HOUSE JOURNAL—1789.

NORTH CAROLINA,
IN THE HOUSE OF COMMONS.

At a General Assembly begun and held at Fayetteville on the Second day of November, in the year of our Lord one Thousand Seven Hundred and Eighty-Nine, and in the Fourteenth year of the Independence of the United States of America: It being the first Session of this Assembly.

The returning officers for the several Counties Certified that the following persons were duly Elected to represent the same in this House, Vizt:

For Anson County—William Wood & Pleasant May;
Beaufort—John Gray & Richard Grist;
Bertie—Francis Pugh & William Horn;
Brunswick—
Bladen—John Cowan & Duncan Stewart;
Burke—Joseph McDowall;
Craven—Richard Nixon & John Allen;
Cumberland—John McKay and William B. Grove;
Carteret—Malachi Bell & John Wallace;
Currituck—Thomas Pool Williams & Andrew Duke;
Chowan—Stephen Cabarrus and Samuel Creecy;
Camden—Enoch Sawyer & Peter Dauge;
Caswell—John Womack & Robert Dickens;
Chatham—James Anderson & Joseph Stewart;
Dobbs—Benjamin Sheppard & Nathan Lassiter;
Duplin—Robert Dickson & William Beck;
Davidson—Robert Ewing & Joel Rice;
Edgecombe—Ethelred Phillips & Thomas Blount;
Franklin—Thomas Sherrod & Jordan Hill;
Guilford—John Hamilton & Daniel Gillispie;
Granville—Thomas Person & Thornton Yancey;
Gates—David Rice;
Greene—John Ellison and Alexander Outlaw;
Halifax—Peter Qualls & Marmaduke Norfleet;
Hertford—Robert Montgomery & Henry Baker;

21—13
Hyde—John Alderson & Michael Peters;
Hawkins—Thomas King and James White;
Johnston—Benjamin William & John Bryan, Junr.;
Iredell—Adam Brevard & Musintine Matthews;
Jones—John Hill Bryan & Jacob Johnston;
Lincoln—John Moore & William McLean;
Moore—Thomas Tison & William Barrott;
Martin—John Stewart & William Williams;
Mecklenburg—Caleb Phifer & Joseph Douglass;
Montgomery—William Johnston & James Tindall;
Northampton—Samuel Peete & Halcott Briggs Pride;
New Hanover—
Nash—Wilson Vick & John Bonds;
Onslow—Robert W. Sneed & John Spicer;
Orange—Jonathan Lindley & Alexander Mebane;
Pasquotank—Edward Everagin & Thomas Redding;
Perquimans—Benjamin Perry & Ashbury Sutton;
Pitt—James Armstrong & Shadrick Allen;
Rowan—Matthew Lock;
Randolph—Aaron Hill;
Richmond—William Robeson;
Rutherford—William Porter & James Holland;
Rockingham—William Bethell & Abram Phillips;
Robeson—Elias Barnes & Neill Brown;
Surry—Gideon Edwards & Absalom Bostick;
Sullivan—John Rhea & John Scott;
Sampson—James Spiller & James Thompson;
Sumner—David Wilson;
Tennessee—Thomas Johnson & John Drew;
Tyrrell—Simeon Spruill & Samuel Chesson;
Washington—Robert Love & John Blair;
Warren—Philemon Hawkins & Wyatt Hawkins;
Wayne—James Handley;
Wake—Thomas Hines & Brittian Sanders;
Wilkes—John Brown & Benjamin Jones;
Town of Salisbury—Maxwell Chambers;
Hillsborough—Wm. Nash;
Halifax—
Edenton—John Hamilton;
New Bern—Isaac Guion;
Wilmington—Edward Jones.

Pursuant to which the following Members appeared and were qualified by taking and subscribing the Oaths by Law appointed for the qualification of the Members of the General Assembly, to-wit:

William Wood, Ethelred Phillips,
Pleasant May, Thomas Sherrod,
Richard Grice, Richard Rice,
Francis Pugh, Robert Dickens,
John McKay, Wm. Beck,
Thomas Pool Williams, James Anderson,
Andrew Duke, Joseph Stewart,
Joseph McDowall, Robert Dickson,
John Cowan, Nathan Lassiter,
Duncan Stewart, Thomas Person,
Richard Nickson, J. Alderson,
Malachi Bell, John Hamilton,
John Allen, Daniel Gillispie,
Stephen Cabarrus, Alexander Outlaw,
William B. Grove, Thornton Yancey,
Enoch Sawyer, Lemuel Creecy,
Peter Dauge, John Moore,
John Womack, Benjamin Williams,
Joel Rice, John Hill Bryan,
Robert Ewing, Robert Montgomery,
Jordan Hill, Thomas King,
M. Matthews, John Bryan,
Peter Qualls, Samuel Chesson,
Marmaduke Norfleet, Edwd. Jones,
Henry Baker, Abram Phillips,
Adam Brevard, William Bethell,
James White, Absalom Bostick,
Jacob Johnston, Wm. Nash,
William Barrett, Neill Brown,
John Spicer, John Scott,
John Bonds, John Hamilton,
Halcott B. Pride, Isaac Guion,
Robert W. Sneed, Gideon Edwards,
John Stewart, Thomas Johnson,
William Williams, Thomas Hines,
Caleb Phifer, Simeon Spruill,
Joseph Douglass, Phill. Hawkins,
Samuel Peete, James Handley,
Shadrack Allen, Robert Love,
Benjamin Perry, Wyatt Hawkins,
Wm. McLean, Elias Barnes,
William Johnston, Brittain Sanders,
James Tindall, John Blair,
Thomas Tyson, Matthew Locke,
Ashbury Sutton, Aaron Hill,
James Armstrong, James Holland,
Alexander Mebane, David Wilson,
Edward Everagain, Wm. Porter,
Thomas Reading, Wm. Robinson,
John Drew, Benjamin Jones,
Maxwell Chambers, John Brown,
John Rhea, Jonathan Lindley,
John Ellison, Wilson Vick.

Mr. Person proposed for Speaker Stephen Cabarrus, Esquire, who was unanimously chosen and conducted to the Chair.

On motion, John Hunt was appointed Clerk & John Haywood Assistant.

On motion, Peter Gooding and James Maloy were appointed Door keepers.

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

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

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

TUESDAY, 3 November, 1789.

The House met according to adjournment.

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

The House of Commons are also formed and ready to proceed on the business of the Public.
Mr. Thomas Blount, one of the Members for Edgecombe County, appeared, was qualified and took his seat.

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

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

2. 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.

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

4. 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.

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

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

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

8. Whenever the Members are equally divided the Speaker shall determine the question, but not vote on any other occasion.

9. That no Member shall depart the services of this House without leave.

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

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

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

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

Mr. Zebedee Wood, one of the Members for Randolph County, Mr. Michael Peters, one of the Members for Hyde County, and Mr. James Spiller & Mr. James Thompson, the Members for Sampson County, appeared, were qualified and took their seats.

Mr. Lock presented the resignation of John Stokes, Esquire, of
his office of Judge of the Superior Court of Law & Equity for Morgan District, which being read was accepted by this House and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the two Houses after to-day meet at the Brick building on the South side of the Creek, it being more commodious for the dispatch of business.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received your Message proposing that the two Houses adjourn after the present day to the Brick building on the South side of the Creek, and have concurred therewith.

Resolved, That Mr. Phill. Hawkins, Mr. Speller, Mr. Mebane, Mr. Person, Mr. Grove, Mr. Porter, Mr. Outlaw, Mr. Dauge, Mr. Hill, Mr. Sawyer, Mr. Hamilton, Mr. Edenton, Mr. Lindley and Mr. Allen be a Committee of Privileges and Elections.

Received from the Senate the following Messages, to-wit:

Mr. Speaker & Gentlemen:

We have appointed Mr. Gowdy, Mr. Skinner, Mr. A. Bryan, Mr. McKinnie and Mr. Smith a Committee of Propositions and Grievances, who will act jointly with such Gentlemen as you may think proper for these purposes.

Mr. Speaker & Gentlemen:

We have appointed Mr. Frazier, Mr. Hargitt, Mr. Gray, Mr. Dickson, Mr. Donaldson, Mr. Yates, Mr. Winston, Mr. Clay, Mr. Carter and Mr. Clinton a Committee of Claims, who will act jointly with such Gentlemen of the House of Commons as may be named for this purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Drew, Mr. Blair, Mr. Brown, Mr. Johnston, Mr. Nash, Mr. Qualls, Mr. Baker, Mr. J. Bryan, Mr. Dickson and Mr. Barnes, to act as a Committee of Claims on the part of this House, who will act jointly with the Gentlemen appointed by the Senate for that purpose. We have also appointed Mr. Rhea, Mr. Outlaw, Mr. Moore, Mr. Holland, Mr. Phifer, Mr. Gillispie, Mr. Sanders, Mr.
Dickens, Mr. W. Hawkins, Mr. Blount, Mr. Creecy, Mr. Hamilton of Edenton, Mr. Guion, Mr. Nixon, Mr. Jones, Mr. Yates, Mr. McKay, Mr. Spiller, Mr. Wilson & Mr. Rice, as a Committee of Propositions and Grievances on the part of this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed the following persons to act with such Gentlemen as the Senate may think proper to appoint as a Committee of Finance, to-wit: Messrs. Locke, P. Hawkins, B. Williams, Jno. Stewart, Jones, Mebane, Wm. Williams, Person, Lindley, Chambers, McClain, Grove & Porter. We propose also, that this Committee be particularly directed to enquire into and report on the Nett produce of our revenues, and the amount and nature of all public debts, and to extend their enquiries into the present State and Condition of the Treasury, the application of the monies levied and collected in the years one Thousand Seven hundred and Eighty-Eight, and one Thousand Seven Hundred and Eighty-nine. That they be authorized to call on his Excellency the Governor, the Treasurer, the Comptroller, The Commissioners for Purchasing Tobacco, The Commissioners of Confiscation and all other officers concerned in receiving, appropriating and accounting for the public monies, or other persons and papers they may deem necessary to such investigation; that they report from time to time, and as soon as possible in such matters concerning the public monies or revenues, and also make up an estimate of the expenses of the foreign and incidental charges of the ensuing year, and that before the end of the present session, or as soon as possible they form a full statement of the debts, funds and revenues of this State, which shall be printed and bound up with the Laws to be Enacted this Session. We have also appointed on the part of this House Mr. Wilson, Mr. Drew, Mr. McDowall, Mr. Holland, Mr. Brevard, Mr. Lock, Mr. Dickens, Mr. Person, Mr. T. Blount, Mr. P. Hawkins, Mr. Jno. Hamilton, Mr. Montgomery, Mr. Guion, Mr. Armstrong, Mr. Beck, Mr. Jones, Mr. Spiller, Mr. Grove, Mr. White & Mr. Outlaw, to Act with such Gentlemen as you may appoint, to report what bills of a public Nature are necessary to be passed into Laws at the present Session, and to prepare the same.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the number of Clerks for Engrossing Bills and
attending Committees at the present Session be two, and that Mr. Henderson & Mr. Ivey be appointed for that purpose.

Received from the Senate the resignation of John Stokes, Esquire, as Judge of the Superior Court of Law & Equity for Morgan District, accepted of by that House.

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

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have received your Message relative to the appointment of two Engrossing and Committee Clerks only, with which we do not concur, being of opinion a less number than three would not answer the purpose. We therefore propose that the two Houses proceed to make these appointments by ballot at 4 O'clock this evening, and add to your Nomination Mr. James Taylor and Mr. John Dixon. We also propose that the three of the Candidates who, on casting up the Poll, shall appear to have the greatest number of Votes, be declared elected.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House are of opinion that two Engrossing Clerks are fully equal to the business of the present Session, and therefore cannot recede from their proposition on that head, should a greater number appear to be necessary in the progress of business, we shall then concur with the Senate in appointing a third.

Mr. Benjamin Williams presented the Memorial of William H. Hill of the Town of Wilmington, setting forth that the late Election for a Member to represent the said Town in this House was conducted in an illegal manner, and praying that an investigation of the legality of the said Election be had. Ordered that the Memorial be referred to the Committee of Privileges and Elections.

The House adjourned until 3 O'clock P. M.

Met according to adjournment.

Received from the Senate a Message proposing the appointment of a Committee on Revenue, which being read was ordered to lie on the Table.

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

We have received the Message & resolution of the Senate appointing a Committee on Revenue, to which this House did not concur, because they had previously entered into one on the same subject, which had given more extensive powers to that Committee.

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

Whereupon Mr. Wallace was called upon to render reasons upon Oath for his non-attendance on the day appointed for the meeting of the General Assembly, which he accordingly did, and the reasons given were deemed sufficient to exonerate him from the penalty prescribed by Law.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have received your second Message relative to the appointment of Engrossing and Committee Clerks by which we are sorry to find you have not concurred with our last proposition on that head. We are still of opinion a less number than three will be unequal to the transaction of the business with dispatch, therefore again request your attention to our first Message on this business and hope you will concur therewith.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House have concurred with the proposition of yours relative to Engrossing & Committee Clerks and have added Mr. William Strange to the nomination already made.

We propose that the two Houses proceed to ballot immediately and have appointed Mr. Hamilton & Mr. Bryant on the part of this House to superintend the balloting.

Mr. Zebedee Wood, one of the Members for Randolph County, was called upon to render reasons upon oath for his non-attendance on the day appointed for the meeting of the General Assembly, which he did, and the reasons given were deemed sufficient to exonerate him from the penalty prescribed by Law.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

Mr. Montgomery & Mr. McKinnie are appointed, on the part of
the Senate, to superintend the balloting, and we agree with you in proceeding immediately on that business.

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

WEDNESDAY, 4 November, 1789.

The House met according to adjournment.

Mr. Hamilton, from the Joint Balloting for three Engrossing and Committee Clerks, Reported that Pleasant Henderson, Curtis Ivey and John Dickson were Elected by a Majority of the Votes of both Houses.

The House taking this report into consideration Concurred therewith.

Mr. Person presented the Memorial and Petition of William Smith, of the Commonwealth of Virginia, which being read was referred to the Committee of Claims and sent to the Senate.

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

To His Excellency Samuel Johnston, Esquire, Captain-General, Governor, &c.:

Sir:

The General Assembly are now formed and ready to receive from your Excellency such public papers and dispatches as you may have to lay before them for their consideration.

Ordered that the foregoing Message be sent to the Senate for their Concurrence, together with the following Message:

Mr. Speaker & Gentlemen:

We propose that the address herewith sent you be presented to His Excellency the Governor, and have on our parts appointed Mr. Phill. Hawkins & Mr. Person to wait on him with the same.

Mr. Joseph Stewart presented the Petition of James McMasters, praying, &c., which being read was referred to the Committee of Propositions & Grievances & sent to the Senate.

The Honourable the Speaker laid before the House a Letter from John Fitch, of the City of Philadelphia, on the subject of the Steam Boat, which being read was ordered to be sent to the Senate.

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

We agree to the Message by you proposed to be presented to His Excellency the Governor, and have appointed Mr. Bloodworth and Mr. Ashe, on the part of this House, to attend and present him with the same.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have received and considered of your Message relative to the appointment of a Committee of Finance and powers to be granted them, with which we cannot concur, but propose that the resolution herewith sent you on the same subject be adopted in lieu thereof; should it meet your approbation, Mr. Ashe, Mr. Blount, Mr. Gallaway, Mr. Skinner, Mr. Gregory, Mr. Charles Johnson and Mr. Lenoir are appointed, on the part of this House, a Committee of Finance. We have also appointed Mr. Charles Johnson, Mr. Ashe, Mr. Gallaway, Mr. Blount, Mr. Willis, Mr. Bloodworth and Mr. John Johnston to act jointly with the Gentlemen by you named for the purpose of preparing and introducing Bills of a public nature.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House have received your Resolve and Message relative to the Powers given to the Committee of Finance and have concurred therewith. This House, do continue their first nomination of Members for their Committee, except only that the name of Mr. B. Williams is withdrawn and that of Mr. Guion inserted in place thereof.

Received from the Senate the following Bills. Endorsed, read the first time and passed, to-wit:

A Bill to empower the County Court of Pitt to lay a Tax annually for the purpose of building a new Court House, Prison and Stocks, and for keeping the same in repair;

A Bill to repeal part of an Act passed at Tarborough Intituled "an Act to amend an Act to regulate the Inspection of Tobacco within this State";

A Bill to repeal part of an Act for increasing the Jurisdiction of the County Courts of Pleas and Quarter Sessions, of the Justices of the Peace out of Court and directing the time of holding Courts in this State.

Received from the Senate the Petition of John Blair, John Gillis-
pie and others. Endorsed, read and referred to Mr. Hargett, Mr. Gowdy and Mr. Hill, on the part of this House; which being read was referred on the part of this House, to Mr. Hamilton of Guilford, Mr. Mebane, Mr. Stokes and Mr. Gillispie and returned.

The Bill to repeal part of an Act intitled "an Act for increasing the Jurisdiction of the County Courts of Pleas and Quarter Sessions," &c., was read the first time and rejected.

The Bill to repeal part of an Act passed at Tarborough intitled "an Act to regulate the Inspection of Tobacco within this State," was read the first time, passed and sent to the Senate.

The Bill to impower the County Court of Pitt to lay a Tax annually for the purpose of building a new Court House, Prison and Stocks, & for keeping the same in repair, was read the first time, passed and sent to the Senate.

Received from the Senate the Petition of Titus Ogden. 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 Petition of Sundry Inhabitants of the Western Country. Endorsed, 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 resignation of William Sherrod as a Justice of the peace for Pitt County; The resignation of John Brinson as a Justice of the Peace for Onslow County, and the resignation of Richard Carney as a Justice of the Peace for Halifax County. Severally endorsed, read and accepted; which being read, were accepted by this House and returned.

The House adjourned until Tomorrow Morning 10 O’Clock.

THURSDAY, 5 November, 1786.

The House met according to adjournment.

Mr. Ben Williams presented the Petition of John Whitley, late Commissioner of Johnston County, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Phifer presented the Petition of James Barr, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.
Mr. Porter presented the resignations of Shadrack Hogan and William Nevil, two of the Justices of the Peace for Rutherford County, which being read were accepted by this House and sent to the Senate.

Resolved, That the expense of fixing Stoves in the brick building for the use of the General Assembly shall be reimbursed the Commissioners or Trustees of the said building.

Mr. Burwell Mooring, one of the Members for Wayne County, appeared, was qualified and took his seat.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

It is the opinion of this House that seven Members of any Committee during the present Session shall be a quorum for the transaction of business.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that Seven Members of any of the Committees appointed this Session be a quorum for the transaction of business.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We do not agree with you in submitting the Memorial of William Smith to the consideration of the Committee of Claims, but propose that it be referred for adjustment to the Comptroller, and that he be directed to make such allowance thereon as shall appear to him equitable and just.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House do consent that the Memorial of William Smith be referred to the Comptroller, and that he be directed to make such allowance thereon as shall appear to him to be just.

Received from the Senate the following Bills. Endorsed, read the first time and passed, to-wit:

A Bill for altering the name of James Rowsom to that of James Long, and

A Bill for dividing the County of Surry into two distinct Counties and for other purposes.

Received from the Senate the Memorial of William Evans. En-
dorsed, read and referred to the Committee of Claims; which being read, was referred as by the Senate and returned.

Received from the Senate the Petition of James McMasters. Endorsed, read & referred as by the House of Commons.

The Bill for altering the name of James Rowson to that of James Long, was read the first time, passed and sent to the Senate.

The Bill for dividing the County of Surry into two distinct Counties and for other purposes, was read the first time, passed and sent to the Senate.

Received from the Senate a Message proposing the appointment of a Committee to take under consideration the necessary and most eligible plan for extinguishing the Certificate debt owing by this State, which being read was ordered to lie on the Table.

The House adjourned until 3 O'clock P. M.

Met according to adjournment.

Received from His Excellency the Governor, the following Message:

To the Honorable the General Assembly:

Gentlemen:

In pursuance of your Message of yesterday, I send you all the publick papers and dispatches which have been received by me since the last Session of the General Assembly, which, with the Journal of the Council of State and my Letter Book, contain all the information which I have to lay before you at present.

None of the publick Tobacco could be sold for Cash, so that it has not been in my power to discharge the Debt due from this State to the Government of Martinique, it is therefore proper that you attend to that business and enable me to give satisfaction to the Consul of France, who is very importunate in his Demands.

It is not in my power to give a full State of the Sales of the publick Tobacco, not having yet received the returns from the District of Halifax.

SAM. JOHNSTON.

Fayetteville, 5th November, 1789.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a Message from His Excellency the Gover-
nor, addressed to the General Assembly, together with the several public papers and dispatches therein referred to.

Mr. Benjamin Sheppard, one of the Members for Dobbs County, appeared, was qualified and took his seat.

Resolved, That Mr. Ewing, Mr. Love, Mr. Brown, Mr. Phifer, Mr. Person, Mr. Norfleet, Mr. Montgomery, Mr. Guion, Mr. Dixon and Mr. Speller, be a Committe to hear the reasons which may be offered by such Members of this House who failed to give their personal attendance on the day appointed for the meeting of the General Assembly, and make report.

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

The House resumed the consideration of the Message of the Senate proposing the appointment of a Committee to take under consideration the necessary and most eligible plan to be taken for extinguishing the Certificate debt owing by this State, which is in the words following:

Mr. Speaker & Gentlemen:

We propose that a joint Committee be appointed to take under their consideration and report the amount of the Certificate debt due by this State, and what steps are most eligible to be taken for the extinguishment of the same. Should this proposition meet your concurrence, Mr. Willis, Mr. Macon, Mr. Gregory, Mr. Bloodworth, Mr. Blount, Mr. Lenoir, Mr. Smith, Mr. Lane, Mr. Gallaway and Mr. Carter will, on the part of this House, act with such Gentlemen as you may appoint for the above mentioned purposes.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House have appointed Mr. Rice, Mr. Ewing, Mr. Ray, Mr. Scott, Mr. Holland, Mr. McDowall, Mr. Stokes, Mr. Chambers, Mr. Yancey, Mr. Mebane, Mr. P. Hawkins, Mr. Qualls, Mr. Hamilton of Edenton, Mr. Montgomery, Mr. Guion, Mr. B. Williams, Mr. Dickson, Mr. Jones, Mr. Grove and Mr. Spiller a Committee on their part, to act with the Gentlemen by you appointed as a Committee to take under consideration the necessary and most eligible plan to be taken for extinguishing the Certificate debt owing by this State.

The House adjourned until To-morrow Morning 10 O'clock.
The House met according to adjournment.

Received from the Senate a Bill to impower the County Court of Pitt to lay a Tax annually for the purpose of building a new Court House, Prison and Stocks, and for keeping the same in repair. Endorsed, read the second time, amended and passed. This Bill was read for the second time in this House, was amended, passed and returned to the Senate.

Received from the Senate a Bill for the recovery of debts according to Contract. Endorsed, read the first time and passed. This Bill was read for the first reading in this House, passed and returned to the Senate.

Mr. Phifer presented the representation of David Campbell, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Guion presented the resignation of William Good, one of the Justices of the Peace for Craven County, which being read was accepted by this House and sent to the Senate.

Received from the Senate a Bill to confirm unto Greenbury Sutton an indefeasible title to certain Lands therein mentioned in Perquimans County. Endorsed, read the first time and passed.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the Bill to confirm unto Greenbury Sutton an indefeasible title to certain Lands therein mentioned together with the Petitions of the said Sutton and the affidavits accompanying the same be committed to a joint Committee from both Houses who shall ascertain the facts relative to the matters of hardship stated in the Petition and report thereon, with their opinion as to the propriety or impropriety of passing the Bill. We have nominated on our parts, Mr. Stokes, Mr. Hamilton of Edenton, Mr. Peete, Mr. Jones & Mr. Sheppard for this purpose.

Mr. Thomas Poole Williams presented the resignation of Josiah Nicholson, as a Justice of the Peace for Currituck County, which being read was accepted by this House and sent to the Senate.

Mr. Francis Pugh presented the Memorial of Humphrey Hardy, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.
Resolved, That all Bills of a public nature be noted for reading at least one day previous to the second or third reading.

Mr. Norfleet presented the Petition of Ptolemy Powell, praying, &c., which being read was referred to the Committee of Propositions and Grievances & sent to the Senate.

Mr. Alderson moved for leave and presented a Bill for erecting Pungo river and other inlets in Hyde county into a district port by the name of ______________ which being read the first time was passed and sent to the Senate.

Ordered that Mr. Person be added to the Committee appointed to take under consideration and report the amount of the Certificate debt due by this State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Mr. Person to the Committee appointed to take under consideration and report the amount of the Certificate debt due by this State.

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

Resolved, That no Member of the General Assembly, who shall be absent from the service thereof upon leave, shall draw pay as a Member for the time of such absence.

On a motion made by Mr. Stokes and seconded by Mr. Pride,

Resolved, That a Committee of two Members from each district within this State be appointed for the special purpose of drawing a Bill to equalize the Land Tax, and for ascertaining the several subjects of Taxation for the ensuing year.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that a joint Committee of both Houses be appointed for the special purpose of drawing a Bill to equalize the Land Tax, and for ascertaining the several subjects of Taxation for the ensuing year. We have on our parts appointed two Members from each District for this purpose who are Mr. Rhea, Mr. Wilson, Mr. White, Mr. Love, Mr. McDowall, Mr. Porter, Mr. Lock, Mr. Stokes, Mr. Dickens, Mr. Mebane, Mr. P. Hawkins, Mr. Pride, Mr. Pool Williams,
Mr. Dauge, Mr. Williams, Mr. Guion, Mr. Dickson, Mr. Sneed, Mr. Grove & Mr. Spiller.

The House adjourned until 3 O'clock P. M.

Met according to adjournment.

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

Mr. Person, from the Committee of Privileges and Elections, delivered in the following report, to-wit:

The Committee of Privileges and Elections to whom the Memorial of William Henry Hill was referred, Report,

That having taken under consideration the said Memorial and strictly inquiring into the charges and allegations therein set forth, are of opinion that they are not supported by sufficient testimony and that Mr. Jones the sitting Member is intitled to a seat in the present General Assembly.

All which is submitted.

THOMAS PERSON, Chr.

The House taking this report into consideration concurred therewith.

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

SATURDAY, 7 November, 1789.

The House met according to adjournment.

Ordered that Mr. Davie be added to the Committee on Public Bills, on Finance, and the Committee appointed to take under consideration the necessary & most eligible plan for extinguishing the Certificate debt due by this State.

Ordered that the following Message be sent to the Senate.

Mr. Speaker & Gentlemen:

We have added Mr. Davie to the Committee on Public Bills, Finance, and the Committee appointed to take under consideration the necessary and most eligible plan for extinguishing the Certificate debt due by this State.

Mr. Stokes moved for leave and presented a Bill for levying a Tax in the District of Salisbury for finishing the Court House, and repairing the Jail for the said district, which was read the first time, passed and sent to the Senate.
Mr. Rhea presented the Memorial of Brigadier-General Joseph Martin, which being read was referred to the Committee on Indian Affairs and sent to the Senate.

Mr. Davie presented the resignation of Goodrum Davis, as a Justice of the Peace for Halifax County, which being read was accepted by this House and sent to the Senate.

Received from the Senate a Bill to impower the County Court of Pitt to lay a tax annually for the purpose of building a Court House, Prison and Stocks, and for keeping the same in repair. Endorsed, read the first time and passed. This Bill was read the third time in this House, passed and ordered to be Engrossed.

Mr. Johnston moved for leave and presented a Bill to release Joseph Stacey of Montgomery County from the forfeiture of a recognizance, which was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The Message of this days date from His Excellency the Governor, together with the public papers accompanying it, we have received, and as you appear to have taken no order thereon, we herewith return them to you referred in the following manner, viz: That the files of papers numbered three, four, six and eight, containing Letters respecting the Martinique demand accounts of this State with the U. States, Sales of the public Tobacco, and Letters from the Commissioners of Army Accounts be reported on by the Committee of Finance;

That the files No. 5 & 2 be submitted to the consideration of a joint Committee to be styled the Committee on Indian Affairs, on which Committee we have appointed Mr. Gillispie, Mr. Smith and Mr. Lenoir, who will act with such Gentlemen as you may name for this purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the paper laid before the General Assembly by His Excellency the Governor, be referred as by you proposed. We have also on our parts, appointed Mr. Blount, Mr. Davie, Mr. Outlaw, Mr. Holand, Mr. Brevard and Mr. Scott a Committee on Indian Affairs.
Mr. Maclaine moved for leave and presented a Bill for dividing the County of Hawkins.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a Petition from sundry of the Inhabitants of Hawkins County, praying a disivion of the County, together with a Bill for that purpose which we propose referring to a joint Committee, who shall examine into the truth of the allegations set forth in the Petition and report their opinion with respect to the expediency of the division. We have for this purpose appointed Mr. Blount, Mr. Davie, Mr. White, Mr. Dickens, Mr. Person & Mr. Scott.

Mr. Spruill moved for leave and presented a Bill to compel Josiah Collins, Nathaniel Allen and Samuel Dickinson, Esquires, to pay a County and Parrish Tax in the County of Tyrrell for the Property they hold in said County, which was read the first time, passed and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the same rules of reading and passing Bills into Laws be observed this Session, that were observed the last Session of Assembly.

Mr. Qualls presented the Claim of John Eaton, Coroner of Halifax County. Ordered that the same be referred to the Committee of Claims.

Received from the Senate the resignation of Shadrick Hogan, William Nevill, William Good and Josiah Nicholson as Justices of the Peace. Severally endorsed, read and accepted.

Mr. Holland presented the resignation of James Lytle as a Justice of the Peace for Lincoln County; which being read, was accepted by this House and sent to the Senate.

Resolved, That all claims to be exhibited for allowance to the present Assembly shall be, in the first instance, exhibited to the Committee of Claims, and not to either House.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that a joint Committee be appointed to take under consideration and report on the Letters and papers now before the Assembly, relative to the conduct of General Joseph Martin, for
which purpose we have appointed Mr. Blount, Mr. Smith, Mr. Skinner, Mr. Montgomery and Mr. Mayo, who will act with such Gentlemen as you may think proper to name for this purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen:

This House concurs with the Senate in referring the papers relative to the conduct of General Martin, to a joint Committee, and have on our parts appointed Mr. Davie, Mr. Blount, Mr. Williams, Mr. Stokes, Mr. McDowall and Mr. Wilson.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree with you in referring the Petition of Greenbury Sutton to a joint Committee, and that they be directed to report specially thereon, and have appointed Mr. Skinner, Mr. Lenoir, Mr. Gallaway and Mr. Harget to act with the Gentlemen by you named.

Received from the Senate the Petitions of John Whitley, James Barr, James Fletcher, Ptolemy Powell and Humphrey Hardey. Severally endorsed, read and referred as by the House of Commons.

Received from the Senate the Petition of John Simmons, and the Petition of Unity Wilson. Endorsed, read and referred to the Committee appointed on the Memorial of Greenbury Sutton; which being read, were referred as by the Senate and returned.

Received from the Senate the resignation of Aaron Hill as a Justice of the Peace for Randolph County, and the resignation of Joseph McPherson as a justice of the Peace for Craven County. Endorsed, read and accepted; which being read, were accepted by this House and returned.

Received from the Senate two Resolves of this House, one for reimbursing the Commissioners or Trustees the expense of fixing Stoves in the brick building, the other declaring that no member of the General Assembly shall be allowed to draw pay for any time they may be absent upon leave, concurred with.

Received from the Senate a resolution of that House requesting the Commission or Trustees of the brick building to purchase and- Ions, &c; which being read, was concurred with and returned.

Received from the Senate the representation of David Campbell. Endorsed, read and referred as by the House of Commons.

The House adjourned until Monday Morning 10 O’Clock.
Monday, 9 November, 1789.

The House met according to Adjournment.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

We agree that the rules observed by the last Assembly in reading and passing Bills be adhered to by the present Assembly.

Mr. Speaker & Gentlemen:

Mr. A. Bryan, Mr. Bloodworth, Mr. Clinton, Mr. Macon, Mr. Skinner, Mr. Smith, Mr. Lucas, Mr. Gowdy, Mr. Carter and Mr. Jos. Dickson will on the part of this House act with the Gentlemen by you named for the purpose of preparing a Bill Equalizing the Land Tax, and ascertaining the several subjects of Taxation for the ensuing year.

Mr. Speaker & Gentlemen:

We have added Mr. Sevier to the Committee appointed to report on Indian Affairs.

Mr. Wood presented the Petition of sundry of the Inhabitants of Anson County praying that the said County be added to, and made a part of the District of Fayetteville, which being read, Mr. Wood then moved for leave and presented a Bill to answer the prayer of the said Petition, which was read the first time, passed and sent to the Senate.

Mr. Grove presented the Petition of sundry of the inhabitants of Bladen County praying that a part thereof be added to the County of Cumberland, which being read, Mr. Grove then moved for leave and presented a Bill to answer the prayer of the Petition, which was read the first time, passed and sent to the Senate.

Received from the Senate a resolution of that House directing the Treasurer to advance on loan to Gotlieb Shober three Hundred Pounds, which being read was concurred with and returned.

Mr. Lock, from the Committee appointed to consider and report what Bills of a public nature are necessary to be passed into Laws, reported:

1. A Bill to carry into effect the ordinance of the late Convention at Hillsborough.
2. A Bill for raising a Revenue for the payment of the Civil List and Contingent charges of Government.
3. A Bill for establishing an University.
4. A Bill to amend an Act intitled "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."

5. A Bill to amend an Act intitled "an Act for making process in equity effectual against Persons who abscond, and who will reside without the limits of the State and for better regulating the proceedings in the Courts of Equity.

6. A Bill to amend an Act intitled "an Act concerning proving Wills and granting letters of administration, and to prevent frauds in the management of Intestates Estates."

7. A Bill to amend an Act intitled "an Act for establishing Courts of Law and regulating the proceedings therein."

Which are submitted.

The House taking this report into Consideration concurred therewith.

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

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

We propose that the General Assembly proceed to ballot on Saturday next at 4 O'clock in the afternoon for a Governor of this State for the ensuing year, and also for the place at which the next Assembly shall be held. We nominate for Governor His Excellency Samuel Johnston, Esquire, and for the place at which the next Assembly shall be held, the Towns of New Bern, Fayetteville, Tarborough, Hillsborough, Salem and Warrenton.

Mr. Speaker & Gentlemen:

We herewith send you the Petition of Daniel Williams, late an officer in the Continental Line of this State, the subject matter of which we propose shall be reported on by a joint Committee, and have for this purpose on our parts, appointed Mr. Macon, Mr. Bloodworth & Mr. Harrett.

The Honorable the Speaker, laid before the House a Letter from James Iredell, Esquire, on the subject of the revisal of the Laws of this State, together with other papers relative to the same subject, which being read were referred on the part of this House, to Mr. Davie, Mr. Hamilton, Mr. Spiller, Mr. Person & Mr. Blount.

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

We have received your Message proposing to ballot on Saturday next at 4 O'clock in the afternoon for a Governor of this State for the ensuing year, and also for the place where the next Assembly shall be held, with which we have concurred. We have also received your Message proposing that the Petition of Daniel Williams be referred to a joint Committee, and have on our parts appointed Mr. Jones, Mr. Brevard, Mr. Pugh, Mr. Mebane and Mr. Spiller.

This House agree that the Bill and Petition for the Division of Washington be referred to the Committee appointed to report on the Bill, &c., for the division of Hawkins.

We herewith send you a Letter from James Iredell, Esquire, on the subject of the revival of the Laws of this State, which we propose referring to a joint Committee to report on, and have on our parts appointed Mr. Davie, Mr. Hamilton, Mr. Spiller, Mr. Person and Mr. Blount.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

Mr. Lane, Mr. Gray and Mr. Clinton will, on the part of this House, act with the Gentlemen by you appointed for the purpose of enquiring into the expediency of dividing Hawkins County. We also propose that the Bill and Petition herewith sent you for the division of Washington County be reported on by the same Committee.

Mr. Davie presented the Memorial of Isaac Alexander, which being read, was referred to the Committee of Propositions and Grievances, and sent to the Senate.

Mr. Wallace moved for leave and presented a Bill to erect a light House on Ocracoke Island, which was read the first time, passed and sent to the Senate.

Mr. Phifer presented the Petition of John Michel Wineoff, which being read, was referred to the Committee appointed on the Petition of Greenbury Sutton and sent to the Senate.

Received from the Senate the Petition of the Inhabitants of Surry County; the Memorial of John Williams of Caswell County, and the Petition of Daniel McCarthey. Severally endorsed, read and referred to the Committee of Propositions and Grievances; which being read, were referred as by the Senate and returned.

Mr. Davie presented the Petition of sundry of the Inhabitants of
Halifax County, praying that the 65th Section of an Act intitled "an Act for establishing Courts of Law," be repealed, which being read was referred to the Committee on Public Bills and sent to the Senate.

Mr. Hamilton presented the Memorial of Doctor Frederick Ramche, which being read was referred to the Committee on Public Bills and sent to the Senate.

Received from the Senate the Memorial of General Joseph Martin. Endorsed, read and referred as by the House of Commons.

Received also the Petition of George Holyboy, and the Claim of Richard Moss. 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 on the Petition of John Simmons, concurred with by that House, which being read was concurred with by this House and returned.

Received from the Senate the Report of the Committee on the Petition of Greenbury Sutton, concurred with; which being read was concurred with by this House and returned.

Received from the Senate a Bill to prevent the exportation of raw hides, pieces of Hides of black Cattle and Calf Skins, Beaver, Rackoon and Fox furs. Endorsed, read the first time & passed.

This Bill was read the first time in this House, passed and returned to the Senate.

Received from the Senate a Bill for erecting and establishing a Town at Hawkins Court House. Endorsed, read the first time and passed.

This Bill was read for the first reading in this House, passed and returned to the Senate.

Received from the Senate a Bill to repeal part of an Act intitled "an Act to alter the mode of punishing Horse Stealing, also to repeal an Act to prevent Horse Stealing." Endorsed, read the first time and passed.

This Bill was read for the first reading in this House, passed and returned to the Senate.

Received from the Senate a Bill for levying a Tax in the District of Salisbury for finishing the Court House and repairing the Jail for the said District. Endorsed, read the first time and passed.

This Bill was read for the second reading in this House, passed and returned to the Senate.

Received from the Senate the Bill for altering the name of James
Rowsom to that of James Long. Endorsed, read the first time and passed.

This Bill was read for the second reading in this House, passed and returned to the Senate.

Received from the Senate a Bill to repeal part of an Act intitled "an Act once more to extend 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." Endorsed, read the first time and passed.

This Bill was read for the first reading in this House, passed and returned to the Senate.

Ordered that Mr. Stokes be added to the Committee on Public Bills and the Committee on Finance, and that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Mr. Stokes to the Committee on Public Bills and the Committee on Finance.

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

A Bill to release oeehp Starkey of Montgomery County, from the forfeiture of a recognizance;

A Bill to annex the County of Anson to Fayetteville district, &c.;

A Bill to direct Josiah Collins, Nathaniel Allen and Samuel Dickinson, Esquires, to pay County & Parish Tax in the County of Tyrrell, &c.;

A Bill for erecting Pungo River and the other Inlets in Hyde County into a distinct Port, &c.;

A Bill to add part of Bladen County to Cumberland County.

Received also a Bill to repeal part of the fifth Section of an act intitled "an Act to regulate the Inspection of Tobacco in this State." Endorsed, read the second time & passed.

Mr. Alderson moved for leave to withdraw for amendment The Bill for erecting Pungo River and the other Rivers in Hyde County into a distinct port, &c. Ordered that he have leave.

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

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TUESDAY, 10 November, 1789.

The House met according to adjournment.

Mr. Nickson presented the Claims of John Hill and John Charles,
which being read were referred to the Committee of Claims and sent to the Senate.

Resolved, That the public Treasurer be and he is hereby directed to pay as follows, to-wit: to John Armstrong of Orange County, for bringing the books and papers of the Treasury from Hillsborough to the Town of Fayetteville, the sum of three pounds; and to Roswell Huntington, James Pratt, John Faddis, James Patterson, John Faucett, Frederick Taylor, Robert Scoby, John Scoby and David Rainey, being nine of the Orange Company of Horse employed to guard the removal of the money in the Treasury from Hillsborough to Fayetteville, the Sum of Five Pounds each, together with the necessary travelling expences of the said Guard in going to and returning from Fayetteville, estimating their expences in returning at what they may have been in coming.

Mr. Bonds moved for leave and presented a Bill to repeal part of an Act passed at Fayetteville, 1786, intitled "an Act to impose a duty on all Slaves brought into this State by Land or Water;" which was read the first time, passed and sent to the Senate.

Mr. Davie presented the Petition of Benjamin Sheppard, which being read was referred to the Committee of Claims, and sent to the Senate.

Mr. Edward Jones presented the Petition of Thomas Withers and others whose names are thereunto subscribed, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Rhea moved for leave and presented a Bill to amend an Act intitled "an Act to prevent the obtaining of grants of Lands lying in the Western parts of this State to the prejudice of the first entries, and entered in the land office lately established for receiving entries of claims of such Lands, by an Act intitled 'an Act for opening the land office for the redemption of Specie and other Certificates,' and discharging the arrears due to the Army passed at Fayetteville," which was read the first time, passed & sent to the Senate.

Mr. Hamilton of Edenton, moved for leave and presented a Bill to enable Creditors more easily to recover their debts from joint partners and upon joint notes, which was read the first time, passed and sent to the Senate.

Mr. Chesson presented the Petition of sundry of the Inhabitants of Tyrrell County, praying that a Town be established on the Lands
of John Marriner, &c.; which being read, Mr. Chesson then moved for leave and presented a Bill to answer the prayer of the said Petition; which was read the first time, passed and sent to the Senate.

Mr. Outlaw moved for leave and presented a Bill to extend the Civil and Military authority of this State to the Inhabitants South of French Broad and Holston rivers, which was read the first time, passed and sent to the Senate.

Mr. Edward Jones moved for leave and presented a Bill to repeal part of an act intitled "an Act to explain an Act directing the duty of Naval Officers, and all Masters of Vessels coming into the Ports and Inlets of this State;" which was read the first time, passed and sent to the Senate.

Mr. Wyatt Hawkins presented the Petition of Thomas Parker, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Mebane presented the Petition of George Hoskins of the Town of Hillsborough, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

The Honorable the Speaker, laid before the House a statement of the accounts and vouchers delivered by the Comptroller to Mr. Abisha Thomas, one of the Commissioners appointed to settle and adjust the accounts of this State with the United States, and other papers relating to that subject; which being read the following Message was ordered to be sent to the Senate.

Mr. Speaker & Gentlemen:

We herewith send you an address from the Comptroller containing a list of papers delivered to the Commissioners appointed to liquidate finally the accounts of this State with the United States, and also sundry papers stating the amount of the Certificate debts now due from this State to individuals, we propose that all the said papers except those last mentioned be referred to the Committee of Finance and that the papers relating to the Certificate debt be referred to the Committee to consider what are the most eligible means to be adopted for the extinction of the Certificate debt.

Mr. Davie moved for leave and presented a Bill to amend an Act intitled "an Act directing the mode of proceeding against the real estate of deceased debtors where the personal estate is insufficient for the payment of the debts;" which was read the first time, passed and sent to the Senate.
Mr. Davie moved for leave and presented a Bill to amend 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 of the Superior Courts;" which was read the first time, passed & sent to the Senate.

Received from the Senate the resolution of this House allowing five pounds to each of the light Horsemen who came from Hillsbo. to Fayetteville as a Guard to the Money in the Treasury, &c., concurred with.

Received from the Senate a Bill to repeal part of an Act intitled "an Act once more to extend an Act intitled 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.

Mr. Mebane presented the Petition of James Mebane and John Taylor, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

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

Mr. Davie presented the Petition of James Hogg, Executor of Thomas Burke, Esquire, deceased; which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the Letter from James Iredell, Esquire, be reported on by a joint Committee, and have appointed Mr. Skinner, Mr. Lenoir and Mr. Blount to act with the Gentlemen by you named for this purpose.

The Bill to direct Josiah Collins, Nathaniel Allen and Samuel Dickinson, Esquires, to pay a County and Parish Tax in the County of Tyrrell for the property they hold in said County, was read the second time and rejected.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

This House having received information of the death of the Honbl.
Richard Caswell, our late Speaker, we propose that a joint Committee be appointed to direct and conduct the mode and order of his interment, and have on our part appointed for this purpose Mr. Blount, Mr. Skinner and Mr. Bloodworth.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House have received the Message of yours containing the information of the much to be lamented death of your late Speaker, and concur with your proposition for a Committee to direct the mode of his interment, have appointed Mr. Davie, Mr. Stokes, Mr. Blount, Mr. Leak, Mr. Hawkins and Mr. Person a Committee on our part for that purpose.

The Bill to add part of Bladen County to Cumberland, was read the second time, amended, passed and sent to the Senate.

The Bill to release Joseph Stacey of Montgomery County, from the forfeiture of a Recognizance, was read the second time, passed and sent to the Senate.

The Bill to repeal part of an Act intitled "an Act once more to extend 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," was read the second time, passed and sent to the Senate.

The Bill to annex the County of Anson to Fayetteville District, and to regulate the appointment of Jurors to Fayetteville Superior Court, was read the second time, passed and sent to the Senate.

Ordered that the Bill to repeal the fifth Section of an Act intitled "an Act to regulate the Inspection of Tobacco in this State," be read on Thursday for the second reading in this House.

Mr. Alderson, who had leave to withdraw for amendment the Bill for erecting Pungo River and the other Rivers in Hyde County into a distinct port, &c., delivered in the bill with the amendments; whereupon he presented the Petition of sundry of the Inhabitants of the said County praying that a separate and distinct Port be established therein; which being read, The Bill was then read for the second reading in this House, amended, passed and sent to the Senate.

Mr. Davie presented the Claim of Nathaniel Allen, which being read, was referred to the Committee of Claims and sent to the Senate.
Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House have added Mr. Davie, Mr. Hamilton of Edenton, Mr. Person, Mr. Edwd. Jones and Mr. Johnson to the Committee appointed to equalize the Land Tax. Mr. Rhea to the Committee on Finance, and Mr. Moore to the Committee of Claims.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House propose that the Public Printer for the ensuing year be balloted for on Saturday next, at the same time that the Governor and place of holding the next Assembly are to be balloted for, and we nominate Messrs. Sibley and Howard and Messrs Hodge and Wills for that appointment.

Resolved, That no Bill of a private nature be received into either of the Houses of the General Assembly after Saturday next.

Received from the Senate the Memorial of Isaac Alexander; The Petition of Sundry Inhabitants of Halifax County; The Memorial of John Michael Wincoff, & the Memorial of Dr. Frederick Ramche. Severally endorsed, read and referred as by the House of Commons.

Received from the Senate the following Bills. Endorsed, read the first time and passed, vizt:

A Bill to repeal part of an Act passed at Fayetteville 1786 intitled "an Act to enforce a duty on all Slaves brought into this State," &c.;

A Bill for laying off a Town on the Lands of John Marriner in Tyrrell County;

A Bill to carry into effect the ordinance of the Convention held at Hillsborough in July, 1788, &c.

Received also A Bill for erecting and establishing a Town at Hawkins Court House, and a Bill to prevent the exportation of Raw Hides, &c. Endorsed, read the second time and passed.

Ordered that the Bill to prevent the exportation of raw Hides, &c., and the Bill to repeal part of an Act passed at Fayetteville, 1786, intitled "an Act to enforce a duty on all Slaves brought into this State by Land or Water," be read To-morrow for the second reading in this House, and that the Bill to carry into effect the ordinance of the Convention held at Hillsborough in July, 1788, &c.; be read on Thursday next for the second reading.

