HOUSE JOURNAL---1790.

NORTH CAROLINA.

At a General Assembly begun and held at Fayetteville, on the first day of November, in the year of our Lord one thousand seven hundred and ninety, and in the fifteenth year of the independence of the United States of America: 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, to-wit:

For Anson county—William Wood.
Beaufort—Richard Grist and John Lanier.
Bertie—David Stone.
Brunswick—Benjamin Smith.
Bladen—Joseph Gautier and Duncan Stewart.
Burke—Joseph M'Dowall, Jun., and David Vance.
Craven—Levi Dawson.
Chowan—Stephen Cabarrus and Lemuel Creecy.
Carteret—John Fulford and William Borden.
Camden—Enoch Sawyer and Charles Grandy.
Caswell—Robert Dickins and John Graves.
Currituck—Joseph Ferebee and Andrew Duke.
Chatham—James Anderson and John Mebane.
Duplin—Joseph Dickson and Shadrach Stallins.
Dobbs—Willoughby Williams and Joshua Croom.
Edgecomb—John Leigh and Bythell Bell.
Franklin—Jordan Hill and Archibald Davis.
Granville—Thomas Person and Thornton Yancey.
Guilford—Hance Hamilton and Robert Hannah.
Gates—James Baker Sumner.
Halifax—John Dawson and Willis Alston.
Hertford—Robert Montgomery and Henry Hill.
Hyde—James Jasper and Michael Peters.
Johnston—Matthias Handy and Hardy Bryan.
Iredell—David Caldwell and Mussentine Matthews.
Jones—Edward Bryan.
Lincoln—John Moore and Wm. M'Laine.
Mecklenburg—Robert Irwin and William Polk.
Martin—Jesse Cherry and Ebenezer Slade.
Montgomery—Thomas Butler and Thomas Ussory.
Moore—William Martin.
Northampton—Halecott B. Pride and Samuel Tarver.
Nash—John Bonds and James Battle.
New Hanover—Henry Watters and John G. Scull.
Onslow—John Spicer and Christopher Dudley.
Orange—John Carrington and Alexander Mebane.
Pitt—Shadrach Allen and Samuel Simpson.
Perquimans—Ashbury Sutton and Benjamin Perry.
Pasquotank—Edward Everigin and Thomas Reading.
Rowan—Matthew Lock and Basil Gaither.
Rutherford—William Porter and James Withrow.
Rockingham—James Taylor and Abram Philips.
Randolph—William Bailey and William Hill.
Robeson—Neill Brown and Ralph Regan.
Richmond—William Robeson and Thomas Blewit.
Surry—Edward Lovell.
Sampson—James Thomson and William King.
Stokes—George Houser and Absalom Bostick.
Tyrrel—
Wake—Ransome Southerland and Britton Sanders.
Wilkes—Jesse Franklin and William T. Lewis.
Warren—Nathaniel Macon and Wyatt Hawkins.
Wayne—John Coor Pender.
The town of Salisbury—
Hillsborough—William Nash.
Halifax—
Edenton—
Wilmington—
New Bern—Isaac Gaino.
Fayetteville—John Hay.

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

William Wood, Thomas Ussory,
Richard Grist, William Martin,
STATE RECORDS.

John Lanier, Samuel Tarver,
David Stone, John Bonds,
Benjamin Smith, James Battle,
Joseph Gautier, John G. Scull,
Duncan Stewart, Henry Watters,
Jo. M'Dowall, Jun., John Spicer,
David Vance, Christopher Dudley,
Levi Dawson, John Carrington,
Stephen Cabarrus, Alexander Mebane,
Enoch Sawyer, Shadrach Allen,
Robert Dickins, Benjamin Perry,
Joseph Ferebee, Edward Everigin,
James Anderson, Thomas Reading,
John Mebane, Matthew Lock,
Joseph Dickson, Bazil Gaither,
Shadrach Stallins, William Porter,
Willoughby Williams, James Withrow,
Joshua Croom, James Taylor,
John Leigh, Abram Philips,
Bythell Bell, John Fulford,
Jordan Hill, William Bailey,
Archibald Davis, Neill Brown,
Thomas Person, Ralph Regan,
Thornton Yancey, William Robeson,
Hance Hamilton, Thomas Blewitt,
Robert Hannah, Edward Lovell,
James B. Sumner, James Thomson,
Willis Alston, William King,
Robt. Montgomery, George Houser,
Henry Hill, Absalom Bostick,
James Jasper, Ransom Southerland,
Michael Peters, Brittain Sanders,
Matthias Handy, William T. Lewis,
Hardy Bryan, Jesse Franklin,
David Caldwell, Nathaniel Macon,
Mussentine Matthews, Wyatt Hawkins,
Edward Bryan, John C. Pender,
John Moore, William Naish,
William M'Laine, Isaac Guion,
Robert Irwin, John M'Kay,
STATE RECORDS.

William Polk,        William B. Grove,
Jesse Cherry,        John Hay,
Ebenezer Slade,      Samuel Simpson,
Thomas Butler,       Andrew Duke.

Mr. Person proposed for Speaker Stephen Cabarrus, Esq., who was unanimously chosen, and conducted to the chair accordingly.

On motion, John Hunt was appointed Clerk, and John Haywood Assistant. At the same time Peter Gooding and James Mulloy were appointed Door-Keeprs.

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

TUESDAY, NOVEMBER 2, 1790.

Met according to adjournment.

Mr. David Turner, one of the members for Bertie county; Mr. John Graves, one of the members for Caswell county; Mr. William Hill, one of the members for Randolph county; Mr. Ashbury Sutton, one of the members for Perquimans county, and Mr. Simeon Spruill, one of the members for Tyrrel county, appeared, were qualified, and took their seats.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:
This house is now formed and ready to proceed on the business of the public.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:
We have received your message acquainting us that your house is formed; in answer to which we acquaint you that we are also formed, and ready to proceed on the public business.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:
The address which accompanies this we propose shall be presented to his Excellency the Governor, should it meet your approbation; Mr. Macon and Mr. Hargett will on the part of this house attend and present him with the same.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:
This house have received and do approve of the message proposed
by you to be presented to his Excellency the Governor; we have nominated on our parts Mr. Person and Mr. Mebane to attend him with the same.

Mr. Person presented the affidavit of the Hon. Stephen Cabarrus, Esq., setting forth that he heard Lemuel Creecy proclaimed by the Sheriff of Chowan county as being duly elected a member of the House of Commons for the said county, to serve in the present General Assembly; and at the same time also presented the affidavit of the said Mr. Creecy, setting forth that in consequence of his being elected a member as aforesaid, he did receive a certificate of his said election from the Sheriff of Chowan county, purporting the same, but by some mistake he had either lost or mislaid the said certificate; whereupon Mr. Person moved that Mr. Creecy be permitted to qualify and take his seat; which being agreed to, Mr. Creecy did thereupon qualify and take his seat accordingly.

Resolved, That Mr. Bonds, Mr. Spicer, Mr. Turner, Mr. Nash and Mr. Sanders, be a committee to hear and report on the reasons of such members who failed to appear on the day appointed for the meeting of the General Assembly.

Resolved, That Mr. M'Dowall, Mr. Irwin, Mr. Person, Mr. Davis, Mr. Sutton, Mr. Dawson, Mr. Gautier and Mr. Grove, be a committee of privileges and elections.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We propose that the two houses ballot at 4 o'clock this evening for three engrossing and committee Clerks, and nominate Mr. Curtis Ivey, Mr. Pleasant Henderson, Mr. John Dixon and Mr. Richard Frear.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to ballot as by you proposed for three engrossing and committee Clerks.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

Mr. M'Dowall, Mr. Graham, Mr. Courtney, Mr. Qualls, Mr. Skinner, Mr. Hargett, Mr. Kenan and Mr. Lane, will on the part of this house act jointly with such gentlemen of your body as may be appointed a committee of propositions and grievances. We have also appointed as a committee of claims, Mr. Dixon, Mr. Nesbit,
Mr. Lane, Mr. Benford, Mr. Riddick, Mr. Bryan, Mr. Snead and Mr. Barnes.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

This house have on their part appointed a committee to consider of and report to the two houses what bills of a public nature are proper to pass into laws at the present session, and propose that some gentlemen of your body be appointed to act with them; the gentlemen nominated by this house are Mr. Lock, Mr. Taylor, Mr. Macon, Mr. Person, Mr. Mebane, Mr. Polk, Mr. B. Smith, Mr. Hay, Mr. Southerland, Mr. Dickins, Mr. Leigh, Mr. Guion, Mr. Franklin, Mr. Creecy. We have received the message of your house proposing to appoint a committee of propositions and grievances, and also a committee of claims and have acceded thereto. For the committee of propositions and grievances we have appointed Mr. Porter, Mr. Irwin, Mr. Dickins, Mr. Leigh, Mr. Sawyer, Mr. Allen, Mr. Watters, Mr. M'Kay, and Mr. Carrington. For the committee of claims we have appointed Mr. Porter, Mr. Caldwell, Mr. Mebane, Mr. Hawkins, Mr. Montgomery, Mr. Handy, Mr. Scull, Mr. Wood, Mr. Irwin.

Received from his Excellency the Governor the following message:

To the honourable the General Assembly of the State of North Carolina.

Gentlemen:

I do myself the honor to lay before you the several communications come into my hands in the recess of your body, that are of a public or important nature.

The authenticated copies of several acts of Congress passed at their last session, transmitted to me by the Secretary of State for the United States, first merit your attention; some of those acts concern the State more immediately, particularly an act to accept a cession of the claims of the state of North Carolina to a certain district of western territory, the deed of which, pursuant of an act of the General Assembly of this State, passed for this purpose at their last session, was executed in due form by our Senators in Congress, and the same, with the first recited act, I have caused by proclamation to be duly promulgated. As the ceded territory contains nearly one of the districts of the State late entitled to representa-
tion in Congress, it will be necessary that the other districts be new modeled by legislative act, that the number of representatives this state claims in its present situation by the federal constitution, be apportioned to such parts as will make that representation equal and just. The time of our representatives serving in Congress having nearly expired, as by the resolution of the House of Representatives now laid before you, it will be also necessary that the legislative provision be made for another election before the fourth day of March next, that the members be in readiness to take their seats in Congress at that time agreeably to said resolution.

The act of Congress for the assumption of the debts of the individual states without their particular consent, or application of their citizens for this purpose, seems to exhibit, at an early period, a new and unexpected precedent of legislation in the federal government. How far the same may involve in it the independence and internal sovereignty of the state, is a subject I shall not undertake to discuss, but suppose the principles of pure and equal justice dictated in that honourable body this extraordinary measure. By this act taking effect some part of our revenue system you may think proper and advisable to alter and make conformable to it. Our Agents for settling the accounts of the state with the Commissioners of the United States, inform by their communication before you, that in consequence of the above act our public accounts are to wear a new dress by undergoing a different statement from the former, and other claims admitted greatly in favour of the State.

The correspondence and papers respecting the Martinique debt are presented to your notice, and I am happy to inform you, that by and with the advice of the Council of State, that debt which hath so long burthened and disgraced this State, is so far put in train, I flatter myself, as will shortly be extinguished forever.

I beg leave to call your attention to the frauds daily practicing on the public credit of the state by nefarious villains in the neighbouring states as well as in this, the counterfeiting of our bills of circulating currency in such an artful manner as almost baffles detection, and the infamous traffic carried on with the same demand some new exertions of legislative authority on the suppression of these crimes. Though the laws be deemed adequate to the punishment of persons offending in the state, yet these offences committed out of the government, bid defiance to those laws and pass with im-
purity. I submit to your wisdom the propriety of calling in the whole of our present paper medium and exchanging the same with another prepared with greater accuracy and art in the materials, under the direction of characters equal to the trust, and possessing your highest confidence: That the same be not considered a new emission but a mere exchange of the present currency to secure the public credit of the State. That your sense of the above great evils be expressed in resolves or otherwise, and the Executive be authorised to transmit the same to the neighbouring or all the states in the union, requesting them to pass laws inflicting punishments as to them shall seem just on such of their citizens guilty of the said offences, so destructive to public credit and commerce in general as well as to our own.

The General Assembly at their last session were pleased by an act, to establish an university in the state; but the funds allotted being slow in the collection, have not been nor shortly will be productive to answer the intentions of the legislature. This institution which hath been stamped with importance and erected for the cause of humanity, might do honour to this and the southern states, had it a proper support, where youth might be nurtured in true religion, sound policy and science, and men of abilities drawn forth to fill the different departments of government with reputation, or be formed for useful and ornamental members of society in private or professional life. To your further notice permit me to recommend this infant establishment, which without your fostering care must fall or rise slow into consequence. That a loan be granted from the treasury on the security of the present funds, and future to be established, to the Commissioners to enable them to proceed in erecting the buildings and give it a more essential than a paper being.

The judiciary system hath long been the subject of legislative attention, a reform hath been frequently attempted that hath failed. The daily increase of litigation in the courts of law and equity seem to demand some relief to our Judges in the growing burthens and great duties of their office by additional aid to their number. How far the same is necessary and expedient at this time is submitted to your wisdom.

The present route of the public post has long been considered a grievance to the part of the state where population more generally
obtains, in being confined to the seaboard towns where only a few inhabitants derive advantages from that establishment, in comparison of the great bulk of the people of the interior country deprived of them, where was it permitted to pass the post-office no doubt would be more amply supported, and a long circuitous route much shortened to the Southern States. By this the government would also be benefitted with much speedier intelligence, and the same diffused among our citizens with dispatch so necessary in our present federal situation. Had the interior parts of the state been indulged with cross-posts to the present post-stages, the inconvenience of the present establishment would not have been so severely felt; but this hath for some reasons never been granted: Permit me to urge your interposition on this subject, that our Senators in Congress receive your particular instructions to use their endeavours to effect the redress of this grievance, and have the regulation of the post route through the State agreeable to your sense and wish.

The above are the principal objects I have thought proper to lay before you. My letter-book and the journal of the Council of state are presented for your perusal and further information. Whatever shall come forward in the course of the session worthy of your attention, the same shall be communicated by message.

ALEX. MARTIN.

Fayetteville, November 2, 1790.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith transmit you a message this day received from his Excellency the Governor, together with the several papers therein referred to, which we propose referring to the joint committee appointed to consider of the bills proper to be prepared and passed into laws during the present session.

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

Met according to adjournment.

Mr. Cornelius Dowd, one of the members for Moore county, appeared, was qualified and took his seat.

Received from the Senate the petition of Ezekiel Arrington, endorsed "Read and referred to the committee of propositions and grievances;" which being read, was referred as by the Senate and returned.
Mr. Dickins presented the petition of Michael Montgomery, which being read, was referred to the committee of propositions and grievances, and sent to the Senate.

Received from the Senate the petition of William Lewis and Samuel Harrell, 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 a bill to carry into effect a resolution of Congress, passed the 29th September, 1789, endorsed “Read the first time and passed.” This bill was taken up and read for the first reading in this house, passed and returned to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We are now ready to proceed on the balloting for committee and engrossing Clerks, and propose in order to expedite this business, that the three who shall have the greatest number of votes be returned elected. Mr. Macon and Mr. Wynn will superintend the balloting on the part of this house.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have received the message of your house informing that you are ready to proceed on the balloting for engrossing Clerks, and proposing that the three having the highest number of votes be declared duly elected; to which we agree, and have appointed Mr. Macon and Mr. John Mebane to conduct the balloting.

Resolved, That the following rules of decorum be observed during the sitting of this house:

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

2d. 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.

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

4th. That no member shall come into the house, or remove from one place to another, with his hat on, except those of the Quaker profession.

5th. That no member shall speak more than twice to one ques-
tion upon any debate without leave, except in a committee of the whole house.

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

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

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

9th. That no member shall depart the service of the House without leave.

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

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

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

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

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a resolution relative to finance; should it meet your concurrence, Mr. Hargett, Mr. Wynn, Mr. Graham, Mr. M'Dowall, Mr. Macon, Mr. Owen and Mr. Dickson, will on the part of the Senate act with such gentlemen as you may appoint to report on the several subjects therein contained.

The resolution referred to in the foregoing message being read, was rejected: Whereupon, on a motion made by Mr. James Taylor, and seconded by Mr. Person, the following resolution was adopted by this house in lieu thereof:

Resolved, That a committee of finance be appointed, to consist of members from each house of the legislature, who shall be particularly directed to inquire into the net proceeds of each branch of the revenues of this State, and the net amount of all. Also, that they be particularly directed to extend their enquiries into the present state and condition of the treasury, into the application of the monies levied and collected since the last statement and arrangement made in the year 1789, until the time of making up the report.

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Also, that they enquire into and make report of all delinquencies of payment by all persons who have been entrusted with the management and disposition of public monies, with the amounts thereof respectively. That they be authorised to apply for all papers and documents necessary to such investigation in the possession of his Excellency the Governor, the Treasurer, Comptroller, or any other officer or Commissioner. That they report what progress the Treasurer hath made in recovering monies from those who were directed to be sued by a resolve of the last General Assembly, or of any former Assembly: That they make up an estimate of incidental expenses of the ensuing year. Also, that they enquire into and report the amount of the securities in circulation, for which this State was liable at the time they were assumed by the general government; likewise the arrears due to the State from citizens thereof in said securities, and the amount of such securities heretofore collected by the State; together with the amount of the certificates issued in lieu of others heretofore in circulation, agreeably to an act of the last General Assembly: And generally that they enquire into all other matters relative to the public monies or vacancies, which they may deem necessary for the consideration of the General Assembly, although such matters are not herein particularly specified, and that the said report when made, be printed and bound up together with the acts of the Assembly to be enacted this session.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have received your resolution for appointing a committee of finance, and directing their enquiries; we approve of the proposition to appoint such a committee, but think that the objects ought to be enlarged, and accordingly have drawn a resolution which we are of opinion will more effectually answer the purposes intended, which we herewith send for your concurrence. The members named for this committee on our parts are Mr. M'Laine, Mr. Lock, Mr. Person, Mr. Alston, Mr. Perry, Mr. Hardy Bryan, Mr. Smith, Mr. Grove, Mr. Leigh, Mr. Gautier, Mr. Polk, Mr. Macon, Mr. Mebane, Mr. Taylor, Mr. Dickins and Mr. Hay.

Mr. Macon, from the joint balloting for engrossing Clerks, reported,—That Pleasant Henderson, Curtis Ivey and Richard Frear, were elected for that purpose.
The House taking this report into consideration, concurred there-with.

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

Wednesday, November 3, 1790.

Met according to adjournment.

Mr. Wm. E. Lord, one of the members for Brunswick county, appeared, was qualified and took his seat.

Mr. Ferebee presented the petition of John Simmons; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

Mr. Ferebee presented the petition of David Campbell; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

The speaker laid before the House a letter from John Haywood, Esq., public Treasurer, giving information relative to the state of the treasury, and business appertaining thereto; which being read, was referred to the committee of finance and sent to the Senate.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

This house propose that a joint committee be appointed, to consider of and report what measures are proper to be adopted for the rectifying of mistakes committed in the issuing of patents or grants for lands from the late land-offices in this state, or the land-offices of the late King of Great-Britain, or of the late Lords Proprietors. We have on our parts appointed Mr. Dickins, Mr. Person, Mr. Irwin and Mr. Smith on this committee.

Mr. B. Smith presented the petition of Dennis Hankins; which being read, was referred to the committee appointed to correct errors in patents and sent to the Senate.

Mr. A. Mebane presented the petition of Mark Patterson; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

Mr. Robeson presented the petition of John Crawford; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

The petition of William Croom was read and referred to the committee to correct errors in patents, and sent to the Senate.
Mr. Person presented the petition of Wm. C. Webb and Conyers White, of Orange county, in the State of Virginia; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

Mr. Wm. Borden, one of the members of Carteret county, appeared, was qualified and took his seat.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

This house propose that an adjournment of the legislature take place till to-morrow morning, 9 o'cock, in order that the committees proceed to the consideration of the matters submitted to them.

Mr. Porter presented the petition of sundry of the inhabitants of Hyde county; which being read, was referred on the part of this house to Mr. M'Laine, Mr. Porter, Mr. Jasper and Mr. Stone, and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The petition which accompanies this we propose shall be submitted to the consideration of a joint committee, who shall report some plan to remedy the complaint of the petitioner, as well as all others holding like demands on this state. We also propose that this committee be instructed to report some plan for the relief of the citizens of this state who hold military claims issued in 1786, at Warrenton, which were not fraudulently obtained. Should you agree with us in this appointment of a committee for these purposes, Mr. Hargrett, Mr. Macon and Mr. Graham, will on the part of this house act with such gentlemen as you may nominate.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have appointed Mr. Irwin, Mr. Polk, Mr. Lord, Mr. Dudley, Mr. Franklin, Mr. Leigh and Mr. Borden, to act with the gentlemen by you nominated, as a committee to remedy the complaint of Adam Lawrence, and to report some plan for the relief of such persons who hold military certificates granted in 1786 at Warrenton, as were not fraudulently obtained.

Received from the Senate the petition of John Richards, endorsed "Read and referred to the committee of propositions and grievances;" which being read,
Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith return to you the petition of John Richards, which we propose referring to the committee to adopt measures for the correcting errors in patents, believing that to be more properly a subject for their consideration than of the committee of propositions and grievances, as by you proposed.

Mr. Nash presented the petition of Thomas Haslen, of the town of New Bern, setting forth that the election for a member to represent the said town in this house had been conducted in an illegal manner, and praying relief in the premises.

Ordered, That the said petition be referred to the committee of privileges and elections.

Mr. Samuel Moseley, one of the members for Surry county, appeared, was qualified and took his seat.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The resolution of your house appointing a committee of finance, and directing their enquiries, we return you concurred with. The gentlemen named in your message of yesterday on this head, will act on the part of this house.

Received from the Senate the following petitions, endorsed "Read and referred as by the House of Commons," to-wit:—The petition of William C. Webb and Conyers White, the petition of Mark Patterson, the petition of David Campbell, the petition of Michael Montgomery, the petition of John Crawford, the petition of John Simons.

The house adjourned until to-morrow morning, 9 o'clock.

THURSDAY, NOVEMBER 4, 1790.

Met according to adjournment.

Mr. Edward Jones, the member for the town of Wilmington, appeared, was qualified and took his seat.

Mr. Wood presented the petition of Joseph Ingram; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

Mr. Alexander Mebane presented the petition of sundry of the
inhabitants of Orange county, setting forth that they did before the revolution purchase sundry tracts of land of Henry Eustace M'Culloch, late of North Carolina, and that for part of the purchase money they gave their obligations, payable to the said M'Culloch, since which the said M'Culloch removed himself from this State, by which means they have not had it in their power to discharge and take up their obligations, and praying that the General Assembly would direct the payments to be made to some person whom they may think proper to appoint for that purpose.

Ordered, That this petition be referred to Mr. Polk, Mr. Mebane, Mr. Jones, Mr. Stone and Mr. Franklin, on the part of this house, and sent to the Senate.

Mr. Polk presented the petition of David Robinson; which being read, was referred to the committee appointed to correct errors in patents and sent to the Senate.

Mr. Polk presented the petition of sundry inhabitants of Mecklenburg county; which being read, was referred to the committee appointed on the petition of the inhabitants of Orange county and sent to the Senate.

Received from the Senate the following messages:

Mr. Speaker and Gentlemen:

We agree that a committee be appointed to consider of and report what bills of a general nature are necessary to be passed into laws at the present Assembly, and have made choice of Mr. Lane, Mr. Graham, Mr. Clinton, Mr. Hargett, Mr. Kenan, Mr. M'Dowall and Mr. Courtney, to act with the gentlemen by you named for this purpose.

Mr. Speaker and Gentlemen:

Mr. Philips, Mr. Graham and Mr. Hargett, will act with the gentlemen by you named for the purpose of correcting errors in patents, &c.

Mr. Speaker and Gentlemen:

We consent that the petition of John Richards shall be reported on by the committee appointed to correct errors in patents, as by you proposed.

Mr. E. Jones presented the petition of George Merrick; which being read, was referred to the committee appointed on the petition of sundry inhabitants of Orange county and sent to the Senate.
Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have added Mr. Gautier, Mr. Jones and Mr. Stone to the committee appointed to report what bills of a public nature are necessary to be passed into laws at the present Assembly.

Received from the Senate the petition of sundry of the inhabitants of Mecklenburg county, the petition of David Robinson, the letter from John Haywood, Esq., public Treasurer, the petition of Wm. Croom, the petition of Joseph Ingram, and the petition of Dennis Hanks; severally endorsed "Read and referred as by the House of Commons." Also the petition of sundry of the inhabitants of Hyde county, endorsed "Read and referred to Mr. Riddick, Mr. Groves and Mr. Bell." And the petition of sundry of the inhabitants of Orange county, endorsed "Read and referred to Mr. Courtney, Mr. Kenan and Mr. Graham."

Received also a bill for dividing the county of Caswell, endorsed "Read the first time and passed."

This bill was taken up and read for the first time in this house, passed and returned to the Senate.

Received from the Senate the petition of Isaac Hunter, of Gates county, endorsed "Read and referred to the committee of claims;" which being read, was referred as by the Senate and returned.

Mr. Macon presented the petition of William Little, of Hertford county, setting forth that the election of Mr. Henry Hill a member of this house for the said county, had been conducted in an illegal manner, and praying relief in the premises.

Ordered, That this petition be referred to the committee of privileges and elections.

Mr. Person presented the petition of James Forsyth, of Granville county; which being read, was referred to the committee for correcting errors in patents and sent to the Senate.

Ordered, That the following message be sent to the Senate.

Mr. Speaker and Gentlemen:

We have added Mr. Dawson to the committee for correcting errors in patents, &c.

Mr. Ferebee presented the resignation of John Simmons, one of the Justices of the Peace for Currituck county; which was read, accepted by this house and sent to the Senate.

Mr. Ferebee moved for leave and presented a bill to confirm unto
Thomas P. Williams, of Currituck county, an indefeasible title to
two acres of land at Belville, in Currituck county, given by Thomas
M'Knight, for the purpose of erecting a chapel, agreeable to an act
of Assembly passed at New Bern, in March, 1774; which was read
the first time, passed and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We consent that the message of to-day from his Excellency the
Governor, together with the papers accompanying it, be reported on
by the committee on public bills.

The house adjourned till to-morrow evening, 4 o'clock.

FRIDAY, NOVEMBER 5, 1790.

Met according to adjournment.

Mr. Guion presented the petition of Richard Cogdell; which being
read, was referred to the committee of propositions and grievances
and sent to the Senate.

Resolved, That all persons having public claims, may present them
to the committee of claims directly, without any previous application
to either of the houses; and that the committee shall receive
and pass upon the same, in the same manner as if the houses had
specially referred them.

Mr. Hay presented the petition of Thomas Overton and Richard
Street, praying that a law may be enacted for keeping Deep-river
open, free for the passage of fish up the same; which being read,
Mr. Hay moved for leave and presented a bill to keep open Deep
river, for the passage of fish up the same, and to repeal an act passed
at Tarborough, in the year 1787, entitled, "An act to enable the
county courts to appoint Commissioners to keep open rivers and
creeks at their several falls for the free passage of fish up the same,"
so far as the said act may be construed to relate to Deep river; which
was read the first time, passed and sent to the Senate.

The committee to whom was referred the petition of Dennis Han-
kins, reported—That having taken the petition, and vouchers in
support of the facts therein set forth, into consideration, and clearly
perceiving that the Secretary of State has inserted the name of John
instead of Dennis, in a grant for one hundred acres of land in Brun-
wick county, which ought to have been in the name of Dennis Han-
kine: Your committee are therefore of opinion that the Secretary
be hereby directed to alter the name of John to that of Dennis in the
said grant; and that such alteration be made in presence of his Ex-
cellency the Governor; and that the Secretary be hereby further di-
rected to make an alteration of the record in his office of the said
grant so that the record correspond with the grant.—All which is
submitted.

THOMAS PERSON, Ch.

Resolved, That the house do concur with this report.

The committee appointed to consider of and report such bills of a
public nature as are necessary to be passed into laws, reported—A
bill for the better regulation of the courts of law and courts of equity.
A bill to compel the Wardens of the poor in the different counties
to account with the courts of their respective counties for all monies
by them received for the purpose of supporting the poor.—A bill
to amend the act for inspection of tobacco.—A bill to alter the mode
of administering oaths to jurors in county courts.—A bill to repeal
an act providing means for the payment of the domestic debt, and
to amend an act for opening the land office for redemption of specie
and other certificates.—A bill to prevent all persons holding offices
under the federal government from being eligible to a seat in the
General Assembly of this State, or holding any office either execu-
tive, judicial or otherwise, under the appointment of the State.—A
bill to amend the law relative to attachments.—A bill for regulating
the Judges of the county courts.—A bill to incorporate the physi-
cians in this State. A bill to amend the several acts of Assembly
therein mentioned respecting slaves.—A bill to amend the stray act.
A bill directing the manner of electing Representatives to represent
this State in Congress.—A bill for the more speedy collection of
rents.—A bill to alter the mode of punishing horse stealing.—A bill
to repeal the present vendue law.—A bill to alter and amend the
act for the benefit of insolvent debtors.

Resolved, That the committee on public bills divide themselves
into sub-committees, and allot to each sub-committee the drawing
of such bills as they may agree upon.

The house adjourned till to-morrow morning, 10 o’clock.
Met according to adjournment.

The Speaker laid before the house a letter from John Haywood, Esq., public Treasurer, enclosing certificates of his having fully and finally settled his accounts as Treasurer, &c., with the Comptroller of public accounts; which were ordered to be sent to the Senate, with the following message:

Mr. Speaker and Gentlemen:

We send you herewith a letter this day received from the Treasurer, together with the papers therein referred to, which we propose referring to the committee of finance.

The committee of privileges and elections, to whom was referred the petition of Thomas Haslen, of the town of New Bern, reported—That having taken under consideration the petition of Mr. Haslen, and several depositions laid before your committee relative to the allegations in the said petition set forth, are of opinion that the election for the town of New Bern aforesaid was legal, and that Mr. Guion, the sitting member, is entitled to a seat in the present General Assembly. All which is submitted.

THOMAS PERNON, Ch.

Resolved, That the house do concur with this report.

Received from the Senate a bill to carry into effect a resolution of Congress, passed the 29th of September, 1789, endorsed "Read the second time and passed."

Ordered, That this bill be read on Saturday next for the second reading in this house.

Mr. Porter presented the petition of Timothy Riggs; which being read, Mr. Porter moved for leave and presented a bill directing the Entry taker of Rutherford county to deliver certain warrants therein mentioned to the surveyor of said county; which was read the first time, passed and sent to the Senate.

Mr. Edward Jones presented the memorial of John M’Kenzic; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

On a motion made by Mr. Hay, and seconded by Mr. Person,

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that a committee of the whole of both houses be had
on Monday the 15th inst. to take under consideration the internal policy of this State, and its present interests as connected with the general government of the United States.

Mr. James Taylor presented the memorial of Robert Martin; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

Resolved, That all bills on their first introduction shall be read for information, and shall afterwards on motion of any member be taken up and read for the first reading, when it may be debated on and amended; and passed for the first time or rejected. That when any bill shall be returned from one house to the other for a second reading, notice shall be given by the space of one day at least, when it shall be read for the second time; and on the day so noticed shall be taken up and read for the information of the house, and then by paragraphs when it may again be debated on and amended, and shall be put on its passage for the second time, and either passed or rejected. That on the third reading of any bill, notice shall be given in like manner as on the second reading, and on the day so appointed shall be read by paragraphs, when it shall be open to further debate and amendment, and shall be then put on its passage for the third and last time; and in case of passage shall be engrossed, when it shall undergo no alteration except for clerical error.

Ordered, That Mr. Franklin have leave to absent himself from the service of this house until Tuesday the 16th inst.

Received from the Senate the memorial of Robert Burton, endorsed "Read and referred to the committee of propositions and grievances:" And the petition of William Skinner, endorsed "Referred to the committee of finance;" which being read, was referred as by the Senate and returned.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We herewith send you the petition of Helen Tylor, which we propose shall be reported on by a joint committee; and that the committee be requested to report a plan by which all persons holding like claims may be relieved. Should you agree to the appointment of a committee for these purposes, Mr. Graham, Mr. Kenan and Mr. Campbell will act on the part of this house.

The petition referred to in the foregoing message being read, was referred on the part of this house to Mr. Lord, Mr. Sutherland, Mr.
Jones, Mr. Mebane, Mr. Moore, who are also appointed as a committee on the part of this house for the purposes expressed in the said message:

Ordered, That the following message be sent to the Senate.

Mr. Speaker and Gentlemen:

We have appointed a committee on the part of this house on the petition of Helen Tylor, and for the other purposes expressed in your message accompanying the petition.

Mr. A. Mebane moved for leave and presented a bill for building a court-house in the town of Hillsborough for the district of Hillsborough; which was read the first time, passed and sent to the Senate.

Received from the Senate the memorial of John McKenzie, the petition of Richard Cogdell, the petition of James Forsyth, the memorial of Robert Martin, and the petition of George Merrick, severally endorsed "Read and referred as by the House of Commons."

Mr. Moore presented the petition of Philip Null and Christian Sebeau; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

Received from the Senate the following reports concurred with by that house, to-wit: On the petition of William C. Webb and Conyers White, on the petition of Dennis Hankins, on the petition of Joseph Ingram, on the petition of David Campbell, on the petition of Mark Patterson, on the petition of John Crawford, and of the committee on public bills severally endorsed "Read and concurred with."

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We agree that the letter of this day's date from the public Treasurer, together with its enclosures, be reported on by the committee of finance.

Received from the Senate the resolution of this house directing the committee of claims, in the first instance, to receive and pass upon all claims, &c., concurred with.

Received from the Senate a bill directing the Entry taker of Rutherford county to deliver certain warrants therein mentioned to the Surveyor of said county, endorsed "Read the first time and passed." And a bill for dividing the county of Caswell, endorsed "Read the second time and passed."
Ordered, That these bills be read on Monday next for the second reading in this house.

Received from the Senate a bill to keep open Deep river for the passage of fish, &c., and a bill to confirm unto Thomas P. Williams, of Currituck county, an indefeasible title to two acres of land at Bellville, &c., endorsed "Read the first time and passed."

The house adjourned till Monday morning, 10 o'clock.

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MONDAY, November 8, 1790.

Met according to adjournment.

Mr. Halcott B. Pride, one of the members for Northampton county, and Mr. John Allen, one of the members for Craven county, appeared, were qualified and took their seats.

Mr. Macon moved for leave and presented a bill to repeal part of the fifth section of an act of the General Assembly, passed at New Bern, in the year 1784, entitled "An act for raising a public revenue for the support of government, and to repeal an act to suppress excessive gaming;" which was read for the first reading in this house, passed and sent to the Senate.

Mr. Guion presented the petition of Edward Tinker; which being read, was referred to the committee appointed to correct errors in patents, &c., and sent to the Senate.

Ordered, That the bill to confirm unto Thomas P. Williams, of Currituck county, an indefeasible title to two acres of land at Bellville, be read for the second reading in this house to-morrow.

Mr. James Pickett, one of the members for Anson county appeared, was qualified and took his seat.

Mr. Person presented the petition of sundry inhabitants of Caswell county, praying against the division thereof; which being read, a motion was made by Mr. Porter, seconded by Mr. Jones, that the petitions both for and against the division thereof, be referred to a joint committee to be appointed for that purpose; and that the committee so appointed report the propriety of dividing or not dividing the county.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the petitions for and against the division of Caswell county, together with the bill for that purpose and the other
papers thereto relating, be all referred to a joint committee of both houses; and that they be directed specially to report all such facts concerning the allegations in the petitions as may be necessary to guide the judgment of the two houses.

The bill directing the Entry-taker of Rutherford county to deliver certain warrants therein mentioned to the surveyor of said county, was read the second time, passed and sent to the Senate.

Mr. Person presented the petition of F. Martin, printer in the town of New Bern, which being read, was referred to the committee of finance and sent to the Senate.

Mr. Person presented the petition of John Rainey; which being read, was referred to the committee for correcting errors in patents, and sent to the Senate.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have added Mr. Caldwell and Mr. Withrow to the committee of propositions and grievances; Mr. Jones, Mr. Stone, Mr. Pride and Mr. Guion to the committee of finance; Mr. Stallins to the committee of claims; Mr. Wood to the committee on patents; and Mr. Pride to the committee on public bills.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The resolution of your house prescribing rules for the government of the two houses in reading and passing bills we have received and rejected, from a belief that the mode therein pointed out will be attended with more delay than that which has heretofore been observed; we therefore propose that the rules observed by the last Assembly be adhered to by the present.

Received from the Senate the report of the committee on the petition of the inhabitants of Hyde county, endorsed "Read and concurred with;" which being read, was concurred with and returned.

Received from the Senate a bill to alter the place of holding the county court of Hyde county, from Woodstock to Bell's bay or Jasper's creek in said county, and to erect a new court-house, prison and stocks, endorsed "Read the first time and passed." This bill was taken up for the first reading in this house, passed and returned to the Senate.

Received from the Senate the petition of Philip Null and Chris-
tian Sebeau, and the petition of Ptolemy Powel, endorsed "Read and referred as by the House of Commons."

Received from the Senate a bill for building a court-house in the town of Hillsborough, for the district of Hillsborough. A bill to repeal part of the fifth section of an act of the General Assembly passed at New Bern, in the year 1784, entitled, "An act for raising a public revenue for the support of government, and to repeal an act to suppress excessive gaming." And a supplemental bill to the act, entitled, "An act concerning old titles of lands, for limitation of actions, and for avoiding suits at law." Severally endorsed "Read the first time and passed."

Mr. Hay presented the memorial of sundry of the inhabitants of the town of Fayetteville; which being read, Mr. Hay moved for leave and presented a bill to make Cross-creek navigable; which was read the first time, passed and sent to the Senate.

Received from the Senate a bill to amend an act passed at Fayetteville, in November, in the year 1786, entitled, "An act to amend an act passed at New Bern, in the year 1785, entitled, An act for increasing the jurisdiction of the county courts of pleas and quarter-sessions, and of the Justices of Peace out of court, and directing the times of holding courts in this State, and for giving to the county courts of pleas and quarter sessions a chancery jurisdiction in the cases therein mentioned;" endorsed "Read the first time and passed." This bill was taken up and read for the first reading in this house, passed and returned to the Senate.

Mr. Jones presented the memorial of John Walker; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

Mr. Leigh presented two petitions from sundry of the inhabitants of the counties of Pitt, Martin and Edgecombe; which being read, Mr. Leigh moved for leave and presented a bill to pardon and consign to oblivion the offences and misconduct of certain persons; which was read the first time, passed and sent to the Senate.

Received from the Senate the petition of Francois X. Martin, and the petition of Edward Tinker, endorsed, "Read and referred as by the House of Commons." Also the petition of William Blount, endorsed "Read and referred to the committee to correct errors in patents;" and the petition and account of Allen Jones, endorsed "Read and referred to the committee of propositions and griev-
ances;" which being read, were referred as by the Senate and returned.

Received from the Senate the resignation of Frederick Hargett, of his commission as Colonel of Jones county; which being read, was accepted by this house and returned.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We agree that the bill, together with the petitions for and against the division of Caswell county, be reported on by a joint committee, and have appointed on our parts for this purpose Mr. M'Dowall, Mr. Campbell and Mr. Clay. We have added Mr. Armstrong to the committee appointed to devise a plan for correcting errors in patents, and Mr. Clinton to the committee of claims.

Received from the Senate a bill empowering the assistant Marshals to call the inhabitants of their several divisions together at such time and place as they may appoint for the purpose of taking the enumeration thereof more effectually, endorsed "Read the first time and passed." This bill was taken up and read for the first reading in this house, passed and sent to the Senate.

Received from the Senate the petition of John Rainey, endorsed "Read and referred as by the House of Commons."

Resolved, That the committee of claims be directed in all cases not to allow any claim to any witness summoned in behalf of the State, unless it shall appear by a certificate from the Clerk of the court the defendant was insolvent, or that such defendant was discharged from cost by the court.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We propose that the bill, together with the papers accompanying it, to pardon certain misdemeanors committed in the counties of Edgecombe, Pitt and Martin, be submitted to the consideration of a joint committee; and that this committee be directed to report specially thereon; for this purpose we have appointed Mr. Armstrong, Mr. Philips and Mr. Qualls.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We concur with the proposition of your house for committing the bill to pardon and consign to oblivion the offences of certain
persons in the counties of Martin, Edgecombe and Pitt; and have on our parts appointed Mr. Leigh, Mr. Stone, Mr. Bell, Mr. Hay and Mr. Taylor to act on that committee. Mr. Moore, Mr. Gaither, Mr. Southerland, Mr. Pride, Mr. Montgomery, Mr. Dawson, Mr. Dickins and Mr. Hay are appointed a committee on the part of this house to act with the gentlemen by you appointed to report on the petitions for and against the division of Caswell county.

Ordered, That the bill to keep open Deep-river for the passage of fish up the same, be read to-morrow for the second reading in this house.

Received from the Senate a bill to make Cross-creek navigable, endorsed "Read the first time and passed."

Ordered, That this bill be read for the second reading to-morrow.

Ordered, That the bill to repeal part of the fifth section of an act of the General Assembly, passed at New Bern, in the year 1784, entitled, "An act for raising a public revenue for the support of government, &c., be read for the second reading to-morrow, and that the bill to carry into effect a resolution of Congress, passed the 29th September, 1789, be read on Saturday next for the second reading.

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

Tuesday, November 9, 1790.

Met according to adjournment.

Ordered, That James Malloy, one of the door-keepers to this house, being unwell and unable to attend, have leave to absent himself; and that —— Pounds be appointed in his stead.

Mr. Reading presented the petition of Jeremiah Symons; which being read, Mr. Reading moved for leave and presented a bill to emancipate Davy, Joan and Abby, negro and mulatto slaves, now the property of Jeremiah Symons of Pasquotank county; which was read the first time, passed and sent to the Senate.

Mr. Ferebee moved for leave to withdraw for amendment the bill to confirm unto Thomas P. Williams, of Currituck county, an indefeasible title to two acres of land, &c. Ordered, That he have leave.

Mr. B. Smith moved for leave to withdraw for amendment the bill to repeal part of the fifth section of an act of the General Assembly, passed at New Bern in the year 1784, entitled, "An act to raise a
public revenue for the support of government," &c. Ordered, That he have leave.

Mr. Spruill presented the resignation of Stephen Swain, a Justice of the Peace for Tyrrell county; which being read, was accepted by this house and sent to the Senate.

Mr. Hamilton presented the resignation of William Dent, one of the Justices of the Peace for Guilford county; which being read, was accepted by this house and sent to the Senate.

Mr. Guion presented the petition of Wright Stanley and Thomas Turner, executors of John Wright Stanley; which being read, was referred to the committee for correcting errors in patents, &c., and sent to the Senate.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you the bill to keep open Deep-river for the passage of fish up the same, which we propose referring to the committee on the petition from Orange county.

The bill to make Cross creek navigable, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We agree that the bill for keeping open Deep river, &c., be reported on by the committee appointed on the petition from Orange as by you proposed.

Received from the Senate the resignation of Andrew Bass, a Justice of the Peace for Wayne county, endorsed "Read and accepted;" which being read, was accepted by this house and returned.

Received from the Senate the petition of the executors of John Wright Stanley, endorsed "Read and referred as by the House of Commons." Received also the petition of David Baker, endorsed "Read and referred to the committee of propositions and grievances;" which being read, was referred as by the Senate and returned.

Mr. Sutherland presented the resignation of Hardy Sanders, as Justice of the Peace and Colonel of Wake county; which being read, was accepted by this house and sent to the Senate.

Received from the Senate the petition of Joseph Cunningham, endorsed "Read and referred to the committee on the petition of
inhabitants of Orange county;" which being read, was referred as by the Senate and returned.

Mr. Hawkins presented the petition of Thomas Boyd; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

Mr. Creecy presented the resignation of Charles Haughton, second Major of the militia of Chowan county; which being read, was accepted by this house and sent to the Senate.

Mr. M'Dowall presented the petition of Henry Emanuel Lutterlohn; which being read, was referred to the committee appointed to correct errors in patents, &c., and sent to the Senate.

Resolved, That the petition of William C. Webb and Conyers White, with the record of the superior court of Hillsborough, and all the other papers accompanying the same on its introduction, together with the report of the committee attested by the Clerk, be delivered to the petitioners or their agent, on application to the Clerk for that purpose.

