these matters and do therein as you think proper.

15 December, 1787.

RD. CASWELL.
Ordered that the foregoing Message from His Excellency the Governor, & the Letter therein referred to, be referred to a joint Committee, that Mr. Cabarrus, Mr. Steele, Mr. Davie & Mr. Sanders be a Committee, on the part of this House, for that purpose.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree to ballot at 4 O'clock this afternoon for the Councillors of State yet to be made choice of;

For Delegates to represent this State in Congress the ensuing year, and to supply the places of those resigned, and for a Judge of the Court of Admiralty for Port Beaufort. We approve of your Propositions.

We also propose that a Judge for the Court of Admiralty be now appointed for the port of Swannsborough, and nominate to that office Robert Sneed.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We are now ready to proceed to the Balloting for Delegates and Councillors, & propose that this business be immediately entered on; Mr. Franklin & Mr. Wynns will superintend the balloting.

The House adjourned till Monday morning 10 o'clock.

Monday, 17 December, 1787.

The House met according to adjournment.

Mr. Franklin, from the joint Balloting for Delegates, &c., Reported,

That Hugh Williamson and Robert Burton, Esquires, were Elected Delegates to serve for the remaining part of this Year's Delegation; and

James White, John B. Ashe, Benjamin Hawkins, John Stokes and Hugh Williamson, Esquires, Delegates to represent this State in Congress for the ensuing year;

That John Skinner and Thomas Brown Esquires, were Elected Councillors, and John Hawkes, Esquire, Judge of the Maritime Court for Port Beaufort;

That one Delegate and one Councillor is yet to be Elected.

The House taking this report into consideration concurred therewith.
STATE RECORDS.

Received from the Senate a letter from the Honble. Benjamin Hawkins, Esq., one of the Delegates from this State in Congress, addressed to the Honble Alexander Martin, Esq., Speaker of the Senate, and the Honble John Sitgreaves, Esquire, Speaker of the House of Commons. Endorsed, In Senate, read & referred to the Committee on Finance; which being read was referred as by the Senate and returned.

Received from the Senate the resignation of Solomon Green one of the Justices of the Peace for Warren county, and Thomas Wadlington one of the Justices for Rutherford County, and the resignation of John Macon as first Major of the light Horse in the District of Halifax. Severally endorsed, In Senate, read & accepted; which being read were accepted by this House and returned.

Mr. Dickins presented the Memorial of Stephen Moore respecting a requisition of Congress, which being read was referred to the Committee of Finance and sent to the Senate.

Received from the Senate the Petition and Acco’rt of James Miller of Rutherford County. Endorsed, read and referred to the Committee of Claims; which being read was referred as by the Senate and returned.

Received from the Senate the report of the Committee appointed to prepare and introduce rules to be observed by the two Houses in future in amending and passing Bills on the third and last reading. Endorsed, In Senate, read & concurred with; which being read was concurred with by this House & returned.

Mr. P. Hawkins moved & was seconded, that the house enter into the following resolution, to-wit:

"Resolved, That it be recommended to the people of this State to authorize and direct their representatives, to be elected for the purpose of deliberating on the Federal Constitution, to take into their serious consideration the second & third Articles of the Constitution of this State and so to alter them that the Legislature may be less expensive and its measures be more stable and uniform."

The question, will the House enter into this Resolution or not, being put, was Negatived; whereupon, it was moved by Mr. Spaight & seconded by Mr. P. Hawkins, that the Yeas and Nays on the said question be taken, which are as follows Vizt.:

Yeas—Messrs. Ferebee, Dauge, Copeland, Dickins, Anderson, J.


Received from the Senate a Bill to regulate the Inspection of Tobacco in this State. Endorsed, read the Second time & passed.

Received also the Petition of Benjamin Gaylord. Endorsed, In Senate, read and referred to Mr. Reddick, Mr. Overton and Mr. McAllister.

Received from His Excellency the Governor, the following Message:

To the Honorable the General Assembly:

Gentlemen:

As I am going out of office it is my wish to settle all of my public transactions, and particularly those respecting Money Matters, so as to leave no kind of room for complaint. I have an Account of some Monies which have come to my hands as a public officer and must shew the application of the same. I have also a Bond in the hands of the Treasurer for the purchase of confiscated property which I mean to discharge, agreeably to a resolution upon my Memorial to the General Assembly in their last Session at Fayetteville, but in Justice to myself and Family, whom every one knows (who was acquainted with my business) I have much injured in Interest by serving the Public, and as I flatter myself that my Public Services, were effected with as much zeal and attention to the Interest and Advantage of the State as those of any other officer, I hope I shall be considered to be entitled to the same justice that the other public officers have received from the hands of the Legislature; I mean such as have had the Depreciation of the Paper Money made good to them, to-wit: Delegates to Congress, former Governors, Judges and others. Under this ex-
pectation I take the Liberty of mentioning my having been in the executive of Government in the years 1777, 1778, 1779, when the Depreciation was repaid; particularly the last year as at the commencement Money was often ten for one, when in order to make my Salary equal to one thousands pounds Specie, the allowance was ten thousand Pounds, at the end of Six Months the Money was at Twenty five for one and at twelve Months end at fifty for one, so that supposing one half to be paid at the end of the first period and the other half the latter, the whole amounting in value to three hundred Pounds only.

Having thus stated matters as they really were, I humbly submit to the General Assembly the propriety of their directing the Comptroller, on the settlement of my Accounts, to allow me for the Depreciation on my Salary in the years 1777, 1778, 1779, in doing which I shall receive that Justice in common with others, which I conceive I am entitled to.

15 December, 1787.

Ordered that the above Message be referred to the Committee on Finance & sent to the Senate.

The Bill directing the mode of trials upon impeachments, was read the third time, passed and sent to the Senate.

The Bill for making process in Equity effectual against persons who abscond & who reside without the limits of the State and for better regulating the proceedings in Courts of Equity was read the third time, passed and ordered to be Engrossed.

The Bill to extend an Act passed at New Bern the 29th day of December, 1785, intituled "an Act to impower the County Wardens of the Poor for the Counties therein mentioned to build houses in their respective counties for the reception of the Poor, and other purposes," to the several Counties therein mentioned, was read the third time, passed and ordered to be Engrossed.

The Bill for fixing the final settlement of unliquidated claims against the State and against the United States within this State, was read the third time, passed & ordered to be Engrossed.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have been informed the Bill declaring what crimes and prac-
ties shall be deemed Treason has been rejected in the Senate; we conceive it a matter of the utmost importance that some measures should be taken by this Assembly as well to the Safety of the State in General as for quieting the tumults and disorders in the Western parts of this State. We have therefore thought proper to appoint a Committee of ten on our part to act in Conjunction with such of your Body as may be appointed, to point out some method for the effecting of these purposes; the Committee on our part are Mr. Davis, Mr. Steele, Mr. Maxwell, Mr. Spaight, Mr. Starkey, Mr. Campbell, Mr. McDowall, Mr. Mebane, Mr. Hawkins, Mr. Cabarrus.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We do not agree with you in the appointment of a Committee to amend the Bill for selling the Public Buildings in the Town of New Bern, nor do we concur with your resolution on that subject.

Ordered that the Bill impowering Commissioners to make sale of the Pallace and Public Lotts within the Town of New Bern, in manner therein mentioned, lie over until the next Assembly.

Received from the Senate a letter from the Honbl. Samuel Johnston, Esquire, addressed to the Honble. the General Assembly informing of his willingness to accept of the appointment of Governor for the ensuing year.

On reading the Memorial of Silas Cook, Resolved, That the Public Treasurer be and he is hereby directed in the Settlement with the said Silas Cook, Esquire, Clerk of the Superior Court of Law and Equity for the District of New Bern, to allow him Thirty Seven Pounds which appears by the receipt to have been paid to Elijah Robertson on Accot. of an Assembly Certificate granted to Landon Carter out of the fines by him collected, and which payment was endorsed in the said Certificate and assented to by the late Treasurer, and he shall be allowed for the same in his settlement with the public.

Received from the Senate a Bill authorizing and requiring the Sheriffs of the several Counties in this State to bring suit or take in possession, property left by the British, &c. Endorsed, read the second time and passed.

Received also, the Resolution of this House requiring the County Courts to instruct the persons who take the lists of Taxable property within their respective Counties to notify such persons who have
entered or own lands entered in the office of John Armstrong to make return thereof, Concluded with.

Mr. Gowdy, from the Committee to whom was referred the Memorial of Stephen Brooks, Reported as follows:

Your Committee having taken into consideration the Memorial of said Stephen Brooks, with the papers relative thereto, are of opinion that his boat was not impressed according to law and that no Testimony was offered to convince your Committee that he can have any demand for said boat against the Public, and are therefore of opinion that it be rejected. All which is submitted.

WILLIAM GOWDY, Chair.

The House taking this Report into consideration Concluded therewith.

Received from the Senate the Petition of John Humphries. Endorsed, read and referred as by the Commons.

Rec'd also, the Several papers relative to the Suspended Justices in New Hanover County. Endorsed, read & referred to Mr. Mitchell, Mr. Willis & Mr. Kenan.

The Bill to regulate the Inspection of Tobacco in this State was read the third time, passed and sent to the Senate.

Whereas, it hath been represented to this General Assembly that the Superior Court of Law and Equity for the District of Morgan hath never been attended by any but one of the Judges, that in consequence thereof many Suits remain undetermined to the great distress and injury of Suitors; wherefore,

Resolved, That the Judges be and they are hereby required to give their attendance at said Court, that the business therein may be dispatched and Justice duly administered in said District.

Received from the Senate a Bill directing the duty of Naval officers, and of all Masters of Vessels coming into any of the Ports or Inlets of this State. Endorsed, read the third time & passed.

The Bill authorizing and requiring the Sheriffs of the Several Counties in this State to bring suit, or take in possession, receive and make sale of all property left by the British in this State during the late War, was read the third time, passed and sent to the Senate.

The Bill for hiring out Persons convicted on Indictment or presentment & not being able or Willing to pay the fine & fees of office, was read the second time, passed and sent to the Senate.
Received from the Senate a resolution of that House directing the Public Treasurer to pay Daniel Colebreath Forty Two Pounds fourteen Shillings and three pence, in consequence of the Report of a Committee in his favour; which being read was concurred with and returned.

Received from the Senate a resolution of that House for suspending Henry Spears a Justice of the Peace, from the exercise of his office, which being read was concurred with and returned.

The Bill to enable the County Courts to appoint Commissioners to keep open rivers and creeks at their several falls, so far as they think necessary, for the passage of fish up the same, was read the second time, amended, passed and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We think proper to inform you that Colo. Burton desires his name may be omitted in the nomination next to be made for the election of a Delegate yet to be chosen for the ensuing year.

Ordered that Mr. P. Hawkins have leave to absent himself from the service of this House after this day.

Ordered that the Report of the Committee on the representation of John Haywood, Esquire, relative to the Misapplication of Tobacco, be taken up to-morrow Morning.

The Bill for altering the times for holding the County Courts of Edgecombe, Halifax and Pitt, and for altering the mode of appointing Field Officers in the several Counties in this State, was read the third time, amended, passed and sent to the Senate.

The Bill for levying a Tax in the County of Brunswick for the purpose of building a Gaol therein, was read the second time, amended, passed & sent to the Senate.

Mr. Davie, from the Committee to whom was referred His Excellency the Governor's Message, and papers relative to Pardons, delivered in the following Report, to-wit:

Your Committee to whom were referred the Message of the Governor, and papers relative to the Pardons of Alston and Smith, and the reprieve of Atkinson, beg leave to report,

That His Excellency, in the case of Alston, Complied with a resolution of the General Assembly passed at New Bern December
19, 1785, recommending the said Philip Alston as a proper object of public clemency.