The House adjourned until To-morrow Morning 10 O'Clock.
WEDNESDAY, 11 November, 1789.

The House met according to adjournment.

Received from the Senate the Report of the Committee to whom was referred the mode and order of burial of the Honbl. Richard Caswell. Endorsed, read and concurred with; which being read was concurred with by this House and returned.

The House adjourned until 12 o'clock.

Met according to adjournment.

Adjourned until To-morrow 10 O'clock.

THURSDAY, 12 November, 1789.

The House met according to adjournment.

Mr. Alexander Mebane, one of the Commissioners appointed to examine and punch such Cash Claims and Certificates as were in the Comptroller's office, redeemed by the Public, and for burning such State Dollar Bills as were in the said office, presented a statement of their proceedings therein; which being read, together with other papers accompanying the same, were referred to Mr. Stokes, Mr. Brown, Mr. Person and Mr. Lock on the part of this House, and sent to the Senate with the following Message:

Mr. Speaker & Gentlemen:

We herewith send you the report of the Commissioners appointed to examine and punch the Cash Claims and Certificates in the Comptroller's office, &c., together with a recommendation of the said Commissioners in favour of the Comptroller, all which we propose referring to a joint Committee to report on, and have on our parts appointed Mr. Stoker, Mr. Brown, Mr. Person and Mr. Lock a Committee.

Mr. Lock presented the Petition of Sundry of the Inhabitants of Iredell County, praying that a part of the said County be added to Rowan County; which being read, Mr. Lock then moved for leave and presented a Bill to answer the prayer of the said Petition, which was read the first time, passed and sent to the Senate.

Mr. Lock presented the Petition of William Brandon, which being read was referred on the part of this House, to Mr. Lock, Mr. McDowall, Mr. Mebane and Mr. P. Hawkins, and sent to the Senate.

Mr. Mebane presented the Petition of John Armstrong of Orange
County, which being read was referred to the Committee on Finance and sent to the Senate.

Mr. Davie presented the Claim of Charles L. Hunter, Jailor, &c.; which being read was referred to the Committee of Claims and sent to the Senate.

Mr. Benjamin Smith, one of the Members for Brunswick County, appeared, was qualified and took his seat.

Mr. Rhea moved for leave and presented a Bill for defraying the expenses of an expedition carried on against the Cherokee Indians; which was read the first time, passed and sent to the Senate.

Mr. E. Jones moved for leave and presented a Bill to amend an Act intitled "an Act to establish in the Towns of Washington, Edenton, Washington and New Bern, Courts for the speedy decision of Mercantile transactions with the Foreigners & Transient Persons, and Maritime Affairs;" which was read the first time, passed and sent to the Senate.

Mr. Davie moved for leave and presented a Bill to amend an Act intitled "an Act concerning proving of Wills & granting letters of Administration and to prevent frauds in the management of intestate estates;" which was read the first time, passed and sent to the Senate.

Mr. Hamilton moved for leave and presented a Bill to regulate the practice of Physic and Surgery; which was read the first time, passed and sent to the Senate.

Received from the Senate the report of the Committee on Public Bills, concurred with by that House.

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

A Bill to extend the Civil and Military authority of this State to the Inhabitants South of the French Broad & Holston Rivers;

A Bill to repeal part of an Act intitled "an Act to explain an Act directing the duty of Naval Officers and Masters of Vessels coming into the Ports and Inlets of this State;"

A Bill to erect a light house on Ocracoke Island.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the address from the Comptroller, together with the
papers accompanying it, stand referred as by you proposed.

Mr. Johnston presented the Memorial of James Butler, which being read was referred to Mr. Hamilton, Mr. Mebane, Mr. Gillispie and Mr. Johnston and sent to the Senate.

Mr. Stokes moved for leave and presented a Bill to alter the manner of fining and imprisoning offenders, which was read the first time, passed and sent to the Senate.

Mr. Edward Jones presented the Petition of John Bradley of the Town of Wilmington, praying, &c.; which being read, Mr. Jones moved for leave and presented a Bill for pardoning John Bradley of the Town of Wilmington, which was read the first time, passed and sent to the Senate.

Received from the Senate a Bill to release Joseph Stacey of Montgomery County, from the forfeiture of a recognizance. Endorsed, read the second time and passed.

A Bill for altering the name of James Rowsom to that of James Long. Endorsed, read the third time & passed.

Received also, the Claims of John Hill and John Charles. Endorsed, read and referred as by the House of Commons.

Mr. Cabarrus presented the Memorial of Spruce McKay, which being read was referred to the Committee appointed on the Petition of William Brandon, and sent to the Senate.

Mr. Chambers presented the resignation of Valentine Baird, one of the Justices of the Peace for Rowan County, which being read was accepted by this House and sent to the Senate.

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

Mr. T. P. Williams moved for leave and presented a 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 said County to Persons who have supported the Poor, which was read the first time, passed and sent to the Senate.

The Bill to prevent the exportation of raw Hides, pieces of Hides of black Cattle and Calf Skins, Beaver, Raccoon and fox furs, was read the second time, passed and sent to the Senate.

The Bill to erect a light House on Ocracoke Island, was read the second time, passed and sent to the Senate.

Received from the Senate a Bill to amend an Act intitled "an Act
to prevent the obtaining of Grants for lands lying in the western parts of this State, to the prejudice of the first entries," &c. Endorsed, read the first time and passed.

Mr. Stokes presented the Petition of Sundry of the Inhabitants of the District of Salisbury, praying, &c.; which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Edward Jones presented the Memorial of Lewis McPherson; which being read was referred to Mr. Jones, Mr. Stokes, Mr. Smith and Mr. Lock, on the part of this House, and sent to the Senate.

Received from the Senate a Bill to incorporate certain persons in every Christian Church or Congregation throughout this State, and a Bill to enable Creditors more easily to recover their debts from joint partners and upon joint notes. Endorsed, read the first time and passed.

Received from His Excellency the Governor, the following Message:

To the Honourable the General Assembly:

Gentlemen:

I herewith transmit a Letter which I have just received from Abishai Thomas, Esquire, one of the Agents appointed to settle the accounts of this State with the United States, enclosing his account of expenditures in that service.

The Paquyet referred to in the above Letter I have not yet received.

SAM JOHNSTON,

Fayetteville, 12 Nov., 1789.

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 a Letter and an account of expenditures, from Abishai Thomas, Esquire, one of the Commissioners for liquidating the accounts of this State with the United States, therein referred to, all which we propose referring to the Committee of Finance to report on.

Mr. Guion moved for leave and presented a Bill to repeal part of New Bern Town Law, which was read the first time, passed and sent to the Senate.
Mr. J. Allen moved for leave and presented a Bill to establish an Inspection of Pork, Beef and Naval Stores at Bryan's Ferry, on Neuse River, in Craven County; which was read the first time, passed and sent to the Senate.

The Bill for altering the name of James Rowsom to that of James Long, was read the third time, passed and ordered to be Engrossed.

Received from the Senate the Petition of Thomas Parker & The claim of Nathan Allen. Endorsed, read and referred as by the House of Commons.

Mr. Davie moved for leave and presented a Bill to establish an University in this State; which was read the first time, passed and sent to the Senate.

Mr. Guion moved for leave and presented a Bill to emancipate certain Negroes therein mentioned, which was read the first time, passed and sent to the Senate.

Mr. Guion moved for leave and presented a Bill to impower certain persons therein named to receive, sue for and recover all such bequests, donations, benefactions and other things as have heretofore been bequeathed, given or made by any person or persons whatsoever, for the use of the Congregation or Society of the Episcopal Communion of New Bern; which being read the first time was passed and sent to the Senate.

Received from the Senate a Bill to enable Thomas Callendar, acting Executor of the last Will of Parker Quince, late of New Hanover County, deceased, and the other persons therein named, to make sale of certain lands and Tenements, part of the residuary Estate of the said Parker Quince. Endorsed, read the first time and passed.

Received from the Senate the following Messages, to-wit:

Mr. Speaker & Gentlemen:

We agree that a Public Printer be ballotted for on Saturday next, agreeable to your proposition, and approve of your nomination.

Mr. Speaker & Gentlemen:

We herewith send you the Petition of Robert Gilkey and Gasper Smith, which we propose shall be reported on by a joint Committee, and have appointed for this purpose on our parts, Mr. Singleton and Mr. Sevier.

Ordered that the following Message be sent to the Senate:

We agree that the Petitions of Robert Gilkey and Gasper Smith
be referred to a Special Committee of both Houses, and have on our parts appointed Mr. Smith, Mr. McLean, Mr. Wilson, Mr. Brevard and Mr. McDowall.

Resolved, That the Clerk of the Committee of Claims, and the Clerk of the Committee of Propositions and Grievances, be directed from day to day to advertise the time and place of meeting of those Committees respectively, for the information of all persons who may have business to transact before them.

Ordered that the Bill to amend an Act intitled "an Act to prevent the obtaining of Grants for Lands lying in the Western parts of this State, to the prejudice of the first enterers, and entered in the land office lately established for receiving entries of claims for such Lands by an Act intitled "an Act for opening the land office for the redemption of Specie and other Certificates and discharging the arrears due to the Army," passed at Fayetteville, 1786, be read on Saturday next for the second reading in this House.

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

FRIDAY, 13 November, 1789.

The House met according to adjournment.

Received from the Senate sundry claims. Endorsed, read and referred to the Committee of Claims; which being read were referred as by the Senate and returned.

Mr. Davie presented the Petition of the monthly meeting of the People called Quakers, which being read was referred on the part of this House to Mr. Davie, Mr. Lindley, Mr. Ellison and Mr. Hamilton and sent to the Senate.

The Bill to enable Thomas Callendar, acting Executor of the last Will of Parker Quince, late of New Hanover County, deceased, and the other Persons therein named, to make sale of certain Lands and Tenements, part of the residuary Estate of the said Parker Quince, was read the first time, passed and sent to the Senate.

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

A Bill to repeal part of an Act passed at Tarborough entitled "an Act to enable the County Courts to appoint Commissioners to keep open Rivers and Creeks," &c.;

A Bill to amend an Act intitled "an Act directing the mode of
proceeding against the real estate of deceased debtors where the personal estate is insufficient," &c.;

A Bill to establish an University in this State;

A Bill to amend an Act entitled "an Act for establishing Courts of Law and for regulating the proceedings therein," &c.

Received also a Bill to repeal part of an Act entitled "an Act once more to extend 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." Endorsed, read the third time and passed.

Mr. Lindley presented the Petition of Jeremiah and Robert Field, which being read was referred on the part of this House, to Mr. Person, Mr. Lindley, Mr. Spiller and Mr. Peete and sent to the Senate.

The Bill to incorporate certain persons in every Christian Church or Congregation throughout this State, was read the first time and laid over until the next Assembly.

Received from the Senate the two following Messages, to-wit:

Mr. Speaker & Gentlemen:

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

Mr. Speaker & Gentlemen:

We agree that the report of the Commissioners appointed to punch the Claims and Certificates in the Comptrollers office, &c., be reported on by a joint Committee as by you proposed, and have appointed Mr. Ashe, Mr. Macon and Mr. Graham to act on the part of this House with the Gentlemen by you named.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in a report, which being read was ordered to lie on the Table for Consideration.

Received from His Excellency the Governor, the following Message:

To the Honourable the General Assembly:

Gentlemen:

I herewith send you several dispatches from the Commissioners appointed to settle the accounts of this State with the United States of America, which I received this morning.

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

We herewith send you a Message of this day's date from His Excellency the Governor, accompanied with the papers and Statements therein referred to, which we propose referring to the Committee on Finance.

Ordered that Mr. Benjamin Smith be added to the Committee on Revenue and the Committee to equalize the land Tax.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Mr. Benjamin Smith to the Committee on Revenue, and the Committee to equalize the Land Tax.

Mr. Rhea moved for leave and presented a Bill to repeal part of an Act intitled "an Act for raising a revenue for the support of Government," and to repeal an Act intitled "an Act to suppress excessive gaming;" passed at Hillsborough, in April in the year 1784; which was read the first time, passed and sent to the Senate.

Mr. Blount presented the claims of Joseph Gardner and Mary Randolph for their attendance as Witnesses in the behalf of the State, which being read were referred to the Committee of Claims and sent to the Senate.

Mr. Wood moved for leave and presented a Bill empowering the several County Courts within this State to direct the places where the several offices of their respective Counties shall be kept; which was read the first time, passed and sent to the Senate.

Mr. Ewing moved for leave and presented a Bill to alter the present mode of swearing Petit Juries in the Courts of Law in this State; which was read the first time, passed and sent to the Senate.

Mr. Stokes presented the Petition of James Greenleaf, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Drew presented the Memorial of Andrew Jackson, which being read was referred to the Committee of Claims and sent to the Senate.

Mr. Stokes presented the Petition of Robert Lynn, in behalf of the orphans of Philip Rough, which being read was referred to the Committee on the Petition of William Branson, and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the Bill to repeal part of an Act once more to
extend "an Act to pardon and consign to oblivion the offences, &c., of certain Persons in the Counties of Washington, Sullivan, Greene and Hawkins," be referred to a joint Committee who are to examine into the propriety of passing these and make report thereon; for this purpose we have on our parts, appointed Mr. Davie, Mr. Hawkins, Mr. Spiller and Mr. Hamilton of Edenton.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We herewith send you the Petition of Mary McFall, together with an order of the County Court of Bladen relative thereto, which we propose shall be referred to a special Committee to report what relief ought to be given to the Petitioner, and all others similarly circumstanced. For this purpose we have appointed Mr. Bloodworth, Mr. Skinner & Mr. Brown.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received your Message proposing to refer the Petition of Mary McFall to a joint Committee, who are to report thereon and what relief ought to be given to her, as well as to others similarly circumstanced, and we have appointed on our parts Mr. Stewart, of Bladen, Mr. Jones of Wilmington, Mr. Sneed, Mr. Spicer and Mr. Dickson.

Received from the Senate the Petition of George Hoskins; the Petition of Thomas Withers, and the Petition of James Mebane and John Taylor. Endorsed, read and referred as by the House of Commons.

Mr. John Gray Blount, one of the Members for Beaufort County, appeared, was qualified and took his seat.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the balloting heretofore agreed on for a Governor, place at which the next Assembly shall be held, and a public Printer, be postponed to a more distant day.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House have received the Message of yours proposing to postpone the balloting for a Governor, &c., to a more distant day than that before agreed on, with which we cannot concur.
Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the Committee appointed to report on the Petition of Greenbury Sutton do also report on the propriety of erecting a distinct Port in the County of Hyde.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the propriety of establishing a distinct Port in the County of Hyde be reported on as by proposed.

Ordered that the following Bills be read to-morrow for the second reading in this House, to-wit:

A Bill to amend an Act intituled "an Act directing the mode of proceeding against the real estate of deceased debtors, where the personal estate is insufficient for the payment of the debts;"

A Bill to establish an University in this State;

A Bill to amend 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."

Received from the Senate the claim of Charles L. Hunter, Jailor, &c.; The Memorial of Spruce McKay; the Petition of John Armstrong, and the Petition of Sundry Inhabitants. Severally endorsed, read and referred as by the House of Commons.

Received also the Memorial of John Butler. Endorsed, read and referred to Mr. Macon, Mr. Tho. Brown & Mr. Graham on the part of the Senate; and the Petition of William Brandon. Endorsed, read and referred to Mr. Riddick, Mr. Berger & Mr. Dickson on the part of the Senate.

Received from the Senate a Bill to erect a light House on Ocracoke Island. Endorsed, read the second time and passed.

The Bill to carry into effect the ordinance of the Convention held at Hillsboro in July, 1788, intitled "an Ordinance for establishing a place for holding the future meetings of the General Assembly, and the place of residence of the Chief Officers of the State," was read the second time, and the question being put shall this bill pass, was negatived; whereupon, the yeas and nays were called for by Mr. Bonds and seconded by Mr. Lindley, which are as follows, vizt:

Yea—Messrs. Grist, T. P. Williams, Duke, Bell, J. Allen, Sawyer, Dauge, Womack, J. Hill, E. Phillips, Sherrod, D. Rice, Dick-
ens, Person, Alderson, Outlaw, Yancey, Creecy, B. Williams, J. Bryan, Qualla, Norfleet, Baker, White, J. Johnston, Bonds, J. Stewart, W. Williams, S. Allen, Perry, Sutton, Armstrong, Ever-
again, Reading, Drew, Chesson, E. Hamilton, Guion, Hines, Spruill,


Received from the Senate the Petition of Joseph Cunningham. Endorsed, read and referred to the Committee of Propositions and Grievances; which being read was referred as by the Senate and re-
turned.

Mr. Tyson presented the Petition of Marmaduke Maple, which being read was referred to the Committee of Propositions and Griev-
ances and sent to the Senate.

Received from the Senate the claim of Joseph Gardner & Mary Randolph; The Memorial of Andrew Jackson and the Petition of James Greenlee. Endorsed, read and referred as by the House of Commons.

Received from the Senate the Petition of Jonas Hinton. En-
dorsed, read and referred to the Committee appointed on the Petition of Gasper Smith; which being read was referred as by the Senate and returned.

Ordered that Mr. Davie be added to the Committee appointed on the report of the Commissioners appointed to punch the Claims and Certificates in the Comptroller's office, &c.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Mr. Davie to the Committee appointed on the report of the Commissioners appointed to punch the claims and Cer-
tificates in the Comptroller's office.

Received from the Senate the Petition of the monthly meeting of
the People called Quakers. Endorsed, read and referred to Mr. Gowdy, Mr. Tho. Brown and Mr. Harget, on the part of the Senate. Received from the Senate the Petition of Jeremiah and Robert Field. Endorsed, read and referred to Mr. Gowdy, Mr. Yates and Mr. Winston, on the part of the Senate. Received from the Senate the following Bills. Endorsed, read the first time and passed; to-wit:

A Bill to regulate the practice of Physic and Surgery;
A Bill to repeal part of the New Bern Town Law;
A Bill for processioning Lands within this State;
A Bill to amend an Act intituled "an Act concerning proving Wills and granting Letters of Administration, and to prevent frauds in the management of intestates estates."

Ordered that the last mentioned Bill be read To-morrow for the second reading in this House.
The House adjourned until To-morrow Morning 10 O'clock.

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SaturDay, 14 November, 1789.

The House met according to adjournment. Received from the Senate the Memorial of Lewis McPherson. Endorsed, read and referred to Mr. Ashe, Mr. Gregory and Mr. Skinner, on the part of the Senate.

Mr. Dickens presented the Petition of sundry of the Inhabitants of Caswell County, praying a division thereof; which being read was referred to the Committee appointed on the Petition and Bill for dividing the County of Hawkins, and sent to the Senate.

Mr. W. Johnston presented the claim of John Whitaker, which being read, was referred to the Committee of Claims and sent to the Senate.

Mr. Johnston presented the Petition of John Shankle, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Bonds moved for leave and presented a Bill for empowering the several County Courts within this State to appoint Patrolls and directing their duty in office, which was read the first time, passed and sent to the Senate.

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

The Message from His Excellency the Governor, together with the papers accompanying it, we agree with you in referring to the Committee of Finance.

Mr. Hamilton, of Guilford, presented the Memorial of Hance Hamilton, which being read, was referred to the Committee of Claims and sent to the Senate.

Mr. Stokes presented the Memorial of John Whitaker, which being read, was referred to the Committee of Propositions & Grievances and sent to the Senate.

Mr. Mebane presented the Petition of George Doherty, which being read, was referred to the Committee of Claims and sent to the Senate.

Mr. John Brown presented the Petition of sundry of the Inhabitants of Burke County, praying that a part of the said County be added to Wilkes County, which being read, Mr. Brown moved for leave and presented a Bill to answer the prayer thereof; which was read the first time, passed and sent to the Senate.

Mr. E. Jones presented the Petition of James Richard, praying, &c., which being read, Mr. Jones moved for leave and presented a Bill to confirm the marriage of James Richard, of Brunswick County, with Nancy Richard, otherwise Neale, which was read the first time, passed and sent to the Senate.

Mr. Bonds presented the Petition of sundry of the Inhabitants of Leesburg, in Caswell County, on the subject of the division thereof: which being read, was referred to the Committee on the Petition for the division of Hawkins County, and sent to the Senate.

Mr. John G. Blount presented the Petition of Alexander Outlaw, of Greene County, which being read, was referred to the Committee of Claims and sent to the Senate.

Mr. J. Allen presented the resignation of Thomas Pugh, a Justice of the Peace for Bertie County, which being read, was accepted by this House and sent to the Senate.

Received from the Senate the Memorial of Older Neal. Endorsed, read and referred to the Committee on the Petition of Greenbury Sutton; which being read, was referred as by the Senate and returned.

Mr. Phifer presented the Petition of sundry of the Inhabitants of Mecklenburg County, praying a division thereof; which being
read, Mr. Phifer moved for leave and presented a Bill to answer the prayer of the said Petition, which was read the first time and sent to the Senate.

The Bill for processioning Lands within this State, was read the first time, passed and sent to the Senate.

Mr. Davie moved for leave and presented a Bill providing means for the payment of the domestic debt, for the appropriating certain monies therein mentioned, and to amend an Act passed at the last Session of the General Assembly, intitled "an Act for levying a tax for the Support of Government, and for the redemption of old paper currency, Continental Money, Specie and other Certificates," which was read the first time, passed and sent to the Senate.

Mr. Wilson moved for leave and presented a Bill for granting a longer time for the surveying of certain lands, which was read the first time, passed and sent to the Senate.

Mr. Davie, from the Committee to whom was referred the Petition of the monthly meeting of the People called Quakers, delivered in the following Report:

Your Committee to whom was referred the Petition of the monthly meeting of the people called Quakers, of New Garden in Guilford County, on examining the papers and evidence relative to the allegations of the said Petition find that a certain Richard Williams did, on the 19th day of October, 1757, convey the tract of Land mentioned in the Petition to a certain Henry Ballinger and Thomas Hunt and their Successors, for the purpose of having a meeting House, and burying rounds for the people called Quakers; it appears that the purchase was made for the use and benefit of the monthly meeting above mentioned, that Thomas Hunt and Henry Ballinger are dead, that there are no successors nor any means of appointing such. Your Committee therefore recommend that a Bill be passed vesting the said Land in fee in the said monthly meeting agreeably to the intentions of the original purchase.

All which is submitted.

WILLIAM R. DAVIE, Chn.

The House taking this report into consideration Concurred therewith. Whereupon Mr. Davie moved for leave and presented a Bill to vest certain Lands therein mentioned in the monthly meeting of the people called Quakers, of New Garden in Guilford County; which was read the first time, passed and sent to the Senate.
Mr. Guion presented the Memorial of Sundry of the Inhabitants of Craven County, setting forth, &c.; which being read, Mr. Guion moved for leave and presented a Bill to alter and amend an Act of the General Assembly passed in the year 1784, intitled "an Act to prevent the exportation of unmerchantable Commodities;" which was read the first time, passed and sent to the Senate.

The Bill to repeal part of an Act passed at Fayetteville, 1786, intitled "an Act to impose a duty on all Slaves brought into this State by land or water," was read the second time and rejected.

Mr. Edwd. Jones presented the Petition of George Hooper & Co., and James Richie & Co.; which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Guion presented the claims of William Dudley, Jailor, John Barrington and William Good; which being read, were referred to the Committee of Claims and sent to the Senate.

Mr. Hamilton presented the Petition of John Smallwood, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Nash presented the claim of John McCarrell, which being read, was referred to the Committee of Claims and sent to the Senate.

Mr. Guion presented the Claim of Doctor Wm. McClure, which being read, was referred to the Committee of Claims and sent to the Senate.

The Bill to amend an Act intitled "an Act directing the mode of proceeding against the real estate of deceased debtors, where the personal estate is insufficient for the payment of the debts;" was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Bills. Endorsed, read the first time and passed, to-wit:

A Bill for pardoning John Bradley, of the Town of Wilmington;
A Bill to emancipate certain negroes therein mentioned;
A Bill to alter the present mode of swearing petit Juries in the Courts of Law in this State;
A Bill to alter the manner of fining and imprisoning offenders;
A Bill to repeal part of an Act intitled "an Act for raising a revenue for the support of Government," and to repeal an Act intitled "an Act to suppress excessive gaming," &c.;
A Bill to amend an Act intitled "an Act to establish in the Towns
of Washington, Edenton, New Bern and Wilmington Courts for the speedy decision of Mercantile transactions with foreigners and transient persons and Maritime Affairs."

Received from the Senate the resignation of Valentine Baird and Edmund Waddell, two Justices of the Peace. Endorsed, read and accepted.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have received your Message proposing that the propriety of passing the Bill to repeal part of "an Act to pardon and consign to oblivion the offences and misconduct of certain persons in the Counties of Washington, Sullivan, Greene and Hawkins," be reported on by a joint Committee, to which we cannot agree, from these principles, that the Bill has already had a third reading in this House; of course its utility fully investigated, and that now to commit it would be contrary to all rule heretofore observed.

Ordered that Mr. Rhea have leave to withdraw for amendment the Bill to amend an Act entitled "an Act to prevent the obtaining grants for Lands lying in the Western part of the State," &c.

Received from the Senate the Resolution of this House for exhibiting, in the first instance, all claims to the Committee of Claims, concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the propriety of dividing the Counties of Surry and Mecklenburg, and of annexing part of the County of Iredell to Rowan, and the Bill to repeal an Act to annex part of the County of Washington to Sullivan, be reported on by the Committee appointed on the Petition and Bill for the division of Hawkins County.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the propriety of dividing the Counties of Surry and Mecklenburg and of annexing part of the county of Iredell to Rowan, and the Bill to repeal an Act to annex part of the County of Washington to Sullivan, be reported on as by you proposed.

Received from the Senate the following Bills. Endorsed, read the first time and passed; to-wit:
A Bill for adding Randolph County to Salisbury District, and Rockingham County to Hillsborough District;

A Bill to impower certain persons therein named to receive, sue for and recover, all such bequests, Donations and other things as have heretofore been bequeathed, given, or made by any person or persons whatsoever, for the use of the Congregation or Society of the Episcopal Communion of New Bern;

A Bill for defraying the expences of an expedition carried on against the Cherokee Indians;

A Bill providing means for the payment of all the domestic debt, for appropriating certain monies therein mentioned, and to amend an Act passed at the last Session of the General Assembly intitled "an Act for levying a tax for the support of Government," &c.;

A Bill to impower the Wardens of the Poor for the County of Currituck, to lay a tax, &c.;

A Bill to authorize the County Courts in this State to annually elect a certain number of Justices in each County to attend to the business thereof, and to constitute a quorum in each County, and to impeach and try all officers guilty of misdemeanor in office, &c.

Received also, a Bill to prevent the exportation of raw Hides, &c. Endorsed, read the third time and passed.

Mr. E. Jones moved for leave and presented a Bill to allow Merchants and others, who Import Salt into this State, a drawback on the Cargo in the Import duties; which was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

Mr. Skinner and Mr. Lenoir will, on the part of this House, superintend the ballotting heretofore agreed on.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House have appointed on their parts, Mr. Thomas Blount and Mr. Sanders to superintend the ballotting this evening for a Governor, &c.

Received from the Senate a Bill to enable Thomas Callendar, acting executor of the last Will of Parker Quince, late of New Hanover County, deceased, and the other persons therein named, to make sales of certain Lands and Tenements, part of the residuary estate of the
said Parker Quince. Endorsed, read the second time and passed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We herewith send you the Petition of William Boykin, of Wayne County, which we propose shall be referred to the consideration of a joint Committee who shall report their opinion of the hardships therein set forth, and the relief necessary to be given for this purpose. We have appointed Mr. McKinnie, Mr. Bloodworth, Mr. Gregory and Mr. A. Bryan.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received your Message accompanied by the Petition of William Boykin, and agree that the same be referred to a joint Committee, and have on our parts appointed Mr. Davie, Mr. McDowall, Mr. Jones, Mr. Person, Mr. Spiller and Mr. Hamilton of Edenton.

Received from the Senate a resolution of that House directing the Comptroller to make an allowance to Green Duke for a waggon and Team impressed from him, &c.; which being read, was rejected, whereupon,

Resolved, That the Comptroller be, and he is hereby directed on application of Green Duke, and on his making it appear that he has not received any satisfaction for the use of a Waggon and Team impressed from him to make such allowance for the hire of said Waggon as has been made to others in such cases, and distinguish the claim in such manner, as that if a proper one against the United States, it may be best supported.

Mr. Mebane, from the Committee to whom was referred the Petition of William Brandon, delivered in a report thereon, which being read and amended, was agreed to as follows, to-wit:

The Committee to whom the Petition of William Brandon of Rowan County was referred, Report,

That having duly enquired into the legality of the allegations set forth in the said Petition, they find them well supported, and that the Petitioner and his sureties are in such insolvent circumstances that they are utterly incapable of paying any thing towards the discharge of the debt, but what can be raised from the sale of the Lands, which if sold by execution will probably produce considerably less to the
State than their real value; Therefore are of opinion that a resolution be passed directing the Treasurer to stop the prosecution and deliver to the said William his Bond for the purchase money on his returning back the plots of the lands so purchased, to the State, and paying all costs accruing therefrom, if any.

All which is submitted.

ALEXANDER MEBANE, Chn.

Whereas, it has been represented to this General Assembly by William Brandon of Rowan County, that he purchased of the Commissioners of Confiscated property in Salisbury District, four Tracts of Land late belonging to Henry Eustace McCulloch, on the Yadkin River, the Uwharrie River and Abbot & Cane Creeks, and that he is about to be sued for the purchase Money by the Treasurer, and his Petition having been referred to a Committee, and that Committee reported that the said William Brandon and his sureties are in such insolvent Circumstances that there is no probability of their being able to pay the said purchase Money, otherwise than by the sale of the Lands, which sale may prove considerably detrimental to the State, and have recommended that he be released from the Contract, therefore,

Resolved, That the Treasurer be and he is hereby directed to abstain from the prosecution of any suit to be commenced on the Bonds given for the purchase Money aforesaid, for the said Lands, the said Brandon returning Plots of the Lands so purchased to the Secretary of State, and paying all costs which have accrued or may accrue by the commencement of the said suit before notice of this resolution to the Treasurer, and producing to the said Treasurer the Secretary's receipt for such plots.

The House adjourned until 4 O'clock P. M.

Met according to adjournment.

Mr. John Allen Campbell, one of the Members for New Hanover County, appeared, was qualified and took his seat.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We are now ready to proceed on the balloting, and propose that th Superintendents wait on those Members who, from indisposition, cannot attend, in order to receive their votes.
Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House are also ready to proceed to ballot immediately for the Governor, &c., and consent that the sick absent Members be waited on by the Superintendents in order to receive their ballots; the Superintendents on our part attend you herewith for that purpose.

Received from the Senate the resignation of Duncan McNeil. Endorsed, read and accepted; which being read, was accepted by this House and returned.

Mr. Mebane presented the resignation of Alexander Mebane, the elder, a Justice of the Peace for Orange County; which being read, was accepted and sent to the Senate.

Mr. Edward Jones presented the Petition of Patrick Travers; which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Received from the Senate the Report of the Committee on the Memorial of William Brandon, and the resolution of this House in consequence thereof, Concurred with by that House.

Received from the Senate a Bill for empowering the several County Courts within this State to appoint Patrols and directing their duty in office. Endorsed, read the first time & passed.

Received from the Senate the resolution of this House directing the Comptroller to allow Green Duke for a Waggon, &c., as therein expressed, concurred with.

Mr. Guion moved for leave and presented a Bill to incorporate the Tradesmen and manufacturers of the Towns of New Bern, Wilmington, Washington and Halifax.

Mr. Guion moved for leave and presented a bill to regulate the Election for Members of Assembly in the different Towns in this State.

Mr. Hamilton of Edenton, moved for leave and presented a Bill to enable the Bastard Children of John Oggs, deceased, of the County of Pasquotank, to hold and enjoy the real and personal estate which was bequeathed to them and their heirs by the said John Oggs.

Mr. Guion moved for leave and presented a Bill for the better regulation of the Towns of New Bern, Edenton, Washington, Wilmington and Halifax.

The House adjourned until Monday Morning 10 O'clock.
MONDAY, 16 November, 1789.

The House met according to adjournment.

Mr. John Baker, one of the Members for Gates County, and Joseph McDowall, Junr., one of the Members for Burke County, appeared, were qualified and took their seats.

Mr. John G. Blount presented the Petition of John Gray and Thomas Blount, which being read, was referred to the Committee of Claims and sent to the Senate.

Mr. Mebane presented the Petition of Aley Ross, Administrator of the Goods, &c., of Andrew Ross; which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Wood presented the resignation of James Farr as first Major of the Anson Regiment of Militia, which being read, was accepted by this House and sent to the Senate.

Mr. Thomas Blount, from the joint Balloting for a Governor, Public Printer and the place at which the next General Assembly shall be held, Reported,

That Samuel Johnston, Esquire, was elected Governor; Messrs. Hodge & Wills Public Printers, and that no one place in nomination for holding the next General Assembly at had a Majority of Votes.

The House taking this report into Consideration Concurred therewith.

The Bill to confirm unto William Boykin an indefeasible title to certain lands therein mentioned in Wayne County, was read the first time, passed & sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

This being the day fixed on for the meeting of the Convention, we propose that the two Houses adjourn until Thursday next in order to forward that business.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received your Message proposing that the two Houses adjourn till Thursday next. We cannot agree to this proposition, believing that it would be more eligible for the Assembly to Adjourn from two days to two days and therefore proposed in lieu thereof that the two Houses adjourn to Wednesday next.
The Bill for erecting and establishing a Town at Hawkins Court House was read the second time, passed and sent to the Senate.

Mr. John G. Blount presented the Petition of James Bonner and the Petition of Henry Smaw; which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Benj. Smith presented the Memorial and Petition of Thomas Horsey of Derby, in the State of Connecticut; which being read, was referred to Mr. Hawkins, Mr. Person, Mr. Hamilton, Mr. Lock and Mr. Jones, on the part of this House, and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the two Members from each House be appointed to wait on and inform Samuel Johnston, Esquire, of his late appointment of Governor of this State, and request information when it will be convenient for him to attend and take the oaths of qualification: for this purpose we have on our part appointed Mr. Lenoir and Mr. Brown.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that two Members from each House of the Legislature wait on the Honourable Samuel Johnston, Esquire, and acquaint him with his election to the Chief Magistracy of this State, and request to know of him when it will be convenient to attend and take the Oaths of qualification, and have for this purpose on our parts, appointed Mr. Hamilton and Mr. Person.

Mr. Stokes, from the Committee to whom the Memorial of Lewis McPherson, Mercht. of the Town of Wilmington, was referred, delivered in the following Report:

The Committee to whom the Memorial of Lewis McPherson, Mercht. of the Town of Wilmington, and Agent for William Anderson of Jamaica, was referred, Report,

That on an examination of the said Memorial and the several papers accompanying the same, it appears to the Committee that the Cutter Mary, Peter Smillie Master, belonging to William Anderson of Jamaica, aforesaid, was on her voyage from thence to Wilmington in this State, dis-masted and otherwise so injured in a heavy gale of wind as to be adjudged on her arrival unfit for Sea Service;

That by an Act of Parliament of Great Britain Masters or owners
of Vessels in cases of Shipwreck, Sale or condemnation are compelled to produce the Registers of the vessels so lost, condemned or sold, or otherwise incur a heavy penalty;

That the said William Anderson, in consequence of a detention of the Register of the said Cutter Mary in the Naval office of Port Brunswick, is sued for the said penalty in the Island of Jamaica.

The Committee therefore are of opinion and recommend that John Walker, Esquire, Naval officer of Port Brunswick aforesaid, be directed to deliver to Lewis McPherson of Wilmington an agent for the said William Anderson the Register and all other papers belonging to the said Cutter Mary, so condemned as aforesaid, which is submitted.

J. STOKES, Chn.

The House taking this report into Consideration Concurred therewith.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the two Houses adjourn till Wednesday next agreeable to your proposition.

Received from the Senate the report of the Committee on the Memorial of Lewis McPherson, Concurred with by that House.

The House adjourned until Wednesday Morning 10 O'Clock.

WEDNESDAY, 18 November, 1789.

The House met according to adjournment.

Mr. Edward Williams, one of the Members for Richmond County, appeared, was qualified and took his seat.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the two Houses adjourn till next Friday 9 o'clock in order that the business of the Convention may be proceeded on.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received the Message of your House proposing that the General Assembly adjourn till Friday next, with which we concur.

Received from the Senate a Bill to impower the Wardens of the
Poor for the County of Franklin to build a House or Houses for the reception of the poor. Endorsed, read the first time and passed.
The House adjourned until Friday morning 9 O'Clock.

FRIDAY, 20 November, 1789.

The House met according to adjournment.
Mr. Bonds presented the Memorial of Samuel Westray, Sheriff of Nash County; which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.
Mr. Bonds presented the Petition of Thomas Viverett of Nash County, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.
Mr. Davie presented the Petition of Cosimo Medici, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.
Mr. Hamilton of Edenton, presented the Petition of Ben. Jones, which being read was referred to the Committee appointed on the Petition of Mr. McPherson and sent to the Senate.
Resolved, That the Members of Assembly who have attended at this place as Members of the Convention also, shall not be allowed for attending and travelling otherwise than as Members of Assembly and not for both, and those who are Members of Convention only shall be allowed according to the resolution of the last Assembly for calling the Convention.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:
It is the opinion of this House that the General Assembly adjourn till Monday next in order that the business of the Convention may be compleated.
Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:
We cannot concur with your proposition for an adjournment till Monday next, but propose that the two Houses adjourn till to-morrow morning 9 O'Clock.
Ordered that Mr. Sheppard and Mr. Vick have leave to absent themselves from the service of this House after this day.
The House adjourned until To-morrow morning 9 O'Clock.
SCHEDULE, 21 November, 1789.

The House met according to adjournment.

Mr. McDowall presented the Petition of William Morrison, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Dauge moved for leave and presented a Bill to repeal part of an Act intitled "an Act to regulate and ascertain the several officers fees therein mentioned, and for altering the times of holding Courts of Law and Equity for the Districts of Halifax, Edenton, New Bern and Wilmington," passed at New Bern the twenty second of October, one Thousand seven Hundred and Eighty-four; which was read the first time, passed and sent to the Senate.

Mr. Porter presented the Petition of Timothy Riggs, which being read was referred to Mr. Mebane, Mr. Porter, Mr. Grove, Mr. T. Blount and Mr. B. Jones on the part of this House, and sent to the Senate.

Mr. E. Jones moved for leave and presented a Bill to amend an Act intitled "an Act to amend an Act for the promotion of learning in the District of Wilmington."

Mr. Outlaw moved for leave and presented a Bill for dividing the County of Greene.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a Bill for dividing the County of Greene, which we propose referring to the Committee appointed to take under consideration the Bill and Petition for dividing the County of Hawkins.

Mr. Dickens presented the resignation of John Shelton, a Justice of the Peace for Caswell County, which being read was accepted by this House and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

It is our opinion that the two Houses adjourn till Monday Morning 9 O'clock in order that the business of the Convention may be completed.

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

We consent that the two Houses adjourn to Monday next as by you proposed, and

Ordered that Mr. John G. Blount have leave to absent himself from the service of this House after To-morrow.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the two Houses assemble on Tuesday next at 12 O’clock in the room where the House of Commons sit, in order to receive Samuel Johnston, Esquire, and Administer the necessary oath of qualification previous to his entering on the duties of his late appointment. Should this proposition meet your approbation, Mr. Ienoir and Mr. Brown will, on the part of this House, wait on and conduct Mr. Johnston into the presence of the General Assembly.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House have received your Message proposing that the two Houses of the Legislature do assemble on Tuesday next at Twelve O’clock in the Commons room in order to receive the Honorable Samuel Johnston, Esquire, in order to be qualified by taking the necessary Oaths for taking upon himself the exercise of the office of Governor of this State. We have on our parts appointed Mr. Davie and Mr. Smith to wait on him and acquaint him that the General Assembly will then receive him for the above purpose.

Received from the Senate the resignation of Thomas Pugh, Senior, of his office of Justice of the Peace for Bertie County; the resignation of Alexander Mebane, Senior, as a Justice of the Peace for Orange County, and the resignation of James Farr, as first Major of the Anson Regiment of Militia. Severally endorsed, in Senate, read and accepted.

Received also from the Senate the account of William Dudley, Gaoler; the account of John Barrington; the account of Doctor William McClure; the Petition of Henry Smau; the Petition of Thomas Viverett; the Petition of Cosimo Medici; the Petition of John Gray and Thomas Blount; the Petition of George Doherty; the account of John McCrall; the Petition of Benjamin Jones; the Petition of James Bonner; the Memorial of Hance Hamilton; the Petition of John Shankle; the Memorial of John Whitaker; the Petition of
John Smallwood; the Petition of Alsey Ross and John Taylor; the Memorial of Patrick Traverse; the Petition of George Hooper & Co.; and of John Retchie & Co.; and the Petition of the Inhabitants of Leesburg; the Petition of Benjamin Sheppard; the Petition of Samuel Westray, Sheriff of Nash County; the Petition of William Morrison, and the Petition of sundry the Inhabitants of the County of Caswell. Severally endorsed, in Senate, read and referred as by the House of Commons.

Received also from the Senate, the Petition of Timothy Riggs. Endorsed, read and referred on the part of this House, to Mr. Singleton, Mr. Blount, Mr. Charles McDowall and Mr. Mayo.

Received also the Memorial and Petition of Thomas Horsey. Endorsed, in Senate, read and referred on the part of this House to Mr. Reddick and Mr. Easton.

Received from the Senate, the Resolution of this House direct- ing in which manner allowances shall be made to the Members of the Convention, &c., concurred with.

The House adjourned until Monday Morning 9 o'clock.

MONDAY, 23 November, 1789.

The House met according to Adjournment.

Received from His Excellency the Governor, the following Message:

To the Honorable the General Assembly:

Gentlemen:

I herewith send you a packet which I have received this morning from Mr. Alexander Dromgoole, enclosing a letter from Alexander McGilvray, Chief of the Creek Nation of Indians, and other papers which I submit to your Consideration.

SAM. JOHNSTON.

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, enclosing papers from the Chief of the Creek Nation and others, together with the papers therein referred to; which we propose referring to the Committee on Indian Affairs.
Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

It is the sense of this House that the General Assembly proceed to ballot on Tuesday next at 4 O'clock in the afternoon for a Council of State, public Treasurer and place at which the next Assembly shall be held, and nominate for Councillors, James Iredell, John Mair, W. Hill, Dempsey Conner, W. Littlejohn, Allen Jones, Josiah Collins, John Stokes, William Boritz, Thomas Eaton, James Armstrong, William McKenzie and Isaac Gregory, Esquires. For public Treasurer, John Haywood, Esquire; and for the place at which the next Assembly shall be held the Towns of Tarborough, Fayetteville and Nashville.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received the Message of your House proposing to ballot to-morrow at 4 O'clock for a Council of State, public Treasurer and the place at which the next Assembly shall be held, with which we do not concur; but propose that the balloting be postponed to a future day.

Resolved, That the Members of Convention from Meero District who are not Members of Assembly shall be allowed, for coming and going, the same allowance as was made to the Members of the last Assembly who came from that District.

Mr. Davie presented a representation from the Judges of the Superior Court on the subject of the depreciation of salary, which was read and referred on the part of this House to Mr. Person, Mr. Lock, Mr. Davie, Mr. Stokes and Mr. McDowall.

Mr. Hamilton of Edenton, moved for leave & presented a Bill to ratify the amendments to the Constitution of the United States; which was read for the first time, passed and sent to the House.

The House adjourned until to-morrow Morning 8 O'clock.

TUESDAY, 24 November, 1789.

The House met according to Adjournment.

Mr. Stokes presented the Petition of Sundry of the Inhabitants of Rowan County, praying, &c.; which being read, Mr. Stokes moved for leave and presented a Bill to form part of the Militia of Rowan
County into a separate battalion, which was read the first time, passed and sent to the Senate.

Mr. Rhea presented the Petition of sundry of the Inhabitants settled on French Broad River, which being read, was referred to the Committee on Indian Affairs, and sent to the Senate with the following Message:

Mr. Speaker & Gentlemen:
We herewith send you the Petition of sundry of the Inhabitants south of French Broad River, which we propose referring to the Committee on Indian Affairs, and have added to this Committee Mr. Davie, Mr. Stokes and Mr. McDowall.

Mr. Brevard presented the Petition of James Kerr, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Chambers presented the Memorial of Henry Giles, which being read, was referred to the Committee appointed on the Petition of William Brandon and sent to the Senate.

Mr. Porter presented the Petition of sundry of the Inhabitants of Rutherford County, which being read, was referred to Mr. McDowell, Jun., Mr. Person, Mr. Mebane, Mr. Porter and Mr. Chambers, and sent to the Senate.

Mr. Spiller presented the Petition of Sundry of the Inhabitants of New Hanover County, praying, &c.; which being read, Mr. Spiller moved for leave and presented a Bill for adding part of New Hanover to Sampson County, which was read the first time and sent to the Senate.

Mr. Spiller presented the Petition of Joseph McDowell, James Spiller, William B. Grove, Caleb Phifer and John Hamilton, setting forth that John Gray and Thomas Blount had rec’d a considerable sum of Money to discharge the Martinique demand against this State, which they have not accounted for, and praying an investigation of the facts therein set forth.

Ordered that the said Petition be referred to the Committee of Privileges and Elections.

Resolved, That the Public Treasurer and Comptroller, and each of them be, and each of them is hereby directed as soon as possible to lay before this Assembly a list of all balances due to the Public from individuals, for the information of the Legislature.
Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the qualification of the Governor be postponed till Monday next, and that on Thursday next at 4 O'clock P. M., the two Houses shall proceed to ballot for two Senators to represent this State in the Congress of the United States. We also propose that a Committee be appointed from both Houses to prepare and introduce a Bill for ascertaining the manner, places and times of electing representatives of this State in the Congress of the United States. For this purpose we have, on our parts, appointed Mr. Rice, Mr. Rhea, Mr. McDowall, Mr. Stokes, Mr. Person, Mr. Davie, Mr. Hamilton of Edenton, Mr. Armstrong, Mr. Smith and Mr. Spiller. We nominate for Senators the Honorable Samuel Johnston, Esquire, Benjamin Hawkins, James White, Joseph McDowall, Timothy Bloodworth, Thomas Person, William Blount, the Honorable John Williams, William Lenoir, John Stokes, Richard Dobbs Spaight, William Polk, Esquires. We propose further that at the same time the two Houses proceed to ballot for the place at which the next Assembly shall be held, and approve of the nomination made by the Senate in their last Message on this Subject.

Mr. Joel Rice moved for leave and presented a Bill directing the sale of the Salt licks and Springs within the District of Mero; which was read the first time, passed and sent to the Senate.

Received from the Senate the Petition of the Inhabitants of Tyrrell County. Endorsed, read and referred to the Committee on the Petition for dividing Hawkins County; which being read, was referred as by the Senate and returned.

Received from the Senate the Memorial of John Sevier. Endorsed, read and referred to the Committee on Indian Affairs; which being read, was referred as by the Senate and returned.

Received from the Senate the Petition of Andrew Grier; the Petition of John Murphey; the Memorial of Major D. Moore; the Petition of John Elliott, and the Memorial of John Eaton. Severally endorsed, read and referred to the Committee of Propositions and Grievances; which being read, were referred as by the Senate and returned.

The Honorable the Speaker laid before the House the Memorial of Thomas Benbury, Collector of Port Roanoke; which being read,
was referred to the Committee on Finance and sent to the Senate.