Received from the Senate a bill to amend an act, entitled, "An act to amend an act, entitled, An act for altering the time of holding the annual elections and annual Assemblies, and directing the manner of electing annual officers for the succeeding year;" endorsed "Read the first time and passed." This bill was taken up and read for the first reading in this house, passed and returned to the Senate.

Received from the Senate the resignation of William Dent, and the resignation of Stephen Swain, endorsed "Read and accepted;" also the resolution of this house directing the committee of claims with respect to allowing witnesses in behalf of the State for their attendance, concurred with.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have added Mr. Matthews and Mr. Taylor to the committee to correct errors in patents, &c., and Mr. Jasper, Mr. Handy, Mr. Jones, Mr. Nash, Mr. Pickett, Mr. Hill, Mr. Sanders and Mr. Alston, to the committee of propositions and grievances.

Received from the Senate a resolution of that house for making seven members of the committee of propositions and grievances a quorum; which being read, was rejected; Whereupon,

Resolved, That the committee of propositions and grievances be empowered to divide themselves into two committees, No. 1 and 2,
and proceed separately to act on the matters referred to them, taking care that the first twelve named on the list be formed into the first division, and the residue to compose the second, and taking care also that a proportionate number of members from each house be appointed on each committee.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have received your message relative to the committee of propositions and grievances, which we do not fully approve of. We propose that the resolution herewith sent you be adopted in lieu thereof.

Mr. Guion presented the petition of William Wood, and others whose names are thereunto subscribed; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

Received from the Senate the resignation of Hardy Sanders, as Justice and Colonel of Wake county, endorsed "Accepted."

Received from the Senate the petition of Thomas Boyd, endorsed "Read and referred as by the House of Commons." Also the resolution of this house directing the Clerk to deliver the petition and other papers relative thereto, to William C. Webb and Conyers White; concurred with.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have added Mr. Hargett to the committee appointed on the petition of sundry inhabitants of the counties of Edgecomb, Martin and Pitt.

Received from the Senate a bill for building a court-house in the town of Hillsborough, for the district of Hillsborough; and a bill to emancipate Davy, Joan and Abbey, negro and mulatto slaves, now the property of Jeremiah Symons, of Pasquotank county; endorsed "Read the first time and passed."

Ordered, That the former of these two bills be read for the second reading in this house to-morrow.

Received from the Senate a bill to alter the place of holding the county court of Hyde, from Woodstock to Bell's bay or Jasper's creek in said county, and to erect a new court-house, prison and stocks. And a bill directing the Entry-taker of Rutherford county
to deliver certain warrants therein mentioned to the Surveyor of said county, endorsed "Read the second time and passed."

Ordered, That these bills be read to-morrow for the second reading in this house.

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

Wednesday, November 10, 1790.

Met according to adjournment.

Mr. Alston presented the petition of Hance Bond, Entry-taker of Halifax county; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. B. Smith who had leave to withdraw for amendment a bill to repeal part of the fifth section of an act of General Assembly, passed at New Bern, in the year 1784, entitled, "An act for raising a public revenue for the support of government, and to repeal an act to suppress excessive gaming," delivered in the bill with the amendments; which was then taken up and read for the second reading, and the amendments made therein, was passed and sent to the Senate.

Mr. Macon moved for leave and presented 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; which was read the first time, passed and sent to the Senate.

Mr. B. Smith moved for leave and presented a bill to authorise the Sheriffs of Brunswick and New Hanover counties respectively to serve writs or other process on Cape Fear river, or the branches thereof which divide the said counties; which was read the first time, passed and sent to the Senate.

Received from the Senate the following messages:

Mr. Speaker and Gentlemen:

We have added to the committee of propositions and grievances Mr. Gillespie, Mr. Bethell, Mr. Dickson and Mr. Singleton.

Mr. Speaker and Gentlemen:

We have added Mr. Stewart to the committee appointed to enquire into the propriety of keeping open Deep-river for the passage of fish.

Mr. Speaker and Gentlemen:

We have received your message proposing to convene the two
houses on Monday next in conference, in order to take into consideration the internal policy of this State, and its interests as connected with the United States; with which we do not concur.

Received from the Senate the report of the committee on the petitions of the inhabitants of the counties of Pitt, Martin and Edgecomb, endorsed "Read and concurred with." This report being read, was concurred with by this house and returned.

The bill to alter the place of holding the county court of Hyde county from Woodstock to Bell's bay or Jasper's creek in said county, and to erect a new court house, prison and stocks, was read the second time, passed and sent to the Senate.

Received from the Senate the memorial of Hance Hamilton, and the petition of Henry Emanuel Lutterloh, endorsed "Read and referred as by the House of Commons." Also the resolution of this house directing the committee of propositions and grievances to divide themselves into two committees No. 1 and 2, concurred with.

Mr. Ferebee who had leave to withdraw for amendment the bill to confirm unto Thomas P. Williams, of Currituck county, an indefeasible title to two acres of land at Bellville, in Currituck county, delivered in the bill with the amendments; which was taken up and read for the second reading, the amendments made therein, was passed and sent to the Senate.

The bill directing the Entry-taker of Rutherford county to deliver certain warrants therein mentioned to the surveyor of said county, was read the third time, amended, passed and sent to the Senate.

On a motion made by Mr. Taylor, and seconded by Mr. Macon, Resolved, That this house form itself into a committee of the whole house on Monday next, to take into consideration the propriety of giving instructions to Samuel Johnston and Benjamin Hawkins, Esquires, Senators from this State in the Congress of the United States, on the three following points, to-wit:—1. To use their unremitting and constant exertions until they effect having the doors of the Senate of the United States kept open, that the public may have access to hear the debates of the said Senate, when in its legislative capacity.—2. To correspond regularly and constantly with the Executive, during the recess of the legislature.—3. To exert themselves to have such of the journals of the Senate printed as are not of a secret nature, and transmit the same to the Executive at least once a month during each session of Congress. And on such
other matters as the committee may think proper to instruct the said Senators on.

Received from the Senate a bill to amend an act to prevent abuses in taking up stray horses, cattle, sheep and hogs, and other things therein mentioned, endorsed "Read the first time and passed." This bill was taken up and read for the first reading in this house, passed and returned to the Senate.

Received from the Senate a bill to repeal an act, entitled, "An act providing means for the payment of the domestic debt," &c. A bill to amend an act passed at Hillsborough, entitled "An act to encourage Enoch Sawyer to make a road through Pasquotank river swamp," &c. And a bill to authorise the Sheriffs of Brunswick and New Hanover counties respectively to serve writs or other process on Cape Fear river, or the branches thereof, which divide the said counties." Endorsed "Read the first time and passed."

Ordered, That the latter of these bills be read for the second reading in this house to-morrow.

Received from the Senate a bill to confirm unto Thomas P. Williams, of Currituck county, an indefeasible title to two acres of land at Bellville, in Currituck county, endorsed "Read the second time and passed."

Received from the Senate a bill to pardon and consign to oblivion the offences and misconduct of Daniel Buntin, and divers other persons of the counties of Martin, Pitt and Edgecomb, endorsed "Read the first time and passed." This bill was taken up and read for the second reading in this house, passed and returned.

Mr. Wood presented the petition of Marshall Digge; which being read, was referred to the committee appointed to correct errors in patents, &c., and sent to the Senate.

The house adjourned till to-morrow morning, 10 o'clock.

THURSDAY, NOVEMBER 11, 1790.

Met according to adjournment.

Mr. Macon moved for leave and presented a bill to repeal all acts, clauses or parts of acts of the General Assembly of this State, as relate to classing tobacco; which was read the first time, passed and sent to the Senate.

Mr. Everigin moved for leave and presented a bill to enable the
wardens of the poor for the counties of Pasquotank and Carteret to build houses for the reception of the poor of the said counties, and for levying a tax to defray the expenses thereof; which was read the first time, passed and sent to the Senate.

The bill to repeal an act, entitled, "An act providing means for the payment of the domestic debt, for appropriating certain monies therein mentioned, and to amend an act passed the last session of the General Assembly, entitled, An act for levying a tax for the support of government, and for the redemption of the old paper currency, continental money, specie and other certificates," and also part of another act, entitled, "an act for opening the land office for the redemption of specie and other certificates, and discharging the arrears due to the army," was read the first time, passed and sent to the Senate.

The bill to authorise the Sheriffs of Brunswick and New Hanover counties respectively to serve writs or other process on Cape Fear river, or the branches thereof, which divide the said counties, was read the second time, amended, passed and sent to the Senate.

The bill to amend an act passed at Hillsborough in 1784, entitled "An act to encourage Enoch Sawyer to make a road through Pasquotank river swamp, opposite his plantation," was read the first time, passed and sent to the Senate.

Mr. Leigh presented the petition of Joshua Skinner, Ashbury Sutton and Benjamin Perry, in behalf of the inhabitants of Perquiman's county; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

The resignations of Joseph Stewart and Thomas Blackstone, two of the Justices of the Peace for Chatham county, and the resignation of Henry Smaw, one of the Justices of the Peace for Beaufort county, were accepted by this house and sent to the Senate.

The bill for building a court house in the town of Hillsborough, for the district of Hillsborough, was read the second time, amended, passed and sent to the Senate.

Mr. Gautier presented the petition of Thomas Neale and John Hall; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Pride moved for leave and presented a bill for prohibiting the importation and admission of black persons into this State; which was read the first time, passed and sent to the Senate.

The committee of privileges and elections, to whom was referred
the remonstrance of William Little, reported—that having taken under their consideration the said remonstrance, and several depositions for and against the allegations in the said remonstrance set forth, are of opinion that the election so far as it respects Mr. Hill the sitting member, is void; and that a writ of election issue to the county of Hertford, and a new election be held for one member.—All which is submitted.

The House taking this report into consideration, concurred therewith; and Resolved, That the said election be held on Thursday and Friday the 25th and 26th instant.

Received from the Senate a bill to amend an act, entitled "An act to amend an act, entitled An act for altering the time of holding the annual elections," &c., and 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 first time and passed."

Ordered, That the latter of these two bills be read to-morrow for the second reading in this house.

Received from the Senate the supplemental bill to the act, entitled "An act concerning old titles of land, for limitation of actions, and for avoiding suits at law, endorsed "Read the second time and passed."

Ordered, That Mr. Haywood, Assistant Clerk to this house, have leave to absent himself from the service thereof.

The house adjourned till to-morrow morning, 10 o'clock.

Friday, November 12, 1790.

Met according to adjournment.

Mr. Bonds presented the petition of Samuel Williams; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Bonds presented the petition of Edmund Randall; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Received from the Senate a bill to repeal all acts, clauses and parts of acts of the General Assembly of this State as relate to classing tobacco, endorsed "Read the first time and passed." Also a bill for building a court house in the town of Hillsborough, for
the district of Hillsborough, endorsed "Read the second time and passed."

Mr. Wood presented the petition of sundry inhabitants of Richmond and Montgomery counties; which being read, Mr. Wood then moved for leave and presented a bill to prevent the building a mill on Little river of Pee Dee, below M'Donald's mill, and other purposes; which was read the first time, passed and sent to the Senate.

Received from the Senate the memorial of Daniel Williams, endorsed "Read and referred to the committee on the claims of the officers and soldiers settled at Warrenton in 1786;" which being read, was referred as by the Senate and returned.

Mr. Macon moved for leave and presented a bill to direct the mode of proceeding in suits brought by persons detained in slavery for the recovery of their freedom; which was read the first time, passed and sent to the Senate.

Mr. Taylor moved for leave and presented a bill to prevent any person who now does, or who may hereafter, hold any office, appointment or authority under the federal government, from being eligible to a seat in the General Assembly of this State; and to prevent any person from holding or exercising any office or appointment under the authority of the said state so long as they continue to hold or exercise any office or appointment under the authority of the United States; which was read the first time, passed and sent to the Senate.

Received from the Senate the petition of Thomas Neale, endorsed "Read and referred as by the House of Commons."

Mr. Jones, from the sub-committee to whom was referred the memorial of Francois X. Martin, of New Bern, printer, delivered in the following report:

That a collection of the statutes of Great Britain, now in force in this State, hath been long wanting, and that a publication of them would be of utmost utility: That they have conferred with the memorialist, who offers to furnish every county court and superior court within this state, with a well bound copy thereof, printed in quarto volumes of demy paper, on such a type as the specimen he tenders, of two hundred or two hundred and fifty pages each, at fifteen shillings for every hundred pages, payable on delivery of each volume; but solicits a small advance on his giving security, to be enabled to carry on the work with more expedition. Your committee deeming the terms of the memorialist very reasonable, recommend
they be accepted, and that an advance of one hundred pounds be made to him. EDW. JONES, Ch.

Resolved, That the house do concur with this report.

Mr. Person presented the petition of John Alderson, and others whose names are thereunto subscribed, setting forth that the election for members to represent Hyde county in this house has been conducted in an illegal manner, and praying relief.

Ordered, That this petition be referred to the committee of privileges and elections.

Mr. Jones moved for leave and presented a bill to alter and amend the acts for regulating the pilotage and facilitating the navigation of Cape Fear river; which was read the first time, passed and sent to the Senate.

Mr. Grove presented the petition of Wm. Lord; which being read, was referred to the committee on the claims of the officers and soldiers settled at Warrenton in 1786 and sent to the Senate.

Mr. Grove moved for leave and presented a bill to amend an act, entitled, "An act to appoint Commissioners to superintend the building a prison and stocks for the district of Fayetteville, and to levy a tax in the counties within the said district, for defraying the expenses thereof," passed at Fayetteville, in the year 1788; which was read the first time, passed and sent to the Senate.

Mr. Hay moved for leave and presented a bill to alter and amend the act for the benefit of insolvent debtors; which was read the first time, passed and sent to the Senate.

Mr. Porter moved for leave and presented a bill to alter the mode of swearing petit jurors in the courts of law in this State; which was read the first time, passed and sent to the Senate.

Mr. Pride moved for leave to withdraw for amendment the bill for prohibiting the importation and admission of black persons into this State. Ordered, That he have leave.

Mr. Hay moved for leave and presented a bill to extend the limitation as to a bar to recovering in the personal actions therein named; which was read the first time, passed and sent to the Senate.

Mr. Irwin moved for leave and presented a bill for incorporating the physicians and surgeons of this State by the name of the North Carolina Medical Society; which was read the first time, passed and sent to the Senate.

Received from the Senate the petition of Edmund Randall, and
the petition of Samuel Williams, endorsed "Read and referred as by the House of Commons."

Received from the Senate a bill to enable the wardens of the poor for the counties of Pasquotank and Carteret to build houses for the reception of the poor of the said counties, and for laying a tax to defray the expense thereof, endorsed "Read the first time and passed."

Received from the Senate a bill to prevent any person who now does or who may hereafter hold any office, appointment or authority under the federal government, from being eligible to a seat in the General Assembly of this State. A bill to prevent the building a mill on the little river of Pee-dee, below M'Donald's mill, and other purposes. And a bill to direct the mode of proceeding in suits brought by persons detained in slavery, for the recovery of their freedom. Endorsed "Read the first time and passed."

Received from the Senate the petition of Matthew Stockdale, Amos Johnson and Beverly Belcher, executors of William Sugg, dec., endorsed "Read and referred to the committee appointed to correct errors in patents," &c., which being read, was referred as by the Senate and returned.

Ordered, That Mr. Dowd have leave to absent himself from the service of this house until Tuesday next, and that Mr. Ussory also have leave to absent himself from the service of the house.

Mr. David Witherspoon, one of the members for Jones county, appeared, was qualified and took his seat.

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 second time, passed and sent to the Senate.

Received from his Excellency the Governor the following messages:

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

Gentlemen:

I send you herewith the resignation of Wyatt Hawkins, James Taylor and Jesse Franklin, Esquires, as members of the Council of State.

ALEX. MARTIN.

To the honourable the General Assembly:

Gentlemen:

I send you herewith several authenticated copies of acts of Con-
STATE RECORDS.

gress passed at their last session, lately received, among which is an act for relief of the persons therein mentioned or described, with a letter from the Secretary at War on the subject of the said act.

As an act of the General Assembly of this State, passed at Tarborough, 1785, for the relief of the officers, soldiers and seamen, who have been disabled in the service of the United States during the late war, and an act passed at the same session for the relief of the widows or children of officers who have died in the service of the United States, are still in force, it appears to be necessary the said acts of Assembly be repealed, or your sense of the same otherwise communicated before the Executive comply with the requisition of the Secretary at War. ALEX. MARTIN.

To the honourable the General Assembly:

Gentlemen:

You have herewith a collection of the acts passed by the Congress of the United States at their last session, to which are annexed all the treaties made under the authority of the United States, accompanied with a letter from the Secretary of State for the United States. Also a separate authenticated copy of an act of Congress to provide more effectually for the collection of the duties imposed by law on goods, wares and merchandizes imported into the United States, and on tonnage of ships and vessels, transmitted to me from the above authority. ALEX. MARTIN.

Ordered, That Mr. Smith have leave to withdraw for amendment the bill to authorise the Sheriffs of Brunswick and New Hanover counties respectively, to serve writs, &c.

Mr. Irwin presented the memorial of William Steele; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. M'Laine presented the petition of Mark Bird; which being read, was referred to the committee of propositions and grievances and sent to the Senate.

Mr. Gautier presented the petition of Francis Bain, John Hall, William Hall and Roger Hall; which was read and referred to the committee of claims, and sent to the Senate.

Mr. Evergin moved for leave to withdraw for amendment, the bill to enable the Wardens of the poor, &c. Ordered, That he have leave.

The bill to confirm unto Thomas P. Williams, of Currituck coun-
ty, an indefeasible title to two acres of land at Bellville, in Currituck county, was read the third time, passed and sent to the senate.

Received from the Senate the memorial of William Lord, 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 to prevent the building a mill on the Little river of Pee-dee, below M'Donald's mill, and other purposes. A bill to repeal all acts, clauses and parts of acts of the General Assembly of this state as relate to classing tobacco. A bill to emancipate Davy, Ammaritta, Joan and Abbey, negro and mulatto slaves, now the property of Jeremiah Symons, of Pasquotank county. A bill to prevent any person who now does, or who may hereafter, hold any office, appointment or authority under the federal government, from being eligible to a seat in the General Assembly of this State. A bill to direct the mode of proceeding in suits brought by persons detained in slavery for the recovery of their freedom. A bill to alter the mode of swearing petit jurors in the courts of law in this State. A bill for incorporating the physicians and surgeons of this State, by the name of the North Carolina Medical Society. A bill to amend an act, passed at Hillsborough in 1784, entitled "An act to encourage Enoch Sawyer to make a road through Pasquotank river swamp, opposite his plantation." A bill to extend the term of limitation as a bar to recoveries in personal action therein named. A bill to alter and amend the act for the benefit of insolvent debtors. A bill to amend an act, entitled "An act to appoint Commissioners to superintend the building a prison and stocks for the district of Fayetteville," &c. A bill to alter and amend the acts for regulating the pilotage and facilitating the navigation of Cape Fear river.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have added Mr. Bethel and Mr. Courtney to the committee appointed on the petitions for and against the division of Caswell county.

Ordered, That the following bills be read to-morrow for the second reading in this house, to-wit: A bill to amend an act, entitled "An act to amend an act, entitled An act to alter the time of holding the annual elections," &c. A bill to repeal all acts, clauses and parts of acts as relate to classing of tobacco. And a bill to emancipate
Ammeritta, Davie, Joan and Abbey, negro and mulatto slaves, &c.

Ordered, That the following bills be read on Monday next for the second reading in this house, to-wit: A bill to alter and amend the act for the benefit of insolvent debtors. A bill to alter the mode of swearing petit juries in the courts of law in this state.

Ordered, That the following bills be read on Tuesday next for the second reading in this house, to-wit: A bill to prevent any person who now does, or who may hereafter, hold any office, appointment or authority under the federal government, from being eligible to a seat in the General Assembly of this State. A bill to direct the mode of proceeding in suits brought by persons detained in slavery, &c. A bill to extend the term of limitation as a bar to recoveries in the personal actions therein named. And that the bill for incorporating the physicians and surgeons of this State, by the name of the North Carolina Medical Society, be read on Wednesday next for the second time.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We propose that the petition herewith sent you, together with all the papers before this Assembly relative to the public buildings of Hyde county, be committed to the consideration of the same committee, who shall report their opinion as to the most eligible spot for erecting a court-house on.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the petition of the inhabitants of Hyde county, with all the papers relative thereto, be committed as by you proposed; and have added thereto Mr. Grove, Mr. Sanders, Mr. Dawson, Mr. Person and Mr. Fulford.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

The three messages from his Excellency the Governor herewith sent, together with the references, we propose shall be committed to the committee appointed to consider of and report such bills of a public nature as are necessary to be passed into laws.

The house adjourned until to-morrow morning, 10 o'clock.
Saturday, November 13, 1790.

Met according to adjournment.

Mr. Caldwell presented the resignation of George Davidson, Lieutenant Colonel of Iredell county; which was read, accepted and sent to the Senate:

A bill to emancipate Ammaritta, &c., negro and mulatto slaves, now the property of Jeremiah Symons, was read the second time, passed and sent to the Senate.

Mr. Jones moved for leave and presented a bill to incorporate the tradesmen and manufacturers of the towns of Edenton, New Bern, Wilmington and Halifax; which was read the first time, passed and sent to the Senate.

Mr. Pride, who had leave to withdraw for amendment the bill for prohibiting the importation of slaves into this State, delivered in the same with the amendments; which being read the second time, was rejected.

Received from the Senate the bill to amend an act to prevent abuses in taking up stray horses, endorsed "Read the second time, amended and passed."

Mr. Mebane moved for leave and presented a bill to empower Etheldred Ruffin and others, the securities of Benjamin Caswell, late Sheriff of the county of Dobbs, to collect and account for the taxes due from the inhabitants of the said county for the year 1789; which was read the first time, passed and sent to the Senate.

Received from his Excellency the Governor the following message:

To the honourable the General Assembly:

Gentlemen:

You have herewith a letter from Egbert Haywood, Esq., Commissioner for purchasing of public tobacco at Halifax, containing a report of that business transacted by him. The other tobacco Commissioners have not yet favoured me with an answer to my circular letter to them on the above subject. 

A. MARTIN.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

The message from his Excellency the Governor, together with the papers therein referred to, we propose shall be committed to the committee of finance.

Mr. Smith who had leave to withdraw for amendment the bill
to authorise Constables to serve warrants and other process as there-
in mentioned, on rivers, bays or creeks within this State, delivered
in the same; which was read for the third time with the amend-
ments, passed and sent to the Senate.

Received from his Excellency the Governor the following mes-
sage:

To the Honourable the General Assembly:

Gentlemen:

This accompanies a letter addressed to me from the Hon. Dr. Wil-
liamson, one of the Agents for settling the public accounts of this
State with the Commissioners of Congress. The communications
he has to make respecting the improvement of the finances of the
State, as he suggests, from the importance of the subject seem to
demand the particular attention of the legislature.

ALEX. MARTIN.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

The message from his Excellency the Governor, with the letter
therein referred to, we propose shall be committed to a joint com-
mittee of both houses; and have on our part appointed Mr. Polk,
Mr. Person, Mr. Macon, Mr. Lock, Mr. Hay, Mr. Stone, Mr. With-
erspoon and Mr. Leigh for that purpose.

Ordered, That the following messages be sent to the Senate:

Mr. Speaker and Gentlemen:

We have added Mr. Hawkins to the committee of propositions
and grievances.

Mr. Speaker and Gentlemen:

We propose that the message herewith sent you be delivered to
his Excellency the Governor, should it meet your approbation. We
have appointed Mr. Taylor and Mr. Smith on our part to wait on
and deliver the same.

To his Excellency Alexander Martin, Esq., Governor of the State
of North Carolina:

Sir:

The General Assembly of the State of North Carolina acknowledge
the receipt of your several messages, containing such information
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and observations, and accompanied with such papers as you deemed necessary to lay before us—we shall give them that attention which we may think essential for the public good. We return you our thanks for the same, as well as for the many and uniform marks strongly evinced in the discharge of the office you now fill.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have added Gen. Armstrong to the committee appointed on the petitions relative to the public buildings in Hyde county.

Mr. M'Laine presented the memorial of David Dickson; which was read, referred to the committee of claims and sent to the Senate.

Mr. Porter presented the petition of Jonathan Hampton; which was read, referred to the committee of propositions and grievances No. 1, and sent to the Senate.

The bill to repeal all acts, clauses and parts of acts of the General Assembly of this State, as relate to classing tobacco, was read the second time, passed and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The messages from his Excellency the Governor of to-day, and other papers accompanying them, we agree shall stand referred as by you proposed.

Received from the Senate a bill to prevent horse racing at such time and place as the General Assembly shall hold their sessions; which was read the first time and rejected.

Received from the Senate the bill to amend an act, entitled “An act to appoint Commissioners to superintend the building a prison and stocks for the district of Fayetteville,” &c., which was read the second time, passed and returned.

Mr. Grove moved for leave and presented a bill to keep open Rockfish creek in Cumberland county from its mouth to the forks thereof; which was read, passed the first time and sent to the Senate.

Received from the Senate a bill for vesting the property of certain negroes in the heirs of Mark Newby; which was read, passed the first time and returned.

Received from the Senate the petition of Francis Bain and others, the petition of Mark Bird, and the memorial of William Steele; severally endorsed “Read—and referred as by the House of Commons.”
Received from the Senate the following bills, to-wit: A bill to incorporate the tradesmen and manufacturers of the towns of Edenton, New Bern, Wilmington and Halifax. A bill to empower Etheldred Ruffin and others, the securities of Benjamin Caswell, late Sheriff of the county of Dobbs, to collect and account for the taxes due from the inhabitants thereof for the year 1789. Endorsed "Read the first time and passed." Also a bill to repeal part of the second and fifth sections of an act of the General Assembly passed at New Bern, in 1784, entitled, "An act for raising a public revenue for the support of government, and to repeal an act to suppress excessive gaming," endorsed "Read the second time and passed."

Received from the Senate a bill for regulating ordinaries, houses of entertainment, ferries, and other purposes, endorsed "Read the first time and passed;" which was read for the first time in this house, passed and returned to the Senate.

Mr. Jones presented the memorial of Thomas Haslen; which was read and 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 and Gentlemen:

We propose that the letter from the Treasurer, and its enclosures, herewith sent you, be referred to the committee of finance.

Received from the Senate the bill to carry into effect a resolution of Congress, passed the 29th of September, 1780, endorsed "Read the second time and passed;" which was read the second time in this house, amended, passed and returned.

The resignation of Michael Rogers, a Justice of the Peace for Wake county, was read and accepted.

The Speaker laid before the house the petition of Jacob Rogers, setting forth that the election for members to represent Wake county, was conducted in an illegal manner, and praying an enquiry therein, &c.

Ordered, That the said petitions be referred to the committee of privileges and elections.

Received from the Senate the following messages:

Mr. Speaker and Gentlemen:

We agree that the message from his Excellency the Governor, enclosing a letter from the Hon. Hugh Williamson, be submitted to the consideration of a joint committee as by you proposed; and have
appointed Mr. Macon, Mr. Hargett, Mr. M'Dowall, Mr. Courtney
and Mr. Hill on the part of this house.

Mr. Speaker and Gentlemen:

We agree that the message from the Governor, enclosing a letter
from the Commissioners for purchasing tobacco in the district of
Halifax, be referred as by you proposed.

Mr. Speaker and Gentlemen:

We propose that the bill to make Cross-creek navigable, together
with the petition of Mark Russell on that subject, be reported on by a
joint committee; for which purpose we have appointed Mr. Riddick,
Mr. M'Dowall and Mr. Dauge.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the bill to make Cross-creek navigable, together
with the petition of Mark Russell, be committed as by you proposed,
and have appointed for that purpose on our part, Mr. Porter, Mr.
Gautier, Mr. Person, Mr. Smith, Mr. M'Laine and Mr. M'Dowall,
junior.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have received the report of the committee on the proposals
of Francois X. Martin, with which we do not concur, but propose
that it be committed to the same committee.

Ordered, That the following messages be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the report of the committee on the memorial of
Francois X. Martin be recommitted as by you proposed.

Mr. Speaker and Gentlemen:

We propose that the letter from the Treasurer and its enclosures,
on the subject of issuing final settlement certificates, be referred to
the committee of finance.

Received from the Senate the following reports, to-wit:—On the
petition of William Lewis and Samuel Harrell, on the petition of
Richard Cogdell, on the petition of Ezekiel Arrington, and on the
petition of Philip Null and Christian Seabeau; endorsed “Read and
concorded with;” which reports being read, were seversly concurred
with by this house and returned.
Mr. Gautier presented the petition of Thomas Neale; which was read and referred to Mr. Bonds, Mr. Jones, Mr. Gautier and Mr. Mebane, on the part of this house and sent to the Senate.

Mr. Mebane moved for leave and presented a bill for the division of Dobbs county; which was referred to the committee to whom the bill for the division of Caswell county was referred, and sent to the Senate.

The committee appointed to correct errors in patents, to whom the petition of John Richards and others was referred, report—that there appears to be an error in the second line of said patent, which by the surveyors return runs thus, south sixty east, when it ought to have been north sixty east, which will more fully appear by a plat accompanying this report. Your committee therefore are of opinion that a bill be brought in to establish the said line to run north sixty east, agreeably to the original plat.—All which is submitted.

THOMAS PERSON, Ch.

Resolved, That this house do concur with this report.

The committee appointed to correct errors in patents, to whom the petition of William Croom was referred, reported—that having taken the said petition under their consideration, and the papers relative thereto, are of opinion that they have not sufficient testimony laid before them to answer the prayer of the said petition, but are of opinion that it be recommended to the present General Assembly to pass a law for the relief of the said William Croom, and also all others familiarly circumstanced.—All which is submitted.

THOMAS PERSON, Ch.

Resolved, That the house do concur with this report.

Mr. Person from the committee appointed to correct errors, in patents, to whom the petition of James Forsyth was referred, delivered in the following report:

That after taking the said petition under consideration are of opinion, that a bill be brought in to vest the title of the lands in the said petition set forth, to James Forsyth in fee simple.—All which is submitted.

THOMAS PERSON, Ch.

The house taking the foregoing report into consideration, concurred therewith: Whereupon, Mr. Person moved for leave and presented a bill to vest the title of a piece or parcel of land, lying
in Granville county, in James Forsyth and his heirs, in fee simple; which was read the first time, passed and sent to the Senate.

Whereas it appears to the satisfaction of the General Assembly, that John G. Scull lost a grant for eleven hundred and twenty-seven acres of land, located and surveyed on Duck river in his own name: Wherefore, Resolved, That the Secretary of State make out a new grant in the name of said John G. Scull for the said land, which shall be as valid to all intents as the original grant.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

The bill for dividing Dobbs county, together with the petition on that subject, we propose shall be referred to the committee to whom the bill and petitions for and against the division of Caswell county were committed; and have added thereto Mr. Leigh and Mr. Handy. We have also added Mr. Scull to the committee on the petition of Adam Lawrence and claims issued at Warrenton, &c.

Received from the Senate the bill to repeal part of the second and fifth sections of an act of the General Assembly passed at New Bern, in 1784, entitled, "An act for raising a public revenue for the support of government," &c., endorsed "Read the second time and passed."

The house adjourned till Monday morning, 10 o'clock.

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Monday, November 15, 1790.

Met according to adjournment.

Mr. Charles Grandy one of the members for Camden county, appeared, was qualified and took his seat.

Ordered, That Mr. Croom have leave to absent himself from the service of this house.

Mr. Macon moved for leave to bring in a bill to carry into effect the ordinance of the Convention held at Hillsborough, in July 1788, entitled "An ordinance for establishing a place for holding the future meetings of the General Assembly, &c. Ordered, That he have leave accordingly.

Mr. Porter presented the petition of the inhabitants of Burke and Rutherford counties, praying that a county be erected agreeably to their petition: Whereupon, Mr. M'Dowall moved for leave and
presented a bill forming the western parts of Burke and Rutherford counties into a separate and distinct county.

Mr. M'Dowall then moved for leave to withdraw this bill for amendment. Ordered, That he have leave.

Mr. Bailey presented the resignation of Samuel Lowe, a Justice of the Peace for Randolph county; which was read, accepted and sent to the Senate.

Mr. Mebane presented the petition of John Bonds; which was read and referred to the committee of propositions and grievances No. 2, and sent to the Senate.

The bill to alter the mode of swearing petit juries in the courts of law in this State, was read the second time, passed and sent to the Senate.

The bill to amend an act passed at Hillsborough in 1784, entitled, "An act to encourage Enoch Sawyer to make a road through Pasquotank river swamp," was read the second time and amended: Whereupon, on motion of Mr. M'Dowall, Ordered, That it be committed to Mr. Everigin, Mr. Ferebee and Mr. Grandy on the part of this house.

Ordered That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

The bill to amend an act, passed at Hillsborough in 1784, entitled "An act to encourage Enoch Sawyer to make a road through Pasquotank river swamp," we propose shall be referred to a joint committee, and on our parts have appointed Mr. Everigin, Mr. Ferebee and Mr. Grandy.

Mr. Hay moved for leave and presented a bill to amend an act, entitled "An act for establishing courts of law and regulating the proceedings therein;" and another act, entitled "An act for giving an equity jurisdiction to the superior courts;" which was read the first time, passed and sent to the Senate.

Mr. Hay moved for leave and presented a bill to establish the tobacco warehouse now building at Fayetteville by James Ritchie and John Winslow, and to empower the county court to appoint inspectors to the same; which was read, passed the first time and sent to the Senate.

Mr. Jones 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.
Mr. Caldwell presented the petition of Joseph Arthur; which was read and referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Mebane presented the petition of Richard Blackledge; which was read, referred to the committee of finance and sent to the Senate.

Mr. Porter presented the memorial of James Tindal; which was read, referred to the committee of propositions and grievances No. 1, and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We consent to the reference by you made of the bill for a division of Dobbs county.

Mr. Mebane presented the petition of John Willis and others; which was read and referred to Mr. Taylor, Mr. Stone, Mr. Smith, Mr. Polk and Mr. Witherspoon on the part of this house, and sent to the Senate.

Mr. Jones from the sub-committee of finance, to whom the memorial of Francois X. Martin, of New Bern, Printer, was re-committed, delivered in the following report:

That they have conversed anew with the memorialist, who wishes to undertake an edition of the statutes of Great Britain now in force in this State, but for want of a sure sale of this collection is deterred from entering into that business without the assistance of the legislature.—Your committee find that the memorialist will be supported in this undertaking by the advice and counsel of gentlemen learned in the law, and entertain no doubt of his being capable, with this assistance, to carry on the work with accuracy. The terms on which he solicits the support of the legislature appearing very reasonable to your committee, they cannot but be well aware of the advantages which the community will reap from the publication of that part of the laws of the State which is now hidden from the public eye, nor refrain from applauding the memorialist's endeavours, and recommend that he be employed to print off an edition of the Statutes of Great Britain now in force, in quarto volumes on demy paper, with the same type as the specimen tendered, and furnish a well bound copy thereof to each superior and county court, one copy for the Secretary and two copies for the use of the General Assembly; and that he be paid after the delivery of each volume at
the rate of fifteen shillings for every hundred pages.—All which is submitted.  

EDWARD JONES, Ch.

Resolved, That the house do concur with this report.

Mr. Person moved for leave and presented a bill for making conformable to the plan the second course of a tract of land lying in Jones county, formerly Craven, granted by patent to John Richards, bearing date the 24th day of November, 1738, containing three hundred acres, lying on both sides of Trent river; which was read the first time, passed and sent to the Senate.

Mr. Borden moved for leave and presented a bill to establish public buildings in the county of Carteret; which was read the first time, passed and sent to the Senate.

The bill to alter and amend the acts for regulating the pilotage and facilitating the navigation of Cape Fear river, was read the second time, passed and sent to the Senate.

Received from the Senate the petition of Winston Caswell, endorsed "Read and referred to the committee of propositions and grievances No. 1;" which was read, referred as by the Senate and returned.

The bill to prevent the building a mill on the Little river of Pee-dee, below M'Donald's mill, and other purposes, was read the second time, and laid over until the next General Assembly.

Mr. Stone moved for leave and presented a bill to confirm unto Greenbury Sutton an indefeasible title to certain lands therein mentioned, in Perquimans county. Ordered, That this bill be committed to the committee appointed to take under consideration the petition of John Willis and others.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

The bill to confirm unto Greenbury Sutton an indefeasible title to certain lands therein mentioned, in Perquimans county, we propose shall be committed to the committee appointed to take into consideration the petition of John Willis and others.

Received from the Senate the following reports, concurred with by that house, to-wit:—The report on the petition of John Richards and others, on the petition of William Croom, and on the petition of James Forsyth.

Received from the Senate the petition of Jonathan Hampton, endorsed "Read and referred as by the House of Commons."
Received from the Senate the petition of John Markland, endorsed "Read and referred to the committee appointed to correct errors in patents;" which being read, was referred as by the Senate and returned.

Received from the Senate the report of the committee on the petition of Ptolemy Powell, and on the petition of Thomas Boyd, endorsed "Read and concurred with;" which being read, were concurred with and returned.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We do not agree to the reference by you made of the memorial of David Dickson, but propose that it shall be referred to the committee of propositions and grievances No. 1.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to refer the memorial of David Dickson to the committee of propositions and grievances.

Received from the Senate the petition of Joseph Arthur, the petition of John Bonds, and the memorial of Thomas Haslen; 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," to-wit: A bill for altering the time for holding the county court of pleas and quarter sessions for the county of Franklin. A bill for granting to the inhabitants living between the north and south forks of the Yadkin river, the privilege of holding separate general musters. A bill to amend an act, entitled, "An act for establishing courts of law," &c., and another act, entitled, "An act for giving equity jurisdiction to the superior courts." A bill to establish the tobacco warehouse now building at Fayetteville by James Ritchie, &c. A bill to keep open Rockfish creek, in Cumberland county, &c. A bill to vest the title of a piece of land lying in Granville county, in James Forsyth and his heirs, in fee-simple.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have received the message of your house proposing to refer the bill to encourage Enoch Sawyer to cut a road, &c., to a joint committee, with which we do not concur, being of opinion it will
only be attended with a delay of business, the bill having already undergone two readings.

Resolved, That this house do concur therewith.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The letter from the public Treasurer, and that from Robert Fenner, Esq., late Agent for the officers of the continental line of this State, we agree shall stand referred as by you proposed.

Received from the Senate the resolution of this house directing the Secretary to make out a new grant to John G. Scull, concurred with.

Received from the Senate the resignations of Major Croom and William White, Justices of the Peace for Dobbs county; which were read, accepted and returned.

Received from the Senate the following bills, endorsed "Read the second 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 for vesting certain negroes in the heirs of Mark Newby. A bill to amend an act, entitled "An act to appoint Commissioners to superintend the building a prison and stocks for the district of Fayetteville," &c. A bill to alter the mode of swearing petit juries in the courts of law in this State. And also one other bill to amend an act, passed at Hillsborough, in 1784, entitled "An act to encourage Enoch Sawyer to make a road through Pasquotank river swamp," &c.

The order of the day 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 giving instructions to Samuel Johnston and Benjamin Hawkins, Esquires, Senators from this State in the Congress of the United States. The house resolved itself into a committee of the whole accordingly, Mr. Polk in the chair. After some time spent in committee, the Speaker resumed the chair, and Mr. Polk reported, that the committee had made some progress on the business submitted to them, but not having time to compleat the same desired leave to sit again. Ordered, That the committee have leave to sit again on Thursday next.

The house adjourned till to-morrow morning, 10 o'clock.
Tuesday, November 16, 1790.

Met according to adjournment.

Mr. M'Dowall moved for leave and presented a bill to continue in force an act, passed at Fayetteville, 1788, entitled, "An act for giving longer time for the registering, proving and recording grants, deeds or mesne conveyances, and other instruments of writing;" which was read the first time, passed and sent to the Senate.

Mr. Macon, agreeable to order, presented a bill to carry into effect the ordinance of the Convention held at Hillsborough, entitled "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;" which was read the first time, passed and sent to the Senate.

Mr. M'Dowall who had leave to withdraw for amendment the bill for erecting the western parts of Burke and Rutherford counties into a separate and distinct county, delivered in the same at the Clerk's table: Whereupon, the said bill was taken up and read for the first time, passed and sent to the Senate.

Mr. Bostwick moved for leave and presented a bill to compel the Clerks of the county courts of pleas and quarter-sessions within this state, to keep their offices at or near the court houses of their respective counties; which was read the first time, passed and sent to the Senate.

The bill to prevent any person who now does, or who may hereafter, hold any office, appointment or authority under the federal government, from being eligible to a seat in the General Assembly of this State, and to prevent any person from holding or exercising any office or appointment under the authority of the said State, so long as they continue to hold or exercise any office or appointment under the authority of the United States, was read the second time, amended, passed and sent to the Senate.

Mr. Polk presented the memorial of Francis Child; which was read, referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. M'Laine presented the petition of Joseph Dickson; which was read, referred to the committee of propositions and grievances No. 1, and sent to the Senate.

Mr. Leigh presented the petition of Edmund Hall; which was
read, referred to the committee of propositions and grievances No. 1, and sent to the Senate.

Mr. Hill presented the petition of Micajah Davis, Micajah Ratliff and James Hall; which was read and referred to the committee appointed to consider the petition of Adam Lawrence and claims issued at Warrenton, and sent to the Senate.

The bill to amend an act passed at Hillsborough, in 1784, entitled "An act to encourage Enoch Sawyer to make a road through Pasquotank river swamp, opposite his plantation," was read the second time, amended, passed and sent to the Senate.

The bill to direct the mode of proceeding in suits brought by persons detained in slavery for the recovery of their freedom, was read the second time, amended, passed and sent to the Senate.

The bill to amend an act, entitled "An act to appoint Commissioners to superintend the building a prison and stocks for the district of Fayetteville, and to levy a tax in the counties within mentioned for defraying the expence thereof," passed at Fayetteville in the year 1788, was read the third time, amended, passed and sent to the Senate.

The bill to repeal part of the second and fifth sections of an act of the General Assembly, passed at New Bern, in the year 1784, entitled, "An act for raising a public revenue for the support of government," &c., was read the third time, passed and sent to the Senate.

The bill to amend an act, entitled, "An act to amend an act for altering the time of holding the annual Assemblies, and directing the manner of electing annual officers for the succeeding year;" was read the second time, passed and sent to the Senate.

The bill to alter the mode of swearing petit jurors in the courts of law in this State, was read the third time, amended, passed and sent to the Senate.

Mr. Jones moved for leave and presented a bill to establish the town of Nash at the mouth of Cape Fear river.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We propose that the bill to erect the western parts of Burke and Rutherford counties into a distinct county, be referred to the committee appointed on the petitions for and against the division of Caswell, and that they report specially thereon.
Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the bill to erect the western parts of Burke and Rutherford counties into a distinct county, be referred as by you proposed.

Mr. Witherspoon presented the memorial of William Sheppard; which was read, referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Wood moved for leave and presented a bill to amend an act, passed at Fayetteville, 1788, entitled "An act to authorise and enable John Colson to return to this state and exercise the privileges therein mentioned;" which was read the first time, passed and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The bill to alter and amend the acts for regulating the pilotage of Cape Fear river, we propose shall be reported on by a joint committee, and have appointed Mr. Wynn, Mr. Bell and Mr. Armstrong.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to refer the bill to alter and amend the acts for regulating the pilotage of Cape Fear river, to a joint committee as by you proposed; and have appointed on our part, Mr. Jones, Mr. Dudley, Mr. Macon, Mr. Person and Mr. Scull.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We consent to the reference by you made of the bill to confirm unto Greenbury Sutton certain lands, &c.

Mr. Jones moved for leave and presented a bill to repeal the fifth and sixth sections of an act passed at Hillsborough, 1784, entitled, "An act to amend an act, entitled, An act for the regulation of the town of Wilmington;" which was read the first time, passed and sent to the Senate.