With respect to the reprieve granted to Atkinson, we are referred by the Message to the Petition of the Members of Assembly signed at Fayetteville during the last Session of Assembly. This Petition was addressed to the Governor with a preface of their public capacity and signed by a large number of the Members, who, from misinformation or humanely had been induced to adopt this mode of application too weighty and respectable to be disregarded.

The Petition for Smith, who was convicted at the last Hillsborough Court of the Murder of Elizabeth Sparks, was signed by a majority of the Jury who passed on his trial and a few others, with a State of the Testimony endorsed on the Petition by Judge Ashe, which he concludes with this observation, "that Smith was guilty of the greatest inhumanity in beating a helpless Woman so cruelly, but did not think from the whole transaction he intended to take her life." As this helpless woman was murdered by beating her with a stick or Switch and riding over her with a Horse, the conduct of Smith appears to have been cruel and deliberate. Yet the above opinion of the Judge carried with it official weight, which joined by the common feelings of humanity, without doubt justified the interposition in the eye of the Executive, and will probably excuse him to the Public.

Your Committee beg leave to remark that this power, which our Constitution has placed in the Supreme Executive, should be exercised with great discretion. That pardons improperly and too frequently granted inspire Wicked Men with not only hope, but confidence of impunity, relax the Administration of the Laws and deprive the Citizen of that Security expected from Society and Government.

WILLIAM R. DAVIE, Chrmn.

The House taking this report into consideration Concurred therewith and Resolved, That the Public Printer publish in the State Gazette His Excellency the Governor's Message, the report of the Committee and Judge Ashe's Certificate of the case of Smith.

Adjourned till 4 O'clock.

Met according to adjournment.
Mr. McDowall presented the Petition of Sundry of the Inhabitants of Burke County, praying a division thereof, which being read was ordered to lie over until the next Assembly.

Received from the Senate the Petition of Charles Harrington. Endorsed, read & referred to the Committee of Claims; which being read was referred as by the Senate and returned.

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

Received from the Senate the resignation of John Smithson one of the Justices for Pasquotank County. Endorsed, read & accepted; which being read was accepted by this House and returned.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

Mr. Martin, Mr. Robeson, Mr. Lenoir, Mr. Harget, Mr. Kennedy and Mr. Gallaway will act jointly with the Gentlemen by you appointed, to report what measures are necessary to be adopted by the General Assembly for quieting the disorders in the Western parts of the State.

Received from the Senate the following Reports. Endorsed, read & concurred with; vizt.:

On the Petition of Richard Sears;
On the Petition of Spyers Singleton;
On the Petition of the Inhabitants of Moore County in favour of Thomas Matthews.

The above reports being read were concurred with & returned.

Received also, a Report on the Petition of Mary Richards, and a Report on the Petition of James Christian. Endorsed, read & concurred with; which being read were concurred with by this House and returned.

Received from the Senate the resignation of William Sumpter a Justice of the Peace. Endorsed, read and accepted; which being read was accepted by this House and returned.

Received also the Petition of Daniel Shaw. Endorsed, read & referred to the Committee of Propositions and Grievances; which being read was referred as by the Senate & returned.

Received from the Senate the report of the Committee on the Memorial of Stephen Moore. Endorsed, read & concurred with; which being read was concurred with & returned.
STATE RECORDS.

Received from the Senate a resolution of that House directing the Treasurer to delay issuing any process or commencing any Suit against the Administrators of Andrew Blanchard, until after the next Assembly, which being read was concurred with & returned.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

It is the opinion of this House that the Committee of Finance be directed to report a full state of the Indian affairs, now under their consideration, from the issuing of the Warrants for the purchase of Goods to be applied in that department to the present time.

Received from the Senate a Bill to direct the application of such Public Tobacco as already is or may be hereafter purchased by the Commissioners for that purpose appointed by the last General Assembly, &c. Endorsed, read the second time and passed.

Received a Bill for revising & collecting the acts of the General Assembly of the State of North Carolina. Endorsed, read the third time & passed.

Received from the Senate the Resolution of this House directing the Treasurer to allow Silas Cook in his settlement Thirty Seven Pounds, and a resolution directing the Judges to attend the Superior Court of Law and Equity in Morgan District. Endorsed, read and concurred with.

Received from the Senate the Memorial of Stephen Moore, and His Excellency the Governor's Message, respecting the Depreciation of His Salary. Endorsed, read & referred as by the Commons.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the Committee of Finance be directed to report on the State of the Indian affairs as by you proposed.

Received from the Senate the report of the Committee on the Petition of the Inhabitants of Rowan County. Endorsed, In Senate, read & concurred with; which being read was concurred with and returned.

Mr. Gowdy from the Committee to whom was referred the Memorial of Joseph Cain delivered in the following report;

The Committee to whom was referred the Memorial of Joseph Cain, late Treasurer of the District of Wilmington, Report,
Your Committee upon the examination of the Memorial of the said Joseph Cain, with the papers to support the same, find by an affidavit of the said Cain that he did pay the sum of fifty Pounds to a Certain Sergeant Morrison, agreeable to a resolve of the General Assembly in favor of said Morrison, and that up on his application to the Comptroller he would not allow him the amount until he procured a receipt from said Morrison. Your Committee are of opinion that the Comptroller be directed to allow the remaining Sum of Twenty-five Pounds in the Settlement of the said Treasurer's Accounts as the resolve will always be sufficient to bar said Morrison from any further claim.

Your Committee are further of opinion that all that part of the Memorial, as far as relates to a voucher lost which was obtained from Sarah White, be laid over until the next Assembly, and that the Comptroller be directed to indulge said Treasurer until that time in order that he may have it in his Power to procure the said Voucher if to be had, as it is suggested by an affidavit made by the said Joseph Cain that it is probable that said Voucher may be now in the Comptroller's office; all which is submitted.

WILLIAM GOWDY, Chairman.

The House taking this report into consideration concurred therewith.

Received from the Senate the Report of the Committee on the Memorial of Stephen Brooks. Endorsed, read & concurred with.

Received from the Senate the Message from His Excellency the Governor, on the Letter from Colo. Spaight. Endorsed, In Senate, read & referred to Mr. Kenan, Mr. Harget & Mr. Gregory.

Whereas, it appears that a certain Shadrack Abbott, convicted of an assault, &c., was fined Twenty-five Pounds and judged that he should remain Twelve Months Imprisoned and give Security for his good behaviour Seven Years; and it appearing that he has now been imprisoned upwards of two years at the expense of the Public without any prospect of paying the fine or procuring Security,

Resolved, That the fine imposed on the said Shadrack Abbott be remitted, and that the said Shadrack stand released and discharged from the remainder of the said Judgment.

The House adjourned till To-morrow Morning 9 O'clock.
TUESDAY, 18 December, 1787.

The House met according to adjournment.

The Bill for electing Wardens of the Poor, was read the third time and rejected.

Resolved, That Henry Thompson, keeper of the Public Gaol of Hillborough District, be allowed the sum of Eighty-four Pounds three Shillings and Six pence for Victualing Sundry Prisoners, committed to and confined in the said Gaol; That the Treasurer pay him the same and be allowed in the settlement of his Public Accounts.

The Bill to vest the title of a certain Tract of Land therein mentioned in John Johnston, was read the second time and rejected.

The Bill to impair the Wardens of the Poor for the County of Currituck, to levy a Tax to enable them to settle the arrears due from the said County to persons who have supported the Poor, was read the first time, passed and sent to the Senate.

The Bill to ascertain the Sheriffs fees in this State, was read the Second time and rejected.

The Bill to effect the cutting and clearing a road from the lower end of Clinch Mountain to the Cumberland Settlements and for preserving the peace and granting Safety to the Inhabitants thereof, was read the third time, passed and ordered to be Engrossed.

The Bill for revising and collecting the Acts of the General Assembly of the State of North Carolina, was read the third time, passed and ordered to be Engrossed.

Mr. Smaw presented the Memorial of John Gray Blount, which being read the House came to the following Resolution, vizt:

Whereas, the General Assembly at their Session at Fayetteville passed a resolve directing the present Commissioner to sell all such lands as had been sold by Benjamin Sheppard and the Law not fully complied with, in consequence of which resolution the present Commissioner for the District of New Bern has sold all the Lands under the aforesaid description, whereby the former purchasers are deprived of the Lands and the Public still have possession of their Bonds.

Resolved, That the Comptroller be and he is hereby directed in all cases where the Commissioner has resold the Lands, agreeable to the aforesaid resolution, to restore or cancel the Bonds given by the former purchasers.
The Bill to empower the Court of Pleas and Quarter Sessions in the County of Perquimans to lay a Tax for the purpose of repairing the Prison and building a Gaoler's House in the County aforesaid, was read the third time, passed and sent to the Senate.

Ordered that the Bill to establish an Inspection of Tobacco at Murfreesborough, lie over until the next Assembly.

Mr. Davie, from the Committee of Finance, delivered in the following Report, viz:

Agreeable to an order of the Committee of Finance I beg leave to submit to the House the annexed report from the Treasurer, respecting the balances due from the several Collectors of the Imposts, with the following Resolutions:

Pursuant to the application of the Committee of Finance the Public Treasurer furnishes them with the following as being the balances due from the several Collectors of the Imposts, so far as he is able to ascertain the same from the settlements made with the late Treasurer and himself, to wit: On the first day of November, 1787, to which time the Books of the Treasury are posted up, it appears that,

James Reed, Esquire, Collector of Port Brunswick, is accountable as per returns made up to the 4th April, 1786, for two Thousand Nine hundred & twelve pounds Sixteen Shillings & nine pence after Crediting him by his payment..................£2,912 16 09

John Daves, Esquire, Collector of Port Beaufort, is Accountable for twelve hundred & three pounds fourteen Shillings and five pence 3-4 as per return made up to the 31st July, 1786, being the balance reported against him by the late Treasurer...........£1,203 14 05½

Amount carried forward ......................... 4,116 11 02½
Amount brought forward.........................£4,116 11 02½

Nathan Keais, Esquire, Collector of Port Bath, is accountable for Seven Hundred and Eighty Six Pounds eleven Shillings and Seven pence as per returns up to 28 November, 1786...........£786 11 7.

Thomas Benbury, Esquire, Collector of Port Roanoke, is accountable for three thousand one hundred and Twenty five Pounds eleven Shillings and ten pence as per returns made up to the 3rd of July 1786, being the balance reported against him by the late Treasurer .....................£3,125 11 10.

Samuel Ferebee, Esquire, Collector of Port Currituck, does not
appear to have furnished any returns from the time of his appointment until this day, from whence it has followed that he could not be charged. He has credit on the late Treasurer's books for Fifty Pounds only, to the present Treasurer he has neither made return of paid any Money......................£8,028 14 7½

John McCulloch, Collector of Port Swansborough, has neither made return nor paid Monies to the Treasurer since the time of his appointment.

Since the first day of November last the following payments have been made, to-wit:

By John Daves, Esquire, in Grants and Warrants to be placed to his credit in his Account of Arrearages, including under that description the balance as well as all debts arising previous to the appropriation Act ......................£2,001 4 8
By ditto in cash ........................................ 1,494 2 0

£3,495 6 8

By Nathan Keais, Esquire, in Grants & Warrants to be placed to his credit on his Account of Arrearages, including under that description the balance reported as well as all debts arising previous to the appropriation Act ......................£456 00 00
By ditto in cash to be placed to his Account for the Current year when properly rendered............. 508 12 00

£964 12 00

By Thomas Benbury, Esquire, to be placed to his credit in his Act of Arrearages, including under that description the balance reported as well as all debts arising previous to the appropriation Act. £1,022 0 3.