Mr. Stokes moved for leave and presented a Bill directing the manner of issuing process in sundry cases arising in the Superior Courts of Law and Equity;

To direct the manner of proceeding on assigned or endorsed bills, bonds and notes under seal; to direct how joint obligations shall survive, and to repeal an Act calling forth the Militia to assist in executing civil process; which was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the Petition for the division of Surry, together with the plan of the said County herewith sent you, be referred to the Committee appointed on the Bill for dividing Hawkins County, and that they report their opinion as to the propriety of dividing the first mentioned County. We have added to the Committee Mr. Skinner and Mr. Overton.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received the Message of your House proposing that the Petition for dividing Surry County, &c., be referred to the Committee appointed on the Bill for dividing Hawkins County, with which we concur. We have added to this Committee Mr. Hamilton of Edenton.

The Bill to amend an Act intitled "an Act concerning proving Wills and granting letters of Administration, and to prevent frauds in the management of intestates estates," was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have appointed Mr. Brown and Mr. Lenoir, on the part of this House to wait on and inform the Honorable Samuel Johnston that the time appointed for his qualification as Governor is postponed till Monday next.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

Mr. Ben. Smith and Mr. McDowall are appointed by this House
to wait on the Honorable Samuel Johnston and acquaint him of the postponement of the time for his qualification till Monday next.

Mr. Dickens presented the Memorial of Billy Hughes, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We herewith send for your concurrence a resolution relative to the death of Mr. Ethelred Gray, late a Member of this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We concur with your resolution relative to attending the burial of Mr. Ethelred Gray, late a Member of your House.

Mr. Davie moved for leave and presented a Bill to alter the mode of trying Slaves accused of offences, the punishment of which shall extend to life or member; which was read the first time, passed and sent to the Senate.

Mr. Holland presented the Petition of James Miller, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the Committee of Propositions and Grievances be directed, to-morrow Morning, to report their names to the Assembly, having first divided themselves into two distinct Committees, No. 1 & 2, to be confirmed by the two Houses. That the Committee No. 1 shall retain all papers already referred to them, and No. 2 to pass upon all papers that may be hereafter referred to them.

The Bill to repeal part of New Bern Town Law, was read the second time and rejected.

The Bill for laying off a Town on the Lands of John Marriner in Tyrrell County, was read the second time, passed and sent to the Senate.

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

Mr. Thos. Blount presented the Petition of Charles Gerrard,
which being read, Mr. Blount moved for leave and presented a Bill to establish the lines of a certain Tract of Land, granted unto Charles Gerrard; which was read the first time, passed and sent to the Senate.

The Bill for pardoning John Bradley of the Town of Wilmington, was read the second time, passed and sent to the Senate.

Received from the Senate the Memorial of Charles Dukes. Endorsed, 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 Petition of William Smith. Endorsed, read and referred to the Committee appointed on the Petition of Daniel Williams; which being read, was referred as by the Senate and returned.

Mr. John G. Blount moved for leave and presented a Bill to incorporate the tradesmen and manufacturers of the Towns of Edenton, New Bern, Wilmington & Halifax; which was read the first time, passed and sent to the Senate.

Received from the Senate a Bill to authorize and impower James Billingsly to execute a Deed or Deeds of Conveyance agreeable to a power of Attorney, and the last Will and Testament of William Rea, late of Guilford County, Deceased. Endorsed, read the first time and passed. This Bill was read for the first reading in this House, passed and returned to the Senate.

Ordered that the Bill to repeal part of an Act intitled “an Act once more to extend an Act entitled an Act to pardon and consign to oblivion the offences and misconduct of certain persons in the Counties of Washington, Greene, Sullivan and Hawkins,” be Committed to a Committee of five Members of this House; that for this purpose Mr. Person, Mr. B. Smith, Mr. Rhea, Mr. Stokes and Mr. McDowall be a Committee, and that they report specially.

The Bill to impower the wardens of the Poor for the County of Franklin to build a House or Houses for the reception of the Poor, was read the first time, passed and sent to the Senate.

The Bill to invest an indefeasible right of inheritance in Charles Alley and Prudence Oggs, the surviving natural Children of the late John Oggs of the County of Pasquotank, of such property as was bequeathed to them and their deceased brother Jesse Oggs, was read the first time, passed and sent to the Senate.

The Bill to amend an Act intitled “an Act to make certain securi-
ties negotiable," was read the first time, passed and sent to the Senate.

The Bill to authorize the County Courts in this State to annually elect a certain number of Justices in each County to attend to the business thereof, and to constitute a quorum in each County, and to impeach and try all officers guilty of misdemeanors in office under their appointment, was read the first time, passed and sent to the Senate.

The Bill to alter the manner of fining and imprisoning offenders, was read the second time, amended, passed & sent to the Senate.

The Bill for adding Randolph County to Salisbury District, and Rockingham County to Hillsborough District, was read the first time, passed and sent to the Senate.

Mr. Ewing moved for leave and presented a Bill to Cede to the United States Certain Lands therein mentioned. Ordered that this Bill lie on the Table for consideration liable to the call of any Member.

Mr. Outlaw moved for leave and presented a Bill to cede to that part of the Citizens of this State who reside west of the Great Iron and Stone Mountains the territorial right thereof, and to erect the same into a separate and distinct State, &c., &c.

Ordered that this Bill lie on the Table for consideration, liable to the call of any Member.

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

Received from the Senate the Memorial of Nicholas Long. Endorsed, read and referred to the Committee on the Memorial of the Honbl. the Judges of the Superior Courts. Also the Petition of Sarah Dupree. Endorsed, read and referred to the Committee of Claims; which being read, were referred as by the Senate and returned.

Received also two letters from Margaret McDowall. Endorsed, read and referred to the Committee on Indian affairs; which being read, were referred as by the Senate and returned.

Received from the Senate the following Messages, to-wit:

Mr. Speaker & Gentlemen:

We consent that the Petition of a number of the people living
South of the French Broad River be referred as by you proposed, and have added General Martin to the Committee on Indian Affairs.

Mr. Speaker & Gentlemen:

We agree that the General Assembly ballot on Tuesday next for the place at which the next Assembly shall be held, and two persons to represent this State as Senators in the Congress of the United States, and approve of your nominations. We also consent that a Committee be appointed to prepare and introduce a bill for ascertaining the manner, places and times of Electing representatives for this State in the Congress of the United States, and have appointed Mr. Skinner, Mr. Bloodworth, Mr. Blount, Mr. Dickson and Mr. Gallaway to act on the part of this House with the Gentlemen by you named for this purpose.

Mr. Speaker & Gentlemen:

We have added Mr. Hargett to the Committee for equalizing the Land Tax.

Mr. Speaker & Gentlemen:

We herewith send you the Petition of James Mulloy, which we have referred to the Committee appointed on the Petition of Captain Daniel Williams, and propose that the Committee be instructed to report what relief ought to be given the Petitioner, as well as all others holding like demand against this State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received the Message of your House referring the Petition of James Mulloy to the Committee appointed on the Petition of Daniel Williams, and directing that Committee to report what relief ought to be granted to other persons holding demands of the like nature, with which be concur.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

We agree that the Bill for dividing Greene County shall be referred to the Committee appointed on the Petition and Bill for a division of Hawkins County, agreeable to your proposition.

Mr. Speaker & Gentlemen:

We have added Mr. Macon to the Committee appointed on the Bill and Petition for the division of Hawkins County.
Mr. Speaker & Gentlemen:
The Report of the Committee on the Memorial of Daniel Williams herewith sent you, we propose shall be Committed and that the Committee be directed to report the most eligible plan, in their opinion, for the relief of all circumstanced in like manner with Captain Williams.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:
We have received your Message proposing to commit the report on the Petition of Daniel Williams, &c., with which we concur.

Received from the Senate the Petition and Memorial of Erick Lalerstead and Peter Mallett. Endorsed, read and referred to the Committee on the Petition of Lewis McPherson; which being read, was referred as by the Senate and returned.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:
We have added Mr. Davie and Mr. McLaine to the Committee appointed on the Petition of Lewis McPherson. We propose that the Petition of Doctor Frederick Ramche (which at present is referred to the Committee on Public Bills) be referred to this Committee.

Resolved, That the Committee on Public Bills be discharged from taking notice of or reporting upon the Petition from Halifax County, praying that the 65th section of the Court Law be repealed.

Mr. Davie moved for leave and presented a Bill to repeal the Sixty-fifth Section of an Act passed at New Bern in the year 1777 intitled "an Act for establishing Courts of Law, and for regulating the proceedings therein;" which was read the first time, passed and sent to the Senate.

The Bill to repeal part of an Act passed at Tarborough entitled "an Act 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 first time, passed and sent to the Senate.

Received from the Senate the representation of the Honorable the Judges of the Superior Courts. Endorsed, read and referred to Mr. Gallaway, Mr. Wynns and Mr. Brown on the part of the Senate."
Received from the Senate the following Bills. Endorsed, read the first time and passed, to-wit:

A Bill for cutting a navigable Canal from the Waters of Pasquotank River in this State, to the Waters of Elizabeth River in the State of Virginia;

A Bill to ratify the amendments to the Constitution of the United States;

A Bill to form part of the Militia of Rowan County into a Separate battalion.

Ordered that the bill to repeal the fifth Section of an Act intitled "an Act to regulate the Inspection of Tobacco in this State be read for the first reading in this House To-morrow.

Ordered that the following Bills be read for the second reading in this House To-morrow, to-wit:

A Bill to amend an Act intitled "an Act for establishing Courts of Law and for regulating the proceeding therein;" and another Act intitled "an Act for giving an Equity Jurisdiction to the Superior Court;"

A Bill to regulate the practice of Physic and Surgery;

A Bill for defraying the expences of an expedition carried on against the Cherokee Indians, &c.;

A Bill providing means for the payment of the domestick debt, for appropriating certain Monies therein mentioned, and to amend an Act passed at the last Session of the General Assembly entitiled "an Act for levying a tax for the support of Government & for the redemption of old paper currency, Continental Money, specie & other Certificates;"

A Bill to establish an University in this State.

The House adourned until To-morrow Morning 9 O'clock.

Wednesday, 25 November, 1789.

The House met according to Adjournment.

Mr. Bonds presented the Petition of Wilson Taylor, which being read, was referred to the Committee of Propositions & Grievances, No. 2, and sent to the Senate.

Mr. Stokes presented the Petition of John Crawford, which being read, was referred to the Committee of Propositions and Grievances, No. 2, and sent to the Senate.
STATE RECORDS.

Received from the Senate the resignation of John Ross, Edward Smithwick, Jesse Bump, Thomas Blount, James McNeill, William Seals and James Ford, as Justices of the Peace, and Stephen Andrews first Major of the Bladen Regiment of Militia; which being read, were accepted by this House and returned to the Senate.

Mr. Bostick presented the Petition of William Meredith; which being read, was referred to the Committee of Propositions and Grievances, No. 2, and sent to the Senate.

The Bill to regulate the practice of Physic and Surgery, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following Bills. Endorsed, read the first time and passed, to-wit:

A Bill directing the sale of the Salt licks and Springs within the District of Mero;

A Bill to repeal the Sixty-fifth Section of an Act passed at New Bern in the year 1777, intitled "an Act for establishing Courts of Law, and for regulating the proceedings therein;"

A Bill directing the manner of issuing process in sundry cases arising in the Superior Courts of Law and Courts of Equity; to direct the manner of proceeding on assigned or indorsed bills, bonds & notes, &c.

Received also, a Bill for erecting and establishing a Town at Hawkins Court House. Endorsed, read the third time and passed.

The Honorable the Speaker laid before the House a letter from John Haywood, Esquire, public Treasurer, with a state of the Treasury, &c.; which being read, the following Message was ordered to be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a letter from the Treasurer with the several papers therein referred to; all of which, excepting those relative to the recognizances of Brice and McNeill, we propose submitting to the consideration of the Committee on Finance.

The papers relative to Brice and McNeill we propose shall be Committeeed to a joint Committee; for this purpose we have on our parts, appointed Mr. Davie, Mr. McDowall and Mr. Hamilton of Edenton.

Mr. Person presented the ePrition of Andrew Bass, which being read was referred to the Committee of Propositions and Grievances, No. 2, and sent to the Senate.
Received from His Excellency the Governor the following Messages:

To the Honorable the General Assembly:

Gentlemen:

In consequence of a Credit obtained by Royal Flint of the State of New York, Merchant, with the late Commissioners of the Treasury of the United States, I have in conjunction with the Council of State, Contracted with him for the sale of all the Tobacco purchased for the use of the State, except about one hundred Hogsheads, which we had previously engaged to Mr. William Littlejohn of the Town of Edenton, Merchant. The particulars of these Contracts will appear at large on a reference to the Journals of the Council of State, and my letter book.

In pursuance of these several Contracts, Mr. Littlejohn has delivered into my hands a receipt from the Treasurer of the United States, for 3,400 Dollars, paid into the Treasury for the use of this State, and I have given Him an order on the Commissioner for purchasing Tobacco in the Town, for 113,333 lbs. of Tobacco purchased by him, to be delivered at Wilmington in good Shipping order, but not to be again inspected or weighed. Royal Flint has received in consequence of said contract 271,761 lbs. of Tobacco at Wilmington, 332,783 lbs. at Tarborough, and 283,584 lbs. at Dalgo on Roanoke River, making in the whole 888,128 lbs., for which he has accepted the two sets of Bills payable to the Secretary of the Treasury of the United States, the first set dated the 25 day of October last, for 18,136 30-90 Dollars, the other dated the 6 day of November, for 8,507 40-90 Dollars, two of each will be immediately forwarded to the Secretary of the Treasury, the third of each set, as also the Treasurer's receipt for 3,400 Dollars paid by Mr. Littlejohn, will be lodged with the Comptroller.

You will be pleased to observe that on a second inspection of the Tobacco purchased for the State a considerable quantity was found to be unmerchantable, particularly of that received from the Warehouses at Fayetteville and Tarborough; you will consider of the most eligible method of indemnifying the State for the loss sustained by this fraud.

From the information received from the Commissioner at Fayetteville, there will still remain at that place to be delivered, between one hundred and forty and one hundred and fifty Hogsheads, which
Mr. Flint is bound to receive at Wilmington, as soon as it can be sent down and reinspected.

SAM. JOHNSTON.

Fayetteville, 5 Novr., 1789.

To the Honorable the General Assembly:

Gentlemen:

I herewith send you two Letters from Doctor Williamson, one of the Commissioners appointed to settle the accounts of this State with the United States, with sundry papers which claim your attention and consideration.

SAM. JOHNSTON.

Fayetteville, 25 Novr., 1789.

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, respecting the Sales of Tobacco, and also another Message accompanied with several communications from the Commissioners appointed to settle the accounts of this State with the United States; all these papers we propose referring to the Committee of Finance, except the letter from Hugh Williamson, Esquire, respecting the procuring of Vouchers for the service of the Eighteen Months' Regiments, and of the Waggons furnished by this State for the use of the United States, which we wish to lie for consideration until a Bill now prepared on the subject of that letter be brought forward.

Mr. Stokes presented the acc't of receipts and expenditures of John Steele, Esquire, late Commissioner of Indian Affairs, &c. Ordered that the same be referred to the Committee on Indian Affairs.

The Bill for defraying the expence of an expedition carried against the Cherokee Indians, and other necessary expences accruing thereon, was read the second time and rejected.

It was moved by Mr. Porter, and seconded by Mr. Hamilton of Guilford, that the Bill to repeal the fifth Section of an Act intitled "an Act to regulate the Inspection of Tobacco in this State," be laid over till the next Assembly. This being objected to, the question was put and carried in the affirmative; whereupon the yeas and nays were called for by Mr. E. Jones & seconded by Mr. Hawkins, which are as follows, to-wit: 


The Chairman of the Committee of Propositions and Grievances reported the following division of that Committee, agreeable to the resolution of yesterday, to-wit:

No. 1.—Mr. W. Hawkins, Mr. Sanders, Mr. Dickens, Mr. T. Blount, Mr. Phifer, Mr. Hamilton, Mr. Rhea, Mr. Gowdy, Mr. McKinne, Mr. Spiller, Mr. Jones, Mr. Outlaw.

No. 2.—Mr. A. Bryan, Mr. Smith, Mr. Gillispie, Mr. Creecey, Mr. Nixon, Mr. McKay, Mr. Rice, Mr. Skinner, Mr. Moore, Mr. Holland, Mr. Guion, Mr. Wilson.

Resolved, That this House concur with the foregoing Report.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the Bill providing means for the payment of the domestick debts for appropriating certain Monies therein mentioned, &c., be referred to the Committee to report the mode most proper to be adopted for the extension of the Certificate debt, and that they be directed to report thereon at as early a Day as possible.

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

Received from the Senate the following Bills. Endorsed, read the first time and passed, to-wit.
A Bill for appointing Commissioners in the County of Greene for building a Court House, &c.;
A Bill to establish a public Inspection of Tobacco in the Town of Clarksville, &c.;
A Bill to amend an Act intitled "an Act to make certain Securities negotiable."
Received also a Bill to amend an Act intitled "an Act directing the mode of proceeding against the real estate of deceased debtors, where the personalty is insufficient," &c., and
A Bill to amend an Act intitled "an Act concerning proving of Wills and granting letters of Administration," &c. Endorsed, read the second time and passed.
The Bill to establish an University in this State, was read the second time, amended, passed and sent to the Senate.
Mr. Davie moved for leave and presented a Bill for procuring Testimony concerning the accounts of this State and the United States, which was read the first time, passed and sent to the Senate.
Received from the Senate the following Bills. Endorsed, read the first time and passed.
A Bill granting to the Inhabitants of Tyrrell County a privilege of Holding Separate elections for Members of Assembly;
A Bill to incorporate the Tradesmen and Manufacturers of the Towns of Edenton, New Bern, &c.;
A Bill to establish the lines of a certain tract of Land, Granted unto Charles Gerrard.
Received from the Senate the following Message:
Mr. Speaker & Gentlemen:
We agree with the reference by you made of the Message from His Excellency the Governor, of to-day; also that the letters from Hugh Williams, Esquire, lie on the Table for the reading by you mentioned.
Received from the Senate the Petition of William Meredith; the Petition of Andrew Bass; the account of John Steele, Esquire; the Petition of James Kerr. Severally endorsed, in Senate, read and referred as by the House of Commons.
Received from the Senate the following Message:
Mr. Speaker & Gentlemen:
We agree that the number of Members now on the Committee of
Propositions and Grievances be made known to the General Assembly to-morrow morning, and that a division of them take place; we also agree that No. 1, of this Committee report on all the papers now before them, and that all hereafter referred be reported on by No. 2.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The letter from the Treasurer and the papers accompanying it we agree shall stand referred as by you proposed, and have appointed Mr. Blount & Mr. Skinner, to act with the Gentlemen by you named, to report on the papers relative to Brice and McNeil.

Ordered that the following Bills be read for the second time to-morrow, to-wit:

A Bill to extend the Civil and Military authority of this State to the Inhabitants South of French Broad & Holston Rivers;

A Bill for empowering the several County Courts within this State to appoint patrols and directing their duty in office;

A Bill to establish the lines of a certain Tract of Land granted unto Charles Gerrard;

A Bill to ratify the amendments to the Constitution of the United States;

A Bill to enable creditors more easily to recover their debts from joint partners upon joint notes.

Ordered that the Bill to erect a light House on Ocracoke Island be read to-morrow for the third time.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House, at the particular request of Mr. Stokes and Mr. Jos. McDowall, have withdrawn their names from the nomination of Senators in the Congress of the United States.

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

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

THURSDAY, 26 November, 1789.

The House met according to Adjournment.

Received from the Senate a resolution of that house for admit-
ting no bill of a private nature after Saturday next, which being read was concurred with and returned.

Mr. Outlaw moved for leave and presented a Bill to empower the County Treasurer and Collectors in the several Counties in the District of Washington to receive from any person or persons in payment of their public taxes, any accounts which shall appear by the Militia Law to be Just and true for services done in defence of said District against the Indians, to pay off other expenses incurred thereby; which was read the first time, passed and sent to the Senate.

Mr. Mebane presented the Petition of Timothy Riggs, which being read, was referred to the Committee on the Petition of William Brandon and sent to the Senate.

Mr. Cowan presented the Petition of Robert Raiford, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. John Bryan moved for leave and presented a Bill to revive and continue in force, so far as respects the County of Johnston, an Act passed in the year 1786 intitled “an Act impowering the several County Courts therein mentioned to lay a Tax;” which was read the first time, passed and sent to the Senate.

Mr. Mebane presented the resignation of James Freeland of his office as a Justice of the Peace for Orange County; which being read, was accepted by this House & sent to the Senate.

Mr. King presented the resignation of Benjamin Murrell of his Commission as Justice of the Peace for Hawkins County, which being read, was accepted by this House and sent to the Senate.

Received from the Senate the following Messages, to-wit:

Mr. Speaker & Gentlemen:

We agree that the Petition of Doctor F. Ramche be reported on by the Committee appointed on the Petition of Lewis McPherson, as by you proposed.

Mr. Speaker & Gentlemen:

We agree that the Bill providing means for the payment of the domestick debt shall be referred to the Committee to report the mode most proper to be adopted for the extinction of the Certificate debt, and that they report at as early a day as possible.

Mr. Speaker & Gentlemen:

We propose that a joint Committee be appointed to report on the
utility of the bill for processioning Lands herewith sent you, and if thought necessary to prepare and introduce a Bill for this purpose, Mr. Hargett, Mr. Graham & Mr. Lenoir will, on the part of this House, act with such Gentlemen as you may appoint. We also propose that this Bill and the Petition for adding part of Bladen to Cumberland, be reported on by the Committee appointed on the bill for dividing Hawkins County.

Mr. Speaker & Gentlemen:

We have appointed Mr. Hargit, Mr. Bloodworth and Mr. Willis, on the part of this House, who will act with such Gentlemen as you may make choice of for the purpose of amending the bill herewith sent you, to authorize the County Courts in this State annually to elect a certain number of Justices in each county to attend the business thereof, &c.; provided, it should be their opinion such bill is necessary.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the Bill to authorize the County Courts within this State annually, to elect a certain number of Justices in each County to attend the business thereof, be committed as by you proposed. We have, on our parts, appointed Mr. McDowall, Jun., Mr. P. Hawkins, Mr. Davie, Mr. Jones, of Wilmington, and Mr. Hamilton of Edenton. We also agree that the Bill for processioning land be committed as by you proposed, and have appointed on our parts, Mr. Mebane, Mr. Person, Mr. Lindley and Mr. J. Bryan.

Mr. McLaine moved for leave and presented a Bill to erect a public provision Store in the County of ———— for the accommodation of the Cumberland Guard, which was read the first time, passed and sent to the Senate.

The Petition of James Spiller, Esquire, was read and referred to the Committee of Propositions and Grievances, and sent to the Senate.

Mr. Pride moved for leave and presented a Bill for equalizing the Land tax and ascertaining the several subjects of taxation; which was read the first time, passed and sent to the Senate.

Mr. Grove moved for leave and presented a Bill to repeal part of the 20th Clause of an Act passed at Hillsborough in the year 1784, intitled “an Act to prevent the exportation of unmerchantable com-
modities;" which was read the first time, passed and sent to the Senate.

The Bill to vest certain Lands therein mentioned in the monthly meeting of the People called Quakers, of New Garden, in Guilford County, was read the second time, amended, passed and sent to the Senate.

Whereas, the Printer to this State hath been heretofore enjoined to send the Acts and Journals of the Assembly for the District of Mero to the Clerk of the Superior Court of Morgan District, by which means the Courts of Mero never have received them, the said District of Morgan being entirely out of the most public Road to the settlements on Cumberland;

Resolved, That the printers to the State shall hereafter send the Acts and Journals of this Assembly, together with the Journal of the Convention for the District of Mero, to the Moravian Store in the Town of Salem, and shall procure from the said storekeeper a receipt for the same.

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

The Committee to whom the Memorial of John Williams, one of the Commissioners heretofore appointed to extend the Boundary line between this State and the State of Virginia was referred, praying an allowance to be made him as Commissioner, aforesaid, Report,

That it is the opinion of the Committee he be allowed the sum of one hundred and thirty-six Pounds for the service aforesaid, being employed therein one hundred and thirty-six days; and that the Treasurer be, and he is hereby directed, to pay him accordingly; which is submitted.

WYATT HAWKINS, Chm.

The foregoing report being read, was Concurred with and sent to the Senate.

Mr. Spiller, from the Committee to whom was referred the Petition of Jeremiah and Robert Field, delivered in the following Report:

The Committee are of opinion that the deed of Gift made by William Field and Lydia, his wife, to the said Jeremiah and Robert in the year 1776, and previous to any Confiscation Law having passed
in this State, is good and valid, and think it is just that an Act of the General Assembly pass to confirm the right of the said Jeremiah and Robert Field, which they submit to the House.

JAS. SPILLER, Chn.

The House taking this report into Consideration, Concurred therewith; whereupon.

Mr. Spiller moved for leave and presented a Bill to invest in Jeremiah and Robert Field an indefeasible right to such property as was granted to them by their Father in the year 1776; which was read the first time, passed and sent to the Senate.

The Bill to establish the lines of a certain Tract of Land, Granted unto Charles Gerrard, was read the second time, passed and sent to the Senate.

The Bill for cutting a Navigable Canal from the Waters of Pasquotank River in this State, to the Waters of Elizabeth River in the State of Virginia, was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have added Mr. Hill to the Committee of Propositions and Grievances, and Mr. McDowall to the Committee on Indian Affairs.

The Bill to Cede to the United States certain Lands therein mentioned, 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 division of the said Committee, No. 1, & No. 2, Concurred with.

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

The Committee to whom the Memorial of John Whitaker, late Sheriff of Halifax County, was referred, Report,

That whilst the said Whitaker was Sheriff as aforesaid, he received into his custody a certain man Phillips, committed to the Jail of Halifax District by a sentence of the Court of Oyer and Terminer at Warrenton; who, after twelve months imprisonment, was pardoned by the Governor. That whilst the said Phillips was under confinement, the said Whitaker as Sheriff aforesaid, incurred a debt of Nineteen pounds fifteen Shillings & eight pence for his support
and maintenance, which he hath actually paid in Money, as appears by the acco’t and affidavit therewith presented.

The Committee are therefore of opinion, especially as the said Phillips was insolvent, that the Treasurer be directed to pay the aforesaid Sum of Nineteen Pounds fifteen Shillings and eight pence to the said Whitaker and be allowed for the same in the settlement of his accounts.

All which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into Consideration, Concurred therewith.

Mr. Person moved for leave and presented a Bill for amending the 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.

The Bill to Cede to that part of the Citizens of this State, who reside West of the Great Iron and Stone Mountains the territorial right thereof, and to erect the same into a separate and distinct State, to open a Land office to dispose of the unappropriated lands within the said Territory, thereby to sink the Specie Certificates issued by this State and to redeem the present paper Money now in circulation, and other purposes therein mentioned, was read the first time, passed and sent to the Senate.

Mr. Wood moved for leave and presented a Bill to amend the several Acts of Assembly within this State for regulating weights and measures; which was read the first time and rejected.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the Bill herewith sent you to extend the Civil and Military authority of this State to the Inhabitants South of the French Broad & Holston Rivers be referred to the Committee on Indian Affairs.

Mr. Grove presented the Petition of Peter Munroe, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. Hamilton moved for leave to withdraw for amendment "the Bill to ratify the amendments to the Constitution of the United States." Ordered that he have leave accordingly.
Received from the Senate the Report of the Committee on the Memorial of John Williams, Concluded with by that House.

Received also the resolution of this House directing the Printer to lodge the laws and Journals of the General Assembly for Mero District at Salem, concurred with.

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

The Committee to whom the Petition of James Fletcher was referred, Report:

That the said Fletcher recovered in the County Court of Montgomery a Judgment for one hundred and Ten pounds one Shilling and eight pence against Henry Eustace McCulloch as appears by a transcript of the records of said Court herewith presented.

That in consequence of the sale of all the property of said McCulloch by the Commissioner of Salisbury District, the judgment remains unsatisfied. The Committee are therefore of opinion and recommend that the Treasurer be directed to pay the said James Fletcher the aforesaid Sum of one hundred & Ten Pounds one Shilling and Eight pence, for which he shall be allowed in the settlement of his accounts, which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

Mr. Hawkins, from the Committee, delivered in the following Report: The Committee to whom the Petition of Thomas Withers was referred, Report,

That the said Withers contracted with the Commissioners of the Cape Fear Navigation to deliver at Bald Head two hundred Thousand Bricks at three pounds per thousand, for the purpose of erecting a light house. That in performing the said Contract the said Withers sustained a considerable loss, owing to the stranding of some Vessels, sickness and other fortuitous circumstances. That by a Certificate of the said Commissioners herewith presented, it appears to be their opinion the said Withers should have a further time for the brick so delivered.

The Committee therefore are of opinion and unanimously recommend, that they be directed to make a further allowance to the said Thomas Withers, not exceeding four pounds fifteen Shillings per
thousand, the average price of bricks since purchased by them for the completion of said light house. All which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration, Concurred therewith.

The Bill to erect a light house on Ocracoke Island, was read the third time, amended, passed and sent to the Senate.

The Bill to enable creditors the more easily to recover their debts from joint partners, and upon joint notes, was read the second time, passed and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Jordan Hill, and Mr. Hamilton of Guilford, to superintend the balloting this evening for Senators, &c. This house have withdrawn the names of R. D. Spaight and James White, Esquires, from the nomination of Senators. We propose that the Treasurer be ballotted for at the same time that the Senators, &c., are ballotted for, and have nominated for that office John Haywood, Esquire.

The Bill for pardoning John Bradley of the Town of Wilmington, was read the third time, passed and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Davie, Mr. Locke, Mr. Scott, Mr. Person, and Mr. Rice, to act with such Gentlemen as you may appoint, to enquire and report to this Assembly the application of the Money drawn for the purpose of erecting a station for the reception of the guard and accommodation of Persons travelling to the Cumberland settlements, in pursuance of a resolution or act of the last Assembly.

Resolved, That the Treasurer be desired not to pay the warrants granted by the Governor to Colo. Outlaw, Nos. 82, 83 and 84, until the matter be investigated by the Committee.

The House adjourned till 4 O’clock, P. M.

Met according to Adjournment.

Received from the Senate the Memorial of William Houston. Endorsed, read & referred to the Committee of Propositions and
Grievances; which being read, was referred to the Senate and returned.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have appointed Mr. Hargett and Mr. Graham to superintend the balloting and are now ready to enter on that business. We also propose, as has been usual, that the Superintendents wait on the sick Members in order to receive their votes.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the Superintendents wait on the sick Members as by you proposed.

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

Received also the Petition of Neil Ray, and the Petition of John Arnold. Endorsed, read & referred to the Committee of Claims; which being read, were referred as by the Senate and returned.

Received from the Senate the Petition of John Estes. Endorsed, read and referred to Mr. Nesbitt, Mr. Gowdy and Mr. Hargett; which being read, was referred on the part of this House, to Mr. McDowall, Mr. Phifer, Mr. Mebane, Mr. J. Baker & Mr. Womack & returned.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We consent that a Treasurer be now balloted for. We have added Mr. Hill to the Committee of Propositions and Grievances, and Mr. McDowall to the Committee on Indian Affairs.

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

The Committee to whom the Petition of James Bonner, Executor of the last will and Testament of John Bonner, deceased, was referred, Report,

That the said dec'd, John Bonner, in his life time was agent or factor at Martinborough for Messrs. Stanleys and Co., Merchants in New Bern. That during such factorship, a certain Abraham Hardee impressed for the use of the State six Tierses of Taffia Rum,
making two hundred and nine gallons, the property of said Merchants, then in possession of said Bonner and gave a certificate for the same, for the use and benefit of said Merchants, that the certificates were enclosed and forwarded in a Letter by the said Bonner to the said Stanley & Co., but by some accident was lost, in consequence of which a suit hath been instituted against the Executor aforesaid, and a recovery likely to be had in money for the sum of impressed.

The Committee therefore are of opinion that the Comptroller be directed to issue a certificate (if on examining the cheques in his possession it does not appear a Certificate hath already been issued) for the said rum at the rates established by Law, and to be of equal value of Specie audited Certificates. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into Consideration, Concurred therewith.

Received from the Senate the Petition of sundry officers, late of the Continental line. Endorsed, read and referred to Mr. T. Brown and Mr. McDowall; which being read, was referred on the part of this House, to Mr. B. Smith, Mr. Spiller, Mr. Dickens and Mr. Brevard, and returned to the Senate.

Received from the Senate the Petition of James Spiller, and the Petition of Timothy Riggs. Endorsed, read and referred as by the House of Commons. The Memorial of Thomas Evans. Endorsed, read and referred on the part of the Senate, to Mr. Brown, Mr. Lenoir, Mr. McDowall and Mr. Martin; which being read, was referred to Mr. Ewing, Mr. McNaine, Mr. Dickens, Mr. J. Rice & Mr. Person, and returned to the Senate.

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

The Committee to whom the Memorial of Humphrey Hardy, and the Petition of James McMasters and John Whitly was referred, Report:

That on examining the said Memorial and Petitions they observe the several grievances therein charged are not supported by proper vouchers or satisfactory testimony; they therefore recommend that they be rejected. Which is submitted.

WYATT HAWKINS, Chn.
The House taking this report into consideration, concurred there-with.

Received from the Senate the Petition of the Inhabitants of Rutherford. Endorsed, read and referred on the part of the Senate, to Mr. McDowall, Mr. Carter and Mr. Wyrna.

Received from the Senate the resolution of this House directing the Treasurer to withhold payment of three warrants granted to Colo. Outlaw, Concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the Bills for extending the Civil and Military authority of this State to the Inhabitants South of French Broad and Holston Rivers be referred as by you proposed.

Received from the Senate the Memorial of John Cade and Sampson Bridgers. Endorsed, read and referred to the Committee of Propositions and Grievances, No. 2; which being read, was referred as by the Senate and returned.

Received from the Senate a resolution of that House to empower the Surveyor of the County of Robeson to apply for the Warrants and Survey the Lands in said County, that was entered in the entry office of the County of Bladen when it was undivided; which being read, was Concurred with and returned.

Received from the Senate the following Bills, to-wit.:

A Bill procuring testimony concerning the accots of this State, &c.;

A Bill directing the mode of choosing Senators to represent this State, &c.;

A Bill to amend an Act intitled "an Act for directing the method of appointing Jurors in all cases;"

A Bill to erect a public provision store in the County of ——— for the accommodation of the Cumberland Guard, &c.;

A Bill to invest an indefeasible right of inheritance in Charles Alley and Prudence Oggs, &c.;

A Bill for adding Randolph County to Salisbury District, &c.;

A Bill to authorize and impower James Billingley to execute a deed or deeds of Conveyance agreeable to a power of Attorney, &c.;

A Bill to revive and continue in force, so far as respects the County of Johnston, an Act passed in the year 1788, intitled "an Act impowering the several County Courts therein mentioned to lay a tax," &c.;
A Bill to vest certain Lands therein mentioned in the monthly meeting of the people called Quakers, in New Garden, in Guilford County;

A Bill to invest in Jeremiah and Robert Field an indefeasible right to certain property, &c.;

A Bill to repeal so much of an Act passed at Tarboro intitled "an Act to regulate the inspection of Tobacco," as alludes to Classing the same;

A Bill for amending the Act for opening the Land office; &c.;

A Bill to repeal part of the 20th clause of an Act passed at Hillsborough, 1784, intitled "an Act to prevent the exportation of unmerchangible commodities;"

A Bill to Cede to the United States certain Lands therein mentioned.

The Bill to repeal part of an Act Intitled "an Act to explain an Act directing the duty of Naval Officers and all masters of Vessels coming into the Ports and Inlets of this State, was ordered to be read the second time to-morrow.

Ordered that the Bill to amend an Act intitled "an Act concerning proving of Wills and granting letters of administration and to prevent frauds in the management of intestates estates," be read for the third time to-morrow; also that the Bill to amend an Act intitled "an Act directing the mode of proceeding against the real estate of deceased debtors, where the personal estate is insufficient for the payment of the debts," be read for the third reading tomorrow; also ordered that the Bill to establish an University in this State, be read for the second time to-morrow.

Ordered that the Bill directing the manner of opening process in sundry cases arising in the Superior Courts of Law and Courts of Equity, to direct the manner of proceeding on assigned or endorsed Bills, bonds and notes under seal, to direct how joint obligations shall survive and to repeal an Act for calling forth the Militia to assist in executing civil process, be read for the second time to-morrow.

Received from the Senate a Bill to establish the lines of a certain Tract of Land granted unto Charles Gerrard. Endorsed, read the second time and passed. This bill was read the third time in this House and returned to the Senate.

The House adjourned till To-morrow Morning 10 O'clock.
The House met according to Adjournment.

Mr. Hamilton, from the joint balloting for two Senators to represent this State in the Congress of the United States, a public Treasurer for this State, and the place at which the next General Assembly shall be held, Reported,

That the Honorable Samuel Johnston, Esquire, was elected a Senator & John Haywood, Esquire, public Treasurer.

That there was yet one person to be elected as a Senator, and that no one place in nomination for holding the next Assembly at, had a Majority of votes.

The House taking this Report into consideration, concurred therewith.

Mr. Stokes moved for leave and presented a Bill to amend and enlarge an Act passed at Hillsboro in April, 1784, intitled "an Act to enable Mary Doud to sue for and recover to her own use, and the use of her Children by Conner Doud, all debts due and owing to the said Conner, and all other things in action which the said Conner Doud might lawfully sue for and recover were he a Citizen of this State, and intitled to the benefits of its laws.

The Bill to impair the wardens of the poor for the County of Currituck to lay a tax to enable them to settle the arrears due from said County to Persons who have supported the poor, was read the second time, passed and sent to the Senate.

Mr. Davie moved for leave to withdraw for amendment, the bill to emancipate certain Negroes therein mentioned. Ordered that he have leave accordingly.

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

Mr. Hamilton presented the Petition of sundry of the Inhabitants of Guilford County, which being read, was referred to the Committee appointed on the Bill for processioning Lands and sent to the Senate.

Mr. Rhea moved for leave and presented a Bill for erecting a Town on the Lands of Fergus Stone; and to amend an Act for the division of Rowan County, which was read the first time, passed and sent to the Senate.
Mr. Mebane presented the Petition of Henry E. Lutterloch, which being read, was referred to the Committee on Finance and sent to the Senate.

Mr. John B. Blount presented the Petition of William Brown, Esquire, of Bath Town, which being read, Mr. Blount then moved for leave and presented a Bill to enable William to use and shew forth in evidence the deposition of a certain William Ferguson, now deceased, to prove the consanguinity of the said William Brown with Thos. Brown late of the Town of Wilmington, now deceased.

Mr. Matthews moved for leave and presented a Bill to discharge the expences of an expedition against the Indians, which was read the first time, passed and sent to the Senate.

Mr. Hamilton moved for leave and presented a Bill to amend an Act entitled "an Act for the better regulation of the Town of Edenton, which was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have appointed Colo. Brown and Colo. Lenoir, who, with such Gentlemen as you may make choice of, will wait on the Honorable Samuel Johnston, Esquire, and acquaint him of his election as Senator from this State to the Congress of the United States.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have on our parts appointed Mr. Stokes and Mr. Graves to attend the Honorable Samuel Johnston, Esquire, and acquaint him with his election to the office of Senator, to represent this State in the Congress of the United States.

Mr. Wood moved for leave and presented a Bill directing returns to be made of the Taxable property in the middle District of Anson County for the year 1788, which was read the first time, passed and sent to the Senate.

Resolved, That all public Bills shall be considered as first in the order of the day of each day, and that this House will regularly proceed on them accordingly.

Resolved, That the several Committees to whom business of a public nature is referred be directed to make report on such business as soon as possible.

The Bill for procuring Testimony concerning the accounts of
this State and the United States, was read the Second time, amended, passed, and sent to the Senate.

Mr. Guion presented the Petition of Peter Franklin, which being read, Mr. Guion moved for leave and presented a Bill to ascertain the true courses of a tract of Land granted to Edward Howcutt and now the property of Peter Franklin of Craven County.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you the Petition of Peter Franklin together with a Bill to answer the prayer of his Petition, which we propose shall be Committed to the Gentlemen appointed to consider of the Petition of Greenbury Sutton. We have added Mr. Nixon to this Committee.

The Bill to amend an Act intitled "an Act concerning proving of Wills and granting letters of Administration, and to prevent frauds in the management of intestates estates," was read the third time, amended, passed and sent to the Senate.

Received from His Excellency the Governor, the following Message:

To the Honorable the General Assembly:

Gentlemen:

In consequence of my appointment to represent the Legislature of this State in the Senate of the United States, it becomes necessary that I should resign the appointment of first Magistrate for the ensuing year, which the Assembly did me the honor to confer on me early in the present Session. I do therefore most cheerfully, and with the utmost gratitude for the high confidence placed in me by the Legislature decline the honor of serving the State as their Chief Magistrate for the ensuing year and considering it my duty on all occasions to submit to the voice of my Country, do accept the appointment to a seat in the Senate of the United States.

Should my exertions in the execution of that important trust merit in any degree the approbation of my Fellow Citizens, it will be an ample recompense for the sacrifices in my Domestic concerns, which I must necessarily make on this occasion.

SAM. JOHNSTON.

Fayetteville, 27 Novemr., 1789.
Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the Petition of Peter Franklin stand referred as by you proposed.

Mr. Speaker & Gentlemen:

Mr. Gregory, Mr. Skinner, Mr. Carter and Mr. Brown will, on the part of this House, act with the Gentlemen by you named for the purpose of enquiring into and reporting on the application of the Money drawn for the accommodation of the Cumberland Guard, &c.

Received from the Senate a Bill to alter the times of holding the annual Assemblies of this State; and

A Bill directing returns to be made of the Taxable property in the middle District of Anson County for the year 1788. Endorsed, read the first time and passed.

Received also a Bill to impower the wardens of the poor for the Counties of Franklin & Surry to build a House or Houses for the reception of the poor; and

A Bill for dividing the County of Surry into two distinct Counties, and for other purposes. Endorsed, read the second time and passed.

The Bill granting the Inhabitants of Tyrrell County the privilege of holding separate elections for Members of Assembly, was read the first time, passed and sent to the Senate.

The Bill directing the manner of issuing process in sundry cases arising in the Superior Courts of law and Courts of equity; To direct the manner of proceeding in assigned or indorsed bills, bonds and notes under seal; To direct how joint obligations shall survive; and to repeal an Act calling forth the Militia to assist in executing Civil process, was read the second time, passed and sent to the Senate.

Received from the Senate the resolutions of this House directing the Committee to report, &c., Concluded with.

Mr. Davie moved for leave and presented a Bill directing the mode of proceeding in Writs of Mandamus, which was read the first time, passed and sent to the Senate.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

We propose adjourning till To-morrow 4 O'clock P. M., in order that the Committees may report on the business before them.
Mr. Speaker & Gentlemen:

The Honorable Samuel Johnston having signified his acceptance of the appointment of Senator from this State to the Congress of the United States, we propose that a Governor of this State be made choice of To-morrow evening at 4 O'clock, and nominate the Honorable John Williams, Alexander Martin and Charles Johnson, Esquires. We also propose that one person to represent this State as Senator in the Congress of the United States and the place at which the next General Assembly shall be held, be balloted for at the same time, and nominate for Senator, William Lenoir, William Blount and Benjamin Hawkins, Esquires; for the place at which the next Assembly will set, the Towns of Tarborough, Fayetteville, New Bern and Nashville.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We cannot concur with your Message proposing to ballot to-morrow evening for a Governor, Senator, and the place of holding the next Assembly, but propose that business be done on Wednesday evening at 4 O'clock. We propose also that the two Houses adjourn till Monday Morning next to make way for the Committees entering on the business referred to them.

Mr. Person moved for leave and presented a Bill for establishing a Town at a place called Oxford on the Lands of which was read the first time, passed and sent to the Senate.

Received from the Senate the Petition of John Crawford; The Petition of Peter Munroe; the Petition of Robert Rayford; the Petition of John Walker; the Petition of Wilson Taylor; the Memorial of Henry Giles; the Petition of James Miller, and the Petition of sundry of the Inhabitants of Guilford County. Severally endorsed, read and referred as by the House of Commons.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

We have added the name of Timothy Bloodworth to the nomination of Senators.

Mr. Speaker & Gentlemen:

We propose that the bill to discharge the expenses of an expedition against the Indians, and the Bill to impower the County Treasurer and Collectors in the several Counties in the district of Wash-
ington to receive from any person or persons in payment of their public Taxes any accots., &c., be submitted to the Committee appointed to report on the warrants laid before the Assembly by Mr. Outlaw.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the Bill to discharge the expences of an expedition against the Indians and the bill to impower the County Treasurer and Collectors in the several Counties in Washington District to receive in payment of Taxes, Accots., &c., be referred to the Committee appointed to report on the warrants granted to Colo. Outlaw, as by you proposed.

Received from the Senate the following reports of the Committee of Propositions and Grievances, concurred with by that House, to-wit:

On the Petition of James Bonner;
On the Petition of Thomas Withers;
On the Petition of James Fletcher;
On the Petitions of James McMasters and John Whitley.

Received from the Senate a Bill for erecting a Town on the Lands of Fergus Stone, &c.; and a bill to amend an Act intitled "an Act for the regulation of the Town of Edenton." Endorsed, read the first time & passed.

Received also a Bill for procuring Testimony concerning the accounts of this State, &c.; and a 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 said County, &c. Endorsed, read the second time and passed.

Ordered that the Bill for dividing the County of Surry into two Distinct Counties, and for other purposes, be read for the second time to-morrow; also that the Bill for amending the Act for opening the Land office, and for the redemption of Specie and other Certificates, and discharging the arrears due to the Army, be read for the second time to-morrow.

Ordered that the Bill to amend the Act intitled "an Act directing the mode of proceeding against the real estate of deceased debtors, where the personal estate is insufficient for the payment of debts," and the Bill to prevent the exportation of raw Hides of neat Cattle,
Calf Skins, Beaver, Rackoon and Fox furs, be read for the third time to-morrow.

The House adjourned till Monday Morning 10 O'clock.

MONDAY, 30 November, 1789.

The House met according to Adjournment.

Mr. Wilson moved for leave and presented a Bill to amend an Act for establishing a Militia in this State, which was read the first time, passed and sent to the Senate.

Mr. Bonds presented the Petition of John Row, which being read, was referred to the Committee of Propositions and Grievances, No. 2, and sent to the Senate.

Mr. Wilson moved for leave and presented a Bill for the relief of such persons as may be wounded by the Indians within the district of Mero, and for other purposes; which was read the first time, passed and sent to the Senate.

Mr. Stokes moved for leave and presented a Bill for the relief of persons who, before the commencement of the late war, purchased Lands from Henry Eustace McCulloch, and have never obtained titles to the same.

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

The Committee to whom the Memorial of Cosimo Medici was referred, Report,

That the said Medici may be permitted to withdraw the Memorial and papers relating thereto, except as to the third object, wherein it was satisfactorily proven to the Committee that the said Medici incurred a debt of six pounds two shillings and eight pence for the support of himself and a party of light dragoons then in service of the United States and for which he gave his note in the year 1776 to Colo. Lane, of Wake County, and is now subject to the payment thereof in actual Money; the Committee therefore are of opinion that the Treasurer be, and he is hereby directed, to pay the said sum of Six pounds two shilling and eight pence to the said Captain Medici. Which is submitted.

WYATT HAWKINS, Chm.