Received from the Senate the following petitions and memorials, endorsed "Read and referred as by the House of Commons," to-wit: —The memorial of Francis Child, the petition of Edmund Hall, the petition of Joseph Dickson, the memorial of James Tindall, and the petition of Richard Blackledge.
The bill to alter and amend the act for the benefit of insolvent debtors, was read the third time, and the question being put, "Shall this bill pass?" was negatived; whereupon the yeas and nays were required by Mr. Hay, and are as follows, to-wit:


Received from the Senate the report of the committee on the memorial of Francois X. Martin, endorsed "Read and concurred with."

Received from the Senate the petition of John Willis and others, endorsed "Read and referred to Mr. Pugh, Mr. Macon and Mr. Hill;" also the petition of Micah Davis and others, endorsed "Read and referred as by the House of Commons."

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We propose that the General Assembly ballot to-morrow, at 4 o'clock in the afternoon, for a Governor of this State the ensuing year, public Treasurer, place at which the next Assembly shall be held, and public Printers. We nominate for Governor, Alexander Martin, Esq.; for public Treasurer, John Haywood, Esq.; for the place at which the next Assembly shall be held, the towns of Pittsburg, Fayetteville, Tarborough, New Bern and Hillsborough; and for Public Printers Mess. Hodge and Wills, and Mess. Sibley and Howard.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the General Assembly ballot at 4 o'clock to-morrow evening, for a Governor the ensuing year, public Treasurer, place at which the next Assembly shall be held, and public Printer, and approve of your nomination.

A supplemental bill to the act, entitled, "An act concerning old
titles of land, for limitation of actions and for avoiding suits at law,” was read the second time and rejected.

Received from the Senate the following bills, endorsed “Read the first time and passed,” to-wit:—A bill to compel the Clerks of the county courts to keep their offices at or near the court houses of their respective counties. A bill for making conformable to the plan the second course of a tract of land lying in Jones county, &c. A bill to establish public landings in the county of Carteret. A bill to continue in force an act, passed at Fayetteville, 1788, entitled, “An act for giving longer time for the registering deeds,” &c. A bill to carry into effect the ordinance of the Convention held at Hillsborough, in July, 1788, &c.

Received also the following bills, endorsed “Read the second time and passed,” to-wit:—A bill to prevent any person who now does, or who may hereafter, hold any office, appointment or authority under the federal government, from being eligible to a seat in the General Assembly, &c. A bill for regulating ordinances, &c. A bill to repeal all acts, clauses and parts of acts as relate to classing tobacco.

Received from the Senate the following bills, endorsed “Read the third time and passed,” to-wit:—A bill to carry into effect a resolution of Congress, passed the 29th of September, 1789. A bill to amend an act passed at Hillsborough, in 1784, entitled, “An act to encourage Enoch Sawyer to build a bridge,” &c. A bill to alter the place of holding the courts of Hyde county, &c.

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

WEDNESDAY, November 17, 1790.

Met according to adjournment.

Mr. Slade presented the resignation of John Everett, Justice of the Peace for Martin county; which was read, accepted and sent to the Senate.

Received from the Senate the petition of Edwin Harris, 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 petition of John Herritage, endorsed “Read and referred to Mr. Armstrong and Mr. M'Dowall,” which
being read, was referred to Mr. Stone, Mr. Hill and Mr. Mebane, on
the part of this house and returned.

Mr. Caldwell moved for leave and presented a bill to alter the
times of holding the courts of pleas and quarter sessions for Iredell
county; which was read the first time, passed and sent to the
Senate.

Mr. M'Dowall moved for leave and presented a bill directing the
mode of proceeding in scrutinized elections; which was read the first
time, passed and sent to the Senate.

Mr. Smith moved for leave and presented a bill to amend and
repeal the several acts and parts of acts therein mentioned respecting
slaves; which was read the first time, passed and sent to the Senate.

Mr. Jones moved for leave and presented a bill to increase the
benefit of the county courts of pleas and quarter-sessions to the citi-
zens of this State; which was read the first time, passed and sent
to the Senate.

Resolved, That no private bill shall be received in this house after
Saturday next.

Received from the Senate the following bills, endorsed "Read the
first time and passed," to-wit:—A bill to repeal the fifth and sixth
sections of an act passed at Hillsborough, in the year 1784, entitled
"An act to amend an act, entitled, An act for the regulation of the
town of Wilmington." A bill to amend an act, passed at Fayette-
ville, 1788, entitled, "An act to authorise and enable John Colson to
return to this State," &c. A bill directing the mode of proceeding
in scrutinized elections. A bill to increase the benefit of the county
courts of pleas and quarter sessions to the citizens of this state. A
bill to alter the time of holding the courts of pleas and quarter ses-
sions of Iredell county. A bill to amend and repeal the several
acts and parts of acts therein mentioned respecting slaves. A bill
empowering the superior courts of law and equity, and the Secre-
tary of State, to correct certain patents or grants therein desribed,
when there have been errors by the Surveyor in making the re-
turns, &c.

Received likewise a bill for altering the time of the annual meeting
of the General Assembly, endorsed "Read the third time, amended
and passed."

The bill for cutting a navigable canal from the waters of Pasquo-
tank river in this State, to the waters of Elizabeth river in the State of Virginia, was read the third time, and the question being put, "Shall this bill pass?" was carried in the affirmative; whereupon the yeas and nays were required by Mr. Jones, and are as follows, viz:


Mr. Jones presented the memorial of Catharine Young; which was read and referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Dawson presented the petition of John Dawberley; which was read, referred to the committee to correct errors in patents and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We propose that four members from each house be appointed to examine the engrossed bills of the present session; and have appointed Mr. Graham, Mr. Benford, Mr. Skinner and Mr. Bethell on our parts.—We have also appointed Mr. Macon and Mr. M'Dowall to superintend the balloting this evening.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to your proposition that four members from each house be appointed to examine the engrossed bills of the present session, and have on our part appointed Mr. Stone, Mr. Macon, Mr. Polk and Mr. Gautier. We have also appointed Mr. Sanders and Mr. Grove to superintend the balloting this evening, and propose that
the superintendents be directed to wait on and receive the ballots of the sick absent members.

A motion was made by Mr. B. Smith, and seconded by Mr. Polk, that a proposition be made to the Senate, that the superintendents of the balloting be directed to wait on the sick absent members in town, and receive from them their votes. This being objected to the question was put and carried in the affirmative; whereupon the yeas and nays were required by Mr. Person, which are as follows, viz.:


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

Met according to adjournment.

Mr. Butler moved for leave and presented a bill to appoint Commissioners for fixing on a place to erect a court house, prison and stocks for the county of Montgomery, &c.; which was read the first time and passed.

Ordered, That this bill, with the petitions, be committed to the committee appointed to take under consideration the bill and petitions for and against the division of Caswell county.

Mr. Mebane presented the petition of Britain Fuller; which was read and referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We agree that the superintendents be requested to wait on the sick absent members in order to receive their votes, and are now ready to proceed on the balloting.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have appointed Mr. Taylor to superintend the balloting this evening in the room of Mr. Grove.
Mr. Polk presented the memorial of Ezekiel Wallace; which was read, referred to the committee appointed on the petition of sundry of the inhabitants of Orange county, and sent to the Senate.

Mr. Jones presented the petition of G. M'Kenzie; which was read, referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Porter presented the petition of William Brown; which was read, referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have added Mr. Skinner to the committee appointed on the petition of John Wills and others.

Received from the Senate the bill to annex part of Onslow county to the county of Jones; endorsed "Read the first time and passed."

Received from the Senate the bill to repeal an act, entitled, "An act providing means for the payment of the domestic debt, &c., endorsed "Read the second time and passed."

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The bill to direct the mode of proceeding in suits brought by persons detained in slavery, we propose shall be submitted for amendment to a joint committee, and have appointed on our parts Mr. Qualls, Mr. Graham, Mr. Hargett and Mr. Wynn.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to your proposition for the commitment of the bill directing the mode of proceeding in suits brought by persons detained in slavery for the recovery of their freedom, to a joint committee, and have appointed Mr. Macon, Mr. Guion, Mr. Polk, Mr. WITHERSPOON, Mr. Nash, Mr. Hay and Mr. Leigh.

Whereas frequent and notorious robberies have been and are daily committed in various parts of the State, and whereas a certain Seth Collier and John Abbott are supposed to be the leaders of a gang of villains now infesting the neighborhood of this town: Therefore,

Resolved, That his Excellency the Governor be requested to issue a proclamation offering a reward of fifty pounds for apprehending the said Seth Collier or the said John Abbot, and a further reward
of twenty-five pounds for the apprehending any of their accomplices, or any person or persons guilty of highway robberies; which sums are to be paid on the conviction of the said Collier or Abbot, or any such before described robber, to the person apprehending and prosecuting to conviction, on producing a certificate from the Clerk of the Court where such conviction was had.

Resolved also, That his Excellency be informed such proclamation is to continue in force only until the meeting of the next General Assembly.

Mr. Guion presented the petition of Thomas Turner; which was read, referred to the committee appointed to correct errors in patents and sent to the Senate.

Mr. Williams presented the petition of James Cannon; which was read, referred to the committee appointed to correct errors in patents and sent to the Senate.

Mr. Hawkins from the committee of propositions and grievances, to whom was referred the petition of Joshua Skinner and others, reported—That from information it appears that a number of the people called Quakers, who reside in the county of Perquimans, have at sundry times liberated their slaves, and that many of the said slaves have been seized and sold, and the monies arising from such sales have been paid into the public treasury of this State. It also further appears that it is the wish of a number of the Quakers and others, who are inhabitants of the said county, that so much of the monies arising from the sales of those liberated slaves, as should be thought sufficient to erect a house for the reception of the poor of said county, should be appropriated to that use.—Your committee after considering the several circumstances, giving each its due weight, are of opinion they cannot with any degree of propriety grant the prayer of the petition, and do therefore recommend that it be rejected. All which is submitted. WYATT HAWKINS, Ch.

Resolved, That the house do concur with this report.

The committee of propositions and grievances, to whom was referred the petition of Mark Bird, report—On information before the committee, it appears that the said Mark Bird became bankrupt when a citizen of the state of Pennsylvania—that he has since that time become an inhabitant of this State, and wishes the legislature to substantiate the said bankruptcy.—Your committee having duly considered the circumstances, are of opinion that the legisla-
tured have nothing to do in the business, therefore reject the petition. Which is submitted. WYATT HAWKINS, Ch.

Resolved, That the house do concur with this report.
Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:
The report of the committee on the petition of John Hall and Thomas Neale, we agree shall be committed to the same committee.
This house adjourned until to-morrow morning, 10 o'clock.

THURSDAY, November 18, 1790.
Met according to adjournment.
Mr. Taylor from the joint ballotting for a Governor, public Treasurer, public Printer, and the place for the next meeting of the General Assembly, delivered in the following report, to-wit:
That Alexander Martin, Esq., was elected Governor, John Haywood, Esq., public Treasurer, and Mess. Hodge and Wills, public Printers, and that no one place in nomination for the sitting of the next General Assembly had a majority of votes.
Resolved, That the house do concur with this report.
Mr. Anderson presented the petition of Alexander M'Intosh; which was read and referred to the committee to correct errors in grants, &c., and sent to the Senate.
Mr. Gautier moved for leave and presented a bill to amend an act, entitled, "An act declaring what fences are sufficient, and to provide a remedy for abuses;" which was read the first time, passed and sent to the Senate.
Mr. Jones moved for leave to bring in a bill for levying a tax, and appointing Commissioners, for the purpose of building a district court house for the district of Wilmington. Ordered, That he have leave.
The bill to alter the place of holding the county court of Hyde county, from Woodstock to Bell's bay or Jasper's creek in said county, and to erect a new court house, prison and stocks, was read the third time, passed and ordered to be engrossed.
Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:
We propose that a joint committee be appointed to take under
consideration the extra services of the public printers of this State, and such further regulations respecting their duty in office as they may think necessary; and have on our part appointed, Mr. Porter, Mr. Taylor, Mr. Person, Mr. Polk and Mr. Jones.

The bill for building a court house in the town of Hillsborough, for the district of Hillsborough, was read the third time, amended, passed and sent to the Senate.

The bill to extend the term of limitation as a bar to recoveries in the personal actions therein named, was read the second time and rejected.

Received from the Senate the memorial of Wm. Sheppard, assignee of Richard Adams, endorsed "Read and referred as by the House of Commons."

Received from the Senate the resignation of John Everett, endorsed "Read and accepted."

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

It appearing from the balloting of yesterday that no place had a majority for the sitting of the next Assembly; we propose that the two houses proceed to make their choice by ballot to-morrow evening, at 4 o'clock, and nominate the towns of Fayetteville, Tarborough, New Bern and Hillsborough. We also propose that a Council of State be ballotted for at the same time, and nominate Gen. Rutherford, Mr. Gowdy, Mr. Phifer, Mr. James Gillespie, Mr. John Williams, Mr. Bruce, Mr. Charles M'Dowall, Mr. Phil. Hawkins, Jun., (Anderson's Swamp); Mr. Thomas Overton, Mr. William Johnston, Mr. Faulcon and Mr. Thomas Eaton. In making this nomination, the Senate have been governed by a belief that there is an impropriety in electing members of Assembly to the office of Councillors of State.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to ballot to-morrow evening at 4 o'clock, as by you proposed for the place for the sitting of the next General Assembly, and a Council of State, and approve of the nominations by you made. We have nominated as Councillors, Mr. Thomas Brown, Gen. Harrington, Mr. James Williamson, Mr. Charles Gallaway, Mr. George Lucas and Mr. Benjamin Williamson. Also we propose to ballot at the same time for a Colonel of Cavalry for Hillsborough
district, and nominate Mr. Samuel Benton, Mr. John Taylor and Mr. Francis Child.

The bill to prevent any person who now does, or who may hereafter, hold any office, appointment or authority under the federal government from being eligible to a seat in the General Assembly of this State, &c., was read the third time, amended, passed and sent to the Senate.

Mr. Smith, from the committee to whom was referred the bill for making Cross-creek navigable, together with the memorial of Mark Russel, reported—That it is the opinion of your committee the navigation proposed, when completed, will be of public utility, and having considered the petitioner's objections to the said bill, they are of opinion the same are not well founded; but the committee recommend that a provision should be added to the bill, that unless the said navigation is rendered useful within three years from the passing of the bill into a law, the privileges granted therein shall be void. Which is submitted. B. SMITH, Ch.

Resolved, That the house do concur with this report.

Mr. John Hamilton, the member of the town of Edenton, appeared, was qualified and took his seat.

Mr. Dudley presented the petition of sundry of the inhabitants of Onslow county; which was read, referred to Mr. Dudley, Mr. Spicer, Mr. Borden, Mr. Grove and Mr. Jones, and sent to the Senate.

Mr. Grove presented the resignation of Solomon Porch, a Justice of the Peace for Cumberland county; which was read, accepted and sent to the Senate.

Mr. Stone presented the resignation of Simeon Spruill, second Major of the Tyrrell regiment of militia; which was read, accepted and sent to the Senate.

Mr. Creecy presented the petition of Joseph Blount; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

On a motion made by Mr. Taylor, Resolved, That on Saturday next the committee of the whole house be requested to take into consideration the propriety of the members of the General Assembly taking an oath to support the constitution of the United States, as prescribed by an act of the first session of Congress, as well as the oath prescribed in the said act to be taken by certain officers of the State, and report thereon to the house.
STATE RECORDS.

Received from the Senate the following petitions, endorsed "Read and referred as by the House of Commons," to-wit:—The petition of Catharine Young, the petition of William Brown, the petition of John Dawberly, the petition of James Cannon, the petition of Thomas Turner.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

On reading for the third and last time the bill for building the court house for the district of Hillsborough, &c., we propose the following amendments, viz.—1. To add the names of Wm. Cain and Wm. Cocke to the nomination of Commissioners now contained in the bill. 2. To reduce the tax in the counties of Wake, Chatham, Granville, Caswell and Randolph, from one shilling on the poll to nine pence, and from four pence on the hundred acres of land in said counties, to three pence. 3. In the last enacting clause we propose to dele the figures 30, and insert 60 in the place thereof. Should you accede to these amendments, you will send two of your members to see them made in the bill.

The question being put, "Will the house concur with the propositions of the Senate contained in the foregoing message?" was negatived; whereupon the yeas and nays were required by Mr. Person, which are as follows, viz.:


On a motion made by Mr. Hay, and seconded by Mr. Taylor, Resolved, That the order of the day for going into a committee of the whole house be postponed till Saturday next.

Mr. Grove presented the petition of John Arnold; which being read, was referred to the committee of claims and sent to the Senate.
Received from the Senate the report of the committee on the petition of Joshua Skinner and others, endorsed "Read and concurred with."

Received from the Senate the following messages:

Mr. Speaker and Gentlemen:
The report of the committee on the petition of John Hall and Thomas Neale, we agree shall be committed to the same committee.

Mr. Speaker and Gentlemen:
We agree to ballot for a Colonel of horse for the district of Hillsborough, and propose that a Colonel of cavalry for the district of Salisbury, and second Major of horse for the district of Edenton, be balloted for at the same time. We nominate for Colonel of horse for the district of Salisbury, William Polk and William T. Lewis, Esquires, and for second Major of cavalry for Edenton district, Thomas Harvey and Patrick Garvey. We further propose that the candidates for the different military appointments having the greatest number of votes, be declared elected.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:
We agree to ballot for a Colonel of cavalry for the district of Salisbury, and a second Major of horse for the district of Edenton, as you propose, and approve of the nomination by you made. We further agree that the candidates for the different military appointments having the greatest number of votes be returned elected.

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

Met according to adjournment.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:
We agree with you in the appointment of a committee to point out the extra duty of the public printers, and have appointed on the part of the Senate, Mr. Dickson, Mr. Benford and Mr. Armstrong. we propose that the bill and petition herewith sent, relative to public buildings in the county of Montgomery, be referred to the committee on the bill for dividing Caswell county.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:
We accede to your proposition for the commitment of the bill
and petition relative to the public buildings in the county of Montgomery, but do not concur in the amendments by you proposed to be made in the bill for building a court house in the town of Hillsborough, for the district of Hillsborough.

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

FRIDAY, NOVEMBER 19, 1790.

Met according to adjournment.

Mr. Lock presented the petition of John Brevard, Lewis Beard and others; which being read, was referred to the committee of propositions and grievances No. 1, and sent to the Senate.

Mr. Martin presented the petition of Owen Carpenter; 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 and Gentlemen:

The bill to amend an act for establishing courts of law, and for regulating the proceedings therein; and another act, entitled, "An act for giving an equity jurisdiction to the superior courts;" together with the heads of the bill concerning the administration of justice, therewith accompanying, we propose shall be committed to a joint committee of both houses, to consist of a member from each district; and have on our part appointed Mr. Polk, Mr. M'Dowall, Mr. Person, Mr. Macon, Mr. Hamilton, Mr. Witherspoon, Mr. Smith and Mr. Hay.

The bill to vest the title of a piece or parcel of land lying in Granville county, in James Forsyth and his heirs, in fee-simple, was read the second time, amended, passed and sent to the Senate.

Mr. Hamilton presented the petition of Benjamin Jones; which being read, was referred to Mr. Everigin, Mr. Lewis, Mr. Southerland, Mr. Bonds and Mr. Irwin, and sent to the Senate.

Mr. Hamilton presented the petition of sundry merchants of Edenton; which being read, was referred to the committee appointed on the petition of Benjamin Jones and sent to the Senate.

Received from his Excellency the Governor the two following messages:
To the honorable the General Assembly of the State of North Carolina:

Gentlemen:

I lay before you herewith the account of warrants drawn upon the treasury from the 18th of December last, to the 4th of November, this instant; the vouchers are ready to accompany the same when required.

ALEX MARTIN.

To the honourable the General Assembly:

Gentlemen:

I send you herewith a deed of gift of an acre of land on Ocracock Island, granted by Mess. William Williams, John Williams, Joseph Williams and William Howard, Junior, proprietors of said land, to the Governor of this State and his successors, for the purpose of erecting thereon a light-house, pursuant to an act of the Assembly passed last session. As the Commissioners cannot now proceed in erecting that building, for the reasons mentioned in their letter herewith, it will be necessary that the said land be vested in the Congress of the United States, and the Governor be authorised to convey the same for the purpose aforesaid, and that that honourable body be requested to effect the intentions of the legislature.

ALEX. MARTIN.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

The message of this day's date from his Excellency the Governor, and the papers therein referred to, we propose shall be committed to a joint committee of both houses, and have on our part appointed Mr. Smith, Jones and Mr. Hay.

The bill to establish the tobacco ware house now building at Fayetteville by James Ritchie and John Winslow, and to empower the county court to appoint inspectors to the same, was read the second time, passed and sent to the Senate.

The bill to carry into effect a resolution of Congress, passed the 29th of September, 1789, was read the third time, passed, and ordered to be engrossed.

Mr. Jones presented the petition of James Richard; which being read, was referred to the committee appointed on the petition of Benjamin Jones and sent to the Senate.

The bill to amend and repeal the several acts and parts of acts
therein mentioned respecting slaves, was read the second time, and
the question being put, "Shall this bill pass?" was carried in the
affirmative; whereupon the yeas and nays were required by Mr.
Bonds, seconded by Mr. Creecy, which are as follows:

Yeas.—Mess. Wood, Dawson, Smith, Gautier, Stewart, Vance,
Sawyer, Ferebee, Anderson, Person, Hamilton, Hannah, Peters,
Matthews, Moore, Polk, Slade, Martin, Spicer, Mebane, M'Laine,
Perry, Evergin, Lock, Gaither, Porter, Taylor, Philips, Bailey,
Brown, Houser, Bostwick, M'Kay, Guion, Spruill, Borden, Dowd,
Mosby, Jones, Witherspoon, Grandy, W. Hill, Hamilton.—43.

Nays.—Mess. Lanier, Stone, M'Dowall, Dickens, Dixon, Williams,
Bell, Yancey, Sumner, Alston, Montgomery, Jasper, H. Bryan,
Caldwell, E. Bryan, Bonds, Dudley, Carrington, S. Allen, Withrow,
Regan, Blewit, Thomson, Sutherland, Sanders, Lewis, Macon, Haw-
kins, Pender, Fulford, Simpson, Turner, Sutton, Creecy, Croom.—
35.

Received from the Senate the following petitions, endorsed "Read
and referred as by the House of Commons," to-wit:—The petition
of John Arnold and the petition of Joseph Blount. Also the peti-
tion of sundry of the Inhabitants of Onslow county, endorsed "Read
and referred to Mr. Snead, Mr. Bell, Mr. Hargett, Mr. Campbell
and Mr. Bryan."

Received also the resignation of Solomon Porch, Justice of the
Peace for Cumberland county, and the resignation of Simeon Spruill,
second Major of the Tyrrell regiment of militia, endorsed "Read
and accepted."

The bill to repeal all acts, clauses and parts of acts of the General
Assembly of this State, as relate to the classing tobacco, was read
the third time, amended, passed and sent to the Senate.

Mr. Taylor entered the following protest against the passing this
bill into a law:

1. Because the arguments used in favor of this bill were, that
our tobacco had suffered considerably in its reputation since the
classing of it, when in fact returns from European makers have not
justified such assertions; and by the present bill, any kind of tobacco,
however bad, may be shipped, which surely will be attended with
a worse consequence, and may finally effect that evil which is now
only surmised.—2. Because the markets in Europe require for
their consumption tobacco of various qualities, and we, by not dis-
criminating the qualities, give to foreigners an advantage which we should as a nation retain.—3. Because the frequent, we may say annual alterations in our inspection laws, without having by experience proofs of their inefficacy, evince the want of information in our legislature on this subject.—4. Such frequent changes deprive foreigners, who otherwise might consider our market as an object of attention, from coming among us, and circulateing their specie, by purchasing our principal article of export, and vests the entire trade only with a few.

JAMES TAYLOR,
WILLIAM POLK.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We agree that the message from his Excellency the Governor, together with the papers therein referred to, shall be reported on by a joint committee, and have appointed Mr. Armstrong and Mr. Wynn to act with the gentlemen by you named.

Received from the Senate the following petitions, endorsed "Read and referred as by the House of Commons," to-wit, the petition of Ezekiel Wallace and the petition of J. Brevard, Lewis Beard and others.

Received from the Senate the following bills to-wit:—A bill to establish a town at the place fixed upon for the court house in the county of Stokes, endorsed, "Read the first time, and passed;" a bill to amend an act, passed at Fayetteville, in November, 1786, entitled "An act to amend an act passed at New Bern, in the year 1785, entitled An act for increasing the jurisdiction of the county courts of pleas and quarter sessions, and of the Justices of the Peace out of court, and directing the times of holding courts in this State," endorsed "Read the second time, amended and passed."

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have appointed Gen. Kenan and Col. Hargett, who together with such gentlemen as you may make choice of, will wait on the Hon. Alexander Martin, Esq., and acquaint him of his late appointment of Governor of this State, and request to know when it will be convenient for him to qualify and enter on the duties of his office.

Ordered, That the following message be sent to the Senate:
Mr. Speaker and Gentlemen:

We agree to your message for appointing two members from each house to wait on Alexander Martin, Esq., and inform him of his election to the chief magistracy of this State. We have on our part of this house appointed Mr. Person and Mr. Irwin.

The bill to repeal an act, entitled, "An act providing means for the payment of the domestic debt, for appropriating certain monies therein mentioned, and to amend an act passed the last session of the General Assembly, entitled, An act for levying a tax for the support of government, and for the redemption of the old paper currency," &c., was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following bills, endorsed "Read the second time and passed;" to-wit:—A bill to establish the tobacco warehouse now building at Fayetteville, &c. A bill to vest the title of a piece or parcel of land in James Forsyth and his heirs, in fee simple.

The bill to increase the benefit of the county courts of pleas and quarter sessions to the citizens of this State, was read the second time, passed and sent to the Senate.

The house adjourned till 4 o'clock P. M.

Met according to adjournment.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

The name of Col. Polk, at his particular request, is withdrawn from the nomination of Colonel of cavalry for the district of Salisbury; and we further add to the nomination of that appointment Colonel Robert Smith. We have appointed Mr. Hill and Mr. Mebane to superintend the balloting this evening.

Mr. Bonds presented the petition of Wilson Taylor; 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 messages:

Mr. Speaker and Gentlemen:

We are now ready to proceed on the balloting, and have appointed Mr. Hill and Mr. Clinton to conduct the same on the part of this house.
Mr. Speaker and Gentlemen:

We agree to the commitment of the several bills relative to amending the court system, and have appointed Mr. M'Dowall, Mr. Graham, Mr. Lane, Mr. Hill, Mr. Wynn, Mr. Hargett, Mr. Owen and Mr. Barnes to act with the gentlemen by you appointed.

Mr. Speaker and Gentlemen:

We have added William Lytle and Trangott Bagge to the nomination for Councillors.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have appointed Mr. Jones to superintend the balloting this evening in the room of Mr. Mebane.

Mr. Hamilton presented the petition of the Wardens of the poor in the town of Edenton and county of Chowan; which being read, was referred to the judicial committee and sent to the Senate.

Mr. Hamilton presented the petition of Mary Cheshire, widow of John Cheshire; which being read, was referred to the committee to take under consideration the petition of B. Jones, and sent to the Senate.

Mr. Hamilton presented the petition of Edmund Blount; which being read, was referred to the committee of claims and sent to the Senate.

Mr. Hamilton presented the petition of James Jones; which being read, was referred to the committee of claims and sent to the Senate.

Received from the Senate the petition of Francois X. Martin, endorsed "Read and referred to the committee of claims;" which being read, was referred as by the Senate and returned.

Mr. Guion presented the memorial of Wm. M'Clure; which being read, was returned to the committee of claims and sent to the Senate.

Mr. Hamilton presented the petition of Thomas Mackey; which being read, was referred to the committee of claims and sent to the Senate.

The bill to empower Etheldred Ruffin, Thomas Branton, Wlloughby Williams and Ilymeric Hooker, the securities of Benjamin Caswell, late Sheriff of the county of Dobbs, to collect and account for the taxes due from the inhabitants of the said county for the year 1789, was read the second time, passed and sent to the Senate.
Mr. Borden moved for leave and presented a bill to prevent people from hunting on Bogue Banks, &c.; which was read the first time, passed and sent to the Senate.

Received from the Senate the petition of William Morgan; which being read, was referred to the committee of propositions and grievances No. 1, and returned to the Senate.

Received from the Senate the memorial of Simon Turner and others, endorsed "Read and referred to the committee on the petition of John Willis;" which being read, was referred as by the Senate and returned.

Received from the Senate the petition of John Hopkins, endorsed "Read and referred to the committee of propositions and grievances No. 1;" which was referred in like manner and returned.

The house adjourned till to-morrow morning, 10 o'clock.

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Saturday, November 20, 1790.

Met according to adjournment.

Received from the Senate the petition of Alderson Ellison, endorsed "Read and referred to the committee of propositions and grievances No. 1;" which being read, was referred as by the Senate and returned.

Resolved, That in compliance with the prayer of the petition of Charles Gerrard, the Secretary of State be directed to issue to the said Charles Gerrard, a grant for the lands to which Arthur Cotgreave, dec., was entitled, in consequence of his service as a continental officer in the line of this State.

The bill empowering the superior courts of law and equity, and the Secretary of State, to correct certain patents or 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.

Mr. Hill, from the joint balloting for Councillors, Colonels of cavalry for Salisbury and Hillsborough districts, Major of horse for the district of Edenton, and place for the sitting of the next General Assembly, delivered in the following report, viz.—That Charles Bruce and Philemon Hawkins were elected Councillors—
Samuel Benton, Col. of cavalry for Hillsborough district—Robert Smith, Col. of cavalry for the district of Salisbury—and Thomas Harvey, second Major of horse for the district of Edenton—and that no one place in nomination for the sitting of the General Assembly had a majority.

Resolved, That the house do concur with this report.

On a motion made by Mr. M'Dowall, seconded by Mr. Polk,Resolved, That the order of the day for the house going into a committee of the whole house be postponed until Monday next.

The bill to annex part of Onslow county to the county of Jones, was read the first time, passed and sent to the Senate.

A motion was made by Mr. Guion, and seconded by Mr. Bonds, that the house enter into the following resolution, to-wit:

Resolved, That the committee of privileges and elections do make enquiry whether any of the members of this house are holders of public monies, and make report of the same.

This motion being objected to and debated, it was then moved by Mr. Polk, and seconded by Mr. ———, that the motion made by Mr. Guion be postponed, and that the order of the day be taken up; this was also objected to. The question being put, “Will the house postpone taking up the motion made by Mr. Guion?” was carried in the affirmative; whereupon the yeas and nays were required by Mr. Bonds, which are as follows, to-wit:


Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the General Assembly ballot at 4 o’clock this
evening for the place at which the next Assembly shall meet, and Councillors yet to be elected.

The bill for equalizing the land tax, was read the first time, passed and sent to the Senate.

Ordered, That Mr. Dudley have leave to absent himself from the service of this house.

Ordered, That Mr. Smith have leave to absent himself from the service of this House after December 4th.

Received from the Senate the following bills, endorsed “Read the second time and passed,”—A bill to increase the benefit of the county courts of pleas and quarter sessions to the citizens of this State; and a bill to make Cross-creek navigable. Also a bill to amend an act, entitled, “An act for the promotion of learning in the county of Currituck,” &c., endorsed “Read the first time and passed.”

Mr. M'Dowall moved for leave to withdraw for amendment the bill directing the mode of proceeding in scrutinized elections. Ordered, That he have leave.

The bill to amend an act, entitled, “An act for the promotion of learning in the county of Currituck, and to amend the Wilmington academy law,” was read the first time, passed and sent to the Senate.

Received from the Senate a bill to establish a town at the place fixed upon for the court house in the county of Stokes, endorsed, “Read the first time and passed.” This bill was taken up and read for the first reading in this house, passed and returned to the Senate.

Received from the Senate a bill for altering the time for holding the county court of pleas and quarter sessions for the county of Franklin, endorsed “Read the first time and passed.” This bill was taken up and read for the first reading in this house, passed and returned to the Senate.

Received from the Senate a bill for granting to the inhabitants living between the north and south forks of the Yadkin river, the privilege of holding separate general musters, endorsed “Read the first time and passed.” This bill was taken up and read for the first reading in this house, passed and returned.

Mr. Person presented the petition of John Taylor; which being read, was referred to the committee on the petition of John Willis and others.

Received from the Senate the following message;
Mr. Speaker and Gentlemen:

We have added Gen. Clinton and Gen. Kenan to the committee appointed on the petition of J. Willis.

The bill to amend an act to prevent abuses in taking up stray horses, cattle, sheep and hogs, and other things therein mentioned, was read the second time, passed and sent to the Senate.

Received from the Senate a bill to empower Etheldred Ruffin, Thomas Branton, Willoughby Williams and Hymeric Hooker, the securities of Benjamin Caswell, late Sheriff of the county of Dobbs, to collect and account for the taxes due from the inhabitants of the said county for the year 1789, endorsed "Read the second time and passed."

Received from the Senate a bill to repeal an act, entitled, "An act providing means for the payment of the domestic debt, for appropriating certain monies therein mentioned, and to amend an act passed the last session of the General Assembly, entitled, "An act for levying a tax for the support of government, and for the redemption of the old paper currency, continental money," &c., endorsed "Read the third time, amended and passed."

Mr. Alston presented a certificate from the public Treasurer, stating that Hance Hamilton and James Withrow are indebted in considerable sums to the state; which being read, was referred to the committee of privileges and elections to report thereon.

Mr. Jasper moved for leave and presented a bill directing the time and place of holding the annual elections in the county of Hyde; which was read the first time, passed and sent to the Senate.

The bill to continue in force an act passed at Fayetteville, 1788, entitled, "An act for giving longer time for the registering, proving and recording grants, deeds, mesne conveyances and other instruments of writing, was read the second time, passed and sent to the Senate.

The bill to repeal the fifth and sixth sections of an act passed at Hillsborough, in the year 1784, entitled, "An act to amend an act, entitled, An act for the regulation of the town of Wilmington," was read the second time, passed and sent to the Senate.

The bill to establish public landings in the county of Carteret, was read the second time, passed and sent to the Senate.

The bill to alter the time of holding the courts of pleas and quar-
ter sessions of Iredell county, was read the second time, passed and sent to the Senate.

The bill to amend an act, passed at Fayetteville, 1788, entitled, "An act to authorize and enable John Colson to return to this State, and exercise the privileges therein mentioned," was read the second time, passed and sent to the Senate.

Received from the Senate the resignation of Peter Qualls, a Justice of the Peace for Halifax county, endorsed "Read and accepted;" which being read, was accepted by this house and returned.

Received from the Senate the following petitions and memorials, endorsed "Read and referred as by the House of Commons, to-wit: The memorial of William Mc'Clure, the petition of William Morgan, the petition of Edmund Blount, the petition of James Jones, and the petition of the wardens of Chowan county.

Received also the petition of Mary Cheshire, 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 amend an act passed at Hillsborough in 1784, entitled, "An act to encourage Enoch Sawyer to make a road," &c., was read the third time, passed and ordered to be engrossed.

A bill to keep open Rockfish creek in Cumberland county, was read the second time, passed and sent to the Senate.

A bill to prevent the obstruction of fish running up New river, in Onslow county, was read the first time, passed and sent to the Senate.

The bill for making conformable to the plan the second course of a tract of land, lying in Jones county, formerly Craven, granted by patent to J. Richards, &c., was read the second time, passed and sent to the Senate.

The committee to whom was referred the petition of Richard Blackledge, report—That in obedience to a resolution of the last General Assembly, it appears that he has paid to the Consul-General of France, at New York, 1625 and 1-6th dollars, with interest to the 26th day of August, which together makes as per receipt, 1691 and 25 100th dollars, for which he holds the receipt of said Agent. And it is the opinion of the committee, that he the said Richard Blackledge give the receipt of the said Agent, for the 1691 and 25-100th dollars, to the Comptroller of this State, whose receipt for the same shall be a sufficient voucher to the Clerk of Hillsborough.
superior court to grant him a discharge from said judgment, on receiving the cost. And the Clerk aforesaid, Major Absalom Tatton, or his successor in office, is hereby directed to enter satisfaction on the docket or record of said court, for amount of said judgment, as confessed by Richard Blackledge in Oct., 1789, upon receiving the fees upon said suit. Which is submitted.

THOMAS PERSON, Ch.

Resolved, That the house do concur with this report.

Received from the Senate the resolve directing the Secretary to issue to Charles Gerrard, a grant for the lands to which Arthur Cotgreave, dec., was entitled, in consequence of his service as a continental officer, endorsed "Read and concurred with."

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We propose that the bill to repeal the several acts of Assembly respecting slaves, be committed to a joint committee for amendment; to which end we have appointed Mr. M'Dowall, Mr. Hargett, Mr. Courtney and Mr. Qualls.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to commit the bill to repeal the several acts of Assembly respecting slaves, as by you proposed, and have on our part appointed Mr. Smith, Mr. Jones, Mr. M'Laine, Mr. Sutherland, Mr. Lock, Mr. Stone, Mr. Hamilton, Mr. Hay, Mr. Bonds.

Mr. Hawkins from the committee of propositions and grievances No. 2, delivered in the following reports:

The committee to whom was referred the petition of Samuel Williams, report—That it appears by a certificate from the Clerk of Montgomery county, that the said petitioner did recover in the court of said county, a judgment against Walter Cunningham, amounting to seventy-nine pounds and nine pence, including cost, of which sum the said Williams hath received sixteen pounds, which still leaves a balance due to the petitioner of sixty-three pounds and nine pence, as will also appear by the said certificate. It also further appears, that the said Walter withdrew himself from this and the United States, whereby his property became confiscated, and was sold, and the monies arising therefrom paid into the treasury.—Your committee therefore recommend, that the Treasurer be directed to pay
the said sum of sixty-three pounds and nine pence, if there remains as much money in the treasury that has been paid in on account of the property of the said Walter Cunningham, so confiscated and sold. Which is submitted. WYATT HAWKINS, Ch.

The committee of propositions and grievances No. 2, to whom the petition of William Steele was referred, are of opinion, that whatever certificates Mr. Steele may have purchased, he did it at his own risk; and if the vouchers in his possession are not sufficient to induce the Treasurer to issue them, that it is the business of Mr. Steele to procure such as are sufficient, and not the business of the legislature; they therefore reject the petition. Which is submitted. WYATT HAWKINS, Ch.

The committee of propositions and grievances No. 2, to whom was referred the petition of Francis Child, Esq., report—That on duly considering the allegations set forth in the said petition, and examining the testimony in support of them, it appears to your committee the said allegations are founded in truth, and although Mr. Child was a public officer at the time he had the misfortune to have his house burned, yet your committee are of opinion, that the legislature is not bound to make good the loss of the private property of any public officer; therefore reject the petition. Which is submitted. WYATT HAWKINS, Ch.

The committee of propositions and grievances No. 2, to whom the petition of Edmund Randall, administrator of Robert Snugg, dec., was referred, report—That from the certificate of the Clerk of the court of the county of Montgomery, it appears that the said Edmund Randall did recover as administrator of the said Robert Snugg, a judgment in the said court, of the amount of one hundred pounds, also fourteen pounds eleven shillings and four pence cost, &c., expended, against Henry Eustace M'Culloch. It also appears that the estate of the said Henry has been confiscated and sold by the several Commissioners of confiscated property, and the money arising from such sales hath been paid into the public treasury. Under these circumstances, your committee are of opinion that the Treasurer be directed to pay unto the said Edmund Randall the sum of one hundred and fourteen pounds eleven shillings and four pence, it being the amount of the judgment which the said Edmund recovered as aforesaid; provided that there is at this time as much money
in the treasury that has been paid on account of the property that belonged to Mr. M'Culloch, that was confiscated and sold by the Commissioners as aforesaid. Which is submitted.

WYATT HAWKINS, Ch.

The house taking the foregoing reports into consideration, concurred therewith.

Received from the Senate the report of the committee on the petition of Mark Bird, endorsed "Read and concurred with."

Received also the report of the committee on the petition of Joseph Cunningham, and the report of the committee on the petitions from the inhabitants of Orange and Mecklenburg counties, endorsed "Read and concurred with;" which being read, were concurred with by this house and returned.

The house adjourned till Monday morning, 10 o'clock.

MONDAY, NOVEMBER 22, 1790.

Met according to adjournment.

Mr. Franklin presented the petition of Benjamin Cleveland; which being read, was referred on the part of this house to Mr. Guion, Mr. Houzer, Mr. Lock, Mr. Sawyer and Mr. Ferebee, and sent to the Senate.

Mr. Matthews presented the petition of sundry of the inhabitants of the counties of Burke and Wilkes; which being read, Mr. Matthews then moved for leave and presented a bill to annex part of Burke and Wilkes counties to Iredell county; which was read the first time, passed and sent to the Senate.

Received from the Senate a bill for altering the place of holding the courts in the county of Randolph, and for erecting public buildings therein, endorsed "Read the first time and passed."

Mr. Polk moved for leave and presented a bill to repeal an act, passed at Fayetteville, in 1786, entitled, "An act to alter the mode of punishing horse-stealing;" which was read the first time, passed and sent to the Senate.

Mr. Wood moved for leave and presented a bill directing the Clerk of the county court of Anson to keep his office at the court-house of said county, in the town of Wadesborough; which was read the first time, passed and sent to the Senate.

Mr. Hawkins from the committee of propositions and grievances
No. 2, delivered in a report on the petition of Thomas Neale and John Hall; which being read was amended, was agreed to as follows, to-wit:

The committee of propositions and grievances No. 2, to whom the petition of Thomas Neale and John Hall was recommitted, report—that on examination it appears to your committee, that the said Thomas Neale and John Hall became securities for a certain Josiah Richardson, as Sheriff for the county of Brunswick for the year 1788: That the said Richardson has since deceased without having settled any part of the monies due from him to the public for the tax of the said year 1788, upon which the Treasurer entered judgment against the said securities for the amount of the said taxes.—Your committee on considering the circumstances in which the said securities are placed, are of opinion that every indulgence in the power of the legislature ought to be granted, and do recommend that the Treasurer be directed not to sue out execution against the said Thomas Neale and John Hall till after the sitting of the next superior court held for the district of Hillsborough; and as for the certificate part of the said debt, your committee are further of opinion, it ought to be paid in certificates, and not in money at four shillings in the pound as the said petitions require; and that in case the execution has issued and now in the hands of the Sheriff, the Sheriff be directed not to levy the same until after the next superior court for the district of Hillsborough.

Ordered, That Mr. Hamilton have leave to absent himself from the service of this house after this day, and that Mr. Nash have also leave to absent himself from the service of this house until Saturday next.

The order of the day being called for and read, Resolved, That the house do resolve itself into a committee of the whole house to take under further consideration the propriety of giving instructions to Samuel Johnston and Benjamin Hawkins, Esquires, Senators from this State in the Congress of the United States. The house accordingly resolved itself into a committee of the whole, William Polk, Esq., in the chair. After some time spent in committee the Speaker resumed the chair, and Mr. Polk reported that the committee had made further progress in the business committed to them, but not having time to compleat the same, desired leave to sit again.

Ordered, That the committee have leave to sit again to-morrow.

Ordered, That Mr. Hill and Mr. Smith be added to the committee
appointed to hear and report on the excuses of the absent members; and that any four of the committee shall be a quorum to proceed on business.

The house adjourned till to-morrow morning, 10 o'clock.

Tuesday, November 23, 1790.

Met according to adjournment.

Ordered, That Mr. Withrow and Mr. Watters have leave to absent themselves from the service of this house.

The bill for altering the place of holding the courts in the county of Randolph, and for erecting public buildings thereon, was read the first time, passed and sent to the Senate.

Mr. Stone moved for leave and presented a bill to amend an act, entitled, "An act directing the manner of electing Representatives to represent this State in Congress;" which was read the first time, passed and sent to the Senate.

Received from the Senate the petition of Benjamin Cleveland, endorsed "Read and referred to Mr. Singleton, Mr. Winston and Mr. Dauge."

Received from the Senate the reports of the committee on the petition of Edmund Randall, on the petition of Francis Child, on the petition of Richard Blackledge, on the petition of William Steele, and on the petition of Samuel Williams; endorsed "Read and concurred with."

Received also the petition of John Taylor, endorsed "Read and referred as by the House of Commons."

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The bill and petition for annexing part of Onslow to the county of Jones, we propose shall be reported on by the committee appointed on the petition of the inhabitants of New river.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the bill and petition for annexing part of Onslow to the county of Jones, be reported on as by you proposed.