Since the first day of November last returns have been made for the year 1787 by Mr. Daves, Mr. Keais & Mr. Benbury, but as those returns included the duties payable as well for a part of the last as the present year, they were deemed inadmissible on account of the appropriation Law, from which cause those Gentlemen have not yet been charged on the Treasurer's Books for the year 1787. It is however to be remembered, that from the face of the return made by Mr. Daves it would appear that Gentleman has fully accounted for 20—17
the Monies which have come into his Hands making him a due allowance for the Suits depending and Bonds not yet payable.

Mr. Keais also, at the time of making his last payment declared his intention of balancing his Accounts without delay and urged his reason for not doing so at that time that there were many Judgments obtained for which he had not received the Money. Mr. Benbury is in Town and says he intends to make further payments.

Capt. Read I have long expected and have no doubt but he will come prepared to pay a large proportion of his arrearages as he has assured me he would do so; that he has not yet come, is I suppose, owing to some casualty. As to the other Gentlemen concerned, I know nothing of their intentions.

JOHN HAYWOOD, Public Treasurer.

Resolved, That the Treasurer be and he is hereby directed and required immediately to commence Suit against such of the Collectors of Imposts as are or may be in arrears on the passing of this Resolution, and where such arrears may exceed the Penalty of the bond given by such Collector the Treasurer shall proceed for the recovery of the same as the Attorney General shall direct.

And whereas, Samuel Ferebee, Collector of Port Currituck, has never made any return from the time of his appointment until this day, so that he could never be charged on the books of the Treasury, and has never paid any Monies except fifty Pounds; And whereas; John McCulloch, Collector of Port Swannsborough, has neither made returns nor paid any Monies to the Treasurer;

Resolved, That the Treasurer do immediately proceed, agreeable to the Acts of Assembly in such cases made and provided to compel the said Samuel Ferebee and John McCulloch to make the necessary returns and account agreeable to Law.

WILLIAM R. DAVIE.

The House taking this Report into consideration concurred therewith.

The Bill for hiring out persons convicted on Indictment or presentment and not being able or willing to pay the office or Gaoler's fees, was read the third time, passed and ordered to be engrossed.

Received from the Senate the Resolve of this House allowing Henry Thompson, Public Gaoler of Hillsborough District, the sum
of Eighty four Pounds three Shillings & Six Pence; and the re-
solve for liberating Shadrick Abbott from his confinement in Gaol.
Endorsed, read and Concurred with.

Ordered that the additional Bill to an Act entitled “an Act to
amend an Act intitled an Act to empower the County Court of Pleas
and Quarter Sessions of the several Counties in this State to order
the laying out Public Roads,” &c., be laid over until the next As-
sembly.

Received from the Senate the Report of the Committee on the
Petition of Martha Mitchell, and the report on the Petition of John
Crawford. Endorsed, read & Concurred with; which being read
was concurred with and returned.

Received also, the report of the Committee on the Memorial of
Edmund Gamble, which being read was rejected.

Ordered that the Clerk of this House transmit a Copy of the reso-
lution respecting the Judges attendance at Morgan Superior Court,
Signed by the Speakers, to each of the said Judges as early as pos-
sible.

Received from the Senate a Resolution of that House allowing
Hardy Jones fifteen Pounds; which being read was concurred with
and returned.

The Bill to amend an Act to regulate the Town of Salisbury, and
for authorizing Commissioners in the Town of Halifax to levy
a Tax on the Slaves within the liberties thereof, was read the second
time, amended, passed & sent to the Senate.

Received from the Senate the Report of the Committee on the
Memorial of Joseph Cain, Concurred with by that House.

Received also, the following reports Concurred with, to-wit:
On the Petition of John Justice;
On the Petition of John Willis;
On the Petition of Jeremiah & Robert Fields;
On the Petition of Ann Fields;

Resolved, That the Secretary be directed to issue a Warrant for
Nineteen Hundred and Twenty Acres of Land to the Heirs of Pat-
rick Campbell, late an Ensign of the Continental line of this State,
it being the quantity they are entitled to on account of his bounty
Land.
On reading the representation of Bryan Whitfield, Esquire, one of the representatives for Dobbs County,

Resolved, That John Sheppard one of the Justices of Dobbs County, lately convicted of sundry crimes and misdemeanors rendering him unworthy of the said office, be and he is hereby declared to be suspended from the exercise and authority of the office of a Justice of the Peace for the said County, and

Resolved further, That the County Court of Dobbs cause this resolution to be entered on the records.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

These reports being read were concurred with & returned.

This House have directed that the estimate of expenses and allowances of the present Session be made up so as to include Friday next, and that the allowance for members' attendance be at the rate of Twenty Shillings per day.

Received from the Senate a Resolution of that House directing the Public Treasurer to take up and discharge agreeable to the scale of depreciation, a loan office certificate in favour of Frederick Fisher, &c.; which being read was rejected, whereupon the House came to the following Resolution, to-wit:

Whereas, divers persons in the year 1782 have purchased confiscated Lands and given Bonds for one third of the purchase money payable at the expiration of five years; and whereas, as well the said purchasers as others, have in their possession Loan Office Certificates issued for Money lent on Interest to this State,

Resolved, That the Treasurer shall, and he is hereby directed to receive all such Loan Office Certificates in discharge of the said Bonds, reducing the sums therein specified to the value of the present Currency, according to the Scale of depreciation established by Law, regard being had to the dates of the respective Certificates which, when received by the Treasurer shall be vouchers for him in the settlement of his public Accounts.

Mr. Bloodworth, from the Committee to whom was referred the Petition of Winston Caswell & William White, Executors of the last Will and Testament of William Caswell, deceased, delivered in a Report, which being amended was agreed to as follows, viz:.

The Committee to whom was referred the Petition of Winston
Caswell and William White, Executors of the last Will and Testament of William Caswell, deceased, Report:

That on taking under consideration the representation of the said Executors which appear to be legally supported, are of opinion that a judgment was by them obtained against John Lowry, a person whose Estate was confiscated and sold for the use of the State pursuant to an Act of the General Assembly passed in May, 1782, on five years Credit, under which said property sold for the sum of one hundred Pounds Specie, and the Bond for the same is now in the Treasurer’s hands, as was made appear to the satisfaction of your Committee.

And as your Committee cannot by any means consent to pay Money out of their Treasury, when for the same they have nothing other than a Bond, are of opinion that the said Winston Caswell and William White be paid the Sum of Sixty Nine Pounds Nineteen Shillings and Six pence, which is the amount of their Judgment against the said Lowry, out of the Bond aforesaid whenever the said bond is paid into the Treasury.

JOHN EASTON, Chm.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose balloting to-morrow evening at 4 o’clock for one person to represent this State in Congress the ensuing year, for one Councillor, for a Brigadier General for the District of Fayetteville, for the officers of Cavalry in that District and for the officers of Cavalry in the other Districts who are to supply the places of those resigned.

We nominate for Delegates the two Gentlemen who had the greatest number of votes on the last balloting and for Councillor the two Gentlemen who had the greatest number of Votes on the last balloting.

For Brigadier General of the District of Fayette, James Thackston, Richard Clinton & Henry W. Harrington.

For Colo. of Cavalry in the same District, Thomas Overton, Richard Clinton, Captain John Willis.

For First Major, David Dodd, Esquire.

For Second Major, John Porterfield.
For Colo. of Cavalry of Washington District, Robert Hays, Landon Carter.

For Second Major of Cavalry in Wilmington District, David Jones.
For First Major of Cavalry in Halifax District, Durham Hall.
For Second Major, Robert Fenner.

We propose further that a Judge for the County of Davidson be balloted for at the same time, and nominate Josiah Love, John Macnary, Howell Tatham.

Received from the Senate a Letter from Martin Armstrong, addressed to the Honble. Speakers of the General Assembly. Endorsed, read & referred to Mr. Bledsoe, Mr. Person & Mr. Gallaway, which being read was referred to the next Assembly.

Adjourned till 4 O'clock.

Met according to adjournment.

Received from the Senate a Bill for the more regular collecting and accounting for the revenue of this State, for allowing the Public Treasurer a Clerk and for the Collection of Arrearages. Endorsed, read the second time & passed.

Received from the Senate the Report of the Committee on the Petition of George Henry Berger, and the report on the Memorial of Micajah Thomas, Administrator on the Estate of Colo. Tho. Hunter. Endorsed, read & concurred with, which reports being read were concurred with by this House and returned.

Received from the Senate the Report of the Committee on His Excellency the Governor's Message, respecting pardons; and the Report of the Committee of Finance on the report made by the Public Treasurer of the balances due by the Collectors of Imposts, &c. Endorsed, read and concurred with.

The House resumed the consideration of the report of the Committee on the Memorial of Edmund Gamble, when it was read, debated, concurred with by this House, & returned to the Senate.

The Bill for the more regular collecting and accounting for the revenue of this State, for allowing the Public Treasurer a Clerk, and for the Collection of Arrearages, was read the second time, amended, passed & sent to the Senate.

Mr. Horn presented the Petition of George Ryan, praying, &c., which being read was ordered to be referred to the next Assembly.
Received from the Senate 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. Endorsed, read the second time, amended & passed.

Mr. Steele, from the Committee to whom was referred the Memorial of William Alexander, delivered in the following Report, to-wit:

Your Committee to whom was referred the Memorial of William Alexander of the County of Rowan, beg leave to report, That on the Tenth day of September, 1777, the said Alexander being in the Service of his Country under command of General Rutherford, on an expedition against the Cherokee Indians, was shot through the foot in an engagement with the Indians on the Seven Mile Mountain. That no Hospitals being at that time established for the reception of the wounded by public authority, Mr. Alexander was conveyed to Salisbury, and committed to the care of Doctor Newman at his own private expense. That fifteen Months expired before he recovered of said wound, notwithstanding the uncommon skill and attention of the Surgeon. That Mr. Alexander's estate has not only suffered very considerably during his absence for the want of his personal services, but the necessary expense to effect a recovery was truly oppressive to a man in his circumstances. That the said Alexander has ever since been so disabled as to be incapable of labour, and he has a numerous family. Your Committee in consideration of the above facts, and as Mr. Alexander deserves well of the public and has been much injured in its service, beg leave to recommend that the Secretary be directed to grant five Warrants of two hundred Acres each, unto the said William Alexander for one thousand Acres of Land in the boundary allotted to the Soldiery of this State, which will be but a moderate compensation for essential Services performed for, and a real injury sustained in the defence of his country. All which is submitted.

JOHN STEELE, Chairman.

The House taking this report into consideration concurred therewith.

Mr. Steele, from the Committee to whom was referred the Memorial of Margaret Balfour, delivered in the following report, viz:

Your Committee to whom was referred the Memorial of Margaret Balfour Report, that in the year 1782 Colo. Andrew Balfour of
Randolph County, was inhumanely murdered in his own house by some of the enemies of this Country for his attachment to the cause of freedom. That at different times his property was plundered so as to reduce his helpless family to indigence. That from various circumstances it appears the said Colo. Balfour had considerable demands against this State for supplies furnished the Army. That in consequence of the death and the loss of his vouchers no allowance has been made to his family for the same. That a small annual sum would therefore not amount to as much as the State has saved by the loss of the aforesaid papers.