The House taking this report into consideration, concurred therewith.
The Bill to repeal part of an Act intitled "an Act to explain an Act directing the duty of Naval officers and all Masters of Vessels coming into the ports and inlets of this State," was read the second time, amended, passed and sent to the Senate.

Mr. Davie moved for leave and presented a Bill directing the collectors of imposts and other duties to collect the same for the use of this State until the Congress of the United States shall make provision for that purpose; which was read the first time, passed and sent to the Senate.

Mr. Porter presented the Petition of William Nash, setting forth that John Taylor, Esquire, one of the Justices of Orange County, was a disorderly person, &c., and praying an enquiry therein; which being read, was referred to the Committee appointed on the Petition of Mr. Butler and sent to the Senate.

Mr. Mebane presented the Petition of George Doherty and Vincent P. Williamson, Executors of Capt. William Williams; which being read, was referred to the Committee on the Petition of Daniel Williams and sent to the Senate.

Mr. Mebane presented the Petition of James Newlin, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Mr. B. Williams moved for leave and presented a Bill for levying a further Tax in the several Counties in the District of New Bern, and for calling to account the Commissioners of the same; which was read the first time, passed & sent to the Senate.

Mr. Grove moved for leave and presented a Bill to alter the mode of appointment of Inspectors of Tobacco at Fayetteville Warehouses, and to amend an Act intitled "an Act for the better regulation of the Town of Fayetteville," passed at Tarborough 1787, and to ascertain the limits of the said Town of Fayetteville.

Mr. Rhea, from the Committee to whom was referred the Bill to repeal part of an Act entitled "an Act, once more to extend 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," Reported,

That on examining sundry papers and hearing oral Testimony, it appears that John Sevier, Esquire, together with sundry other persons in the said Counties, did in the years 1785, 1786 and 1787, in a great measure subvert the peace & good order of Government
of the State of North Carolina; that their conduct was in many particulars highly reprehensible. Your Committee further report, that at the time the people in those Counties first attempted to subvert the Government of North Carolina the said John Sevier, Esquire, did oppose them in such a manner as actually to prevent elections from being held under their new Government in two of the Counties, and when he at last joined them it was in obedience to the entreaties of several of the most influential persons in that part of the Country. Your Committee therefore conceive, that as the offences of all the citizens of the said Counties have been pardoned and consigned to oblivion, the said John Sevier, Esquire, ought to be placed in the same situation, it appearing to your Committee that he was not as highly reprehensible as many others. All of which is submitted.

JOHN RHEA, Chn.

The House taking this report into consideration, Concurred therewith; whereupon, the Bill to repeal part of an Act entitled "an Act once more to extend 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, passed and ordered to be Engrossed.

Mr. B. Smith presented the Petition of Benjamin Williams; which being read, Mr. Smith moved for leave and presented a Bill to confirm unto Benjamin Williams an indefeasible title to a certain piece of Land in Brunswick County.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you the Petition of Benjamin Williams, of Brunswick County, and a Bill to answer the prayer thereof, which we propose referring to the Committee appointed on the Petition of Daniel Williams.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

We have added to the Committee appointed to introduce a Bill directing the time, manner and place of Electing representatives, Mr. Brown, Mr. Macon, Mr. Sevier, Mr. Smith, Mr. Willis & Mr. McLaine. We have also appointed Mr. Skinner and Mr. Willis to examine the Engrossed Bills.
Mr. Speaker & Gentlemen:

We agree to ballot on Wednesday next for a Governor, Senator and place of holding the next Assembly, as by you proposed, and have added the name of Timothy Bloodworth, Esquire, to the nomination of Senator.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Jones and Mr. Hamilton of Edenton, to assist in examining the Engrossed Bills.

The Bill to ratify the amendments to the Constitution of the United States, was read the second time, amended, passed and sent to the Senate.

The Bill for dividing the County of Surry into two distinct Counties, and for other purposes, was read the second time, passed and sent to the Senate.

Received from the Senate the report of the Committee on the Memorial of John Whitaker. Endorsed, read and concurred with.

Received also the Bill directing the Mode of proceeding on writs of Mandamus; and a Bill for establishing a Town at a place called Oxford, on the lands of ————, in Granville County. Endorsed, read the first time and passed.

Received from the Senate an Act for pardoning John Bradley, of the Town of Wilmington, ratified by the Speaker of that House, which was ratified by the Speaker of this House also.

Mr. Person, from the Committee to whom was referred the representation of the Honbl. the Judges of the Superior Courts of Law, delivered in a report thereon; which being read, was rejected.

The Bill for procuring Testimony concerning the accounts of this State and the United States, was read the third time, amended, passed and sent to the Senate.

Received from the Senate a Bill for the relief of such Persons as may be wounded by the Indians within the district of Mero, and for other purposes; and a Bill to appoint Commissioners for carrying into effect an ordinance of the Convention of Hillsborough, and for the purposes therein mentioned. Endorsed, read the first time and passed.

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

The Bill to prevent the exportation of Raw Hides, pieces of Hides of neat Cattle and Calf Skins, Beaver, Raccoon and fox furs, was read the third time, passed and ordered to be Engrossed.

The question being put shall this Bill pass, was carried in the affirmative; whereupon the yeas and nays were required by Mr. McDowall, and seconded by Mr. McDowall, Jr., which are as follows:


Mr. McDowall, Junr., moved for leave to enter his protest against the passage of this Bill. Ordered that he have leave accordingly.

Received from the Senate the Petition of John Row, and the Petition of George Doherty and Vincent P. Williamson, Exers. of Capt. William Williams. Endorsed, read and referred as by the House of Commons.

Received also the Memorial of Billy Hughes. Endorsed, read and referred to the Committee of Propositions and Grievances No. 1.

Received from the Senate the report of the Committee of Finance. Endorsed, read and Concurred with; which being read, was concurred with by this House and returned.

Mr. Hawkins, from the Committee, delivered in the following report:

The Committee to whom the Petition of Andrew Grier was referred, Report,

That a Certificate, granted by the General Assembly in the year 1784, to Edmund Williams of Washington County, the said Grier
lost out of his pocket, about the last of October near the Moravian Towns; as Mr. Grier did not prove the destruction of the said Certificate or the impossibility of its coming into circulation, the Committee think it impolitic to grant another under these circumstances; they therefore recommend the said Petition be rejected. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

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

The Committee to whom the Petition of John Smallwood was referred, Report,

That a Certificate issued by Messrs Connor and Hawks, Auditors in New Bern District, to Richard and James Ellis for one hundred and twenty-five pounds six Shillings, for one hundred and seventy-nine Gallons of Rum supplied to the State, was in December last washed up and destroy in a Jacket of the said Smallwood.

The Committee therefore recommend that the Comptroller be directed to issue to the said Smallwood, a Certificate to the same amount, and to bear the same date, on Mr. Smallwood’s giving sufficient security to indemnify the State.

Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration, Concurred therewith.

The Bill for amending the Act for opening the Land office for the redemption of Specie and other Certificates, & discharging the arrears due to the Army, was read the second time, amended, passed and sent to the Senate.

Mr. Hamilton of Edenton, moved for leave and presented a Bill to emancipate Charles Alley and Prudence Oggs.

Mr. Davie who had leave to withdraw for amendment a Bill to emancipate certain negroes therein mentioned, delivered in the bill at the Clerk's Table.

Mr. Hamilton of Edenton, moved for leave and presented a Bill to exempt the District of Morgan from the effects of an Act passed
this Session, intitled "an Act to prevent the exportation of raw hides," &c.

Mr. Davie moved for leave and presented a Bill for the more easy redemption of Mortgages.

Mr. Grove moved for leave and presented a Bill to amend an Act passed in the year 1770 intitled "an Act for opening and improving the navigation of lower little River in Cumberland County."

Mr. Stokes, from the Committee to whom was referred the Memorial of Doctor Frederick Ramche, delivered in the following report, to-wit:

The Committee to whom was referred the Memorial of Doctor Frederick Ramche of Edenton, Report,

That having considered the Memorial of Doctor Frederick Ramche and the vouchers of his services during the war, are of opinion that Doctor Ramche should be exempted from Militia duty on account of his services, in the same manner as other Continental officers. Which is submitted.

J. STOKES, Chn.

The House taking this Report into Consideration concurred therewith.

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

The Committee to whom the Petition of Ritchie & Co., and Hooper & Co., Merchants, was referred, Report,

That the said Merchants imported into Cape Fear, Seventeen thousand two hundred Bushels of Salt and were by the Bills of lading compelled to give their bonds for the payment of the duty thereon, agreeably to Law.

That by exact calculations made at the time of the said Vessels disbursing the said Salt at Wilmington, and which are sufficiently authenticated by affidavits therewith presented, it appears the said Merchants received only fourteen thousand three hundred and forty-nine Bushels.

The Committee therefore are of opinion, and recommend that the Collector of the impost at Port Brunswick be directed to credit the Bonds of the said Ritchie and Hooper, given for the payment of the duty aforesaid, for the full amount of such deficiencies, to-wit: for
the duty on two thousand eight hundred and fifty one Bushels of Salt. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration, concurred therewith.

Mr. Hawkins, from the Committee, delivered in the following Report:

The Committee to whom the Petition of James Mebane and John Taylor was referred, Report,

That at a sale of confiscated property in Hillsborough District in the year 1782, the said Mebane and Taylor purchased of William Moore, the then Commissioner, four Tracts of Land for the sum of eleven hundred and Sixty one pounds, or thereabout. That after paying a considerable part of the said Consideration they gave their bond for the payment of the balance at the end of five years with Interest from the date of said bond. That some time after the said Mebane and Taylor sold the aforesaid Lands to James Williams then of Orange County, stipulating with the said Williams for him to pay the aforesaid balance of three hundred and eighty-seven pounds and Interest, which the said Williams failing to do, the Treasurer brought suit against the said Mebane and Taylor at the last Superior Court in Hillsborough District for the aforesaid balance and interest, amounting to four hundred and seventy four pounds, one Shilling and three pence.

That the said Mebane and Taylor, the more expeditiously to recover the aforesaid balance and interest of the said Williams, agreeably to the tenor of their bargain, came into Court and confessed a judgment for the same.

The Committee considering the premises are of opinion and recommend, that by a Resolution the Clerk of Hillsborough District be directed to stay the execution for the aforesaid Judgment twelve months. that the said Mebane and Taylor may have an opportunity to recovering the amount of said Judgment of the said Williams, they giving additional and sufficient Security for the payment of the said balance and Interest at the expiration of the said suspension.

Which is submitted.

WYATT HAWKINS, Chn.
The House taking this report into Consideration Concedeed there-with.

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

TUESDAY, 1 December, 1789.

The House met according to adjournment.

Mr. Person moved for leave and presented a Bill to vest a certain Tract of Land in James Forsyth.

Received from the Senate the Petition of Thomas Amis and Francis Ferryned. Endorsed, read and referred to the Committee on the Petition of Lewis McPherson; which being read, was referred as by the Senate and returned.

Mr. John G. Blount presented the Petition of Cosimo Medici; which being read, was referred to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

Mr. Blair presented the Petition of Elisha Hadden; which being read, was referred to the Committee of Propositions & Grievances, No. 1, and sent to the Senate.

Ordered that the Petition of Thomas Benbury, Collector of Port Roanoke, be referred to the Sub-Committee of Finance, No. 6.

Mr. Thomas P. Williams presented the Petition of Maurace Baum and Hannah Pugh of Currituck County; which being read, was referred to the Committee of Propositions and Grievances, No. 2, and sent to the Senate.

Mr. Hamilton of Edenton, moved for leave and presented a Bill to regulate the proceedings of Elections in certain instances in the Borough Towns in this State; which was read the first time, passed and sent to the Senate.

Mr. Jo. Stewart presented the Petition of Judith Dowd; which being read, was referred to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

Mr. Alderson presented the resignation of Andrew Sanders, a Justice of the Peace for Hyde County; which being read, was accepted and sent to the Senate.

Mr. Hamilton moved for leave and presented a Bill directing the mode of raising a fund in the several Ports in this State for the sup-
port of sick seamen and the manner of appropriating the same; which was read the first time, passed and sent to the Senate.

Received from the Senate a Bill for levying a further Tax in the several Counties in the District of New Bern, and for calling to account the Commissioners of the same; and a Bill for directing the Collectors of imposts and other duties to collect the same for the use of this State until the Congress of the United States shall make provision for that purpose. Endorsed, read the first time and passed.

Received also, a Bill to ratify the amendments to the Constitution of the United States; and a Bill granting to the inhabitants of Tyrrell County a privilege of holding separate elections for Members of Assembly. Endorsed, read the second time and passed.

Received from the Senate the report of the Committee on the Petition of Cosimo Medici, Conceded with by that House.

Received also the resignation of James Freeland and Benjamin Murrell, accepted by that House.

The Bill to amend an Act intituled "an Act directing the mode of proceeding against the real estate of deceased debtors, where the personal estate is insufficient for the payment of the debts;" was read the third time, amended, passed and sent to the Senate.

Mr. Stokes moved for leave and presented a Bill for the relief of parties in certain suits depending in the Superior Court of Law for the District of Morgan, which was read the first time, passed and sent to the Senate.

Received from the Senate the report of the Committee of Claims on the Memorial of Andrew Jackson, Esquire, Conceded with by that House; which being read, was also Conceded with and returned.

Mr. Stokes presented the Petition of sundry of the Inhabitants of the Counties of Montgomery, Anson, &c.; which being read, was referred to the Committee of Propositions and Grievances, No. 2, and sent to the Senate.

The Bill to amend an Act intituled "an Act to prevent the exportation of unmerchantable Commodities," was read the first time, passed and sent to the Senate.

Received from the Senate a Bill for raising a revenue for the payment of the Civil List and Contingent charges of Government for the year 1790. Endorsed, read the first time and passed. This Bill was read for the first reading in this House and returned to the Senate.
The Bill directing the mode of choosing Senators to represent this State in the Congress of the United States, was read the first time, passed and sent to the Senate.

The Bill for the more easy redemption of Mortgages, was read the first time, passed and sent to the Senate.

The Bill to appoint Commissioners for carrying into effect an Ordinance of the Convention at Hillsborough & for the purposes there-mentioned, was read the first time and the question being put "shall this Bill pass" was objected to, the House divided, and there were for the passage fifty two and against it fifty-two; whereupon, the Honbl. Speaker giving his own vote, pronounced that the bill passed. The yeas and nays therein were called for by Mr. Phifer & seconded by Mr. Lock, which are as follows, to-wit:


It was moved by Mr. Lock and seconded by Mr. McDowall, that the vote of the House on the passage of this Bill be reconsidered; this being objected to, the question was put "will the House reconsider the vote," and carried in the affirmative; whereupon the Bill was again taken up and put on its passage, & the question being put, "shall this Bill pass," was negatived.

Received from the Honbl. the President of the late Convention, the following Message:
To the Honbl. the General Assembly:

Gentlemen:

I herewith send you the Journals of the Proceedings of the Convention, to be disposed of in such manner as you think proper.

SAML. JOHNSTON, President of the Convention.

Resolved, That the Journals of the proceedings of the last Convention be deposited by the Clerks of the General Assembly in the office of the Secretary of this State.

Received from His Excellency the Governor, the following Message:

To the Honorable the Speaker of the House of Commons:

Sir:

I herewith send you a Copy of the Journals of the House of representatives of the Congress of the United State, which were transmitted to me by the Secretary of that House and came to me the last evening by express.

SAML. JOHNSTON.

Received from His Excellency the Governor, the following Message:

To the Honorable the General Assembly:

Gentlemen:

You will with this, receive a letter from the Consul of France to Mr. Thomas, one of your agents for settling the accounts of this State, which I think it my duty to lay before you.

SAML. JOHNSTON.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you several Messages this day received from the Honbl. Samuel Johnston; the letter from the Consul of France enclosed in one of them we propose to refer to that branch of the Committee on Finance who have under consideration the Martinique demand; the other relative to the Journals of the late Convention, we have framed a resolve on which we send for your Concurrence.

Ordered that the Bill to repeal so much of an Act passed at Tarborough, intituled "an Act to regulate the Inspection of Tobacco," as alludes to Classing the same, be committed to Mr. E. Jones, Mr. J.
G. Blount, Mr. Person, Mr. Bostick, Mr. P. Hawkins & Mr. J. Stewart.

The Honbl. the Speaker, laid before the House the following Message from the Comptroller:

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

Gentlemen:

Agreeable to your resolve of the 24th November, I herewith lay before your Honourable body an account of all the balance due to the public from individuals in the said State, as they stand on the books in my office.

FRANS. CHILD, Comptr.

Ordered that the account of balances reported by the Comptroller be referred to the Committee of Privileges and Elections of this House, and sent to the Senate for their perusal.

The Bill to alter the mode of appointment of Inspectors of Tobacco at Fayetteville Ware House, and to amend an Act intitled "an Act for the better regulation of the Town of Fayetteville, passed at Tarborough, 1787, and to ascertain the limits of Fayetteville," was read the first time, passed and sent to the Senate.

Mr. Davie, from the Committee appointed, &c., delivered in a Bill directing the manner of electing Representatives to represent this State in Congress; which was read the first time, passed and sent to the Senate.

Ordered that the Bill for dividing the County of Surry, be read to-morrow for the third reading.

Ordered that the Committee to whom was Committed the Bill for the redemption of the Certificates, &c., be directed to make report To-morrow.

Mr. Person presented the Memorial of the Honbl. Samuel Spencer, Esquire, on the behalf of himself and the other Judges of the Superior Courts, on the Subject of Salaries; which being read, The House Resolved, they would again take up the Subject.

Ordered that the Bill to amend an Act for the better regulation of the Town of Edenton, and a Bill to establish a public Inspection of Tobacco in the Town of Clarksville, be read for the second reading To-morrow.

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

We have reconsidered and rescinded our resolution of the 28th Inst., relative to the introduction of Bills of a private nature, and propose that they may be received in either house until Saturday.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the time for receiving bills of a private nature be lengthened until Saturday as by you proposed.

Received from the Senate a Bill for the promotion of learning in the County of Currituck; and a Bill directing the mode of paying the Members of the General Assembly. Endorsed, read the first time and passed. Received also a Bill to repeal part of an Act intitled "an Act directing the duty of Naval officers, and all masters of vessels coming into the ports and inlets of this State." Endorsed, read the second time and passed.

Received from the Senate the following Reports of the Committee of Propositions and Grievances, concurred with by that House, to-wit: 

On the Petition of Ritchie & Co.;
On the Petition of Andrew Grier;
On the Petition of John Smallwood;
On the Petition of James Mebane and John Taylor.

Received from the Senate the Petition of James Newlin. Endorsed, read and referred as by the House of Commons.

The House adjourned to Wednesday Morning next 9 O'Clock.

WEDNESDAY, 2d December, 1789.

The House met according to adjournment.

Mr. Rhea presented the Memorial of John Montgomery; which being read, was referred to Mr. McDowall, Senr., Mr. Rhea, Mr. Drew, Mr. McLaine, Mr. Moore, on the part of this House and sent to the Senate.

Received from the Senate the report of the Committee on the Petition of Benjamin Williams. Endorsed, read and Concurred with.

Received from the Senate a Bill to confirm unto Benjamin Williams an indefeasible title to a certain piece of Land in Brunswick County. Endorsed, read the first time and passed. This Bill was
read the first time in this House, passed and returned to the Senate.

Received from the Senate a report of the Committee on the Petition of John Gray and Thomas Blount; on the Petition of John Steele, Commissioner, &c.; and on the Petition of John Walker. Endorsed, read and Concurred with; which reports being read, were concurred with by this House and returned.

The Petition of John Armstrong, which had heretofore been referred to the Committee on Finance, was read and referred to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

Received from the Senate the Memorial of James Saml. Purdie, late Sheriff for the County of Bladen. Endorsed, read and referred on the part of this House to Mr. Brown & Mr. Willis; which being read, was referred to Mr. Cowan, Mr. Stewart and Mr. Barns, and returned.

Mr. McLaine presented the Petition of Jane Simpson; which being read, was referred to the Committee appointed on the Petition of Lewis McPherson & Mr. Grove and Mr. Holland added thereto.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have added Mr. Benford to the Committee of Propositions and Grievances, No. 2.

Received from the Senate a resolution of that House on the Memorial of William Nall, late Sheriff of Wilkes County; which being read, was amended, Concurred with as amended, and returned to the Senate.

Received from the Senate a Bill directing the manner of electing representatives to represent this State in Congress; and a Bill for the relief of Securities in joint obligations. Endorsed, read the first time and passed. Received also, a bill directing the mode of choosing Senators to represent this State in the Congress of the United States; and a Bill for levying a Tax in the District of Salisbury for furnishing the Court House, &c. Endorsed, read the second time and passed.

Received from the Senate the Petition of Cosimo Medici, the Petition of Judith Dowd, the Petition of Elisha Hadden, the Petition of John Armstrong, and the Petition of Maurice Baum. Severally endorsed, read and referred as by the House of Commons.
Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the letter from the Consul of France be reported on by that branch of the Committee of Finance who have under their consideration the Martinique demand.

Received from the Senate the resolution of this House directing the Journal & proceedings of the Convention to be filed in the Secretary's office, Concurred with.

Received from the Senate the following Bills. Endorsed, read the first time and passed, to-wit: —

A Bill to alter the mode of appointment of Inspectors of Tobacco at Fayetteville Warehouse, &c.;

A Bill for the relief of parties in certain Suits depending in the Superior Court of Law for the district of Salisbury;

A Bill directing the mode of raising a fund in the several Ports in this State for the relief of sick Seamen, &c.;

A Bill to regulate the proceedings of Elections in certain instances in the Borough Towns of this State;

A Bill for the more easy redemption of Mortgages.

Received from the Senate the Petition of Jane Simpson. Endorsed, read & referred as by the House of Commons. Received also the Memorial of John Montgomery. Endorsed, read and referred to Mr. Graham, Mr. Carter and Mr. Smith.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have appointed Mr. Hargett and Mr. Graham to superintend the balloting this evening.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have on our parts, appointed Mr. T. Blount and Mr. Hamilton of Guilford, to superintend the Balloting this evening.

The House adjourned till 4 O'clock P. M.

Met according to adjournment.

Mr. Jones presented the Petition of John Bradley and others, whose names are thereunto subscribed, praying, &c.; which being read, was referred to the Committee appointed on the Petition of Lewis McPherson and sent to the Senate.
Mr. Wood presented the Petition of Thomas Thomas, which being read, Mr. Wood then moved for leave and presented a Bill vesting an indefeasible title to Thomas Thomas of Anson County, for four hundred acres of Land.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the Bill herewith sent you, vesting an indefeasible title to Thomas Thomas of Anson County for four hundred acres of Land, be referred to the Committee appointed on the Petition of Greenbury Sutton.

Received from the Senate the Petition of William T. Batey, Administrator, &c. Endorsed, read & referred to the Committee of Propositions and Grievances, No. 1; which being read, was referred as by the Senate and returned.

Mr. Wood presented the Petition of Thomas Jones, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Received from the Senate the Memorial of William Blount. Endorsed, read and referred to Mr. Gowdy, Mr. Ashe, Mr. Hargett; which being read, was referred on the part of this House, to Mr. Mebane, Mr. Armstrong, Mr. Person, Mr. McDowall & Mr. J. Allen & returned.

Mr. Chambers presented the Petition of Nancy Horah, which being read, was referred to the Committee on the Petition of William Brandon, and sent to the Senate.

Mr. Porter presented the Petition of William Gilbert, which being read was referred to the Committee of Propositions and Grievances and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have directed the Superintendents to wait on the sick absent Members now in Town in order to receive their votes and hope that they will receive like instructions from your House.

Resolved, That the House do concur with the proposition contained in the above Message:

Ordered that Mr. David Rice be excused for absenting himself from the service thereof without leave, the reasons for his absenting himself being very urgent.
Mr. Brevard presented the Petition of Centre Benevolent Society; which being read, Mr. Brevard moved for leave and presented a Bill to incorporate a Society of persons by the name of Centre Benevolent Society, which was read the first time, passed and sent to the Senate.

Mr. Wilson presented the Petition of Robert Hays, which being read, was referred to the Committee of Propositions and Grievances, No. 2, and sent to the Senate.

Received from the Senate the Petition of William H. Baty. Endorsed, read and referred to the Committee on the Petition of James Purdie; which being read, was referred as by the Senate and returned.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The Bill for annexing part of the County of Bladen to the County of Cumberland, we propose shall be reported on by the Committee appointed on the Petition for dividing Hawkins County.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We consent that the bill for adding part of Bladen County to the County of Cumberland be referred as by you proposed.

Mr. Stokes presented the Petition of Robert Martin, Esquire, Clerk of Salisbury Superior Court; which being read, was referred to the Committee of Propositions and Grievances, No. 2, and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that a Committee be appointed to consist of Members from each House, to take under consideration and report what steps are proper to be taken in order that this State may recover of Benjamin Exum the Money which this State is likely to lose through his misconduct as late Treasurer of the District of New Bern, and have appointed for this purpose on our parts, Mr. Ashe, Mr. Gillespie and Mr. Macon.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have on our parts appointed Mr. Person, Mr. Davie, Mr. Dickens, Mr. Stokes and Mr. P. Hawkins, to act with the gentlemen by
you appointed to report to the Assembly what measures are proper to be pursued to recover of Ben. Exum the losses which are likely to be sustained by his misconduct as late Treasurer, &c.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The resolution of your House in favour of William Nall, the Sheriff of Wilkes County, we propose shall be referred to the Committee appointed on the Petition of James Purdie, and that they so model it as to answer the prayer of the Petitioners without an injury to the State.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the resolution of your House in favour of William Nall, late Sheriff of Wilkes County, be referred as by you proposed.

Mr. Stokes, from the Committee to whom was referred the Memorial of Erick Salerstead, &c., delivered in the following Report:

Your Committee to whom was referred the Memorial of Erick Salerstead and Jane his wife, and Peter Mallett, in behalf of themselves and others, praying that suits at law commenced against them by the Attorney General on behalf of the State, may be ordered to be discontinued, Report,

That the General Assembly cannot with propriety give relief to the Memorialists, a Court of law being the only proper tribunal for the decision of the controversy. Which is submitted.

JOHN STOKES, Chairman.

The House taking this report into consideration, concurred there-with.

Ordered that the Bill to cede to that part of the Citizens of this State, who reside west of the great Iron mountains, the Territorial right thereof, &c., &c., be read the second time to-morrow.

The House adjourned until To-morrow Morning 9 O'Clock.

THURSDAY, 3 December, 1789.

The House met according to adjournment.

Mr. Hamilton of Guilford, from the joint balloting for a Governor of this State and a Senator to represent this State in the Senate of
the United States and the place at which the next General Assembly shall be held, Reported,

That no one person in nomination for a governor of this State, nor for a Senator to represent this State in the Senate of the United States, had a Majority of votes for such appointments.

That Fayetteville was the place at which the next General Assembly shall be held, as appointed by a Majority of the votes of both houses.

The House taking this report into consideration, Concluded therewith.

Received from the Senate the Memorial of James Armstrong. Endorsed, read and referred to Mr. Brown, Mr. Gillispie and Mr. Clinton, on the part of the Senate; which being read, was referred on the part of this House to Mr. Mebane, Mr. Hamilton of Edenton, Mr. Pride, Mr. Hawkins and Mr. E. Jones on the part of this House, and returned to the Senate.

The Honbl. the Speaker laid before the House a return made by the public Treasurer of the balances due by the several public delinquent debtors; which being read, was referred to the Sub-Committee of Finance who have under consideration the Treasurer's accounts, and sent to the Senate.

Received from the Senate the Petition of Joseph Green. Endorsed, read and referred to the Committee of Propositions and Grievances, No. 2; which being read, was referred as by the Senate and returned.

Received from the Senate the Petition of John Markland. Endorsed, read and referred to Mr. Herritage & Mr. Smith, on the part of the Senate; which being read, was referred on the part of this House, to Mr. Allen, Mr. Nixon and Mr. Peete and returned to the Senate.

Received from the Senate sundry Petitions from Dobbs County praying a division thereof. Endorsed, read & referred to the Committee appointed on the bill for dividing Hawkins County; which being read, was referred as by the Senate and returned.

Received from the Senate the Petition of Ann Cruse. Endorsed, read and referred to the Committee on the Petition of Daniel Williams; which being read, was referred as by the Senate and returned.

Received from the Senate the resignation of Alexander Gregory
of his office of Justice of the Peace for Cumberland County. Endorsed, read and accepted; which being read, was accepted by this House and returned.

Mr. Lock, from the Committee to whom was referred the Bill to discharge the expences of an expedition against the Indians, and the Bill to impower the County Treasurer and Collectors in the several Counties in the district of Washington, &c., delivered in a report, which being read and amended, was agreed to as follows, to-wit.:

The Committee to whom was referred the Bill to discharge the expences of an expedition against the Indians, and the Bill to impower the County Treasurer and collectors in the several Counties in the District of Washington to receive from any person or persons in payment of their public Taxes, &c.

That having read the said Bills are of opinion that the bill to discharge the expence of an expedition against the Indians with the amendments thereto annexed, will sufficiently answer the purpose of paying the expences of the expedition carried on under the command of Brigadier-General Martin. And the title of this Bill ran thus: “A Bill to prescribe the mode of paying the Militia officers and Soldiers for their service in an expedition against the Chickamagaw Indians by Brigadier-General Martin in the year 178—.” All which is submitted.

MATTHEW LOCK, Chairman.

Whereas, It is represented to this General Assembly by a Memorial of the Honorable the Judges of the Superior Courts of Law that the additional business imposed on them since the Law fixing their Salaries by the accession of the Equity Jurisdiction hath rendered the said Salaries greatly inadequate to the fatigue and trouble they have been obliged to undergo in consequence thereof.

Resolved, Therefore that each of the said Judges be allowed the sum of three pounds in addition to their Salaries as established by Law for each Court which they have respectively attended since the first day of January, in the year one Thousand seven hundred and Eighty-three, up to the present year inclusive, to be paid out of the Treasury of this State on the Certificates of the Clerks of the several Courts that they have attended, and that the Treasurer be allowed the same in the settlements of public accounts.

On the question to agree to this resolution the yeas and nays were
called for by Mr. Montgomery, seconded by Mr. Porter, which are as follows, to-wit:  


Mr. Mebane, from the Committee to whom was committed the Bill providing means for the payment of the domestic debt, for appropriating certain monies therein mentioned, and to amend an act passed at the last Session of the General Assembly entitled “an Act for levying a Tax for the support of Government, and for the redemption of old paper Currency, Continental Money Specie and other Certificates,” delivered in the same with amendments, which was taken up and read for the second reading in this House, was amended, passed and sent to the Senate.  

The Bill to alter the times of holding the annual Assemblies of this State was read the second time, amended, passed and sent to the Senate.  

Received from the Senate the following Message:  

Mr. Speaker & Gentlemen:  

From the report of yesterday’s balloting, no one of the Candidates for Governor or Senator appearing to have a Majority of Votes, we propose that the two Houses proceed again to ballot for those officers at 4 O’clock this Evening, and nominate the same Gentlemen as were Candidates on yesterday’s balloting for the respective appointments.  

Ordered that the following Message be sent to the Senate:  

21—20
Mr. Speaker & Gentlemen:

We agree to ballot this evening for a Governor of this State and a Senator as by you proposed. Mr. Hamilton and Mr. T. Blount will superintend the balloting on the part of this House.

Mr. Lock, from the Committee to whom was referred the inquiry respecting the Warrants drawn on the Treasurer in favor of Colo. Alexander Outlaw, &c., delivered in a report, which being read, was amended and agreed to as follows, to-wit.:

The Committee to whom was referred the inquiry respecting the Warrants drawn on the Treasurer in favour of Colo. Alexander Outlaw, Commissary and paymaster to the Station on the North side of Tennessee River, Report,

That it appears to your Committee that the Law for establishing the said Station hath not been fully complied with, as there have been but ten privates raised, instead of thirty-three, the number required by Law; neither does it appear to your Committee when they were enlisted or how long they continued in service, and it appears that Colo. Alexander Outlaw, Commissary and paymaster to the Troops belonging to said station, hath drawn Warrants on the Treasury payable out of the Taxes from the District of Washington to a larger amount than the expenses of said station will amount to.

Your Committee therefore are of opinion that the said Colo. Outlaw return to the Governor of this State the Warrants drawn by him as paymaster and Commissary to the Guard at Fort Johnston, on the north side of Tennessee River, and that the Governor issue a Warrant to him for five hundred pounds to be paid off and discharged agreeable to the Act for erecting the Station aforesaid.

That the said Colo. Alexander Outlaw shall, as soon as possible, settle his accounts with the Comptroller in the manner directed by the Act passed in 1786 intituled "an Act for raising Troops for the protection of the Inhabitants of the Cumberland Settlements," and should any balance remain still due after such settlement, the Governor shall issue a Warrant to the said Alexander Outlaw, paymaster and Commissary as aforesaid, for such balance; and if the said sum of five hundred Pounds exceed the sum due as aforesaid, then the said Alexander Outlaw shall account for the same agreeable to his bond.
Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the bill vesting in Thomas Thomas, of Anson County, certain Lands, be referred to the Committee on the Petition of Greenbury Sutton.

Received from the Senate a resolution of that House directing that Curtis Ivey shall have leave to return home from Muster rolls, &c., which being read, was concurred with and returned.

Ordered that the Bill for impowering the several County Courts within this State to appoint Patrolls, &c., be Committed to Mr. Bonds, Mr. Jones & Mr. B. Smith.

Ordered that the following bills be read for the second reading To-morrow, to-wit.:

A Bill to amend an Act entitled "an Act for the better regulation of the Town of Edenton;

A Bill to incorporate the Tradesmen and Manufacturers of the Towns of Edenton, &c.;

A Bill to vest an indefeasible right of inheritance in Charles Alley and Prudence Oggs:

A Bill to regulate the proceedings of Elections in certain instances, &c.;

A Bill to impower the Wardens of the poor in Franklin and Surry to build Houses for the reception of the poor.

Received from the Senate the Memorial of Nancy Horah, and the Petition of sundry of the Inhabitants of Anson, Richmond, &c., in favour of Edward Ingram. Endorsed, read & referred as by the House of Commons.

Received from the Senate the following Bills. Endorsed, read the first time & passed, to-wit.:

A Bill to incorporate a Society of persons by the name of Centre Benevolent Society;

A Bill for preventing loss of the revenue of the State by securing payment for vacant Lands;

A Bill directing at what time the Laws of this State shall be in force and have effect;

A Bill to repeal part of an Act passed at New Bern intituled an Act to divide the District of Morgan.

Received also a Bill directing the manner of issuing process in
sundry cases arising in the Superior Courts of Law and Courts of Equity, &c.; and a Bill to amend an Act intituled "an Act to prevent the exportation of unmerchandable Commodities." Endorsed, read the second time and passed.

The House adjourned till 4 O'clock P. M.

Met according to adjournment.

Mr. E. Jones presented the Memorial of Thomas Haslin, which being read, was referred to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

The Bill for laying off a Town on the lands of John Marriner in Tyrrell County, was read the third time, passed and sent to the Senate.

The Bill to emancipate certain Negroes therein mentioned, was read the second time, amended, passed and sent to the Senate.

The Bill to establish a public Inspection of Tobacco in the Town of Clarksville, in the County of Tennessee, was read the second time, amended, passed & sent to the Senate.

The Bill to invest an indefeasible right of inheritance in Charles Alley and Prudence Oggs, the surviving natural children of the late John Oggs of the County of Pasquotank, of such property as was bequeathed to them and their deceased brother Jesse Oggs, was read the second time, amended, passed and sent to the Senate.

Mr. McKay presented the Petition of John McNeill, which being read, was referred to the Committee of Propositions and Grievances, No. 2, and sent to the Senate.

The Bill to vest certain Lands therein mentioned in the monthly meeting of the People called Quakers, of New Garden, in Guilford County, was read the third time, passed and sent to the Senate.

Mr. Hawkins, from the Committee, &c., delivered in the following Report:

The Committee to whom the Petition of Timothy Riggs was referred, Report,

That by sufficient Testimony it appears to your Committee that a number of Warrants were issued from the Entry office of Rutherford County and placed into the hands of the said Timothy Riggs, Surveyor of the said County of Rutherford, which warrants were Transferred to other persons by the direction of the person in whose name they were issued; and the said Timothy Riggs, instead of
taking the transfer of the warrants on the back thereof erased the name of the original holder and inserted the name of the person to whom it was transferred, and returned the works accordingly, tho' with no intent of doing injury to either party, which circumstance has induced the Secretary to withhold issuing Grants on Surveys made on all the warrants so effaced.

Your Committee are therefore of opinion that the Secretary be directed to issue Grants for all Surveys made and returned to his office on Warrants that have not been defaced by the said Timothy Riggs, and that he return all such Warrants as have been so defaced to the said Timothy Riggs, and that the said Timothy Riggs return them to the said entry taker of the said County, and that the entry taker be directed to issue other Warrants in lieu thereof in the name of the original holder. All which is submitted.

ALEXR. MEBANE, Chn.

The House taking this report into consideration, Concurred therewith.

Mr. Person, Chairman of the Committee to whom the Petition of the Inhabitants of Rutherford County was referred, delivered in the following Report:

That it appears to your Committee, from several Gentlemen of veracity, that the said Timothy did at his own expence build a large boat for the purpose of discovering the Channel of Broad river as far as the ————; that he was at a very considerable expence in clearing and opening the said river so that boats might pass, which discovery tends much to the benefit of the State in general and to the County of Rutherford in particular.

Your Committee therefore, in order to reimburse the said Timothy Riggs the money he has expended in making the said discovery, do recommend that the entry taker of the County of Rutherford be directed to issue a Warrant or Warrants to the said Timothy Riggs to the amount of one thousand acres of Land, clear of all charges, fees of office excepted.

This report being read, the House concurred therewith.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House propose that Saturday next be set apart for the ap-
pointment of Field Officers and Justices of the Peace for the several Counties in this State.

Ordered that Wyatt Hawkins, Esquire, have leave to absent himself from the service of this House after Wednesday next, and Philemon Hawkins, Esquire, after Saturday next.

Ordered that the Bill for cutting a navigable Canal from the waters of Pasquotank river in this State, to the waters of Elizabeth River in the State of Virginia, and the bill to prescribe the Militia officers and Soldiers in an expedition carryed on against the Chickamagaw Indians, &c., be read To-morrow for the second reading.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have added Mr. Mayo and Mr. Wynns to the Committee of Propositions and Grievances, No. 2.

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

FRIDAY, 4 December, 1789.

The House met according to Adjournment.

The Bill to confirm unto Benjamin Williams an indefeasible title to a certain piece of Land in Brunswick County, was read the second time, amended, passed & sent to the Senate.

Mr. Dickson, from the Committee to whom was referred the Petition of Mary McFall, Reported,

That Neil McFall, the husband of the said Mary, died possessed of two small Tracts of Land in Bladen County, and some personal property intestate; That the said Neill attached himself to the enemy in the course of the late War, whereby the Commissioner of Confiscated estates, conceiving he had a right, advertised and sold the lands aforesaid, although the County Court of Bladen had previously adjudged all the property of the said deceased only sufficient to maintain the widow and Children, as fully appears from the Clerk's Certificates herewith presented.

The Committee, under these circumstances, are of opinion the widow ought to enjoy for the benefit of the orphans the whole of the property so assigned her by the Court, & recommend that a bill be introduced vesting an indefeasible right in the said Mary McFall to all the property so assigned by the Court to her and her heirs forever. All which is submitted.

ROBERT DICKSON, Chn.
The House taking this report into consideration, Concurred there-
with.

Mr. E. Jones moved for leave and presented a Bill to establish the
title of certain lands therein mentioned in the heirs Male of Neil Mc-
Phaul, late of Bladen County; which was read the first time, passed
and sent to the Senate.

Mr. Hamilton, from the joint balloting for a Governor of this
State and a Senator to represent this State in the Senate of the
United States, Reported:

That no one person in nomination for a Governor, nor for a Sen-
ator, had a Majority of Votes and that they were again to be balloted
for.

The House taking this report into Consideration, Concurred ther-
with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The subject matter contained in the form of a resolution herewith
sent you on the subject of representation we propose shall be reported
on by a joint Committee, and have for this purpose on our parts, ap-
pointed Mr. Hill, Mr. Graham, Mr. Gallaway, Mr. Blount and Mr.
Ash.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Hamilton of Guilford, Mr. Lock, Mr.
Davie, Mr. Jones, Mr. Stokes, Mr. Peete, Mr. Mebane & Mr. Person,
to act with the Gentlemen by you appointed to consider of the resolu-
tion proposed for calling a Convention to revise the Constitution of
this State. We propose that a Governor and Senator be balloted for
To-morrow evening at 4 O’clock, and that the Gentlemen formerly
nomination for these offices respectively be still continued in nomina-
tion.

The Bill to Cede to the United States certain Lands therein men-
tioned, was read the second time, amended, passed and sent to the
Senate.

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

To the Honorable the General Assembly:

Gentlemen:

Considering it my duty to communicate to your Honorable Body
every information respecting Indian affairs which come to my knowledge, I do myself the Honor to send you a Letter which has this moment come to my hands.

SAM. JOHNSTON.

Ordered that the letter referred to in the foregoing Message be referred to the Committee on Indian Affairs and sent to the Senate for Concurrence.

Received from His Excellency the Governor, the two following Messages:

To the Honorable the General Assembly:

Gentlemen:

Having dispatched all the business of the State which has been laid before me, and it being necessary that I should make preparation for entering on the duties of my new appointment, it is my intention to leave this place to-morrow morning, unless the Assembly should think it essential to the publick service that I should continue longer.

SAM. JOHNSTON.

To the Honorable the General Assembly:

Gentlemen:

I herewith send you a duplicate of the ratification of the Constitution of the United States to be deposited among the Archives of this State in such manner as you may be pleased to order.

SAM. JOHNSTON,
President of the Convention.

Resolved, That the duplicate of the ratification of the Constitution of the United States be delivered by the Clerk of this House to the Secretary, and that he file the same in his office.

Ordered that the following Message be addressed to His Excellency the Governor:

To His Excellency, Samuel Johnston, Esquire, Captain-General,

Governor, &c., &c., of N. Carolina:

Sir:

The General Assembly do not deem it essentially necessary that you should give any longer attendance on them, therefore consent to your departure from this place when you think proper.
Ordered that the above Message be sent to the Senate for Concurrence, with the following Message:

Mr. Speaker & Gentlemen:

We herewith send you a Message which we propose shall be presented to His Excellency Samuel Johnston, Esquire.

The Bill to amend an Act passed in 1770 intitled "an Act for opening and improving the navigation of lower Little River in Cumberland County," was read the first time, passed and sent to the Senate.

Resolved, That General Clark be requested to deliver to Doctor Williamson such Musters or papers as may be of use in establishing the charges of this State against the United States, for which the Doctor shall give him a receipt if it be desired.

Resolved, That the Comptroller be required to collect such Musters, pay Rolls or other Books or papers from amongst the papers of the late Generals, Sumner and Hogan, and of Colonels Dixon and Lytle as may be of use in determining the service performed by the Line of this State, and that the Executors of those Gentlemen be requested to furnish the Comptroller with such papers.

Resolved, That the Comptroller forward to Edenton as soon as possible the old Continental Money now in the Treasury, and the vouchers and such other accounts and Claims against the United States as he may have lately settled, and that he forward by the first safe opportunity such other vouchers and papers as he may be able to collect.

The Bill to prescribe the mode of paying the Militia officers and Soldiers for their services in an expedition carryed on against the Chickamawgaw Indians by Brigadier-General Joseph Martin in the year 1788, was read the second time, amended, passed and sent to the Senate.

The Bill to amend an Act intitled "an Act for the better regulation of the Town of Edenton," was read the second time, amended, passed and sent to the Senate.

Ordered that the Bill directing the manner of electing representatives to represent this State in Congress, be read To-morrow for the second time.

Received from the Senate a Bill for appointing Commissioners to
extend the boundary line between this State and the State of South Carolina. Endorsed, read the first time and passed.

The House adjourned until To-morrow Morning 9 O'Clock.

 SATURDAY, 5 Decembre, 1789.

The House met according to Adjournment.

Mr. McKay presented the Memorial of Philip Alston, which being read, was rejected.

Mr. Hamilton of Guilford, moved for leave and presented a Bill for allowing the judge of Mero District a further sum as a Compensation for his travelling to the said Mero District thro' the Wilderness; which was read the first time, passed and sent to the Senate.

Received from the Senate the Memorial of Matthew Lock. Endorsed, read and referred to the Committee of Propositions and Grievances, No. 1; which being read, was referred as by the Senate and returned.

Received from the Senate the following Message of yesterday's date, to-wit.:

Mr. Speaker & Gentlemen:

We consent to ballot to-morrow evening agreeable to your propositions, for a Governor and Senator, and have added to your nomination for Senator the name of John Stokes, Esquire; we also agree that the appointment of Justices and Field officers be made part of the business of Saturday next.

Received from the Senate a resolution of that House for returning the thanks of the General Assembly to His Excellency Samuel Johnston, Esquire, for the able and upright manner in which he has conducted himself during his administration; which being read, was concurred with and returned.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

Should the resolution of this House voting thanks to His Excellency, Samuel Johnston, Esqr., meet your approbation, Mr. Macon and Mr. Skinner will, on the part of this House, attend and deliver the same.

Resolved, That the following Message be sent to His Excellency Samuel Johnston, Esquire:
To His Excellency Samuel Johnston, Esquire, Captain-General, Governor and Commander-in-Chief, in and over the State of North Carolina:

Sir:

The General Assembly have this day reconsidered the Message received from your Excellency respecting your departure from this place; we think proper now to suggest that the public business may require the attendance of the executive officer until a new appointment shall take place, and therefore request that you will not leave this place until that event or until the rise of the General Assembly.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send for your concurrence a Message addressed to His Excellency the Governor, should it meet your approbation, Mr. Davie and Mr. Person will attend His Excellency with the same.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We consent that the Message by you proposed to be presented His Excellency the Governor, shall be sent him, provided you will agree to the amendment inserted by this House.

Whereas, at a General Assembly holden at Fayetteville in the year 1786, on the representation of Benjamin Williams, Needham Bryan and William Avera, Esquires, Members of the General Assembly for the County of Johnston, that Henry Finch, a Justice of the Peace for the said County, by sundry misdemeanors incompatible with the duty and dignity of his said office, had rendered himself unworthy thereof, the said Henry Finch was suspended from the exercise of his said office and was ordered to attend the next General Assembly to answer the Charges then to be more specially, and at large objected against him, and at the said last mentioned Assembly the said Finch failing to appear a further day was given for him to appear before the present Assembly; and the said orders having been duly served on the said Henry and he having failed to appear again before this Assembly, therefore,

Resolved, That the said Henry Finch be put and entirely removed from his said office forever, and that he hence forward shall not be considered as a Justice of the Peace for the said County, and that the Clerks of the General Assembly do transmit official notice thereof
to the Court of Pleas and Quarter Sessions for the said County as early as may be.

The Bill for levying a further Tax in the several Counties in the District of New Bern, and for calling to account the Commissioners of the same, was read the second time, passed and sent to the Senate.

Ordered that the reading of the Bill directing the manner of Electing representatives to represent this State in Congress, be postponed until Monday next.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the Bill introduced to the General Assembly in 1786, to vest in James Cash, his Heirs, &c., a Tract of Land, and the papers accompanying it be referred to a joint Committee, and that such Committee report the propriety of passing such bill into a Law; for this purpose we have appointed Mr. Person, Mr. Mebane and Mr. Lindley.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in a Report, which being read & amended was agreed to as follows, to-wit:.

