

JOURNAL OF THE

SENATE

OF THE

GENERAL ASSEMBLY OF

NORTH CAROLINA

April 14, 1778 to May 2, 1778
August 8, 1778 to August 19, 1778
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SENATE JOURNAL.

April 14th, 1778.

At a General Assembly begun and held in New Bern on the fourteenth day of April in the year of our Lord one thousand seven hundred, and seventy eight, and in the second year of our independence, it being the first Session of the Assembly.

The returning officers of the several Counties certified that the following persons were duly elected members of the Senate for one year, to-wit:

For the County of Craven, James Coor; New Hanover, John Ashe; Granville, Robert Harris; Bute, Edward Jones; Bladen, Thomas Owen; Tyrrel, Jeremiah Frazier; Dobbs, Benjamin Exum; Bertie, Zedekiah Stone; Hyde, William Russell; Chowan Luke Sumner; Hertford, Robert Sumner, Edgecombe, Elisha Battle; Surry, William Sheppard; Beaufort, Thomas Respass; Martin, Whitmel Hill; Halifax, Oroondates Davis; Wake, Michael Rogers; Rowan, Griffith Rutherford; Caswell, James Saunders; Onslow, Henry Rhodes; Carteret, William Thompson; Mecklenburg, Robert Irwin; Washington, Charles Robertson; Pursuant to which the following members to-wit:

James Coor, John Ashe, Robert Harris, Edward Jones, Thomas Owen, Jeremiah Frazier, Benjamin Exum, Zedekiah Stone, William Russell, Luke Sumner, Robert. Sumner, Elisha Battle, William Sheppard, Thomas Respass, Whitmel Hill, Oroondates Davis, Michael Rogers, Griffith Rutherford, James Saunders. Wm. Thompson, Henry Rhodes, Robert Irwin, Charles Robertson, appeared agreeable to law and took their seats.

Col. Robt. Harris proposed for Speaker Whitmel Hill, Esq. who was unanimously chosen and placed in the Chair accordingly.

The House then proceeded to the choice of clerks, when John Sitgreaves was appointed Clerk & John Haywood Assistant.

Mr. William Murphy, & William Risney Murray were appointed door keepers.

Then the House adjourned till tomorrow morning 9 o'clock.

Wednesday, 15th April.

The House met according to adjournment.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

The House inform you that they are ready to proceed on public business.

John Williams, S. H. C.

Mr. Harris moved that the following Rules be adopted to be observed in this House, to-wit:

1. When the Speaker is in the Chair, every Member may sit in his place with his head covered.
2. Every Member shall come into the House uncovered and shall continue so at all times, but when he sits in his place.
3. No Member in coming into the House or removing from his place shall pass between the Speaker and any Member speaking, nor shall any member go across the House or from any part thereof to the other while another is speaking.
4. When any member intends to speak, he shall stand in his place uncovered and address himself to the Speaker, but shall not proceed to speak until permitted so to do by the Speaker, which permission shall be signified by naming the member.
- 5th. When any member is speaking no other shall stand or interrupt him, but when he has done speaking and has taken his seat any other may rise, observing the Rule.
- 6th. When the Speaker desires to address himself to the House he shall rise and be heard without interruption and the member then standing shall take his seat.
- 7th. If more than one member attempt to speak at any time, the Speaker shall determine who was first up.
- 8th. When any question shall be before the House, and not perfectly understood, the Speaker may explain, but shall not attempt to away the House by argument or debate.
- 9th. No member speaking to be disturbed by coughing, spitting, conversation, or otherwise, and whoever by speaking, hissing, or in any other manner, wilfully or carelessly, disturbeth or interrupteth

any member on the floor, he shall answer it at the bar, and be liable to be censured by the Speaker.

10th. He that digresseth from the subject in debate to fall on the person of any member, shall be suppressed by the Speaker.

11th. Exceptions taken to offensive words, to be taken the same day they shall be spoken, and before the member who spoke them shall go out of the House.