Your Commitee thereupon beg leave to recommend that the Sum of Ten Pounds per annum be paid by the public to Margaret and Elizabeth Balfour for five years, to be by them appropriated and disposed of for the education of Andrew Balfour the only son of said Colo. Balfour, deceased. All which is submitted.

JOHN STEELE, Chairman.

The House taking this Report into Consideration Concurred there-with.

The House adjourned till To-morrow Morning 9 o'clock.

WEDNESDAY, 19 December, 1787.

The House met according to adjournment.

Ordered that a writ of Election issue to the County of Beaufort to Elect one Member of this House in the room and place of John Bonner, Esquire, deceased. That the said Election be held on the last Friday and Saturday in March next.

Received from the Senate a Bill for levying a Tax in the County of Brunswick for the purpose of building a Gaol therein. Endorsed, read the Second time & passed.

Received also, a Bill to regulate the Town of Salisbury and for authorizing the Commissioners in the Town of Halifax to levy a Tax on the Slaves within the liberties therein, and

A Bill to enable the County Courts to appoint Commissioners to keep open rivers & Creeks at their several falls, so far as they think necessary, for the passage of fish up the same. Endorsed, read the third time & passed.

Resolved, That His Excellency the Governor, be requested previous to his going out of office, to issue Commissions to all the
Persons appointed Justices at this Assembly and that the Clerks furnish him without delay with lists of the names of the persons appointed for the several Counties.

Resolved also, That he be requested to issue Commissions to all Sheriffs and Militia officers in this State already appointed and who have not as yet been Commissioned.

Mr. Davie presented the Memorial of Nicholas Long, which being read was referred to Mr. Stewart and Mr. Jones, and sent to the Senate.

Mr. Mebane presented the Petition of Timothy Bloodworth, Esquire, which being read, and a Certificate from Francis Child, Comptroller, being also read, the House came to the following resolution, to-wit:

Resolved, That the Comptroller be directed to bring suit against William McRee, Sheriff of Bladen County, for the Sum of one thousand nine hundred and forty Seven Pounds ten Shillings and four pence, which appears to be due in Certificates from the said Sheriff to the State.

The application of Francis Child, Comptroller, respecting the Sense of the General Assembly as to his receiving payments of Persons who have had balances reported by the Comptroller heretofore against them, being read was referred to the Committee of Finance, and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

It is also our opinion that the estimates of the present Session be made up to include Friday next agreeable to the Sum mentioned in your Message.

Mr. Speaker & Gentlemen:

We agree to ballot To-morrow Evening at 4 O'clock for the Delegates to Congress and Councillor of State yet to be made choice of, and for the several Military and Civil officers mentioned in your Message. We approve of the whole of your nominations and add thereto Thomas Polk, Esq., for Delegate the ensuing year, and Robert Rowan for Brigadier General of the District of Fayette.

We propose that a Vendue Master for the Town of Fayetteville be ballotted for at the same time, and a judge of Maritime Court for the Port of Swannsborough, and nominate for Vendue Master
Lewis Barge and James Moore; for Judge, Robert Snead, Sen.

We also propose, by way of expediting the business, that the Gentlemen in nomination for officers of Cavalry who, in casting up the Poll, shall appear to have the greatest number of votes be returned Elected.

At the request of Col. Clinton we inform you that he is not a Candidate for Colonel of the Horse for the District of Fayette.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received your Message in answer to ours proposing to ballot this evening for a Delegate, &c. Have acceded to the further proposals made by you on that Subject, and do approve of your nominations.

The Bill to direct the application of such Public Tobacco as already is or may hereafter be purchased by the Commissioners for that purpose appointed by the last General Assembly, and to repeal the Thirteenth Section of an Act intitled “an Act for the regulation of Commerce,” was read the second time, amended, passed and sent to the Senate.

Received from the Senate the resolution of this House requesting His Excellency the Governor to issue the Commissions therein mentioned, &c., concurred with.

The Honble. the Speaker laid before the House the following address from the Honble. Samuel Johnston, Esquire.

To the Honble the Speakers of the General Assembly:

Gentlemen:

In consequence of your Letter of the 13th Instant informing me that the Assembly had done me the Honor to elect me the first Magistrate of this State, I now attend to take the Oaths of Law appointed for my qualification and enter upon the duties of that important offices, whenever it shall be agreeable to the Assembly to appoint a time for that purpose.

I have the Honor to be, Gentlemen,

Your most obedient Servant,

SAM JOHNSTON.

19 December, 1787.
Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:
This is accompanied by an address from the Honble. Samuel Johnston, Esquire, in consequence of which we propose that the Speakers of the two Houses acquaint Mr. Johnston that the General Assembly will receive him Tomorow at 11 O’clock, in order that he may qualify as Governor.

The 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, was read the Second time, amended, passed and sent to the Senate.

Mr. Bloodworth presented the Memorial of A. Hodge, Esquire, Printer to this State; which being read was referred on the part of this House to Mr. Tatham and Mr. Whitfield and sent to the Senate.

The Bill “To invest a title in fee simple in the legal holders of fortunate tickets in the Lumberton Lottery, in and to such Lotts, or Tenements as have been drawn opposite the said Tickets, to oblige the holders of such property to pay Taxes for the same as Town property, and to appoint new Commissioners for ascertaining the place and erecting the public buildings of the County of Robeson,” was read the first time and laid over till the next Assembly.

Mr. Starkey presented the representation of Richard Blackledge, sitting forth reasons in justification of his Conduct for converting to his own private use a quantity of Tobacco belonging to the Public, without permission; which being read the House, according to order, took up the Consideration of the Report of the Committee to whom was referred the representation of John Haywood relative to the Misapplication of certain Tobacco, which being read and debated, the House came to the following resolution, to-wit:

Resolved, That Richard Blackledge shall deliver to the Governor, within ninety days from the passing of this Resolution receipts from Constable, Rucker and Company for the quantity of Fifty five thousand eight hundred and fifty-five Pounds weight of Merchantable Tobacco, within the description of Tobacco contained in the Contract between said Company and this State; and on failure, the Treasurer shall immediately put his Bond in Suit and take the Speediest method for the recovery of the same; and the whole state
of this transaction, with the report, shall be published at large for
three months in the public Gazette.
Adjournd till 4 O'clock.

Met according to adjournment.
Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have appointed Mr. Riddick and Mr. Lenoir to superintend
the ballots on the part of this House, and are now ready to pro-
ceed to the same.

Mr. Ferebee presented the Petition of Griffith Dauge, which be-
ing read was referred to the Committee appointed on the Memorial
of A. Hodge & sent to the Senate.

The resignation of Samuel Leonard one of the Justices of the
Peace for Brunswick county, and Benjamin Brown one of the Justi-
ces of the Peace for Hertford County, were read, Accepted by
this House and sent to the Senate.

Mr. Humphries presented the Petition of Matt. Dawson, which
being read was ordered to lie on the Table until the next Session of
Assembly.

Whereas, it appears to the Satisfaction of this General Assem-
bly that the Commissioners for extending the boundary line between
this State and the Commonwealth of Virginia, purchased of a cer-
tain William Armstrong, in behalf of this State, two Horses for
the sum of Eight Hundred Pounds Virginia Currency, equal accord-
ing to the exchange to the Sum of one thousand and Sixty Pounds
thirteen and four pence in the Currency of this State in October
in the year 1779, which by the Scale of Depreciation, including in-
terest, is equal to Sixty-two Pounds eight Shillings and two pence,
which has never yet been paid to the said Armstrong.

Resolved, That the Sheriff of Hawkins County be directed to
pay to the said William Armstrong the said sum of sixty-two Pounds
eight Shillings and two Pence Currency, in discharge of the said
Claim, out of the Public Money in his hands and be allowed therefor
in the settlement of his Public Accounts.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree with you that the Speakers of this Assembly be requested
to inform the Honble. Samuel Johnston, Esquire, that To-morrow at 11 o'clock, the General Assembly will receive him in order for his qualifications.

The Bill to impower the Wardens of the Poor for the County of Currituck to lay a Tax to enable them to settle the Arrears due from the said County to persons who have supported the Poor in the several Counties within this State, where no such have been elected agreeable to Law, was read the second time, passed and sent to the Senate.

The Bill for levying a Tax in the County of Brunswick for the Purpose of building a Gaol therein; was read the third time, passed and sent to the Senate:

Received from the Senate a Resolution of that House directing the Secretary to demand & receive of such Persons as have in their possession, the record Books of Earl Granville's office, &c.; which being read was concurred with and returned.

Received from the Senate the following Reports of the Committee of Finance, concurred with by that House, to-wit:

Of the Sub-Committee of Finance No. 3, on the accounts of Robert Rowan, Esquire, Commissioner for purchasing Tobacco at Fayetteville;

On the Memorial of Francis Child, of the Sub-Committee No. 4, with the return of the Comptroller on the sales of Confiscated property;

Of the Sub-Committee No. 6, which being read were severally Conced with and returned.

Received from the Senate the Reports of the Committee of Propositions and Grievances. Endorsed, read and concurred with; which being read were concurred with and returned.

The House adjourned till To-morrow Morning 9 o'clock.

Thursday, 20 December, 1787.

The House met according to adjournment.

Resolved, That Thomas Bridges be allowed the Sum of Fifteen Pounds for removing the Public Papers in possession of the Clerk of the House of Commons, from Fayetteville to Tarborough; that the Treasurer pay him the same and be allowed.
Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We herewith send you the claim of Mr. Mare, No. 20, which we have read and Concurring with as reported by the Committee of Claims, should it meet your Concurrence we propose that he have leave to withdraw it before the whole proceedings of that Committee are taken under Consideration, he having attended some time in this business.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have concurred with and delivered Mr. Mare his claim.

Mr. Davie presented the Petition of Sundry of the Inhabitants of the town of Halifax, praying against a further Emission of Paper Currency, which being read was ordered to lie on the Table.

Mr. Wynn, from the joint Balloting for the several officers, Reported:

That John Mare was elected Councillor;
Joseph McDowall, Delegate;
John Macnary, Judge of Davidson County;
Thomas Overton, Colo. of Cavalry for the District of Fayetteville;
David Dodd, First Major, and
John Porterfield, Second Major;
Robert Hays, Colo. of Cavalry in Washington District;
Durham Hall, First Major of Cavalry in Halifax District, and
Robert Fenner, Second Major;
David Jones, Second Major of Cavalry in Wilmington District;
James Moore, Vendue Master at Fayetteville.
The House taking this report into consideration concurred therewith.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

The Superintendent of the Balloting last evening have made report, by which it appears that several of the Persons balloted for have not a majority of both Houses; to the end that a Second balloting may be avoided we propose that all those who have the greatest number of votes, as well for officers of the Cavalry as other officers, may be
deemed duly elected altho' the number of votes falls short of a Majority of the Assembly.

Received from the Senate the Report of the Committee of Finance on the Memorial of John Armstrong, Esquire, entry taker of Western Lands, which being read and debated, the House came to the following resolution thereon, to-wit:

On reading the report of the Committee on Finance relative to the Sums paid into the office of John Armstrong, late entry taker of Western Lands, and the Sums still due the Public from the said office.

Resolved, That the report be Concurred with as to the Sums due from the office on all entries on which Warrants have issued, and that the said John Armstrong shall have further time, until the first day of November next, to settle and account for the Monies due for the entries on which Warrants have not yet issued; and on failure of fully and finally settling and accounting for all Monies due from the said office as aforesaid, then and in that case his Bond shall be put in suit in the Manner directed by the said Report.

Received from the Senate the Report of the Committee of Finance on the Memorial of William Wootten. Endorsed, read & concurred with; which being read was concurred with by this House and returned.