Received from the Senate the report of the committee on the petition of Edmund Hall, and on the petition of Joseph Dixon, endorsed
"Read and concurred with;" which reports being read, were concurred with by this house and returned.

Received also a resolution of that house, directing the Treasurer to pay Joseph Dixon fifty pounds eight shillings in specie certificates; which being read, was concurred with and returned.

Ordered, That Mr. Gautier, Mr. Jones, Mr. M'Laine and Mr. Person, be a committee to prepare and bring in a bill directing the Entry-takers, Treasurer and Comptroller as to their duty in office respecting certain cases therein mentioned.

Received from the Senate the following bills, endorsed "Read the first time and passed," to-wit:—A bill directing the Clerk of the county court of Anson to keep his office at the court-house, &c. A bill to permit George Merrick to emancipate certain slaves therein mentioned. A bill directing the time and places of holding the annual elections in the county of Hyde. A bill to establish a town at the place fixed upon for the court house in the county of Surry. Also the following bills, endorsed "Read the second time and passed:"—A bill to keep open Rockfish creek, in Cumberland county, &c. A bill to establish landings in the county of Carteret. A bill for granting to the inhabitants living between the north and south forks of the Yadkin river, the privilege of holding separate general musters. A bill for altering the time of holding the county court of pleas and quarter-sessions for the county of Franklin. A bill to amend an act passed at Fayetteville, 1788, entitled, "An act to authorise and enable John Colson to return to this State," &c. A bill empowering the county courts of pleas and quarter-sessions to direct the Secretary of State to correct certain patents or grants therein described, &c. A bill to alter the times of holding the courts of pleas and quarter-sessions of Iredell county. A bill to continue in force an act, passed at Fayetteville, 1788, entitled "An act for giving longer time for the registering grants, deeds," &c. A bill for making conformable to the plan the second course of a tract of land lying in Jones county, formerly Craven, granted by patent to John Richards, &c. A bill to amend an act for the promotion of learning in the county of Currituck, &c. A bill to establish a town at the place fixed upon for the court house in the county of Stokes. A bill to prevent the obstruction of fish running up New river, in Onslow county.

Received also a bill to amend an act to prevent abuses in taking
up stray horses, cattle, &c., endorsed "Read the third time and passed."

The bill to make Cross-creek navigable, was read the third time, amended, passed and sent to the Senate.

Received also the following bills, endorsed "Read the second time and passed," to-wit:—A bill for equalizing the land tax. A bill to repeal the fifth and sixth sections of an act passed at Hillsborough, 1784, entitled, "An act to amend an act, entitled, An act for the regulation of the town of Wilmington." A bill to repeal part of an act, entitled, "An act to regulate and ascertain the several officers fees therein mentioned," &c., endorsed "Read the first time and passed."

Mr. Caldwell presented the petition of James Kerr; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Taylor presented the petition of Nimrod Bradley and Thomas Adecock; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Mebane presented the petition of John Umstead; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Grove presented the memorial of George Hooper, John Ingram and Nathan Ward; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

The bill for incorporating the physicians and surgeons of this State, by the name of North Carolina Medical Society, was read the second time, passed and sent to the Senate.

Mr. Gaither presented the petition of James Craigie; which being read, Mr. Gaither moved for leave and presented a bill to empower James Craigie, guardian of the orphans of David Craigie, dec., to sell and dispose of part of the real estate of the said David Craigie, &c., which was read the first time, passed and sent to the Senate.

Mr. Jones presented the petition of sundry inhabitants of the town of Wilmington; which being read, Mr. Jones moved for leave and presented a bill to establish a town at Fort Johnston, on Cape Fear river; which was read the first time, passed and sent to the Senate.

Mr. Franklin presented the petition of sundry of the inhabitants of Wilkes county, praying to be added to the county of Surry; which being read, Mr. Franklin moved for leave and presented a bill for annexing part of the county of Wilkes to the county of Surry; which
was read the first time, and committed to the committee appointed to take under consideration the bill and petitions for and against dividing Caswell.

Mr. Robinson moved for leave and presented a bill to amend an act, entitled, "An act declaring what fences are sufficient, and to provide a remedy for abuses," so far as relates to the counties of Bladen, New Hanover and Brunswick; which was read the first time, passed and sent to the Senate.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

The bill with the petition accompanying the same for annexing part of the county of Wilkes to the county of Surry, we propose shall be committed to the committee appointed on the bill and petitions for and against the division of Caswell county.

The bill to repeal part of an act, entitled, "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 Edenton, New Bern and Wilmington," passed at New Bern, 1784, was read the first time, passed and sent to the Senate.

Received from the Senate the following petitions and memorials, endorsed "Read and referred as by the House of Commons," to-wit: The petition of James Kerr, the memorial of Nimrod Bradley and Thomas Adecock, the memorial of George Hooper, John Ingram and Nathan Ward, and the petition of J. Umstead.

Received from the Senate the bill to alter and amend the acts for regulating the pilotage and facilitating the navigation of Cape Fear river, endorsed "Read the second time, amended and passed."

The bill to amend an act to prevent abuses in taking up stray horses, cattle, sheep and hogs, and other things therein mentioned, was read the third time and laid over until the next General Assembly.

Received from the Senate a bill to empower James Craig, guardian of the orphans of David Craig, deceased, to sell and dispose of part of the real estate of the said David Craig, &c. And a bill to establish a town at Fort-Johnston, on Cape Fear river. Each endorsed "Read the first time and passed." Also a bill for incorporating the physicians and surgeons of this State, by the name of the North Carolina Medical Society, endorsed "Read the second time, amended and passed."

The bill to continue in force an act passed at Fayetteville, 1788,
entitled, "An act for giving longer time for the registering, proving and recording grants, deeds, mesne conveyances and other instruments of writing, was read the third time, amended, passed and sent to the Senate.

The bill empowering the county courts of pleas and quarter-sessions to direct the Secretary of State to correct certain patents or grants therein described, when there have been errors by the Surveyor in making the returns, or by the Secretary in issuing the same, was read the second time, amended, passed and sent to the Senate.

Received from the Senate two resolutions, one directing any six members of the standing committees to proceed on business; the other directing the Treasurer and Comptroller to lay before the General Assembly in the first week of their session, a list of the names of all persons indebted to the public; which being read, were concurred with and returned.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The bill directing the manner of electing Representatives from this State to the Congress of the United States, we propose shall be referred to the consideration of a joint committee, to consist of members from each district, and have appointed on the part of this house Mr. Dixon, Mr. Graham, Mr. Courtney, Mr. Macon, Mr. Skinner, Mr. Hargett, Mr. Kenan and Mr. Clinton.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the bill directing the manner of electing Representatives from this State to the Congress of the United States, be referred to a joint committee as by you proposed, and have on our part appointed Mr. M'Dowall, Mr. M'Laine, Mr. Taylor, Mr. Polk, Mr. Person, Mr. Mebane, Mr. Hill, Mr. Hawkins, Mr. Hamilton, Mr. Stone, Mr. Guion, Mr. Witherspoon, Mr. Jones, Mr. Gautier, Mr. Hay and Mr. Grove.

Mr. Smith presented the petition of Sophia Neal and John Hall; which being read, Mr. Smith moved for leave and presented a bill to vest a certain piece of land therein described in Sophia Neal and John Hall, to make sale and dispose of two other pieces of land in Brunswick county, of the real estate of Thomas Neal, jun., dec.; which was read the first time, passed and sent to the Senate.
STATE RECORDS.

Received from his Excellency the Governor the following message:

To the honourable the General Assembly:

Gentlemen:

I send you herewith a letter from Mess. Stewart and Muir, for your perusal and information respecting the Martinique debt.

ALEX. MARTIN.

Ordered, That the following messages be sent to the Senate:

Mr. Speaker and Gentlemen:

The message from his Excellency the Governor, with the letter from Mess. Stewart and Muir accompanying it, relative to the Martinique debt, we propose shall be referred to the committee of finance.

Mr. Speaker and Gentlemen:

We propose that the bill to permit George Merrick to emancipate certain slaves therein mentioned, be submitted to and reported on by the committee to whom was committed the bill to amend and repeal the several acts and parts of acts therein mentioned respecting slaves.

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

WEDNESDAY, November 24, 1790.

Met according to adjournment.

Received from the Senate the petition of Hugh Torrence, late Sheriff of Rowan county, endorsed "Read and referred to the committee of propositions and grievances No. 1;" which being read, was referred as by the Senate.

Mr. Gaither presented the resignation of Thomas Felps, a Justice of the Peace for Rowan county; which being read, was accepted and sent to the Senate.

Mr. Anderson presented the resignation of Roger Griffith, as Colonel of Chatham county; which being read, was accepted and sent to the Senate.

Received from the Senate the report of the committee of propositions and grievances on the petition of Jonathan Hampton, concurred with by that house; which being read, was concurred with and returned.

Received from the Senate the report of a committee of the last General Assembly on the petition of James Miller, endorsed "Refer-
red to the committee of propositions and grievances No. 1;” which being read, was referred as by the Senate and returned.

Resolved, That the Treasurer be and he is hereby directed to pay unto Edmund Randall, and unto Samuel Williams, the sums reported by the committee of propositions and grievances, concurred with by both houses, and agreeable to the said reports.

The committee to whom was referred the petition of the inhabitants of Dobbs county, reported—that having taken into their consideration the prayer of the said petitioners, the extent of the said county, the wishes of the inhabitants, and other circumstances, are of opinion that it is just and reasonable the said county should be divided into two distinct and separate counties, and that a law pass to that effect. All which is submitted.

LEVI DAWSON, Ch.

The committee to whom was referred the petition of the inhabitants of Caswell county, reported—that having taken into consideration the prayer of the said petitioners, are of opinion, that from the large extent of said county, and the large number of inhabitants residing in the same, it is just and reasonable the said county should be divided into two distinct and separate counties, and that a law be passed to that effect. All which is submitted.

LEVI DAWSON, Ch.

Resolved, That the house do concur with these reports.

The Speaker laid before the house a bill to amend and provide for the deficiencies of the revenue laws of the State; which was taken up and read for the first time, passed and sent to the Senate.

Received from the Senate a bill to vest a certain piece of land therein described in Sophia Neal, &c., endorsed “Read the first time and passed.” Also a bill to repeal part of an act, entitled, “An act to regulate and ascertaint the several officers fees therein mentioned,” &c., endorsed “Read the second time and passed.”

Received from the Senate the following messages:

Mr. Speaker and Gentlemen:

We agree to the reference by you made of the message from his Excellency the Governor of yesterday.

Mr. Speaker and Gentlemen:

We consent to the reference by you made of the bill for annexing part of the county of Wilkes to the county of Surry.
STATE RECORDS.

Received from the Senate the resolution of this house directing the Treasurer to pay unto Edmund Randall and Samuel Williams, the sums reported by the committee of propositions and grievances; and the report of the committee on the petition of Thomas Neal and John Hall, concurred with by that house.

Mr. E. Jones moved for leave and presented a bill to build a district court-house for the district of Wilmington; which was read the first time, passed and sent to the Senate.

Mr. Hamilton presented the memorial of Dr. Samuel Dickenson; which being read, Mr. Hamilton moved for leave and presented a bill to authorise the Commissioners of the town of Edenton to grant to Dr. Samuel Dickenson a certain water-lot in the said town; which was read the first time, passed and sent to the Senate.

The order of the day being called for and read, Resolved, That the house resolve itself into a committee of the whole house to take under further consideration the propriety of giving instructions to Samuel Johnston and Benjamin Hawkins, Esquires, Senators from this State in the Congress of the United States. The house resolved itself into a committe of the whole house accordingly, William Polk, Esq., in the chair. After some time spent therein the Speaker resumed the chair, and Mr. Polk reported the following resolutions:

Whereas, when the General Assembly of the State of North Carolina, in the session of the year 1789, did nominate and appoint Samuel Johnston and Benjamin Hawkins, Esquires, to represent the said State in the Senate of the United States, every expectation that had confidence in their integrity, opinion of their abilities, or certainty of their industry in discharging the trust reposed with them was entertained.—With regret do we add, that our constituents and ourselves too sensibly experience the evils arising from a want of that exertion in them, which if duly made, could not have failed of being highly beneficial to this State, and might have rendered a government adopted under many doubts and with some difficulty, better adapted to the dispositions of free men.

Resolved, That the Senators representing this State in the Congress of the United States, be and they are hereby directed to use their constant and unremitted exertions until they effect having the doors of the Senate of the United States kept open, that the public may
have access to hear the debates of the Senate when in its legislative or judicial capacity.

Resolved, That when in Congress they be directed to correspond regularly and constantly with the legislature, but during the recess thereof with the executive.

Resolved, That they have such of the journals as are not of a secret nature printed and transmit the same to the executive, at least once a month during each session of Congress.

Resolved, That the Senators of this State use their utmost endeavours to effect economy in the expenditure of the public monies, and to decrease the monstrous salaries given to the public officers and others; who, however much they may be deserving of the public gratitude or liberality for the eminence of past or present services, ought only to be compensated agreeable to republican economy, not enriched with the bounty of regal splendour.

Resolved, That they strenuously oppose every excise and direct taxation law, should any be attempted in Congress.

The committee of the whole house further report, that they have appointed a sub-committee in order to take under their consideration any further instructions to be forwarded to the Senators of this State in the Congress of the United States: and beg leave to recommend to the house, that the said sub-committee be empowered to report to the house by their Chairman the several resolutions they shall think the most proper to recommend, and further that they be discharged.

The sub-committee, Mr. M'Dowall, Mr. Taylor, Mr. Jones, Mr. Mebane, Mr. Irwin, Mr. Chambers, Mr. Leigh and Mr. Hay. All which is submitted.

WILLIAM POLK, Ch.

Resolved, That this house do concur with the foregoing report of the committee of the whole house.

Received from the Senate the petition of Isaac Lemon; which being read, was ordered to lie on the table.

Mr. Leigh presented a letter from George Ogg, enclosing the accounts of Bryan Ward, &c.; which being read, were referred on the part of this house to Mr. M'Dowall, Mr. Person, Mr. Hay, Mr. Guion, Mr. Leigh, Mr. Jones, Mr. Franklin and Mr. Gautier, and sent to the Senate.

Ordered, That Mr. Person be added to the sub-committee appointed by a committee of the whole house.
Ordered, That Mr. Jasper and Mr. Borden have leave to absent themselves from the service of this house.

Ordered, That the bill to carry into effect the ordinance, &c., be read to-morrow for the second reading in this house.

The bill to empower Etheldred Ruffin, Thomas Branton, Willoughby Williams and Hymeric Hooker, the securities of Benjamin Well, late Sheriff of the County of Dobbs, to collect and account for the taxes due from the inhabitants of the said county for the year 1789, was read the third time, passed and sent to the Senate.

Mr. Hay presented the memorial of the merchants and others of the town of Fayetteville; which being read, was referred to the sub-committee appointed by the committee of the whole house.

Mr. Pride moved for leave and presented a bill to amend an act, passed at Hillsborough, 1784, entitled, "An act for extending the navigation of Roanoke river;" which was read the first time, passed and sent to the Senate.

Mr. E. Jones presented the petition of sundry of the inhabitants of the town of Wilmington; which being read, was referred to the sub-committee appointed by the committee of the whole house.

Mr. Polk moved for leave and presented a bill to amend an act, entitled, "An act for establishing a militia in this State;" which was read the first time, passed and sent to the Senate.

The house adjourned till to-morrow morning, 10 o'clock.

Thursday, November 25, 1790.

Met according to adjournment.

Mr. Maxwell Chambers, the member for the town of Salisbury, appeared, qualified and took his seat.

Ordered, That Mr. Handy have leave to absent himself from the service of this house after Saturday.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence sundry resolutions expressing the sense of this house on the conduct of our Senators in the Congress of the United States, as well as giving them further instructions, which were adopted by a committee of the whole of this house, have been reported and concurred with.

Mr. Yancey presented the memorial of William Owen; which
being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Sutherland presented the petition of Samuel High; which being read, Mr. Sutherland moved for leave and presented a bill to appoint Commissioners to direct and establish a gap or slope on the mill-dam of Samuel High, at the falls of Neuse river, in Wake county, and to repeal so much of an act passed at Tarborough, in the year 1787, as comes within the purview of this act; which was read the first time, passed and sent to the Senate.

Mr. Duke moved for leave and presented a bill to amend an act, entitled, "An act to prevent the exportation of unmerchantable commodities," passed at Hillsborough, 1784; which was read the first time, passed and sent to the Senate.

Mr. E. Jones presented the memorial of the executors of Samuel Swann, dec., which being read, Mr. Jones then moved for leave and presented a bill to amend an act, entitled, "An act to empower the executors of Samuel Swann, Esq., to sell part of the real estate of the said Samuel Swann;" which was read the first time, passed and sent to the Senate.

On the petition of John Taylor and James Mebane, Resolved, That the Treasurer stay the execution against the estates of John Taylor and James Mebane until the first day of June next, agreeable to the prayer of the petition of the said John Taylor and James Mebane.

Mr. Bonds presented the petition of Benjamin Wheatley; which being read, Mr. Bonds moved for leave and presented a bill to alter the names of certain persons therein mentioned; which was read the first time, passed and sent to the Senate.

Received from the Senate the resignation of Thomas Felps, a Justice of the Peace, and the resignation of Roger Griffith, as Colonel of Chatham county, accepted by that house.

The bill to repeal an act, entitled, "An act providing means for the payment of the domestic debt, for appropriating certain monies therein mentioned, and to amend an act passed the last session of the General Assembly, entitled, An act for levying a tax for the support of government, and for the redemption of the old paper currency, continental money, specie and other certificates, also part of another act, entitled, An act for opening the land-office for the redemption of specie and other certificates, and discharging the arrears due to the army," was read the third time, passed and ordered to be engrossed.
Mr. Leigh moved for leave and presented a bill for vesting the property of certain lots situated in the town of Tarborough, in Edmund Hall and his heirs; which was read, passed the first time and sent to the Senate.

Received from the Senate the following bills, endorsed "Read the first time and passed;" to-wit:—A bill to provide for the deficiencies of the revenue laws of this State. A bill to authorise William M' Clellan, of the county of Rockingham, to extend a mill-dam across Mayo river. A bill to repeal part of an act, entitled, "An act to alter the mode of punishing horse-stealing, also to repeal an act to prevent horse-stealing," passed at Fayetteville in the year 1786.

Received from the Senate a letter from the Hon. James Iredell, Esq., on the subject of the Revisal of the laws of this State; which being read, was ordered to be filed.

The bill to carry into effect the ordinance of the Convention held at Hillsborough, in July, 1788, entitled, "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 State," was read the second time, amended, and the question being put, "Shall this bill pass?" being objected to, the house divided, and there were for the passage fifty-one, and against it fifty-one; whereupon the Speaker gave his vote and pronounced the passage of the bill. The yeas and nays were thereupon required by Mr. Jones and seconded by Mr. Polk, and are as follows, viz:


The bill for altering the time of the annual meeting of the General Assembly, was read the third time, passed and ordered to be engrossed.

Received from the Senate the following message of the 22d instant:

Mr. Speaker and Gentlemen:

It is the sense of this house that the General Assembly ballot on Saturday next, at 4 o'clock in the afternoon, for the Councillors of State yet to be made choice of, and the place at which the next Assembly shall be held, and continue the nominations first made. The proposition of your house for balloting on Tuesday evening, we have received and rejected.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have agreed to your proposition for balloting on Saturday next for the Councillors yet to be elected, and place at which the next Assembly shall be held.

Received from the Senate the resolution of this house on the petition of John Taylor and James Mebane, concurred with.

Received from the Senate the petition of William Owen, endorsed “Read and referred as by the House of Commons.” Also the letter from George Ogg, enclosing the accounts of Bryan Ward, endorsed “Read and referred to Mr. Hargett, Mr. Nesbit, Mr. Hill, Mr. Skinner and Mr. M'Dowall.”

The bill to authorise William M'Clellan, of the county of Rockingham, to extend a mill-dam across the Mayo river, was read the first time, passed and sent to the Senate.

The bill for vesting the property of certain negroes in the heirs of Mark Newby, was read the second time, passed and sent to the Senate.

The bill to vest the title of a piece or parcel of land in Granville county, in James Forsyth and his heirs, in fee-simple, was read the third time, passed and sent to the Senate.

The bill to repeal part of an act, entitled, “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, 1784, was read the second time, passed and sent to the Senate.

The bill to establish a town at the place fixed upon for the court
house in the county of Surry, was read the first time, passed and
sent to the Senate.

Ordered, That Mr. Sumner have leave to absent himself from the
service of this house after Saturday.

The bill to repeal the fifth and sixth sections of an act passed at
Hillsborough, in the year 1784, entitled, "An act to amend an act,
etitled, An act for the regulation of the town of Wilmington," was
read the third time, passed and sent to the Senate.

The bill directing the time and places of holding the annual elec-
tions in the county of Hyde, was read the second time, passed and
sent to the Senate.

The bill to establish the tobacco ware-house now building at Fay-
etteville by James Ritchie and John Winslow, and to empower the
county court to appoint inspectors to the same, was read the third
time, passed and sent to the Senate.

The bill to empower James Craig, guardian of the orphans of
David Craig, dec., to sell and dispose of part of the real estate of
the said David Craig for the payment of the debts due by him to
the public, was read the second time, passed and sent to the Senate.

The bill to amend an act, entitled, "An act for the promotion of
learning in the county of Currituck, and to amend the Wilmington
academy law," was read the second time, passed and sent to the Sen-
ate.

The bill for making conformable to the plan the second course of
a tract of land, lying in Jones county, formerly Craven, granted by
patent to John Richards, bearing date the 24th day of November,
1738, containing three hundred acres, lying on both sides of Trent
river, was read the third time, passed and sent to the Senate.

The bill to alter the times of holding the courts of pleas and quar-
ter-sessions of Iredell county, was read the third time, passed and
sent to the Senate.

The bill for altering the time for holding the county court of pleas
and quarter-sessions for the county of Franklin, was read the second
time, passed and sent to the Senate.

The bill to amend an act, passed at Fayetteville, 1788, entitled,
"An act to authorise and enable John Colson to return to this State,
and exercise the privileges therein mentioned," was read the third
time, passed and sent to the Senate.

The bill directing the Clerk of the county court of Anson to keep
his office at the court-house of said county, in the town of Wadesborough, was read the second time, passed and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have added Mr. Charles Johnson to the judicial committee, to the committee on finance, and the committee to report on the letter from George Ogg.

Received likewise the following bills, severally endorsed "Read the first time and passed," to-wit:—A bill to authorise the Commissioners of the town of Edenton to grant to Dr. Samuel Dickenson a certain water-lot in the said town. A bill to amend an act passed at Hillsborough, 1784, entitled, "An act for extending the navigation of Roanoke river." A bill to appoint Commissioners to establish a gap or slope on the mill-dam of Samuel High, at the falls of Neuse river, in Wake county. A bill for building a court-house in the town of Wilmington. A bill for vesting certain lots in the town of Tarborough in Edmund Hall and his heirs. A bill to amend an act, entitled, "An act to prevent the exportation of unmerchantable commodities," passed at Hillsborough, 1784. A bill to alter the names of certain persons therein mentioned. A bill to amend and extend the powers given in an act, entitled, "An act to empower the administrators of Samuel Swann, of New Hanover county, dec., to sell and dispose of part of the real estate of the said Samuel for the payment of his debts, &c. A bill for raising a revenue for the payment of the civil list and contingent charges of government for the year 1791.

Received from the Senate the resignation of John Huske, Justice of the Peace for New Hanover county, also the resignation of Joseph Rosser, first Major of the militia for Chatham county, endorsed "Read and accepted;" which being read in this house, were accepted and returned.

Received from the Senate the report of the committee on the petition of John Herritage, late Commissioner of confiscation in Dobbs county, concurred with by that house; which being read, was concurred with by this house and returned.

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

Friday, November 26, 1790.

Met according to adjournment.
Mr. Lock presented the petition of Prudence Durphie, administratrix, and John Winn and Hugh Carson, administrators on the estate of William Durphie; which being read, Mr. Lock moved for leave and presented a bill to empower Prudence Durphie, administratrix, John Winn and Hugh Carson, administrators of William Durphie, dec., to sell a tract of land in the county of Iredell for the payment of his debts, and to convey the same to the purchaser; which was read the first time, passed and sent to the Senate.

Mr. Leigh moved for leave and presented a bill for subscribing on loan, in the office of the Commissioner of the United States, such continental monies and continental and state securities as are or may be in the hands of the Treasurer or Comptroller of this State belonging to the public, or which shall be in the hands of either of them on the last day of September next, and for appropriating certain monies as therein mentioned; which was read the first time, passed and sent to the Senate.

Mr. E. Jones presented the memorial of Philip Logan, Daniel M'Allister and John Campbell; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

The committee to whom was referred the petition of Henry Emanuel Lutterloh, reported—That on considering the allegations in the said petition set forth, they are of opinion that the emigration of artisans into this State will be of great public utility, and do therefore recommend a bill to authorise the said Henry Emanuel Lutterloh to carry into effect his intended plan conformable to the prayer of his petition.—Which is submitted. THOMAS PERSON, Ch.

The house taking this report into consideration, concurred therewith. Whereupon,

Mr. Person moved for leave and presented a bill to authorise Henry Emanuel Lutterloh to raise by way of lottery, a sum sufficient to bring into this state foreigners, who are artisans in various branches of business; which was read the first time, passed and sent to the Senate.

The bill for dividing the county of Caswell, was read the second time, and the question being put, "Shall this bill pass?" was negatived: Whereupon the yeas and nays were required by Mr. Dickins. and seconded by Mr. Graves; which are as follows, viz:

YeaS.—Mess. Dawson, M'Dowall, Vance, Dickens, Yancey, Han-


Mr. Guion presented the memorial of Joseph Leech; which being read, was referred to the committee of claims and sent to the Senate.

The Chairman of the committee on the judicial system, delivered in the following report:

Your committee to whom the judicial system was referred, report—That after mature deliberation they are of opinion a change in the present constitution of the superior courts of law and equity is absolutely necessary. That they have examined the two systems laid before them and have adopted the one proposed by Mr. Moore; which they beg leave to recommend with some few amendments made by the committee.—Which is submitted.

BENJ. SMITH, Ch.

Mr. B. Smith moved for leave and presented a bill to regulate the administration of justice; which was read the first time, passed and sent to the Senate.

Mr. Porter moved for leave to withdraw for amendment the bill to increase the benefit of the county courts, &c. Ordered, That he have leave.

The bill for raising a revenue for the payment of the civil list and contingent charges of government for the year 1791, 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,” viz:—A bill directing the manner in which the real soldier or honest claimant, among those who had military accounts settled at Warrenton in the year 1786, shall obtain certificates, &c. A bill to authorise Henry Emanuel Lutterloh to raise by way of lottery a sum sufficient to enable him to bring into this State foreigners, &c. A bill to regulate and fix the prices for inspecting and cooperating tobacco. A bill to empower Prudence Durphie, adm’x
and John Winn and Hugh Carson, administrators of Wm. Durphie, dec. to sell a tract of land in the county of Iredell, &c. Received likewise a bill empowering the county courts of pleas and quarter-sessions to direct the Secretary of State to correct certain patents or grants therein described, &c. And a bill for altering the time for holding the county courts of pleas and quarter-sessions for the counties of Franklin and Iredell, endorsed "Read the third time and passed."

The bill to amend an act, passed at Fayetteville, in November, 1786, entitled "An act to amend an act passed at New Bern, in the year 1785, entitled, An act for increasing the jurisdiction of the county courts of pleas and quarter-sessions, and of the Justices of the Peace out of court, and directing the times of holding courts in this State," was read the second time, passed and sent to the Senate.

The bill to alter and amend the acts for regulating the pilotage and facilitating the navigation of Cape Fear river, was read the third time, passed and sent to the Senate.

The bill for regulating ordinaries, houses of entertainment, &c., was read the second time and rejected.

The committee to whom the memorial of Simon Turner, David Turner, William Turner and Jonathan Turner, for themselves and Elizabeth and Ann Turner, surviving children of their elder brother John Turner, dec., reported—That Simon Turner, late of Wake county, dec., by his last will and testament in writing, devised to the aforesaid petitioners his sons, certain lands and tenements for life only—That by clear and satisfactory testimony, it further appears that the said testator intended the lands so devised should descend to his said sons the petitioners, their heirs and assigns, forever; wherefore the committee beg leave to recommend, that a law be passed, vesting in them the said petitioners an estate in fee-simple to the lands so devised, agreeable to the will of the testator. Which is submitted.

WILLIAM POLK, Ch.

Resolved, That the house do concur with this report.

Mr. Polk moved for leave and presented a bill to establish the titles of certain lands in Simon, David, William and Jonathan Turner; which was read the first time, passed and sent to the Senate.

The committee to whom the bill to confirm unto Greenbury Sutton an indefeasible title to certain lands therein mentioned, in Perquimans county, was committed, reported—That on examining the bill, together with the depositions and other testimony adduced by the
said Greenbury Sutton, in support of his title to the lands described in the preamble of the said bill, it plainly appeared to the committee he has a good equitable title to the same; therefore they recommend that it be passed into a law. Which is submitted.

Resolved, That the house do concur with this report.

Mr. Polk moved for leave and presented a bill to confirm unto Greenbury Sutton an indefeasible title to certain lands therein mentioned, in Perquimans county; which was read the first time, passed and sent to the Senate.

The bill to establish a town at Fort-Johnston, on Cape Fear river, was read the second time and rejected.

The bill directing the manner in which the real soldier or honest claimant, among those who had military accounts settled at Warren- ton, in the year 1780, shall obtain certificates, and making provision for such claimants whose accounts are yet unsettled, was read the first time, passed and sent to the Senate.

Mr. Franklin presented the petition of sundry of the inhabitants of Washington county, &c., which being read, Mr. Franklin moved for leave and presented a bill to erect that part of Wilkes county lying west of the Appalacian mountains, and part of Washington county, into a separate and distinct county, by the name of ———; which was read the first time, passed and sent to the Senate.

The bill to incorporate the tradesmen and manufacturers of the towns of Edenton, New Bern, Wilmington and Halifax, was read the second time, passed and sent to the Senate.

The bill to cede and vest in the United States of America, the lands therein mentioned, for the purpose of building light-houses, was read the first time, passed and sent to the Senate.

The bill to vest a certain piece of land therein described in Sophia Neale, and to authorise the said Sophia Neale and John Hall to make sale and dispose of two other pieces of land in Brunswick county, of the real estate of the late Thomas Neale, jun., dec.; was read the second time, passed and sent to the Senate.

The bill to authorise the Commissioners of the town of Edenton to grant to Dr. Samuel Dickenson a certain water-lot in the said town, was read the second time, passed and sent to the Senate.

Mr. Dawson moved for leave and presented a bill to prevent persons from handing about petitions for the emancipation of slaves in this State; which was read the first time, passed and sent to the Senate.
STATE RECORDS.

Mr. Hamilton moved for leave and presented a bill to vest in juries a dispensing power in cases of damages to assess the value of the contract; which was read the first time, passed and sent to the Senate.

Received from the Senate a bill to regulate the administration of justice; and a bill for subscribing on loan, in the loan-office of the Commissioner of the United States, such continental monies, and continental and state securities as are or may be in the hands of the Treasurer or Comptroller of this State belonging to the public, &c., endorsed "Read the first time and passed."

Received also a bill directing the time and places of holding the annual elections in the county of Hyde; and a bill to empower James Craige, guardian of the orphans of David Craige, dec., to sell and dispose of part of the real estate of the said David Craige, endorsed "Read the second time and passed."

Received likewise the memorial of Joseph Leech, and the memorial of Philip Logan, Daniel M'Allister and John Campbell, endorsed "Read and referred as by the House of Commons." Also the resignation of Joseph Rosser, endorsed "Read and accepted."

The house adjourned until to-morrow evening, 4 o'clock.

Saturday, November 27, 1790.

Met according to adjournment.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We are now ready to proceed on the balloting heretofore agreed on, and have appointed Mr. Nash and Mr. Sanders to superintend and conduct the same on the part of this house.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have appointed Mr. M'Laine to superintend the balloting on the part of this house in the room of Mr. Nash, who is excused from attending on that business at his particular request.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We are also ready to proceed to balloting, and have appointed Mr.
Dixon and Mr. Benford to conduct the same on the part of this house.

Mr. Alexander Mebane presented the resignation of William O'Neal, as Col. of Orange county, and the resignation of William M'Cawley, as Lieutenant-Colonel of the said county; which being read, were accepted by this house and sent to the Senate.

Received from the Senate a bill to amend an act, entitled, "An act to admit to record certain deeds, grants and patents for lands heretofore obtained;" endorsed "Read the first time and passed."

Received from the Senate the petition of Edmund Blount, endorsed "Read and referred on the part of the Senate to Mr. Johnson, Mr. M'Dowall and Mr. Skinner;" which being read, was referred on the part of this house to Mr. Chambers, Mr. Person, Mr. Davis, Mr. Simpson, Mr. Grove, Mr. Mebane and Mr. Creecy, and returned.

The committee to whom was referred the petition of Helen Tyler, reported—That it is the opinion of your committee, that the loan office certificates be on the same footing of all other certificates agreeably to the scale.—Which is submitted.

ALEX. MEBANE, Ch.

The foregoing report being read, was concurred with.

Mr. Macon moved for leave and presented a bill to establish an inspection of tobacco at the ferry of Thomas Eaton on Roanoke river; which was read the first time, passed and sent to the Senate.

Mr. Person from the Board of Trustees of the University, delivered in the following addresses of that Board:

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

Gentlemen:

The Trustees of the University of North Carolina, impressed with a high sense of that liberality and patronage towards the said institution, manifested by the General Assembly in their act, entitled, "An act for raising a fund for erecting the buildings, and for the support of the University of North Carolina," do for themselves and their successors, hereby gratefully accept the grants, and every part thereof, made by the act aforesaid; and beg leave to assure the Hon. the General Assembly they will endeavour so to apply and manage them, as effectually to answer the ends for which they were made.

ALEX. MARTIN, President.
To the Honourable the General Assembly of the State of North Carolina:

Gentlemen:

The President of the Board of Trustees of the University of North Carolina respectfully represents, that altho' the Trustees of the said Board have a proper sense of that liberality and patronage which hath been already manifested by the General Assembly towards this infant institution, yet the smallness of their funds, occasioned principally by those difficulties which have hitherto impeded their collection, reduce them to the absolute necessity of applying to the General Assembly for that aid which they despair of finding elsewhere; they therefore pray, that in order to enable them to erect a part of the buildings, and to provide for a commencement of the institution, the General Assembly will be pleased to vote them on loan, such sum as they in their liberality and wisdom may think proper, for the faithful repayment of which, within such time as may be determined on, the funds of the University shall be considered pledged. The Trustees forbear to make any observations on the happy consequences and good effects which they assure themselves will at some future day grow out of such a benefaction, well knowing, that to minds so enlightened, anything they might add would be superfluous.

ALEX. MARTIN, President.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you the addresses of the Board of Trustees of the University, accepting the grants made to that institution, and soliciting a loan in order to enable them to erect part of the buildings, &c.

The house adjourned till Monday morning, 10 o'clock.

MONDAY, NOVEMBER 29, 1790.

Met according to adjournment.

On the petition of William Sharpe and John Dickey, executors of the last will and testament of Lieut. Col. William Lee Davidson, Resolved, That the Comptroller issue a certificate unto William Sharpe and John Dickey, executors of Lieut. Col. William Lee Davidson, for the sum of seven hundred and seventy-five pounds, bearing
date on the 16th day of May, 1783, with interest thereon; which sum was adjudged to the said executors by a committee of both houses of the General Assembly, and concurred with on the aforesaid 16th day of May, 1783; which certificate shall be of equal value as other certificates issued by the Commissioners of army accounts at Halifax.

Mr. M'Laine from the joint balloting for the five Councillors, and the place at which the next General Assembly shall be held, reported—That Caleb Phifer, Esq., was elected a member of the Council of State, and that four members are yet to be elected—and that no one place in nomination for holding the next General Assembly at had a majority of votes.

Resolved, That the house do concur with this report.

Mr. Nash presented the petition of sundry of the inhabitants of the town of Hillsborough; which being read, Mr. Nash moved for leave and presented a bill to repeal the third section of an act passed in the year 1788, entitled, "An act to amend an act, entitled, An act for the regulation of the town of Hillsborough, and other purposes;" which was read the first time, passed and sent to the Senate.

Resolved, That the Hon. Judge Williams be requested to attend on the General Assembly for a few days, that his advice may be received on such matters as may be required.

Mr. Hamilton moved for leave and presented a bill to allow the inhabitants of the town of Edenton to elect a magistrate of police therein, and for other purposes; which was read the first time, passed and sent to the Senate.

Resolved, That the Sheriff of Rowan county be and he is hereby directed to stay the execution in his hands against Isaac Enochs, of the said county, for the sum of fifty pounds, on a forfeited recognizance, until after the superior court which shall be held for the district of Salisbury next after the date hereof, that the court may consider of the matter, and lessen or remit the said forfeiture, or do whatever therein as to the honourable the Judges of the said court shall seem just and right.

Mr. Grove presented the petition of Gilbert Clarke and others; which being read, was referred to the committee of propositions and grievances No. 1, and sent to the Senate.

Mr. Chambers presented the memorial of Richard Walton; which being read, was referred to the committee of propositions and grievances No. 1, and sent to the Senate.
Mr. M'Laine moved for leave and presented a bill directing the Entry-takers as to their duty in office respecting certain cases therein mentioned; which was read the first time, passed and sent to the Senate.

Mr. Philips moved for leave and presented a bill to empower the county court of Rockingham to lay a further tax to reimburse the Commissioners the money by them expended in erecting the courthouse, prison and stocks in said county; which was read the first time, passed and sent to the Senate.

Mr. Chambers presented the memorial of Henry Swink; which being read, was referred to the committee of propositions and grievances No. 1, and sent to the Senate.

Mr. Bonds presented the memorial of John Wilson and Isham Finch; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Leigh presented the petition of Stephen Brooks; which being read, was referred to the committee of propositions and grievances No. 1, and sent to the Senate.

Mr. Person presented the representation and petition of Thomas W. Pearson, executor of the last will and testament of Abner Nash, Esq., dec., which being read, was referred to the committee to correct errors in patents, &c., and sent to the Senate.

Mr. Scull presented the petition of John and William Hendry; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

The petition of John M'Dermid being read, was referred to the committee of propositions and grievances No. 1, and sent to the Senate.

Mr. Polk presented the petition of John Hamilton, Esq., attorney at law; which being read, was referred to Mr. Leigh, Mr. Polk, Mr. Porter, Mr. Person, Mr. Sawyer, Mr. Stone and Mr. Creecy, and sent to the Senate.

Received from the Senate the petition of Sarah Long, the memorial of Josiah Jackson, and the petition of James Baker, severally endorsed "Read and referred to the committee of propositions and grievances No. 1." Received also the memorial of Charles Bruce, endorsed "Read and referred to the committee of claims." These pe-
titions, &c., being severally read, were referred as by the Senate and returned.

Received from the Senate the two petitions of Richard Blackledge, endorsed "Read and referred to the committee of claims;" which being read, were referred to the committee of finance and returned.

Mr. Hay presented the petition of Thomas M'Laine; 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 bills, endorsed "Read the first time and passed;" to-wit:—A bill to confirm unto Greenbury Sutton an indefeasible title to certain lands therein mentioned, &c. A bill to establish the titles of certain lands in Simon, David, William and Jonathan Turner. A bill to erect that part of Wilkes county lying west of the Apalachian mountains, and part of Washington county, into a separate and distinct county, by the name of ————. Received also a bill to authorise William M'Clellan, of the county of Rockingham, to extend a mill dam across Mayo river, endorsed "Read the second time and passed."

Mr. M'Dowall moved for leave to withdraw for amendment the bill to repeal part of an act, entitled, "An act to alter the mode of punishing horse stealing," &c. Ordered, That he have leave.

Received from the Senate the two petitions of Richard Blackledge, endorsed "Read and referred as by the house of commons." Also the report of the committee on the petition of Helen Tyler, and the resolution of this house directing the Comptroller to issue certificates to William Sharpe and John Dickey, executors of Lieutenant-Colonel Davidson, &c., concurred with.

Received from the Senate a bill to empower the county court of Rutherford to lay a further tax, for the purpose of building a courthouse in said county. A bill directing Entry-takers as to their duty in office, &c. A bill to empower the county court of Rockingham to lay a further tax, &c. And a bill to establish an inspection of tobacco at the ferry of Thomas Eaton on Roanoke river. Each endorsed, "Read the first time and passed." Received also the representation and petition of Thomas W. Pearson, executor, &c., and the petition of Gilbert Clarke and others, endorsed "Read and referred as by the House of Commons."

Received from the Senate the resolution of this house directing
the Sheriff of Rowan county to stay the execution in his hands against Isaac Enochs, 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 speaker laid before the house a letter from Abishai Thomas, Esq., Agent, &c.; which being read was referred to the committee appointed to confer with Doctor Williamson, and sent to the Senate.

Received from the Senate the following messages:

Mr. Speaker and Gentlemen:

The address by you proposed to be presented to his Excellency the Governor, we herewith return you agreed to; and have appointed Mr. Dixon and Mr. Graham to attend and present him with the same on the part of this house.

Mr. Speaker and Gentlemen:

We have fixed on Saturday next for the appointment of Justices and Field Officers, and propose that the recommendations be first introduced to the House of Commons.

Mr. Speaker and Gentlemen:

It appearing from the balloting of Saturday, that four Councillors of State, and the place for holding the next Assembly, are yet to be made choice of; we therefore propose that the two houses ballot therefor on Wednesday next, at 4 o'clock in the afternoon.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the appointment of Justices and Field Officers be made on Saturday next. We also agree to ballot on Wednesday for the place at which the next Assembly shall be held, and for the four Councillors yet to be elected, as by you proposed.

Ordered, That the bill to regulate the administration of justice be read to-morrow for the second reading.

Ordered, That Mr. Samuel Mosby have leave to absent himself from the service of this house.

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

TUESDAY, NOVEMBER 30, 1790.

Met according to adjournment.

Mr. Person moved for leave and presented a bill for granting on
loan to the Trustees of the University of North Carolina, for the
term of ______ years, and on the conditions therein mentioned, the
sum of ______; which was read the first time, passed and sent to the
Senate.

Mr. Person presented the representation of the Hon. the Judges
of the superior courts of law and equity, setting forth the mandate
of the circuit federal court of North Carolina in the southern circuit
of the United States, commanding to be called before them, by the
writ of certiorari, the proceedings on a suit in equity depending in
the court for the district of Edenton; which being read, was referred
on the part of this house to Mr. Taylor, Mr. Jones, Mr. Person, Mr.
Leigh and Mr. Franklin, and sent to the Senate.

Mr. Porter who had leave to withdraw for amendment the bill
to increase the benefit of the county courts of pleas and quarter ses-
tions to the citizens of this State, delivered in the same with the
amendments; which was taken up and read for the third reading in
this house, and the question being put, "Shall this bill pass?" was
negativated; whereupon the yeas and nays were called for by Mr. Per-
son, and seconded by Mr. J. Hill, which are as follows: viz:

Yea.s.—Mess. Wood, Dawson, Stone, B. Smith, M'Dowall, Vance,
Sawyer, Dickens, Stallings, Person, Peters, M'Laine, Irwin, Polk,
Butler, Usury, Martin, Scull, Perry, Everigin, Lock, Gaither, Por-
ter, Lovell, Houser, Nash, Guion, M'Kay, Turner, Duke, Dowd, Lord,
Jones, Pickett, Witherspoon, Hamilton, Chambers.—37.

Nay.s.—Mess. Lanier, Stewart, Ferelbee, J. Mebane, Dixon, Croom,
Leigh, B. Bell, J. Hill, A. Davis, Yancey, Alston, Montgomery,
Jasper, H. Bryan, Matthews, E. Bryan, Slade, Bonds, Battle, Spicer,
Carrington, Taylor, A. Mebane, S. Allen, Philips, Bailey, N. Brown,
Regan, Robinson, Blewit, Bostwick, Grove, Sutherland, Sanders,
Lewis, Franklin, Macon, Hawkins, Pender, Fulford, Simpson,
Graves, Spruill, Sutton, Creecy, Borden, J. Allen, Grandy.—49.