12th. Whatever is spoke in the House may be subject to the censure of the House.

13th. Whenever any matter is in debate before the House, it shall be determined or postponed before any new business shall be introduced.

14th. No Bill shall be read twice the same day unless upon some pressing emergency, when the good or safety of the State may make it necessary.

15th. No heats or animosities shall be permitted in the House.

16th. No member shall speak more than twice without leave to one question, unless it be in a Committee of the Whole House.

17th. No question shall be put on any motion unless seconded.

18th. Every member making any motion that is not of course, shall, before making such motion reduce the same to writing.

19th. If there should be an equality of votes for or against any question, the Speaker shall declare whether he be a yea or a nay, but shall not in any other case give his vote.

20th. No member shall depart the service of the House without leave first obtained and signified by the Speaker, nor having leave shall he stay longer than the time limited under penalty of forfeiting his pay as a member and being liable to be sent for to undergo the further censure of the House.

21st. Upon an adjournment no member shall presume to move until the Speaker arises and goes before.

Which being read was agreed to.

On motion, ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The House inform you that they are ready to proceed on public business.

W. Hill, S. S.

On motion, Resolved, that Mr. Thomas Owen, in behalf of Messrs. Wm. McRee and George Brown, commissioners appointed by the last Assembly for making sale of the effects of certain tories in Bladen County do pay into the public Treasury of this State the sum of seventy-eight pounds one shilling, it being the net proceeds of said effects.

Ordered that the above resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House, directing Mr. Thomas Owen, in behalf of Messrs. Wm. McRee and George Brown, commissioners appointed by the last Assembly to pay into the public Treasury of this State a certain sum of money therein mentioned; together with a letter from this Mr. McRee.

W. Hill, S. S.

On motion, resolved, that the following Message be addressed to His Excellency the Governor and sent to the Commons for concurrence.

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

Sir:—

The two Houses of the General Assembly being now formed, acquaint your Excellency that they are ready to take under consideration such Dispatches and other matters as are necessary to be laid before them.

W. Hill, S. S.

On motion, resolved that Mr. Rhodes, Mr. Owen, Mr. Thompson, General Rutherford and Mr. Shepperd be a Committee of Public Claims, and that Mr. Ashe, Mr. Davis, Mr. Coor and Mr. Exum be a Committee of Accounts, to act with such gentlemen as may be appointed by the House of Commons.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Mr. Rhodes, Mr. Owen, Mr. Thompson,

General Rutherford and Mr. Shepperd to act with such gentlemen as you may appoint as a committee of claims, and Mr. Ashe, Mr. Davis, Mr. Coor and Mr. Exum as a Committee of Accounts.

W. Hill, S. S.

Mr. Jesse Eason, member of the County of Perquimans, appeared, qualified agreeable to law, and took his seat.

On motion of Mr. Owen the House resolved itself into a Committee of the Whole to take into consideration the legality of Mr. Jesse Eason's holding a seat in the House, he having accepted of the office of entry-taker in Perquimans County, and chose Mr. Luke Sumner, Chairman, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Chairman reported that the committee had come to the following resolution on the matter referred to:

That it is the opinion of the committee that Mr. Eason should not be admitted to a seat in this House.

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

On motion, resolved, that Mr. John Devane be directed to deliver to John Atkins a waggon which was taken from him at Moore's Creek, the said Atkins first producing a receipt from the Treasurer for twenty-six pounds, which was the allowance made by the public to the said Atkins for his waggon.

Ordered that the above resolve, together with the following message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House directing Mr. John Devane to deliver John Atkins, on certain conditions, a waggon therein mentioned.

W. Hill, S. S.

On motion, ordered that a Writ of Election issue to the County of Perquimans to elect a Senator for the said County in the room of Mr. Jesse Eason, whose seat is vacated by acceptance of the office of Entry taker, and that the said election be held on the 22nd of July next.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

This House have received and considered the message and resolve of yours empowering Mr. Owen to pay a certain sum therein mentioned into the public Treasury, with which this House concur. John Williams, S. C.