Received from the Senate the following resolutions of this House. Endorsed, read and concurred with, to-wit:

A resolution directing the Comptroller to Cancel such bonds in his possession as may have been given for Confiscated property, where such property hath been resold by any Commissioner;

A resolution suspending John Sheppard from exercising the office of a Justice of the Peace for Dobbs County; and

A resolution directing the Secretary to issue to the Heirs of Patrick Campbell a Warrant for Nineteen Hundred Acres of Land.

Received from the Senate the Report of the Committee on the Memorial of Winston Caswell & William White, Executors of the last Will and Testament of William Caswell, deceased. Endorsed, read and concurred with.

Received from the Senate the resignation of Samuel Leonard and Benjamin Brown, two Justices of the Peace. Endorsed, read and accepted.
Received from the Senate the following Message:
Mr. Speaker & Gentlemen:

We agree to the proposition of your Message on the yesterday's balloting, except as to the Judge of Port Swannsborough, Colo. of Horse of Washington District and Brigadier General for the District of Fayette, which we propose shall be ballotted for at 4 o'clock this afternoon, the Colo. for Washington District excepted, which we propose shall be postponed altogether, it not appearing to this House by the resignation of the Gentleman heretofore elected to that office that such an appointment is necessary.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the General Assembly proceed to Ballot for the Militia Field officers at four o'clock this evening and nominate for Anson County for Lt. Colo., Thomas Wade & William Wood.
Burke—Joseph McDowall, Lt. Colo.; Joseph White, 1 Major; David Vance, 2 Major.
Cumberland—James Porterfield, Colo.; Nathan King, Lt. Colo.; James Moore, 1st Major; Daniel McKeithen, 2 Major.
Beaufort—Edmund McKeel, Lt. Colo.; Richard Resspass, 1 Major; Thomas Smith, 2 Major.
Currituck—James Phillips, Lt. Colo.; Andrew Drake, 1 Major; Thomas Poyner, 2 Major.
Camden—Henry Forbes, Lt. Colo.; Jacob Taylor, 1 Major; Thomas Surry, 2 Major.
New Hanover—John Larkins, Lt. Colo.; John Bloodworth, 1 Major; William Wright, 2 Major;
Robeson—Elias Barnes, Lt. Colo.


Edgecombe—James Scarborough, 1 Major; John Dolvin, 2 Major.

We agree to ballot again as by you proposed for a Brigadier General for the District of Fayette and for a Judge for Port Swannsborough, but are of opinion the Colo. of Cavalry for the District of Washington (agreeable to the former determination of the two Houses) is legally elected to that appointment.

Mr. Davie presented the representation of John Haywood, Esquire, public Treasurer, which being read was referred to Mr. Baker, Mr. Creecy & Mr. Lindley & sent to the Senate.

Received from the Senate the report of the Committee appointed to consider and report what measures are necessary to be adopted for quieting the disorders in the Western parts of this State. Endorsed, read and Concurred with; which being read was concurred with by this House and returned.

Received from the Senate a Bill to extend an Act entitled “an Act to pardon & consign to oblivion the offences and Misconduct of certain persons in the Counties of Washington, Sullivan, Greene and Hawkins.” Endorsed, read the first time and passed. Ordered that this Bill be read; the same was, according to order, read the first time, passed and sent to the Senate.

Mr. Davie presented the Memorial of William Blount, Esquire, setting forth that the sum reported against him by the Comptroller to be due the State, was Money received for Services actually performed & done, which being read was referred to Mr. McDowall, Mr. Polk & Mr. Davie on the part of this House, and sent to the Senate.

The Bill to enable the County Courts to appoint Commissioners to keep open Rivers & Creeks at their several falls, so far as they think necessary, for the passage of fish up the same, was read the third time, passed and ordered to be Engrossed.

Received from the Senate the Report of the Committee of Finance
on the Settlement of the Accounts of John Haywood, Esquire, as Commissioner for purchasing Tobacco at Tarborough. Endorsed, read & concurred with; which report being read was concurred with by this House & returned.

Mr. Campbell presented sundry resolutions declaratory of the rights of the people of this State to the navigation of the Mississippi, which being read was committed to Mr. Spaight, Mr. Davie & Mr. Campbell.

Received from the Senate the resolution of this House allowing Richard Blackledge Ninety days to deliver to & obtain receipts from Constable, Rucker & Co., for the quantity of fifty-five thousand eight hundred & fifty-five pounds weight of Merchantable Tobacco, &c.; concurred with by that House.

Whereas, in many instances the official dispatches received by the late Governors may be necessary to establish the claims of this State against the United States or some of them, and as no steps have hitherto been taken to preserve them,

Resolved, That the late Governors, or their representatives, be and they are hereby required to lodge in the Secretary's office within twelve months, all official dispatches of every nature and Bonds which they may have received, also the Journals of the Council of State, and books or copies of correspondence during the time they were respectively in office.

And whereas, the official dispatches laid before the General Assembly remain in the office of the Clerks of the two Houses after the rising of the Session, and it is necessary that they should be preserved.

Resolved, That the Clerks of the two Houses be and they are hereby required after the rising of each Session of the General Assembly to lodge in the Secretary's office all such official dispatches as may remain in their respective offices or possession.

Resolved, That these resolutions be printed and bound up with the Laws of this Session.

Received from the Senate the resignation of George Mitchell as Colo. of Onslow Regiment of Militia. Endorsed, read and accepted; which being read was accepted by this House & returned.

Received from the Senate the report of the Committee of Finance on the Memorial of Stephen Moore. Endorsed, read and concurred
with; which being read was concurred with by this House and returned.

Received from the Senate a Bill to amend an Act entitled "an Act to amend an Act passed at New Bern Decr., 1785, for increasing the Jurisdiction of County Courts of Pleas and quarter Sessions and of Justices of the Peace out of Court, and to direct the times of holding Courts in this State, to appoint Jurors for the District of Wilmington, to amend an Act intituled an Act to establish a Superior Court of Law and equity in the County of Davidson, and also to amend an Act intituled an Act for the establishing a Militia in this State." Endorsed, In Senate, read the third time, amended and passed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We cannot by any means, at this late Hour of the Session, agree to ballot for the officers to command the different regiments of Militia in this State as mentioned in your Message, but propose that they be recommended by the members of the respective Counties as in the case of Justices of the Peace.

We are now ready to proceed on the balloting proposed in our Message of this Day's date and cannot by any means forego our determination with respect to the Colo. of Horse for Washington District. Should you approve of our proposition relative to the appointment of Field officers it is our opinion that strict attention be paid to Seniority.

The question to agree to this Message being put was negativated, Whereupon, Mr. Spaight moved & was seconded, that a Message should be sent to the Senate proposing that the appointment of Field officers should be postponed until the next Assembly; this being objected to the question was put & carried in the affirmative; then a Motion to reconsider the last vote of the House was made, which was objected to; the question to reconsider the vote being put was negativated, whereupon the Yeas and Nays were required by Mr. Hawkins, which are as follows, to-wit:


Nays—Messrs. Lanier, Oliver, Dauge, Rhodes, W. Baker, Mont-

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree to your last proposals relative to balloting this evening for a Brigadier General and a judge of the Maritime Court for Port Swansborough.

As the Session is now too far advanced to proceed to Balloting for field officers, we propose that the appointment of them be postponed till the next Assembly.

With respect to the Colo. of Cavalry for Washington District, we are clearly of opinion that agreeably to your Message of yesterday, agreed to by this House, Mr. Hays was properly elected as having the greatest number of Votes altho' not a Majority of the two Houses; to which Message, together with the Governor's Message and Colo. Tipton's letter on this Subject, we beg leave to refer you.

Received from the Senate a Bill to enable William Nall Sheriff of Wilkes County, to collect all the Taxes Due from said County for the year 1785 and the year 1786, and to allow him further time to settle for his collection with the Treasurer, and also for giving a further time to John May Sheriff of Rockingham, to collect the arrearages of the Sinking Fund and Continental Tax in said County. Endorsed, read the third time, amended and passed.

Ordered that this Bill be read for the third time in this House, which was accordingly read the third time, passed & sent to be Engrossed.

Received from the Senate a Bill to empower the Wardens of the Poor for the County of Currituck to lay a Tax to enable them to settle the arrears due from the said County to Persons who have supported the Poor; and for electing Wardens of the Poor in the several Counties within this State, where no such have been elected agreeable to Law. Endorsed, read the third time and passed. Or-
Ordered that this Bill be read, the same was Accordingly read for the third time, passed and ordered to be Engrossed.

Received from the Senate a Bill to extend an Act entitled "an Act to Pardon and consign to oblivion the offences & misconduct of certain Persons in the Counties of Washington, Sullivan, Greene and Hawkins." Endorsed, read the second time and passed.

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

Received from the Senate the report of the Committee on the Petition of Benjamin Gaylard. Endorsed, read & Concurred with; which being read was concurred with by this House and returned.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

Your second Message on the subject of Balloting we have received.

As to your proposition relative to postponing the balloting for officers of the several Counties we do not either reject or agree to but refer you to a clause annexed to the Bill for enlarging the Jurisdiction of the County Courts, to which if you agree the necessity of choosing the officers by ballot will be done away.

We propose that the appointment of a Colo. of Horse for Washington District be postponed till next Assembly, the two Houses not being possessed of every necessary information on this Head. We are ready to proceed on the balloting as agreed on. The two Gentlemen appointed on the part of this House to examine the Engrossed Bills having obtained leave of absence, we have appointed Mr. Hill and Mr. Johnston to attend to this business.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

Mr. McDowall and Mr. Creeey will superintend the balloting and are now ready to proceed on that business.

Received from the Senate the Memorial of William Blount, Esquire. Endorsed, read & referred to Mr. Winston, Mr. Mayo and Mr. McCauley; and

The representation of John Haywood, Esquire. Endorsed, read & referred to Mr. Willis, Mr. Foster & Mr. Kennedy; and rec'd
also The Memorial of A. Hodge. Endorsed, read and referred to Mr. Harrett and Mr. Bledsoe.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House are now ready to receive Samuel Johnston, Esquire, in order to see him qualified, and propose that the two Houses Assemble together for that purpose. We have appointed Mr. Davie and Mr. Cabarrus to attend and conduct Mr. Johnston to the House.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

Mr. Person and Mr. Long will, on the part of this House, wait on the Honble. Samuel Johnston.

According to the order of the Day the Senate and Commons assembled in the Commons room, the Speakers and Members being seated, the Gentlemen appointed by both House to attend and acquaint Samuel Johnston, Esquire, that the General Assembly were ready to receive and see him qualify as Governor. Accordingly attended and conducted him to the place appointed for his reception, where he qualified as Governor by taking the Oath of Allegiance and also an Oath of office.

Received from His Excellency the Governor, the following Message:

To the Honorable the General Assembly:

Gentlemen:

I herewith lay before your Honorable Body a Circular Letter from the Board of Treasury, together with sundry resolutions of Congress, and the United States account against this State, which I have this day received.

SAM JOHNSTON.

Tarborough, 20 Decr., 1787.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This is accompanied by a Message of this day from His Excellency the Governor, with the resolution of Congress, &c.; therein referred to.

Resolved, That the General Assembly have a high sense of the
faithful and diligent conduct of Richard Caswell, Esquire, late Governor of this State, in the execution of that office, and that the Speakers of the two Houses be requested to present him the thanks of the General Assembly thereon.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen:

We propose that the Message from His Excellency the Governor, of this day's date, together with its enclosures, be referred to the consideration of a joint Committee, and that they report To-morrow. We have for this purpose on our part appointed Mr. Gallaway, Mr. Harget, Mr. Johnston and Mr. Irwin.