Received from the Senate the following memorials, petitions, &c.,
endorsed "Read and referred as by the House of Commons;"—The
petition of Thomas M'Laine, the petition of Stephen Brooks, the
memorial of Henry Swink, the petition of John and William Hendry,
the memorial of John and Isham Finch, the petition of John M'Der-
mid, the letter from Abishai Thomas, Agent, &c. Also the petition
of John Hamilton, Esq., endorsed "Read and referred to Mr. Win-
ston, Mr. Graham and Mr. Riddick."
STATE RECORDS.

Received from the Senate the following bills:—A bill directing the mode of defraying the expence of the members of the General Assembly in future, endorsed "Read the first time and passed." A bill to authorise the Commissioners of the town of Edenton to grant to Dr. Samuel Dickenson a certain water-lot in the said town. A bill to cede and vest in the United States of America, the lands therein mentioned, for the purpose of building light-houses. A bill to vest a certain piece of land therein described in Sophia Neale, &c., endorsed "Read the second time and passed." A bill to repeal part of an act, entitled, "An act to regulate and ascertain the several officers fees therein mentioned," &c. A bill for vesting the property of certain negroes in the heirs of Mark Newby. Endorsed "Read the third time and passed." Also a bill to repeal an act, entitled, "An act to establish a department for adjusting and liquidating the public accounts of this State, and for appointing a Comptroller, and other purposes," endorsed "Read the first time and passed." And a bill to establish a town at the place fixed upon for the court house in the county of Surry, endorsed "Read the second time and passed."

Received from the Senate the report of the committee on the petition of Lewis Beard, and the report on the petition of John Brevard, concurred with by that house; also a resolution of that house directing the Treasurer to refund and pay to John Brevard the sum of two thousand four hundred and ten pounds specie certificates, &c., which being severally read, were concurred with and returned.

Mr. Person from the committee to whom was referred the memorial of John Rainey, delivered in a report thereon; which being read, was rejected.

Received from the Senate the memorial of William Watters, endorsed "Read and on motion ordered that the recommendation of Field Officers for the Orange regiment of militia be reconsidered by this house, and ordered to lie for further information." Ordered, That this petition lie on the table.

Received from the Senate a bill for granting on loan to the Trustees of the University of North Carolina, for the term of —— years, and on the conditions therein mentioned, the sum of ———, endorsed "Read the first time and passed." And a bill directing the manner in which the real soldier or honest claimant, among those who had military accounts settled at Warrenton, in the year 1786, shall obtain certificates, &c., endorsed "Read the second time and passed."
Received from the Senate the memorial of Daniel Glisson, endorsed "Read and referred to Mr. Kenan, Mr. Graham and Mr. Clinton on the part of the Senate;" which being read, was referred on the part of this house to Mr. Porter, Mr. Simpson, Mr. M'Laine, Mr. Dickson, Mr. Guion, and Mr. Nash, and returned.

Mr. Person moved for leave to withdraw for amendment the bill empowering the county courts of pleas and quarter-sessions to direct the Secretary of State to correct certain patents or grants therein described, &c. Ordered, That he have leave.

Mr. Leigh moved for leave to withdraw for amendment the bill directing the manner in which the real soldier or honest claimant, among those who had military accounts settled at Warrenton in the year 1786, shall obtain certificates, &c. Ordered, That he have leave.

Mr. Jones moved for leave to withdraw for amendment the bill for building a court-house in the town of Wilmington, &c. Ordered, That he have leave.

The bill to regulate and fix the prices for inspecting and coopering tobacco, was read the first time, passed and sent to the Senate.

Mr. Macon moved for leave to withdraw for amendment the bill to amend an act passed at Hillsborough, 1784, entitled, "An act for extending the navigation of Roanoke river." Ordered, That he have leave.

The bill to cede and vest in the United States of America the lands therein mentioned, for the purpose of building light-houses, was read the second time, passed and sent to the Senate.

Received from the Senate the report of the committee on the petition of Hugh Torrence, concurred with by that house; which being read, was concurred with by this house and returned.

Ordered, That the bill for subscribing on loan, in the office of the Commissioner of the United States, such continental monies and continental and state securities as are or may be in the hands of the Treasurer or Comptroller of this State belonging to the public," be read for the second reading in this house to-morrow.

The bill to repeal an act, entitled, "An act to establish a department for adjusting and liquidating the public accounts of this State, and for appointing a Comptroller and other purposes," was read the first time, passed and sent to the Senate.

Ordered, That the bill directing the mode of defraying the expence
of the members of the General Assembly in future, be laid over until
the next Assembly.

The bill to amend an act, entitled, "An act to admit to record cer-
tain deeds, grants and patents for lands heretofore obtained," was
read the first time, passed and sent to the Senate.

Mr. Leigh presented the memorial of Hardy Murfree; which being
read, was referred on the part of this house to Mr. Jones, Mr. Polk,
Mr. Leigh and Mr. Mebane, and sent to the Senate.

Mr. Smith presented the memorial of Griffith John M'Ree; which
being read, was referred to the committee on the memorial of Hardy
Murfree, and sent to the Senate.

Received from the Senate the petition of William Dry, 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 representation of the Hon. the Judges
of the Superior courts on the mandate of the circuit federal court,
endorsed "Read and referred on the part of the Senate to Mr. Har-
gett, Mr. Graham and Mr. M'Dowall."

The house adjourned till to-morrow morning, 10 o'clock.

Wednesday, December 1, 1790.

Met according to adjournment.

Mr. A. Mebane moved for leave and presented a bill for receiving
an act passed at Tarborough, in December 1787, entitled, "An act
for fixing the final settlement of unliquidated claims against this
State;" which was read the first time, passed and sent to the Senate.

Mr. Caldwell moved for leave and presented a bill to prevent the
Trustees of the University of North Carolina from holding a seat
in the General Assembly, or to be eligible thereto; which was read
the first time and rejected.

Mr. Leigh who had leave to withdraw for amendment the bill
directing the manner in which the real soldier or honest claimant,
among those who had the military accounts settled at Warrenton in
the year 1786, shall obtain certificates and making provision for
such claimants whose accounts are yet unsettled, delivered in the bill
at the Clerk's table; which was taken up and read for the second
time, amended, passed and sent to the Senate.

Mr. Franklin who had leave to withdraw for amendment the bill
directing the mode of proceeding in scrutinized elections, delivered
in the bill at the Clerk's table; which was taken up and read for the
second reading, amended, passed and sent to the Senate.

Mr. Porter presented the petition of Andrew Hampton; which
being read, was referred to the committee of propositions and griev-
ances No. 1, and sent to the Senate.

Mr. Macon who had leave to withdraw for amendment the bill to
amend an act passed at Hillsborough, 1784, entitled, "An act for
extending the navigation of Roanoke river," delivered in the bill
at the Clerk's table; which was taken up and read for the second
time, amended passed and sent to the Senate.

Received from the Senate the memorial of Hardy Murfree, en-
dorsed "Read and referred to Mr. Macon, Mr. Johnson and Mr.
Graham;" also the memorial of Griffith John M'Ree, endorsed "Read
and referred as by the House of Commons."

Received from the Senate the following bills, viz: A bill for re-
viving an act passed at Tarborough, in December, 1787, entitled,
"An act for fixing the final settlement of unliquidated claims against
this State," endorsed "Read the first time and passed." A bill to
amend an act, entitled, "An act to admit to record certain deeds,
grants and patents for lands heretofore obtained," endorsed "Read
the second time and passed." A bill to cede and vest in the United
States of America the lands therein mentioned, for the purpose of
building light houses; and a bill directing the manner in which the
real soldier or honest claimant, among those who had military ac-
counts settled at Warrenton, in the year 1786, shall obtain certificates,
&c., endorsed "Read the third time and passed."

Mr. Polk from the committee to whom was referred the petition
of John Willis, Michael Holt and Thomas Tomlinson, delivered in
a report thereon; which being read and amended, was agreed to as
follows, to-wit:

The committee to whom the petition of John Willis, Michael Holt
and Thomas Tomlinson, was referred, report—That the petitioners,
John Willis, Michael Holt and Thomas Tomlinson, purchased of
James Williams certain tracts of land, which he the said Williams
had previously purchased of William Moore, Commissioner of con-
fiscated sales for Hillsborough district, and agreeably to the act for
the regulation of such sales had given bond and security, and executed
mortgage deeds for the same—That at the last Assembly John Estis,
who was the security and jointly bound with the said Williams for the purchase money aforesaid, in order to secure himself, (Williams being then an inhabitant of Georgia) procured a resolve, generally directing the Attorney-General to foreclose, by a decree in the court of equity, the mortgages given as aforesaid on the land, and authorising him the said Estis to sell the same, as with the petitioners; as the residue purchased by the said Williams as aforesaid.—The committee therefore, from these facts, the intention of the law, and a desire of doing complete and ample justice, as well to the said Estis as the petitioners, beg leave to recommend, that a resolution be passed rescinding the resolve of the last Assembly, so far as the same affects the right or title of the said Willis, Holt and Tomlinson. All which is submitted.

WILLIAM POLK, Ch.

Mr. M'Dowall who had leave to withdraw for amendment the bill to alter the mode of punishing horse-stealing, delivered the bill in at the Clerk's table; which was taken up and read the second time, amended, passed and sent to the Senate.

Received from the Senate the resolution of that house directing the Treasurer to pay Hugh Torrence sixty-five pounds fifteen shillings and nine pence, &c., which being read, was concurred with and returned.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the bill for equalizing the land tax be committed. We have on our parts appointed Mr. M'Dowall, Mr. Lock, Mr. Person, Mr. Hill, Mr. Everigin, Mr. Simpson, Mr. Smith and Mr. Grove, for this purpose.

Ordered, That the bill to prevent the obstruction of fish running up New river, in Onslow county, be laid over until the next Assembly.

Mr. Leigh moved for leave and presented a bill for dividing Dobbs county; which was read the first time, passed and sent to the Senate.

Mr. Hamilton presented the memorial of Ann Blount; which being read, was referred to the committee appointed on the memorial of Hardy Murfree, and sent to the Senate.

Ordered, That Mr. Everigin be added to this committee.

Received from the Senate the report of the committee on the
petition of Sarah Long, concurred with by that house; which being
read, was concurred with by this house and returned.

The bill to amend and extend the powers given in an act, entitled,
"An act to empower the administrators of Samuel Swann, of New-
Hanover county, dec., to sell and dispose of part of the real estate of
the said Samuel for the payment of his debts, in order to make provi-
sion for his family; and also to make conveyances for such part of the
real estate as was sold by the said Samuel in his lifetime, was read
the second time, passed and sent to the Senate.

The committee to whom the petition of John Taylor, of the town of
Hillsborough, was referred, reported—that by a report of a com-
mittee of the last General Assembly, concurred with by both houses,
it appears the administrators of Andrew Ross, dec., were empowered
to sell so much of certain tracts of land, purchased of the said Andrew
in his lifetime of William Moore, Commissioner, as would produce
the sum of two hundred and four pounds, the balance then and yet
due the State for the purchase aforesaid, which they could not effect,
as the lands are mortgaged to the State.—The committee therefore
recommend, that by a resolution of the General Assembly, the At-
torney-General be directed to foreclose the mortgages on the whole
or so much as will be sufficient of the land so purchased aforesaid,
and the administrators directed to sell the same, for the purpose of
discharging the balance aforesaid, and interest. Which is submitted.

WILLIAM POLK, Ch.

Resolved, That the house do concur with this report.

Received from the Senate the report of the committee on the peti-
tion of James Miller, concurred with by that house; which being read,
was rejected.

Ordered, That Mr. King have leave to absent himself from the
service of this house after this day, and that Mr. A. Mebane have
leave to absent himself from the service of this house after Tuesday
next.

Received from the Senate the petition of sundry of the inhabitants
of the counties of Wake, Orange and Granville, and the petition of
sundry of the inhabitants of Wake county; which being read, were
referred to the committee to whom was referred the bill and petitions
for the division of Caswell county, and returned.

Received from the Senate the representation of David Miller, en-
dorsed "Read and referred to Mr. Dixon, Mr. M'Dowall and Mr.
Macon;” which being read, was referred to Mr. Simpson, Mr. Borden, Mr. Matthews and Mr. Irwin, and returned.

Received from the Senate the following messages:

Mr. Speaker and Gentlemen:

We do not concur with your proposition for committing the bill to permit George Merrick to emancipate certain slaves, have therefore sent you the bill in order that it may go on its passage.

Mr. Speaker and Gentlemen:

We have appointed on the part of this house Mr. Pugh and Mr. Winston to conduct the balloting this evening. We nominate for Councillors Mr. G. Rutherford, Mr. Ch. Galloway, Mr. Gowdy, Mr. Faulcon, Mr. W. Little, Mr. Williams of Caswell, and Mr. Thomas Eaton. We also name the towns of New Bern, Fayetteville and Hillsborough, as the places for holding the next Assembly.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have added to your nomination for Councillors John Williams, of Chatham, Thomas Overton and William H. Harrington; and also nominate Tarborough for the place of the meeting of the next Assembly. We have appointed Mr. Scull and Mr. Sanders to superintend and conduct the balloting on the part of this house.

Received from the Senate a bill to amend an act passed at Hillsborough, in the year 1784, entitled, “An act for extending the navigation of Roanoke river,” endorsed “Read the second time and passed.”

Ordered, That the bill to amend an act, entitled, “An act to prevent the exportation of unmerchantable commodities,” &c., and a bill to erect that part of Wilkes county lying west of the Apalachian mountains, and part of Washington county, into a separate and distinct county, &c., be read to-morrow for the second reading each.

The house adjourned till 4 o’clock, P. M.

Met according to adjournment.

The bill for vesting the property of certain lots of land, situated in the town of Tarborough, in Edmund Hall and his heirs, was read the second time, passed and sent to the Senate.

The bill to establish a town at the place fixed upon for the court house in the county of Surry, was read the second time, passed and sent to the Senate.
The bill directing the time and places of holding the annual elections in the county of Hyde, was read the third time, passed and sent to the Senate.

The bill to keep open Rockfish-creek, in Cumberland county, from its mouth to the forks thereof, was read the third time, passed and sent to the Senate.

The bill to establish a town at the place fixed upon for the courthouse in the county of Stokes, was read the second time, passed and sent to the Senate.

Mr. Martin presented the resignation of Murdoch Macrae; which being read, was referred to the committee appointed to correct errors in patents, &c., and sent to the Senate.

Mr. Lovell presented the resignation of William Meredith, a Justice of the Peace; which being read, was accepted and sent to the Senate.

Mr. Chambers presented the memorial of William Giles; which being read, was referred to the committee of propositions and grievances No. 1, and sent to the Senate.

Mr. Jasper presented the resignation of John Satchwell, a Justice of the Peace; which being read, was accepted and sent to the Senate.

The bill to establish public landings in the county of Carteret, was read the third time, passed and sent to the Senate.

The bill for granting to the inhabitants living between the north and south forks of the Yadkin river the privilege of holding separate general musters, was read the second time, passed and sent to the Senate.

The bill to authorize William Mc'Clellan, of the county of Rockingham, to extend a mill-dam across the Mayo river, was read the second time, passed and sent to the Senate.

The bill to alter the names of certain persons therein mentioned, was read the second time, passed and sent to the Senate.

The bill to empower the county court of Rutherford to lay a further tax, for the purpose of building a court house in said county, was read the first time, passed and sent to the Senate.

The bill to empower the county court of Rockingham to lay a further tax to reimburse the Commissioners the money by them expended in erecting the court house, prison and stocks in said county, was read the second time, passed and sent to the Senate.

The bill to appoint Commissioners to establish a gap or slope on
the mill dam of Samuel High, at the falls of Neuse river, in Wake county, and to repeal so much of an act passed at Tarborough, in the year 1787, as comes within the purview of this act, was read the second time, passed and sent to the Senate.

The bill to authorise the Commissioners of the town of Edenton to grant to Dr. Samuel Dickenson a certain water-lot in the said town, was read the third time, passed and sent to the Senate.

The bill for altering the time for holding the county courts of pleas and quarter sessions for the counties of Franklin and Iredell, was read the third time, passed and ordered to be engrossed.

The bill to empower James Craige, guardian of the orphans of David Craige, dec., to sell and dispose of part of the real estate of the said David Craige for the payment of a debt due by him to the public, was read the third time, passed and sent to the Senate.

The bill to establish an inspection of tobacco at the ferry of Thomas Eaton on Roanoke river, was read the second time, passed and sent to the Senate.

Ordered, That Mr. Grandy have leave to absent himself from the service of this house after to-morrow.

Ordered, That Mr. Montgomery be added to the committee of propositions and grievances No. 2.

The house adjourned till to-morrow morning, 10 o'clock.

Thursday, December 2, 1790.

Met according to adjournment.

Mr. Hawkins from the committee to whom was referred the petition of William Sheppard, reported—that no proof appears to the committee that the goods mentioned in the said petition were imported into the city of Philadelphia subsequent to the laws of Congress being passed regulating the impost, nor does it appear that the duties mentioned to have been paid on the said goods, have been paid under the laws of the United States; there is therefore a probability that the duties thus paid were paid under the laws of the State of Pennsylvania, and converted to the use of that State only; for which reason the committee reject the petition. Which is submitted.

Wyatt Hawkins, Ch.

Resolved, That the house do concur with this report.
Received from the Senate the report of the committee on the petition of George Merrick, on the petition of Adam Lawrence and on the petition of Benjamin Cleveland, endorsed "Read and concurred with;" which reports being read, were concurred with by this house and returned.

The bill to vest a certain piece of land therein described in Sophia Neale, and to authorise the said Sophia Neale and John Hall to make sale and dispose of two other pieces of land in Brunswick county, of the real estate of the late Thomas Neale, Jun., dec.; was read the third time, passed and sent to the Senate.

Received from the Senate the resignation of Peter O'Neal, a Justice of the Peace; which being read, was accepted and returned.

Mr. Hawkins from the committee of propositions and grievances, delivered in the following report, viz:

The committee of propositions and grievances No. 2, to whom the petitions of Nimrod Bradley and Thomas Adcock, James Kerr, Philip Logan, Daniel M'Allister and John Campbell, John Umstead, William Owens and Joseph Arthur, were referred, report—That on reading the said petitions and memorials, together with the vouchers in support of them, it appears that they are all claims of a military nature, and do conceive them to be just, and that the legislature ought to point out some mode whereby the said claimants, and all others who have similar claims, could be redressed. Your Committee further report, that as a bill is now on its passage, making provision for the examination of the certificates issued by the Board of Commissioners of army accounts at Warrenton, in the year 1786, and for liquidating all military claims not yet adjusted, the aforesaid claims, and all others of a like nature, may be amply provided for in the said bill; which provision your committee recommend as an object worthy the attention of the legislature. All which is submitted.

WYATT HAWKINS, Ch.

The house taking this report into consideration, concurred therewith.

Mr. Lock moved for leave and presented a bill providing for the exchanging and re-issuing the paper currency of this State, and prescribing the manner in which the same shall be done; which was read the first time, passed and sent to the Senate.

Mr. Person moved for leave and presented a bill to restrain all
married persons from marrying again, until their former wives or former husbands be dead; which was read the first time, passed and sent to the Senate.

Mr. Dawson moved for leave and presented a bill to amend an act, entitled, "An act to empower the county courts of pleas and quarter sessions of the several counties in this State to order the laying out public roads, and to establish and settle ferries, and to appoint where bridges shall be built, and to clear inland rivers and creeks;" which was read the first time, passed and sent to the Senate.

Mr. Scull from the joint balloting for four Councillors, and the place at which the next General Assembly shall be held, reported—That John Faulcon and William Gowdy, Esquires, were elected Councillors—that there were yet two Councillors to be elected—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.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The two Councillors of State, and place at which the next Assembly shall be held, we propose shall be balloted for this evening at four o'clock.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to ballot for the two Councillors yet to be elected, and the place at which the next Assembly shall be held, this evening, as by you proposed. We nominate for Councillors, William Little and Griffith Rutherford, Esquires, and for the place at which next Assembly shall be held, the towns of Edenton, Tarborough, New Bern, Wilmington and Fayetteville. Mr. Alston and Mr. Franklin will superintend and conduct the balloting on the part of this house.

Received from the Senate the following messages:

Mr. Speaker and Gentlemen:

We consent that the bill equalizing the land tax shall be referred as by you proposed, and have appointed Mr. M'Dowall, Mr. Graham, Mr. Courtney, Mr. Macon, Mr. Johnson, Mr. Armstrong, Mr. Owen and Mr. Clinton, to act with the gentlemen by you named.

Mr. Speaker and Gentlemen:

We will concur with the resolutions of your house, instructing
the Senators from this State to the Congress of the United States as therein mentioned, provided you will pass them as now amended.

Resolved, That the resolutions referred to in the above message, as amended by the Senate, be referred to the sub-committee appointed by the committee of the whole house, and that they be directed to report the whole of their proceedings on Saturday.

Received from the Senate the following bills, to-wit:—A bill to revive and continue in force an act, entitled, "An act to empower the several county courts therein mentioned to lay a tax annually, not exceeding —— years, for the purpose of erecting or repairing the court-house," &c., endorsed "Read the first time and passed." A bill to alter the mode of punishment for horse stealing. A bill to alter the names of certain persons therein mentioned. A bill to amend and extend the powers given in an act, entitled, "An act to empower the administrators of Samuel Swann, of New Hanover county, Esq., dec., to sell and dispose of part of the real estate of the said Samuel," &c., endorsed "Read the second time and passed." A bill to establish a town at the place fixed upon for the court-house in the county of Surry, endorsed "Read the third time and passed."

Received from the Senate the petition of Ann Blount, and the petition of Murdoch Macrae, endorsed "Read and referred as by the House of Commons." Also the resignation of John Satchwell and William Meredith, two Justices of the Peace, endorsed "Read and accepted."

The bill to amend an act, entitled, "An act for establishing courts of law, and for regulating the proceedings therein," and another act, entitled, "An act for giving an equity jurisdiction to the superior courts," was read the second time, amended, passed and sent to the Senate.

Mr. B. Smith presented the resignation of Dennis Hankins, a Justice of the Peace for Brunswick county; which being read, was accepted and sent to the Senate.

Received from the Senate the following bills, endorsed "Read the second time and passed," to-wit:—A bill for vesting the property of certain lots of land situated in the town of Tarborough, in Edmund Hall and his heirs. A bill to establish an inspection of tobacco at the ferry of Thomas Eaton on Roanoke river. A bill to empower the county court of Rockingham to lay a further tax, to reimburse
the Commissioners the money by them expended in erecting the
court-house, prison and stocks in said county.

Received also the petition of the inhabitants of the counties of
Wake, Granville and Orange, endorsed "Read and referred as by
the House of Commons."

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

Met according to adjournment.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have added to the nomination for Councillors, Mr. Thomas
Eaton, Mr. John Williams, (Caswell) and Mr. Charles Galloway;
and Salem to the places named for holding the next Assembly. Mr.
Qualls and Mr. Graham will superintend the balloting on the part
of the Senate.

The bill to revive and continue in force an act, entitled, "An
act to empower the several county courts therein mentioned to lay
a tax annually, not exceeding —— years, for the purpose of erecting
or repairing the court house, prison and stocks in each county when
necessary, and for defraying the contingent charges of the counties,"
passed at Fayetteville, 1786, was read the first time, passed and sent
to the Senate.

Ordered, That Mr. Hill have leave to absent himself from the
service of this house after Saturday next, and that Mr. Anderson
also have leave to absent himself after Monday next.

The bill to amend an act, entitled, "An act to prevent the exporta-
tion of unmerchantable commodities," passed at Hillsborough, 1784,
was read the second time, passed and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We are now ready to proceed to balloting, and request the attend-
dance of your superintendents.

The bill to establish a town at the place fixed for the court house
in the county of Surry, and for adding two Commissioners to those
heretofore appointed for fixing the public buildings in the said coun-
ty, was read the third time, passed and ordered to be engrossed.

The bill to alter the names of certain persons therein mentioned,
was read the third time, passed and sent to the Senate,
The bill to authorize Henry E. Lutterloh to raise by way of lottery, a sum sufficient to enable him to bring into this State foreigners, who are artisans in various branches of business, was read the second time, passed and sent to the Senate.

Mr. Hawkins from the committee of propositions and grievances No. 2, to whom was referred the petition of John Bonds, reported—That on evidence before the committee, it appears that the said John Bonds was indicted in the superior court of Halifax district, in two instances, for fraudulently obtaining army certificates issued by the Board of Commissioners at Warrenton.—That it also appears that Mr. Bonds was ready for and urged his trial, but for want of witnesses in behalf of the State, the court was induced to lay over the trial till April term, 1787, at which term the trial came on, and nothing criminal appearing against Mr. Bonds, the court thought proper to discharge him the said John Bonds, he paying all costs: Therefore it is the opinion of the committee that the prayer of the petition be rejected.

Resolved, That the house do concur with this report; and that Mr. Mr. Bonds have leave to withdraw his vouchers.

Mr. Guion from the committee to whom was referred the memorial of Daniel Glisson, reported—That it appears to your committee that the said Daniel Glisson has a sufficient title to the lands in the said memorial set forth, by a warrantee deed from the Sheriff.—Your committee are therefore of opinion that the said memorial is not proper for the interference of the Assembly, and that it be rejected. Which is submitted.

Resolved, That the house do concur with this report.

Received from the Senate the report of the committee on the petition of Edmund Blount, endorsed "Read, amended and concurred with as amended;" which being read, was concurred with as amended by the Senate, and returned.

Mr. Hawkins from the committee of propositions and grievances delivered in the following report:

The committee of propositions and grievances No. 2, to whom the memorial of Thomas Haslin was referred, report—That on an enquiry it appears to your committee, that the account herewith was a copy of one found fairly stated on the books of the late Thomas Haslin, deceased, against Josiah Martin, formerly a British Governor; but it does not appear by any testimony that the said account
STATE RECORDS.

has not been discharged by the said Josiah Martin; for which reason your committee are induced to reject the memorial.

WYATT HAWKINS, Ch.

Resolved, That the house do concur with this report.

Received from the Senate the report of the committee on the memorial of Allen Jones, endorsed "Read and concurred with;" which being read, was concurred with and returned.

The committee of propositions and grievances No. 2, to whom the petition of William Brown was referred, report—That it appears to the committee from the face of the petition, that the said William Brown did at different times draw out of the treasury of this State monies to the amount of seven thousand one hundred and twenty pounds, for the express purpose of paying bounties to the militia volunteers and drafts raised by act of the General Assembly, he the said William Brown being Colonel of the County of Beaufort; but it does not appear by any voucher or other testimony, that the monies thus drawn were applied to the purposes for which they were intended: Therefore your committee are of opinion, as the money was drawn out of the treasury in the year 1780, that the said William Brown had time to settle this account, previous to the death of Lieutenant-Colonel Henry Bonner, to whom, as he alleges in his petition, he delivered the monies; in consequence of which they reject the prayer of the petition. Which is submitted.

WYATT HAWKINS, Ch.

Resolved, That the house do concur with this report.

Received from the Senate the report of the committee on the petition of William Sheppard, endorsed "Read and concurred with."

Received from the Senate the following bills:—A bill to restrain all married persons from marrying again until their former wives or former husbands be dead; and a bill for dividing Dobbs county; endorsed "Read the first time and passed." A bill to amend an act, entitled, "An act to prevent the exportation of unmerchantable commodities," passed at Hillsborough, 1784; and a bill to appoint Commissioners to direct and establish a gap or slope on the mill-dam of Samuel High, at the falls of Neuse river, in Wake county, &c., endorsed "Read the second time and passed." A bill for granting to the inhabitants living between the north and south forks of the Yadkin river, the privilege of holding separate general musters; and a
bill to establish a town at the place fixed upon for the court house in the county of Stokes; endorsed "Read the third time and passed."

The house adjourned till to-morrow morning, 10 o'clock.

Friday, December 3, 1790.

Met according to adjournment.

Mr. Hay moved for leave and presented a bill for the more early recovery of rents; which was read the first time, passed and sent to the Senate.

Mr. Mebane moved for leave and presented a bill to amend an act, entitled, "An act for regulating ordinaries and houses of entertainment and ferries, and other purposes;" which was read the first time, passed and sent to the Senate.

Mr. Franklin from the joint balloting for two Councillors and the place at which the next General Assembly shall be held, reported—That William Little and Griffith Rutherford, Esquires, were elected Councillors—and that no place in nomination for the meeting of the next General Assembly had a majority of votes, and that that place was yet to be ballotted for.

Resolved, That the house do concur with this report.

Mr. Robeson presented the petition of John Ray; which being read, was referred to the committee of claims and sent to the Senate.

Mr. Hay moved for leave and presented a bill to amend the law relative to attachments; which was read the first time, passed and sent to the Senate.

Mr. Chambers presented the petition of Benjamin Boyd; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

The resignations of Thomas Durham and Jacob Alford, two Justices of the Peace, were read, accepted by this house and sent to the Senate.

Mr. Evergin, who had leave to withdraw for amendment the bill to enable the Wardens of the poor in the counties of Pasquotank and Carteret to build houses for the reception of the poor of the said counties, and for levying a tax to defray the expence thereof, delivered in the bill at the Clerk's table; which was taken up and read for the second time, passed and sent to the Senate.
Resolved, That no private bill shall be received in either house of
the General Assembly after to-morrow.

Mr. Graves moved for leave and presented a bill to establish two
places in the county of Caswell for the purpose of holding two general
musters therein; which was read the first time, passed and sent to
the Senate.

The bill to restrain all married persons from marrying again until
their former wives or former husbands be dead, was read the second
time, passed and sent to the Senate.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the committee to whom is committed the bill for
equalizing the land tax, be directed to report thereon on Monday.

Ordered, That the bill directing the manner in which the real sol-
dier or honest claimant, among those who had military accounts set-
tled at Warrenton in the year 1786, shall obtain certificates, &c., be
read for the third time on Monday next.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We propose that the two houses ballot at four o'clock this evening,
for the place of holding the next Assembly, and nominate the towns
of Fayetteville, New Bern, Tarborough and Edenton.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to ballot this evening for the place at which the next
Assembly shall be held, as by you proposed.

The bill to confirm unto Greenbury Sutton an indefeasible title
to certain lands therein mentioned in Perquimans county, was read
the second time, passed and sent to the Senate.

The bill to alter the mode of punishment for horse-stealing, was
read the third time, amended, passed and sent to the Senate.

Received from the Senate a bill to authorise Henry E. Lutterloh
to raise by way of lottery a sum sufficient to enable him to bring into
this State foreigners, &c., and a bill to revive and continue in force
an act, entitled, "An act to empower the several county courts there-
in mentioned, to lay a tax annually not exceeding —— years, for
the purpose of erecting or repairing the court house, prison and stocks
in each county, &c., endorsed "Read the second time and passed."
Also the resignations of Dennis Hankins, Thomas Dorham and Jacob Alford, Justices, endorsed "Read and accepted."

Mr. Jones presented the petition of Thomas Wright; which being read, was referred to the committee of propositions and grievances No. 2, and sent to the Senate.

Mr. Person presented the petition of Thomas Turner, executor of the last will and testament of John Wright Stanly; which being read, was referred to the committee of propositions and grievances No. 1, and sent to the Senate.

Received from the Senate the following reports, concurred with by that house, viz.: On the petition of John Willis, Michael Holt and Thomas Tomlinson, on the memorial of Daniel Glisson, on the petition of William Brown, on the petition of Thomas Haslin, on the petition of John Bonds. Received also the petition of Benjamin Boyd, endorsed "Read and referred as by the House of Commons."

The bill for building a court house in the town of Wilmington for the district of Wilmington, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We agree that the committee appointed to equalize the land tax shall be required to report on Monday next. Mr. Qualls and Mr. Dixon will attend the balloting this evening on the part of the Senate.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

Mr. Sanders and Mr. Franklin will superintend and conduct the balloting heretofore agreed upon, on the part of this house.

The bill to repeal part of an act, entitled, "An act to regulate and ascertain the several officers fees therein mentioned, and for altering the times for holding the courts of law and equity for the districts of Halifax, Edenton, New Bern and Wilmington," passed at New Bern, 1784, was read the third time and rejected.

Received from the Senate the resolution of this house for admitting no private bill after to-morrow concurred with. Also a resolution of the Senate directing the Treasurer to pay Allen Jones, Esq., one hundred and forty pounds; which being read, was concurred with and returned.

The bill to cede and vest in the United States of America the lands
therein mentioned, for the purpose of building light houses, was read the third time, passed and ordered to be engrossed.

The bill for granting on loan to the Trustees of the University of North Carolina for the term of —— years, and on the conditions therein mentioned, the sum of ———, was read the second time; whereupon, a motion was made by Mr. Porter, that this bill lie over until the next Assembly. This being objected to, the question was put, "Shall this bill lie over until the next Assembly?" and being carried in the affirmative the yeas and nays were thereupon required by Mr. Person; which are as follows, viz.:


On a motion made by Mr. Person, seconded by Mr. Porter, Resolved, That the bill for granting on loan to the Trustees of the University of North Carolina, for the term of ——— years, and on the conditions therein mentioned, the sum of ———, be printed for information, and annexed to the laws which may be enacted this session, with the yeas and nays taken on the question for laying over the bill until the next session of Assembly, and that it also be published in the gazette.

Received from the Senate the following bills:—A bill to amend the law relative to attachments. A bill to establish two places in the county of Caswell for the purpose of holding two general musters therein. A bill to amend an act, entitled, "An act for regulating ordinaries," &c. A bill for the more easy recovery of rents. And a bill to amend an act, entitled, "An act to empower the county courts of pleas and quarter sessions of the several counties in this State to order the laying out public roads," &c. Endorsed "Read the first time and passed." A bill to confirm unto Greenbury Sutton an indefeasible title to certain lands therein mentioned, in Perquimans
county. A bill to restrain all married persons from marrying again whilst their former wives or former husbands are living. And a bill to enable the wardens of the poor for the counties of Pasquotank and Carteret to build houses for the reception of the poor, &c. Endorsed "Read the second time and passed."

The bill to authorise Henry Emanuel Lutterloh to raise by way of lottery, a sum sufficient to enable him to bring into this State foreigners, who are artisans in various branches of business, was read the third time, passed and sent to the Senate.

Received from the Senate the petition of John Ray, 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 resignation of John Blount, Justice of the Peace. Endorsed "Read and accepted;" which being read, was accepted by this house and returned.

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

Met according to adjournment.

The bill for vesting the property of certain lots of land situated in the town of Tarborough, in Edmund Hall and his heirs, was read the third time, passed and sent to the Senate.

Mr. Taylor presented the memorial of Jane Pindexter, executrix, and Joseph Williams, executor of the last will and testament of Robert Lanier, Esq., late Treasurer of the district of Salisbury; which being read, was referred on the part of this house to Mr. Taylor, Mr. Gautier, Mr. Caldwell and Mr. Leigh, and sent to the Senate.

The bill to empower the county court of Rockingham to lay a further tax, to reimburse the Commissioners the money by them expended in erecting the court house, prison and stocks in said county, was read the third time, passed and sent to the Senate.

The bill to establish an inspection of tobacco at the ferry of Thomas Eaton, on Roanoke river, was read the third time, passed and sent to the Senate.

Mr. E. Jones moved for leave and presented a bill further to carry into effect the ninth article of the amendments to the constitution of the United States; which was read the first time and rejected.

The bill to amend an act passed at Hillsborough, in the year 1784, entitled, "An act for extending the navigation of Roanoke river," was read the third time, passed and sent to the Senate.
Mr. Polk presented the memorial of John Armstrong and William Pin-dexter, executors, &c., which being read, was referred to the committee appointed on the memorial of the executors of the last will and testament of Robert Lanier, deceased, and sent to the Senate.

The bill to establish the titles of certain lands in Simon, David, William and Jonathan Turner, was read the second time, passed and sent to the Senate.

Mr. Franklin from the joint balloting for the place at which the next General Assembly shall be held, reported—That the next General Assembly was to be held at New Bern, as appeared by a majority of the votes of both houses of the General Assembly.

The house taking this report into consideration, concurred therewith.

The bill to revive and continue in force an act, entitled "An act to empower the several county courts therein mentioned to lay a tax annually, not exceeding —— years, for the purpose of erecting or repairing the court-house, prison and stocks in each county when necessary, and for defraying the contingent charges of the county," passed at Fayetteville, 1786, was read the second time, passed and sent to the Senate.

The bill to amend and extend the powers given in an act, entitled, "An act to empower the administrators of Samuel Swann, of New Hanover, Esq., dec., to sell and dispose of part of the real estate of the said Samuel for the payment of his debts, in order to make provision for his family; and also to make conveyances for such part of the real estate as was sold by the said Samuel in his lifetime," was read the third time, passed and sent to the Senate.

The bill for granting to the inhabitants living between the north and south forks of the Yadkin river the privilege of holding separate general musters, was read the third time, passed and ordered to be engrossed.

The bill to appoint Commissioners to direct and establish a gap or slope on the mill dam of Samuel High, at the falls of Neuse river in Wake county, and to repeal so much of an act, passed at Tarborough in the year 1787, as comes within the purview of this act, was read the third time, passed and sent to the Senate.

The bill to enable the Wardens of the poor for the counties of Pasquotank and Carteret to build houses for the reception of the poor of the said counties, and for levying a tax to defray the expence thereof, was read the third time, passed and sent to the Senate.
The bill to establish a town at the place fixed upon for the court-
house in the county of Stokes, was read the third time, passed and
ordered to be engrossed.

Received from the Senate a bill to impose a certain fine on any
person or persons taking a seat in the General Assembly, who are
disqualified by the constitution of this State to be a member thereof,
endorsed "Read the first time and passed." This bill was taken up
and read for the first reading in this house, passed and returned to
the Senate.

The bill to empower Prudence Durphie, administratrix, and John
Winn and Hugh Carson, administrators of William Durphie, de-
ceased, to sell a tract of land in the county of Iredell, for the payment
of his debts, and to convey the same to the purchaser, was read the
second time, passed and sent to the Senate.

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

Saturday, December 4, 1790.

Met according to adjournment.

Mr. Richard M'Kinnie, one of the members for Wayne county,
appeared, was qualified and took his seat.

Mr. Bonds presented the memorial of William Cook and Jonathan
Hains; which being read, was referred to the committee of proposi-
tions and grievances No. 2, and sent to the Senate.

Mr. Dixon presented the resignation of John Lanier, a Justice of
the Peace for Duplin county; which being read, was accepted by
this house and sent to the Senate.

The bill to amend an act, entitled, "An act to empower the county
courts of pleas and quarter-sessions of the several counties in this
State to order the laying out public roads, and to establish and settle
ferries, and to appoint where bridges shall be built, and to clear
inland rivers and creeks, was read the second time, passed and sent
to the Senate.

Mr. Franklin moved for leave to withdraw for amendment the bill
to erect that part of Wilkes county lying west of the Appalachi-
ian mountains, and part of Washington county, into a separate and dis-
tinct county by the name __________. Ordered, That he have leave.

The bill to confirm unto Greenbury Sutton an indefeasible title
to certain lands therein mentioned, in Perquimans county, was read the third time, passed and sent to the Senate.

The bill to amend an act, entitled, "An act for regulating ordinary houses of entertainment and ferries, and other purposes," was read the second time, passed and sent to the Senate.

The bill to amend the law relative to attachments, was read the second time, passed and sent to the Senate.

The bill to amend the law relative to attachments, was read the second time, passed and sent to the Senate.

The bill to restrain all married persons from marrying again whilst their former wives or former husbands are living, was read the third time, passed and sent to the Senate.

Received from the Senate the memorial of Jane Pindexter, executrix, and Joseph Williams, executor of the last will and testament of Robert Lanier, dec., endorsed "Read and referred to Mr. Clinton, Mr. Philips, Mr. Macon and Mr. Edwards." Also the petition of Thomas Wright, and the petition of Thomas Turner, executor of John Wright Stanley; endorsed "Read and referred as by the House of Commons."

Received from the Senate the following bills:—A bill to establish the titles of certain lands in Simon, David, William and Jonathan Turner. A bill to empower the county court of Rutherford to lay a further tax, for the purpose of building a court house in said county. A bill for building a court house in the town of Wilmington for the district of Wilmington. Endorsed "Read the second time and passed."

The bill for dividing Dobbs county, 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. Person, and seconded by Mr. Macon; which are as follows, viz:


The bill to empower the county court of Rutherford to lay a further tax for the purpose of building a court house in said county, and to empower the Sheriff of said county, to collect the sinking fund tax for the year 1786, was read the second time, passed and sent to the Senate.

The bill for the more easy recovery of rents, was read the second time, passed and sent to the Senate.

The bill for reviving an act passed at Tarborough in December, 1787, entitled, "An act for fixing the final settlement of unliquidated claims against this 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. Caldwell, and seconded by Mr. Matthews; which are as follows, viz.:


Mr. Jones, on behalf of himself and others who voted against the passage of this bill, moved for leave to state their reasons on the journal for such their voting. Ordered, That he have leave.

Ordered, That Peter Gooding, one of the door keepers of this house, have leave to absent himself from the service thereof, and that Kilby be appointed to attend the latter part of the session in his stead.

The bill for vesting the property of certain negroes in the heirs of Mark Newby, was read the third time, passed and ordered to be engrossed.

Mr. Taylor moved for leave to enter a protest against the passage of this bill. Ordered, That he have leave.

Mr. Guion moved for leave and presented a bill laying a further tax in the district of New Bern, for repairing the gaol of the said district.

Mr. Person presented the memorial of Farquer Campbell; which being read, was referred to the committee appointed to correct errors in patents, &c., and sent to the Senate.
Mr. Witherspoon presented the petition of C. Nixon, S. Smith, C. Campbell, M. Lavender and C. Chine; which being read, Mr. Witherspoon moved for leave and presented a bill to carry into effect the nuncupative will of James Williams so far as relates to his real estate. Ordered, That the petition and bill be referred to the committee appointed to correct errors in patents, &c., and sent to the Senate.

Received from the Senate a resolution of that house directing his Excellency the Governor to transmit the acts of Congress to the public printer for publication, &c.; which being read, was concurred with and returned.

Received from the Senate the petition of William Cook and Jonathan Hains, endorsed "Read and referred as by the House of commons." And the resignation of John Lanier, a Justice of the Peace, endorsed "Read and accepted." Also, the report of the committee on the memorial of Ann Blount, concurred with by that house; which being read, was concurred with by this house and returned.

The committee of propositions and grievances No. 2, to whom was referred the memorial of Hance Bond, Entry taker of the county of Halifax, report—That it appears to your committee that the said Hance Bond did in virtue of his said office receive between the months of February and November, 1786, from different persons for entries of land made in his said office certificates to the amount of four hundred pounds; which certificates were issued by the Board of Commissioners of army accounts, at Warrenton, in the year 1786: That by an act of the General Assembly certificates of this description are not negotiable, in consequence of which the Treasurer hath actually refused to receive the said certificates of Mr. Bond in payment of his public accounts as Entry-taker aforesaid. Your committee further report, that as the said Mr. Bond was an officer of the State, and was bound to be governed by the laws thereof, he could in no wise refuse certificates issued under the authority of the State, more especially as Mr. Bond had not seen the act of Assembly declaring all certificates issued at Warrenton not negotiable: They are therefore of opinion, that the Treasurer be directed to receive the said certificates, and place them to the credit of the said Hance Bond in his account as Entry-taker aforesaid: The better to effect which purpose your committee recommend the following resolution, viz.:

Resolved, That the public Treasurer do receive of Hance Bond, Entry-taker of Halifax county, four hundred pounds in specie cer-
tificates, issued by the Board of Commissioners of army accounts, at Warrenton, in the year 1786, upon the said Hance Bond making oath before some Justice of the Peace, in presence of the Treasurer, that the certificates to amount of four hundred pounds, so by him presented to be paid into the treasury, were the identical certificates by him received in virtue of his office as Entry-taker for the county of Halifax, for entries of lands made in his said office between the month of February and the month of November, 1786. Which is submitted.

WYATT HAWKINS, Ch.

The question being put, "Will the house concur with this report?" was carried in the affirmative: Whereupon the yeas and nays were required by Mr. M'Dowall, seconded by Mr. Sutherland; which are as follows, viz:


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

Met according to adjournment.

The Sheriff of Hertford county certified that Henry Hill was duly elected to represent that county in this house; whereupon the said Mr. Hill appeared, was qualified and took his seat.