The Committee to whom the Petition of John Rowe was referred, Report,

That the said Rowe served in the Continental line of this State two years and a half as a Soldier, as appears from a discharge herewith presented; That on his application to the late board for the adjustment of his account a certain William Faircloth had previously and without the consent of the said Rowe settled the same and drawn the due Bill & certificates. That the said Rowe instituted a Suit in the Superior Court of Law for the District of Halifax against Faircloth, and recovered the Sum of eighty-three pounds twelve Shillings and seven pence, for which two Executions were issued and returned unsatisfied. The Committee therefore are of opinion that the Treasurer be directed to pay the said Rowe one-fourth part of said Judgment in Money, to-wit: Twenty Pounds eighteen Shillings and one penny three farthings, and the Comptroller be also directed to issue Certificates for the remaining three-fourths, the money part to be paid out of the fines collected from the said Faircloth which were imposed at Warrenton by the Judges of the Court of Oyer and Terminer. Which is submitted.

WYATT HAWKINS, Ohn.
STATE RECORDS.

Received from the Senate the report of the Committee on the Memorial of James Samuel Purdie. Endorsed, read and concurred with; which being read, was Concurred with by this House and returned.

The Bill granting to the Inhabitants of Tyrrell County a privilege of holding separate Elections for Members of Assembly, was read the second time, passed and sent to the Senate.

The Bill for dividing the County of Surry into two distinct Counties, and for other purposes, was read the third time, passed and ordered to be Engrossed.

Received from His Excellency the Governor, the following Message.

To the Honorable the General Assembly:

Gentlemen:

I shall with the most cheerful and ready compliance accommodate myself to the wishes of your Honorable Body, expressed in your Message of this Day.

My mind is impressed with the highest sense of Gratitude, by the honorable Testimony which you have been pleased to hold forth, of your approbation of my conduct in the Execution of office of the first Magistrate of this State.

SAML. JOHNSTON.

Ordered that the above Message be sent to the Senate.

Received from the Senate the report of the Committee on the Petition of the Inhabitants South of French Broad River. Endorsed, read, concurred with and returned.

Mr. Person, from the Committee to whom was referred the Memorial of Colo. Nicholas Long, delivered in the following report, to-wit.:

The Committee to whom was referred the Memorial of Colo. Nicholas Long, as agent of twenty-six of the officers of the line of this State as is represented in his Memorial, beg leave to report,

That they, having taken the said Memorial into consideration, are clearly of opinion from the Law that existed at the time of purchasing the Confiscated property, that he was entitled to pay as was proposed by him and set forth in his Memorial, is so plain and clear that no person can possibly dispute.

Your Committee therefore beg to say that Colo. Long produces and pays into the Treasury on Oath the same Certificates that he repre-
sents in his Memorial he did therefore lodge in the hands of the Treasurer for the express purpose of paying for the property purchased for and on behalf of the said officers; that then, and in that case the Treasurer be directed to take the said Certificates as before specified in payment of the judgment obtained against said Colo. Long. All of which is submitted.

THOMAS PERSON, Chn.

The House taking this report into consideration Concurred therewith.

The Bill to repeal part of an Act intituled "an Act directing the duty of Naval officers, and all masters of Vessels coming into the Ports and inlets of this State," was read the third time, amended, passed and sent to the Senate.

The Bill to incorporate the tradesmen and manufacturers of the Towns of Edenton, New Bern, Wilmington and Washington, was read the second time, amended, passed and sent to the Senate.

The Bill directing the mode of choosing Senators to represent this State in the Congress of the United States was read the second time, amended, passed and sent to the Senate.

The Bill to ratify the amendments to the Constitution of the United States, was read the third time, amended, passed and sent to the Senate.

The Bill directing the Collectors of imposts and other duties, to collect the same for the use of this State until the Congress of the United States shall make provision for that purpose, was read the second time, passed and sent to the Senate.

The Bill for the more easy redemption of Mortgages was read the second time, passed and sent to the Senate:

The Bill directing the mode of proceeding on Writs of Mandamus, was read the second time, passed and sent to the Senate.

Received from the Senate the Petition of the Inhabitants of Rutherford County and the Report on the Petition of Timothy Riggs, concurred with by that house.

The House adjourned until 4 O'clock P. M.

Met according to adjournment.
Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We are now ready to proceed to balloting.
Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We are also ready to proceed to balloting, and have appointed Mr. Hamilton and Mr. Blount to superintend the same.

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

Received from the Senate the resolution of this House directing the Clerk to deliver to the Secretary the duplicate of the ratification of the Constitution, concurred with.

Received also, the Message from His Excellency the Governor, inclosing the letter from Bennett Billey. Endorsed, read and referred as by the House of Commons.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

Mr. Gillespie, Mr. Ashe and Mr. Hargett will, on the part of this House, act with such Gentlemen as you may appoint to report on the Petition of Nicholas Eveleigh, herewith sent you. We also propose that this Committee be instructed to report some plan of relief for all those in similar circumstances with Mr. Eveleigh.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the Petition of Nicholas Eveleigh be referred to a joint Committee as by you proposed, and have appointed Mr. Jones, Mr. Campbell, Mr. Spiller, Mr. Snead and Mr. Ben Smith. We also agree that the Committee appoint some mode of general relief for those in similar circumstances with Mr. Eveleigh.

Received from the Senate the report of the Committee on the Memorial of Nicholas Long, and the resolution of this House removing Henry Finch of Johnston County from the office of a Justice of the Peace, concurred with by that House.

Received also the Report of the Committee on the Memorial of Doctor Frederick Ramche, concurred with.

Received from the Senate a Bill making process in Equity in certain cases more effectual. Endorsed, read the first time and passed. The House adjourned till Monday next 9 O'Clock.
MONDAY, 7th DECR., 1789.

The House met according to adjournment.

Mr. Hamilton, from the joint balloting for Governor of this State for the ensuing year, and a Senator to represent this State in the Senate of the United States, Reported,

That the Honorable Alexander Martin, Esquire, was elected Governor, and that no one person in nomination for Senator had a Majority of votes, and that a Senator was yet to be elected.

The House taking this report into consideration concurred therewith.

Received from the Senate a resolution of that House directing the Secretary to issue a Grant to Thomas Overton for 332 acres of Land, & take in one that issued for the same land to John Overton; which being read, was amended, concurred with as amended, and returned to the Senate.

N. CAROLINA,

IN SENATE, 7 December, 1789.

Mr. Speaker & Gent.:  
This House have thought proper to withhold their concurrence to the report from the late balloting for Governor, from a suggestion that the Gentleman elected to that office is not eligible & until he shall do away this apprehension We propose that the Speakers of the two Houses be requested to acquaint Alexander Martin of his having rec'd a majority of the suffrages of the Genl. Assembly as Governor and the suggestion as to his disqualification & request his immediate attendance.

CHAS. JOHNSON.

Received from the Senate the following Reports, Concurred with by that House, to-wit:

On the Petition of the Inhabitants of Caswell County;
On the Petition of the Inhabitants of Bladen County;
On the resolve in favour of William Nall, Sheriff of Wilkes County;
On the Petition of the Inhabitants of Hawkins County;
On the Petition of the Inhabitants of Iredell County.

These Reports being read, were severally concurred with and returned.
Received from the Senate the following Messages, to-wit:

Mr. Speaker & Gentlemen:

The Report of the Committee on the Petition of the Inhabitants of Mecklenburg County herewith sent you, we propose shall be Committed to the same Committee.

Mr. Speaker & Gentlemen:

The Petition from the Third Battalion of Rowan County herewith sent you, we propose shall be reported on by the Committee appointed on the Petition from Hawkins County.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the Petition of the Third Battalion of the Rowan Militia be referred as by you proposed, and also the report on the Petition of the Inhabitants of Mecklenburg.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a letter from James Taylor, and propose that the Speakers of the two Houses be requested to write to the Honorable Alexander Martin, Esquire, informing him of his election to the Chief Magistracy of this State and requesting him to come to this place and qualify.

The Bill to amend an Act intitled "an Act to prevent the exportation of unmerchantable Commodities," was read the second time, passed and sent to the Senate.

The Bill for dividing the County of Caswell, was read the first time, passed and sent to the Senate.

Mr. E. Jones moved for leave and presented a Bill to repeal an Act passed at ———— in 1784, intitled "an Act to describe and ascertain such persons who owed allegiance to the State, and to impose certain disqualifications on certain persons therein mentioned," which was read the first time, passed and sent to the Senate.

Mr. Mebane presented the resignation of Ambrose Ramsey, Esqr., of his appointment of Brigadier-General of Hillsborough District.

Mr. Hamilton moved for leave and presented a Bill the better to secure the collection of duties imposed on goods imported into this State; to regulate the Harbour of Edenton, &c.; to direct the future
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Inspection of Tobacco at Murfreesborough; which was read the first time, passed and sent to the Senate.

Ordered that the bill to alter and amend an Act of the General Assembly passed in the year 1784, intituled "an Act to prevent the exportation of unmerchantable commodities," be committed to the Committee to whom the bill to regulate the Inspection of Tobacco was referred.

The Bill directing the mode of paying the Members of the General Assembly, was read the first time, passed and sent to the Senate.

The Bill for the relief of the Securities in joint obligations, was read the first time, passed and sent to the Senate.

Mr. Jones moved for leave and presented a Bill for the increase of the Revenue, and to encourage Surgeons and Physicians; which was read the first time and rejected.

The Bill making process in Equity in certain cases more effectual, was read the first time, passed and sent to the Senate.

The Bill for promoting the revenue of the State by securing payment for vacant Lands, was read the first time, passed and sent to the Senate.

The Bill directing at what time the Laws of this State shall be in force and have effect, was read the first time, passed and sent to the Senate.

The Bill for appointing Commissioners to extend the Boundary line between this State and the State of South Carolina, was read the first time, passed and sent to the Senate.

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

The Bill directing the manner of electing representatives to represent this State in Congress, was read the second time, passed and sent to the Senate.

Received from the Senate the Report of the Committee on the Memorial of John Whitaker; and the report on the Petition of Cosimo Medici. Endorsed, read and Concurred with.

The Bill to repeal part of an Act to regulate and ascertain the several officers fees therein mentioned, and for altering the time of holding Courts of Law and equity for the Districts of Halifax, Edenton,
New Bern and Wilmington, passed at New Bern the 22 of October, 1784, was read the second time, passed and sent to the Senate.

Received from the Senate a Bill providing for the payment of the domestic debt, for appropriating certain monies therein mentioned, and to amend an Act passed at the last Session of the General Assembly intitled "an Act for levying a tax for the support of Government, and for redemption of old paper Currency, continental Money, Specie and other Certificates." Endorsed, read the second time & passed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the Bill to vest certain Lands in James Forsyth be reported on by a joint Committee, and have appointed Mr. Gillispie and Mr. Clay to act with the Gentlemen by you named for this purpose.

The House adjourned until To-morrow Morning 9 o'Clock.

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Tuesday, 8 December, 1789.

The House met according to adjournment.

Mr. Hines presented the Petition of William Jones, which being read, was referred to the Committee of Propositions and Grievances and sent to the Senate.

Received from the Senate the resignation of William McKinne of his Commission as Colonel of Wayne County; the resignation of Geo. H. Berger of his Commission as Colo. of Rowan County, and the resignation of Demcey Moore of his Commission of first Major of the Hillsboro Regiment of Cavalry. Severally endorsed, read and accepted; which being read, were accepted by this House and returned.

Received also the resignation of Ambrose Ramsey of his Commission of Brigadier-General of the District of Hillsborough. Endorsed, read and accepted.

Mr. J. G. Blount, from the Committee to whom was committed the Bill to repeal so much of an Act passed at Tarborough intitled "an Act to regulate the inspection of Tobacco as alludes to classing the same," delivered in a Bill the better to regulate the Inspection of Tobacco; which was read the first time, passed and sent to the Senate.

Received from the Senate the Petition of John McKethen, Senr.,
and the Petition of William Griffin. Endorsed, read and referred to the Committee of Propositions and Grievances No. 1; which being read, was referred as by the Senate and returned.

Received also the Report of the Treasurer in favour of Green Hill. Endorsed, read and referred to Mr. Graham & Mr. McDowall on the part of the Senate; which being read, was referred on the part of this House, to Mr. W. Hawkins, Mr. Sanders and Mr. Hines and returned.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the report; which being read and amended, was agreed to, as follows:

The Committee, to whom the Petition of Sundry Inhabitants of Salisbury District was referred, Report,

That the said Petitioners under a Law passed in the year 1782, became purchasers of certain lands sold by General Rutherford, then a Commissioner, many of whom not having the particular certificates required by said Law to pay the two-thirds, were induced to give their bonds with security for the payment of the whole in actual money, by the promises or insinuations of the said Commissioner, that at a future day they would have the privilege of paying two-thirds of the amount of their bonds in specie audited Certificates. That suits have been instituted against many of the said Petitioners, and recoveries likely to be had for the whole amount of their Bonds in actual money. The Committee therefore are of opinion, and recommend, that those of the aforesaid Petitioners who gave their Bonds for the payment of the whole of the purchase Money aforesaid, may be permitted to pay two-thirds thereof in Specie Certificates, and that they, as well as those who paid two-thirds in Certificates, and against whom suits have also been instituted, may have an indulgence of eighteen months stay of execution, on their coming into Court, confessing Judgment and paying interest. Your committee are also of opinion that where any person who has purchased any of the aforesaid Lands hath paid any part of the two-thirds, exclusive of the Money parts, in Certificates, he shall be at liberty to pay the residue of the said two-thirds in Certificates, altho' the Bond of such person for the balance not paid may have been given for money, it being the opinion of your Committee that only one-third of any of the said purchases shall be paid in money.

WYATT HAWKINS, Chn.
STATE RECORDS.

Received from the Senate the report of the Committee on the Petition of the Inhabitants of Anson County. Endorsed, read and concurred with by this House and returned.

Mr. Drew moved for leave and presented a Bill to impower Joel Rice and James Cole Montflorencce to build Tobacco Warehouses on the public lott in the Town of Nashville and to receive storage of Tobacco Inspected thereat; which was read the first time, passed and sent to the Senate.

Mr. Hamilton of Edenton, moved for leave and presented a Bill to increase the Jurisdiction of the Superior and County Courts and of the Justices out of Sessions, which was read the first time and rejected.

The Bill to revive and continue in force, so far as respects the County of Johnston, an Act passed in the year 1786, intitled "an Act impowering the several County Courts therein mentioned to lay a Tax," &c.; was read the second time, amended, passed and sent to the Senate.

Mr. Grove moved for leave and presented a Bill to amend an Act passed at Hillsborough in 1784, entituled "an Act for regulating the Pilotage and facilitating the Navigation of Cape Fear River, and to levy a Tax on the Counties, Towns and articles therein mentioned for the purpose of removing obstructions out of the said River, for keeping the same open, and appointing Commissioners for carrying the same into effect;" which was read the first time, passed and sent to the Senate.

The Bill to establish an University in this State, was read the third time, amended, passed and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Person and Mr. Davie to confer with the Members of the Senate to adopt and report the mode by which Alexander Martin, Esquire, shall be informed of his having a Majority of the suffrages of the General Assembly for the office of Governor of this State, and that the Speakers of the two Houses be requested to acquaint him therewith.

Mr. Stokes moved for leave and presented a Bill to amend and provide for the deficiencies of the revenue Laws of this State, which was read the first time, passed and sent to the Senate.

The Bill to impower the wardens of the poor for the Counties of
Orange, Franklin and Surry to build a House or houses for the reception of the poor, and for amending Wilmington Town Law, was read the second time, amended, passed and sent to the Senate.

The Bill to erect a public provision Store in the County of Hawkins for the accommodation of the Cumberland Guard, was read the second time, passed and sent to the Senate.

The Bill to amend an Act intitled "an Act to make certain securities negotiable," was read the second time and rejected.

The Bill to repeal the Sixty-fifth section of an act passed at New Bern in the year 1777, intituled "an Act for establishing Courts of Law and for regulating the proceedings therein," was read the second time, passed and sent to the Senate.

Received from the Senate the following Message of yesterday's date:

Mr. Speaker & Gentlemen:

We propose that the General Assembly ballot at 4 O'clock Tomorrow Evening for the Senator yet to be made choice of to represent this State in the Congress of the United States, a Brigadier General for the district of Hillsborough, and a first and second Major of Horse for the same district. We nominate for Senator the same Gentlemen who were candidates on the last balloting for that appointment:

For Brigadier-General Joseph Taylor, Esqr.; for First Major, Lewis Bledsoe, and second Major, Paul Jeffreys.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We concur with the Message of your House of yesterday's date, proposing to ballot this evening for a Senator, Brigadier-General for the District of Hillsborough, &c.

We approve of the nominations by you made.

Received from the Senate the following Messages:

Mr. Speaker & Gentlemen:

Mr. Skinner & Mr. Lenoir will act on the part of this House with the Gentlemen by you named for the purpose of reporting the manner in which Alexander Martin, Esquire, shall be informed of his election to the office of Governor.

Mr. Speaker & Gentlemen:

At the particular request of William Lenoir, Esqr., his name is
withdrawn from the nomination for Senator to the Congress of the United States.

Received from the Senate a Bill to repeal part of an Act for appointing an Agent & holding a Treaty with the Cherokee Indians, and for other purposes. Endorsed, read the first time & passed.

A Bill to prescribe the mode of paying the Militia officers and Soldiers for their services in an expedition against the Chickamaugaw Indians, &c. Endorsed, read the second time and passed.

A Bill directing the mode of choosing Senators to represent this State in the Congress of the United States. Endorsed, read the third time & passed.

The Bill directing the mode of raising a fund for the several Ports in this State for the support of sick seamen, and the manner of appropriating the same, was read the second time, amended, passed and sent to the Senate.

The House adjourned until 4 O'clock P. M.

Met according to Adjournment.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have added Mr. John Mebane to the nomination for first Major for the Cavalry of Hillsborough District. We propose that the Gentlemen in nomination for Militia officers having the greatest number of votes be declared duly elected. Mr. T. Blount and Mr. Hamilton will superintend the balloting on the part of this House.

Mr. J. Bryan moved for leave and presented a Bill to enable the Courts of Pleas and Quarter Sessions in this State to issue process to remove before them any of the Judicial proceedings of Justices of the Peace out of Sessions, which was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We are now ready to proceed to balloting, and have appointed Mr. Hargett and Mr. Graham to superintend the same on the part of this House; we have added the name of Alexander Mebane, Esquire, to the nomination for Brigadier Generall of the District of Hillsborough.
Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

At the particular request of Alexander Mebane, Esquire, his name is withdrawn from the nomination of Brigadier-General for the District of Hillsborough.

The Bill to authorise and impower James Billingly to execute a Deed or Deeds of Conveyances agreeable to a power of Attorney and the last Will and Testament of William Rea, late of Guilford County, deceased, was read the second time, passed and sent to the Senate.

The Bill for the better promotion of learning in the County of Currituck, was read the first time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree that the Candidates for the appointments of Militia officers having the greatest number of votes be returned Elected.

Ordered that the Bill for adding Randolph County to Salisbury District, and Rockingham County to Hillsborough District, be Committed to Mr. Wood, Mr. Hamilton, Mr. Mebane, and Mr. Jones.

Received from the Senate a Bill directing at what time the Laws of this State shall be in force and have effect. Endorsed, read the second time and passed.

The Bill to repeal part of an Act passed at New Bern intituled "an Act to Divide the District of Morgan," was read the first time, passed and sent to the Senate.

The Bill to amend an Act entitled "an Act for directing the method of appointing Jurors in all Causes, Civil and Criminal," passed at Halifax in the year 1779, was read the first time, passed and sent to the Senate.

The Bill for levying a Tax in the District of Salisbury for finishing the Court House & repairing the Jail for the said District, was read the third time, amended, passed and sent to the Senate.

The Bill to impower certain persons therein named to receive, sue for and recover all such bequests, donations, benefactions and other things as have heretofore been bequeathed, given or made by any person or persons whatsoever for the use of the Congregation or Society of the Episcopal Communion of New Bern, was read the second time, passed and sent to the Senate.
The Bill directing the sale of the Salt Licks and Springs within the District of Mebo, was read the second time, passed and sent to the Senate.

The Bill to vest in Jeremiah and Robert Field an indefeasible right to such property as was granted to them by their father in the year 1776, was read the second time, passed and sent to the Senate.

The Bill for erecting and establishing a Town at Hawkins Court House, was read the second time, passed and sent to the Senate.

The Bill directing returns to be made of the taxable property in the middle District of Anson County for the year 1788, was read the second time, passed and sent to the Senate.

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

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 said County to persons who have supported the Poor, was read the third time, passed & sent to the Senate.

The Bill to form part of the Militia of Rowan County into a separate battalion, was read the second time, passed and sent to the Senate.

Received from the Senate the resignation of James Howard of his office of a Justice of the Peace for Chatham County. Endorsed, read and accepted; which being read, was accepted by this House and returned.

The Bill for erecting a Town on the lands of Fergus Stone, and to amend an Act for the division of Rowan County, was read the second time, passed and sent to the Senate.

Received from the Senate an Extract from the Treasury office of the United States. Endorsed, read and referred to the Committee of Finance; which being read, was referred as by the Senate and returned.

The Bill for appointing Commissioners in the County of Greene for building a Court House, Prison and Stocks in said County, and for levying a Tax for defraying the expences thereof, was read the first time, passed and sent to the Senate.

Ordered that Mr. Hamilton of Edenton & Mr. Sutton have leave to absent themselves from the service of this House after Saturday, Mr. McDowall after Thursday and Mr. Duke after Sunday.

Ordered that the Bill for cutting a Navigable Canal from the Wa-
ters of Pasquotank river in this State, to the waters of Elizabeth River in the State of Virginia, be read the second time To-morrow.
Ordered that the reports of the several Committees before this House be taken up To-morrow.
The House adjourned until To-morrow Morning 9 O'clock.

WEDNESDAY, 9 December, 1789.
The House met according to adjournment.
Mr. Thomas Blount, from the joint balloting for a Senator and Brigadier-General for the District of Hillsborough, and a first and second Major of Cavalry for the said District, Reported,
That Benjamin Hawkins, Esquire, was Elected Senator, Alexander Mebane, Esquire, Brigadier-General for the District of Hillsborough, Lewis Bledsoe first Major and Paul Jeffreys Second Major of Cavalry for the said District.
The House taking this report into Consideration, Concurred there-with.
Received from the Senate the report of the Committee of Claims on the Claims of James McRee & Isaac Titsworth, and the Report of the Committee on the Petition of Capt. Daniel Williams, Concurred with by that House; which being read, were concurred with by this House and returned.
Mr. Davie, from the Committee of Conference, &c., delivered in the following Report, to-wit:
The Committee of Conference on the mode of acquainting Alexander Martin, Esquire, of his having a Majority of the suffrages of the General Assembly for the office of Governor, beg leave to recommend that the Speakers of the two Houses be requested to inform Alexander Martin, Esquire, that he had a Majority of Suffrages for the office aforesaid, and that they forward the said information immediately by Express. All which is submitted.

WILLIAM R. DAVIE, Chm.
The House taking this report into Consideration Concurred there-with.
Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in a report on the Petition of Thomas Parker, which being read, was rejected.
The order of the day for reading for the second time the bill for cutting a Navigable Canal from the waters of Pasquotank river in this State, to the Waters of Elizabeth River in the State of Virginia, being called for and read.

Resolved, That the House resolve itself into a Committee of the whole house to take under Consideration the propriety of passing this Bill into a law. The House, Resolved itself into a Committee of the whole accordingly, and chose Mr. Lock Chairman, after some time spent in Committee Mr. Speaker resumed the Chair and Mr. Lock reported the following resolution, to-wit:

Resolved, That it is the opinion of the Committee that it is improper to pass the Bill for cutting a Navigable Canal from the waters of Pasquotank River in this State, to the waters of Elizabeth River in the State of Virginia, into a law.

The House taking this resolution into consideration, Concluded therewith; whereupon,

The Bill for cutting a Navigable Canal from the waters of Pasquotank river in this State, to the waters of Elizabeth River in the State of Virginia, was laid over until the next Assembly.

Ordered that Mr. Hickson have leave to absent himself from the service of this House after Saturday next.

The Sub-Committee of Finance, No. 5, applied to this House to be directed with respect to the ragged Money now in the Treasury, and having stated that there is £3410 15 17, belonging to the sinking fund, and another considerable sum over and above the amount of the sinking Fund Tax so worn as to be totally unfit for Circulation, therefore,

Resolved, That the said Committee be directed to burn the amount of the said sinking fund Tax, and report to the house on Monday next the amount of the ragged Money, unfit for circulation, that will remain in the Treasury afterward.

Received from the Senate the report of the Committee of Conference on the mode of informing Alexander Martin, Esquire, of his having a Majority of the Suffrages of the General Assembly for the office of Governor, Concluded with.

On the Petition of James Glasgow, Esquire, public Secretary, Resolved, That the said James Glasgow be allowed the Sum of one hundred and ninety pounds for depreciation of his Salary as Secretary aforesaid, from June 1777, until June 1781.
The Question to agree to this resolution being objected to, the yea
and nay's were required by Mr. Alderson, which are as follows:

Yea's—Messrs. W. Wood, Grove, Womack, J. Rice, Dickens, Las-
siter, Person, G. Hamilton, Gillispie, Yancey, J. H. Bryan, Mont-
gomery, King, J. Bryan, W. Baker, Brevard, White, J. Johnston,
Peete, Maclaine, Armstrong, Mebane, Everagin, Rhea, Chesson,
E. Jones, Guion, E. Hamilton, T. Johnson, Barnes, Lock, Wilson,
Chambers, Lindley, T. Blount, Peters, Spiller, Stokes, Wallace,
Mooring, Sheppard, B. Smith, J. G. Blount, J. Baker.—44.

Nay's—Messrs. May, N. Brown, M. Bell, Spruill, Ewing, W.
Hawkins, J. Stewart, Holland, Matthews, Nash, McDowall, Senr.,
Edwards, Dauge, Love. E. Phillips, Blair, J. Moore, B. Jones, Duke,
Scott, Sawyer, Handley, J. Hill, Sanders, Alderson, Porter, Nor-
fleet, J. Brown, Spicer, Tyson, Barrot, J. A. Campbell, Drew, Z.
Wood, Phifer, Bethell.—36.

Mr. Davie moved for leave and presented a Bill to encourage the
manufacture of Pot-Ash, which was read the first time, passed and
sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We herewith send you a Letter just received from the Governor of
the State of Virginia, which we propose shall be reported on as
soon as possible by a joint Committee, and have appointed on the
part of this House, Mr. Smith, Mr. Macon, Mr. Blount, and Mr.
Sevier.

At the same time received the letter referred to in the forgoing
Message. Endorsed, read and referred to Mr. Smith, Mr. Macon.
Mr. Blount, Mr. Sevier; which being read, was referred on the part
of this House, to Mr. Davie, Mr. Person, Mr. Stokes, Mr. Williams,
Mr. J. G. Blount, Mr. Lock, and returned to the Senate.

Ordered that the Memorial of James Horsey be transferred to
the Committee of Propositions and Grievances, No. 1, and sent to
the Senate.

Mr. Tyson moved for leave and presented a Bill to prevent the
recovery of interest on bonds and Notes as therein described, which
was read the first time, passed and sent to the Senate.

The House adjourned until 4 O'clock.
Met according to adjournment.

Whereas, it is presented to this General Assembly that there are several ancient records, patents, deeds, &c., in the possession of William Boyd, Senr., of Beaufort County, which should be deposited in the office of the Secretary of this State; and it is also represented that many of said records are entered on the County Register's Book of Beaufort,

Resolved therefore, That the Secretary of State be directed, as soon as may be, to have such part of the records carefully transcribed as shall be registered on any Book of record in the possession of William Boyd, aforesaid, that ought of right to remain in the registers office of Beaufort county, which Transcript when made, together with all Patents, Deeds, Records, &c., as above mentioned, he shall file in his office; and for the said service the Secretary shall be allowed reasonable compensation.

Mr. Stokes moved for leave and presented a Bill to amend an Act passed at New Bern in November, 1784, intituled "an Act to explain, amend and supply the deficiencies of an Act passed at Hillsborough intituled 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 directing how deeds of Gifts and Bills of Sales of Slaves shall be executed, authenticated and Perpetuated;" which was read the first time, passed and sent to the Senate.

Mr. Stokes presented the Memorial of John Wright of Anson County, which being read, was referred to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

Mr. Porter moved for leave and presented a Bill to alter the time of electing the Members of the General Assembly in this State, which was read the first time, passed & sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have appointed Mr. Macon and Mr. Blount to attend with such Gentlemen as you may nominate to wait on, and acquaint Benjamin Hawkins, Esquire, of his appointment as Senator from this State, to the Congress of the United States.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have on our parts appointed Mr. Stokes and Mr. Campbell,
to attend with the Gentlemen by you appointed to wait on Ben.
Hawkins, Esquire, and acquaint him with his election as a Senator
in the Congress of the United States.

Mr. Mebane presented the Memorial of William Wood and others,
whose names are thereunto subscribed; which being read, was refer-
ted to the Committee of Propositions and Grievances, No. 1, and
sent to the Senate.

Received from the Senate the Memorial of Benjamin Smith.
Endorsed, read and referred to the Committee on the Memorial of
Nicholas Eveleigh, and Mr. Gowdy and Mr. Clinton were added to the said Committee; which being read, were referred as by
the Senate. Mr. J. G. Blount, Mr. Mebane and Mr. McDowall,
Jr., were added and the name of Mr. B. Smith withdrawn from the
said Committee.

Received from the Senate the Memorial of William T. Lewis.
Endorsed, read and referred to the Committee of Propositions and
Grievances, No. 1; which being read, was referred as by the Senate
and returned.

Received from the Senate the representation of the Comptroller
in favour of Sarah White. 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 Memorial of William T. Lewis and
Alexander Long. Endorsed, read & referred to the Committee of
Propositions and Grievances, No. 1; which being read, was referred
as by the Senate and returned.

Received from the Senate the report of the Committee on the
Memorial of Hance Hamilton, late Sheriff of Guilford County,
concerned with by this House; which being read, was concurred with
by this House and returned.

Received from the Senate the Petition of John Bradley, John
Ingram and George Hooper. Endorsed, read and referred as by
the House of Commons.

Received also the resolution of this House for burning the money
on the sinking fund Tax, &c., concurred with.

Mr. Stokes, from the Committee to whom was referred the Peti-
tions of Thomas Amis and Francis Perrymant, delivered in the fol-
lowing Report, to-wit:
The Committee to whom the Petition of Thomas Amis and Francis Perrymant were referred, Report,

That it appears to your Committee that Francis Perrymant and Thomas Amis did import into the port of Wilmington Merchandise, the duties on which were secured to the State, amounting to fifty nine pounds one Shilling and Ten pence. That the said Merchandise was re-shipped for the port of Edenton in the Schooner Patsey & Sally, Joshua Pribble Commander, which Schooner has not since been heard of, and from concurrent circumstances it is to be apprehended that the said master has run off with the said Schooner and Merchandise to one of the Islands in the West Indies.

Therefore recommend that as the said Merchandise has not been consumed in this State, a return of the said duties on the same be made to the Petitioners by the Collector of Port Brunswick; that is to say, to Thomas Amis, Twenty nine pounds Seventeen Shillings and one penny, and to Francis Perrymant Twenty-nine Pounds four Shillings and nine Pence either by discount on any bonds that said Petitioners may have in the Collectors office, or if they have no such bonds lying there, a return be made them as aforesaid in Money. Which is submitted.

J. STOKES, Chairman.

The House taking this report into consideration concurred therewith.

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

The Committee to whom the Petition of William Morrison, Sheriff of Burke County, was referred, Report,

That by neglect of the Justices not returning to Court the list of the Taxable property in the time limited by law, the said Morrison failed to complete the Collection of the taxes and make settlement at the time prescribed by law, and thereby became liable to a suit. The Committee are therefore of opinion a longer time ought to be allowed him to perfect said Collection, and recommend a resolution to be passed authorising him accordingly. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.
Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the following Report:

The Committee to whom the Petition of William Henry Batey, Administrator, &c., of James White, late of Bladen County, Deceased, was referred, reported,

That the said James White in his lifetime rented to James Kirkpatrick, Commissioner of the provision Tax for said County, a House and Lott in the Town of Elizabeth, for the sum of Thirty-five pounds per annum. That the said Kirkpatrick as Commissioner aforesaid, occupied said House two years and a half as a public store. It appears from the deposition of Kirkpatrick that he neither accounted with the said White for the rents aforesaid, or debited the State in the settlements of his public accounts; therefore the Committee are of opinion that it ought to be allowed, and recommend that the Comptroller be directed to issue a Certificate to the said Administrator, William Henry Batey, for the Sum of Seventy pounds, the amount of the two years rent. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in a report, which being read and amended, was agreed to as follows, to-wit:

The Committee to whom the Memorial of Charles Dicks was referred, praying an allowance to be made him for ten pounds four Shillings current Money, which was burnt on the 7th October last, reported,

That the dwelling house of said Dicks was burnt and therein Ten pounds four Shillings of the circulating currency of the State. That it is the opinion of the Committee he ought to be allowed, and recommend that the Treasurer be directed to pay the aforesaid Sum of Ten pounds and four Shillings to the said Dicks out of the sinking fund.

Which is submitted.

WYATT HAWKINS, Chn.

Mr. Hawkins, from the Committee, delivered in the following Report:

The Committee to whom the Memorial of Samuel Westray Sheriff of Nash county, was referred, reported,
That by a Certificate from the Comptroller it appears the said Westray settled his account as Sheriff aforesaid previous to an allowance made by Court of said County, of insolvencies. The Committee therefore are of opinion that the Comptroller be authorised and directed to credit the account of said Westray to the amount of insolvencies so allowed by the Court. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred thereupon.

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

The Committee to whom the Petition of Daniel McCarthy was referred, praying an allowance to be made him in consequence of a wound he received in the late War on board the Bellona Brig of War, in an engagement with the Mary of London, which deprived him of his eyesight, Report,

That as no provision appears to have been made by Law for the maintenance of Seamen disabled on board of private Vessels, and as the Bellona at the time of the engagement aforesaid was neither in service of this State or the United States, they recommend the Petition be rejected. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

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

The Committee to whom the Petition of Matthew Lock was referred, Report,

That at a sale of Confiscated property in the District of Salisbury, the said Lock purchased a Tract of Land, sold by the Commissioner as and for four hundred and twenty-five acres, for which he gave his bond agreeably to the direction of the Act under which the sale was made, which Land, so sold, by a fair admeasurement is found to be only three hundred and one acres, and he hath received a grant for the same. The Committee on considering the premises are of opinion, as Mr. Lock purchased and fully paid the consideration Money, two hundred and four pounds, for said Land agreeably to
Law, as and for four hundred and Twenty five acres, that he ought to be allowed in proportion to the deficiency in said land, and recommend that the Treasurer be directed to pay him the sum of Twenty six pounds nineteen shillings and three pence in money, including the interest which he hath paid, and also that the Comptroller be directed to issue a Certificate to said Lock for the sum of fifty three pounds Eighteen Shillings and Six Pence. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

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

The Committee to whom the Petition of Thomas Viverett was referred, Report,

That the said Viverett in the year 1787, was appointed a Collector of the public taxes in two districts in Nash County. That by a severe fit of the palsy the said Viverett was prevented from completing the collection, or applying for an allowance of insolvencies until a suit had been instituted, and judgment had for the whole amount of the said taxes. The Committee therefore are of opinion that the Treasurer be directed to credit the judgment so obtained to the full amount of the insolvencies allowed said Viverett by the Court of said County. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

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

The Committee to whom the Petition of Henry Smaw was referred, Report,

That the said Smaw settled his accounts as Commissioner of Beaufort County, with the Comptroller in the year 1782. That by the Comptroller's Certificate it appears at the time of settlement the said Commissioner had on hand five Barrels of Beef and two hundred and fifty pounds weight of Bacon, which he had received orders to retain, by the deputy Commissary Major Mountflorence. That on examining the several vouchers and affidavits adduced to support these facts, it clearly appears the Beef utterly spoilt on his hands;
therefore they are of opinion he ought to be allowed for the same, and the Comptroller directed to credit his account accordingly. The Committee further report on the charge for Bacon, that as the said Smaw failed to establish the destruction thereof, it is their opinion it ought not to be allowed, and recommend that object of the Petition be rejected. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The resolution of your house directing the Comptroller relative to certain Muster Rolls by him to be furnished the Commissioners for settling the accounts of this State, we return you concurred with. The one which respected the Muster Rolls in the hands of General Clarke we have rejected, and send you one herewith which we propose in lieu thereof.

The resolution referred to in the above Message relative to the Muster Rolls in the hands of General Clarke, being read, were concurred with by this House and returned.

Resolved, That no bill of a private nature, be received in either House after To-morrow.

Ordered that Mr. Henry Baker have leave to absent himself from the service of this House after to-morrow, and Mr. Edward Williams after Saturday next.

Received from the Senate a Bill to amend an Act intituled "an Act for directing the method of appointing Jurors in all Causes, Civil and Criminal," passed at Halifax in the year 1779. Endorsed, read the second time and passed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The recommendation for Justices and Field Officers by you sent us we herewith return you concurred with, that for the County of Chowan excepted, which we have thought proper to reject.

The House adjourned until To-morrow Morning 9 O'clock.
THURSDAY, 10 December, 1789.

The House met according to adjournment.

Mr. Stokes moved for leave and presented a Bill to direct the sale of the County buildings in Surry, and to alter the times of holding several County Courts in this State.

Mr. Stokes moved for leave and presented a Bill to amend the several Acts of the General Assembly for establishing a Court of Law and Equity in the County of Davidson, and erecting the district of Mero, and to make provision for the Judge of Mero District.

Mr. Alderson moved for leave and presented a Bill for cutting a Canal from Juniper bay to Mattamuskeet lake in Hyde County: which was read the first time, passed and sent to the Senate.

Mr. Bonds moved for leave and presented the Memorial of John Dew, which being read, was referred to the Committee of Claims and sent to the Senate.

Received from the Senate a Bill to limit the claims against this State, and to prevent allowances in future to be made for Specie Certificates or Paper Money destroyed by accident or otherwise. Endorsed, read the first time and passed. This Bill was read for the first reading in this House, passed and returned to the Senate.

The Bill directing the Comptroller to settle such just claims of the Officers and Soldiers of the North Carolina line as were passed by the Commissioners of Army Accounts at Warrenton, in 1786, and to liquidate the Claims of the said line which have not been heretofore settled, was read the first time, passed and sent to the Senate.

Mr. Creecy moved for leave and presented a Bill to alter the time of holding the Court of Pleas and Quarter Sessions in the County of Chowan.

The Bill to repeal part of an Act intituled "an Act for appointing an Agent and holding a treaty with the Cherokee Indians, and for other purposes," was read the first time, passed and sent to the Senate.

The Bill directing at what time the Laws of this State shall be in force and have effect, was read the second time and rejected.

The Bill to alter the present mode of swearing Petit Jurys in the Courts of Law in this State, was read the second time, passed and sent to the Senate.

The Bill to repeal part of an Act intituled "an Act for raising a
revenue for the support of Government and to repeal an Act entitled an Act to suppress excessive gaming," passed at Hillaborough in April, in the year 1784, was read the second time, passed and sent to the Senate.

The Bill for the relief of such Persons as may be wounded by the Indians within the District of Mero, and for other purposes was read the second time, passed and sent to the Senate.

The Bill directing the mode of choosing Senators to represent this State in the Congress of the United States, was read the third time, amended, passed and ordered to be Engrossed.

The Bill for the relief of parties in certain Suits depending in the Superior Courts of Law for the district of Morgan, was read the second time and laid over until the next Assembly.

Mr. Stokes moved for leave and presented a Bill to amend and enlarge an Act passed at Tarborough in the Year 1787, entitled "an Act authorizing and impounding County Courts of Pleas and Quarter Sessions to divide and appropriate the real estate of intestates;" which was read the first time, passed and sent to the Senate.

Received from the Senate a Bill to encourage the manufacture of Pot-Ash. Endorsed, read the first time, passed and sent to the Senate.

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

The Committee to whom the Petition of Patrick Travers was referred, Report,

That the said Travers was, by the County Court of Cumberland, appointed Commissioner of the Specific provision tax for said County in the year 1780, and soon after was taken prisoner by the British and held in Captivity until some time in the following year, whereby he was prevented from completing the Collection thereof; in consequence of such failure a suit hath been instituted against him for the whole amount of said Tax; that the said Travers be allowed to collect of all persons chargeable by the Taxable list of said County for that year to the payment of a specific tax, the amount of specifics by them owing, but every person so charged who shall produce a receipt of payment of the Specifics of that year, or shall make oath of the payment of the same to any person, and to whom such person shall be discharged, and his said receipt or affidavit to
that effect shall operate a discharge for so much to Mr. Travers in
the settlement of his accounts, and against a Judgment obtained
by the Treasurer against Mr. Travers, but he is not to have credit
for any receipts given by himself or his deputies heretofore; and the
Treasurer at the same time that he credits Mr. Travers for any re-
cceipts given by any other person than himself or his deputies, shall
cause such persons as have given the same to be charged with the
account as Debtors to the State. All which is submitted.

Received from the Senate the Memorial of John Wright of An-
son County; the Memorial of Thomas Horsey and the Memorial of
William Wood. Endorsed, read and referred as by the House of
Commons.

Received from the Senate the resolution of this House allowing
James Glasgow one hundred and ninety Pounds for the depreciation
on his Salaries heretofore, and the resolution directing the Secre-
tary to take Copies from the record Book in possession of William
Boyd, Conurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:
We have added to the Committee appointed on the Bill for di-
viding Hawkins County, Mr. Carter, Mr. Easton and Mr. Blount.
The House adjourned till 4 O'lock p. m.
The House met according to adjournment.
Adjourned till To-morrow Morning 10 o'clock.

FRIDAY, 11th December, 1789.

The House met according to adjournment.
The Bill to amend and enlarge an Act passed at Hillsborough in
April, 1784, intitled "an Act to enable Mary Dowd to sue for and
recover to her own use, and the use of her Children by her husband
Conner Dowd, all debts due and owing to the said Conner, and all
other things in action which the said Conner Dowd might lawfully
sue for and recover were he to be a Citizen of this State and intitled
to the benefits of its laws," was read the first time, passed and sent to
the Senate.

Mr. Stokes presented the Memorial of John Brevard, which be-
ing read, was referred to the Committee of Propositions and Griev-
ances, No. 2, and sent to the Senate.
Mr. Cabarrus presented the Petition of Lewis Beard, which being read was referred to the Committee of Propositions & Grievances, No. 2, and sent to the Senate.

Received from the Senate the Petition of Thomas Bloodworth. Endorsed, read and referred on the part of the Senate to Mr. Gillispie, Mr. Hargett and Mr. Winston; which being read was referred on the part of this House to Mr. Jones, Mr. Campbell, Mr. Smith and Mr. Spicer and returned to the Senate.

The Bill to amend an Act, intituled "an Act for directing the method of appointing Jurors in all causes, civil and criminal," passed at Halifax in the year 1779, was read the second time, passed and sent to the Senate.

The Bill to revive and continue in force, so far as respects the Counties of Johnston, Bladen, Robeson and Guilford, an Act passed in the year 1786, intituled "an Act impowering the several County Courts therein mentioned to lay a Tax," &c., was read the third time, passed and sent to the Senate.

The Bill to enable Thomas Callendar, acting Executor of the last Will of Parker Quince, late of New Hanover County, deceased, and the other persons therein named, to make sale of certain lands and Tenements, part of the residuary Estate of the said Parker Quince, was read the second time, passed and sent to the Senate.

The Bill to repeal part of the 20th clause of an Act passed at Hillsborough in the year 1784, intituled "an Act to prevent the exportation of unmerchantable Commodities," was read the second time, passed and sent to the Senate.

The Bill to encourage the manufacture of Pot-Ash, was read the second time, passed and sent to the Senate.

The Bill for granting a longer time for the Surveying of certain Lands, was read the second time, passed and sent to the Senate.

The Bill to incorporate a Society of Persons by the name of Centre Benevolent Society, was read the second time, passed and sent to the Senate.

The Bill to amend an Act passed at Hillsborough in 1784, intituled "an Act for regulating the Pilotage and facilitating the Navigation of Cape Fear River, and to levy a Tax on the Counties, Towns and articles therein mentioned for the purpose of removing obstructions out of the River, for keeping the same open, and ap-
pointing Commissioners for carrying the same into effect," was read the second time, passed and sent to the Senate.

Mr. Grove moved for leave to withdraw for amendment the Bill to alter the mode of appointing Inspectors of Tobacco at Fayetteville Warehouses, &c. Ordered that he have leave.

The Bills to prescribe the mode of paying the Militia officers and Soldiers for their services in an expedition carried on against the Chickamaugaw Indians by Brigadier General Joseph Martin in the year 1788, was read the third time, amended, passed and sent to the Senate.

Mr. Person, from the Committee to whom was referred the Memorial of Thomas Benbury, Esquire, Collector of Port Roanoke, delivered in a report thereon; which being read, the following resolution was proposed & agreed to in lieu of the report,

Resolved, That the Treasurer be directed not to proceed against Thomas Benbury for the amount of the Warrants he has received, drawn in favour of Nicholas Long, until a suit at Law brought by the said Benbury against said Long shall be decided, & if the said suit shall be decided in favour of said Long, then the Treasurer shall receive the said warrants from said Benbury.

Resolved, That the Judges of the Superior Courts of Law and Equity be allowed Five Pounds each for every Court they shall attend the whole of the term in the year 1790, in addition to their present Salary.

The question being put to agree to this resolution was carried in the affirmative; whereupon the yeas and nays were called for by Mr. Alderson and seconded by Mr. Benjamin Jones, which are as follows, to-wit:


Nays—Messrs. W. Wood, Grice, Pugh, Duke, M. Bell, J. Hill, Sherrod, Anderson, Alderson, Phifer, Jo. Douglass, Scott, Edwards,
STATE RECORDS.

Spruill, W. Hawkins, Blair, Wilson, Porter, Robeson, B. Jones, Peters, Tyson.—22.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the Bill confirming certain Lands unto Benjamin Williams of Brunswick County, also a grant for Land in favour of James Glasgow, Esquire, be submitted to a joint Committee to report on, and have appointed Mr. Bloodworth, Mr. Hargett, and Mr. Reddick.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

The Bill confirming Lands unto Benjamin Jones, and the grant of Land in favour of James Glasgow, Esquire, we agree shall be submitted to the consideration of a Committee as you proposed, and have on our parts appointed Mr. Stokes, Mr. Person, Mr. Campbell, Mr. Mebane and Mr. Brevard a Committee for this purpose.

Received from the Senate the report of the Committee on the Petitions of Thomas Amis and Francis Perymant, concurred with by that House.

Received also the resolution of this House directing the Treasurer to institute Suit against Thomas Enbury as Collector, for the amount of Warrants drawn in favour of Colo. Long, &c. which were taken up by him as Collector, until a Suit at Law be decided, &c., concurred with.

Received from the Senate a Bill to cede to the United States Certain Lands therein mentioned. Endorsed, read the second time and passed. This Bill was taken up and read for the third reading in this House, amended to read, "a Bill for the purpose of Ceding to the United States of America certain Western Lands therein described," passed and sent to the Senate.

The question being put shall this Bill pass, was carried in the affirmative; whereupon the yeas and nays were called for by Mr. Person & seconded by Mr. Porter, which are as follows:


Mr. Davie moved for leave and presented a Supplemental Bill to an Act intituled "an Act concerning old titles of Land, for limitation of actions, and for avoiding Suits at Law;" which was read the first time, passed and sent to the Senate.