Ordered that Mr. Cabarrus, Mr. Mebane, Mr. J. Taylor and Mr. Lindley have leave to absent themselves from the Service of this House.

The House adjourned till To-morrow Morning 9 o'clock.

FRIDAY, 21 December, 1787.

The House met according to adjournment.

Mr. Franklin, one of the Superintendents of the Balloting for a Brigadier General for the District of Fayette, and for a Judge of the Maritime Court of Port Swannasborough, reported that Richard Clinton, Esquire, was Elected Brigadier General and Robert Snead, Esquire, judge of the Maritime Court.

The House taking the said report into Consideration concurred therewith.

The Committee to whom were referred the propositions respecting the Navigation of the Mississippi, beg leave to report the following resolutions as proper to be entered into by the General Assembly, to-wit:

Resolved unanimously, That the Citizens of this State and the United States have a full and indisputable claim to the Navigation of the river Mississippi, as well by the clear and express stipulations of Treaties as by the Great Law of Nature.

Resolved, That the Delegates of this State be instructed to move in Congress for a full and explicit Declaration that the right which the United States and each of them have to the Navigation of the Mississippi is absolute and inalienable, in order that the apprehen-
sions and fears of our fellow Citizens on that Subject may be entirely removed.

The Bill to amend an Act to regulate the Town of Salisbury and for authorizing the Commissioners in the Town of Halifax to levy a Tax on the Slaves within the liberties thereof, was read the third time, passed and ordered to be Engrossed.

The Bill to direct the application of such Public Tobacco as already is or hereafter may be purchased by the Commissioners for that purpose appointed by the last General Assembly, was read the third time, passed and ordered to be Engrossed.

Mr. Davie, from the Committee to whom was referred His Excellency the Governor's Message, & Colo. Spaight's letter, delivered in the following report:

The Committee to whom was referred the Message of the Governor relative to the Artillery of this State beg leave to report,

That it is necessary they should be equally distributed among the several Companies of Artillery, and therefore recommend that the following resolution be passed by the General Assembly:

Resolved, That the Commanding officer of the regiment of Artillery shall cause the several pieces of Artillery in this State to be distributed as equally as possible among the several Companies of the said Regiment and the expenses thereof shall be allowed by the next General Assembly.

All which is submitted.

W. R. DAVIE, Chn.

The House taking this report into Consideration Concurred therewith, and

Resolved, That the Captains of the Several Companies be and they are hereby required to mount the Artillery allotted to them respectively.

Received from the Senate the Petition of Griffith Dauge. Endorsed, read & referred as by the Commons.

Received from the Senate the resolution of this House allowing Thomas Bridges fifteen pounds, and the resolution directing the late Governors to file in the Secretary's office the official dispatches from Congress, &c., concurred with, by that House.

Received from the Senate a Resolution of that House directing and requiring the Treasurer to pay Peter Goodwin of Franklin
County, the Sum of Seven Hundred and five Pounds fifteen Shillings, which being read was concurred with and returned.

Received from the Senate the Report of the Committee on the Memorial of Margaret Balfour and the report of the Committee on the Memorial of William Alexander. Endorsed, read and concurred with.

Received from the Senate the Report of the Committee of Finance on the representation of Robert Fenner, Agent of the Continental line. Endorsed, read and Concluded with as amended; which being read was Concluded with by this House and returned.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have concurred with the report of the representation of Mr. Fenner, as by you amended; we conceive the part you have struck out should be adopted as it will certainly procure us a Specie Credit with the United States which cannot be obtained by other means with as much felicity. We therefore take the liberty of recommending the consideration thereof and that it be again inserted.

Resolved, That Egbert Haywood, James Porterfield and Ethelred Phillips, appointed at the last General Assembly to purchase Tobacco for the year 1787 be, and they are hereby appointed to purchase Tobacco for the year 1788 agreeably to the Act passed this Session for that purpose, Intituled "an Act to direct the application of such Public Tobacco as already is, or may be hereafter, purchased by the Commissioners, for that purpose appointed by the General Assembly;" the said Commissioners first giving further Bond and Security for the application of the money.

Received from the Senate the Report of the Committee of Finance on the Memorial of John Geddy. Endorsed, read & Concluded with, which being read was concurred with by this House and returned.

Resolved, That the Secretary be directed to continue his office and the Public Papers where the same have usually been kept until the Seat of Government shall be fixed, or the General Assembly shall otherwise direct.

Mr. Polk from the Committee appointed to receive and burn the ragged Money in the Treasury office, together with the old State Dollar Bills, and to punch the Warrants, Members Certificates and
allowances by the General Assembly, delivered in the following report:

That they have received and burnt of the present circulating currency, seven thousand two hundred and Seventy two Pounds ten Shillings. In state Dollar Bills eight hundred and nineteen thousand, one hundred & seventy three dollars.

They have also punched all the Warrants of the Governor, Members certificates and allowances of the General Assembly; the amount of which they beg leave to refer the House to the Treasurer's report for publication.

WILLIAM POLK, Chm.

The foregoing report being read was Concurred with; whereupon,
Resolved, That it is published in the State Gazette for three Weeks Successively.

Received from the Senate the report of the Committee appointed on the Memorial of the Field officers of Davidson County. Endorsed, read and Concurred with; which being read was concurred with by this House and returned.

Resolved, That the Comptroller be and he is hereby directed to have the whole of the Public Papers in his office, or charge, removed to the Town of Hillsborough on or before the first day of April next.

And whereas, the Certificates lodged in the Comptroller's office remain at the risque of the Public in their present Situation,
Resolved, That Alexander Mebane and William Walters, Esquires, be and they are hereby appointed and Authorized, together with the Comptroller, to striks thro' with a punch of one Inch and a half in diameter at least, all the Certificates of every nature and kind, Money orders or allowances now in the Comptroller's office and make return thereof to the next General Assembly, for which they shall be allowed twenty Shillings per Day.

Resolved, That the Treasurer be and he is hereby directed to publish in the public Gazette for four Weeks successively the amount of the Sums of the present Currency which have been destroyed since the Emission thereof, together with the present State of the Sinking Fund.

The Bill to amend an Act entitled "an Act to amend an Act passed at New Bern, December, 1785, for increasing the Jurisdiction of
County Courts of Pleas and quarter Sessions and of Justices of the Peace out of Court, and to direct the time of holding Courts in this State, to appoint Jurors for the District of Wilmington, to amend an Act entitled an act to establish a Superior Court of Law and Equity in the County of Davidson and also to amend an Act for the established a Militia in this State," was read the third time, passed and ordered to be Engrossed.

Resolved, That Wych Goodwin be allowed the sum of five Pounds for going express to New Bern to carry to the Printer the directions of the Assembly relative to his printing Fifteen hundred Copies of the Federal Constitution, and three hundred Copies of the resolutions of the General Assembly thereon; that the Public Treasurer pay him the same and be allowed.

Received from the Senate the Report of the Committee on the Petition of Elizabeth Williams;

On the Petition of Edmund Blount, & others.

On the representation of Hardy Murfree, Esquire, Commissioner of Confiscated Property for the district of Edenton. Endorsed, read and Concurred with; which reports being read were Concurred with and returned.

Received from the Senate the Report of the Committee of Finance on the representation of the Comptroller. Endorsed, read and concurred with; which being read was Concurred with by this House and returned.

Whereas, it appears to this Assembly that a Certificate issued by the Commissioners of the Specific Supplies for the County of Bladen in the name of Thomas Amis, the balance due on which amounts to the Sum of one thousand nine hundred and forty Seven Pounds ten Shillings was issued in fraud of the Public, and has been received by the Sheriff of Bladen County, by him paid to Timothy Bloodworth, Esquire, late Treasurer for the district of Wilmington, and by him paid into the Comptroller's office.

Resolved, That the Comptroller be directed to deliver the said Certificate to Timothy Bloodworth, Esquire, he remaining still chargeable for the amount thereof in Certificates or old Dollar Bills at the rate established by Law, and that the said Timothy Bloodworth, Esquire, be directed to commence suit thereupon in behalf of the Public against the Sheriff for the Value thereof who shall be
at liberty to pay off the amount in other Certificates or in old Dollar Bills according to the rates aforesaid.

Resolved further, That the Comptroller be directed to forbear the commencement of any suit against Mr. Bloodworth relative to the said Certificate until the next General Assembly.

The Bill to extend an Act entitled "an Act to pardon and consign to oblivion the offences & misconduct of certain persons in the Counties of Washington, Sullivan, Greene and Hawkins," was read the third time, passed and ordered to be Engrossed.

Received from the Senate the following Report of the Committee to whom was referred the representation of the Public Treasurer, Concluded with by that House, to-wit:

The Committee to whom was referred the representation of the Public Treasurer of yesterday's date, Report,

That they have considered the same, and are clearly of opinion the Treasurer was not only justifiable but was compelled of necessity to take up the Warrant granted to Colo. Long which is mentioned in the representation, for as there was and still is a positive law both for the granting and payment of such Warrants the Treasurer was not at liberty to refuse it.

Your Committee are however of opinion this Law should not hereafter be carried into execution, but that the part thereof which directed the granting to Commissioners of Confiscation Warrants on the Treasury for their Commissions should be repealed.

Your Committee are further of opinion that the reports of the balances due by Sundry Individuals yesterday laid before the Assembly by the Treasurer ought not to be put in Suit, as they look upon these balances as coming properly under the description of those debts mentioned in the Treaty of Peace.

As to the fines Imposed at Warrenton and which are yet unaccounted for, it is the opinion of your Committee that the Treasurer bring Suit for them without delay, in whosoever hands the Moneys may be. All which is submitted.

J. WILLIS, Chr.

The House taking this report into Consideration Concurred therewith, except that part thereof relative to the reports of the balances due by Sundry Individuals, &c., after the words "put in Suit" & included within lines.
On reading the foregoing Report Mr. Spaight moved that the following part thereof should be rejected, to-wit:

"Your Committee are however of opinion this Law should not hereafter be carried into execution, but that the part thereof which directed the granting to Commissioners of Confiscation Warrants "on the Treasury for their Commissions should be repealed."

The question, will the House concur with this part of the report or not, being put, was carried in the affirmative, whereupon, the Yeas and Nays were required by Mr. Spaight which are as follows, to-wit:


—40.


Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the report of the Committee on the representation of the Treasurer of yesterday's date be amended in that part which gives directions relative to the Balances due from the individuals therein mentioned by erasing these words "as they look upon these "Balances as properly coming within the description of those debts "mentioned in the Treaty of Peace;" should this proposal meet your approbation this House will concur with the report.

Mr. McDowall from the Committee to whom was referred the Memorial of William Blount, delivered in the following report, to-wit:

Your Committee to whom was referred the Memorial of William Blount beg leave to report, that Mr. William Blount has received, as appears by a report of the Comptroller, the Sum of three hundred & Ninety two Pounds twelve Shillings, for his allowance as Agent of this State to attend the Treaties held by the Commissioners ap-
pointed by Congress with the Cherokee and other Southern Indians. That as the allowance and appointment of Mr. Blount were made by the Governor and Council, and their Journals have not been laid before the General Assembly, and can not be had at present, and your Committee deeming the proceedings of the Council absolutely necessary to form a proper Judgment of this Subject, beg leave to recommend that the consideration of this matter be laid over until the next General Assembly, and that the Comptroller conduct himself accordingly.

JO. McDOWALL, Jun., Chn.

The House taking this report into consideration concurred therewith.