Mr. Grove moved for leave to bring in a bill for adding part of Robeson county to Cumberland county. Ordered, That he have leave.

Received from the Senate the petition of Jeptha Terrel, endorsed "Read and referred to the committee to correct errors in patents;" which being read was referred as by the Senate and returned.

Received from the Senate the petition of sundry of the inhabitants of Dobbs county, endorsed "Read and referred to the committee for dividing the county of Caswell." And the memorial of John Eaton, endorsed "Read and referred to the committee of propositions and grievances No. 1;" which being read, were referred as by the Senate and returned.
The bill for building a court house in the town of Wilmington for the district of Wilmington, and to empower the Justices of New Hanover county to increase the county tax, was read the third time, amended, passed and sent to the Senate.

Ordered, That Mr. Franklin be added to the committee of propositions and grievances No. 2.

Mr. Handy presented the resignation of Arthur Bryan, as Colonel of the Johnston regiment of militia; which being read, was accepted and sent to the Senate.

Mr. M'Dowall presented the resignations of William Morrison and James Brittain, two Justices of the Peace for Burke county; which being read, were accepted and sent to the Senate.

The Speaker laid before the house a letter from the Secretary of the late Convention, enclosing a demand made on him as Secretary, by William Blount, Esq., for an allowance for his attendance as a member of Convention for the county of Tennessee, with a statement of his reasons for refusing Mr. Blount a certificate; which being read, on a motion made by Mr. M'Dowall, and seconded by Mr. Taylor,

Resolved, That it is the opinion of this house, that John Hunt, Esq., acquitted himself with great propriety, when as Secretary to the Convention he refused to grant to William Blount, Esq., a certificate allowing him the travelling charges from Tennessee, as a member of the Convention, when he only travelled from Pitt; and that no further sum be allowed the said William Blount, for his services as a member of the Convention.

Received from the Senate the following reports, concurred with by that house, viz: On the memorial of Robert Martin, on the petition of James Tindal, on the memorial of John Walker, on the petition of John Hopkins, on the memorial of Robert Burton, on the petition of Alderson Ellison, on the memorial of Winston Caswell, on the petition of Josiah Jackson, on the memorial of John M'Kenzie, on the petition of William Morgan, on the petition of John Simmons, on the memorial of David Dixon. Which reports being read, were severally concurred with and returned.

Received from the Senate the memorial of Farquer Campbell, and the petition of C. Nixon, S. Smith, &c., endorsed “Read and referred as by the House of Commons.” Also the report of the committee on the memorial of Hance Bond, endorsed “Read and concurred with.”

Received from the Senate a bill to amend an act, entitled, “An act for establishing courts of law, and for regulating the proceedings
therein;” and another act, entitled, “An act for giving an equity jurisdiction to the superior courts;” and a bill to amend an act, entitled, “An act to empower the county courts of pleas and quarter sessions of the several counties in this State to order the laying out public roads,” &c., endorsed “Read the second time and passed.”

Ordered, That Mr. Hay have leave to absent himself from the service of this house after Monday next.

The house adjourned until Monday morning, 10 o’clock.

Monday, December 6, 1790.

Met according to adjournment.

Ordered, That Mr. Battle and Mr. Jones have leave to absent themselves from the service of this house.

The bill to amend an act, entitled, “An act to empower the county courts of pleas and quarter sessions of the several counties in this State to order the laying out public roads, and to establish and settle ferries and to appoint where bridges shall be built; and to clear inland rivers and creeks,” was read the third time, passed and sent to the Senate.

The committee to whom was referred the bill to amend an act directing the manner of electing Representatives to represent this State in Congress, delivered in a report thereon; which being read, was ordered to be sent to the Senate with the bill.

The bill for equalizing the land tax, was read the second time, amended, passed and sent to the Senate.

Received from the Senate the report of the committee on the memorial of Griffith John M’Ree, and the report on the memorial of Hardy Murfree, concurred with by that house; which being read, were concurred with by this house and returned.

Mr. M’Dowall moved for leave to withdraw for amendment the bill directing the manner in which the real soldier or honest claimant, among those who had military accounts settled at Warrenton in the year 1786, shall obtain certificates, &c. Ordered, That he have leave.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We herewith send you the report of the Comptroller on the accounts of James Blount, which we propose shall be referred to the commit-
tee appointed on the petition of Hardy Murfree, Esq., together with
the vouchers accompanying it.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the report of the Comptroller on the accounts of
James Blount, &c., be referred to the committee on the memorial of
Hardy Murfree, as by you proposed.

The bill for subscribing on loan in the office of the Commissioner
of the United States, such continental monies, and continental and
state securities, as are or may be in the hands of the Treasurer or
Comptroller of this State belonging to the public, or which shall be
in the hands of either of them on the last day of September next,
and for appropriating certain monies as therein mentioned, was read
the second time, passed and sent to the Senate.

The bill to establish two places in the county of Caswell for the
purpose of holding two general musters therein, was read the second
time, amended, passed and sent to the Senate.

Received from the Senate the resignations of William Morrison,
James Brittain and Arthur Bryan, endorsed "Read and accepted."

Received from the Senate the following bills:—A bill to amend
an act, entitled, "An act directing the manner of electing Representa-
tives to represent this State in Congress." A bill to amend an act,
ettitled, "An act for establishing a militia in this State." And a
bill to revive an act passed in the year of our Lord 1715, entitled,
"An act for preventing disputes concerning lands already surveyed,"
and to repeal the fifth section of said act. Endorsed "Read the first
time and passed." A bill to authorise William M'Clellan, of the
county of Rockingham, to extend a mill-dam across the Mayo river.
endorsed "Read the third time and passed." A bill to impose a cer-
tain fine on any person or persons taking a seat in the General As-
sembly, who are disqualified by the constitution, &c. A bill to amend
an act, entitled, "An act for regulating ordinaries, houses of enter-
tainment and ferries, and other purposes. Endorsed "Read the
second time and passed."

The bill to amend an act, entitled, "An act to prevent the exporta-
tion of unmerchantable commodities," passed at Hillsborough,
1784, was read the third time, amended, passed and sent to the
Senate.
The bill to amend an act, entitled, "An act to admit to record certain deeds, grants and patents for lands heretofore obtained," was read the second time and rejected.

The bill to repeal an act, entitled, "An act to establish a department for adjusting and liquidating the public accounts of this State, and for appointing a Comptroller, and other purposes," was read the second time and rejected.

Received from the Senate a bill to establish two places in the county of Caswell for the purpose of holding two general musters therein, endorsed "Read the second time and passed." Also a bill to revive and continue in force an act, entitled "An act to empower the several county courts therein mentioned to lay a tax annually, not exceeding three years, for the purpose of erecting or repairing the court-house, prison and stocks in each county," &c., endorsed "Read the third time and passed."

The bill for incorporating the physicians and surgeons of this State, by the name of the North Carolina Medical Society, was read the third time, when a motion was made by Mr. Leigh that this bill be laid over until the next Assembly. The question being put, "Shall this bill lie over until the next Assembly?" it was carried in the affirmative.

The bill to revive and continue in force an act, entitled, "An act to empower the several county courts therein mentioned to lay a tax annually, not exceeding three years, for the purpose of erecting or repairing the court-house, prison and stocks in each county when necessary, and for defraying the contingent charges of the counties," passed at Fayetteville, 1786, was read the third time, passed and ordered to be engrossed.

The bill to authorise William M'Clellan, of the county of Rockingham, to extend a mill-dam across the Mayo river, was read the third time, passed and ordered to be engrossed.

The bill to amend an act, entitled, "An act to establish a militia in this State," passed at Fayetteville, 1786, was read the first time, passed and sent to the Senate.

Resolved, That every committee to whom any bill is committed, is directed to return the same to the house on Wednesday next; and that every member of the Assembly, who has withdrawn for amendment any bill, be also directed to return the same to this house tomorrow morning.

The bill to revive an act passed in the year of our Lord 1715, enti-
tled, "An act for preventing disputes concerning lands already surveyed, and to repeal the fifth section of the said act," was read the first time, passed and sent to the Senate.

The bill to amend an act, entitled, "An act for regulating ordinaries and houses of entertainment and ferries, and other purposes," was read the third time and rejected.

The bill directing the Entry takers as to their duty in office respecting certain cases therein mentioned, was read the second time, passed and sent to the Senate.

Mr. Leigh moved for leave to withdraw for amendment the bill to impose a certain fine on any person or persons taking a seat in the General Assembly, who are disqualified by the constitution of this State to be a member thereof. Ordered, That he have leave.

The bill to establish the titles of certain lands in Simon, David, William, Jonathan and Polly Turner, was read the third time, passed and sent to the Senate.

The house adjourned until to-morrow morning, 9 o'clock.

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TUESDAY, December, 7, 1790.

Met according to adjournment.

Mr. Dickens presented the petition of sundry of the inhabitants of Caswell county, praying a law to be passed for establishing a town and tobacco inspection on the lands of Thomas Harrison; which being read, Mr. Dickens moved for leave to bring in a bill to answer the prayer of the petition.

Received from the Senate a bill directing in what manner the acts of the General Assembly of this State shall be printed in future, endorsed "Read the first time and passed." And a bill to amend an act, entitled, "An act to establish a militia in this State," passed at Fayetteville, 1786, endorsed "Read the second time and passed."

Mr. Franklin, who had leave to withdraw for amendment the bill to erect that part of Wilkes county lying west of the Apalachian mountains, and part of Washington county, into a separate and distinct county by the name of ———, delivered in the bill at the Clerk's table, when it was taken up and read for the second reading in this house, and the question being put, "Shall this bill pass?" was negatived; whereupon the yeas and nays were required by Mr. Jones, and seconded by Mr. Person, which are as follows, viz:


Mr. Dickens moved for leave to withdraw for amendment the bill to establish two places in the county of Caswell for the purpose of holding two general musters therein. Ordered, That he have leave.

Mr. Gautier moved for leave and presented a bill to emancipate the persons therein named; which was read the first time, passed and sent to the Senate.

Mr. Carrington moved for leave and presented a bill to regulate the practice of physic; which was read the first time, passed and sent to the Senate.

The committee to correct errors in patents, to whom was referred the petition of John Duberlee, reported—that on strict enquiry it appears, that the Surveyor in making out the plat of the land mentioned in the said petition, made a mistake in the second line of said land, which calls for south 20 east 160 poles, when in fact it ought to run north 20 east 160 poles; by which mistake the claimant cannot hold any part of the land intended to be conveyed, unless the said mistake is rectified; wherefore your committee recommend a bill to be brought in for that purpose. All which is submitted.

THOMAS PERSON, Ch.

Resolved, That the house do concur with this report.

The committee of propositions and grievances No. 2, to whom was referred the petition of John Hendry and William Hendry, report—that on considering the nature of the petitioners claim, and examining the vouchers in support of the same, the committee are of opinion, that the said claim ought to have been laid before the district
STATE RECORDS.

Auditors; but as a bill is on its passage, pointing out means whereby unliquidated claims are to be adjusted, your committee do conceive, that the claims of the said John Hendry and William Hendry will be comprehended in said bill should it pass, and can grant no other relief than is provided for by the said bill. Which is submitted.

WYATT HAWKINS, Ch.

Resolved, That the house do concur with this report.

Received from the Senate the resolution of this house directing the committees to whom bills have been committed, and every person who has withdrawn for amendment any bill, to deliver the same as therein directed, concurred with by that house.

Received from the Senate the report of the committee on the petition of William Hendry, and the report of the committee on the petition of John Duberlee, concurred with.

The bill to amend an act, entitled, "An act for establishing courts of law, and for regulating the proceedings therein," and another act, entitled, "An act for giving an equity jurisdiction to the superior courts," was read the third time and amended, and the question being put, "Shall this bill pass?" was carried in the affirmative; whereupon, the yeas and nays were called for by Mr. Person, which are as follows, viz:


Received from the Senate a bill for obtaining an accurate map of the State, endorsed "Read the first time and passed." Also a bill for subscribing on loan in the office of the Commissioner of the United States, such continental monies, and continental and state securities, as are or may be in the hands of the Treasurer or Comptroller of this State belonging to the public, or which shall be in the hands of either of them on the last day of September next, and
for appropriating certain monies as therein mentioned, endorsed "Read the second time and passed."

Ordered, That the bill to regulate the administration of justice be printed for information, and annexed to the laws enacted this session.

The house adjourned till to-morrow morning, 9 o'clock.

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**Wednesday, December 8, 1790.**

Met according to adjournment.

The committee to whom the bill for forming the western parts of Burke and Rutherford counties into a separate and distinct county, was referred, report—that the remote situation of the inhabitants of said counties from their respective court houses, who reside west of the mountains, and within the limits ascertained in the said bill, the extreme difficulty of attending courts, musters, &c., in the winter session, passing through mountains sixty or seventy miles, are grievances, in the opinion of the committee, which merit the attention of the legislature, and ought to be remedied; therefore they recommend the said bill be passed into a law. Which is submitted.

**LEVI DAWSON, Ch.**

Resolved, That the house do concur with this report.

The committee to whom the petition and bill for removing the court house in the county of Montgomery were referred, delivered in a report thereon, which being read,

Ordered, That the said report and bill be laid over until the next Assembly.

Ordered, That Mr. Pride have leave to absent himself from the service of this house after this day.

Received from his Excellency the following message:

To the honourable the General Assembly.

**GENTLEMEN:**

I send you herewith a letter from his Excellency the Governor of Virginia, respecting the boundary line between that State and North Carolina: Not having the journals, or seeing any law, I am unacquainted with the transactions on this subject referred to in his letter, coming into the administration of the State late in the session of the last Assembly. You will please to instruct me what answer I am to return to the Governor of Virginia.—Also another letter, with a copy of an act of the General Assembly of Virginia, to amend the
act for cutting a navigable canal from the waters of Elizabeth river in that State to the waters of Pasquotank river in the State of North Carolina, which, at his Excellency's request, I do myself the honour to lay before you.

ALEX. MARTIN.

The foregoing message and papers therein referred to being read, a motion was made by Mr. Jones, and seconded by Mr. Hamilton, that the whole of the papers be referred to a committee, to consist of one member from each district in the State; this being objected to, the question was put to refer the papers, and negatived; whereupon the yeas and nays were called for by Mr. Jones, and seconded by Mr. Hamilton, which are as follows, to-wit:


Mr. Taylor moved for leave to bring in a bill to amend an act passed this session, entitled "An act 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." Ordered, That he have leave.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you a message from his Excellency the Governor, with the dispatches therein referred to.

Mr. Polk moved for leave and presented a bill to increase the jurisdiction of the county courts in this State; which was read the first time, passed and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The whole of the recommendations for Justices and Field-Officers
by you sent us, we have agreed to, that for the appointment of officers in the county of Johnston excepted, which we have thought proper to reject; and have caused an attested copy to be delivered the Governor in order that commissions may issue.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that you reconsider the recommendation made in this house for officers in Johnston county, and concur therewith.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The address which accompanies this, we propose shall be presented to the Hon. Alexander Martin immediately, and have appointed for this purpose on our part Col. Hargett and Col. M'Dowall.

Received the address alluded to in the above message; which being read was rejected, and the following entered into by this house in lieu thereof, viz:

To his Excellency Alexander Martin, Esq., Governor, &c.:

SIR:

The General Assembly having re-elected you Chief Magistrate of this State for the ensuing year, request to be informed when it will be convenient for you to take the oaths of qualification and enter on the duties of your office.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We do not agree to the message proposed by you to be sent to his Excellency the Governor, but propose the one now sent you in lieu thereof. We have appointed Mr. Guion and Mr. Witherspoon, on the part of this house, to wait on his Excellency with the same.

Mr. Grove presented the petition of Wm. Lord; which being read, was referred to the committee of propositions and grievances No. 1, and sent to the Senate.

The bill to establish two places in the county of Caswell for the purpose of holding two general musters therein, was read the third time, passed and sent to the Senate.

Mr. Grove moved for leave and presented a bill to annex part of Robeson county to Cumberland county; which was read the first time and rejected.

The bill for levying a tax in the district of New Bern for repairing
the jail of said district, was read the first time, passed and sent to the Senate.

The bill to amend an act, entitled, "An act directing the mode of raising a fund in the several ports of this State for the support of sick seamen, and the manner of appropriating the same," passed at Fayetteville, 1789, was read the first time, passed and sent to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We propose that the Clerks of the two houses be directed to make up the estimates to include Saturday next, at the rate of twenty shillings per day and the same sum for every thirty miles travelling to and from the General Assembly.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have received the message of your house proposing that the estimates be made up to include Saturday next, with which we do not agree, being of opinion that the business cannot be finished by that time; we therefore propose that they be made up to include Monday next; as to the daily pay and travelling, we agree.

Resolved, That Jesse Leister, formerly a Justice of the Peace in Surry county, and who resides in a part of the county, that since the division thereof has fallen into Stokes county, and who, on a recommendation for Justices of Stokes county was left out of the commission of the peace for the said county, be, and he is hereby reinstated in the commission of the peace; and that he shall be considered to stand in the same seniority of a Justice of the Peace for Stokes, that he did in Surry county.

The bill to amend an act, entitled, "An act directing the manner of electing Representatives to represent this State in Congress, was read the second time, amended, passed and sent to the Senate.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have received information of the death of Mr. Richard Grist, one of the members of this house, and propose that the members of the two houses attend his corpse to the place of interment, at four o'clock to-morrow evening.

Received from the Senate the following messages:

Mr. Speaker and Gentlemen:

We agree to the address by you proposed to be presented to the
Hon. Alexander Martin, in lieu of the one entered into by this house. Mr. Speaker and Gentlemen:

This house from a belief that the reports of a committee of the present Assembly in favour of Col. Murfree and Major M’Ree are erroneous, have reconsidered them, and now propose (should the measure meet your concurrence) that they be committed to a special committee, and have appointed Mr. M'Dowall, Mr. Courtney and Mr. Owen.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the reports on the petition of Col. Murfree and Major M’Ree, be committed to a special committee as by you proposed; and have for this purpose appointed Mr. Polk, Mr. Person, Mr. Macon, Mr. Mebane, Mr. Smith and Mr. Jones on our part.

Received from his Excellency the Governor the following message:

To the Honourable the General Assembly:

Gentlemen:

In answer to your message of this day, I return you my hearty thanks in having elected me again to the Chief Magistracy of the State, a station I prize the more honourable to me as having been called to it by the almost unanimous suffrage of the Legislature. I can only promise in return I shall use my endeavours to discharge the important duties committed to my trust to the utmost of my skill and abilities, so as to merit the continuance of the favourable opinion of my country.—It will be convenient for me to-morrow at twelve o'clock, to attend your body to take the oaths necessary for my qualification, at which time I propose to be ready to do myself that honour.

ALEX. MARTIN.

Fayetteville, Dec. 8, 1790.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send you a message of this day's date from his Excellency the Governor giving information of the time it will be convenient for him to attend on the General Assembly in order to take the oaths of qualification. We have on the part of this house appointed Mr. Smith and Mr. Polk to attend his Excellency from his lodgings.

Received from the Senate the following bills:—A bill for the in-
spection of tobacco on Dan river, on the lands of Thomas Houston, in Caswell county. A bill to regulate the practice of physic. A bill for laying a tax in the district of New Bern for repairing the gaol of the said district. A bill to increase the jurisdiction of the county courts in this State. Endorsed "Read the first time and passed." Also a bill to regulate and fix the prices for inspecting and coopering tobacco. A bill directing the Entry-takers as to their duty in office respecting certain cases therein mentioned. A bill to revive and amend an act passed in the year of our Lord 1715. Entitled, "An act for preventing disputes concerning lands already surveyed." Endorsed "Read the second time and passed."

The committee of propositions and grievances No. 2, to whom the petition of William Cook and Jonathan Hains was referred, report—That from information before the committee, it appears that the petitioners, being guardians to the orphans of William Ridge, dec., instituted a suit against a certain William Tyrrel Lewis, for the recovery of negroes belonging to the said orphans—that a certain Thomas Ridge was their principal evidence in the cause, and that the said William Tyrrel Lewis, being a Justice of the Peace, did issue a warrant against him the said Thomas Ridge for burning a house about ten years ago, then the property of a tory, caused him to be brought before himself, and committed him to Morgan district gaol. It further appears, that from an idea the said Thomas Ridge entertained of the influence the said William Tyrrel Lewis had in that country, and the warmth he appeared to have in bringing forward and carrying on the prosecution, that he would be much injured; and in order to extricate himself, broke gaol and removed to the State of Virginia.—Your committee after considering the circumstances, together with the testimony, are of opinion that the prosecution was malicious, and brought forward with no other view than that of preventing him the said Thomas Ridge from giving evidence in the suit mentioned in the petition, and do recommend that the said Thomas Ridge be exonerated from the said prosecution. Which is submitted.

WYATT HAWKINS, Ch.

Resolved, That the house do concur with this report; whereupon Mr. Hawkins moved for leave and presented a bill for the relief of Thomas Ridge; which was read the first time, passed and sent to the Senate.

We protest against the bill entitled, "A bill vesting the property
of certain negroes in the heirs of Mark Newby," passing into a law, for the following reasons:—1st. Because the operation of this bill is tyrannic and unconstitutional, as it tends to perpetuate the slavery of persons emancipated by the act, and the will of the man whose property they were, and who alone had a right to dispose of their liberty.—2d. Because the unfortunate persons thus unjustly deprived of liberty were free, and are doomed to slavery unheard.—3d. Because the interference of the legislature to change or annul the intentions of any citizen, clearly expressed in the last will and testament, is a most dangerous precedent, is unjust and illegal.

JAMES TAYLOR,
F. R. GAUTIER,
W. M'Laine,
B. SMITH,
W. NASH,
W. MARTIN.

The house adjourned until to-morrow morning, 9 o'clock.

THURSDAY, December 9, 1790.

Met according to adjournment.

Ordered, That Mr. Bostwick have leave to absent himself from the service of this house after this day.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have appointed Mr. Macon and Mr. Hargett on the part of this house, to examine and burn such of the paper money now in the hands of the Treasurer, as is unfit for further circulation.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to your proposition for appointing a committee to receive from the Treasurer the money unfit for circulation, and to burn the same, and have for this purpose appointed Mr. Scull, Mr. Lock, Mr. Polk, and Mr. Sanders.

Mr. Hawkins from the committee of propositions and grievances to whom was referred the petition of Thomas Wright, delivered in a report thereon; which being read, was ordered to lie over until the next Assembly: Whereupon, Resolved, That the public Treasurer be,
and he is hereby directed not to commence suit against Thomas Wright, Sheriff of New Hanover county, for any arrears for the year 1785, until after the rising of the next General Assembly.

Received from the Senate a resolution of that house directing the public Treasurer to receive of John Armstrong, Entry-taker, &c.; bonds taken by him for entries made in his office in discharge of the arrears due by him as Entry-taker, &c., which being read, was rejected.

Mr. Hamilton moved that the House enter into the following resolution, viz.:

"Whereas the sixth article of the constitution of the United States declares that the Senators and Representatives in Congress, and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath to support the constitution of the United States: And whereas by a law of Congress, passed at New York, in June, 1789, entitled "An act to regulate the time and manner of administering oaths," the form of an oath is pointed out to support the constitution of the United States, together with the times, the mode and manner in which it is to be taken by all public bodies and public officers: Resolved, That his Excellency the Governor of the State of North Carolina, and the members of both houses of the General Assembly, do, on the — day of —— take the following oath as pointed out by the said act: I, A. B. do solemnly swear or affirm (as the case may be) that I will support the constitution of the United States."

The question being put, "Will the house enter into this resolution?" was negatived: Whereupon the yeas and nays were called for by Mr. Hamilton, seconded by Mr. Porter; which are as follows, to-wit:


Mr. Hamilton moved for leave and presented a bill the better to
support the district gaol of Edenton; which was read the first time, and rejected.

Resolved, That the Clerk of this house contract with the printer in Fayetteville, to print the titles of all the acts passed during this session, and the bill for the appointment of Representatives, one copy for each member of the General Assembly, and also the certificates for the attendance of the members.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

Mr. Graham and Mr. Wynn, will on the part of this house, wait on and conduct the honourable Alexander Martin, Esq., into the presence of the General Assembly, in order for his qualification.

Received from the Senate the petition of Joseph Green, endorsed "Read and referred to Mr. Hargett, Mr. Dickson and Mr. Clinton;" which being read, was rejected.

Received from the Senate two petitions from Rutherford county; which being read, were ordered to lie over until the next Assembly.

Ordered, That Mr. Nash and Mr. Lewis have leave to absent themselves from the service of this house after this day.

Received from the Senate the report of the committee on the bill for forming the western parts of Burke and Rutherford counties into a separate county, concurred with.

The bill empowering the county courts of pleas and quarter sessions to direct the Secretary of State to correct certain patents or grants therein described, when there have been errors by the Surveyor in making the returns, or by the Secretary to issuing the same, was read the third time, passed and ordered to be engrossed.

Whereas it is represented to this General Assembly that Samuel Cherry, John Smith, Matthew Luther, Charles Waldron and Luke Osborne, inhabitants of the counties of Martin, Pitt and Edgecombe, in the State aforesaid, have at the instance of John Worsley, of Dobbs county, been indicted in the Superior court of New Bern district, for injury and violence done to him the said Worsley, and are now fined and imprisoned in the gaol of the said district on that account; And it being further represented that the said Worsley, jointly with others of the said counties, by their evil and villainous practices, had incensed the above named inhabitants in such manner as to lead them to the deeds for which they are now imprisoned and fined; Resolved, therefore, that the fines on the said Samuel Cherry, John
Smith, Matthew Luther, Charles Waldron and Luke Osborne, and every of them, be, and they are hereby remitted; and that his Excellency the Governor be, and he is hereby requested to grant a pardon to each of them, and to cause that they be released from imprisonment on their paying all cost.

The bill to regulate the practice of physic, was read the second time and rejected.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We do not agree to reconsider the recommendations for officers in Johnston county.

The bill to amend an act, entitled, "An act for establishing a militia in this State," passed at Fayetteville, 1786, was read the second time, amended, passed and sent to the Senate.

The bill to regulate and fix the prices for inspecting and coopering tobacco, was read the second time, amended, passed and sent to the Senate.

Mr. Leigh moved for leave and presented a bill to amend an act, entitled, "An act to amend an act, passed at New Bern, in December, 1785, entitled An act for increasing the jurisdiction of the county courts of pleas and quarter-sessions, and of the Justices out of court, and directing the time of holding courts in this State;" which was read the first time and rejected.—Whereupon Mr. Taylor observed to the Speaker that there was a thin house, and that he should in a full house move to take up the bill again.

Mr. Speaker and Gentlemen:

We are now ready to receive the Hon. Alexander Martin in order for his qualification, and propose that the two houses assemble in the Commons hall for this purpose.

Received from the Senate a bill to amend an act, entitled, "An act for raising a fund for the support of sick seamen, and the manner of appropriating the same," passed at Fayetteville, 1789, endorsed "Read the first time and passed."

The Senate and Commons assembled in conference, the Speakers and members being seated, the members appointed by both houses to attend his Excellency the Governor and conduct him to the place appointed for his reception; accordingly attended on and conducted him to the Commons hall, who then and there, in presence of both
houses of the General Assembly, qualified as Governor, by taking
the oath of allegiance, and also an oath of office.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We lament the death of Mr. Grist, a member of your house, and
will attend his interment agreeable to your request.
The house adjourned till 4 o’clock, P. M.

Met according to adjournment.
And adjourned until to-morrow morning, 9 o’clock.

FRIDAY, December 10, 1790.

Met according to adjournment.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We propose that the General Assembly proceed to ballot to-morrow,
at 4 o’clock in the afternoon, for the additional Judge and Solicitor
General; and nominate for Judge, John Hay, Waightsstill Avery and
Adlai Osborne, Esquires—and for Solicitor-General Spruce M’Kay,

Mr. Hay moved for leave and presented a bill for altering the time
of holding the several county courts of pleas and quarter-sessions
therein mentioned; which was read the first time, passed and sent to
the Senate.

Received from the Senate a bill for the relief of Thomas Ridge,
derived “Read the first time and passed.” Also a bill for raising
a revenue for the payment of the civil list, &c., endorsed “Read the
second time and passed.”

Received from the Senate the report of the committee on the ac-
counts of James Blount, concurred with by that house; which being
read, was rejected: Whereupon, Mr. Mebane moved for leave to with-
draw the accounts and vouchers on which the report was founded.
Ordered, That he have leave.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

Mr. Hargett, Mr. M'Dowall and Mr. Dixon, will on the part of
this house act with the gentlemen by you named, to confer and amend
the bill relative to fraudulent certificates.
The committee of claims, to whom was referred the petition of Frances Bain, John Hall, William Hall and Roger Hall, report—
That it appears to your committee that the said petitioners are the surviving sister and brothers of Thomas Hall, deceased, who was a Lieutenant in the Continental line of this State at the time of his death, and that the said petitioners have never received the benefit of an act passed in the year 1785, granting seven years half-pay to the relations of such officer as died in the service.—Your committee are of opinion, that the Governor be directed to issue a warrant on the Treasury for the arrearages that may be due of the said half-pay, in behalf of the petitioners, agreeably to the prayer of the said petition. All which is submitted.

ROBERT IRWIN, Ch.

Resolved; That the house do concur with this report.

Mr. Person from the committee to whom was referred the petition of Jeptha Terrel, delivered in a report thereon; which being read, was rejected.

The bill for raising a revenue for the payment of the civil list, and contingent charges of government, for the year 1791, was read the second time, amended, passed and sent to the Senate.

Mr. Dawson, from the committee to whom the bill for annexing part of the county of Wilkes to the county of Surry, with the petition to that effect, were referred, reported—that annexing part of the county of Wilkes to the county of Surry would greatly conduce to the convenience of the petitioners; and as that addition will not affect the situation of the public buildings in either county, or is in any wise contrary to the wish of the Representatives from each county,—the committee therefore beg leave to recommend, that the bill for annexing part of Wilkes to Surry county, be passed into a law. Which is submitted.

LEVI DAWSON, Ch.

Resolved, That the house do concur with this report.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We do not agree to your proposition for balloting to-morrow evening, for a Judge and Solicitor-General, but propose that that business be proceeded on this evening, and approve of your nominations. We also propose that an Agent for settling the accounts of this State

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with the United States, to supply the place of Hugh Williamson, Esq., and first and second Major of artillery, be balloted for at the same time; and name John M. Benford and William J. Dawson.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to ballot this evening, instead of to-morrow evening, as by you proposed, but do not agree to ballot for an Agent in the room of Hugh Williamson, nor for the officers of artillery. We further nominate for Judge, William Cumming, Esq.

The bill to amend an act, entitled, "An act directing the mode of raising a fund in the several ports of this State for the support of sick seamen, and the manner of appropriating the same," passed at Fayetteville, 1789, was read the second time, passed and sent to the Senate.

The bill for annexing part of the county of Wilkes to the county of Surry, was read the first time, passed and sent to the Senate.

Ordered, That the bill directing in what manner the acts of the General Assembly of this State shall be printed in future, be laid over until the next Assembly.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We propose that the act of the Virginia Assembly, relative to cutting a canal from this State to that, be committed to a special committee, and have appointed Mr. M'Dowall, Mr. Macon and Mr. Johnson.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree that the act of the Assembly of the State of Virginia to amend the act for cutting a canal, &c., be committed as by you proposed. We have for this purpose on our part appointed Mr. Jones, Mr. Taylor, Mr. Person, Mr. Leigh and Mr. Polk, a committee.

Ordered, That the bill for obtaining an accurate map of the State, be laid over until the next Assembly.

Received from the Senate the resolution of this house directing the Treasurer not to commence suit against Thomas Wright, Sheriff of New Hanover county, for the arrears of the year 1785; and the report of the committee on the petition of Francis Bain, John Hall, &c., concurred with by that house.

The bill directing the Entry-takers as to their duty in office re-
speecting certain cases therein mentioned, was read the third time and rejected.

Received from the Senate the petition of James Carstaphin, endorsed “Read and referred to the committee on the petition of Joseph Green,” which being read, was ordered to lie over until next Assembly.

Received from the Senate a bill for altering the time of holding the several county courts, &c. Endorsed “Read the first time and passed.” Also a bill to amend an act, entitled, “An act directing the manner of electing Representatives to represent this State in Congress,” endorsed “Read the second time and passed.”

Received also the following bills, viz.:—A bill to amend an act, entitled, “An act directing the mode of raising a fund in the several ports of this State, for the support of sick seamen,” &c. Endorsed “Read the second time and passed.” A bill to regulate and fix the prices for inspecting and coopering tobacco. A bill to amend an act, entitled, “An act for establishing a militia in this State” Endorsed “Read the third time and passed.”

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We add to the nomination for a Judge, Spruce McKay and John Sitgreaves, Esquires; and withdraw from the nomination for Solicitor, the name of Mr. M’Kay.

The house adjourned till 4 o’clock, P. M.

Met according to adjournment.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We are now ready to ballot, and have appointed Mr. Courtney and Mr. Phillips to superintend the same.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have appointed Mr. Alston and Mr. Scull to superintend and conduct the balloting on the part of this house. Mr. Sitgreaves’s name, as Judge, is withdrawn.

Received from the Senate the memorial of Charles Bruce, endorsed “Referred to the committee on the petition of Hardy Murfree;” which being read, was referred as by the Senate and returned.

Mr. Dawson moved for leave and presented a bill to authorise
and empower the Secretary of State to alter the line of a certain tract of land lying in Craven county, the property of John Duberlee; which was read the first time and laid over until the next Assembly.

The committee of proposition and grievances No. 2, to whom was referred the petition of William Dry, Entry-taker of Brunswick county report—That from the information of Col. Smith, it appears Dry was at the time of his being cited by the Treasurer to settle his public accounts by the first of October, indisposed, and continued sick until the time the Treasurer cited him to appear had elapsed, and was thereby prevented from complying with the notice; whereupon the Treasurer entered judgment against the petitioner for one hundred pounds, being the penalty by law prescribed for failures of this kind.—Your committee on considering the circumstances, are of opinion that the said William Dry did not delay his settlement with the Treasurer with any view of defrauding the public, therefore recommend that he be exonerated from the said penalty, on his paying the costs accruing thereon. Which is submitted.

W. HAWKINS, Ch.

Resolved, That this house do concur with this report.

The bill for the inspection of tobacco on Dan river, on the lands of Thomas Harrison, in Caswell county, was read the first time, passed and sent to the Senate.

The committee of proposition and grievances No. 2, to whom was referred the petition of Thomas M'Laine, report—That in consequence of the indisposition of Mr. M'Laine for many months past, which has been made appear to your committee by the evidence of several members of this house, they recommend that the Treasurer be directed to suspend the execution issued against him for three months, in which time, if he pays the balance due by him to the public, with the costs of suit, he shall be released from the penalty directed by law. Which is submitted.

WYATT HAWKINS, Ch.

Resolved, That the house do concur with this report.

The bill for levying a tax in the district of New Bern for repairing the jail of said district, was read the second time, amended, passed and sent to the Senate.

Mr. Irwin from the committee, &c., delivered a report; which being read and amended, was agreed to as follows, viz.:

The committee to whom was referred the resolutions to be for-
warded to the Senators of this State in the Congress of the United States, and the propriety of drawing further instructions to the said Senators, report that they do recommend the following resolutions:

Whereas the secrecy of the Senate of the United States, the alarming measures of the late session of Congress, and the silence observed by the Senators of this State in not corresponding with the Legislative or Executive thereof, strongly impress this General Assembly with the necessity of declaring their sentiments thereon:

Resolved, That the Senators representing this State in the Congress of the United States, be and they are hereby directed to use their constant and unremitted exertions, to have the doors of the Senate of the United States kept open, that the public may have access to hear the debates of the Senate when in its legislative or judicial capacity.

Resolved, That when in Congress they be directed to correspond regularly and constantly with the Legislature, but during the recess thereof with the Executive.

Resolved, That they use their endeavours to have such of the journals as are not of a secret nature, printed and transmitted, by post or otherwise, to the Executive regularly, during each session of Congress.

Resolved, That the Senators of this State use their utmost endeavours to effect economy in the expenditure of the public monies, and to decrease the enormous salaries given to the public officers and others; who, however much they may be deserving of the public gratitude or liberality for the eminence of past or present services, ought only to be compensated agreeable to republican economy.

Resolved, That they strenuously oppose every excise and direct taxation law, should any be attempted in Congress.

Resolved, That the Senators from this State be and they are hereby strenuously enjoined, to exert themselves to effect an alteration in the present route of the mail; or to establish another general post through the interior parts of the State, by the way of Halifax, Warrenton, Hillsborough, Salisbury and Charlotte, so as to give that satisfaction which is not now experienced, but which is essential in such a government as that under which we now exist.

And whereas from the present distribution of the federal judiciary, this State does not receive the benefit intended them by Congress: Therefore, Resolved, That our Senators be directed to have the dis-
strict and circuit courts appointed at two places in this State, to make it convenient to the citizens.

Resolved, That his Excellency the Governor be requested to transmit a copy of the foregoing resolutions to Samuel Johnston and Benjamin Hawkins, Esquires, the Senators representing this State in the Congress of the United States; and another copy to the legislature of each State. All which is submitted.

ROBERT IRWIN, Ch.

The house taking this report into consideration, concurred therewith.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence sundry resolutions reported by a special committee of this house, which we propose shall be transmitted to the Senators from this State in the Congress of the United States.—These resolutions we propose in lieu of the former on that subject.

The house adjourned till to-morrow morning, 10 o'clock.

SUNDAY, December 11, 1790.

Met according to adjournment.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

This house from a belief that the sum of twenty shillings per day is inadequate to the expences and service of the members of the present Assembly, propose that the Speakers of the two houses be allowed at the rate of thirty, and the members twenty-five shillings per day; and after the same rate for every thirty travelling to and miles from. We have rejected your proposition relative to making up the estimates to include Monday, and propose Wednesday next.

The question to agree to the proposition contained in the foregoing message from the Senate being put, was carried in the affirmative: Whereupon the yeas and nays were required by Mr. Person, seconded by Mr. Montgomery; which are as follows, to-wit:

Yea.—Mess. Wood, Dawson, Smith, Stewart, M'Dowall, Sawyer, Dickens, Yancey, Sumner, Jasper, Peters, Handy, Caldwell, Moore, M'Laine, Cherry, USSory, Martin, Tarver, Bonds, Seull, Perry, Lock,


Mr. Franklin desired that his name might be entered as a nay, and Mr. Stone that his might be entered as a yea; both being absent at the time the question was taken.

The Speaker requested that he might be at liberty to receive only the same sum for his daily pay as the other members of the General Assembly.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We agree to your proposition for making up the estimate of allowances to the members of the General Assembly.

Mr. Lewis moved for leave and presented a bill to free all men that are fifty years of age, from paying a poll-tax and from mustering in the militia; which was read the first time and rejected.

Received from the Senate the bill for raising a revenue for the payment of the civil list, and contingent charges of government, for the year 1791, &c. Endorsed "Read the third time and passed."

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We agree that the printer shall be employed to print the act for dividing the districts, certificates for the members attendance, &c., agreeable to your proposition.

Received from the Senate the resolution of this house, remitting the fine imposed by the superior court of New Bern district on Samuel Cherry, John Smith, Matthew Luther, Charles Waldron and Luke Osborne, &c., concurred with by that house.

Mr. Jones presented the petition of the merchants of the town of Wilmington, praying that the Collector may be directed to grant indulgence to the debtors to the Collector's office for Fort Brunswick which being read, a motion was made that the petition be referred to a special committee. This being objected to, the question was put, "Will the house commit the petition?" and negatived: Where-
upon, the yeas and nays were required by Mr. Jones, and seconded by Mr. Dawson; which are as follows, to-wit:


Received from the Senate the report of the committee on the memorial of Farquer Campbell, endorsed "Read and concurred with;" which being read, was concurred with by this house and returned.

Received from the Senate a bill to erect the western parts of Burke and Rutherford counties into a separate and distinct county, endorsed "Read the first time and passed."

Ordered, That this bill be read on Monday next for the second reading in this house.

We protest against an increase of the allowance to the members of the General Assembly, for the following reasons, viz:

DISSENTIENT.—1st. Because one great cause of complaint against the measures of the United States, is their enormous salaries. How inconsistent to complain of theirs, and increase our own?

2d. Because the present situation of this State calls for every exertion of economy; this is a bad example to produce such an effect.

JAMES TAYLOR,
NATH. MACON,
JESSE FRANKLIN,
W. B. GROVE,
JOHN SPICER,
BYTHELL BELL,
ROBERT MONTGOMERY,
HENRY HILL,
ROBERT IRWIN,
R. SUTHERLAND.

The house adjourned till 4 o'clock, P. M.
Met according to adjournment.

The bill for the relief of Thomas Ridge, was read the second time, passed and sent to the Senate.

The Committee to whom the letter from the Governor of Virginia, on the boundary line between this and the State of Virginia, was referred, report—That it is the opinion of your committee, the boundary line between the States of North Carolina and Virginia be confirmed, agreeably to a report of a committee, concurred with by both houses, last session of Assembly; and that a law be passed confirming the line commonly called Walker's Line, as the boundary between the States of North Carolina and Virginia, reserving the rights of the oldest patents, grants or entries made in either of the States. All which is submitted. THOMAS PERSON, Ch.

Resolved, That the house do concur with this report.

The committee to whom the act of the legislature of Virginia, respecting the canal to be cut from the waters of Pasquotank river in this State to the waters of Elizabeth river in that State, was committed, report—That it be recommended to the next General Assembly to pass a law to carry into effect the proposed amendments from the State of Virginia, to the Pasquotank and Elizabeth river canal bill. All which is submitted. THOMAS PERSON, Ch.

Resolved, That the house do concur with this report.

Received from the Senate a bill for the inspection of tobacco on Dan river, &c.; endorsed "Read the second time and passed."

Received also a bill for the relief of Thomas Ridge, endorsed "Read the second time and passed."

The bill to amend an act, entitled, "An act directing the mode of raising a fund in the several ports of this State for the support of sick seamen, and the manner of appropriating the same," passed at Fayetteville, 1789, was read the third time, passed and sent to the Senate.

The bill to increase the jurisdiction of the county courts in this State, was read the second time, passed and sent to the Senate.

The bill to amend an act, entitled, "An act for establishing a militia in this State," passed at Fayetteville, 1786, was read the third time and rejected.

The bill for the inspection of tobacco on Dan river, on the lands of Thomas Harrison, in Caswell county, was read the second time, passed and sent to the Senate.
Received from the Senate a resolution of that house appointing Jesse Leister a Justice of the Peace for Stokes county; which being read, was concurred with and returned. Also the report of the committee on the letter from the Governor of Virginia on the subject of the boundary line; the report on the amendatory act for opening a canal from this State to Virginia, and the report on the petition of Thomas M'Laine; severally endorsed "Concurred with."

Received from the Senate a bill to increase the jurisdiction of the county courts in this State, endorsed "Read the second time and passed." Also a bill for the inspection of tobacco on Dan river, &c.; endorsed "Read the third time and passed."

Resolved, That the resolution of the last Assembly, directing the Attorney-General to foreclose the several mortgages given by James Williams, as a security on the several tracts of land purchased by him of William Moore, Commissioner of confiscation for the district of Hillsborough, be rescinded, so far as may operate on the lands sold by the said James Williams to John Willis, Michael Holt and Thomas Tomlinson; and that the Attorney-General be and he is hereby directed, not to foreclose the mortgages given by the said James for the lands aforesaid, but that the said lands shall in every respect be held and deemed as security for the purchase money, agreeably to the true intent and meaning of the law under which they were sold, this or any other resolution to the contrary notwithstanding.