Received from the Senate the following Bills. Endorsed, read the first time and passed, to-wit:

A Bill to alter the time of electing the Members of the General Assembly in this State;

A Bill to repeal an Act passed in 1784, entitled "an Act to describe and ascertain such persons who owe allegiance to the State," &c., &c.;

A Bill to amend an Act passed at New Bern in November 1784, intituled "an Act to explain, amend and supply the deficiencies of an Act passed at Hillsborough intituled an Act to regulate the descent of real estates, to do away entail," &c., &c.;

A Bill to prevent the recovery of interest on Bonds and notes as therein described;

A Bill the better to regulate the Inspection of Tobacco;

A Bill to allow the Judge of Mero District a further sum as a compensation for his travelling to the said Mero District thro' the wilderness.

Received also the following Bills. Endorsed, read the second time and passed, to-wit:

A Bill for the more easy redemption of mortgages;

A Bill directing the collectors of imposts and other duties to collect the same for the use of this State until the Congress of the United States shall make provision for that purpose;

A Bill for appointing Commissioners to extend the Boundary line between this State and the State of South Carolina;
A Bill making process in equity in certain cases more effectual.
Received also a Bill granting the inhabitants of Tyrrell County
a privilege of holding separate Elections for members of Assembly.
Endorsed, read the third time & passed.

Ordered that Mr. Chesson and Mr. Guion have leave to absent
themselves from the service of this House after To-morrow.
The House adjourned till 4 O’clock P. M.

Met according to adjournment.
Mr. Mebane moved for leave and presented a Bill to impower
Alice Ross and John Allison to sell and dispose of so much of the
real estate of Andrew Ross, deceased, as will be sufficient to satisfy
a debt due to the State for the purchase of certain Confiscated Lands,
and for directing the Treasurer to stop the prosecution of the Suit
instituted against John Taylor, Esquire, security for the said An-
drew Ross; which was read the first time, passed and sent to the
Senate.

Received from the Senate the Memorial of Joseph Leech. En-
dorsed, read & referred to the Committee on the Memorial of N. Eve-
leigh; which being read, was referred as by the Senate and returned.
The Bill granting to the inhabitants of Tyrrell County a privi-
lege of holding separate Elections for Members of Assembly, was
read the third time, passed and ordered to be Engrossed.

Received from the Senate a Bill to release Joseph Stacy of Mont-
gomery County, from the forfeiture of a recognizance, and a Bill to
repeal the 85 Section of an Act passed at New Bern in the year 1777
intituled “an Act for establishing Courts of Law, and for regulating
the proceedings therein.” Endorsed, read the second time and passed.

Received also a Bill to enable William Beaty, Administrator of
the estate of James White, late of Bladen County, to sell certain
Lands, &c. Endorsed, read the first time and passed.
The House adjourned until To-morrow Morning 9 O’clock.

_Saturday, 12 December, 1789._

The House met according to Adjournment.

Ordered that Mr. Dickens and Mr. Womack have leave to absent
themselves from the Service of this House.

Mr. Thomas Blount moved for leave and presented a Bill for the
relief of the Inhabitants on the South side of French Broad River; which was read the first time, passed and sent to the Senate.

Mr. Davie, from the Committee of Finance, No. 1, delivered in the following Report:

Your Committee to whom were referred the letters and statements of Hugh Williamson and Abishai Thomas, Esquires, Agents to settle the accounts of this State with the United States, beg leave to Report,

That the agents have hitherto been employed in settling the accounts of the officers and privates of the Continental line of this State with the Commissioner of Army accounts. In their progress they have discovered that a great proportion of the charges which have been raised or ought to be raised against the United States are not vouched. There are no Musters of two whole battalions of nine Months' men, nor of many other officers and privates who undoubtedly served many years. They also discover that many payments which have been made by this State cannot be allowed by the Commissioner of the United States as such payments are not supported by any Act of Congress.

Many particulars of this case are mentioned in a letter from the agents that is herewith submitted. Your Committee are of the opinion that there are documents in the hands of certain late officers of the Continental line, or their Executors, or among the papers of the late Governors of this State, by which the greater part of our charges may be substantiated; wherefore they submit the following Resolve in addition to those already passed on this subject.

Resolved, That the Comptroller be instructed to apply to the Executors of the late Abner Nash and Richard Caswell, Esquires, for the letters and correspondence in their possession relating to the requisitions made by the commanding officers of the Southern department during the late War, and that he shall procure and forward to the Agents of this State from time to time such papers and other Testimony as they may require to support the accounts of this State against the United States. All which is submitted.

WILLIAM R. DAVIE, Chn.

The House taking this report into consideration, Concurred therewith.
Mr. Davie from the Committee of Finance, No. 7, delivered in the following Report:

The Committee to whom was referred that part of the Treasurer's letter respecting the recognizances of Francis Brice and Daniel McNeil and their securities, Report,

That the said recognizances were entered into in consequence of a judgment of the Superior Court of Law of the district of Wilmington at the December term of that Court 1785, with a condition that the principals should depart the State within sixty days. Your Committee are of opinion that the said Judgment was incompatible with the principles of the Constitution and unwarranted by any law of this State, and therefore recommend that the said Francis and Daniel, with their Securities, be discharged from their recognizances taken in consequence of the Judgment aforesaid, and should any forfeiture be incurred in consequence thereof, that the same be remitted and done away. All which is submitted.

WILLIAM R. DAVIE, Chn.

The House taking this report into consideration, concurred therewith.

Resolved, That Obadiah Martin Benge be allowed the sum of Twenty pounds for his trouble and expence in travelling to Edenton for a Commission for John Stokes, Esquire, as a Judge of the Superior Court of Law and Equity for Morgan District, and that the Treasurer pay the same, for which he shall be allowed in the settlements of his accounts.

Resolved, That the Clerks of the General Assembly be directed to furnish the Comptroller and Doctor Williamson with all the resolutions passed at this Assembly concerning any business to be transacted by either of them.

Resolved also, That the Clerk of this House be directed to contract with Messrs. Sibley and Howard for the printing of Eighty Copies of the Act for procuring Testimony in Support of the Military Claims of this State against the United States, two hundred Copies of the Act for directing the manner of electing representatives to represent this State in Congress, three hundred Certificates of allowances for Members attendance at this Assembly, and two hundred Copies of the Lists of balances transmitted to the Assembly by the Treasurer and Comptroller, and three hundred Copies of the lists of
all the Bills passed into Laws at the present Session, and that the printing of the lists of balances be under the direction of the Treasurer.

Received from the Senate a Bill to annex the County of Anson to Fayetteville District, and to regulate the appointment of Jurors to Fayetteville Superior Court. Endorsed, read the second time and passed.

A Bill to emancipate certain Negroes therein mentioned. Endorsed, read the second time and passed.

A Bill to establish the title of certain Lands therein mentioned. Endorsed, read the first time and passed.

A Bill to impower the Wardens of the poor for the Counties of Franklin, Orange and Surry to build a House or Houses for the reception of the poor, and for amending Wilmington Town Law. Endorsed, read the third time and passed.

The Bill providing means for the payment of the domestic debt, for appropriating certain monies therein mentioned, and to amend an Act passed at the last Session of the General Assembly intitled “an Act for levying a tax for the support of Government, and for the redemption of old paper Currency, Continental Money, Specie and other Certificates,” was read the third time, amended, passed and sent to the Senate.

Mr. Person, from the Committee to whom was referred the Letter from the Governor of Virginia, on the subject of the Boundary between this State and Virginia, delivered in the following Report:

Your Committee to whom was referred the letter from His Excellency, the Governor of Virginia, on the subject of establishing the boundaries of this State and Virginia, beg leave to report:

That it is proposed on the part of Virginia, that the line commonly called Walker’s line be established as the boundary between us. Should this proposal be not acceptable to this State, they will then appoint Commissioners to meet any persons who may be appointed on the part of North Carolina empowered to confer on the propriety of establishing Walker’s or Henderson’s line and to report to the Legislatures of their respective States their proceedings. On examining the manner in which those lines were run by the Commissioners in the year 1780, they find that the Commissioners begun and extended the line together about forty Miles when some difference took place, and the Commissioners on the part of this State run a parallel line
two miles North of the other line for about half the distance, and extended the line no farther. Mr. Walker and the other Commissioner from Virginia, extended the line to Tennessee River and marked its termination on the Mississippi by observations, leaving the line from Tennessee to that place unsurveyed. As the difference between the said lines would only be two Miles, running most of the distance through a Mountainous, barren Country, and as they have great reason to believe, from the information of General Smith, that the line commonly called Walker's line is the true line, your Committee are of opinion that the object is not worth the expence of sending Commissioners to confer on the propriety of establishing Henderson's line in preference to that or any other, and do recommend that a Law be passed confirming and establishing the line usually called Walker's line as the boundary between this State and the State of Virginia, with a reservation in favour of the eldest Grants for either State in dividing the rights of individual claimants in the Tract between the two lines commonly called Walker's and Henderson's lines. All which is submitted.

THOMAS PERSON, Chn.

The House taking this report into consideration, concurred therewith.

Resolved, That the Speakers of the two Houses, inform His Excellency, the Governor of Virginia, that the business of his Letter is now under the consideration of the Legislature, and that the Executive of this State will inform him of the measures they may think proper to adopt respecting the same.

Resolved, That the Treasurer of the State pay unto Joseph LeBlang, express from the Governor of Virginia, Six Pounds to pay off the expences of the said LeBlang during his attendance upon this House.

Mr. Stokes presented the representation of the Treasurer on the subject of Interest required by Lewis Baird on Certificates by him owing to the Treasury; which being read, was referred to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

The Bill the better to regulate the Inspection of Tobacco, was read the second time, amended, passed, and sent to the Senate.

Mr. Stokes, from the Committee appointed to examine the books and Report of the Commissioners appointed to receive of the Comp-
troller the Certificates, Warrants, &c., lodged in his office, and punch the same, delivered in the following Report:

The Committee to whom was referred the Report of Messrs. Hunt, Mebane, McCawley and Watters, who were appointed by the last General Assembly to receive from the Comptroller and punch the Certificates, Warrants, Loan office Certificates and State old Dollar bills which were in his office, Report,

That it appears to your Committee that the above named Gentlemen did receive from the Comptroller and punch as follows, vizt:

In Specie Certificates to the amount of...........£ 791,763 13 10
The Interest on said Certificates is............. 63,499 12 5
The amount of principal and Interest of Specie
Certificates redeemed and sunk by this State is 855,763 6 3
In Currency Certificates to the amount of.... 18,701,559 2 1
In Government Warrants and other Cash Claims
to the amount of .......................... 285,898 13 9
In Loan office Certificates to the amount of.... 113,636 00 00
and in State old Dollars the sum of............$ 2,067,242 00 00

Your Committee can with pleasure report that the above-named Gentlemen have been remarkably diligent and correct in discharging the trust reposed in them by the Legislature. It also appears to your Committee that Francis Child, the Comptroller, has been very correct in the entries and statements made by him, and that as a compensation for his extraordinary trouble in attending to the business of punching Certificates, &c., your Committee recommend that he be allowed the sum of Twenty pounds, and have the thanks of the General Assembly.

Your Committee also recommend an allowance of five pounds to be made to Mr. John Taylor of Hillsborough, for the use of a room, furnishing candles and firewood for the above named Commissioners. All which is submitted.

J. STOKES, Chn.

The House taking this report into consideration, concurred therewith.

The Bill to regulate the proceedings of Elections in certain instances in the Borough Towns of this State, was read the second time and rejected.

The Bill directing the Collectors of imposts and other duties to col-
lect the same for the use of this State, until the Congress of the United States shall make provision for that purpose, was read the third time, passed and sent to the Senate.

The Bill for the more easy redemption of Mortgages, was read the third time, passed and sent to the Senate.

Received from the Senate the report of the Committee on the Governor of Virginia's letter on the subject of the boundary line between this State and Virginia; the Resolution of this House directing the Speakers of the two houses to write to the Governor on the subject of the boundary, and the resolution allowing Joseph LeBlang Six pounds, concurred with by that House.

Mr. Hamilton of Edenton, presented the following protest against the resolution of this House of the 5th Inst., removing forever Henry Finch of Johnston County, from the office of a Justice of the Peace, to-wit.:

From the duty which we owe to ourselves and our Constitution, we protest against the above resolve, as we conceive it to be unconstitutional to injure any person however base or infamous, much less a public officer, in the least degree without a fair tryal of his Country. And as we conceive the Assembly have merely a power to impeach, not to condemn without even a hearing, we deem the resolution to be a violation of the principles of justice and sound policy.

J. HAMILTON,
EDWD. JONES,
THO. READING,
J. G. BLOUNT,
MAX. CHAMBERS,
THOMAS PERSON,
W. B. GROVE.

Ordered that Mr. Haywood, the assistant Clerk of this House, have leave to absent himself from the service thereof after Wednesday next.

Ordered that Mr. Bostick have leave to absent himself from the service of this House; Mr. Norris after Wednesday, and Mr. John Campbell after Saturday next.

The House Adjourned till Monday next 9 O'clock.

21—23
Monday, 14 December, 1789.

The House met according to Adjournment.

Mr. Mebane moved for leave and presented a Bill to alter the names of Nancy, John and Keziah Lytle, children of Sarah Nichols, formerly Sarah Lytle of the Town of Hillsborough, which was read the first time, passed and sent to the Senate.

On reading the Petition of James English and Jeremiah Early & Co., Resolved, that Jeremiah Early and Company shall have full power and authority in Law to make a Dam at the tumbling Shoal on the second Broad River in the County of Rutherford, for the express purpose of erecting Ironworks, Furnace, &c., and that they have until the year 1792 an exemption from the payment of the Tax on two thousand Acres of Land, which they entered agreeable to a resolution passed at Tarborough in the year 1787, provided said Works are completed by that period.

Mr. Rhea presented the Petition of William Armstrong, which being read, was referred to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

Mr. Phillips presented the Petition and Memorial of William Blackledge, which being read, was referred to the Sub Committee of Finance, No. 2, and sent to the Senate.

Mr. Person presented the Memorial of Roger Jones, which being read, was referred to the Committee of Propositions and Grievances, No. 2, and sent to the Senate.

Received from the Senate the Memorial of Francis Child. Endorsed, read and referred to the Committee of Propositions and Grievances, No. 1; which being read, was referred as by the Senate and returned.

The Bill to vest an indefeasible right of inheritance in Charles Alley and Prudence Oggs, the surviving natural children of the late John Oggs of the County of Pasquotank, of such property as was bequeathed to them and their deceased brother Jesse Oggs, was read the third time, passed and sent to the Senate.

Received from the Senate the Resolution of this House directing the Clerks of the Assembly to furnish Doctor Williamson and the Comptroller with certain resolutions, and the resolution directing the Clerk of this House to contract with Messrs. Sibley & Howard for printing Copies of Certain Laws, &c., concurred with by that House.
Received from the Senate the representation of the Treasurer on the subject of Interest required by Mr. Lewis Baird on his settlement, &c. Endorsed, read & referred as by the Commons.

The Memorial of James Thackston was read and referred to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:
We have added Mr. Peete, Mr. Womack and Mr. Bonds to the Committee of Claims.

Received from the Senate the following Petitions, &c. Endorsed, read and referred as by the Commons, to-wit:
- The Memorial of Robert Martin;
- The Memorial of Thomas Jones;
- The Petition and Memorial of William Gilbert;
- The Petition of John McNeill;
- The Petition of Lewis Beard;
- The Petition of Robert Hays;
- The Memorial of Thomas Haslin;
- The Memorial of John Brevard;
- The Petition of William Armstrong;
- The Memorial of Roger Jones;
- The Representation of Richard Blackledge;
- The Petition of James Thackston.

Received also the following Reports of Committees. Endorsed, read and concurred with, to-wit:
- On the Petition of Samuel Westray;
- On the Petition of Henry Smau;
- On the Petition of sundry inhabitants of Salisbury District;
- On the Petition of Daniel McCarthey;
- On the Petition of Thomas Viverett;
- On the Petition of Matthew Lock;
- On the Petition of William H. Beaty, Administrator, &c.;
- On the Memorial of Charles Dicks, and
- On the Petition of William Morrison.

Received from the Senate the Resolution of this House in favour of English, Early & Co., concurred with.

Received from the Senate the Report of the Committee on the let-
ter of Hugh Williamson and Abishai Thomas, Agents of this State, &c.; the Report of the Committee on the recognizances of Brice and McNeill, and the report of the Committee on the Report of the Commissioners appointed by the last General Assembly to receive of the Comptroller the Certificates, &c., in his office and punch the same, Concluded with by that House.

Received also the Memorial of John Dew. Endorsed, read and referred as by the House of Commons.

Ordered that Mr. Sherrod and Mr. Scott have leave to absent themselves from the service of this House, & Mr. Edward Jones also, after Saturday next.

The Bill directing the manner of electing Representatives to represent this State in Congress, was read the third time, amended, passed and sent to the Senate.

Received from the Senate the following Bills. Endorsed, read the first time & passed.

A Bill to amend and enlarge an Act passed at Hillsborough in April 1784, intituled "an Act to enable Mary Dowd to sue for and recover to her own use and the use of her children by her husband Conner Dowd, all debts due and owing to the said Conner, &c.;"

A Bill for the relief of the Inhabitants on the South side of French Broad River;

A Bill to amend an Act to provide for the deficiencies of the revenue Laws of this State;

A Bill to impower Alice Ross and John Allison to sell & dispose of so much of the real estate of Andrew Ross, deceased, as will be sufficient to satisfy a debt due to the State for the purchase of certain confiscated Lands, &c.;

A Bill to alter the names of John, Nancy and Keziah Lytle, Children of Sarah Nichols, formerly Sarah Lytle of the Town of Hillsborough;

A Bill for cutting a Navigable Canal from the waters of Juniper Bay to Mattamuskeet lake in Hyde County;

A Bill to amend and enlarge an Act passed at Tarborough in the year 1787, entituled "an Act authorizing and impowering the County Courts of Pleas and quarter Sessions to divide and appropriate the real estates of intestates;"

A Bill impowering the Superior Courts of Law and Equity and the Secretary of State to correct certain Patents and Grants therein
described, when there have been errors by the Surveyor in making returns, &c.;

A Bill for allowing a further time for the Securities of James Williams, Esg. r., to make payment for certain Lands therein mentioned;

A Supplemental Bill to the Act intitled "an Act concerning old titles of Land for limitations of actions, and for avoiding Suits at Law."

Received also the following Bills. Endorsed, read the second time and passed, to-wit:

A Bill to vest in Jeremiah and Robert Field an indefeasible right to such property as was granted to them by their Father in the year 1776;

A Bill to impower certain persons therein named to receive, sue for and recover all such bequests, donations, benefactions or other things as have heretofore been bequeathed, given or made by any person whatsoever, for the use of the Congregation or Society of the Episcopal Communion of New Bern;

A Bill to annex part of Burke County to the County of Wilkes;

A Bill directing the sale of the Salt Licks and Springs within the District of Mero.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the Clerks of the two Houses make up the estimate of allowance to the Members to include Sunday next at the rate of Twenty Shillings for each Day's attendance, and the same Sum for every Thirty Miles travelling to, and returning from the Assembly.

The House adjourned until 4 O'clock p. m.

Met according to adjournment.

Mr. Holland presented the Petition of Janet Burges, which being read, was referred to the Committee appointed on the Memorial of Lewis McPherson and sent to the Senate.

Received from the Senate the Petition of Thomas Owen. Endorsed, read and referred to the Committee of Propositions and Grievances, No. 1, which being read, was referred as by the Senate and returned.

Received from the Senate the resignation of sundry the field of-
ficers of Brunswick County, and a recommendation of the said officers for the appointment of Benjamin Smith, Esquire, as Colo. of the said County. Endorsed, read and referred to the Committee of Propositions and Grievances No. 1, which being read, was agreed to by this House and returned.

The Petition of Ann Rowland was read and referred to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

Resolved, That this House will not receive any more Bills, Petitions or remonstrances after this evening, of which resolve all persons are to take notice.

Mr. Person moved for leave and presented a Bill directing Sheriffs how to proceed in levying executions to them issued and in the disposal of Goods and Chattels, Lands and Tenements taken in execution, which was read the first time, passed and sent to the Senate.

Received from the Senate the Petition of Winston Caswell, Executor of the late Richard Caswell. Endorsed, read and referred to the Committee on the Memorial of N. Eveleigh; which being read, was referred as by the Senate and returned.

Mr. Thomas moved for leave to withdraw for amendment the Bill for the relief of the Inhabitants on the South side of French Broad River. Ordered that he have leave.

Received from the Senate the Memorial of Patrick Travers, and the Petition of Ann Meadows. Endorsed, read and referred to the Committee of Propositions and Grievances, No. 1; which being read were referred as by the Senate and returned.

Received also the Petition of Henry Emanuel Lutterloch. Endorsed, read and referred to the Committee of Propositions and Grievances, No. 1; which being read, was rejected.

Mr. Phillips presented the Petition of Richard Blackledge, executor of Richard Blackledge, decd.; which being read, was referred to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

Mr. Wilson moved for leave and presented a Bill for opening a waggon Road from Johnston Station in Hawkins County, to Bledsoe Station in Sumner County.

Resolved, That James Mulloy be allowed the Sum of fifteen pounds in consideration of his services going for Judge McNary's
Commission in April, 1788, from Salisbury to New Bern and Edenton.

Received from the Senate the Petition of Richard Blackledge, as Executor, &c., and the Petition of Jennet Burges. Endorsed, read and referred as by the Commons.

Received from the Senate a Bill to amend an Act intituled "an Act to encourage the building of public Mills and directing the duty of Millers," passed in the year 1777. Endorsed, read the first time and passed.

A Bill to add part of Bladen County to Cumberland, and a Bill to repeal part of an Act passed at New Bern intituled "an Act to divide the District of Morgan." Endorsed, read the second time and passed.

A Bill to amend an Act intituled "an Act to prevent the exportation of unmerchantable Commodities," and a Bill to authorize and empower James Billingly to execute a Deed or Deeds of Conveyance agreeable to a power of Attorney, and the last Will and Testament of William Rea, late of Guilford County, deceased. Endorsed, read the third time and passed.

Received from the Senate the following Reports Concurred with by that House, which being read, were conurred with by this House and returned, to-wit:

On the Petition of Robert Gilkey;
On the Memorial of James Newland;
On the Petition of the Inhabitants of Tyrrell County;
On the Petition of Wilson Taylor;
On the Petition of Robert Rayford;
On the Petition of the Inhabitants of Sullivan and Washington;
On the Memorial of Sundry Inhabitants of Montgomery, Anson and Richmond Counties;
On the Certificate of George Doherty;
On the Petition of William Meredith;
On the Petition of James Spiller;
On the Petition of William Houston, and
On the Memorial of William H. Beaty.

The Committee to whom was referred the Petition of the Inhabitants of Mecklenburg County, Report:

That having duly considered the prayer of the said Inhabitants
are of opinion that the said County is too small for division, and that the said Petition should be rejected. All which is submitted.

R. CLINTON, Chn.

The House taking this Report into consideration, concurred therewith.

Mr. Mebane, from the Committee to whom the Memorial of Nancy Horah was referred, Reported,

That from the oral Testimony of several Gentlemen of your Honorable Body, it appears to your Committee that Henry Horah, late Husband of the Memorialist, did in his lifetime purchase at a Commissioner's sale of confiscated property two hundred acres of land lying on the Yadkin River, for the sum of three hundred and Eighteen pounds, one-third of said sum to be paid in Money, the other two-thirds in Certificates.

That the said Henry Horah did before his decease, pay into the Treasury the sum of one hundred and six pounds in Certificates and give his bond for the balance of two hundred and Twelve pounds, which still remains due to the State, and was not at the time of his decease possessed of property sufficient to discharge the said debt. That he left behind a distressed widow and orphan whose distresses have been greatly increased by the Treasurer's instituting suit for the recovery of said Money, which if prosecuted will finally take away the widow and Orphan's small pittance, and oblige them to depend entirely on the charity of the County for means of subsistence.

Your Committee under the circumstances and the dictates of Humanity are therefore induced to recommend to the General Assembly to pass a resolve directing the Treasurer to dismiss the suit, pay the Cost and return to the Widow her deceased husband's Bond. It appearing that the title of the said land is still vested in the State, and the said Widow for herself and orphan being willing to relinquish all right of claim they may have to the said land, and to give up the Certificates already paid into the Treasury by her deceased husband as a compensation for the Costs of suit and the trouble the public has been at in prosecuting the same. All which is submitted.

ALEX. MEBANE, Chn.

The House taking this report into consideration, concurred therewith.

Mr. Hawkins, from the Committee of Propositions and Grievances,
delivered in the report on the Petition of John Murphey, which being read, was rejected.

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

The Committee to whom the Petition of John Shankle, of Montgomery County, was referred, report,

That they have examined the said Petition, and are of opinion the said Shankle has his remedy at common law; therefore recommend the petition be rejected. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration, concurred therewith.

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

The Committee to whom the Petition of Dempsey Moore was referred, Report,

That at the Fayetteville Session of Assembly in the year 1786, the said Moore was appointed first Major of the Hillsborough Regiment of Cavalry under the Command of Howell Lewis.

That in consequence of said Lewis' resignation and the appointment of Alexander Mebane at the last Assembly to command the said regiment, the said Moore conceives his right of seniority was not particularly attended to. The Committee having considered the premises are of opinion that Colo. Mebane's appointment was legal, therefore recommend that the Petition be rejected. All which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration, Concurred therewith.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in a report on the Memorial of William Tyrrell Lewis and Alexander Long, which being read, was laid over until the next Assembly.

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

The Committee to whom the Memorial of John Eaton, administrator of the Goods and Chattels of Pinkethman Eaton, was referred, report,
That some time in the year 1781, the said Pinkethman, then a Major in the Continental line of this State, was ordered to the Southward on command, and to proceed with dispatch purchased a Horse conditionally of Doctor Charles Pasture, and contracted to give, if the said horse was not returned in good health, twelve thousand pounds weight of Halifax inspected Tobacco. That soon after the Major arrived at Augusta, he was there killed in a skirmish with the enemy and the horse taken into the Continental service; and not being returned agreeably to contract, the said Administrator, John Eaton, has been compelled to pay the sum of one hundred and twenty pounds to Doctor Pasteur in actual money.

The impressment of said horse not being sufficiently supported by testimony, or a certificate from the officer who impressed him, induces the Committee to recommend that the Memorial be rejected, Which is submitted.

WYATT HAWKINS, Chair.

The House taking this report into consideration concurred therewith.

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

The Committee to whom the petition of John Elliotte was referred, report,

That the said Elliotte was a Collector of the public tax in one of the districts of Mecklenburg County in the year 1787, and by accident lost out of his pocket thirty pounds of the money he had so collected. The Committee are of opinion the said Elliotte ought not to be allowed in his settlement for the money so lost by his carelessness, therefore recommend the petition be rejected.

Which is submitted.

WYATT HAWKINS, Chair.

The House taking this report into consideration, concurred therewith.

Mr. Stokes, from the Committee appointed to consider of & report on the Memorial of Mrs. Simpson, delivered in the following report:

That the prayer of her Memorial is inadmissable, and if granted
would be an undue interference of the legislative with the Judicial powers of the State.

Which is submitted.

J. STOKES, Chair.

The House taking this report into consideration, concurred therewith.

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

The Committee to whom the Petition of John Armstrong, one of the Collectors of the Public Taxes in the County of Orange for the years 1787 & 1788, praying an allowance for insolvents for the aforesaid years, which he failed to apply to the Court of said County for in the time limited by Law, Report,

That as Mr. Armstrong adduced no satisfactory testimony or vouchers to establish the claim, the Committee are of opinion, & recommend that the Petition be rejected.

Which is submitted.

WYATT HAWKINS, Chair.

The House taking this report into consideration concurred therewith.

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

The Committee to whom the Memorial of Cosimo Medici was referred, praying an allowance of Interest on a Claim for a Boat burnt at Halifax by order of General Jones, and for which he received a Certificate from the Comptroller, report,

That on considering the premises they are of opinion it is not just or equitable to grant interest on any claim previous to the liquidation thereof, therefore they recommend that the Memorial be rejected.

Which is submitted.

WYATT HAWKINS, Chair.

The House taking this report into consideration concurred therewith.

Received from the Senate the report of the Committee on the Petition of Peter Munroe. Endorsed, read and concurred with; which being read, was concurred with by this House and returned.

Ordered that Mr. Rice and Mr. Drew have leave to absent them-
selves from the service of this House; that Mr. Ben. Smith also
have leave after Saturday.

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

TUESDAY, 15 December, 1786.

The House met according to Adjournment.

The Bill directing the sale of the County buildings in Surry, and
to alter the times of holding several County Courts in this State
was read the first time, passed and sent to the Senate.

The Bill making process in Equity in certain cases more effectual
was read the second time, passed and sent to the Senate.

The Bill empowering the Superior Courts of Law and Equity
and the Secretary of State, to correct certain Patents and Grants
therein described, when there have been errors by the Surveyor in
making the returns or by the Secretary in issuing the same, and
empowering the County Courts and registers to correct errors in like
manner, was read the first time, passed and sent to the Senate.

The Bill to repeal the sixty-fifth section of an Act passed at New
Bern in the year 1777, intituled, “an Act for establishing Courts of
Law, and for regulating the proceedings therein,” was read the third
time, passed and sent to the Senate.

The Supplemental Bill to the Act intituled “an Act concerning
old titles of Land, for limitation of Actions and for avoiding suits
at Law,” was read the second time, amended, passed and sent to the
Senate.

Received from the Senate a Bill directing Sheriffs how to proceed
in levying executions to them issued, and in the disposal of Goods
and Chattels, Lands and Tenements taken on execution. Endorsed,
read the first time & passed.

The Bill directing the manner of issuing process in sundry cases
arising in the Superior Courts of Law and Courts of Equity;
direct the manner of proceeding on assigned or indorsed bills, bonds
and notes under seal; To direct how joint obligations shall survive,
and to repeal an Act calling forth the Militia to assist in executing
civil process, was read the third time, amended, passed and sent to
the Senate.

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

It having been made known to this House that the official information intended for the Honorable Alexander Martin, Esquire, relative to the election of Governor has failed to be received. We now propose that two Gentlemen from each house be appointed to wait on and give to Mr. Martin this information, he being in Town for which we have appointed Mr. Thomas Brown and Mr. Galloway.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree to the proposition of your House for giving information to the Honbl. Alexander Martin, Esquire, of the appointment of a Governor, and have appointed Mr. J. G. Blount & Mr. Person to act with the Gentlemen by you appointed for this purpose.

Received from the Senate a Bill for raising a fund for erecting the Buildings, and for the support of the University of North Carolina. Endorsed, read the first time and passed. This Bill was read for the first reading in this House, passed and returned to the Senate.

Received from the Senate a resolution of that House directing the Treasurer to pay Messrs. Williamson & Bachop the Sum of seventeen pounds Ten Shillings; which being read, was concurred with and returned.

The Bill for appointing Commissioners to extend the Boundary line between this State and the State of South Carolina, was read the second time, passed and sent to the Senate.

Resolved, that the Clerk of the Senate shall transmit, as soon as possible after the rising of the present General Assembly, a Copy of the Act intitled "an Act directing the Collectors of imposts and other duties, to collect the same for the use of this State until the Congress of the United States shall make provision for the purpose," to each of the Collectors of imposts in this State.

Resolved, That the Clerk of this House shall transmit to the printer of the State Gazette such part of the report of the Committee to whom was referred the Books and report of the Commissioners for punching the certificates and other papers in the Comptroller's office, as may relate to the public debt, that the same may be published.

The resignation of Mark Myatt of his office as a Justice of the
Peace for Wake County, was read, accepted of by this House and sent to the Senate.

The House adjourned until 4 O'clock P. M.

Met according to adjournment.

Received from the Senate the resignation of Stephen Pace as a Justice of the Peace; which being read, was accepted by this House and returned to the Senate.

Ordered that Mr. Mebane have leave to absent himself from the service of this House, and that Mr. Creece also have leave to absent himself after Saturday.

Received from the Senate the Memorial of John Herritage. Endorsed, read and referred on the part of the Senate to Mr. Payne, Mr. Gillispie and Mr. Hargett; which being read was referred on the part of this House to Mr. Sneed, Mr. Brown, Mr. Chambers and Mr. Hill and returned to the Senate.

Whereas, the County Court of Burke did appoint William Davidson one of the Justices of the Peace for Burke to take in the taxable property in that part of Rutherford County that lies over the Mountains, contrary to the true intent and meaning of an Act of the General Assembly passed at Fayetteville, 1788, intituled "an Act to establish the dividing line between the Counties of Burke and Rutherford, whereby the County of Rutherford has been deprived of the County Tax arising from that part of the County, for remedy whereof,

Resolved, That the Sheriff of Burke County is hereby directed and required to settle with the Clerk of Rutherford Court for all County Tax arising from the return made by William Davidson, South of the above line in the year 1789, his own Commissions excepted, and the said William Davidson is hereby indemnified for acting as a Justice of the Peace for Burke County within the limits of Rutherford.

Mr. Thomas Blount who had leave to withdraw for amendment the Bill for the relief of the Inhabitants on the South side of French Broad River, delivered in the bill with the amendments; whereupon, the Bill was taken up & read for the second reading in this House and rejected.

The question being put shall this bill pass, was negatived; where-
upon, the yeas and nays were required by Mr. Rhea which are as follows:


Ordered that Mr. Beck have leave to absent himself from the service of this House after Saturday next.

Mr. Stokes, from the Committee to whom was referred the Memorial of Benjamin Jones entry taker of Camden County, Reported,

That the Memorialist is intituled to a Commission of two and an half per cent. upon his account of four thousand Six hundred and ninety six pounds, Sixteen Shillings in Specie Certificates, which he settled with the Public Treasurer the 16th of May 1786.

Which is submitted.

J. STOKES, Chn.

The House taking this report into consideration concurred therewith.

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

The Committee to whom the Petition of James Greenlee, late Sheriff of Burke County, was referred, Report,

That the said Greenlee as Sheriff aforesaid, settled with the Collectors of the public taxes in said County, and allowed them their Commissions on the whole amount of their Collections in Money.

That on a settlement with the Treasurer for said Taxes, he was allowed Commissions in money on the money part of said Collections, and in Certificates on the Certificate part. The Committee are of opinion the Treasurer in such settlement acted agreeably to the truc
spirit & meaning of the law, and that the said Greenlee settled with the Collectors in his own wrong; therefore they recommend the Petition be rejected. All which is submitted.

Wyatt Hawkins, Chn.

The House taking this report into consideration concurred thereupon.

Received from the Senate the resolution of this House directing the Clerk of the Senate to transmit as soon as possible a Copy of an Act entitled "an Act directing the Collectors of Imposts and other duties to collect the same for the use of this State, until the Congress of the United States shall make provision for that purpose," to each of the Collectors of the Imposts; the resolution directing the Clerk of this House to transmit to the printer of the State Gazette such part of the report of the Committee to whom were referred the report of the Commisioners for punching Certificates in the Comptroller's office, and the resolution directing the Sheriff of Burke County to settle with the Clerk of Rutherford for the County Tax therein mentioned, Concluded with.

Received from the Senate the following reports. Endorsed, read and concurred with; which being read, were concurred with by this House and returned, to-wit:

On the Petition of James Hinton;
On the Memorial of Maurice Baum & Hannah Pugh;
On the Petition of Gasper Smith;
On the report in favour of Green Hill;
On the Memorial of General Joseph Martin;
On the Memorial of John Cade and Sampson Bridges.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in the three following Reports, to-wit:

The Committee to whom the Petition of Joseph Cunningham was referred, Report,

That the said Cunningham at a sale of Confiscated property in Salisbury District in the year 1782, purchased a tract of Land, four hundred Acres, No. 28, for the sum of four hundred pounds, and gave his bond with the security for the payment thereof. That the said Land is claimed and in possession of a certain Nicholas Michael, Heir at Law to his Father Frederick Michael, deceased, who purchased the same of Henry Eustace McCulloch, paid a part of the
consideration Money, gave his bond for the residue, and took a bond of said McCulloch for the conveyance of said Land in fee simple. As the presumption is in favour of said Michaels keeping said Land and as a suit may be instituted against said Cunningham for the amount of his Bond, the Committee are of opinion the Petition be referred to the Consideration of the next General Assembly, that the said Cunningham may have the opportunity of establishing these facts by satisfactory testimony. Which is submitted.

WYATT HAWKINS, Chair.

The Committee to whom the Petition of Alsey Ross & John Allison, administrators on the estate of Andrew Ross of the Town of Hillsborough, deceased, and John Taylor, was referred, Report:

That the deceased Andrew Ross in his lifetime purchased several tracts of Land and lots in the Town of Hillsborough, of William Moore, Commissioner of Confiscated property, and gave his bond with John Taylor, aforesaid, Security for the balance of the purchase money, two hundred and four pounds. That the said Andrew departed this life in August last intestate, and not leaving assets sufficient to pay his debts. That a suit hath been instituted against the security, John Taylor, the surviving obligor for the said balance of £204 & Interest.

The Committee under these circumstances recommend that a Law be passed authorizing and empowering the said Administrators. Alsey Ross and John Allison, to sell so much of the aforesaid lands or lots as will be sufficient to pay the said balance & Interest.

Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

The Committee to whom the Petition of George Hoskins of the Town of Hillsborough was referred, Reported:

That in the year 1782 the said Hoskins purchased of William Moore, then a Commissioner of Confiscated property, a lott and improvements in the Town of Hillsborough for the sum of one hundred and forty seven pounds, and gave his bond for the payment of the same. That in the following year the said Hoskins sold the said Lott and improvements to Captain William Williams, or rather
prevailed on the said Williams to take the bargain off his hands, and become liable to the State for the aforesaid sum of £147. That by resolutions of the General Assemblies at Tarborough and Fayetteville, the said Williams was released from the payment of the purchase Money for said Lott & improvements, & also by the same resolutions it was directed, that the said lott should revert to the State. That notwithstanding the said bargain was totally cancelled by force of the Resolution aforesaid, the Treasurer, with whom the Bond of the said Hoskins was lodged hath instituted a suit against him for the amount thereof.

The Committee therefore unanimously recommend, the Treasurer be directed to dismiss the suit by him so commenced against the said Hoskins, and cancel the bond agreeable to the intent and meaning of the resolutions above recited.

Which is submitted.

WYATT HAWKINS, Clrn.

The House taking this report into consideration concurred therewith.

Received from the Senate the report of the Comptroller, respecting Mr. Bloodworth. Endorsed, read and referred to Mr. Winston, Mr. Gillispie and Mr. Blount; which being read, was referred to Mr. Stokes, Mr. Rhea, Mr. Hamilton and Mr. Chambers, and returned to the Senate.

Received from the Senate a Bill for the promotion of learning in the County of Currituck, and a Bill to establish a public inspection of Tobacco in Clarksville, in the County of Tennessee. Endorsed, read the second time and passed. Also a Bill for dividing the County of Dobbs. Endorsed, read the first time and passed.

The House adjourned until To-morrow Morning Nine O'clock.

WEDNESDAY, 16 December, 1789.

The House met according to Adjournment.

Whereas, it hath appeared to this General Assembly that Thomas Parker did take up, as Sheriff of Northampton County, a certificate issued by the General Assembly to John Heritage, Esquire, for sixty pounds before the passing the resolve of the last General Assembly; and whereas, the Treasurer did in obedience to the aforesaid resolve, refuse the said Parker credit for the same. Therefore,
Resolved, That the Treasurer be directed to receive said Certificate and give the said Parker credit for the same in the settlement of his account.

Received from the Senate a Bill to amend an Act passed at Hillsborough in 1784 intituled "an Act for regulating the Pilotage and facilitating the navigation of Cape Fear River, and to levy a Tax on the Counties, Towns and articles therein mentioned for the purpose of removing obstructions out of the said River, for keeping the same open, and appointing Commissioners for carrying the same into effect." Endorsed, read the second time and passed.

Received also the resolution of this House directing the Treasurer to receive of Thomas Parker a Certificate therein mentioned and credit him for the same, concurred with.

The Bill to amend and provide for the deficiencies of the revenue Laws of this State, was read the second time, amended, passed and sent to the Senate.

The Bill to prevent the recovery of Interest on bonds & notes as therein described, was read the second time and rejected.

The Bill to alter the time of Electing the Members of the General Assembly in this State, was read the second time, amended, passed and sent to the Senate.

The Bill to amend an Act intituled "an Act to prevent the exportation of unmerchantable Commodities," was read the third time, passed and ordered to be Engrossed.

The Bill to amend and enlarge an Act passed at Tarborough in the year 1787 intituled "an Act authorizing and empowering the County Courts of Pleas and quarter Sessions to divide and appropriate the real estate of Intestates," was read the second time, passed and sent to the Senate.

Resolved, That the Treasurer advance to the Comptroller the sum of one hundred Pounds to defray the expence of sending such Vouchers and accounts to Edenton as may be necessary to support and establish the Claims of this State against the United States, and that the Comptroller shall hereafter account for the money so received.

The Bill directing Sheriffs how to proceed in levying executions to them issued, and in the disposal of Goods and Chattels, Lands and Tenements taken in execution, was read the second time, and the question "shall this bill pass," being put was negatived; whereupon
the Yeas and Nays were required by Mr. Person and seconded by Mr. Mebane, which are as follows, to-wit:


Ordered that the Bill be entered on the Journal at large. See the last of this day's proceedings.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have rejected the resolution of your House allowing the Comptroller to draw one hundred Pounds, and have substituted the one herewith sent in lieu thereof.

Resolved, That this House do concur with the resolution of the Senate above referred to.

Resolved, That the Clerk of this House shall include in his contract with the printers the printing of the bill commonly called the Certificate bill, that a copy may be procured for each of the Members.

The Bill to alter the mode of appointment of Inspectors of Tobacco at Fayetteville Warehouse, and to amend an Act intituled "an Act for the better regulation of the Town of Fayetteville," passed at Tarborough, 1787, was read the second time and passed.

The House adjourned until 4 O'clock p. m.

Met according to adjournment.

The Bill for establishing two places for holding General Elections in the County of Wilkes, and the place of holding Courts Martial, and for altering the manner of holding Elections of Members to rep-
resent said County in the General Assembly, was read the first time, passed and sent to the Senate.

The Bill for the promotion of learning in the County of Currituck, was read the second time, amended, passed and sent to the Senate.

The Bill for opening a waggon Road from Whites' Mill in Hawkins County, to Bledsoe's Lick in Sumner County, was read the first time, passed and sent to the Senate.

Received from the Senate the resolution of this House allowing James Mulloy fifteen Pounds, concurred with.

Mr. Lock, from the sub-committee of Finance, No. —, to whom was committed the business of counting and burning the Money in the Treasury, which hath been collected on account of the sinking fund, reported,

That the Committee hath received from the Treasurer, counted and burnt the sum of three thousand four hundred and Seventy-seven Pounds one Shilling current Money, which from being much worn, was unfit for further circulation; that there was burnt at Tarborough in December, 1787, the sum of seven thousand two hundred and seventy-two pounds ten Shillings, and at Fayetteville in December, 1788, eleven thousand and ninety-eight pounds eight Shillings, making, when added to the Money now burnt, the sum of twenty-one Thousand eight hundred and forty-seven Pounds, nineteen Shillings, which is in full of the sum which hath been collected on account of the sinking fund since that Tax hath been laid.

MATTHEW LOCK, Chn.

The House taking this report into consideration Concurred therewith.

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

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

This House have resumed the consideration of the report from the late balloting for Governor and concurred therewith, in consequence of which we propose that two Members from each House be appointed to wait on and inform the Honorable Alexander Martin, Esquire, that the General Assembly will, To-morrow at 12 O'clock, be ready to receive and qualify him as Governor. Should you accede to this
proposition, Mr. Gallaway & Mr. Thomas Brown will act on the part of this House for the above mentioned purpose.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received the Message of your House proposing that two Members of each house be appointed to wait on the honorable Alexander Martin, Esquire, and acquaint him that the General Assembly will receive him tomorrow at Twelve O’Clock in order to qualify him to the office of Governor, with which we concur, and have for this purpose on our part appointed Mr. Person & Mr. Stokes.

The Bill to annex the County of Anson to Fayetteville District, and to regulate the appointment of Jurors to Fayetteville Superior Court, was read the third time, passed and sent to the Senate.

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

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The report of the Committee herewith sent, relative to public Tobacco, we propose shall be Committed, the information thereby given relative to the Tobacco purchased at this place not being sufficiently explicit.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree that the report of the Committee relative to the public Tobacco be committed as by you proposed.

Whereas, the Court Law passed in the year 1777, is with great difficulty procured in many parts of this State, by reason of which many errors may accrue, therefore

Resolved, That the printers of this State shall and are hereby directed to print and publish the said Court Law with the acts of this Session of Assembly.

The Bill to amend the several Acts of the General Assembly for establishing a Court of Law in the County of Davidson, and erecting the District of Mero, and to make provision for the Judge of Mero District, was read the second time, amended, passed and sent to the Senate.

The Bill to add part of Bladen County to Cumberland, was read the third time, amended, passed and sent to the Senate.
The Bill to emancipate certain Negroes therein mentioned, was read the third time, amended, passed and sent to the Senate.

The Bill to enable William Beaty, Administrator of the estate of James White, late of Bladen County, to sell certain Lands and tenements in the said Bill mentioned, was read the first time, passed and sent to the Senate.

The Bill to alter the names of Nancy, John and Keziah Lytle, Children of Sarah Nichols, formerly Sarah Lytle, of the Town of Hillsborough, was read the second time, passed and sent to the Senate.

The Bill for appointing Commissioners in the County of Greene, for building a Court House, prison and Stocks in the said County, and for levying a Tax for defraying the expences thereof, and for extending the lines of Greene County, was read the second time, amended, passed and sent to the Senate.

The Bill to amend an Act intitled "an Act to encourage the building of public Mills and directing the duty of Millers," passed in the year 1777, was read the first time and laid over until the next Assembly.

The Bill to establish a public inspection of Tobacco in Clarksville, in the County of Tennessee, was read the third time, amended, passed and sent to the Senate.

The Bill for allowing a further time for the securities of James Williams, Esquire, to make payment for certain Lands therein mentioned, was read the first time, passed and sent to the Senate.

The Bill for cutting a Canal from Juniper Bay to Mattamuskeet lake in Hyde County, was read the second time, passed and sent to the Senate.

The Bill to impower certain persons therein named to receive, sue for and recover all such bequests, donations, benefactions and other things as have heretofore been bequeathed, given or made, by any person or persons whatsoever, for the use of the Congregation or society of the Episcopal Communion, was read the third time, passed and sent to the Senate.

Ordered that Mr. Gillespie have leave to absent himself from the service of this House after Saturday next.

Mr. Hamilton, from the Committee to whom was referred the Letter from James Iredell, Esquire, Reported,

That so much of an Act passed at Tarborough in the year 1787,
directing the said James Iredell in his revival of the Laws to leave out all acts on which no question of property might arise, ought to be repealed, and that he be directed not to revise or publish any private Act whatever, and that he make an index of the titles of such private Acts only. All which is submitted.

J. HAMILTON, Chn.

The House taking this report into consideration, Concluded therewith.

Mr. Hamilton moved for leave and presented a Bill to repeal part of an Act passed at Tarborough, 1787, authorizing James Iredell, Esquire, to revise and publish the Laws of this State, which was read the first time, passed and sent to the Senate.