Received from John Haywood, Esquire, Public Treasurer, the following Message:

To the Honorable the General Assembly:

Gentlemen:

Pursuant to the Act of the last General Assembly, I herewith lay before your Honorable Body for publication, a State of the receipts and disbursements in the Treasury for the Current year, together with the Public Treasurer's account current, which you will observe is made up to the first day of November last; and a list of the balances due from the several Sheriffs in this State for the years 1784, 1785 & 1786, so far as I have been able to ascertain the same from the returns made to the late Treasurer and myself.

I have taken no notice of the sums supposed to be due from the different Clerks in this State because their neglect of the duties enjoined them so far as respects the Treasury, and their remissness in forming settlements, has been such as to render it altogether impossible for me to fix any debits on them. Amongst them however, there are a few who ought not to be considered as coming under this description.

The Treasurer would have furnished a list of Insolvencies, but the settlements of the Sheriffs have been so few and incomplete that he supposed it would have answered no valuable purpose.

JOHN HAYWOOD, Treasurer.

At the same time received the statement above referred to.
STATE RECORDS.

Received from the Senate the following Message

Mr. Speaker and Gentlemen:

We consent to the amendment by you proposed to be made in the report of the Committee on the representation of the Treasurer.

The Bill directing the duty of Naval officers, and of all Masters of Vessels coming into any of the Ports or Inlets of this State, was read the third time, passed and ordered to be Engrossed.

Received from the Senate a Bill for laying a Tax for the Support of Government, and for the redemption of the old Paper Currency, Continental Money and Specie and other Certificates. Endorsed, read the third time, amended & passed.

On reading for the third and last time the above mentioned Bill, it was moved and seconded that the Senate be applied to for consent to amend the following clause by inserting the word "three" instead of the word "one," to-wit:

"Provided that all the Lands West of the Cumberland Mountains shall pay a tax of one shilling on every Hundred Acres of Land," the question was put and carried in the affirmative, whereupon, the Yeas and Nays were required by Mr. Jas. Stewart, & seconded by Mr. P. Hawkins, which are as follows, to-wit:


It was also moved and seconded that the following clause should be amended by inserting the word Three instead of the word Two, to-wit:

"And the lands between the Appalachian an dCumberland Moun-
tains shall pay a Tax of Two Shillings on every hundred Acres of Land"; this being objected to the question was put and carried in the affirmative. Whereupon, the Yeas and Nays were required by Mr. Jas. Stewart, seconded by Mr. Lindley, vizt.:


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

SATURDAY, 22 December, 1787.

The House met according to adjournment.

Received from the Senate the following Reports, vizt.:

On the Memorial of Hodge and Blanchard;

On the Petition of John Humphries;

On the Petition of Richard Good. Endorsed, read and concurred with; which being read were concurred with by this House and returned.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the Chairman of the Committee appointed to consider of the Memorial of the Judges presented to this Assembly on the Subject of Salaries and the depreciation thereon, to return the said Memorial that the Assembly may take some order on the same.

Resolved, That the Treasurer be directed not to pay off any allowances granted by the present Assembly until after the rising thereof except those made to Members who have leave of absence.
Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We cannot agree to resume the consideration of that part of the report of the Committee on the representation of Robert Fenner as was rejected by this House.

The House taking into consideration the Subject of the foregoing Message,

Ordered that the following be sent to the Senate:

Mr. Speaker & Gentlemen:

We return you herewith the report of the Committee of Finance on the representation of Robert Fenner, concurred with as amended by the Senate.

Received from the Senate the following Reports, to-wit:

On the Memorial of William Blount;

The Report of the Committee appointed to receive of the Treasurer and burn the ragged Money, &c.;

On the Governor’s Message and Colo. Spaight’s Letter relative to the Artillery. Endorsed, read and concurred with.

Received from the Senate the following resolutions of the House, Concurred with, vizt.:

A resolution declaratory of the rights of the people of the United States to the Navigation of the Mississippi;

A resolution allowing Wych Gooding five Pounds;

A resolution directing the Comptroller to deliver Timothy Bloodworth a certain Certificate therein mentioned & directing the said Timothy to commence Suit against the Sheriff of Bladen for the same;

A resolution directing the Printer to Publish the amount of the Sums of Money which have been burnt this Session;

A resolution directing the Comptroller to remove all the papers in his office to Hillsborough on or before the first day of April next, &c.:

A resolution appointing and continuing Egbert Haywood, James Porterfield and Ethelred Phillips Commissioners for purchasing Tobacco.

Received from the Senate a Bill for the more regular collecting and accounting for the revenue of this State, for allowing the Public

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Treasurer a Clerk and for the Collection of Arrearages. Endorsed, read the third time, amended & passed.

Ordered that this Bill be read, the same was accordingly read the third time, passed and ordered to be Engrossed.

Resolved, That the Members of the Convention hereafter to be elected to meet on the third Monday in July next, at Hillsborough, to determine on the proposed Federal Constitution, be allowed the sum of Twenty Shillings per day for their attendance at, going to and returning from the same, and that the Treasurer be directed to pay the same on a Certificate signed by the president of the Convention.

Received from the Senate the Report of the Committee on the Claim of James Davis. Endorsed, read and concurred with; which being read was rejected.

Resolved, That the Clerks of the General Assembly furnish the respective officers of Government with the several resolutions of the General Assembly, Documents and other papers relative to their departments.

Mr. Tatham, from the Committee to whom was referred sundry papers relative to the Conduct of sundry Justices of the Peace in New Hanover County, delivered in the following report,

It appears to your Committee that Sampson Moseley, Francis Clayton, James Geckie, John Ashe and William Moseley were suspended by a restriction of the Assembly at ——— in the year ——— from the exercise of their respective offices of Justices of the Peace for the said County, they having attached themselves to the British forces;

That in January term in the year 1785, some of them, to-wit: Sampson Moseley, James Geckie, William Moseley and John Ashe appeared at the said Court declaring they would not be bound by the Resolution of the Assembly for their Suspension, alleging that it operated against an Act of Assembly under which they formerly came into Court, and therefore were admitted and took their Seats on the Bench and have ever since continued to act as Justices in open contempt of the said Resolution.

Your Committee conceive the suspension was founded on charges which if true, utterly disqualified them to act as judicial officers inasmuch as the joining the enemies of the Country in time of its
deepest distress evinces a want of affection for the Government and a divesting themselves of that allegiance to the State which, by the duty of their office as Magistrates and by the obligation of that Oath they had taken when first qualified into their offices, they were peculiarly bound to maintain.

Your Committee also conceive that their acting in direct opposition to the said resolution and their expressed disregard of the same is in derogation of the Dignity of the Genl. Assembly and ought not to be tolerated.

Wherefore, we recommend that the Justices of the said Court be directed not to admit them on the Bench for the future, and the Clerk not to record any of their transactions as the Acts of the Court until they shall personally appear before some future General Assembly and procure the said Suspension to be taken off and be again admitted to the exercises of their respective offices as Justices of the Peace for the said County.

And further, that all returning officers in the said County be directed until that time to pay no obedience to them or any of their precepts as the same will be done at their peril.

The foregoing report being read was concurred with and sent to the Senate.

Resolved, That the Comptroller be directed to settle and adjust the Accounts of John McCrohine presented to this Assembly relative to the Schooner Phoenix, impressed into the Public Service by order of Benjamin Hawkins, Esquire, late Commercial Agent. and that he grant him a Specie Certificate for the sum which may appear justly due him, he producing such vouchers as are required for the settlement of other accounts and to be reported on as in other cases.

Received from the Senate the Report of the Committee on the Memorial of John Breward. Endorsed, read & concurred with; which being read was concurred with by this House and returned.

Received from the Senate a Resolution of that House for releasing the Estate of Henry Montfort, which was Sequestered by an Act of the last General Assembly, from the same on his giving Bond & Security as therein mentioned, &c.; which being read was concurred with and returned.

Received from the Senate the resolution of this House expressive
of the high sense of the faithful and diligent Conduct of Richard Caswell, Esquire, late Governor of this State, Concluded with.

Received from the Senate the report of the Committee on the Memorial of John Willis. Endorsed, read & concurred with; which being read was concurred with and returned.

Received from the Senate a Resolution of that House for releasing John Johnston from an obligation given by him to the Commissioners of Confiscated property for the District of Edenton, on certain conditions therein mentioned; which being read was rejected.

The 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, was read the third time, passed and ordered to be Engrossed.

The Memorial of the Honorable Samuel Ashe, Samuel Spencer and John Williams, Esquires, Judges of the Superior Courts of Law and Equity, on the Subject of the Depreciation of their Salaries as Judges aforesaid, (which had heretofore in the course of the present Session been referred to a Committee) was called out of the possession of the Chairman and again read, when it was ordered to be referred to the next General Assembly.

Received from the Senate the Report of the Committee of Finance on the papers respecting Indian Treaties. Endorsed, read & Concluded with; which being read was concurred with and returned.

Received from the Senate the report of the Committee on the several papers relative to the Conduct of Certain Justices of the Peace in New Hanover County, Concluded with by that House.

Received also the resolution of this House directing the Clerks of the General Assembly to furnish the several officers of Government with the papers belonging to their departments, Concluded with.

Mr. Polk presented the Account of John Haywood, Esquire, Public Treasurer, for Stationery, amounting to seventy Pounds fifteen Shillings and Eight Pence, which being read,

Resolved, That John Haywood, Public Treasurer, be and he is hereby allowed the foregoing account of Seventy Pounds Fifteen Shillings and Eight Pence.

Resolved, That the Members of this Assembly from the Counties of Davidson and Sumner be allowed the Sum of Twenty Pounds each
for travelling thro' the uninhabited parts of the Country, over and above the Sums rated for attendance and travelling thro' Counties in the Estimate, that the Treasurer pay the same and be allowed in the settlement of his Public Accounts.

Received from the Senate a Resolution of that House allowing the Members of the Convention intended to be held at Hillsborough twenty Shillings per day, Concurred with by that House.

Received from the Senate a Resolution of that House directing the Commissioners of Confiscated Property to forbear to sell certain Lands heretofore purchased on Certain Conditions of the Agents of Henry Eustace McCulloch, which being read was concurred with & returned.

Received from the Senate a resolution of that House allowing John Willis fifty-five Pounds fifteen Shillings & four pence, which being read was concurred with & returned.

Received from the Senate a Resolution of that House recommending to the people of this State to direct the Delegates appointed to attend the Convention to deliberate on the Federal Constitution to make an amendment in the Constitution of this State with respect to the number of representatives in General Assembly, which being read was rejected.

Received from the Senate the following resolutions of this House Concurred with, to-wit:

The resolution allowing John Haywood, Esquire, Public Treasurer, Seventy Pounds, fifteen Shillings and Eight pence;

The resolution allowing the Members of Davidson & Sumner Twenty Pounds extraordinary;

The resolution directing the Comptroller to settle the Accts. of John McCrohone.

Received from the Senate a resolution of that House allowing Henry Irwin Tooole Forty five Pounds for Fire Wood, Candles, &c., for the use of the General Assembly, which being read was concurred with and returned.