At the same time received the Resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 15 April, 1778.

Concurred with.

Jno. Williams, S, C.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Message and addressed to His Excellency the Governor.

Concurred with.

Jno. Williams, S. C.

At the same time received the Message referred to in the above.

Endorsed in the House of Commons, 15 April, 1778.

Concurred with.

Jno. Williams, S. C.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received the message of yours, appointing a committee of claims and accounts, to act jointly with such gentlemen of this house as should be appointed; and have on their parts appointed Mr. Benbury, Mr. Courtney, Mr. McCauley, Mr. Miller, Mr. John Williams of Caswell, Mr. James Hunter, Mr. Clark, Mr. Bryan, Mr. Easton, Mr. Mayo, and Mr. Webb, as a committee of claims; and Mr. Tillman, Mr. Hawkins, Mr. James Williams, Mr. Richard Cogdell, Mr. Cobb, Mr. Cain, Mr. Brooks, Mr. Baker

and Mr. Whitaker as a committee of discounts, to act jointly with the gentlemen by you appointed for those purposes.

Jno. Williams, S. C.

Mr. Ashe moved for leave to bring in the Bill for calling in the different Denominations of paper currency emitted under the late Government.

Ordered that he have leave accordingly.

Mr. Rogers moved for leave to prepare and bring in a Bill to compel the late commanding Officers of the militia within this State to pay to the present commanding Officers all the fine money in their hands.

Ordered that he have leave.

It appearing to this House by the affidavit of Mr. McRee, that Mr. Peter Mallett hath possessed himself of a quantity of Flour and Molasses, supposed to be the property of Mr. McArthur, whose effects should have been sold for the use of this State, agreeable to Resolve of the last General Assembly, and it being necessary to make an enquirey into all such transactions,

Resolved, that the Clerk of this House be directed to prepare a book for the purpose of entering and taking an ac't of all Monies or other things which may appear to be in the possession of any person belonging to the public: and that the accounts in the said Book be laid before the Committee of accounts at every future Genl. Assembly.

Then the House adjourned till tomorrow morning at 9 o'clock.

Thursday, 16th April.

The House met according to adjournment, at the same time received from the Commons the following Message and Resolve:

Mr. Speaker and Gentlemen of the Senate:

We herewith send, for your concurrence, a Resolve of this House recommending to His Excellency, the Governor, to order such supplied of lead to the Northward as he may judge necessary.

Jno. Williams, S. C.

Resolved that it be recommended to his Excellency, the Governor, to order such supplies of lead from this to the Northward for the use of the Continental Army, as he may judge necessary out of the Continental Stores, if there be sufficient thereto belonging, but if not, out of the Stores belonging to this State.

The House taking the said resolve into consideration concurred therewith.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House relative to the State's supplying the continental army with a quantity of lead.

Concurred with.

W. Hill, S. S.

Received by way of the House of Commons the following Message from His Excellency the Governor together with the letter therein mentioned to the Honorable the General Assembly:

Gentlemen:

This accompanies a letter I this day received from Col. Long with the copy of a letter from Col. Finnie, Deputy Quarter Master General in Virginia to him, by which you will observe a quantity of lead is expected to be sent from this State for the use of the Grand Army and that Col. Long is sending waggons here to receive the same.

On examining the Commissaries return of store, I find there is not a sufficient quantity of lead to load the waggons, from hence. That there is upwards of 45,000 in the several magazines belonging to this State, of which 6,017 is at Kingston and 1023 at Halifax, the last two quantities I apprehend will be as much as Col. Long will be able to furnish waggons to carry and whether you will think proper to direct that the United States be supplied with the same is submitted to your consideration.

Richard Caswell.

New Bern, 15th April, 1778.