Received from the Senate a resolution of that House directing the Superior and County Courts to give in charge to the Grand Juries "an Act for the restraining the taking of excessive usury;" which being read, was amended, and Concluded with as amended.

Received from the Senate a resolution of that House directing His Excellency the Governor, to transmit an authenticated Copy of the "Act for the purpose of Ceding to the United States of America certain western Lands therein described," to the Senators from this State in the Congress of the United States, &c.; which being read, was concurred with and returned.

Received from the Senate the following bills. Endorsed, read the second time and passed, to-wit:

A Bill for the promotion of learning in the County of Currituck, and to amend the Wilmington Town Law;

A Bill for establishing two places for holding General Musters in the County of Wilkes, and the place of holding Courts Martial, &c.;

A Bill to incorporate a Society of persons by the name of Centre Benevolent Society;

A Bill to erect a public Provision Store in the County of Hawkins, &c.

Received also a Bill to enable Thomas Callender, acting Executor of the last Will of Parker Quince, late of New Hanover County, deceased, and the other persons therein named, to make sale of certain lands and Tenements, &c. Endorsed, read the third time and passed.

A Bill directing the sale of the County buildings in Surry, &c. Endorsed, read the first time and passed.
A Bill directing Sheriffs how to proceed in Levying Executions to be issued, and the disposal of Goods and Chattels, Lands & Tenements, taken in Execution.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That where any execution shall issue to any Sheriff, Constable or any other proper officer, commanding him to levy of the goods and Chattels, lands and Tenements of any person the debt or damages therein specified, such Sheriff, Constable or other proper officer to whom the same shall be directed, shall as soon as may be proceed to levy the same on the Negroes, horses and nett cattle of the debtor, if any, and if such debtor shall not be possessed of negroes, horses or nett cattle, or not sufficient, then on the lands and other property of the debtor; and such Sheriff, Constable or other officer shall immediately advertise the property so levied on for sale, agreeably to the laws now in force; and such Sheriff, Constable or other officer shall summon one Justice of the Peace and three freeholders to meet at the day and place appointed for the sale of such property, and at the said day and place such Sheriff, Constable or other officer shall cause the said freeholders to be sworn well and truly to value and appraise the property so advertised; and the said Justice and freeholders shall proceed to value the said property at the common selling prices thereof, and shall return their valuation to the Sheriff, Constable or other officer, under their hands and seals; and the said Sheriff, Constable or other officer shall offer the property so valued, or so much as shall be sufficient to the creditor or creditors, his, her or their agent or factor duly authorized, at two-thirds of the value so returned; and if such creditor or creditors, his, her or their agent or attorney, duly authorized, shall accept of the said property at the rate of two-thirds as aforesaid in discharge of the execution, then the said Sheriff, Constable or other officer shall deliver the same to such creditor or creditors, to his, her or their own use; but if such creditor, his agent or attorney duly authorized, shall not attend, or being present, shall refuse to accept the same at two-thirds of the value as aforesaid, then such Sheriff, Constable or other officer shall proceed to offer the said property to sale to the highest bidder; and if any person shall offer for any article so exposed to sale, two-thirds of the said valuation or more, then such Sheriff, Constable or other officer shall sell, and deliver the same to such bidder; but if two-thirds of the valuation shall not be
offered, then such Sheriff, Constable or other officer shall make re-
turn upon such Execution, that the property could not be sold for
want of bidders; and the Court or Justice to whom the same shall be
returned, shall proceed to issue other process in such wise as has been
heretofore used in cases of such returns.

And be it further enacted, that if the Justice and freeholders
shall disagree in opinion as to the value of any property to be by
them appraised, then the opinion of any three of them shall prevail
and be taken and returned as the true value of the property; if two
shall concur in one opinion, and two in another, then the opinion of
one Justice and one freeholder shall prevail; but if all four shall dif-
fer in opinion, then the value of the different appraisements shall be
added together, and one-fourth of the total amount of the whole sum
shall be taken and returned as the true valuation of the said property.

And be it further enacted, that where any property, valued as
aforesaid, shall consist of different articles and on refusal of the
creditor to take the same at two-thirds the valuation, such property
shall be exposed to sale, and some of the said property shall be sold
at two-thirds of the value, and others not sold then for so much as
shall be sold as aforesaid, the Sheriff, Constable or other officer shall
be accountable to the creditor, and the residue of the said property
he shall retain in his hands to be dealt with as hereinafter directed.

And be it further enacted, that if in any case judgment shall issue
for any debt or damages against any person, and he or she shall be
taken in execution and imprisoned therefor, such person shall and
may produce to such Sheriff, Constable or other officer, Negroes,
horses, Cattle or Lands towards satisfaction of the said debt or dam-
gages, and request such Sheriff, Constable or other officer to take the
same into his possession, and the said Sheriff, Constable or other of-
ficer shall take the same into his possession and shall advertise the
same, and summon a Justice and three freeholders, to meet and value
the same as aforesaid, and after such valuation made shall offer the
same to the creditor, and on his refusal shall expose the same to sale,
& shall in all things conduct himself in the same manner as if such
property had been taken by virtue of fieri facias duly issued and in case
no sale shall be made for want of bidders, and the two-thirds of the
valuation should be sufficient to satisfy the said debt and damages
and costs, such persons shall be discharged from his imprisonment,
and the Sheriff shall retain the property in his possession, to be used
and dealt with in such wise as if the same had been taken originally on a fieri facias.

And be it further enacted, that where any property valued and appraised as aforesaid, shall remain in the hands of any Sheriff, Constable or other officer, unsold for the want of bidders to the amount of two-thirds of the valuation, and the said debt and damages and all costs shall not be paid and discharged therein, months afterwards, the said Sheriff, Constable or other officer, shall sell and dispose of the same in such manner as he ought to have done if this had never been made.

And be it further enacted, that no person against whom any execution shall be issued, shall be intitled to the benefits of this Act, until he shall pay to the officer having the same, all the fees taxed on the said Execution.

The House adjourned until To-morrow Morning 9 O'Clock.

THURSDAY, 17 December, 1789.

The House met according to adjournment.

Received from the Senate the report of the Committee on the Memorial of Benjamin Sheppard. Endorsed, read and concurred with. Also a resolution of that House in consequence of the report; the question, to concur with the report and resolution being put, was carried in the affirmative; whereupon, the yeas and nays were required by Mr. Locke and seconded by Mr. Phifer, which are as follows:


The Sub-Committee on public revenue, No. 4, appointed to ex-
amine into the state of the Treasury, Monies collected in the year 1789, with the application, Report,
That having examined into the state of the Treasury, there appears to have been in the hands of the
Treasurer on the 1st day of November, 1788,
agreeably to his accounts then rendered, the
sum of ............................................£ 8,307 3 6
That he has collected and received from the said 1st of
November, 1788, to 1st November, 1789, for
account of Arrearages up to the 1st January, 1788,
the sum of ............................................ 12,681 15 5
That he has collected and received from said 1st of
November, 1788, to the 1st November, 1789, for
account of taxes for the year 1788, including
sundry balances due from Sheriffs, Clerks and
Registers for the year 1787, the sum of........... 56,713 17 4

Amounting in the whole to.........................£ 77,702 16 3
And that he has paid out of the sum received for
arrearages, including his Commissions of £14 13 3
allowed him for collecting the sum of £146 12 10
due before the 1st January, 1784....................... 3,766 1 00
And out of the collection of taxes for the year 1788,
including his and Clerk’s Salary.................... 25,622 5 00

Which amounts in the whole to......................£ 29,388 6 00
And which being deducted from the foregoing sums
of money on hand, and received up to the 1st of
the said Month of November last, leaves a balance
in his hands due and owing to the State of
£48,314 10 3 in Money; that he has collected
and received in Certificates for account of Arrear-
ages, viz: of Certificates, payable previous to 1st
January, 1788, from 1st November, 1788, to 1st
November, 1789.......................................£ 25,909 5 1
That he has collected and received of the taxes for
1788, including the returns from entry takers
and including sundry balances due from Sheriffs
and entry takers for the year 1787 in Certificates,
counting State and Continental dollars and the balance in Certificates on hand the 1st November, 1788, the sum of .......................... £88,701 9 00

Amounting in the whole to .......................... £114,610 14 2

That he has paid out to sundries whom on final settlements of their accounts with the public appeared to have balances in their favour, and which is included in the foregoing debits Certificates to amount of .......................... £ 71 5 2

To the Comptroller, punched agreeably to the resolve of Assembly, the sum of .......................... 112,827 1 11

That the Commissioners at Hillsborough in the Month of April last burned State Dollar Bills to amount of .......................... 347 2 6

And that his Commissions for collecting of arrearages pursuant to Act of Assembly passed in December, 1787, which allows him 10 per cent. amounts in Certificates to .......................... 242 10 8

Making in the whole .......................... £113,488 0 3

Which being deducted from the foregoing amount of debits, leaves a balance in his hands due and owing to the State of £1,129 13 11 in Certificates, in which it is to be observed is included a number of State and Continental Dollar Bills.

The Committee have calculated the Civil List on the following Estimate, vizt.:
Governor's Salary .......................... £ 750 00 00
Treasurer's ditto .......................... 500 00 00
Comptroller's ditto .......................... 500 00 00
Secretary of State .......................... 100 00 00
Private Secretary .......................... 100 00 00
Council, Clerk & Doorkeepers .......................... 130 00 00
Members of Assembly, Clerks, Doorkeepers, &c .......................... 10,000 00 00
Clerk to the Treasurer .......................... 150 00 00
Judges of the Superior Courts .......................... 2,500 00 00
Attorney General .......................... 640 00 00
Agents for settling with the United States .......................... 16,000 00 00

£ 16,970 00 00
The incidental charges of the Comptroller's and Treasury office are not stated in the above estimate, nor any particular sum for the usual contingencies of Government, but making an allowance for at least a partial collection of arrearages your Committee are of opinion that a tax of one Shilling per hundred acres upon Lands, and three Shillings on each poll, with the established taxes in aid of the public revenue, will be adequate to the expenses of the year 1790.

Your Committee beg leave to add that it is with particular satisfaction they observed the judicious plan adopted by the Treasurer for the conduct of the business of his office and the accurate and elegant manner in which the books and accounts of the Treasury are kept. All which is submitted.

MAX. CHAMBERS, Chn.

The House taking this report into consideration, concurred therewith.

Ordered that the Clerk of this House transmit a Copy of the foregoing report to the printers of the State Gazette.

Received from the Senate the report of the Sub-Committee of Finance, No. —, to whom was committed the business of counting & burning the Money in the Treasury collected on the sinking fund Tax, and two resolutions of this House, one directing the printers to print & publish the Court Laws passed in the year 1777, with the Laws passed this Session, the other directing the Clerk of this House to contract with the printers for the printing of the bill commonly called the Certificate bill, Concluded with.

Received from the Senate the report of the Committee on the Memorial of General Armstrong, concurred with by that House; which being read, a question to concur with this report was put and carried in the affirmative; whereupon the yeas and nays were called for by Mr. Person and seconded by Mr. Lock, which are as follows:


Nays—Messrs. W. Wood, Person, T. P. Williams, Womack,

Received from the Senate the report of the Committee on the Memorial of Benjamin Smith, Concluded with by that House; which being read was rejected.

Ordered that the Bill for impowering the several County Courts within this State to appoint Patrols and directing their duty in office, be laid over until the next Assembly.

The Bill to incorporate a society of persons by the name of Centre Benevolent Society was read the second time, passed and sent to the Senate.

The Bill for raising the revenue for the payment of the Civil List and Contingent charges of Government for the year 1790, was read the second time, passed and sent to the Senate.

The Bill to erect a public provision Store in the County of Hawkins for the accommodation of the Cumberland Guard, was read the third time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

Agreeable to the determination of the two Houses of yesterday we are now ready to proceed to the qualification of the Honorable Alexander Martin, Esquire, and have appointed Mr. Gallaway and Mr. T. Brown on the part of this House to wait on and conduct him into the presence of the General Assembly.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

Mr. Stokes and Mr. Person will, on the part of this House, wait on and conduct the Honourable Alexander Martin, Esquire, into the presence of the General Assembly in order that he may qualify as Governor, and propose that the two Houses assemble in the Commons room for this purpose.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We consent to assemble in the room where the House of Commons sit in order to qualify Alexander Martin, Esquire, as by you proposed.
The Bill for the relief of securities in joint obligations, was read the second time, passed and sent to the Senate.

The Bill to impower the Wardens of the Poor for the Counties of Franklin, Orange and Surry to build a House or Houses for the reception of the Poor, and for amending Wilmington Town Law, was read the third time, passed and ordered to be Engrossed.

The Committee to whom the Memorial of William Tyrrel Lewis was referred, Report,

That it appears on an examination of said Memorial and a Certificate from the Clerk of Surry Court, a certain James Armstrong recovered in the County Court of Surry a Judgment for two hundred Pounds in the year 1784, and costs of suit to the amount of six pounds nine Shillings & three pence of James Roberts, which said Judgment and Costs hath been since properly transferred to said Lewis, and remain yet to be satisfied, as the whole of the property of Roberts had been previously confiscated and sold.

The Committee under these circumstances and more especially by an Act of the General Assembly passed in the year 178—, directing creditors or absentees or attainted persons whose property had been confiscated and sold to make application to the Treasury for the amount of their debts, are induced to recommend that the Treasurer be directed to credit the money part of a bond of said Lewis, owing to the State for confiscated property by him purchased, to the amount of the said Judgment, and costs. All which is submitted.

WYATT HAWKINS. Chn.

The House taking this report into consideration concurred therewith.

The Bill to impower Alice Ross and John Allison to sell and dispose of so much of the real estate of Andrew Ross, deceased, as will be sufficient to satisfy a debt due to the state for purchase of certain Confiscated Lands, and for directing the Treasurer to stop in the prosecution of the suit instituted against John Taylor, Esquire, a security for the said Andrew Ross, was read the second time, passed and sent to the Senate.

Mr. John G. Blount presented the following Resolution, to-wit:

Resolved, That the people of New Bern District who purchased property at the sales of Benjamin Sheppard, Esquire, Commissioner of that District, under a Law passed at Hillsborough in 1782, inti-
tuled "an Act directing the sale of Confiscated property," and gave their Bonds for the full amount of their purchase, may pay off their Bonds, one third in Money and two thirds in Certificates in the same manner as the people of Salisbury District are permitted to pay.

Ordered that this Resolution be referred and submitted to the Committee of Propositions and Grievances, No. 1, and sent to the Senate.

The Bill to amend an Act intituled "an Act for directing the method of appointing Jurors in all Causes Civil and Criminal," passed at Hillsborough in the year 1779, was read the third time, passed and ordered to be Engrossed.

The Bill to establish the title of certain Lands therein mentioned, was read the second time, passed and sent to the Senate.

The Bill to vest a certain tract of land in James Forsyth, was read the first time, passed and sent to the Senate.

Ordered that the Bill to amend an Act passed at Hillsborough in 1784, intituled "an Act for regulating the Pilotage and facilitating the Navigation of Cape Fear River," &c., lie over until the next Assembly.

The Senate and Commons according to order assembled in Conference, the Speakers and Members being seated, the Gentlemen appointed by both Houses to attend the Honorable Alexander Martin, Esquire, accordingly attended and conducted him to the place appointed for his reception, where he did in presence of the General Assembly qualify as Governor, by taking the oath of Allegiance, and also the oath of office.

Ordered that Mr. Benjamin Smith have leave to withdraw from the possession of the House his Memorial and the report thereon.

The Bill directing the sale of the Salt Licks and Springs within the District of Mero, was read the third time, passed and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the General Assembly proceed to ballot at four O'clock To-morrow evening for a Council of State, Colonel of Artillery, Commissioner of Confiscated property for the district of Hillsborough, and a judge of the Maritime Court for Port Beaufort.

21—25

We nominate for Colonel of Artillery John B. Ashe, Esquire. For Commissioner of Confiscated property for the district of Hillsborough, James Mebane, Esquire, And for a Judge of the Maritime Court for Port Beaufort, Abner Neale, Esquire.

Received from the Senate the following Bills. Endorsed, read the second time and passed:

A Bill for Dividing the County of Dobbs;
A Bill for processioniog Lands within this State;
A Bill to form part of the Militia of Rowan County into a separate Battalion;
A Bill directing the mode of raising a fund in the several Ports in this State for the support of sick seamen, and the manner of appropriating the same.

Received also a Bill for opening a Waggon Road from White's Mill in Hawkins County, to Bledsoe's Lick in Sumner County. Endorsed, read the first time and passed.

The House adjourned until 4 O'clock.

Met According to Adjournment.

Ordered that Mr. Qualls have leave to absent himself from the service of this House after Sunday next.

The Committee to whom the Memorial of Thomas Haslin was referred, Report,

That it appears that Josiah Martin, late Governor of the Province of North Carolin, stands justly indebted to the estate of Thomas Haslin late of New Bern, deceased, in the sum of ninety seven pounds seven Shillings and two pence. The Committee are of opinion as the estate of the said Josiah hath been confiscated and sold to the benefit of the State, that the Treasurer be directed to pay the aforesaid sum of ninety seven pounds Seven Shillings and two pence to Thomas Haslin, if on examination he should find a sum sufficient
in the Treasury, which arose from the sale of the estate of the said Josiah as aforesaid.

Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report in consideration, Concurred therewith.

The Bill to confirm unto Benjamin Williams an indefeasible title to a certain piece of land in Brunswick County, and for making conformable to the plan the Courses of a tract of land containing five thousand acres in Hawkins county Situate on the North side of Clinch River, and on both sides of Emery's river, granted to James Glasgow, and the course of a Tract of Land in Jones County lying on Crooked run containing 640 Acres, granted to Abraham Basset, was read the third time, passed and ordered to be Engrossed.

Received from the Senate the Report of the Committee on the Memorial of Richard Blackledge. Endorsed, read and concurred with; which being read, was recommitted by this House.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have received the report of the Committee on the Memorial of Richard Blackledge, with which we do not concur, and propose that the report of the Committee be recommitted, and that the Committee be directed to report to-morrow Morning.

Mr. Phifer, from the Committee appointed to hear and report on the reasons and excuses of the Members of this House who failed to qualify on the day appointed for the meeting of the General Assembly, delivered in the report thereon, which being read was recommitted. Ordered that the Committee do further report thereon to-morrow, and that the delinquent Members who shall then be reported as such, shall be considered as having incurred the penalty prescribed by Law.

Mr. Phifer delivered in a further report of the said Committee contained in the following words, to-wit:

The Committee appointed to hear and report on the reasons offered by Members who failed to appear and qualify on the day appointed for the meeting of the General Assembly, Report,

That Mr. Williams a Member from Richmond, Mr. Smith a Member from Brunswick, Mr. Campbell a Member from New Hanover,
and Mr. Peters a member from Hyde, appeared and upon oath of
ferred reasons which your Committee deem sufficient to extenuate
the fine imposed by Law. All which is submitted.

CALEB PHIFER, Chn.

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

The Committee to whom the Memorial of Thomas Horsey of
Derby in the State of Connecticut, was referred, praying the remis-
ion of a penalty incurred by neglecting to enter his vessel at the
Naval Office at Port Brunswick, agreeably to Law, in the Month of
April last, Report,

That from the Memorial and other satisfactory information it
appears the said Horsey, in the month of April last, arrived at Port
Brunswick from George Town (South Carolina) with his Sloop,
having on board a small quantity of Indian Corn only and neglecting
to enter his Sloop at the Naval Office agreeably to Law, he incurred
a heavy penalty, altho' he had entered with the Collector of the
Impost and obtained a permit to land said Corn. The Committee
considering the premises are fully of opinion the neglect aforesaid
arose wholly from said Horsey being unacquainted with the mode
of entering Vessels, and not from any design or wish of evading the
payment of the duties, therefore recommend that the naval officer
be directed to cancel the bond of said Horsey, given for the penalty
aforesaid, so far as the State is interested therein, which is sub-
mittted.

WYATT HAWKINS, Chn.

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

Received from the Senate the following reports of Committees,
conurred with by that House, which being read were concurred
with by this House and returned, to-wit:

On the Memorial of Thomas Bloodworth;
On the report of the Comptroller in favour of Timothy Blood-
worth;
On the Petition of John Estis;
On the Memorial of Roger Jones;
On the Claim of Memucan Hunt late Treasurer, for eight due
bills, &c.;
On the Memorial of Major Thomas Evans;
On the Memorial of Winston Caswell.
The Committee to whom the Memorial of James Thackston was referred, Report,
That they are of opinion the prayer of the said James Thackston is not founded in Justice, therefore reject the said Memorial. All which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.
The Committee to whom the Petition of Elisha Hadden was referred, Report,
That in the year 1788, the said Hadden was ordered out by the commandant of Washington County on an expedition against the Indians, and in a skirmish received two wounds which confined him to his house six months, and subjected him to the expense of fourteen pounds in paying a surgeon, &c.
The Committee therefore are of opinion that he ought to be allowed therefor, out of the taxes at Washington District, and recommend that any Sheriff, Collector or holder of public Money in said District be directed to pay him accordingly. Which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:
We agree to commit the report on the Petition of Richard Blackledge and that the Committee be requested to report To-morrow.

Received from the Senate the Resolution presented by Mr. J. G. Blount. Endorsed, read and concurred with, as to the reference.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:
We agree to ballot to-morrow evening as by you proposed, for a Council of State, Judge of the Marine Court for Port Beaufort and Colonel of Artillery, and approve of the Nominations by you made, and have added to the nomination of Councillors by you made James Gillispie, Joel Lane, Wm. Maclaine, General Polk and Thomas Per-
son. For Colonel, Scott Gray and Nathaniel Allen. We have re-
jected your propositions relative to the appointment of a Commissi-
oner of Confiscation. At the request of Joseph Winston, Esquire,
his name is withdrawn from the nomination of Councillors.

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

At the request of Mr. Person we propose that his name be with-
drawn from the nomination for Councillor.

The Committee to whom the Petition of Henry Giles was refer-
red, report,

That from incontestable testimony it appears to your Committee
that in the year one thousand seven hundred and eighty five the
Commissioner of Confiscated property for the district of Salisbury,
did, at public auction, expose to sale a certain lot in the Town of
Salisbury being No. 9, in the North Square thereof, then in possession
of John Steele, Esquire, which lot was sold as the property of James
Kerr late of Rowan County; and that the said Henry Giles did
purchase the said Lot for the sum of one thousand two hundred
pounds in Specie Certificates, which sum he actually paid into the
Treasury. It also further appears to your Committee by an attested
transcript of the records of the Superior Court of said district, that
John Den, lessor of the said Henry Giles, did prosecute a suit in
ejectment against the said John Steele for the property aforesaid.
but without effect. Your Committee therefore are of opinion that
the purchase money be refunded to the said Henry Giles; to effect
which they do recommend that the Comptroller be directed to issue to
the said Henry Giles a certificate or certificates to the amount of
the said purchase money of twelve hundred pounds.

All which is submitted.

ALEXANDER MEBANE, Chn.

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

The Committee on the Memorial of Spruce Macay report,

That from sufficient testimony it appears to your Committee that
the said Spruce Macay (as set forth in his Memorial) did in the
month of October, 1783, purchase of a certain Jonas Kerr of Rowan
County, a piece or parcel of Land containing 229 Acres for which
he paid the sum of of two hundred pounds currency, which piece of
land has since been sold, by the Commissioner of Confiscated property for the District of Salisbury as the property of the aforesaid James Kerr, for the sum of one thousand and sixty pounds nine Shillings, including the Interest; and Henry Giles was the purchaser, as appears by the Commissioners certificate No. 1. That by the same certificate, corroborated by the information of several Gentlemen, it also appears that the said Giles was employed by Mr. Macay to purchase the said land for him, as he was not able to attend the sale, and after the grant from the State had issued in the name of Mr. Giles, he was obliged to bring suit against the said Macay in order to enable him the said Macay to recover of the said James Kerr in case the land was deemed confiscated. It further appears that Henry Giles did at the same Commissioners vendue, purchase a lott in the town of Salisbury, then in possession of Mr. John Steel, which lot was sold by the Commissioner as the property of James Kerr, and on Mr. Steel refusing to give up his claim, a suit in ejectment was instituted against him for the recovery of the property; and was determined by the Honorable the Judges of the Superior Court of Salisbury District at March Sessions, 1789, in favour of Mr. Steel. Your Committee are therefore of opinion, as Mr. Macay's case appears similar to that of Mr. Steel's, and as the purchase money has been paid into the Treasury by Mr. Macay, it is just and reasonable he should be reimbursed, and do recommend to your honorable body, to direct the Comptroller to issue unto the said Macay a Certificate or Certificates to the amount of the purchase money so paid by him as aforesaid.

All which is submitted.

ALEXANDER MEBAINE, Chn.

The House taking this report into consideration concurred therewith.

The Committee to whom the Petition of William Armstrong was referred, report,

That the allegations in the said Petition set forth are not supported by sufficient testimony. Your Committee are therefore of opinion it be rejected.

All which is submitted.

WYATT HAWKINS, Chair.

The House taking this Report into consideration concurred therewith.
Mr. Hamilton presented the Memorial of Henry Emanuel Lutterloch, which being read was rejected.

The Committee to whom the Memorial of Doctor Isaac Alexander was referred, report,

That for services performed in hospitals and the late armies, and for medicine, the said Alexander received a Certificate from the Board of Auditors in Salisbury District to the amount of thirty-four thousand seven hundred pounds to be redeemed at one hundred and fifty for one, which Certificate, from said Alexander's affidavit, strengthened by those of Griffith Rutherford, and Matthew Lock, Esquires, and which are herewith presented, appears to the Committee to have been since lost.

They therefore are of opinion and recommend, that the Controller be directed to issue a Certificate to the said Alexander on his giving sufficient security to indemnify the State in the payment of the original, if yet in circulation, to the same amount, to bear the same date, and to be of equal value to the one so suggested to have been lost. Which is submitted.

WYATT HAWKINS, Chair.

The House taking this report into consideration concurred therewith.

The Bill to form part of the Militia of Rowan County into a separate Battalion was read the third time, passed and sent to the Senate.

The Bill for establishing two places for holding General Musters in the County of Wilkes; and the place of holding Courts Martial; and for altering the manner of holding elections of Members to represent said County in the General Assembly, was read the second time, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We propose that the report of the Committee on Finance No. 4, be amended by making the figures in the latter part thereof, opposite the letter B, 1790.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree to the amendment by you proposed to be made in the re-
port of the Committee on Finance No. 4, and have made the same conformable and now send it for your concurrence.

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

FRIDAY, 18 December, 1789.

The House met according to adjournment.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose at the request of Mr. Chambers that his name be withdrawn from the nomination for Councillor, and that the name of Joel Lane be also withdrawn, and that the names of James Sanders & James Hogg be added thereto.

The Bill directing the mode of raising a fund in the several Ports in this State for the support of sick Seamen, and the manner of appropriating the same, was read the third time, passed & sent to the Senate.

The Bill to vest in Jeremiah and Robert Field an indefeasable right to such property as was granted to them by their father in the year 1776, was read the third time, passed and sent to the Senate.

The Bill to authorize and empower James Billingsly to execute a Deed or Deeds of conveyance agreeable to a power of Attorney, and the last Will and Testament of William Rhea late of Guilford County, deceased, was read the third time, passed and sent to the Senate.

Resolved, That the Committee appointed to burn the Money collected by the sinking fund Tax, proceed to burn as much of the ragged Money now in the Treasury unfit for circulation as would be equal to the sinking Fund Tax of 1789, and that Mr. Qualls, Mr. Lindley, Mr. McDowall, Mr. Phifer, Mr. Yancey, Mr. Sanders and Mr. Hamilton of Guilford, be added to this Committee.

The Bill to enable Thomas Callendar, acting Executor of the last Will of Parker Quince, late of New Hanover County, deceased, and other persons therein named, to make sale of certain lands and Tenements, part of the residuary estate of the said Parker Quince, was read the third time, passed and ordered to be Engrossed.

The Bill to amend and enlarge an Act passed at Hillsborough in April, 1784, intituled "an Act to enable Mary Dowd to sue for and
recover to her own use and the use of her Children by her husband Conner Dowd, all debts due and owing to the said Conner, and all other things in action which the said Conner Dowd might lawfully sue for and recover were he a Citizen of this State, and intitled to the benefits of its laws,” was read the second time, passed and sent to the Senate.

The Committee to whom was recommitted the report on the Memorial of Richard Blackledge, Report,

That the Tobacco due from Richard Blackledge to this State with Interest to his confessing Judgment, is 56,931 lbs. as received by the Commissioner at the Tobacco Warehouse, and agreeable to the delivery by the Commissioner would be 51,756 lbs. at the average loss on the other Tobacco delivered to Constable, Rucker & Co., which at three and one third dollars per hundred make Sixteen hundred & one sixth Dollars; and it is the opinion of the Committee, that if Richard Blackledge, or any one for him, do produce to the Treasurer of this State the receipt of the agent of Martinico for Sixteen hundred and Twenty five and one sixth Dollars, with Interest from the rise of this Assembly within six months from the rise thereof, the same shall be a discharge against the Judgment confessed by the said Richard Blackledge in the Superior Court at Hillsborough, and in case the said Blackledge, does not produce such receipt to the Treasurer within the aforesaid Term of six months that then the Treasurer shall cause the Execution to be issued against the said Blackledge and his Securities agreeable to the Judgment by him confessed, and the Treasurer is hereby directed to stay the issuing the Execution against the said Blackledge and his Securities until the expiration of the said Six months. All which is submitted.

JOHN STEWART, Chair.

The House taking this report into consideration concurred therewith.

The Bill for processioning Lands in the Counties therein mentioned, was read the second time and rejected.

The Bill to repeal an Act passed ——— in 1784, intituled “an Act to describe and ascertain such persons who owe allegiance to the State, and to impose certain disqualifications on certain persons therein mentioned,” was read the second time and rejected.
Received from the Senate the following Reports, Concurred with by that House, to-wit:

On the Memorial of Mrs. Simpson;
On the Petition of John Armstrong;
On the Memorial of Nancy Horah;
On the Petition of James Greenlee;
On the Petition of George Hoskins;
On the Petition of Joseph Cunningham;
On the Petition of Alcey Ross, John Allison & John Taylor;
On the Petition of John Elliott;
On the Petition of Dempsey Moore;
On the Petition of John Shankle;
On the Memorial of William T. Lewis;
On the Memorial of Cosimo Medici;
And the Report of the Sub-Committee of Finance, No. 4.

The Bill to release Joseph Stacey of Montgomery County, from the forfeiture of a recognizance, was read the third time, passed and sent to the Senate.

Received from the Senate a resolution of that House for summoning the Justices of the Court of Rutherford County to appear before the next Assembly for the purposes therein expressed, which being read was rejected.

Received also one other resolve of that House for giving a further time to James Withrow, Sheriff of Rutherford, to make settlement of his accounts with the public; which being read, the following Message was ordered to be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the resolution of your House in favor of James Withrow, be amended by inserting the word May, instead of the word April; if you will agree to this amendment, we will then concur with the resolution.

The Bill to repeal part of an Act passed at New Bern intituled "an Act to divide the District of Morgan," was read the second time, passed and sent to the Senate.

The Bill to amend an Act passed at New Bern in November 1784, intituled "an Act to explain, amend and supply the deficiencies of an Act passed at Hillsborough intituled an Act to regulate the descent of real estate, and to do away entails, to make provision for Widows,
and to prevent frauds in the execution of the 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 second time, passed and sent to the Senate.

Received from the Senate the Bill to authorize the County Courts in this State to annually elect a certain number of Justices in each County to attend to the business thereof. Endorsed, read the second time and passed. This Bill was read for the second time in this house, amended, passed and returned to the Senate.

Received from the Senate a Bill directing the Comptroller to settle such joint Claims of the Officers and Soldiers of the North Carolina line as were passed by the Commissioners of Army Accounts at Warrenton in 1786, and to liquidate Claims of the said line, which have not heretofore been settled. Endorsed, read the second time and passed. This Bill was read for the second time and rejected.

Received from the Senate a Bill to enable William Beaty, Administrator of the estate of James White late of Bladen County, to sell certain Lands and Tenements in the said Bill mentioned. Endorsed, read the second time and passed. This Bill was read for the second reading in this House, passed and returned to the Senate.

The Bill for the promotion of learning in the County of Currituck, and to amend the Wilmington Academy Law, was read the third time, passed and ordered to be Engrossed.

Received from the Senate a Bill for erecting a Town on the Lands of Fergus Stone, and to amend an Act for the division of Rowan County. Endorsed, read the second time and passed. This Bill was read the third time, passed and returned to the Senate.

The Bill for opening a waggon Road from White's Mill in Hawkins County to Bledsoe's Lick in Sumner County, was read the second time, amended, passed and sent to the Senate.

The Bill to amend an Act intituled "an Act to establish in the Towns of Washington, Edenton, New Bern and Wilmington, Courts for the speedy decision of Mercantile transactions, &c., was laid over until the next Assembly.

The Bill directing the sale of the county buildings in Surry, and to alter the times of holding several County Courts in this State, was read the second time, passed & sent to the Senate.

The Bill to Cede to that part of the Citizens of this State, who re-
side West of the Great Iron and Stone Mountain, the Territorial
right thereof, &c., being read was rejected.

Received from the Senate the representation of the Treasurer on
the Settlement of Thomas Martin, Sheriff of Sumner. Endorsed,
read & referred to the Committee of Propositions and Grievances,
No. 2; which being read, was referred as by the Senate and re-
turned.

Received from the Senate a Resolution of that House for refunding
-to such persons, who have made entries of Lands & not been able
to obtain the same the money or Certificates paid for such entries,
which being read was rejected.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree to amend the resolution in favour of James Withrow
as by you proposed. We also agree that the Committee burn as
much of the Money in the hands of the Treasurer unfit for circula-
tion as will be equal to the sinking fund tax for 1789;

And propose that this Committee be directed to burn the whole
of the ragged money in the hands of the Treasurer unfit for further
use, and have added Mr. Skinner and Mr. Gallaway thereto.

Received from the Senate a resolution of that House allowing
John Johnston at the rate of four Shillings in the pound on a certain
sum paid by him in Certificates for a certain Tract of Land sold
under the Confiscation Law, the sale of which has been deemed void,
which being read was rejected.

Adjourned until 4 O'clock P. M.

Met according to Adjournment.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We have added to the nomination for Councillors Jesse Franklin,
and are now ready to enter on the ballotting, & have appointed Mr.
Montgomery and Mr. Graham to superintend the same, on the pa-
of this House.

Ordered that the following Message be sent to the Sena-

Mr. Speaker & Gentlemen:

We have read your Message informing that you are ready to pro-
ceed to balloting. We are also ready to ballot & have appointed Mr.
Hill and Mr. Sanders to conduct the balloting on our part.

The Committee appointed to hear and report on the reasons
offered by Members who failed to appear and qualify on the day
appointed for the meeting of the General Assembly, Report,

That having received the deposition of Mr. Mooring in writing pur-
porting his reason for not attending in due time, your Committee
have thought proper to submit it to the House for a decision there-
on. All which is submitted.

CALEB PHIFER, Chn.

The House taking into consideration this report, and the Depos-
ition of Mr. Mooring therein referred to,

Resolved, That Mr. Mooring be excused from incurring the penal-
ty by Law prescribed to be paid by delinquent Members of As-
sembly.

Mr. Stokes, from the Committee to whom was referred the Me-
morial of John Ingram and others, delivered in a report thereon,
which being read was rejected.

The Committee appointed to hear and report on the reasons offer-
ed by Members who failed to appear and qualify on the day appoint-
ed for the meeting of the General Assembly, Report,

That the following Gentlemen, to-wit: Mr. Sheppard, Mr. Davie,
Mr. Leonard, Mr. J. G. Blount and Mr. Joseph McDowall, Junr.,
appeared and rendered reasons upon oath, which reasons your Com-
mittee are of opinion are sufficient. All which is submitted.

CALEB PHIFER, Chn.

The House taking this report into Consideration Concurred there-
with.

Ordered that Mr. Joseph Douglass have leave to absent himself
from the service of this House after to-morrow.

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

SATURDAY, 19 December, 1789.

The House met according to adjournment.

Mr. Jordan Hill, from the joint balloting for a Council of State,
Colonel of Artillery and Judge of the Maritime Court for Port Beau-
fort, Reported,
That John Hamilton, Wyatt Hawkins, James Taylor, James Gillispie, Charles Bruce and Jesse Franklin, Esquires, were Elected Councillors.

John B. Ashe, Esquire, Colo. of Artillery, and Abner Neale, Esquire, Judge of the Maritime Court of Port Beaufort.

That one Councillor was yet to be balloted for, seven persons not having a Majority of Votes for such appointment.

The House taking this report into consideration concurred therewith.

Received from the Senate a Bill to amend the several Acts of the General Assembly for establishing a Court of Law and Equity in the County of Davidson & erecting the district of Mero, and to make provision for the Judge of Mero District. Endorsed, read the second time and passed. This Bill was read for the third time, amended, passed and returned to the Senate.

Received from the Senate a resolution of that House directing the Treasurer to stay all proceedings in the suit or suits brought against John Taylor as Security to Andrew Ross, dec'd, &c.; which being read, was concurred with and returned.

Received from the Senate a resolution of that House for paying into the hands of General Smith and David Wilson Thirty pounds to be laid out in light goods to be made a present of to the relations of Long Hair, a Chief of the Chickasaw Indians; which being read, was concurred with and returned to the Senate.

Received from the Senate a Bill to amend and enlarge an Act passed at Hillsborough in April, 1784, intituled "an Act to enable Mary Dowd to sue for and recover to her own use and the use of her Children by her husband Conner Dowd, all debts due and owing to the said Conner and all other things in action which the said Conner Dowd might lawfully sue for and recover were he a Citizen of this State, and intituled to the benefits of its laws." Endorsed, read the second time and passed. This Bill was read the third time, passed and returned to the Senate.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in a report on the Petitions of Robert Lynn and James Bar; which being read, Mr. Phifer moved for leave to withdraw the said report. Ordered that he have leave.

Received from the Senate the report of the Committee on the Petition of Nicholas Eveleigh. Endorsed, read and concurred
with; which being read, was concurred with by this House and returned to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the General Assembly proceed to ballot this evening at four O'clock for the Councillor yet to be appointed, a Colonel of Cavalry for Hillsborough District; and an assistant Judge for the District of Morgan, and nominate for Judge John Stokes, Esquire, and for Colonel of Cavalry, Samuel Benton, Lewis Bledsoe and John Taylor. We further propose to ballot for a first Major of Cavalry, and nominate William Nash.

Received from the Senate a Bill directing the sale of the County buildings in Surry, and to alter the times of holding several County Courts in this State. Endorsed, read the second time and passed. This Bill was read for the third reading in this House, passed and returned to the Senate.

The Committee on the Petition of Francis Owens, Report,

That the allegations set forth in the said Petition are not supported by sufficient Testimony. Your Committee are therefore of opinion the Petition be rejected. All which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

The Committee on the Petition of William Griffin, are of opinion the said Petition be rejected, the allegations therein set forth being unsupported by sufficient Testimony.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

Received from the Senate a Bill to enable William Beatty, Administrator of the estate of James White, late of Bladen County, to sell the lands and tenements mentioned therein. Endorsed, read the third time and passed.

This Bill was read for the third reading in this House, was passed and ordered to be Engrossed.

The Committee to whom the Memorial of Ptolemy Powell was referred, praying an allowance in Money for a horse sold Colo.
Samuel Lockhart for the sum of one hundred and thirty-three pounds Six Shillings & eight pence, for the use of the United States, under a resolve of the General Assembly passed at Hillsborough in the year 1782, Report,

That as Mr. Powell received a Certificate from Colonel Lockhart for said horse equal in value to any of the Certificates now in circulation, and as the Committee conceive a payment in Money for said Horse would place Mr. Powell on a better footing than the Citizens of this State who Hold Certificates, they recommend the Memorial be rejected.

All which is submitted.

WYATT HAWKINS, Chn.

The House taking this report into consideration concurred therewith.

Received from the Senate a Bill for opening a Waggon Road from White’s Mill in Hawkins County, to Bledsoe’s Lick in Sumner County. Endorsed, read the second time and passed.

This Bill was read the third time in this House, passed and returned to the Senate.

Mr. Rhea moved for leave to enter a protest against this Bill. Ordered that he have leave.

The Bill for dividing Dobbs County was laid over until the next Assembly.

Received from the Senate a Bill for raising a fund for erecting the buildings and for the support of the University of North Carolina. Endorsed, read the second time, amended and passed. This Bill was read the second time in this House, passed and returned to the Senate.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We will concur with the resolution of your House allowing the Judges a certain Sum, provided you will erase the words the whole of the Term.

The House taking this Message under consideration,

Resolved, That the Judges of the Superior Courts of Law and Equity be allowed five pounds each for every Court they shall at-
tend (Washington and Mero excepted) in the year 1790, in addition to their present Salary.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have not concurred with the amendments by you proposed to the resolution of this House in favour of the Judges, but have entered into another resolution herewith sent for your concurrence, in their favour.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in a Report on the Petition of Ann Meadows, which being read was rejected.

Mr. Hawkins, from the Committee of Propositions and Grievances, delivered in a Report on the Memorial of Richard Blackledge, Executor, &c., which being read, was laid over until the next Assembly.

Resolved. That the agents from this State appointed to settle and adjust the claims of this State against the United States be and they are hereby directed to enquire and inform themselves by what means this State obtained a credit with the United States for a certain quantity of leather received of Richard Blackledge, and that they transmit to the next General Assembly such vouchers or other information as they deem proper to give the necessary information to the General Assembly on this subject.

Received from the Senate a Bill to direct in what manner Executions shall hereafter issue. Endorsed, read the first time and passed. This Bill was read for the first time in this house. The question being put shall this bill pass was negatived: whereupon the yeas and nays were called for by Mr. Person, which are as follows:


Robeson, Chambers, Lindley, Ellison, Stokes, Davie, Sheppard, McDowell, Jun.—41.

Ordered that this Bill be entered on the Journal at large. See the last of this day's proceedings.

On a motion made by Mr. Edward Jones it was ordered that the Petition of John Bradley, John Ingram and George Hooper, together with the report of the Committee thereon, be entered on the Journal at Large. See the last of this day's proceedings.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We have appointed Mr. Maclaine, Mr. Brevard, Mr. Sawyer, and Mr. Pride to assist in examining the Engrossed Bills.

Received from the Senate the resolution of this House allowing the Judges of the Superior Courts five pounds each for the Courts they may attend in the year 1780, Concluded with.

Received from the Senate the Report of the Committee on the Memorial of Joseph Leech and a resolution of that House in consequence thereof, which being read, were concurred with and returned.

Mr. Yancey and Mr. Edward Jones voted for this report & Mr. Matthews against it.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We agree to ballot this evening at four o'clock for the Councillor of State yet to be made choice of, an additional Judge for the District of Morgan, and Colo. of Cavalry for Hillsborough District, and approve of your nominations with the addition of the name of Griffith Rutherford for Councillor. Your Proposition relative to the appointment of first Major we have rejected, as there will be an officer of that rank, provided he should not be made Colo. on the present balloting.

We propose that an Attorney-General for the District of Meck be also balloted for at the same time and nominate to that appointment Andrew Jackson, Esquire.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We agree to ballot for an Attorney-General for the District of
Mr. as by you proposed. Mr. Hill and Mr. Sawyer will conduct the balloting as agreed to, on the part of this House.

Received from the Senate a Bill to repeal part of an Act passed at Tarborough 1787, authorising James Iredell, Esquire, to revise and publish the Laws of this State. Endorsed, read the first time and passed. This Bill was read the second time in this House, amended, passed and returned to the Senate.

Adjourned until four O'clock P. M.

Met according to adjournment.

The Bill for raising a revenue for the payment of the Civil List and Contingent charges of Government for the year 1790, was read the third time, passed and ordered to be Engrossed.

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

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We propose that the Clerks be directed to make out the estimate of allowances to include Tuesday next.

Received from the Senate a Bill directing returns to be made of the Taxable property in the middle district of Anson County for the year 1788. Endorsed, read the second time & passed. This Bill was read the second time in this House, passed and returned to the Senate.

Received from the Senate a Bill to encourage the manufacture of Pot Ash. Endorsed, read the second time and passed. This Bill was read the third time in this House, passed and returned to the Senate.

Received from the Senate a Bill to repeal part of an Act entitled "an Act for raising a revenue for the support of Government, and to repeal an Act entitled an Act to suppress excessive gaming," passed at Hillsborough in April in the year 1784. Endorsed, read the second time and passed. This Bill was read the third time in this House and rejected.

Received from the Senate a Bill for granting a longer time for the surveying of Certain Lands. Endorsed, read the second time & passed. This Bill was read the third time in this House and rejected.

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

We are now ready to proceed to balloting and have appointed Mr. Graham and Mr. Montgomery to superintend the same on the part of this House.

Received from the Senate the Bill for the relief of such persons as may be wounded by the Indians within the District of Merco, and for other purposes. Endorsed, read the second time and passed. This Bill was read the third time in this House, passed and returned to the Senate.

Received from the Senate a Bill the better to regulate the inspection of Tobacco. Endorsed, read the second time and passed. This Bill was read for the third time in this House, amended, passed & returned to the Senate.

Received from the Senate a Bill to alter the time of Electing the Members of the General Assembly in this State. Endorsed, read the second time and passed. This Bill was read the third time in this House, passed and returned to the Senate.

Received from the Senate a Bill for cutting a Canal from Juniper Bay to Mattamuskeet lake in Hyde County. Endorsed, read the second time and passed. This Bill was read the third time in this House, passed and returned to the Senate.

Received from the Senate a Bill to establish the title of certain lands therein mentioned. Endorsed, read the second time & passed. This Bill was read for the third time in this House, passed & returned to the Senate.

Received from the Senate the report of the Committee on the Petition of George Doherty and Vincent P. Williamson. Endorsed, read and concurred with. This report being read was concurred with by this House and returned.

Received from the Senate a resolution of that House authorizing the Treasurer to send expressers with executions against public delinquent debtors in certain instances, &c.; which being read, was concurred with and returned.

Received from the Senate the resolution of this House directing the agents appointed to adjust the claims of this State against the United States to transmit to the General Assembly such information as they may deem necessary relative to the credit this State has with the United States, for leather received of Richard Blackledge, concurred with.
Ordered that the report of the Committee on the Memorial of James Butler lie over until the next Assembly.

A Bill to direct in what manner executions shall hereafter issue:

Whereas, from the present situation of our commerce and the great scarcity of Money, property when taken to satisfy executions sells greatly below its value which if not prevented will prove prejudicial to the Citizens of this State; for remedy whereof,

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, that when Judgment shall be obtained before any Justice out of Sessions, or before any Court of record in this State for any sum above pounds, and not exceeding one hundred pounds, the defendant or defendants, may upon giving Bond with sufficient security for the Principal and Interest of such Judgment, be entitled to a stay of execution for twelve months from the time of recovery; at the expiration of which time execution shall issue against the goods and Chattels, Lands and Tenements of the said defendant and his securities for the amount of such Judgment and the Interest thereon accrued.

And be it further enacted by the authority aforesaid, that when judgment shall be obtained in any Court of Record in this State for any sum above one hundred pounds and not exceeding three hundred pounds, the defendant or defendants, upon paying one third of such judgment at the time of recovery, or within Twenty days after the same, shall be entitled to the following stay of execution, upon giving bond and sufficient Security for the remaining two thirds of such judgment, in the following manner, to-wit: The one third of such judgment shall be paid at the expiration of one year after the recovery thereof, and execution shall issue accordingly for the said one third of such judgment and the interest thereon, against the goods and Chattels lands and Tenements of the said defendant and his securities and for the remaining one third of such judgment and execution shall be stayed for two years from the time of recovery; at the expiration of which time, execution shall issue for the remaining one third of such Judgment with the Interest thereon, against the said defendant and his securities as in manner above mentioned.