Ordered that the Clerk of this House make out and deliver to Mr. Hays the Message of the Senate relative to Balloting for Cavalry officers, the Message of this House in answer thereto, and the report of the Superintendent of the Balloting, so far as the same relates to the electing a Colo. of Horse for the District of Washington.
Mr. Tatham, according to order, presented the following protest:

We, the underwritten, on the passage of a resolve of this General Assembly in favour of Colo. John Armstrong, giving him a further time for settling the accounts of the Land office by him kept, and other privileges on his Bond for performance of his Duty, beg leave to enter our Dissent for the following Reasons,

1st. It appears to us that the opening of that Land office was in the first Instance an Infringement on the Constitutional rights of the People; that a premeditated plan was laid previous to opening the said office to effect a depreciation of the Public Securities for the ends of Monopoly, and that Certain Persons had then in view the establishment of Aristocracy on the Cumberland and other Western Waters; that this State and the several States in the Union have been much injured by the said Land office and speculation therein, and that (as it is never too late to do good) it is therefore our Duty to stop such speculations or impede them as much as possible. That the Indulgence granted Colo. Armstrong will be productive of further jealousies and discontents between the white people and the Chickasaw Indians, if not Wars, aided or assisted by our Catholic Neighbours on the Mississippi, because every future Warrant from that office on Entries made in the same will be a further indulgence to our Speculators to encroach on the Chickasaw Indians who have so long gloriously boasted their Friendship for the white People, and who instead of deserving the ingratitude we have shewn in Trespassing on their rights and taking their Lands away without their consent, without cause or provocation, have ever shewn us an example worthy our imitation, and a specimen of Magnanimity far above our reach.

2nd. It was the duty of Colo. Armstrong to have Counted the Money and Securities “said to have been received in Bundles”, a weak deception he ought not to have suffered any one to palm upon him, and as it was his duty to have examined the receipts of such Money, his Credulity (however it might have mitigated a private Transaction,) is an aggravation of such Nonfeasance in a public officer and in the Event of the Transaction has a Tendency to keep the Public Interest suspended for the Speculation of a Junta of Individuals; Colo. Armstrong has already had years beyond the law for the Intended Collection, and we cannot think ourselves justifiable
to our Constituents should we concur with the Resolve in his favour.

WM. TATHAM,
THOS. TYSON.

The following are the Depostions ordered to be entered on the Journal relative to Thomas Vail, Vizt.:

No. 1.

North Carolina, Chowan County.

Edmund Blount, Sheriff of Tyrrell County deposes, that he attended at the Trial of Thomas Vail in November, 1786, on a charge of Forgery and for Publishing a note knowing it to be forged, and that he was present when the Jury gave their Verdict, and that he believes he counted them, and heard Robert Davidson the foreman of the Jury say (when the judge dictated to the Clerk or at the time of reading the Verdict) "that is not the verdict of the Jury," or it is not the opinion of the jury, to which he received no answer; and at this time the Jury were (to the best of this deponent's knowledge) all present, and then in less than five minutes, to the best of this deponent's recollection, Mr. James Iredell applied to have the mistake rectified after it was mentioned by the Jury; and that when the objection was made by Robert Davison, foreman, this deponent believes the Jury were all present and at the time he heard no Mention made by any person that the Jury was separated, nor did he hear any of the Jury say that the Verdict was entered right at that time; and this deponent further saith that he heard Judge Ashe deliver his opinion on the bench, which was in November Term 1787, that from the face of the whole proceedings the Jury intended to acquit the defendant and further this deponent saith not. N.B. The words "at the time" interlined before sworn to and certified.

ED. BLOUNT, Jun.

Sworn to 14th November, 1787, Before S. Dickinson, J. P.

No. 2.

State of North Carolina, Edenton District.

November Term, 1786.

Clement Crooke, one of the Petit Jury in a Trial yesterday on an Indictment for forgery against Thomas Vail, deposes, that when he retired into the jury Room that it was his opinion that the said Thomas Vail was not guilty of Forging the said Bill obligatory, nor
of publishing the said Bill obligatory, knowing the same to be forged, and this deponent further saith that as the verdict was read to the jury as now stands, that he heard Robert Davidson say, who was to speak for the jury, that it was not their Verdict, or words to that effect, and that he supposed he spoke loud enough to be heard, and further this deponent saith not.

C. CROOK.

Sworn to in open Court, 14 November, 1786.

BLAKE BAKER, C. S. C. D. E.

A true copy from the original in my office.

BLAKE BAKER, C. S. C. D. E.

No. 3.

State of North Carolina, Perquimans County.

I, Caleb Winslow, do declare and affirm that on the ninth day of May, one Thousand Seven Hundred and eighty seven, Willis Butler, a Witness against Thomas Vail, on a conversation with him the said Willis expressed himself in the following Manner: This deponent said he was satisfied the prosecution was carried on through malice; the said Butler answered, that he believed it was, and said after he mentioned the mistake in the Interest of the said Vail, the said Vail said if there was he would pay it, which the said Vail did when he applied for it, and the mistake between that and another note was between twelve and thirteen pounds; the said Butler said the said Vail had paid him the mistake in the Intrest which was paid a long time before any prosecution took place against the said Vail, and the Creeceys had threatened him, the said Butler, with a prosecution if he did not prosecute or give up the said note to said Creeceys; and the deponent further saith, that the said Butler expressed that as the Creeceys had threatened to prosecute him and he did not then know but they might, which induced him to give the Note to the said Creecey some time before the prosecution took place, the deponent further saith that he hath heard the said Butler say that he did not know how to read writing, and further this deponent saith not.

CALEB WINSLOW.

The above was affirmed to before me this 23rd day of November, 1787.

JACOB PERRY, J. P.
STATE RECORDS.

State of North Carolina, Edenton District.

Robert Davidson, one of the Jury who was sworn & impannelled on a Trial of an Indictment against Thomas Vail, deposeseth and saith, that it was the opinion of the said Jury, as he understood it, that the said Thomas Vail was Guilty of publishing the paper mentioned in the Indictment, but that he was not guilty of publishing the said paper knowing it to be forged; that this deponent was appointed by the Jury to signify their Verdict in Court and upon being questioned in Court he said “not guilty of forging, but guilty of publishing,” or words to that effect, and that upon the Entry of the Verdict being read, as it now stands on the docket, he said addressing himself to the Clerk “that is not the meaning of the Jury,” or words to that effect, and he imagined he had spoke loud enough to be heard.

ROBT. DAVIDSON.

Sworn to in open Court 14th November, 1787.

BLAKE BAKER, C. S. C. D. E.

A true copy from the original in my office.

Test: BLAKE BAKER, C. S. C. D. E.

State of North Carolina, Chowan County.

Jeremiah Frazer deposeseth, that he was one of the petit Jury at the Superior Court in November last when there was a Trial against Thomas Vail for forging a note of hand and for publishing it knowing it to be forged, and when they retired into the Jury room that it was his opinion, as well as the opinion of the whole Jury, that the said Thomas Vail was not guilty of forging; but that he was guilty of passing the note on hand, but not passing or publishing it knowing it to be forged; and that Robert Davidson was appointed by the Jury to signify their Verdict in Court and when the Clerk called over the Jury in Court that he, the said Robert Davison, answered not Guilty of forging but guilty of publishing or passing, or words to that purpose, but that they did not find the said Thomas Vail guilty of passing knowing it to be forged; and then Judge Spencer, the only Judge on the Bench and the only one on it when the charge was given, dictated to the Clerk how to enter the verdict, and at this Robert Davison, the foreman of the Jury, observing how he was directing the Clerk answered loud enough to be heard, that it is not the Verdict of the Jury or words to that purpose, the Judge nor Clerk made no
answer at this time; then the defendant came to the table where the Jury were standing and repeatedly requested the Judge to ask the Jury some questions relative to the second charge but the Judge continued directing the Clerk to enter the Verdict and made no answer, then Mr. James Iredell, who was counsel for the defendant and while the Jury were at the Bar, to which to the best of this deponent's knowledge the Judge said he was alone and would not wish to do anything in it that night but would defer it until the next day.

J. FRASER.
Sworn to before me this twenty Seventh day of August, One Thousand seven Hundred & Eighty Seven.

THOMAS BENBURY, J. P.

State of North Carolina, Edenton District.
William Jordan, one of the Jury who was sworn & impannelled on a trial of an indictment against Thomas Vail, deposes and saith, that it was the opinion of the said Jury, as he understood it, that the said Thomas Vail was guilty of publishing the said paper mentioned in the indictment, but that he was not guilty of publishing the said paper knowing it to be forged; And this deponent further saith, that upon the entry of the Verdict being read as it now stands on the Docket he heard Robert Davison, who was appointed by the Jury to signify the Verdict in Court, say to the Clerk that is not the meaning of the Jury, or words to that effect & further this deponent saith not.

WM. JORDAN.
Sworn before me this 14th November, 1786.

JNO. WILLIAMS, J. P. D. E.
A true copy from the original filed in my office.
Test: BLAKE BAKER, C. S. C. D. E.

State of North Carolina, Chowan County.
This day came before me William Wilkins, and maketh oath on the holy evangelists that he attended the trial of Thomas Vail at the Superior Court in November, one thousand Seven Hundred and Eighty six, on an indictment for forging a note of hand and for publishing it knowing it to be forged; that this deponent was present at the time of the charge being given to the Jury which was done by
Judge Spencer, the only Judge on the Bench and the only Judge on the Bench when the verdict was read, and that this deponent awaited the return of the Jury; after they had returned they were all called as usual and asked who spoke for them or delivered their verdict, to which Robert Davison answered and gave in the Verdict of the Jury, and whilst the Judge was dictating to the Clerk, who was writing the verdict agreeable to the direction of the said Judge Spencer, the said Thomas Vail came to the Table and requested of the Judge in the most earnest manner, at least twice or thrice, to ask the Jury some questions relative to the second charge in the Indictment, but the said Judge continued directing the Clerk how the entry should be made without an answer to the defendant or any other person until the verdict was entered, and made several alterations to this deponent's knowledge, without asking the Jury or any other Person; this deponent then understood there was a mistake, and the Jury to this deponent appeared at this time to be all at the Bar whilst Mr. Iredell was pleading very earnestly to have the mistake rectified before the Jury were separated or whilst at the Bar; the Judge answered he was alone and would not wish to do anything, or words to this account, that night, and then immediately, or within five minutes adjourned. This deponent further saith, that the Judge did not that night, or any other person say, that the Jury has separated or that they were not all present, nor did he hear any of the Jury while present, or that evening say that the verdict, as to the last part of the charge was entered right. This deponent further saith that he understood there was a mistake in less than two minutes or thereabout and at this time of the mistake, the Judge nor any other person did not say that the Jury were separated in this deponent's presence, and further this deponent hath not said the words "dictating to the Clerk, who, then, said or within a few minutes" were interlined before sworn to or certified.

WILL WILKINS.

The above deposition was sworn to be just & true before me, this 3rd day of November, 1787.

THOMAS BENBURY, J. P.

The business of the Session being ended, Resolved, That the thanks of this House be presented to the Honble. John Sitgreaves, Esquire.
for his able and faithful services as Speaker thereof during this Session.

JOHN SITGREAVES, S. H. C.

By order, J. Hunt, C. H. C.

A Bill to encourage the making Salt in Davidson County. To be Engrossed.

A Bill to Emancipate certain Persons therein mentioned. To be Engrossed. Mr. Henderson.

A Bill to appoint a Trustee in the room of James Sampson, &c. To be Engrossed.

A Bill to repeal part of the Act to amend the Act to regulate the descent of real estates, &c. To be Engrossed. Mr. Ivey.

Juror's Bill. To be Engrossed. Mr. Ivey.

A Bill to authorize the Courts to divide the real Estate of intestates, &c. To be Engrossed. Mr. Ivey.

Roanoke fish Bill. To be Engrossed. Henderson.

The No. East Bill. To amend. Mr. Dixon.


The Bill to authorize the Courts to lay Tax to repair public buildings. To Engross. Henderson.

Cleary's Bill. To Engross. Henderson.

The Bill to impower the County Courts to proceed as therein. To Engross. Henderson.