The committee of propositions and grievances No. 2, to whom was referred the memorial of George Hooper, John Ingram and Nathan Ward, report—That from a certificate of the Collector and Naval officer for the port of Charleston, in South Carolina, it appears that George Hooper and John Ingram, two of your memorialists, paid duties for the use of the United States on goods by them imported in the month of September, 1789, amounting to six hundred and forty-four dollars. It also appears that it was the intention of the said George Hooper and John Ingram to have their goods shipped in a vessel consigned to them in Wilmington, port Brunswick, but their correspondent in London, not finding any vessel bound to Wilmington, shipped them in a vessel bound to Charleston. It also appears, from a certificate on the back of the bills of lading, that the same goods were immediately reshipped to Wilmington, and that by a certificate from the Collector of port Brunswick it is evident, that the said George Hooper and John Ingram hath been subjected to a further duty on the same goods; which duty, amounting to one hun-
dred and forty-six pounds eighteen shillings and nine pence, were secured agreeable to the laws of this State.—It also appears that Nathan Ward, one of the memorialists, did, between the months of October and March, 1789, and 1790, import into Wilmington, in this State, certain merchandize from Massachusetts Bay, and paid the duties as laid by Congress; but on the entry of the said merchandize at the port of Wilmington, was obliged to secure the duties as laid on by this State, amounting to near two hundred pounds—That the memorialists have made application to Congress for redress, but were refused.—Your committee are therefore of opinion, as the case of the memorialists appears to be a singular one, that it is the most eligible method they can point out, in order to do justice to the State and the memorialists, to thus state the facts, and submit them to the house to decide thereupon. Which is submitted.

WYATT HAWKINS, Ch.

The house taking this report into consideration, Resolved, That the prayers of the petitioners be rejected.

The bill for altering the time of holding the several county courts of pleas and quarter-sessions therein mentioned, was read the second time, passed and sent to the Senate.

The bill to revive an act passed in the year of our Lord 1715, entitled, "An act for preventing disputes concerning lands already surveyed," was read the second time and rejected.

Whereas his Excellency the Governor has expressed his doubts, whether under an act of the last session of Congress, it will be expedient for him to continue issuing warrants on the treasury in favour of the widows and orphans of the officers and soldiers of the North Carolina line who died in the service of the United States, as directed by an act of the General Assembly, passed at New Bern in the year 1785:

Resolved, That the said act of Congress extends to the widow or orphan of each officer, non-commissioned officer or soldier who was killed or died whilst in the service of the United States, and who is now placed on the books in the office of the Secretary for the department of war, as entitled to a pension by virtue of any act of the late Congress, or of the last session of the present Congress, and for whom provision has not been made by any State: Therefore,

Resolved, That his Excellency do as heretofore continue to grant
warrants to the persons entitled to them, agreeable to the provision of the said act of the General Assembly.

The bill for the relief of Thomas Ridge, was read the third time, passed and sent to the Senate.

Mr. Scull from the joint balloting for an additional Judge and a Solicitor-General, reported that Spruce M'Kay, Esq., was elected Judge; and John Haywood, Esq., Solicitor-General.

Resolved, That the house do concur with this report.

The committee appointed to receive the communications of Dr. Williamson, report—They have received from Hugh Williamson, as one of the Agents for settling the accounts of this State with the United States, the communication contained in the paper No. 1, hereto annexed: Whereupon your committee came to the following resolution.

Resolved, from the information laid before your committee, That all claims hereafter to be raised in account by the Agents, ought to be furnished them before the first of July next, or they will be otherwise barred.

It appears to your committee several expenditures for military purposes, as cannon furnished by Mr. Boretz, paid for in tobacco furnished by the commercial Agents of this State, and in monies from the treasury; also the expences incurred to this State for raising the cannon out of the water, which had been there deposited for the purpose of keeping them out of the hands of the enemy, under an act of Assembly authorising Mr. Josiah Collins and others to do the same—vessels sunk in Cape Fear to secure the harbour against the entrance of the enemy's larger vessels of war, with several galleys or armed vessels for the security of the different harbours within this State lost or destroyed, whereof the Comptroller hath not furnished the Agents account: Therefore,

Resolved, The Comptroller by this General Assembly be directed as speedily as possible to furnish the Agents with the above accounts, and all such others as are within his knowledge, and have not yet been transmitted to them.

It further appears to your committee that no accurate accounts of bounties paid to the militia employed in the general defence of the union, or in expeditons out of the State for the term of three, four and five months, or for drafts made by this State to supply its quota in the line of the continental army for the war or otherwise, hath yet been furnished; which if transmitted in due time, an account
against the United States may be thereon raised highly beneficial to this State: Therefore,

Resolved, In the opinion of this committee, his Excellency the Governor be directed forthwith to require the Colonels in the several counties in this State, as speedily as possible, to transmit to him, a well attested statement, expressing the time when, and the posts where the service was done; and of the bounties paid in the several counties by the individuals or classes bound to furnish substitutes, either for militia or continental soldiers, that the same may be forwarded without delay to the said Agents: To which your committee are of opinion, the bounty of lands given by the State to their officers and soldiers should be annexed, at the price the same usually sold at; which information your committee are of opinion should without delay be furnished by the Secretary of State.

From the information laid before your committee, it appears the said Agents have yet in their possession old continental money 109,446 1/2 dollars, and in final settlements 734 52-90ths dollars; which in the opinion of your committee ought to remain with the said Agents until the legislature shall otherwise direct.—Your committee in further communication with the said Agent, were informed the Agents had examined the accounts settled at Warrenton, in 1786, and they are ready to report to the order of the General Assembly: As it appears to your committee such report may contain information highly necessary, your committee are therefore of opinion this General Assembly by resolve should direct it to be made without delay.

To your committee hath also been referred several communications from Col. Thomas, the other State Agent, marked No. 2, hereunto annexed—during the investigation of the matters and things therein contained, your committee received the further communication from the said Agent made to the several interrogatories; which communication is annexed to the papers, marked No. 3, hereto adjoined. Your committee beg leave to remark, that the claims exhibited, whereof the Agent makes mention, there are vouchers and documents, ought immediately to be stated by the said Agents, so as to procure a credit thereupon for this State in her account with the United States.

Your committee are further of the opinion the Agents of this State, ought monthly to send forward to the Executive abstracts of the progress of their proceedings. To your committee it appears extremely doubtful, whether the mode of restraining the public accounts proposed, would be admitted; or if admitted, whether any advantage
can arise: Your committee have therefore come to no resolution thereupon. All which is submitted.

JOHN HAY, Ch.

Resolved, That the house do concur with this report.

Received from the Senate the report of the committee to whom was referred what further allowance should be made to the public Printers, &c. Ordered, That the same lie over until the next Assembly.

Received from the Senate a resolution of that house directing the Treasurer to stay execution against William Dry; a resolution requesting his Excellency the Governor to transmit an attested copy of the act for cutting a navigable canal from this State to Virginia, to the Executive of Virginia; and a resolution directing the Comptroller to issue a certificate to Robert Rowan, &c.; which being read, were severally concurred with and returned.

Received from the Senate a resolution of that house directing the Secretary to record a patent granted to Thomas Tyre; which being read, was rejected.

Received from the Senate the following reports, concurred with by that house; which being read, were severally concurred with by this house and returned, to-wit:—On the petition of Mary Cheshire, on the petition of John Ray, on the petition of John Eaton on the petition of Richard Walton, Henry Swink, John Dermid, Gilbert Clarke and others, on the petition of Thomas Turner; on the petition of Andrew Hampton, on the petition of Michael Montgomery, on the petition of David Baker, and on the petition of James Baker.

The committee of claims, to whom was referred the memorial of Joseph Leech, report—That they have taken under their consideration the said memorial, and are clearly of opinion that the same be rejected. Which is submitted.

R. IRWIN, Ch.

Resolved, That the house do concur with this report.

Received from the Senate the resignation of Henry Davis, a Justice of the Peace for Rowan county; which being read, was accepted and returned to the Senate.

The committee of propositions and grievances No. 2, to whom was referred the petition of Joseph Blount, report—That it appears from the vouchers in support of the said petition, that the Comptroller has granted a certificate to Mr. Blount for the corn by him furnished, which in the opinion of the committee puts him on the same footing
with other citizens in this State, and cannot in justice to the public grant the said Mr. Blount any other relief. Which is submitted.

WYATT HAWKINS, Ch.

The committee of claims, to whom was referred the memorial of Charles Bruce, report—That the said Charles Bruce, as Commissioner of confiscated property for the district of Salisbury, instituted a suit against a certain John Lopp, for a negro man late the property of William Spurgen, which he supposed to be confiscated—that the said Bruce was non-suited in the said suit, and had the cost and charges to pay.—Your committee are of opinion, as it does not appear to them the said Bruce paid that attention which was necessary in the said suit, that the prayer of the memorial be rejected. Which is submitted.

R. IRWIN, Ch.

The committee of propositions and grievances, to whom was referred the petition of Benjamin Boyd, report—that on evidence before your committee, it does not appear that the said Benjamin Boyd was appointed Quarter-master under any law of this State, and if he had been legally appointed, no vouchers appear to substantiate his claim; wherefore your committee reject the petition. Which is submitted.

WYATT HAWKINS, Ch.

The committee to whom was recommitted the memorial of Griffith John M'Ree, Commissioner of confiscated property for the district of Wilmington, report—that in their opinion the Governor be directed to issue a warrant on the treasury in money, for the amount of his commissions on such sales of confiscated property as were by him made previous to the passing the resolve in 1785, which authorises the payment of certificates for such commissions; and that the Treasurer shall pay unto him the said M'Ree certificates out of the treasury, of a date prior to the 1st of January, 1790, for his commissions on such part as he has sold subsequent to passing said resolve, so far as he has settled his accounts and made actual payment, in the same manner as payment has heretofore been made to James Armstrong, Esq., Commissioner for the district of New Bern. All which is submitted.

THOMAS PERSON, Ch.

The committee to whom was recommitted the memorial of Hardy Murfree, Esq., Commissioner of confiscated property for the district of Edenton, report—that in their opinion the Comptroller ought to
be directed to receive the certificates in his hands, of the emission by the Commissioners of army accounts at Warrenton, in the year 1786, amounting to about eighteen hundred pounds, which he received in payment for confiscated property prior to the passing any law to invalidate them. The committee are further of opinion, that he be allowed commissions in money on the amount of sales of such confiscated property as he sold before the passing the resolve 1785, which authorises the payment of certificates for such commissions; and that he be allowed his commissions in certificates for such part as he sold subsequent to the passing said resolve, so far as he has settled his accounts and made payment; also that he be allowed commissions in certificates on such property as was legally sold, and which the State afterwards caused to be otherwise disposed of; and that his Excellency the Governor be directed to issue a warrant on the treasury for the amount of commissions in money, and that the Treasurer pay certificates for the amount of commissions in certificates, of a date prior to the 1st of January, 1790, in the same manner as payment hath heretofore been made to James Armstrong, Esq., Commissioner for the district of New Bern. All which is submitted.

THOMAS PERSON, Ch.

The committee of propositions and grievances No. 2, to whom the petition of John Wilson and Isham Finch was referred, report—That it appears to your committee from the face of the petition, that the said John Wilson and Isham Finch are entitled to pay for their services in the late continental line of this State; but for want of proper vouchers to support the allegations in the said petition set forth, your committee are induced to reject the petition, upon the principles of thinking that should the discharges mentioned come to hand, the petitioners will be redressed by the bill now on its passage relative to such claims, should it pass into a law.—Which is submitted.

WYATT HAWKINS, Ch.

Resolved, That the house do concur with these reports.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We will concur with the resolutions of your house reported by a committee, relative to our Senators in Congress, provided you will agree to make therein the following amendments, viz.: That the preamble be deleted, and the following inserted, "Whereas the secrecy
of the Senate of the United States, the alarming measures of the late session of Congress, and the silence observed by the Senators from this State in not corresponding with the Legislature or Executive thereof, strongly impress this General Assembly with the necessity of declaring their sentiments thereon.”—That the resolution directing the route of the mail, be struck out and the following inserted, “Resolved, That the Senators from this State be, and they are hereby strenuously enjoined to exert themselves to effect an alteration in the present route of the mail, or to establish another general post through the interior parts of this State, by way of Halifax, Warren- ton, Hillsborough, Salisbury and Charlotte, so as to give that satisfaction which is not now experienced, but which is essential in such a government as that under which we now exist.”—That the last resolution in the report be amended by striking out from the word “each,” in the last line thereof, and insert “of the States of Virginia, South Carolina and Georgia.”

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We cannot by any means agree to the amendments by you proposed to be made in the resolutions entered into by this house to be transmitted to the Senators of this State in the Congress of the United States; and in order that they may be accommodated and made to come up fully to the wishes of the two houses, we propose that a committee of conference be appointed who shall agree upon the amendments, if any are necessary to be made therein; and for this purpose, have appointed Mr. Macon, Mr. Taylor, Mr. Jones, Mr. Polk, Mr. Person and Mr. M'Dowall.

The house adjourned until Monday morning, 10 o'clock.

MONDAY, December 13, 1790.

Met according to adjournment.

The committee appointed to count and burn the ragged money in the treasury, report—That they have received, counted and burned the sum of five thousand four hundred and sixty-four pounds eighteen shillings and three pence, ragged money.

MATTHEW LOCK, Ch.

Resolved, That the house do concur with this report.

Whereas the General Assembly of this State passed an act in the
year 1786, at Fayetteville, to raise a certain number of troops for the defence and protection of the inhabitants of Davidson county, in which act is expressed that a Board shall be appointed for the adjustment of their accounts, after which adjustment being made, the officers and soldiers of said troops shall be paid a half year's pay; and as such Board hath never yet been appointed, whereby the warrants for land as part payment of the said troops, cannot be issued: Resolved, therefore, That Francis Child, the Comptroller of public accounts, be and he is hereby appointed to receive the accounts or pay-rolls of the officers commanding the said troops; and if upon examination and due proof of the said accounts or pay-rolls being just, and that the said troops or any part of them have fully complied with the Act of Assembly under which they were raised, then and in that case he shall certify the same to the Secretary of State, who shall issue warrants for land to the claimants agreeable to such certificate: And if it shall be made appear to the Comptroller, on the settlement of the accounts aforesaid, that any part of the pay allotted to each officer and soldier yet remains due, the Comptroller is hereby authorised and directed to grant certificates for such sums as shall appear due to each officer and soldier; which certificates shall be paid and received as taxes for the county of Davidson aforesaid.

Ordered, That Mr. M'Kinne have leave to absent himself from the service of this house after this day.

Mr. Polk presented the memorial of Anthony Sharpe; which being read, was ordered to lie over until the next Assembly.

The Speaker laid before the house a letter from Abishai Thomas, Esq., one of the Agents from this State for settling the accounts thereof with the United States, enclosing a state of his expenditures, &c.; which being read, was referred to the Comptroller of public accounts and sent to the Senate.

Received from the Senate the following reports, concurred with by that house, viz.—The report on the quantity of ragged money burnt, on the memorial of Charles Bruce, on the petition of Joseph Blount, on the petition of John Wilson and Isham Finch, on the petition of Joseph Leech, on the communications of the Agents, &c., and on the petition of Benjamin Boyd. Received also two resolutions of this house, one rescinding a resolution of the last Assembly, so far as relates to foreclosing the mortgages given by James Williams on lands sold John Willis, Michael Holt and Thomas Tomlinson, &c., and the other directing his Excellency the Governor to grant warrants in
favour of the widows and orphans of the officers of the late line of this State, agreeable to an act passed in 1785, concurred with.

The committee of finance, to whom the petition of Richard Blackledge, executor of the last will of Richard Blackledge, dec., was referred, on the subject of leather purchased from him in the year 1778, by Richard Caswell, Jun., and receipted for by the then Governor for the use of the public, also a quantity of leather purchased of him by Edward Hall, Assistant Quartermaster, beg leave to submit to the house the following State of the facts, to-wit:—That by a resolution of the last General Assembly it appears, that the Agents for settling the accounts of this State with the United States were directed to inform themselves by what means this State procured a credit with the United States for the leather aforesaid, and to transmit the same to the present Assembly; in consequence of which the Agents have transmitted an account, that from want of an early acquaintance with the said resolution they failed to procure the necessary information, as the papers in the Clothier's department were all packed up before they applied; but subjoin an opinion, that if the State hath not obtained a credit hitherto, the delivery may be established, and a credit obtained.—That it appears from the account rendered Gov. Caswell in the year 1778, he received from the executors of Richard Blackledge leather to amount of £1869 16, for the use of the public—Also, it further appears, Edward Hall, Assistant Quarter-master, purchased of the said Richard Blackledge fifty sides of sole leather, for which he was to give fifty barrels of public corn, and accordingly drew an order for the same on the Commissioner of Hyde county; which leather, the fifty sides, plainly appears hath never been paid for, as the said Blackledge produced the original receipt for the same, and the order on the Commissioner aforesaid for the corn.—That from the petition of the said Richard Blackledge, it appears he is willing and desirous to found the claim aforesaid on whatever credit the State hath or may obtain for the same with the United States, and is ready to surrender into the hands of the Agents the original papers; and whenever the Agents shall agreeably to the resolution aforesaid, make a report thereof, the Governor shall be requested to draw in his favour to amount so obtained, with interest, on the treasury. Which is submitted.

THOMAS PERSON, Ch.

The house taking this report into consideration, and the subject
matter contained in the petition to which the report refers, Resolved, That the prayer of the petition be rejected.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We have received and considered of your message proposing a committee of conference on the resolutions respecting our Senators in Congress, to which we do not agree, but again submit them to your consideration.

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We will agree to the first two amendments by you proposed in the resolutions of this house intended to be transmitted to the Senators from this State in Congress, provided the other resolutions stand as sent to you from this house.

Received from the Senate the letter from Abishai Thomas, Agent, &c., endorsed "Read and referred as by the House of Commons." Also the resolution of this house directing the Comptroller to settle the accounts and pay-rolls of the officers who commanded the troops raised for the protection of Davidson county, concurred with.

Received from the Senate a bill for altering the time of holding the several county courts of pleas and quarter-sessions therein mentioned, endorsed "Read the second time and passed."

The bill to erect the western parts of Burke and Rutherford counties into a separate and distinct county, was laid over until the next Assembly.

Received from the Senate a resolution of that house, requesting his Excellency the Governor to give information to Spruce M'Kay of his appointment as Judge, and to John Haywood of his appointment as Solicitor-General, &c.; which being read, was concurred with and returned.

The committee of finance, to whom the petition of Richard Blackledge, on the subject of sugar and coffee shipped on board the flag-schooner Trent, Capt. Christopher Neale, for Haddrell's Point, for the use of the officers and soldiers then in captivity, was referred, submit to the house the following state of facts, to wit:—That in the January session of the General Assembly, in the year 1781, a resolve passed empowering Joseph Leech, Esq., Commissary of prisoners, to procure by purchase or loan, fifty hogsheads of tobacco, pledging the faith of the State to pay for the same if purchased, or replaced
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if borrowed, at an interest of ten per centum.—That in consequence thereof Col. Leech procured a small quantity of tobacco, and permitted several gentlemen to ship on board said vessel a quantity of tobacco addressed to particular officers, among which were sent by Richard Blackledge seven thousand one hundred and forty-three pounds weight, to Col. Clark, as appears by the original invoice, all which hath been paid for by the individual officers to whom the same was consigned.—That in the above mentioned invoice of tobacco there appears also a quantity of coffee, three hundred and fifty-six pounds weight, addressed to Col. Clark; also in one other invoice of sundries shipped as aforesaid, there appears to have been shipped five boxes of Spanish white sugars, net one thousand nine hundred and twenty-six pounds weight, by William Blount, J. G. Blount and Richard Blackledge, which by the receipt of Joseph Leech, Commissary as aforesaid, appears to have been sent for the use of the officers of the line of this State, and also addressed to Col. Clark—That by a letter from Col. Clark, addressed to the General Assembly, bearing date the 20th of November ultimo, and the information of Capt. Daves, on oath, it appears the said coffee and sugars, were received by the said Clark, and agreeably to an order of a board of officers, specially by him ordered for the purpose, equally distributed among the officers and soldiers then prisoners at Haddrell’s Point.—That it appears by a certificate sworn to by Joseph Speed, factor for the said Blackledge, Spanish white sugars and coffee were bartering at the time of the shipment aforesaid for tobacco, at the rates of twelve pounds sugar for one hundred pounds weight of tobacco, and ten pounds of coffee for one hundred pounds weight of tobacco; which coffee and sugar, by the petition of the said Blackledge, appears to be worth, the sugar three shillings and four pence, and the coffee four shillings per lb. dollars at eight shillings.—That although the tobacco shipped as aforesaid appears to have been paid for by the individual officers to whom the same was addressed, yet it does not appear that the coffee or sugars were ever paid for by the said Col. Clark, any other person, or the State. All which is submitted.

THOMAS PERSON, Ch.

The house taking this report into consideration, and it not appearing that the said Richard Blackledge had ever applied for a settlement of his accounts otherwise than to the General Assembly: Resolved, That no allowance be made him unless it be by granting
a certificate to be of the value of audited certificates—Whereupon Mr. Leigh moved for leave to withdraw the account and vouchers, and leave was granted.

Received from the Senate a resolution of that house directing Col. Hargett to contract for printing sixty copies of the act for amending the court system; which being read, was concurred with and returned.

The house adjourned until to-morrow morning, 9 o'clock.

TUESDAY, December 14, 1790.

Met according to adjournment.

The bill for the inspection of tobacco on Dan river, on the lands of Thomas Harrison, in Caswell county, was read the third time, passed and ordered to be engrossed.

Received from his Excellency the Governor the following message, to-wit:

To the Honourable the General Assembly:

Gentlemen:

Herewith I send you a general return of the militia of the State of North Carolina, so far as returns have been made to me from the Brigadier-Generals of the several districts; I am sorry the same is not more compleat—the Brigadier-Generals of Morgan, Salisbury and Edenton districts, with the Colonels of Granville, Orange, and Caswell, of Hillsborough district, having failed to make their returns;—waiting for information from the delinquent officers in this business, has occasioned my delay of the above to this late period of the session.

Fayetteville, December 13, 1790.

ALEX MARTIN.

Ordered, That the above message, and the return therein referred to, be sent to the Senate.

Mr. Handy presented the resignation of Hardy Bryan, as Lieutenant-Colonel of the Johnston regiment of militia, which being read, was accepted and sent to the Senate.

The resignation of Wyatt Hawkins, as Lieutenant-Colonel of the Warren regiment of militia, was read, accepted and sent to the Senate.

Mr. Macon made known to the house that it was the request of John
Haywood, Assistant-Clerk to this house, to resign that appointment in consequence of his late appointment as Solicitor-General: Therefore,

Resolved, That the resignation of Mr. John Haywood, as Assistant-Clerk to this house, be accepted; and that Mr. Pleasant Henderson be appointed Assistant Clerk in his stead.

Received from the Senate a resolution of that house directing the Comptroller to examine the offices of the Clerks of the two houses of the General Assembly, and withdraw from them any accounts or vouchers which may tend to establish any claim against the United States; which being read, was concurred with and returned.

The committee to correct errors in patents and grants, to whom the petition of John Markland was referred, report—that on due deliberation it appears that the claim set up by Mr. Markland for certificates paid up by his deceased father into the treasury, on account of being security for a certain Daniel Lee, for confiscated lands purchased at the Commissioner's sale for the district of New Bern, is not well authenticated; and from the information of Mr. Markland the committee are induced to believe, that the vouchers necessary to substantiate his claim he will have in his power to prove, therefore are of opinion the petition be laid over until the next General Assembly.—Submitted. THOMAS PERSON, Ch.

Resolved, That the house do concur with this report.

Mr. Hay moved for leave to withdraw the memorial of the merchants and others of the town of Fayetteville, and leave was granted.

Mr. Jones moved for leave to withdraw the two petitions of sundry of the inhabitants of the town of Wilmington, and leave was granted.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We will concur with the reports of the committee on the petitions of Hardy Murfree, and Griffith J. M'Ree, Esquires, provided you will agree to amend them thus, to-wit: That the report in favour of Major M'Ree, be amended by striking out from the word "Commissioners," to the word "certificates" in the following line; and insert, "and that the Treasurer shall pay unto him the said M'Ree certificates out of the treasury of a date prior to the first of January, 1790."—That the report in favour of Hardy Murfree, Esq., be amended by striking out the words "Comptroller issue," and insert
"Treasurer pay." That after the words "certificates," two lines below, dele "as aforesaid," and insert "of a date prior to the first of January, 1790."

Ordered, That the following message be sent to the Senate:

Mr. Speaker and Gentlemen:

We have received the message of your house proposing amendments to the reports in favour of Hardy Murfree and Griffith John M'Ree, Esquires, with which we have agreed, and made the reports conformable thereto, and now send them for your concurrence.

The bill to amend an act, entitled, "An act directing the manner of electing Representatives to represent this State in Congress," was read the third time, amended, passed and sent to the Senate.

The committee to correct errors in grants and patents, to whom was referred the petition of James Cannon, report—On the certificate of the Secretary, corroborated by his oral testimony, it appears that the Surveyor made a mistake in the plat of the said petitioner's land in the first line thereof, which as laid down is North 47 West 225 poles, and in his certificate of the courses, it calls for North 47 East 225 poles.—Your committee are therefore of opinion that a resolution be entered into, directing the Secretary to alter the patent for said lands by erasing the word East in the first course, and inserting the word West; and that he make the records in his office conformable thereto.—Submitted.

THOMAS PERSON, Ch.

The committee to correct errors in grants and patents, to whom was referred the petition of Murdock Macree, report—That on enquiry it appears that the said Murdock Macree purchased a piece of land, lying in the county of Moore, of a certain Robert Atkinson, and took a deed for the same, but by some means or other has lost it.—Your committee on duly considering the matter, are of opinion that the legislature has no right to interfere in business of this kind—if the said petitioner lost his deed before having it recorded and registered, he can apply to the person of whom he purchased the said land and have another deed executed; and should it be on the records as by law directed, he may apply to the Clerk and Register of the county for a certificate and copy thereof; therefore reject the petition.—Submitted.

THOMAS PERSON, Ch.

Resolved that the house do concur with these reports.

Received from the Senate two resolutions of that house, one directing the Senators from this State in Congress to use their endeav-
STATE RECORDS.

ours to cause the Commissioners of Loans for the State of North Carolina to hold his office at Hillsborough; — the other directing the Comptroller to issue a certificate to Joseph Leech, &c.; which being read, were concurred with and returned.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

We now agree to the resolutions of your house relative to the Senators from this State in Congress agreeable to your last message on that head.

We the subscribers protest against the resolution for removing the loan-office of the United States: 1st. Because it is beneath the dignity of the legislature of North Carolina to interfere with the servants of Congress. 2d. Because the measure directed is inadvisable and impolitic.

EDWARD JONES,
JOHN LEIGH,
D. WITHERSPOON,
JOHN HAY,
LEMUEL CREECY,
J. HAMILTON,
JAMES TAYLOR.

Received from the Senate the following reports concurred with by that house, to-wit:—On the petition of Murdock Macree, on the petition of James Cannon, on the petition of John Markland, on the petition of Griffith John M’Roe, and on the petition of Hardy Murfree.

Mr. Jones moved that the following clause be added to, and made part of the bill for raising a revenue for the payment of the civil list and contingent charges of government for the year 1791:

And whereas it hath frequently happened that persons have been permitted in this State to qualify and act as Sheriffs, Clerks, Entry-takers and Registers, without giving bond as required by law for the due collecting and accounting for the public taxes and other monies which should become payable by them, to the great injury of the State, and detriment of its revenue: Be it therefore further enacted, That henceforward it shall be the indispensable duty of the Clerks of the county courts, and they and every of them are hereby strictly required, under the penalty of two hundred and fifty pounds current money, to be sued for in any court of record having cognizance there-
of, in the name of the Governor, and recovered for the use of the State, to make a record of those Justices of the Peace who shall be in court or on the bench at the time of the appointment of their Sheriffs, Clerks, Entry-takers and Registers; which Justices of the Peace, in case of their failure to take the bonds by law required, shall be considered as being, and they are hereby declared to be, bound and liable, to all intents and purposes, as the securities of such Sheriff, Clerk, Entry-taker or Register, from whom they may have failed to take bond, in as full and ample manner as though such bonds were taken, and they had actually been named therein, and had subscribed the same as his or their securities; and they and each of them shall be proceeded against accordingly by the Treasurer and others concerned; in all which instances or suits, a copy of the record of the court attested by the Clerk, is hereby declared to be legal and sufficient evidence, shall be admitted as such, and judgment shall be had thereon accordingly."

The question being put, "Will the house receive this clause as an amendment to the bill?" was negatived; whereupon the yeas and nays were called for by Mr. Jones, and seconded by Mr. Dickens, which are as follows, to-wit:


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

Met according to adjournment.

The committee appointed to hear the excuses of members who failed to give their attendance at the present General Assembly agreeably to law, report—that having heard the excuses made by the several delinquents that appeared before your committee, are of opinion that they are sufficient and ought to be admitted.—All which is submitted.

DAVID TURNER, Ch.

Resolved, That the house do concur with this report.
STATE RECORDS.

Received from the Senate the report of the committee on the petition and bill for annexing part of Onslow county to Jones county, concurred with by that house; which being read, was concurred with by this house and returned.

The bill to impose a certain fine on any person or persons taking a seat in the General Assembly, who are disqualified by the constitution of this State to be a member thereof, was read the second time, amended, passed and sent to the Senate.

Received from the Senate a resolution of that house appointing Col. Owen to contract for printing a certain number of copies of the act for the division of the State into districts, &c.; which being read, was concurred with by this house, and Mr. Mebane appointed on the part of this house to act with Col. Owen for this purpose.

The bill for altering the time of holding the several county courts of pleas and quarter-sessions therein mentioned, was read the third time, amended, passed and sent to the Senate.

Ordered, That Mr. Bell and Mr. Bonds have leave to absent themselves from the service of this house after this day.

Adjourned until to-morrow morning, 9 o'clock.

WEDNESDAY, December 15, 1790.

Met according to adjournment.

Ordered, that Mr. Cherry, Mr. Slade, Mr. Davis, Mr. Hawkins, Mr. Dickens and Mr. Thompson have leave to absent themselves from the service of this house after this day.

Whereas several of the Sheriffs within this State have not exhibited their claims for travelling and comparing the polls for Representatives in Congress: Therefore, Resolved, That the Treasurer be and he is hereby directed to take such Sheriffs accounts in settlements of their public accounts, first being duly proven and attested before a Justice of the county where such Sheriff resides.

The committee of privileges and elections, to whom was referred the certificate from the Treasurer respecting Mr. Hance Hamilton and Mr. James Withrow being in arrears to the public, report—that it appears to your committee from the said certificate, that the said Hance Hamilton, late Sheriff of Guilford, and James Withrow, late Sheriff of Rutherford county, are in arrears to the public for taxes due for the year 1788: Your committee are therefore of opinion,
that agreeably to the constitution the said Ilance Hamilton and James Withrow, the sitting members, are not entitled to seats in this present General Assembly.—Which is submitted.

THOMAS PERSON, Ch.

The house taking this report into consideration concurred therewith: Whereupon,

Resolved, That writs of election issue to the said counties for the election of two members in the room of the said Mr. Hamilton and Mr. Withrow; and that a writ of election also issue to the county of Beaufort, for the election of one member to this house in the room of Richard Grist, dec., and that the said elections be held on the days appointed for the election of Representatives from this State in Congress.

Received from the Senate the report of the committee on the memorial of Catharine Young, endorsed "Read and concurred with;" which being read, was ordered to lie over until the next Assembly.

Resolved, That the Treasurer be and he is hereby directed to stay any law proceedings, which he may have commenced against the estate of Henry Young, late Colonel of New Hanover county, until after the next General Assembly.

The bill for raising a revenue for the payment of the civil list and contingent charges of government for year 1791, and to repeal an act, passed at New Bern, 1784, entitled, "An act for raising a public revenue for the support of government, and to repeal an act, entitled, An act to suppress excessive gaming," was read the third time, passed and ordered to be engrossed.

The bill to regulate and fix the prices for inspecting and cooperating tobacco at Fayetteville, was read the third time, passed and ordered to be engrossed.

The committee appointed to take under consideration the propriety of calling a Convention for the purpose of revising the constitution of this State, and making the same conformable to the constitution of the United States, report—That they have not come to any determination on the propriety of calling a Convention, but submit the same to the consideration of the General Assembly. All which is submitted.

ROBERT IRWIN, Ch.

The house taking this report into consideration, Resolved, That it be laid over until the next Assembly.

The bill to increase the jurisdiction of the county courts in this
State, was read the third time and laid over until the next Assembly.

Received from the Senate a resolution of that house directing the Treasurer to deliver the final settlement certificates in his possession, to the Comptroller, &c.; which being read, was concurred with and returned.

Received also the report of the committee on the memorial of Jane Pindexter and Joseph Williams, endorsed "Read and concurred with;" which being read, was concurred with and returned.

Whereas Charles Bruce, Esq., Commissioner of Confiscated property for Salisbury district, proceeded to sell six hundred and forty acres of land, the property of a certain Moses Sanders, in different lots situated in the county of Anson, to the following persons, to-wit: John Wright, Jun., William Morris, George Wells and William Wood, when at the same time the said Moses Sanders was a Justice of the Peace in the county of Rowan, whereby the said lands were illegally sold:

Resolved, That Charles Bruce, Esq., Commissioner of Confiscated property for the district of Salisbury, be directed by the Comptroller not to bring suits against the said John Wright, Jun., William Morris, George Wells and William Wood, until after the rise of the next General Assembly.

Received from the Senate three resolutions of this house, concurred with, to-wit:—One directing the Treasurer to stay law proceedings against the estate of Henry Young, one other directing the Treasurer to pay the claims of Sheriffs for attending to compare the polls for the election of Representatives, and the third directing Charles Bruce, Commissioner of confiscated property, not to bring suit against John Wright and others.

Received from the Senate a resolution of that house for remitting the duties secured by this State on goods, wares and merchandize imported into this State from the other States in the union since the adoption of the federal constitution by this State; which being read, was rejected.

Resolved, That the Governor, by and with the advice of the Council of State, shall take such order with respect to the State agency for the final settlement of the accounts of this State, as to the Executive may seem most expedient for the interest of this State.

The bill for subscribing on loan in the office of the Commissioner of the United States, such continental monies, and continental and state securities, as are or may be in the hands of the Treasurer or
Comptroller of this State belonging to the public, or which shall be in the hands of either of them on the last day of September next, and for appropriating certain monies as therein mentioned, was read the third time, and laid over until the next Assembly.

Ordered, That Mr. W. Hill and Mr. Bailey have leave to absent themselves from the service of this house after this day.

Resolved, That the execution obtained in Hillsborough superior court, at the instance of the Treasurer, against Michael Johnston Kenan, Entry-taker of Duplin county, be stayed until the first of April next; and in case he the said Kenan shall by that time settle his accounts, and balance them in full up to the 31st day of December, 1789, it is hereby declared that the penalty for which the said execution was obtained, shall be remitted, and that he shall be released therefrom accordingly on paying the cost.

Received from the Senate a resolution of that house directing Hardy Murfree, Commissioner of Edenton district, to sell the land formerly purchased by Nehemiah Long, &c.; which being read, was concurred with and returned.

The committee of claims, to whom the petition of John Arnold was referred, report—That having taken under their consideration the allegations in the said petition set forth, and several vouchers in support thereof, your committee are of opinion that the said vouchers are not sufficient to grant the prayer of the said petition, but that the same be rejected.—Which is submitted.

ROBERT IRWIN, Ch.

Resolved, That the house do concur with this report.

Received from the Senate the following resolution for concurrence, viz:

NORTH CAROLINA, IN SENATE,
December 15, 1790.

The Judges of the superior courts of law and courts of equity in this State, having laid before the General Assembly a letter informing of their having refused to obey a writ of certiorari issued by the federal Judges of the circuit court for the district of North Carolina, relative to a suit depending in the court of equity for the district of Edenton, in the state aforesaid, in which Robert Morris, John Alexander Nesbit and others are complainants and Nathaniel Allen, Alexander Black, William Scott and others are defendants; and the said Judges having together with their letter laid before the two houses the
reasons and causes of their refusal, it is therefore Resolved, That the General Assembly do commend and approve of the conduct of the Judges of the courts of law and courts of equity in this particular.

WILLIAM LENOIR, S. S.

This resolution being read, the question was put, "Will the house concur with the resolution of the Senate?" and carried in the affirmative, and the yeas and nays thereupon called for by Mr. Jones; which are as follows, to-wit:


Ordered, That the letter from the honourable the Judges of the superior courts of law and equity, and representation referred to in the foregoing resolution of the Senate, be entered at large on the journal of this house (See the last of this day's proceedings.)

Received from the Senate the report of the committee on the petition of John Arnold, concurred with by that house.

Resolved, That the assumption of the State debts by the Congress of the United States, without their particular consent, is an infringement on the sovereignty of this State, and may prove eventually injurious and oppressive to the same; wherefore we view this measure of Congress as dangerous to the interests and rights of North Carolina: Under this impression, we the Representatives of the freemen of North Carolina, in General Assembly, on behalf of ourselves and our constituents, do solemnly protest against the proceedings of the Congress of the United States, assuming or providing for the debts of the individual states.

Resolved, That the Senators and Representatives from this State in the Congress of the United States, be directed to exert their endeavours to prevent as far as possible the evil operations of such
acts to the interests and liberties of this country, and prevent as much as in their power all other and further assumptions, until the accounts of the respective states, and this State in particular, shall be fully adjusted, and the consent of this State shall have been first had and obtained.

Resolved, That the Executive of this state be required, without delay, to demand from the Senators and request of the Representatives of this State in Congress, their intelligence and advice as to the most eligible means of securing the rights and interests of this State, against such injuries as may arise to North Carolina from the aforesaid assumption; and that the Governor, by and with the advice of the Council in the recess of the General Assembly, in this particular may take such measures as to them may be deemed expedient for the purpose aforesaid.

Resolved, That all evidences of the debt of the United States or of this State, in the hands of the Treasurer, Comptroller or State Agents, shall from time to time be subject, and they are hereby subjected, to the direction of the Governor and Council, during the recess of the General Assembly, that the same may be applied as to them may appear, upon mature deliberation, most beneficial to this State.

The bill to direct the manner in which the real soldier or honest claimant, among those who had military accounts settled at Warrenton in the year 1786, shall obtain certificates, and making provision for such claimants whose accounts are yet unsettled, and directing the manner in which certain certificates therein mentioned shall be received at the Treasurer's and Comptroller's office, was read the third time, passed and ordered to be engrossed.

The committee appointed to correct errors in patents, to whom was referred the petition of Wright Stanley and Thomas Turner, executors of the last will and testament of John Wright Stanley, deceased, report—That it appears to the committee that Wright Stanley purchased at the sale made by Benjamin Sheppard, Commissioner of confiscated property for the district of New Bern, several tracts of land in the county of Craven, and gave his bond for the payment of the same; on which bond suit hath been since commenced by the Treasurer in the superior court of Hillsborough district, for the recovery of the whole amount thereof with interest. Your committee believing that the said Wright Stanley and Thomas Turner were ig-
norant of the contents of a resolution passed at the last session of Assembly, in favor of those who became indebted to the State for confiscated property purchased, until the time to which its operation was limited had expired, do recommend that the bond given by Wright Stanley as aforesaid be delivered up to him, on his performing the requisites of the said resolution at any time on or before the sixth day of April next provided it shall appear the bond was given for the whole amount of the purchase money aforesaid.

THOMAS PERSON, Ch.

Resolved, That the house do concur with this report.

The committee to whom was referred the petition of William Blount, delivered in a report thereon; which being read, was rejected.

The committee appointed to correct errors in patents, to whom the petition of Edward Tinker was referred, report—That it is the opinion of your committee that the said Edward Tinker be released as to the purchase of one tract containing three hundred and eighty acres, with the interest thereon, and that he be accountable to the Treasurer for the balance; and that Benjamin Sheppard formerly Commissioner, be requested to cause a survey to be made agreeable to law, and returned to the Secretary’s office, to enable said Edward Tinker to obtain a title to the hundred acres late the property of Thomas Murphy, and also for the one hundred and eighty acres late the property of Thomas Torrens, on his paying the purchase money agreeably to the sale. All which is submitted.

THOMAS PERSON, Ch.

The committee of finance, to whom the letter from William Skinner, Commissioner of the United States loan office, making application that the checks to the certificates should be delivered to him, was referred, report—That it is the opinion of the committee it would be impolitic and inexpedient in the present situation of this State, to deliver the said checks to any person whomsoever, as they consider the possession of the checks the only security this State hath to guard against the many frauds that have been committed, and are daily practicing, and the only possible preventative against such measures, as in their opinion are highly injurious to the interest of this State. The committee are further of opinion, that the said checks are the only possible evidence whereby any improper or unjust claim may at any future period be detected, and which may be raised in conse-

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quence of the act of Congress assuming the debts of this State: Nevertheless they are of opinion, and recommend, that the Commissioner of loans shall have free access to the said checks, at the offices wherein they are lodged, for his information, whereby he may govern himself in the duties of his appointment. Which is submitted.

THOMAS PERSON, Ch.

Resolved, That the house do concur with these reports.

Received from the Senate a resolution of that house directing the Treasurer to return certain certificates as therein directed; which being read, was rejected.

Resolved, That John Sibley and Co. be allowed the sum of thirty-nine pounds ten shillings, for printing copies of sundry acts, &c., and that the Treasurer pay the same.

Resolved, That the Clerks be allowed the sum of four pounds per day for attendance, engrossing Clerks fifty shillings per day, and the Door-keepers thirty shillings per day; and that they be allowed the same daily pay for travelling to and from, that is allowed the members.

Received from the Senate the resolution of this house directing the Treasurer to stay execution against Michael J. Kenan, a resolve directing his Excellency the Governor to take such order respecting the State agency as he may deem necessary, a resolution allowing the Clerks, and a resolution allowing John Sibley and Co., severally concurred with. Received also the report of the committee on the letter from William Skinner, the report on the petition of Edward Tinker, and the report on the petition of Wright Stanley and Thomas Turner, concurred with.

Received from the Senate a resolution of that house allowing John Wilson the sum of fifty pounds for wood, &c., furnished the General Assembly; which being read, was concurred with and returned.

Received also a resolution directing those who have unliquidated claims for services in the late line of this State, to lodge the same in the Treasurer's office; which being read, was concurred with and returned.

Resolved, That the Attorney-General do, on or before the first day of April next, commence suit against William Blount, Esq., former Agent of Indian affairs, for all monies in his hands as Agent or otherwise, not accounted for agreeably to law and the resolutions of the General Assembly.
Resolved, That the bonds lodged in the hands of the Clerk by George Ogg, in behalf of William Blount, Esq., signed Bryan Ward, be returned to the said George Ogg, or his order.

Received from the Senate a resolution of that house for advancing to Abishai Thomas, Agent, a certain sum therein mentioned; which being read, was concurred with and returned.

Resolved, That the Comptroller's report that the Treasurer be allowed the sum of two hundred and seventy-four pounds six shillings, for issuing certificates agreeable to an act of the last General Assembly, be allowed.

Received from the Senate the resolution of this house directing the Attorney-General to commence suit against William Blount, and the resolution allowing John Haywood two hundred and seventy-four pounds six shillings, concurred with.

Mr. Person presented sundry reports of the committee on finance; which being read, Resolved, That this house concur with the reports of the committee on finance; and that so much of the said reports as are marked, as follows, be entered on the Journal.

Report marked No. 1, from the beginning to A No. 1,—and the remainder No. 2. The whole of the reports No. 2, and No. 3. The resolution B No. 3, which is to follow the insertion of the Comptroller's reports on the Treasurer's accounts of the first of July, C No. 4. The Treasurer's account marked report B. No. 4, and the list of balances B. E.—And that the other papers, together with the foregoing resolution be sent to the Senate.

COMMITTEE ON FINANCE, REPORT NO. 1.

The sub-committee No. 1, on finance, to whom was referred "to examine and inspect the books of the Treasurer and Comptroller, and report their situation, the amount of the certificates issued and received, together with the sum yet in circulation, and the amount of ragged money now in the treasury," have obediently examined the books of the Treasurer, and compared them with those of the Comptroller, and report

That on the 1st day of July last there was a settlement made by the Comptroller with the Treasurer, and that it appears by the said settlement that, John Haywood, Esq., as public Treasurer, was possessed of a balance due the public in the sum of... £ 31,394 5 2

That since that time, to wit, the 1st day of July, 1790, to the 1st day of November following, it appears that the further balance of 18,060 18s. was on the last mentioned day also possessed by the Treasurer and due the state,... 18,060 13 0

Total of money in the treasury the 1st of November, 1790, as per Treasurer's account,.......................... .......................... .......................... £ 49,454 18 2
A, NO. 2.