And be it further enacted by the authority aforesaid, that when any Judgment shall be obtained in any Court of record in this State, for any sum above three hundred pounds, the defendant or defend-
STATE RECORDS.

*  

ants upon paying one fourth of such Judgment at the time of recovery, or within twenty days after the same, shall be entitled to the following stay of execution, upon giving Bond with sufficient security for the remaining three fourths of such Judgment in the following manner, to-wit: One fourth of said Judgment payable in twelve months from the time of recovery, one fourth in two years, and the remaining one fourth at the expiration of three years after the recovery of such judgment, and execution shall issue accordingly at the end or term of each instalment for the amount then due with the interest thereon accrued against the said defendant and his securities, which execution shall be levied on the goods and Chattels, Lands and tenements of the said defendant and his securities, to satisfy the same; and all executions which shall issue under the directions of this Act, shall be issued and returned as heretofore; Provided, that no person or persons shall be entitled to the benefit of this Act until he or they have paid the officers and tax fees, and obtained a receipt for the same.

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

The Petition of John Bradley, John Ingram and George Hooper Humbly sheweth,

That in the month of February last the Petitioners did order their correspondents in England to ship on their accounts on board vessels bound for Wilmington in this State, quantities of goods as follows, to-wit: On account of your petitioner John Bradley to the value of eight hundred pounds sterling, or thereabouts; on account of your other petitioners under the firm of Ingram and Hooper, and George Hooper & Co., to the value of two thousand two hundred pounds sterling or thereabouts. That your petitioners correspondents not being able to procure a vessel to ship the said goods in, direct for North Carolina, were compelled to send them by way of Charleston in South Carolina. That upon the arrival of the said goods at the last mentioned place, your Petitioners were not permitted to reship them from thence to Wilmington as has been customary under the articles of confederation previously to the adoption of the new Constitution without the said Goods being subject to any duties there, but on the contrary were compelled to pay duties upon the same agreeably to the Impost Law of Congress, which duties your petitioners were actually obliged to pay by a Resolution which Congress
thought proper to adopt in consequence of this State having refused to agree to the new form of Government.

Your Petitioners beg leave further to set forth, that notwithstanding the payment of the duties as aforesaid, they were obliged upon the arrival of the goods at Port Brunswick from Charleston to secure the duties thereon agreeable to the Acts of Assembly of this State. They therefore beg leave to suggest, that as the duties they paid upon the said Goods in Charleston will be applied to the Benefit of the United States of which this State is now a part of it will consequently be a species of oppression upon your petitioners to compel them to pay the additional duties bonded in this State from which they have the most reasonable claim upon the wisdom and justice of your honorable Body to grant them relief.

Your Petitioners therefore humbly pray your honorable Body to give direction to the Collector of Port Brunswick to cancel the Bonds which he hath taken from your Petitioners, on all importations made by them under the circumstances they have herein set forth, or to grant them such other relief in the premises as to your honors may seem meet. And your Petitioners as in duty bound shall ever pray, &c.

The Committee on the Memorial of John Bradley, John Ingram and George Hooper, Report,

That the petitioners did order their correspondents in London to ship them certain merchandize to the Port of Wilmington as specified in their Memorial.

That their correspondents did ship the same in the month of June last by the way of Charleston, for Wilmington, on board the Maria, Captain Dennison, viz: On account of Ingram and Hooper one thousand and seventy-five pounds nine Shillings; on account of George Hooper & Co., eleven hundred and eighty-four pounds, and on account of John Bradley eight hundred pounds sterling, and that the same arrived in Charleston in September for which said Merchandize the said Memorialist were obliged to secure the Continental duty agreeably to the import Law of Congress.

That the Memorialists had the same Merchandize shipped on the Schooner Wilmington, Capt. Swain, for Wilmington, at two different shipments, which shipments arrived at Wilmington in September and October last, where the Collector of Port Brunswick obliged the
Memorialists to enter the same Merchandize and give bond and security for the duties of the same agreeable to Law.

Your Committee therefore recommend that the Collector of Port Brunswick be directed not to require the payment of the Bonds for the State duties on the said Merchandize till the meeting of the next General Assembly, at which time, if it be found, that this State is to participate of the Congressional duties secured to be paid as aforesaid, then in such case the said Bonds shall be cancelled and made void, otherwise the same shall be collected as other State duties. Your Committee considering that it would be unreasonable in the State to require two imposts on the same Merchandize, and that it would be a hardship on the Memorialists to pay the same.

JNO. STOKES, Chair.

The House adjourned until Monday morning 9 o'clock.

MONDAY, 21 December, 1789.

The House met according to adjournment.

The resignation of Matchet Herring, a Justice of the Peace, was read, accepted of by this House and sent to the Senate.

The Committee to whom the Memorial of James Kerr, one of the administrators of Galbreath Falls, deceased, was referred, Report,

That it appears the deceased Captain Falls, had not finally closed his acco'ts as Sheriff of Rowan County, for the year 1777 at the time of his death, which happened in action at Ramseurs. That the administrator, James Kerr, in examining and arranging the papers of the deceased found a Certificate of an allowance of the General Assembly in the year 1779, to the said deceased, for nine hundred and eighty-two pounds sixteen Shillings, also a receipt from General Rutherford for the sum of fifteen hundred & forty nine pounds two Shillings, which last sum was drawn agreeably to an order of General John Ashe, Treasurer of the Southern District.

The Committee on examining the vouchers, together with the propriety of admitting a sum of money in old dollar Bills, which the Administrator also found among the papers of the deceased, as a credit in the settlement of the said Sherifflalty, are of opinion they are good vouchers, and beg leave to recommend that the Comptroller be directed accordingly; also the Committee recommend that the
Comptroller be directed to debit General Rutherford with the aforesaid sum of fifteen hundred and forty nine pounds two Shillings. Which is submitted.

WYATT HAWKINS, Ch.

Resolved, That the House do concur with this report.

The Bill for the relief of securities in joint obligations was read the third time and rejected.

Received from the Senate the report of the Committee on the Memorial of John Herritage. Endorsed, read and concurred with. This report being read, was laid over until the next Assembly.

Received also, the report of the Committee on the recommittal of the report of the Committee in favour of Richard Blackledge; and the report of the Committee to whom was referred the inquiry respecting the Warrants drawn on the Treasurer in favour of Colo. Outlaw, Conceded with by that House.

Received from the Senate a Bill to repeal part of the 20th clause of an Act passed at Hillsborough in the year 1784 intitled "an Act to prevent the exportation of unmerchantable commodities." Endorsed, read the second time and passed. This Bill was read for the third time in this House, passed and returned to the Senate.

Received from the Senate a Bill to alter the names of Nancy John and Keziah Lytle, children of Sarah Nichols, formerly Sarah Lytle, of the Town of Hillsborough. Endorsed, read the second time and passed. This Bill was read for the third time in this House, passed and returned to the Senate.

Received from the Senate a Bill for allowing a further time for the securities of James Williams, Esquire, to make payment for certain Lands therein mentioned. Endorsed, read the second time and passed. This Bill was read the second time in this House, passed and returned to the Senate.

Received from the Senate a Bill to repeal part of an Act passed at New Bern intitled "an Act to divide the district of Morgan." Endorsed, read the third time and passed. This Bill was read the third time, passed and ordered to be Engrossed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We do not concur with the Proposition of your House relative to
making up the estimate to include Tuesday next, but propose that
they include Wednesday.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We do not agree that Wednesday shall be included in the estimate,
being of opinion that the General Assembly will rise to-morrow.

Received from the Senate the report of the Committee of John
Markland. Endorsed, read, amended and concurred with. This
report being read, the following Message was ordered to be sent to
the Senate:

Mr. Speaker & Gentlemen:

We do not concur with the report of the Committee on the Mo-
Memorial of John Markland, as amended by the Senate, but propose a-
a further amendment to the report that Mr. Markland's pay be esti-
imated at the rate of Eight Shillings per day instead of twelve, &
the latter part of the report made conformable; this amendment
made the Commons will then concur.

Received from the Senate a Bill to amend an Act passed at New
Bern in November, 1784, intituled "an Act to explain, amend and
supply the deficiencies of an Act passed at Hillsborough intituled
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 & per-
petuated;" which was read the third time, amended & the question
being put, shall this Bill pass, was carried in the affirmative; where-
upon the yeas and nays were called for by Mr. E. Jones, and second-
ed by Mr. Hawkins, which are as follows, to-wit:

Yeas—Messrs. Wood, Grice, McKay, T. P. Williams, Cowan,
D. Stewart, Grove, Sawyer, T. Johnston, J. Hill, Handley, Person.
Yancey, Holland, Porter, Brevard, J. Brown, Barrot, Z. Wood, J.
Stewart, Wallace, Perry, B. Smith, Armstrong, Mebane, Everagin,
Reading, Rhea, A. Phillips, Bethell, Nash, N. Brown, Ewing,
Spruill, Dickson, Sanders, Lock, T. King, B. Jones, Chambers, J.
Johnson, T. Blount, Snead, Stokes, S. Allen, Lennard, Tyson, Mc-
Dowall, Junr., Dauge, Hines, E. Phillips, Barnes, Outlaw, J. H.
Bryan, Wilson, Mathews, White, Lindley, Spicer, Peters, Phifer,
Davie, Maclaine, E. Williams.—64.
Received from the Senate a Bill to repeal part of an Act intitled
"an Act for appointing an Agent and holding a treaty with the
Cherokee Indians and for other purposes." Endorsed, read the
second time and passed. This Bill was read for the second time in
this House, passed and returned to the Senate.
Ordered that Mr. Pugh have leave to absent himself from the ser-
vice of this House.
Received from the Senate a Bill to amend and enlarge an Act
passed at Tarboro in the year 1787 intituled "an Act authorising
and impowering the County Court of Pleas and Quarter Sessions to
divide and appropriate the real estates of intestates." Endorsed,
read the second time and passed. This Bill was read for the second
time in this House, passed and returned to the Senate.
Received from the Senate a Bill for allowing longer time for sur-
veying lands entered in the office kept by John Armstrong, Military
warrants and pre-emption rights. Endorsed, read the first time and
passed. This Bill was read the first time in this House, passed and
returned to the Senate.
Received from the Senate a Bill to alter the present mode of
swearing Petit Juries in the Courts of Law in this State. Endorsed,
read the second time and passed. This Bill was read the third time
in this House, passed and returned to the Senate.
Mr. Hill from the joint Balloting for Councillor, an additional
Judge, and Attorney General for Mero District, Reported,
That Griffith Rutherford was Elected Councillor, John Stokes,
Esquire, additional Judge, and Andrew Jackson, Attorney General
for Mero District, &c.
Resolved, That the House do concur with this Report,
Whereas, the Legislature of this State by their Acts have from
year to year, greatly increased the duties of the public Treasurer
without augmenting his Salary; and whereas, this General Assembly
hold themselves in Justice bound not only to express their appro-
bation of the conduct of the Treasurer but likewise to vote a reward
which shall be adequate to his past services;
Resolved therefore, That in consideration of the many services
rendered this State by John Haywood, Esquire, public Treasurer,
and as a testimonial that his official conduct hath fully met the ap-
probation of the General Assembly, he be allowed for the year 1789,
in addition to his public salary, the Sum of two hundred pounds.

The Committee to whom was referred the Memorial of Jennet
Burges, Report,

That it is the opinion of the Committee that the Comptroller be
directed to issue a Certificate in the name of Jennet Doak, orphan,
for the articles furnished the public by John Doak, deceased, to the
amount of the principal and interest, Eighty two pounds Seventeen
Shillings and seven pence, calculating the interest from the time
the accounts were exhibited to the auditors, and that the vouchers
upon which this account is raised be lodged with the Comptroller.

All which is submitted.

J. STOKES, Chn.

Resolved, That the House do concur with this report.

Resolved, That the public Treasurer advance to Major Thomas
Evans fifty pounds in part of his pay as Major Commandant of the
Troops raised for the defense of Davidson County, and be allowed
the same in the settlement of his accounts.

Resolved, That Matthew Collins, late a Soldier in the Continental
line of this State be placed on the pension list for the District of
New Bern, and be intitled accordingly, and that the Commissioners
of said District for that purpose give him a Certificate accordingly.

Resolved, That Mr. John Craven, Clerk to the Treasurer, shall
for the present Session of Assembly, and for every Session which
shall happen hereafter whilst he continues in that employ, be allowed
in addition to his salary by law, the same wages which the Committee
Clerks at such Assembly shall draw in proportion to the time he
may attend as a reimbursement for his expenditures in attending
the Assemblies, and as a further reward for his extraordinary Ser-
dices during the time of their Sessions.

The Sub-Committee of Finance, No. 6, to whom was referred that
part of the Treasurer's Message to the General Assembly which re-
spects the final settlement Certificates in his possession, having con-
sidered the same beg leave to report the following Resolution, to-wit:

Resolved, That the Public Treasurer be and he is hereby directed
to continue to take charge of the final settlement certificates now in
his possession from this time until the first day of July next, and to
issue them to claimants on the same principles on which they were
issued previous to the passing a resolution respecting the issuing
them by the last Assembly. That on the said first day of July next,
or as soon after as possible, he deliver the balance then remaining in
his hands to the Governor of this State to the end that he may take
order (either by forwarding them to the agents of this State at New
York or otherwise as to him shall seem proper) for getting them
exchanged on the best terms for such facilities as will pass to the
credit of this State in her accounts with the United States, in part
of any of the specie requisitions made by Congress on this State.

Resolved also, That the public Treasurer into whose hands the final
settlement Certificates were delivered by Major Robert Fenner, pur-
suant to a resolve of the General Assembly at their Session in 1786,
do make up his accounts as to that particular and lay them before
the next General Assembly, with whom he shall finally settle and
close the same; that in doing this he charge himself with the amount
of the Certificates delivered him by Major Fenner, that he produce
an attested Copy of his receipt given to Mr. Fenner for the said Cer-
tificates, that he credit himself by the amount & the receipt which he
may obtain from the Governor under this resolution and by the
amount of his vouchers for certificates issued, and that on a final
adjustment of his accounts in this behalf, to be made by the next
General Assembly as aforesaid he shall receive such compensation as
his services therein may appear to have justly entitled him to; and

Resolved further, That the public Treasurer procure of Major
Fenner a full and accurate transcript of the settlement he made as
Agent of the North Carolina line with the Continental Commiss-
ioners of Army Accounts, with the notes of all Certificates delivered by
Major Fenner to the respected officers and Soldiers by orders or oth-
erwise, previous to his delivery of any final settlement Certificates
into the Public Treasury.

Resolved further, That the Public Treasurer require of Major
Fenner a delivery of the Bills of exchange that remain in his hands
drawn by the Board of Treasury on the Commissioner of Loans in
this State, with the names of all the officers thus drawn in favour of.

All which is submitted.

THOMAS PERSON, Chn.

Resolved, That the House do concur with this report.

Received from the Senate a supplemental Bill to the act inti-
tuled "an Act concerning old titles of Land, for limitation of Ac-
tions, and for avoiding Suits at Law." Endorsed, read the second
time and passed. This Bill was read the third time in this House, passed and returned to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House having no business before them request the Senate to forward such as they may have passed upon.

Received from the Senate a Bill for raising a fund for erecting the buildings and for the support of the University of North Carolina. Endorsed, read the third time & passed.

This Bill was read for the third time, passed and ordered to be Engrossed.

Resolved, That the public Printers of this State be and are hereby directed to send the Acts passed this present Session of Assembly which are for the District of Washington to Salem, and lodge them in said Town, with Mr. Bloom.

Received from the Senate a Bill for allowing longer time for surveying lands entered in the office kept by John Armstrong, Military Warrants & pre-emption rights. Endorsed, read the second time and passed. This Bill was read for the second time in this House, passed and returned to the Senate.

Received from the Senate a Bill to repeal part of an Act passed at Tarborough 1787, authorizing James Iredell, Esquire, to revise and publish the Laws of this State. Endorsed, read the second time, and passed. This Bill was read the third time in this House, passed and returned to the Senate.

Received from the Senate a Bill to repeal part of an Act intituled "an Act for appointing an Agent & holding a treaty with the Cherokee Indians & for other purposes." Endorsed, read the third time and passed. This Bill was read the third time, passed & ordered to be Engrossed.

Received from the Senate the Resolution of this House allowing John Haywood, Esquire, public Treasurer, two hundred pounds, concurred with.

Whereas, the business of the Comptroller has become very burdensome by reason of being obliged to remove from place to place by order of the General Assembly; and whereas it is just and right that all public officers be allowed a Salary adequate to their services; Therefore,
Resolved, That the Comptroller be allowed the sum of one hundred pounds as an addition to his salary for the year one thousand seven hundred & ninety, and that the Treasurer be directed to pay him the same and be allowed in settlement of his public accounts.

Resolved, That the Commissioner of Confiscated estates in the District of Salisbury be directed not to demand payment of those persons who purchased any part of the estate of James Kerr, but that he deliver to them their Bonds given for the same, it having been proven to the satisfaction of this General Assembly, that the Judges of the Superior Court at Salisbury did decide and adjudge, that the estate of the said Kerr was not confiscated or forfeited.

Whereas, sundry persons, Citizens of this State who became purchasers of Confiscated property at the sales had in the districts of Salisbury, Hillsborough and New Bern, about the close of the year 1782, from a misconstruction of the Law directing such sales, did give their bonds payable in cash for the full amount of the property by them purchased, believing they should at any time thereafter, be at liberty to pay off such bonds with money to the amount of one third, and with Certificates to the amount of the remaining two thirds, altho' the Act of Assembly had in fact held out that condition in case the Certificate payment was a prompt one, but not otherwise; And whereas, this General Assembly are of opinion that the compelling purchasers of the above description to pay up the full amount of their Bonds in actual Cash would be unjust and would ultimately prove ruinous to numbers of them; Be it therefore,

Resolved, That the Public Treasurer be and he is hereby directed, in settlement of all bonds given as aforesaid, to permit the payor to discharge and pay off two thirds of the same in Certificates, calculating the Interest thereon in such manner and receiving the Certificates on such principles, as to make them of the same value to the State as if they had been paid on the day of sale.

Resolved, That this resolution shall extend not only to those purchasers whose bonds express the full amount of the purchase money, but to such of them also who may have paid a part of the purchase money in Certificates, but a sum not equal to the two thirds of the amount of their original debit; Provided nevertheless, that nothing contained in the above resolutions shall be so construed as to exonerate the purchasers of confiscated property from the payment of one third part of the full amount of the purchase in actual money with
Interest thereon; And provided also, that none of the purchasers aforesaid shall be considered as being entitled to the benefits of these resolutions unless they avail themselves of them by making an actual payment to the full amount of the Certificate part of their Bonds on or before the first day of April which shall happen in the year 1790, and

Resolved further, That all persons who purchased and gave bonds as aforesaid who do and shall appear at the Superior Court to be held for the district of Hillsborough, on the first day of April next, and confess Judgment for the remaining one third of their bonds (which together with the Interest of such one third shall be paid in Cash), shall be entitled to a stay of execution on Judgment for the space of twelve months, the party confessing Judgment being nevertheless liable to pay Interest on the amount of the Judgment so confessed, until the same shall be completely recovered and paid into the Treasury.

The House adjourned until four O' clock P. M.

Met according to adjournment.

Mr. Hawkins, from the Committee of Propositions and Grievances to whom was referred the Memorial of Francis Child, delivered in a report thereon, which being read was rejected.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We consent to amend the report of the Committee on the Petition of John Markland as by you proposed.

The Report above alluded to was again taken up, concurred with by this House as amended, and returned to the Senate.

Resolved, That the thanks of the General Assembly be presented to Colo. Benjamin Smith of Brunswick County for his very generous donation of Twenty Thousand Acres of Land to the University of North Carolina, and that this resolution be published in all the Gazettes of this State.

Received from the Senate the resolution of this House directing the Printers to lodge the Acts for Washington District, &c., at Salem; and the resolution directing the Public Treasurer to advance fifty pounds to Major Thomas Evans, Conquered with.

Resolved, That the public compass now in the possession of John

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Williams, Esquire, in Caswell County, be delivered to Thomas Person, Esquire, for the University of North Carolina.

Received from the Senate the resolution of this House for presenting the thanks of the General Assembly to Benjamin Smith for his generous donation to the University of this State, concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

The resolution of your House relative to a Compass we have rejected & send you one herewith which we propose in lieu thereof.

The resolution above alluded to, being read was concurred with and returned.

Received from the Senate a Bill for allowing longer time for surveying Lands entered in the office kept by John Armstrong, Military Warrants & pre-emption rights. Endorsed, read the third time and passed. This Bill was read the third time in this House, passed and ordered to be Engrossed.

Resolved, That the Treasurer settle with Mr. Baird, late Sheriff of Rowan County, and make the same allowance of Interest on the Certificates by him paid into the Treasury as to the other Sheriffs on Certificates of the like nature.

The Reports of the Committee of Claims were read, concurred with and sent to the Senate.

Received from the Senate a Bill for establishing two places for holding General Musters in the County of Wilkes, Burke and Rutherford and the place of holding Courts Martial, and for altering the manner of holding Elections of Members to represent said Counties in the General Assembly. Endorsed, read the third time and passed. This Bill was read the third time in this House, passed and ordered to be Engrossed.

The Chairman of the Committee of Propositions and Grievances delivered in the Memorial of Patrick Traverse and the Petition of John McKethin, which had in the course of this Session been referred to the Committee. Ordered that they lie over until the next Assembly.

The Committee to whom was referred the resolution of the 17th Instant, proposed by Mr. John G. Blount, reported that they are of opinion that the same would be just and proper.

All which is submitted.

Wyatt Hawkins, Chn.
Ordered that this Resolution lie over until the next Assembly.
The House adjourned until To-morrow Morning nine O'clock.

TUESDAY, 22 December, 1789.

The House met according to Adjournment.

Received from the Senate the resolve of this House directing in what manner the Treasurer shall settle with Mr. Baird, late Sheriff, &c., and the resolve in favour of Matthew Collins, concurred with.

Resolved, That James Iredell, Esquire, be authorised to revise and publish the Laws of this State in such mode, form and manner as his own knowledge and directions may direct.

The resignation of William Mooney, a Justice of the Peace for Brunswick County, was read, accepted by this House and sent to the Senate.

Received from the Senate a resolve of that House allowing John Carney for removing the papers of the Senate, &c., which being read was concurred with and returned.

Received from the Senate a Bill for allowing a further time for the Securities of James Williams, Esquire, to make payment for certain Lands therein mentioned. Endorsed, read the third time & passed. This Bill was read the third time in this House and rejected.

Resolved, That James Iredell be allowed the sum of two hundred and Fifty pounds towards defraying the expense of the revision of the Laws of this State.

The Committee who were authorised by the General Assembly to burn such money unfit for circulation as they should find in the Treasury, having executed that trust, Report,

That they have counted and burned, pursuant to the direction of the House, the sum of Two Thousand six hundred and forty one pounds seven Shillings, which was all the money delivered to them by the Treasurer which they thought unfit for circulation.

MATT. LOCK, Chn.

Resolved, That the House do concur with this report.

Whereas, it appears that David Vance, Commissioner of Specifics in the County of Burke, for the years of 1780 and 1781, stands charged with a considerable sum on the Comptroller's Book; And whereas, it also appears that said Commissioner would have had it in his power to have made a Final settlement with the Comptroller,
but when the accounts were produced the Comptroller did not consider himself justifiable to allow the Insolvents, allowed by the County Court of Burke; Therefore,

Resolved, That the Comptroller be directed to credit such Commissioner with the Insolvents allowed by said Court of Burke, and that the Treasurer decline bringing Suit against said Commissioner for Six months.

Resolved, That John Wilson be allowed the sum of Twelve pounds nine Shillings for Sundries found for the use of the General Assembly and that the Treasurer be directed to pay him the same and be allowed in the settlement of his public accounts.

Resolved, That John King, a witness in behalf of the State against Shadrack Henderson, be allowed four pounds one shilling for his attendance as such, and that the Treasurer pay him the same.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

On reading the book containing the reports from the Committee of Claims we propose that the allowance by you rejected in favour of John Arnold, Esquire, be allowed, and that Twenty pounds allowed Mrs. Dupree for a Negro executed, be made Eighty pounds; with the rest we have concurred.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We cannot concur with your propositions relative to the claims of Mr. Arnold & Mrs. Dupree.

The resignation of Joab Blackman, a Justice of the Peace for Sampson County, being read was accepted by this House and sent to the Senate.

Received from the Senate the resolution of this House allowing James Iredell two hundred and fifty Pounds; the resolution directing Mr. Iredell relative to the revision of the laws, and the resolution allowing John King four pounds one Shilling, concurred with.

Received from the Senate the report of the Sub-Committee of Finance, No. 6, Concorced with.

Resolved, That the Attorney General be directed to foreclose the several Mortgages which the State has on several Tracts of Land purchased by John Williams from the Commissioners of Confiscated property for the District of Hillsborough, and procure a decree in the Court of Chancery in Equity to sell the said Lands and that the
Public Treasurer stay the proceedings at Law against the Securities of the said James Williams until the decree be had and carried into effect.

Resolved, That the Treasurer be and he is hereby directed and authorised to pay to the widow of General William Davidson the half pay that will be due for the year 1790, when called for.

Whereas, it hath been made appear to this Assembly that several persons have lost Tobacco notes for Tobacco Inspected at the Fayetteville Warehouses, and the persons owning the same are greatly injured by reason of their Tobacco being withheld by the Inspectors until the notes are produced; therefore,

Resolved, That the said Inspectors are authorised to deliver the Tobacco for which the notes have been so lost upon the persons demanding the same and giving sufficient Bond and Security to indemnify the said Inspectors.

Received from the Senate a resolution of that House allowing John Herritage until the next Assembly to close his acct's as a Commissioner of Confiscation; which being read, was concurred with and returned.

The Commitee of Finance upon the Martinique debt, report,
That upon examining the debt due to Government of Martinique, there appears to have been due on the Fifteenth of October, 1788, a balance of four thousand eight hundred and twenty-six dollars 63-90; calculating the interest until the same day 1789 will amount to one hundred and twenty-one pounds one Shilling and a penny, the whole amounting to two Thousand one hundred & fifty one pounds fourteen Shillings and four pence. It appears to the Committee that the Tobacco purchased last year could not be disposed of in such manner as would discharge the debt. The Committee beg leave to remark that they find the demands for their money very urgent, that the debt is fast accumulating by interest, therefore submit to the House to devise the most eligible method of speedily discharging the same.

All which is submitted.

WM. MACLAINE, Chn.

The House taking this report into consideration concurred therewith; and

Resolved, That John Stewart be and he is hereby appointed Commissioner to sell and dispose of the Tobacco refused by the Agent of
Royal, Flint & Co., for the most in cash that can be got for the same, as soon as possible; that for his service, trouble and expense he be allowed a Commission of five per cent., and before he proceeds on the said business shall give bond with good security to the Governor for the time being, and his Successors, in the sum of three thousand pounds for the faithful discharge of the trust aforesaid, which shall be taken by the Governor and lodged in the Comptroller's office.

Resolved, That the said John Stewart pay the proceeds of the said sales as early as possible, into the Treasury, and that the Martinique debt be discharged in such manner as the Governor and Council may think proper under a resolution passed this day for that purpose.

Received from the Senate the report of the Sub-Committee, No. 2, to whom was referred the papers relating to the purchase and sales of the public Tobacco, Concurred with by that house; which being read, was concurred with by this house and returned.

Resolved, That James Porterfield, Commissioner for the purchase of Tobacco at Fayetteville, be allowed until the first of March next to settle his public accounts with the Comptroller, and if the said Commissioner shall fail to settle his account in the time aforesaid, that the Treasurer be directed to bring suit against the said Commissioner for all the monies, or any part thereof which may remain unaccounted for.

Received from the Senate a resolution of that house appointing John Stewart to receive the public Tobacco stored at Daleys, &c., for the purposes therein mentioned; which being read was rejected, and the following Message ordered to be sent to the Senate.

Mr. Speaker & Gentlemen:

We do not concur with your resolution relative to the appropriation of the public Tobacco refused by the Agent of Royal, Flint & Co., and herewith send you one on that subject for your Concurrence.

Whereas, a resolve passed in the General Assembly that the Certificates which a certain House and lot sold for as confiscated property of Edward Bridgen be returned to the Heirs of the said Bridgen; And whereas, the Comptroller has refused to return the said Certificates to the said Heirs, alleging he had previously defaced the same by order of the General Assembly;

Resolved therefore, That other Certificates be issued by the Comptroller to the same amount of those so defaced, with interest from
the date of the aforesaid resolve, to fulfill the intentions of the same resolution,

Received from the Treasurer the following Message:

To the Honorable the General Assembly:

Gentlemen:

Pursuant to the Act of 1786 I herewith lay before you for publication copies of my accounts as Treasurer for the year 1789. The lists of balances which were ordered by your resolution to be printed, are not yet finished; I am told by the printer he will have them compleated by four O’clock this afternoon, as soon as they are done they shall be sent to the two Houses.

The paper mould and other devises used in making the last emission of Money are still in my office, as it is highly probable they will never hereafter be necessary or be used, and as they may by accident possibly become either stolen or lost, I have thought it my duty to remind you they are in existence to the end you may order them destroyed if you think proper.

The enclosed notificatios are expressive of the intention of them, I have taken the liberty of sending them to the General Assembly in this manner, in order that they may be delivered out as directed, and forwarded by the Members to the respective Counties in the State.

JOHN HAYWOOD,
Publ. Treasurer.

Resolved, That the Paper mould in the possession of the Public Treasurer be destroyed in the presence of the three Members who represent the County of Orange in the present General Assembly.

Received from the Senate the report of the Committee on the representation of the Treasurer in favour of Thomas Martin. Endorsed, read and concurred with. This report being read was rejected, whereupon.

Resolved, That Major Thomas Martin be allowed the sum of forty-eight pounds nine shillings and seven pence as an extra payment to the Cumberland Battalion for provisions over and above the amount of the taxes appropriated to that service and that any holder of public Monies in the District of Mero pay him the same and be allowed therefor in the settlement of his accounts.

Received from the Senate a resolution of that House allowing the
Counties of Washington, &c., to pay their Taxes; which being read was concurred with and returned.

Received from the Senate the resolution of this House allowing John Wilson a sum therein mentioned;

A Resolve appointing John Stewart to sell & dispose of certain Tobacco, &c.;

A Resolve directing the Comptroller to credit David Vance for Insolvents, &c.;

A Resolve allowing John Craven, Clerk to the Treasurer, the pay of Engrossing Clerks, &c.;

A Resolve directing the Attorney General to foreclose the Mortgages therein mentioned, &c.;

A Resolution directing the Treasurer to pay the widow of General Davidson half pay for the year 1790;

Sundry Resolutions of yesterday's date relative to the payment of bonds given for confiscated property purchased, &c.

Severally Concluded with.

Received from the Senate the following Reports, concurred with by that House, to-wit:

On the Memorial of Jennett Doak;
On the Petition of William Griffin;
On the Petition of Francis Owens;
On the Memorial of Ptolemy Powell;
On the Memorial of Henry Giles;
On the Memorial of Francis Thackston;
On the Memorial of Doctor Isaac Alexander;
On the Petition of William Armstrong;
On the Memorial of James Kerr, Administrator, &c.;
On the Memorial of Spruce McKay;
On the Petition of Elijah Hadden;
On the Petition of Thomas Horsey; and
The Report for burning the ragged money.

Received also, the following reports for the concurrence of this House, which being read were concurred with and returned, to-wit:

On the Petition of John McNeil;
On the Memorial of Lewis Baird and others;
On the Memorial of John Wright, Junr.;
On the Memorial of Robt. Hays;
On the Memorial of John Brevard;
On the Petition of Neill Ray;
On the Petition of Thomas Jones;
On the Memorial of Billy Hughes;
On the Petition of Joseph Green, and
On the Petition of William Gilbert.

On a motion made by Mr. Mebane, Ordered that Mr. Blackledge have leave to withdraw from the House his accounts and vouchers.

The House adjourned until 4 O'clock P. M.

Met according to adjournment.

Received from the Senate the report of the sub-Committee of Finance upon the Martinique demand;

The Resolve in favor of Thomas Martin;

The Resolve directing the paper mould in possession of the Treasurer to be destroyed, and

The Resolve directing the Comptroller to issue Certificates to the Heirs of Edward Bridgen, severally concurred with.

Ordered that the bill to amend an Act intituled "an Act for establishing Courts of Law & for regulating the proceeding therein," &c. be laid over until the next Assembly.

Resolved, That Messrs. Sibley and Howard, printers in Fayetteville, be allowed the sum of Eighty pounds for the printing business by them done for this General Assembly, and which the Clerk of this House contracted for, agreeable to a resolution of the General Assembly.

Resolved, That Thomas Person be requested to deliver to the Comptroller a receipt given to him by Robert Denny for sixty Thousand pounds received for the use of the Continental Army, & that the Comptroller transmit to the Agents of this State the said receipt in order that they may obtain a credit for the same with the United States.

Resolved, That James Moore be allowed the sum of Thirty nine pounds for fire-wood and Candles supplied for the use of the General Assembly.

Received from the Senate the resolution of this House allowing Messrs. Sibley & Howard Eighty pounds, concurred with.

Resolved, That the Clerks of the Assembly be allowed each three pounds Ten shillings per day, and Twenty Shillings for every Thirty Miles traveling; The Engrossing Clerks forty Shillings per day & Twenty Shillings for every thirty Miles traveling; the Doorkeepers
each per day Thirty Shillings, and Twenty Shillings for every thirty miles traveling; and Richard Frier for drawing and Engrossing Bills, Thirty Shillings for every day's attendance on this Assembly.

Received from the Senate the resolution of this House ascertaining the pay of the Clerks, &c., concurred with.

Received from the Senate the Resolution of this House allowing James Moore thirty nine pounds, & the resolve requesting Thomas Person to deliver a receipt to the Comptroller for the sum therein mentioned, &c., Concluded with.

Received from the Senate the resolution of that House declaring John Sevier to be the Brigadier General of the District of Washington, &c.; which being read, was concurred with and returned.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen:

We do not concur with the Resolution by you proposed on the subject of Tobacco notes lost or misplaced, but send you one which we have adopted in lieu thereof.

The Resolution referred to in the foregoing Message being read, was concurred with and returned to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

This House having gone through the public business now propose to adjourn Sine Die.

Received from His Excellency the Governor, the following Message:

To the Honorable the General Assembly:

Gentlemen:

As the session is drawing near to a close, and you about to return to your respective Counties where your Constituents will no doubt be anxious to receive such public information you will please to communicate, who reposing confidence in you, will be influenced with your sentiments of political measures more or less, as you yourselves appear to be actuated with; and as a great event hath turned up during your Session not only interesting to them but the Citizens of the United States, the adoption of the Federal Constitution by the Convention of this State, I beg leave to draw your attention a moment to this subject, and impress on your minds a few observations.
That this event must be the subject of great joy to our sister States, as well as to our friends and allies in Europe, on hearing that one important link late broken in the American Union is again restored; That unanimity, the great Basis of all Civil Government is about again to pervade the whole of our Councils, and we become again a member of this Federal body and made to participate of all the advantages arising therefrom, and should there be disadvantages we have the highest reasons to hope the balance will be much in our favour, yet all trying time must determine the question. However at this early dawn of the new Government fair prospects seem to brighten and promise a propitious day.

Although some of the great establishments have been formed on which it is to be wished this State had borne her part at an earlier period, yet an ample field is still open to distinguish herself, and give weight to the Continental Scale. Perhaps it is all for the best, that this State hesitated and was not precipitate in Ratifying a form of Government intended to last for ages, without maturely deliberating how far the lives, liberties and properties of her Citizens were to be protected and secured by it. A jealousy of their rulers ought to subsist in all free Governments as the grand check that freedom hath over tyranny.

From this Spirit the British Government, acknowledged in theory by the greatest politicians and most learned societies in the world as the most perfect Model of a free Government under Heaven, for a long tract of time with all its practical vices hath derived its chief support.

Although the new American Government may still have its defects, it is impossible it could arrive at perfection in a day; what is deemed a perfection now may hereafter be found a defect, what hath been reprobated as a defect, may in future approach perfection. It is experience alone, after the grand machine is put in motion must make the discovery. This truth the history of all nations evinces. That of our Ancestors declared it required a thousand years to shape their Government in its present beautiful, tho' vitiated form. An Alfred laid the foundation & a William the Third completed the structure.

Let us remember we embarked with our Sister States in one bottom making one common cause, which by the effusion of kindred and united Blood spent in its support hath cemented our mutual inter-
ests in one great Family that hath gained a rank among the nations as an independent Sovereignty. That purchased at so dear a price the American Government was too precious a prize to ever become the sport & prey of restless faction, or enterprising ambition, without affording it the necessary means for its own security and the protection of its Citizens. To arm it with additional powers for this great end was the object of the Federal Constitution, which hath been ratified by the Convention of this State as the future form of Government of the United States.

As you, Gentlemen, composed a great part of that respectable body, it is greatly incumbent in you whether as officers or private persons you return to the citizens you represent, to reconcile those jarring sentiments, if any remain, that seemed unfortunately to prevail in different parts of the State. Although the public peace hath not been immediately disturbed, yet invidious distinctions have arisen that tended to that end. Let hereafter the Federal and antefederal name be no more heard as a reproach. Let the people be told that the Government of the United States is still in the power of their Citizens, and so must remain while composed of its present materials. That the President with all his supposed prerogatives of royalty, the Senators with their pretended aristocratic authority, and the Members of the House of Representatives after the several periods of their political existence limited by the Constitution have expired, must all return to the Class of fellow Citizens, be amenable for their conduct and feel with them, the effects of that Government they have administered.

Let our citizens be led to embrace again their Northern and Southern brethren, with former affection and cordiality in the adoption of this new system of Government, that be the same perfect or imperfect, tho' at present the most perfect to be obtained, the same they are determined to stand or fall together in its support, and as they with the other citizens of the United States under the old, notwithstanding its feeble powers, performed wonders in its defence, and have thereby been called a glorious Band of Brothers, let the name still inspire them to enter the new Union now fixed on firmer Ground with joy, and with united efforts maintain and defend it against all its enemies and opposers whereever to be found. Lastly let them rest assured that while we all pursue the practice of the great national as well as private virtues, we shall meet the countenance of Heaven, and
that the God of virtue and of liberty who hath so remarkably led
those States to Sovereignty and Independence will not forsake them,
and suffer them to fall a prey to foreign or domestic tyranny, but
will preserve them in his holy keeping.

ALEX. MARTIN.

Fayetteville, 22 Decr., 1789.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen:

We herewith send you a Message of this day’s date, from His
Excellency the Governor.

John Gray Blount protests against the Bill the better to regulate
the Inspection of Tobacco: Because, in the description of the Class-
es there is not a proper discrimination observed between them, and
the Tobacco which is suitable to be placed in the third Class may be
placed in the second, from which circumstances every person who
reads the law will conclude that the General Assembly which passed
it were at least ignorant of the business they were about.

J. G. BLOUNT.

John Alderson protests against the bill for altering the time for
holding annual Elections in this State, for this reason, to-wit: Be-
cause, agreeable to said Bill an Election cannot be lawfully conduct-
ed in the several Counties wherein there are more than one place
of Election, particularly in the County of Hyde.

We whose names are hereby annexed, on behalf of the people
whom we represent in General Assembly Protest against an Act
intitled “an Act for opening a Waggon Road from White’s Mill in
Hawkin’s County to Bledsoe’s Lick in Sumner County,” passed the
House of Commons this present Session, on Account of the follow-
ing reasons:

1. That the said Act orders the drafting of men to work on the
proposed road.

2. To draft for any such purpose appears inconsistent with the
principles of a free Government, no draft being to be made but in
time of War, or great emergencies.

3. Is a restraint on the liberty of freemen and a grievance un-
constitutional, and a dangerous innovation.

4. The people of Sullivan County are one hundred Miles from
the place to work on, the people of Washington County the same
distance, which will occasion the expence of travelling nearly to equal that of working.

5. There are reasons it is presumed will evince the said Act to be a restraint of liberty, which will bring this case within the thirteenth clause of the Bill of rights of North Carolina, which is: That every freeman restrained of his liberty, is entitled to a remedy, to enquire into the lawfulness thereof, and to remove the same if unlawful, and that such remedy ought not to be denied or delayed.

John Rhea, representative from Sullivan.

Robert Love, John Blair, from Washington.

I do enter my dissent against the appointment of John Stokes to be Judge of the Superior Court for Morgan District, for the following reasons, vizt:

Because, He accepted that appointment from the last General Assembly and did not resign it till the setting of this Assembly, to enable him with a constitutional appearance to take his seat in the House of Commons for the County of Rowan.

Because, His taking a seat in this Assembly, being a violation of the Constitution, is inconsistent with the character which a Judge ought to support.

Because, such political jobbing is unworthy the representatives of a free people and incompatible with the dignity of the Legislature of North Carolina.

ED. JONES.

Thomas Tyson protests against the passage of the Bill for raising a fund for erecting the buildings and for the support of the University of North Carolina.

1st, Because, He believes it to be repugnant to the Constitution of this State to grant any exclusive emoluments to any man or set of men except for services rendered.

2dly. Applying part of the public revenue to the above mentioned purpose must augment the Tax on the Citizens who can by no means be in any measure benefitted thereby.

Resolved unanimously, That the thanks of this House be given to the Honbl. Stephen Cabarrus, Esquire, for his able, faithful and diligent services as Speaker thereof.

S. CABARRUS, Sp. H. C.

By Order, J. HUNT, C. H. C.
### ESTIMATE OF ALLOWANCES TO THE MEMBERS OF THE HOUSE OF COMMONS, DECEMBER, 1789.

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<td>30</td>
<td>(a) 30</td>
<td>69</td>
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<tr>
<td>John Hunt, for Stationery</td>
<td>200</td>
<td>51</td>
<td></td>
<td>21 1 3</td>
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<tr>
<td>Peter Goodey, Door Keeper</td>
<td>200</td>
<td>51</td>
<td></td>
<td>83 3 4</td>
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<tr>
<td>James Mulloy, ditto</td>
<td>240</td>
<td>51</td>
<td>(a) 70</td>
<td>84 10</td>
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<tr>
<td>Pleasant Henderson, Assist Clerk</td>
<td>9</td>
<td>(a) 70</td>
<td>31 10</td>
<td></td>
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</tbody>
</table>

RECEIVED OF THE TREASURER, RECEIPTS, NOTES, &C.

<table>
<thead>
<tr>
<th>Name</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>A. Sutton</td>
<td>£ 63 2 00</td>
</tr>
<tr>
<td>Peter Qualls</td>
<td>58 00 00</td>
</tr>
<tr>
<td>John Womack</td>
<td>55 00 00</td>
</tr>
<tr>
<td>T. Hines</td>
<td>58 00 00</td>
</tr>
<tr>
<td>Jo. McDowell</td>
<td>58 00 00</td>
</tr>
<tr>
<td>F. Pugh</td>
<td>41 00 00</td>
</tr>
<tr>
<td>Robert Dickens</td>
<td>55 00 00</td>
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<tr>
<td>John Scott</td>
<td>67 00 00</td>
</tr>
<tr>
<td>F. Pugh</td>
<td>20 00 00</td>
</tr>
<tr>
<td>Saml. Peete</td>
<td>56 00 00</td>
</tr>
</tbody>
</table>

These notes or receipts I destroyed.

J. HUNT.

21—28
MEMORANDUM OF LEGISLATIVE PAPERS.

English, Early & Co., Resolve, Mr. Holland.
Inhabitants Salisbury District, Report, Mr. Lock.
Charles Dicks, Report, Colo. Dauge.
Henry Smaw, Report, Mr. J. G. Blount.
Matthew Lock, Report, Mr. Lock himself.
Lewis McPherson, Report, himself.
William Brandon, Report, Mr. Lock.
Lt. Horse, Hillsbo., (Guard, &c.), Resolve, Mr. Mebane.
John Williams, Comr., Report, himself.
James Fletcher, Report, Wm. Johnston.
James Bonner, Report, J. B. Blount.
Cosimo Medici, Report, himself.
Nicholas Long, Report, Lunsford Lane.
Thomas Benbury, Resolution, Mr. Cabarrus.
Thomas Amis and Francis.
Perymant, Report, Mr. Stokes for C. Johnson.
Timothy Riggs, Report, himself.
James Glasgow, Secretary, Resolve, himself.
Samuel Westray, Report, John Bonds.
Thomas Viverett, Report, John Bonds.
Francis Child, Certificate of £20, Alex. Mebane.
John Taylor, Certificate of £5, Alex. Mebane.
William T. Lewis, Report, deld. himself.
John Whitaker, Report, John B. Ashe.
Thomas Evans, Resolve, Mr. Dekeser by order.
Alex. Outlaw, Report, Mr. Outlaw.
James Iredell, Resolve, Mr. Cabarrus.
James Iredell, Resolve, Mr. Cabarrus.
John King, Resolve, A. Mebane.
The Comptroller to issue Certificates to the Heirs of Edward Bridgen, Resolve, Edward Jones.
Thomas Martin, Resolve, General Smith.
Elisha Hadden, Report, Mr. Blair.
Thos. Person to deliver a recpt. to the Comptroller, Report &
Recpt., Mr. Person himself.
Sibley & Howard, £80, Resolve, Doctr. Sibley.
Treasurer to stay the Exors. vs. Richd. Blackledge, Report, Mr.
Blackledge.
Henry Giles, Report, Spruce McKay.
Spruce McKay, Report, himself.
Wm. Armstrong rejected the vouchers deld. T. King.
Isaac Alexander, Report & vouchers, Spruce McKay.
John Wilson, Resolve, himself.
Resolve for the Judges, themselves.
Resolve of thanks to Ben. Smith, himself.
David Vance, himself.
Public Printers, Enclosed.
Laws for Mero District lodged at Salem, Enclosed.
Court Laws to be printed, Enclosed.
Treasurer to settle with Colo. Outlaw, Treasurer.
Paper mould to be destroyed, Treasurer.
Treasurer allowed, himself.
Resolution respecting sales of Confiscated property, himself.
Resolve to foreclosing Mortgages, &c., Attorney General.
George Hoskins, Treasurer.
Report of the Committee on Finance, No. 6, Treasurer.
Resolution respecting the accts. of L. Baird, Treasurer.
Letter respecting the Boundary line from the Gov. of Virginia,
Governor.
No. 27 & 28 laid over.

Mr. Speaker & Gentlemen:
We herewith send you a Message of this day's date from His Ex-
cellency the Governor.
Treasurer to settle with Colo. Outlaw, Treasurer.
Paper mould to be destroyed, Treasurer.
Treasurer allowed, himself.
Resolution respecting Laws of Confiscated property, himself.
Resolve to foreclosing Mortgages, &c., Attorney General.
George Hawkins, Treasurer.
No Report of the Committee on Finance.
Rept. J. B. Ashe, Willie Jones.
Rept. Hugh McDonald, Self.
Rept. Arthur Brown, Treasurer.
Rept. on acct. Robt. Rowan, Treasurer.
Treasurer to advance Col. Leech £100, E. Jones.
Wm. Dudley, Resolve, M. Sitgreaves.
Rept. David Davis, Devotion Davis.
Rept. Wm. Moore, Jo. McDowall.
Rept. Wm. Delancy, Jas. Robinson.
Rept. J. Humphries, himself.