Although the sub-committee No. 1, have in the foregoing completed what was desired of them by the committee on finance, yet they have added thereto for the information of the General Assembly some further statements and remarks, as necessary to the knowledge of our revenue. The sub-committee would be remiss indeed, did they neglect this opportunity of declaring their utmost satisfaction of the manner in which the books of the Treasurer are kept—That the settlement made with the Comptroller the 1st of July last, appears to be proper, accurate and just; in a word, the Treasurer’s office is a pattern worth imitation—The reports of the Comptroller are clerical and just.

JAMES TAYLOR, Ch.

The foregoing report was read in the committee of the whole, received and ordered to be reported to the house.

THOMAS PERSON, Ch.

REPORT NO. 2.

<table>
<thead>
<tr>
<th>Money</th>
<th>Certificates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Due the public—Treasurer’s returns</td>
<td>£ 2,348</td>
</tr>
<tr>
<td>Collectors of impost</td>
<td>26,397</td>
</tr>
<tr>
<td>Commissioners of confiscated property</td>
<td>36,128</td>
</tr>
<tr>
<td>Comptroller’s returns</td>
<td>15,599</td>
</tr>
<tr>
<td>Due from Commissaries under the command of Gen. Rutherford, 68,300l. currency.</td>
<td>27,836</td>
</tr>
<tr>
<td>Due from Sheriffs</td>
<td>24,308</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>£72,070</strong></td>
</tr>
</tbody>
</table>

Exclusive of what is due from the Entry-taker of western lands, about.

The sub-committee on finance No. 1 report, that the above sums are due the public up to the year 1789, to which may be added the further sums of 10,000l. in money and 10,000l. in certificates, up to the 1st November, 1790, which it is presumed are not reported owing to the insufficiency of our revenue laws.

JAMES TAYLOR, Ch.

The foregoing report was read in committee of the whole, received and ordered to be reported to the house.

THOMAS PERSON, Ch.

NO. 3. CIVIL LIST FOR THE YEAR 1791.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Governor’s salary</td>
<td>£ 800</td>
</tr>
<tr>
<td>Treasurer’s do</td>
<td>750</td>
</tr>
<tr>
<td>Comptroller’s do</td>
<td>500</td>
</tr>
<tr>
<td>Secretary of State</td>
<td>100</td>
</tr>
<tr>
<td>Council, Clerk and Door Keeper</td>
<td>100</td>
</tr>
<tr>
<td>Private Secretary</td>
<td>100</td>
</tr>
<tr>
<td>Clerk to the treasury</td>
<td>200</td>
</tr>
<tr>
<td>Members of Assembly, Clerks and Door-Keepeers</td>
<td>12,000</td>
</tr>
<tr>
<td>Judges of the superior courts</td>
<td>3,200</td>
</tr>
<tr>
<td>Attorney-General and Solicitor, 320l. each</td>
<td>640</td>
</tr>
<tr>
<td>Agents for settling with the United States</td>
<td>1,600</td>
</tr>
<tr>
<td>Public Printer</td>
<td>500</td>
</tr>
<tr>
<td>Incidental expenses of government of every kind, the committee estimate at</td>
<td>250</td>
</tr>
</tbody>
</table>

**£ 20,740**
STATE RECORDS

From the large sums of money due the public, and from the present wealth of the treasury, the sub-committee are led to propose a poll tax of two shillings only, a land tax of eight pence on every hundred acres, and a tax of two shillings on every hundred pounds value of town property in this state; which in their opinion, with the other established taxes in aid of the revenue, will be fully adequate to the expenses of the year 1791.

JAMES TAYLOR, Ch.

The foregoing report was read in the committee of the whole, received and ordered to be reported to the house

THOMAS PERSON, Ch.

REPORT C. NO. 4.

The following is a statement of the amount of public revenue of this state for the years 1787, 1788 and 1789, so far as returns have been made, but for the want of energy in the revenue laws the returns have been by no means complete, the amount therefore is not such as it should have been; and it is to be remembered this amount is founded on the reports made by the Comptroller up to the 1st day of July last, at which time the Treasurer's accounts were settled.

Amount of the cash part of the reports...£149,110 18 4 money.
Amount of the certificate part of do. ...£123,590 8 2 certificates.

JAMES TAYLOR, Ch.

The foregoing report being read in committee of the whole, was received and ordered to be reported to the house.

THOMAS PERSON, Ch.

NO. 5. COMPTROLLER'S REPORTS ON THE TREASURER'S ACCOUNTS.

NORTH CAROLINA, COMPTROLLER'S OFFICE,
July 1, 1790.

Be it remembered, that I, Francis Child, Comptroller of the public accounts of the State aforesaid, have this day settled the account of John Haywood, public Treasurer, so far as the same applies to arrearages, to wit, to monies, certificates, and dollar bills by him received as being due and owing to the public previous to the first day of January, one thousand seven hundred and eighty-eight, as per the foregoing sheets, which have by me been compared with the books of the said Treasurer, and found just and perfectly right; the said books I have also examined with the returns and vouchers, and found them proper and true; and the said returns and vouchers I have received and taken into my possession; It therefore becomes my duty to certify and declare, which I do in my official capacity, that the public arrearage account of the said John Haywood, as Treasurer aforesaid, is fully, fairly, finally and completely settled and balanced, from the time of his first appointment, and from the day of his qualification as Treasurer, in January, 1787, up to this first day of July, 1790, as appears by the books and vouchers aforesaid. In testimony of which I hereto set my hand, this first day of July, 1790.

FRANCIS CHILD, Comptroller.

NORTH CAROLINA, COMPTROLLER'S OFFICE,
July 1, 1790.

I, Francis Child, Comptroller of the public accounts of the State of North Carolina, do in my official capacity hereby certify, publish and declare to all whom it may concern, that John Haywood, public Treasurer of the said state, hath this day settled his account as Treasurer aforesaid, for the taxes and other public dues of the years 1787, 1788 and 1789, in my office; whereby it appears, that from the first day
of January, 1788, up to the first day of July, 1790, the reports of the Comptroller against Sheriffs and other accountants, with which the said Treasurer became chargeable in virtue of an act of Assembly passed at Tarborough, in December, 1787, entitled, "An act for the more regular collecting and accounting for the revenues of this state," &c., amount to one hundred and forty-nine thousand one hundred and ten pounds, eighteen shillings and four pence in current money, and to one hundred and twenty-three thousand five hundred and ninety-nine pounds eight shillings and two pence in specie-certificates, and that the credits of the said Treasurer for grants and warrants, cash and certificate vouchers, together with dollar money and other claims delivered the controller, and for the balances still due for those years from sundry accountants reported against, amount to one hundred and seventeen thousand seven hundred and sixteen pounds thirteen shillings and two pence in cash, and to one hundred and twenty-three thousand five hundred and ninety-nine pounds eight shillings and two pence in specie certificates; which sums being deducted from the amount of the reports charged against him by the Comptroller as aforesaid, leave a balance of thirty-one thousand three hundred and ninety-four pounds, five shillings and two pence current money, in the hands of the said Treasurer, due and payable to the state on the said 1st day of July, 1790, and for which said sum of 31,394. 5s. 2d. the said Treasurer is accountable. It is therefore to be remembered and borne in mind, that on the payment of the above mentioned sum of 31,394. 5s. 2d. in current money, or in cash claims, all the public accounts of the said John Haywood, as Treasurer of North Carolina, will be finally settled and completely balanced and closed, from the time of his appointment as Treasurer aforesaid, up to the said 1st day of July, one thousand seven hundred and ninety.

£ 31,394 : 5 : 2. balance due in current money, on the first day of July, 1790.

FRANCIS CHILD, Comptroller.

Received from the Senate the resolution of this house, concurring with the reports of the committee on finance, concurred with by that house.

RESOLUTION B. No. 3.

The General Assembly having concurred with a report of the committee on finance, in which it is declared, that the settlement of the accounts of the public Treasurer made by the Comptroller, up to the 1st day of July last, is proper, fair and just; and it appearing by the Comptroller's reports on the said settlement, that on that day, to-wit: on the 1st day of July, 1790, John Haywood, Esq., public Treasurer, did fully settle, lodge vouchers, and account for all sums of money, certificates and dollar bills, for which he was chargeable or accountable, from the beginning of the year 1787, the time of his first appointment as Treasurer of North Carolina, up to the said first day of July, 1790, the sum of thirty-one thousand three hundred and ninety-four pounds, five shillings and two pence current money, only, excepted:
Therefore, Resolved, That the General Assembly do approve of the said settlement, and do hereby declare the same is and shall be final, valid and conclusive, and do therefore order, that the reports of the Comptroller on the said Treasurer's accounts, which now lie before the General Assembly, shall be entered on the journal of each house, as a part of their records, that it may hereafter be known that the same are approved by the General Assembly, and that the settlement which they report is valid and final, up to the 1st of July, 1790.

REPORT B NO. 4.

A CONTINUATION OF THE TREASURER'S ACCOUNT SINCE THE SETTLEMENT WITH THE COMPTROLLER TO THE 1st OF NOVEMBER, 1790.

<table>
<thead>
<tr>
<th>Money</th>
<th>Certificates</th>
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<tr>
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<td>£ 39 0 6</td>
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<tr>
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<td>15 0</td>
</tr>
<tr>
<td>Do. received of Henry Lane</td>
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<tr>
<td>Certificates received of Edm. Williams</td>
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</tr>
<tr>
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<td>573 12 0</td>
</tr>
<tr>
<td>Cash received of Edward Hall</td>
<td>25 0 0</td>
</tr>
<tr>
<td>Do. received of Edmund Williams</td>
<td>190 0 0</td>
</tr>
<tr>
<td>Do. received of William Johnson</td>
<td>120 6 0</td>
</tr>
<tr>
<td>Do. received of Absalom Tatam</td>
<td>10 0 0</td>
</tr>
<tr>
<td>Certif. received of Samuel Barton</td>
<td>64 0 0</td>
</tr>
<tr>
<td>Do. received of Spillaby Coleman</td>
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</tr>
<tr>
<td>Cash received of do</td>
<td>531 7 8</td>
</tr>
<tr>
<td>Do. received of George Wynn</td>
<td>505 15 0</td>
</tr>
<tr>
<td>Certif. received of do</td>
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</tr>
<tr>
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</tr>
<tr>
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<tr>
<td>Do. received of John H. Hall</td>
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<tr>
<td>Do. received of John Gibbs</td>
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<tr>
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<td>Do. received of David Perkins</td>
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<td>Cash received of Joseph Henry</td>
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<td>Certif. received of do</td>
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<tr>
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</tr>
<tr>
<td>Description</td>
<td>Money</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
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<tr>
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<tr>
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<tr>
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<tr>
<td>Do. received of Samuel Westray</td>
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<tr>
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<tr>
<td>Certif. received of</td>
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<tr>
<td>Do. received of Thomas Dockery</td>
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<tr>
<td>Cash received of George Davidson</td>
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<tr>
<td>Do. received of William Love</td>
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<tr>
<td>Do. received of Seth Hovey</td>
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<tr>
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<tr>
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<td>Do. received of Benjamin Foreman</td>
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<tr>
<td>Do. received of David Dodd</td>
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### STATE RECORDS

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<td>Do. received of John Hinton</td>
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<tr>
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<tr>
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<tr>
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<tr>
<td>Do. received of Hugh Armstrong</td>
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<tr>
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<tr>
<td>Description</td>
<td>Money</td>
<td>Certificates</td>
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<tr>
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<tr>
<td>Do. received of Eaton Haynes</td>
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**The Funds Below Paid on Arrears.**

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<th>Description</th>
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<tr>
<td>To cash received of John C. Bryan</td>
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<tr>
<td>Do. received of Robert White</td>
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<tr>
<td>Do. received of Griffith Rutherford</td>
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<tr>
<td>Do. received of Isaac Hunter</td>
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<tr>
<td>Certif. received of Wilson Taylor</td>
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<td>258 2 0</td>
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<tr>
<td>Do. received of Wm. R. Singletary</td>
<td>8 5 10</td>
<td></td>
</tr>
<tr>
<td>Do. received of John Crumpler</td>
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<td>55 5 11</td>
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<tr>
<td>Cash received of William Johnston</td>
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<tr>
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<td>Do. received of Demsey Burges</td>
<td>37 18 6</td>
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<td>Certif. received of Nathan Allen</td>
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<tr>
<td>Cash received of James Moore</td>
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\[£23,216 13 0 14,599 18 6\]

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<tr>
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<td>1st Nov. same year,</td>
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<td>To certificates received from sundries, from 1st July</td>
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<td>14,599 18 6</td>
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\[£23,216 13 0 14,599 18 6\]

To balance per contra due the state November 1st, 1790 £18,060 18 0 14,568 19 8

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<tr>
<td>Do. paid for do</td>
<td>190 0 0</td>
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<tr>
<td>Do. paid for do</td>
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<tr>
<td>Do. paid for do</td>
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<tr>
<td>Do. paid for a due bill</td>
<td>15 3 11</td>
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<tr>
<td>Do. paid for grants and warrants,</td>
<td>159 1 8</td>
<td></td>
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<tr>
<td>Do. paid for a due bill</td>
<td>39 16 11</td>
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</tr>
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<td>Do. paid for grants and warrants,</td>
<td>110 0 0</td>
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<td>Certificates</td>
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<td>do.</td>
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<td>27 2 7</td>
</tr>
<tr>
<td>do.</td>
<td>55 0  0</td>
<td></td>
</tr>
<tr>
<td>do.</td>
<td>330 0 0</td>
<td></td>
</tr>
<tr>
<td>do.</td>
<td>65 0  0</td>
<td></td>
</tr>
<tr>
<td>do.</td>
<td>477 10 0</td>
<td></td>
</tr>
<tr>
<td>do.</td>
<td>405 0 0</td>
<td></td>
</tr>
<tr>
<td>do.</td>
<td>328 15 4</td>
<td></td>
</tr>
<tr>
<td>do.</td>
<td>379 11 11</td>
<td></td>
</tr>
<tr>
<td>do.</td>
<td>942 0 0</td>
<td></td>
</tr>
<tr>
<td>do.</td>
<td>190 14 2</td>
<td></td>
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</tbody>
</table>

£5,155 15 0  27 2 8

<table>
<thead>
<tr>
<th>by certificates refunded to Samuel Westray, per resolve,</th>
<th>Money</th>
<th>Certificates</th>
</tr>
</thead>
<tbody>
<tr>
<td>do. paid J. Kenan, it being the sum paid over by him as Sheriff for 1788</td>
<td>3 16 3</td>
<td></td>
</tr>
<tr>
<td>by cash paid for grants and warrants</td>
<td>5155 15 0</td>
<td></td>
</tr>
<tr>
<td>by balance due the State</td>
<td>18,060 18 0  14,588 19 8</td>
<td></td>
</tr>
</tbody>
</table>

£23,216 13 0  14,599 18 6

Errors excepted. JOHN HAYWOOD, Public Treasurer.

December 2, 1790.

INDIVIDUALS INDEBTED TO THE STATE OF NORTH CAROLINA ON THE TREASURER'S BOOKS ON THE 1ST DAY OF NOVEMBER, 1790, SO FAR AS RETURNS HAVE BEEN MADE OR ACCOUNTS RAISED, AS PER COMPTROLLER'S REPORTS, SINCE JANUARY, 1788.

<table>
<thead>
<tr>
<th>Name</th>
<th>Money</th>
<th>Certificates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Matthew O'Malley, V. M. Edenton</td>
<td>£ 2 10 1</td>
<td></td>
</tr>
<tr>
<td>John Brailly, register, Rowan</td>
<td>10 0</td>
<td></td>
</tr>
<tr>
<td>Henry Lane, clerk, Wake,</td>
<td>47 17 0</td>
<td></td>
</tr>
<tr>
<td>John Cade, entry-taker, Robeson</td>
<td>1456 4 0</td>
<td></td>
</tr>
<tr>
<td>Wm. Blair, clerk Edenton superior court</td>
<td>79 17 0</td>
<td></td>
</tr>
<tr>
<td>James Cobb, clerk, Wayne,</td>
<td>24 16 7</td>
<td></td>
</tr>
<tr>
<td>Thomas Hunter, clerk, Martin</td>
<td>10 4 0</td>
<td></td>
</tr>
<tr>
<td>William Thompson, register, Carteret</td>
<td>2 0 0</td>
<td></td>
</tr>
<tr>
<td>John H. Simpson, register, Pitt</td>
<td>4 0 0</td>
<td></td>
</tr>
<tr>
<td>Robert Read, clerk, Carteret</td>
<td>54 15 10</td>
<td></td>
</tr>
<tr>
<td>William Cray, clerk, Onslow</td>
<td>37 6 7</td>
<td></td>
</tr>
<tr>
<td>Joseph Robeson, clerk, Moore</td>
<td>41 17 0</td>
<td></td>
</tr>
<tr>
<td>Archibald Henderson, clerk, Granville</td>
<td>186 2 5</td>
<td></td>
</tr>
<tr>
<td>William Love, clerk, Richmond</td>
<td>4 15 9</td>
<td></td>
</tr>
<tr>
<td>Curtis Ivey, clerk, Sampson</td>
<td>45 8 4</td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td>Money</td>
<td>Certificates</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>---------</td>
<td>--------------</td>
</tr>
<tr>
<td>Lawrence Baker, clerk, Gates</td>
<td>90 11 1</td>
<td></td>
</tr>
<tr>
<td>Joseph Blount, clerk, Chowan</td>
<td>130 6 8</td>
<td></td>
</tr>
<tr>
<td>Stevens Gray, clerk, Bertie</td>
<td>55 19 3</td>
<td></td>
</tr>
<tr>
<td>William Wooten, clerk, Halifax</td>
<td>4 19 8</td>
<td></td>
</tr>
<tr>
<td>Green Hill, clerk, Franklin</td>
<td>65 10 7</td>
<td></td>
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<tr>
<td>Lunsford Long, register, Halifax</td>
<td>1 10 0</td>
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<tr>
<td>Eaton Haynes, clerk, Northampton</td>
<td>5 5 10</td>
<td></td>
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<tr>
<td>John Crumpler, entry-taker, Sampson</td>
<td>66 6 9</td>
<td></td>
</tr>
<tr>
<td>Lewis Bryan, clerk, Jones</td>
<td>61 3 9</td>
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</tr>
<tr>
<td>Michael Auld, clerk, Anson</td>
<td>47 19 0</td>
<td></td>
</tr>
<tr>
<td>William Bryan, clerk, Craven</td>
<td>106 18 10</td>
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<tr>
<td>F. A. Ramsay, clk. Washington sup. c.</td>
<td>2 10 0</td>
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<tr>
<td>John White, clerk, Bladen</td>
<td>90 0 4</td>
<td></td>
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<tr>
<td>Kilbey Jones, entry-taker, Onslow</td>
<td>400 0 0</td>
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<tr>
<td>Josiah Jernigan, entry-taker, Wayne</td>
<td>655 4 0</td>
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<tr>
<td>Robert Montgomery, entry-taker, Burke</td>
<td>194 2 0</td>
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<tr>
<td>Matt. Brickell, entry-taker, Hertford</td>
<td>389 4 0</td>
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<tr>
<td>James Sutton, register, Chowan</td>
<td>15 0</td>
<td></td>
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<tr>
<td>Ica Atkins, entry-taker, Cumberland</td>
<td>141 12 11</td>
<td></td>
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<tr>
<td>Benj. Stephens, register, Wayne</td>
<td>5 5 0</td>
<td></td>
</tr>
<tr>
<td>John Goodman, entry-taker, Edgcomb</td>
<td>24 0 6</td>
<td></td>
</tr>
<tr>
<td>Thos. Henderson, clerk, Rockingham</td>
<td>43 18 0</td>
<td></td>
</tr>
<tr>
<td>Alex. M'Kean, entry-taker, Guilford</td>
<td>135 8 0</td>
<td></td>
</tr>
<tr>
<td>Wm. Threadgill, entry-taker, Anson</td>
<td>55 0 0</td>
<td></td>
</tr>
<tr>
<td>Thomas Searcy, clerk, Guilford</td>
<td>133 19 5</td>
<td>1665 15 6</td>
</tr>
<tr>
<td>A. Alexander, entry-taker, Mecklenberg</td>
<td>152 5 6</td>
<td></td>
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<tr>
<td>George Doherty, V. M., Wilmington</td>
<td>80 5 10</td>
<td></td>
</tr>
<tr>
<td>James Matthews, entry-taker, Moore</td>
<td>72 6 9</td>
<td></td>
</tr>
<tr>
<td>Samuel Martin, clerk, Mecklenberg</td>
<td>8 10 0</td>
<td></td>
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<tr>
<td>P. Henderson, Hillsb. sup. court</td>
<td>178 7 0</td>
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</tr>
<tr>
<td>James Alexander, entry-taker, Iredell,</td>
<td>276 10 5</td>
<td></td>
</tr>
<tr>
<td>Joseph Hardin, entry-taker, Greene</td>
<td>90 14 4</td>
<td></td>
</tr>
<tr>
<td>John Daily, entry-taker, Craven</td>
<td>570 18 6</td>
<td></td>
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<tr>
<td>Enoch Reife, clerk, Pasquotank</td>
<td>13 16 1</td>
<td>487 17 8</td>
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<tr>
<td>William Ferebee, clerk, Curricuck</td>
<td>71 0 0</td>
<td></td>
</tr>
<tr>
<td>John Stone, register, Greene</td>
<td>78 0 0</td>
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</tr>
<tr>
<td>Richard Woods, register, do</td>
<td>13 9 0</td>
<td></td>
</tr>
<tr>
<td>Hancor Bond, entry-taker, Halifax</td>
<td>13 16 1</td>
<td></td>
</tr>
<tr>
<td>W. Caswell, clk. &amp; entry-taker, Dobbs</td>
<td>71 0 0</td>
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</tr>
<tr>
<td>John Lovick, entry-taker, Dobbs</td>
<td>10 0</td>
<td></td>
</tr>
<tr>
<td>Dallum Caswell, register, Dobbs</td>
<td>3 5 0</td>
<td></td>
</tr>
<tr>
<td>Christopher Riddick, register, Gates</td>
<td>199 17 7</td>
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<tr>
<td>Martin Caswell, late clerk, Dobbs</td>
<td>1247 6 0</td>
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<tr>
<td>James Brandon, entry taker, Rowan</td>
<td>526 15 10</td>
<td></td>
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<tr>
<td>William Johnson, jun., Warren</td>
<td>5 0</td>
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<tr>
<td>Isaac Alexander, clk., Mecklenberg</td>
<td>49 5 5</td>
<td></td>
</tr>
<tr>
<td>William Hall, clerk, Nash</td>
<td>72 12 9</td>
<td></td>
</tr>
<tr>
<td>A. Sharpe, clerk, Iredell</td>
<td>24 7 7</td>
<td></td>
</tr>
<tr>
<td>John Matthews, register, Moore</td>
<td>1 5 0</td>
<td></td>
</tr>
<tr>
<td>Nathan Allen, entry-taker, Johnston</td>
<td>526 15 10</td>
<td></td>
</tr>
</tbody>
</table>
### State Records

<table>
<thead>
<tr>
<th>Name</th>
<th>Money</th>
<th>Certificates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wm. Stephens, register, Washington</td>
<td>25 10 0</td>
<td></td>
</tr>
<tr>
<td>William Burges, register, Camden</td>
<td>1 5 0</td>
<td></td>
</tr>
<tr>
<td>Joseph Ferebee, entry-taker, Currituck</td>
<td></td>
<td>95 1 0</td>
</tr>
<tr>
<td>Henry Bond, entry taker, Chowan</td>
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<td>41 0 0</td>
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<tr>
<td>Wm. Lane, entry-taker, Pasquotank</td>
<td></td>
<td>19 0 0</td>
</tr>
<tr>
<td>Thomas Jordan, register, do</td>
<td></td>
<td>5 9</td>
</tr>
<tr>
<td>Lovett Burges, clk. Camden, (settled, owes nothing)</td>
<td>12 0 0</td>
<td></td>
</tr>
<tr>
<td>Lovett Burges, clerk Halifax sup. court,</td>
<td></td>
<td>19 0 0</td>
</tr>
<tr>
<td>(settled since 1st. Nov. owes nothing.)</td>
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<td></td>
</tr>
<tr>
<td>Thomas Mackey, clerk, Tyrell</td>
<td></td>
<td>42 2 6</td>
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<tr>
<td>Joseph Bell, entry-taker, Carteret, (since settled)</td>
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<td>260 12 0</td>
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<tr>
<td>Joseph Dixon, clerk, Lincoln, (do.) owes nothing</td>
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<td><strong>Total</strong></td>
<td><strong>£ 2248 19 11</strong></td>
<td><strong>9058 7 0</strong></td>
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### Collectors of Impost

<table>
<thead>
<tr>
<th>Collector</th>
<th>Data</th>
<th>Money</th>
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<tbody>
<tr>
<td>Samuel Ferebee, collector of port Currituck, to the 10th March, 1790</td>
<td></td>
<td>1149 16 7</td>
</tr>
<tr>
<td>Thos. Benbury, collector of port Roanoke, to the 36th of February, 1790</td>
<td></td>
<td>8870 13 2</td>
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<tr>
<td>Nathan Keas, collector of port Bath, to the 10th March, 1790</td>
<td></td>
<td>1634 10 0</td>
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<tr>
<td>John Daves, collector of port Beaufort, to the 10th of March, 1790</td>
<td></td>
<td>1896 7 8</td>
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<tr>
<td>John M'Culloh, collector, port Swansborough, to the 1st July, 1780</td>
<td></td>
<td>125 8 1</td>
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<tr>
<td>James Read, collector of port Brunswick, to the 10th of March, 1790</td>
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<td>14730 12 9</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>£ 28397 8 3</strong></td>
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### On the Books of the Comptroller—Commissioners of Confiscated Property

<table>
<thead>
<tr>
<th>Commissioner</th>
<th>District</th>
<th>Money</th>
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</thead>
<tbody>
<tr>
<td>Archibald Lytle, Hillsborough district</td>
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<td>15340 1 0</td>
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<tr>
<td>Griffith John M'Ree, Wilmington district</td>
<td></td>
<td>9264 12 7</td>
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<tr>
<td>Hardy Murfree, Edenton district</td>
<td></td>
<td>10690 11 5</td>
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<tr>
<td>Charles Bruce, Salisbury district</td>
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<td>848 14 9</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>£ 30128 19 9</strong></td>
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### An Account of Balances Due from Individuals to the State of North Carolina as They Stand in the Books of the Comptroller's Office

<table>
<thead>
<tr>
<th>Individual</th>
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</thead>
<tbody>
<tr>
<td>Robert Lynn, commissary</td>
<td>9 17 9</td>
</tr>
<tr>
<td>Lieut. Finney</td>
<td>1 14 7</td>
</tr>
<tr>
<td>Major Griffin</td>
<td>47 3 5</td>
</tr>
<tr>
<td>Andrew Hampton</td>
<td>49 18 7</td>
</tr>
<tr>
<td>Name</td>
<td>Money</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Thomas Boyd, Pasquotank</td>
<td>35 14</td>
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<tr>
<td>Hon. John Williams, Esq.</td>
<td>42 16</td>
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<tr>
<td>Peter Clifton, Bertie, judgment</td>
<td>63 10</td>
</tr>
<tr>
<td>George Doherty</td>
<td></td>
</tr>
<tr>
<td>Kingsbury and Vance,</td>
<td>23</td>
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<tr>
<td>Thomas Burke</td>
<td>48</td>
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<tr>
<td>Robert Varner, assist. quart. mast. gen.</td>
<td>48 15</td>
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<tr>
<td>Alfred Moore, quart. mast. gen.</td>
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<tr>
<td>R. N. Stephens, commissary. Beaufort, for 1782,</td>
<td>101</td>
</tr>
<tr>
<td>Col. Henry Young, suit</td>
<td>309</td>
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<tr>
<td>Capt. Henry Macon</td>
<td>20</td>
</tr>
<tr>
<td>Henry O'Neal</td>
<td>255</td>
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<tr>
<td>William Maxwell, quarter-master,</td>
<td>1380</td>
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<tr>
<td>T. Scurlock, comm. suit, def. &amp; enq.</td>
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<tr>
<td>Samuel Henderson</td>
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<td>Gen. Hogan</td>
<td>5</td>
</tr>
<tr>
<td>John Dolvin, 35 hogs</td>
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<tr>
<td>Thomas Whiteside, Rutherford,</td>
<td>25</td>
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<tr>
<td>Col. Wootten, comm. Wake</td>
<td>25</td>
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<tr>
<td>Capt. Jacob Taylor, Camden,</td>
<td>10</td>
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<tr>
<td>William Picketts, suit at issue</td>
<td>73</td>
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<tr>
<td>Benjamin Cleveland, Wilkes,</td>
<td>184</td>
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<tr>
<td>Philip Alston, judgment</td>
<td>142</td>
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<tr>
<td>Samuel Cummins, Surry, judgment</td>
<td>173</td>
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<tr>
<td>Wm. Gilbert, Rutherford. judgment, and suit against bail,</td>
<td>158</td>
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<td>Hugh Brevard, Burke</td>
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<tr>
<td>Henry Rhodes, Onslow</td>
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<tr>
<td>Wm. Brown, Beaufort, suit defend,</td>
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<tr>
<td>Jeptha Atherton, Northampton</td>
<td>51</td>
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<tr>
<td>John Throgmorton Carteret</td>
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<tr>
<td>R. Ellis, fort Johnson, suit not executed,</td>
<td>250</td>
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<tr>
<td>Capt. William Rutledge</td>
<td>21</td>
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<tr>
<td>William Daves, quarter-master, suit,</td>
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<tr>
<td>Samuel Jarvis, Currituck</td>
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<tr>
<td>Edward Salter, Pict, suit at issue,</td>
<td>98</td>
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<tr>
<td>William Hill, Franklin</td>
<td>27</td>
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<td>George Gwinn, Granville</td>
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<td>Hugh Fenner, Cumberland</td>
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<tr>
<td>William Gardner, Edenton</td>
<td>375</td>
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<tr>
<td>Auditors, Upper Board, Salisbury district,</td>
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</tr>
<tr>
<td>Col. James Blount, Chowan</td>
<td>44</td>
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<tr>
<td>John Stafford, comm. Perquimans</td>
<td>1585</td>
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<tr>
<td>Kennath M'Kenzie, Martin</td>
<td>10</td>
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<tr>
<td>Robert Martin, commiss. suit at issue,</td>
<td>205</td>
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<tr>
<td>Abner Nash, suit at issue</td>
<td>2492</td>
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<tr>
<td>Curson and Gouverneur</td>
<td>450</td>
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<tr>
<td>William Moss, Montgomery</td>
<td>384</td>
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<tr>
<td>Patrick Travers, 304 head cattle,</td>
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</tr>
<tr>
<td>W. Caswell, P. S. to Gov. Caswell,</td>
<td>923</td>
</tr>
<tr>
<td>Name</td>
<td>Money</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>OLDER NEALE, (judgment)</td>
<td>53 6 8</td>
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<tr>
<td>ARIPPA NICHOLS</td>
<td>18 13 4</td>
</tr>
<tr>
<td>JO SANDERS, quart. mast., Jones, (dead,)</td>
<td>100 0 0</td>
</tr>
<tr>
<td>HENRY SCOTT, sheriff, Hyde, 4 head cattle</td>
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<tr>
<td>DAVID JAMESON, comm., Anson, suit, &amp;c.</td>
<td>62 8 2</td>
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<tr>
<td>THOMAS DAVIS, printer</td>
<td>55 0 0</td>
</tr>
<tr>
<td>W. DAWSON, p. sec. to Gov. Johnston,</td>
<td>171 1 6</td>
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<tr>
<td>ROBERT ROWAN, commissioner, for purchasing tobacco at Fayetteville.</td>
<td>61 10 0</td>
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<tr>
<td>EGBERT HAYWOOD, do. Halifax</td>
<td>468 12 11</td>
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<tr>
<td>JAMES PORTERFIELD, do. Fayetteville,</td>
<td>176 0 9</td>
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<tr>
<td>THOMAS POLK, (judgment)</td>
<td>512 0 0</td>
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<tr>
<td>WM. BOULT, agent on Indian treaties</td>
<td>765 4 7</td>
</tr>
<tr>
<td>JOHN GRAY and THOMAS BOULT, suit,</td>
<td>2400 0 0</td>
</tr>
<tr>
<td>JOHN MARKLAND, commissary to the Davidson troops, (no return), suit,</td>
<td>109 19 8</td>
</tr>
<tr>
<td>ROBERT COCHRAN</td>
<td>38 18 4</td>
</tr>
<tr>
<td>ROBERT GILLIS and Gilbert ECCLES</td>
<td>64 4 2</td>
</tr>
<tr>
<td>WM. ARMSTRONG and THOMAS EVANS</td>
<td>8 2 2</td>
</tr>
<tr>
<td>THOMAS SAEWALL and GEORGE FLETCHER</td>
<td>12 17 1</td>
</tr>
<tr>
<td>THOMAS EVANS and WM. ARMSTRONG</td>
<td>34 14 9</td>
</tr>
</tbody>
</table>

£ 15,629 11 10

COMMISARIES UNDER THE COMMAND OF GEN. RUTHERFORD, VIZ:

<table>
<thead>
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<th>Name</th>
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£ 68,200 0 0

A LIST OF BALANCES DUE FROM THE SEVERAL SHERIFFS IN THE STATE OF NORTH CAROLINA, FOR THE YEARS 1784, 1785, 1786, 1787, 1788 AND 1789, ON THE FIRST DAY OF NOVEMBER, 1790.

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1787 Samuel Bridgers, settled.
1788 Ditto, do.
1789 Samuel Bridgers, .................... 282 4 3

Rowan
1784 John Brevard, settled.
1785 Ditto, do.
1786 Hugh Torrence, do.
1787 Lewis Beard, do.
1788 Ditto, do.
1789 Ditto, no report, nothing paid.

Rutherford
1784 John Lewis, judgment, .......... 148 8 6
1785 Ditto, do.
1786 Jonathan Hampton, ............... 177 15 5
1787 William Nevill, judgment ......... 60 7 11
1788 James Withrow, .................. 128 7 9
1789 no report, nothing paid

Randolph
1784 William Pickett, settled.
1785 Ditto, do.
1786 Robert McLaine, do.
1787 Ditto,
1788 Ditto, judgment, ............... 1145 14 0
1789 Ditto, no report, nothing paid.

Richmond
1784 Edw. Williams, settled.
1785 William Wall, do.
1786 Ditto, do.
1787 Ditto, do.
1788 Ditto, ......................... 69 4 3
1789 Ditto, ......................... 174 0 5

Rockingham
1784 This county not established,
1785 Ditto,
1786 John May, settled.
1787 Ditto, judgment, ............... 596 14 2
1788 Isaac Clark, .................... 146 0 4
1789 John Hunter, no report, nothing paid.

Sumner
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1785 Name unknown.
1786 Name unknown.
1787 Thomas Mastin, settled.
1788 Ditto, do.
1789 No report, nothing paid.

Surry
1784 Wm. Meredith, judgment, ........ 256 15 4
1785 Richard Goode, settled.
1786 Ditto, do.
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1789 Hugh Armstrong, ............... 105 19 0
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<td>Ditto, do.</td>
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<td></td>
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<tr>
<td></td>
<td>1787</td>
<td>Ditto, do.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>1788</td>
<td>Ditto, do.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>1789</td>
<td>Ditto, No report, nothing paid.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tennessee</td>
<td>1784</td>
<td>This county not established until 1788.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>see</td>
<td>1785, 1786, 1787, 1788, 1789.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>1784</td>
<td>Sheriffs name unknown.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>1785</td>
<td>Ditto.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>1786</td>
<td>Ditto.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>1787</td>
<td>Edmund Williams,</td>
<td>322 8 9</td>
<td>459 7 9</td>
</tr>
<tr>
<td></td>
<td>1788</td>
<td>Michael Harrison,</td>
<td>525 1 0</td>
<td></td>
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<tr>
<td></td>
<td>1789</td>
<td>No report, nothing paid.</td>
<td></td>
<td></td>
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<tr>
<td>Warren</td>
<td>1784</td>
<td>Thomas Turner, settled.</td>
<td></td>
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<tr>
<td></td>
<td>1785</td>
<td>Benjamin Ward, do.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>1786</td>
<td>Ditto, do.</td>
<td></td>
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<tr>
<td></td>
<td>1787</td>
<td>Philip Burford, do.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>1788</td>
<td>Ditto, do.</td>
<td>162 1 8</td>
<td></td>
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<tr>
<td></td>
<td>1789</td>
<td>James Paine, do.</td>
<td></td>
<td>318 13 8</td>
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<tr>
<td>Wayne</td>
<td>1784</td>
<td>Robert Symms, settled.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>1785</td>
<td>John C. Pender, do.</td>
<td></td>
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<tr>
<td></td>
<td>1786</td>
<td>Ditto, do.</td>
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<tr>
<td></td>
<td>1787</td>
<td>Ditto, do.</td>
<td></td>
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<tr>
<td></td>
<td>1788</td>
<td>Ditto, do.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>1789</td>
<td>William Ward, do. since the 1st Nov.</td>
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The following is a copy of the letter from the Honourable the Judges of the superior courts of law and equity, ordered to be entered at large on the journal, to-wit:

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

Gentlemen:

The Judges of the superior court of law and equity for the state, are ever attentive to their duty in the exercise of their office, in distributing justice not only to the citizens of this State, but to all, as well citizens of the United States as foreigners, and well hoped, that by so doing, they should not only avoid any censure on their conduct, but might prevent any clashing between the judiciaries of the United States and that over which they have the honour of presiding; a thing ever to be wished, and which they would avoid by every means in their power consistent with the laws and constitution of their country, and the great trust reposed in them by the legislature thereof; nevertheless a circumstance turned up at Edenton superior court last, which required that they should surrender to the judiciary of the United States a controlling power over the supreme judiciary of this State, or refuse to comply with what they unanimously conceived to be an unconstitutional mandate of the Judges of the federal court—the duties they owe to their country at large, and to themselves as men, dictated to them the latter. It was done by the Judges with unanimity and firmness, at the same time with all respect and decency which they conceived the nature of the case required.
They herewith present to the Honourable the General Assembly, the representatives of the people, to whom alone they conceive themselves accountable, a transcript of the proceedings in this extraordinary matter, and if their conduct should meet the approbation of your Honourable Body, it will be an additional satisfaction to a consciousness of having discharged a trust reposed in them by their country.

I have, Gentlemen, the honour to be,

With the highest respect and esteem,

Your most obedient humble servant,

JOHN WILLIAMS,

For and in behalf of himself and the other Judges of the Sup. courts, &c.

The following is a copy of the representation of the Judges ordered to be entered on the Journal, to-wit:

EDENTON, November 19, 1790.

On Saturday last the term of the superior court of law and court of equity for Edenton district was closed, wherein many causes at law, both civil and criminal, as well as sundry suits and matters in equity, were heard and determined.

In the course of the term a writ of Certiorari, issuing out of the circuit court for the district of North Carolina, in the southern circuit of the United States, commanding the Judges of the court of equity for the district of Edenton, to certify an original bill of complaint, exhibited and now depending before the said Judges in the said court of equity, against Nathaniel Allen, Alexander Black, William Scott, William Boyd, William Bennett, Archibald Bell, Thomas Cox, Christopher Clarke, Charles Johnson and Josiah Collins and James Iredell, at the suit of Robert Morris, John Alexander Nesbit and David Hayfield Cunningham, in his own right, and as executor of the testament and last will of Redmond Cunningham, dec., with all things touching and concerning the same, &c., was produced by the Marshall of the district of North Carolina in the said court of equity, and shewn to the Judges thereof; who being all three present in court, delivered their opinion thereupon serialim, but unanimously to the following purport:

That though they were anxiously desirous that no disagreement
or misunderstanding might take place between the judicial authority of this State and the tribunals established by the United States concerning their respective rights, jurisdictions and prerogatives, yet they conceived it their indispensable duty, which they owed to the citizens of the state pursuant to their oath of office, not to obey, or comply with the mandate of the aforementioned writ, for the following reasons:

First. Because that being a court of original general supreme and unlimited jurisdiction, they apprehended that as such a court they were not amenable to the authority of any other judicatory, and consequently that they did not conceive that the suits and proceedings depending before them in their judiciary capacity, were subject to be called or taken from the said court of equity by the mandatory writ of any other court or jurisdiction whatever, much less by that of a court of inferior and limited jurisdiction.

Secondly. Because they conceived, that as judges of the several superior courts of law and courts of equity within the state, they were not subject to the mandate of any writ for calling the records and proceedings in any cause or matter depending before them, or the transcripts thereof, to any of the courts or tribunals of the United States, in virtue of the constitution of the general government, or by force of any clause or article thereof, or by any act of Congress, or any law of the land.

Thirdly. That the suit required to be certified by the aforesaid writ of Certiorari, is not in such a stage, or so circumstanced, as to be removable from the said court of equity to the aforesaid circuit court, even on petition to this court pursuant to the act of Congress in that case provided; the aforesaid suit in equity being now in its first stage, and not unproceeded upon, but having been commenced several years ago, and depending in the said court of equity before the existence of any court established under the authority of the United States—had been twice heard on solemn argument, and several decretal orders had been made therein; and the removal of the said suit being required not at the instance of defendants, privileged to be sued in a federal court, and involuntarily sued in the said court of equity, but at the instance of the complainants, who voluntarily and at their own option have commenced, and thus far prosecuted their said suit in the said court of equity: That this case was therefore obviously not within the purview of the aforementioned act of Congress for re-
moving a cause from a state court to a federal court, even on petition to the state court wherein such cause is depending.

Mr. Hamilton presented the following protest against the resolution commending the Judges of the superior courts of law and equity for refusing to comply with the mandate of the Judges of the circuit federal court, &c.:

DISSENTIENT: Because we conceive, agreeably to the constitution under which we are assembled as legislators, the consideration of judicial proceedings, where no crime is imputed or offence alleged, is altogether improper:—Because, if the refusal to make return to the writ mentioned the adjudication has been made on proper principles, the approbation of this Assembly is unnecessary; and if the said adjudication shall hereafter appear erroneous, the resolution will prove improperly founded.—Because the resolution has proceeded from ex parte information, that of our judiciary alone, and if this General Assembly can be conceived proper judges of the question in dispute, a copy of the bill and writ on which the proceeding was grounded, ought to have been transmitted with the statement of the Judges.—Because, we are apprehensive any misunderstanding between the judiciary of our own state and that of the United States, may disturb that harmony which ought to prevail between the members of the same family.—Unwilling to violate the rule of our constitution, to decide upon measures whereof we are not competent judges, upon a point in which adequate information hath not been laid before us, and anxious to preserve the tranquility of that government of which we are common members, we do therefore offer this our solemn protest against the said resolution.

JOHN HAY,
JOHN LEIGH,
JOHN HAMILTON,
DAVID WITHERSPOON,
WILLIAM BARRY GROVE.

We the subscribers, do protest against the law for making a canal from the head of Pasquotank river in this State to the waters of Elizabeth river in the state of Virginia; 1st. Because it is impolitic in this State to promote importing and exporting through the
channel of another state, when the former possesses sea ports sufficiently adequate to the purpose.—2d. The pursuing any measure which will tend to prevent the citizen from cultivating the natural navigation of the state, is altogether injurious, and must eventually distress its infant commerce.—3d. Such measures are unwise, hasty and imprudent, and argues a want of historic knowledge and political foresight.—4th. It is impolitic and dangerous as a state to enter into a confederacy, which at once will tend to aggrandize a neighbouring nation, and impoverish our own—Norfolk from its situation will rise to be the emporium of commerce of the Southern States, while the eastern sea ports of North Carolina will dwindle into fishing towns—the one will rise into a proportionate ratio of trade, wealth, importance and populousness, to the decrease, waste and insignificance of the other: It is prudent and politic to entertain a manly jealousy of neighbouring states.—5th. The granting perpetuities to a particular set of men, and empowering them to monopolize a branch of commerce and to wrest the property of their fellow citizen from him without his consent, nay without even a security provided in favour of infants or others labouring under similar incapacities, is a flagrant violation of the constitution by which the people of North Carolina have consented to be governed.—6th. The controlling power of a law not to be repealed but by the consent of another government, is flagitious and absurd in a legislature that has no such power delegated to them by their own.

(The rest is wanting.)