Mr. Ashe laid before the House a petition from Cleman Crookee, setting forth that Mr. Jeremiah Frazier, who was elected a Senator for Tyrrel County is not legally entitled to a seat in this House, he not being possessed of a sufficient free hold and praying that a new writ of election may issue for electing a member of the Senate for the said County in the room of Mr. Frazier, which being read and considered, was rejected, the Allegation set forth in the petition not being sufficiently supported.

Mr. Battle moved for leave to bring in a Bill to establish Rules to be observed in celebrating of matrimony.

Ordered that he have leave.

Mr. Battle presented the said Bill which he read in his place and delivered in at the table where it was again read by the Clerk, passed the first time and ordered to be sent the Commons.

Sent by Mr. Battle and Mr. Sumner.

Mr. Ashe moved for leave to bring in a Bill for the ease and convenience of the Militia of New Hanover County.

Ordered that he have leave.

Mr. Ashe presented the said Bill which he read in his place and delivered in at the table where it was again read by the Clerk, passed the first reading and ordered to be sent to the House of Commons.

Sent by Mr. Ashe and Mr. Russell.

Mr. Harris moved for leave to bring in a Bill for erecting and building slopes to mill dams across Tar River and for other purposes.

Ordered that he have leave.

Mr. Harris presented the said Bill which he read in his place and delivered in at the table where it was again read by the Clerk, passed the first time and ordered to be sent to the Commons.

Sent by Col. Harris and Col. Rhodes.

Mr. Rogers sent a Bill to compel the late officers of the militia in this State to account for and pay to the succeeding commanding officers all money in their hands arising from the fines of delinquents, which he read in his place and delivered in at the table,

where it was again read by the Clerk, passed the first time and ordered to be sent to the Commons.

Sent by Mr. Rogers and Mr. Robertson.

Received by way of the House of Commons the following message from his Excellency, the Governor, together with Sundry Resolves of Congress, and other papers therein mentioned:

To the Honorable, the General Assembly,

Gentlemen:

Herewith you will receive sundry Resolutions of Congress, letters from General Washington, a letter from Brigadier General McIntosh, with a return of North Carolina Brigade, and sundry other public letters and papers, which have come to hand since the rising of the last General Assembly. The very important matters recommended in those papers, and the delay occasioned by my not having it in my power to lay them before the Legislature sooner, will point out the necessity of lodging power somewhere of summoning that body (in case of emergencies) to attend at a shorter day than that to which it may be adjourned.

I have directed the Journal and proceedings of the Council of State to be laid before you. And although I have complied with the advice of the council in the several matters by that board recommended since the last Assembly, yet it becomes necessary that I inform you particularly how far I have in some instances to enable you to judge of the propriety of the measures and from your own determination in respect to them.

I have appointed a Lieutenant of the guard at Kingston, furnished him with a warrant on the Treasury for money sufficient to enable him to enlist the number of men directed by the General Assembly, procured Arms & Clothing for the guard and appointed a person to furnish provisions. An acct. of the Arms, Clothing and Provisions, with the Officers return of Stores and Men, shall be laid before you. As no person applied or was recommended to be appointed Lieutenant of the guard at Halifax, I frequently wrote Gen. Jones on the subject and enclosed him a commission to be filled up to a proper person to command the guard and requested him to contract with some person to furnish provisions but am not yet fully informed how far he has proceeded, in the

course of the Session, I hope to be able to give you the fullest information in respect to that Guard. A pretty large quantity of Clothing has been purchased and the greater part forwarded to the Clothier General of the Continental Army for the use of the troops raised in this State. Among the goods forwarded are sundry, very useful and necessary articles which were taken by order of two of the Justices of Craven county as the property of Messrs. Savage and Westmore, the service claimed by one Mr. O'Connor. The measures which was taken in this case can only be justified from the necessity of it, and as they were adopted purely for the public good, I flatter myself they will be approved by the General Assembly. The invoice of those goods with the other papers relating thereto, shall be laid before you to the end that a proper allowance be made to the persons from whom they were taken.

Two of the Gentlemen appointed Commissioners in conjunction with the Commissioners of Virginia and Maryland to regulate and ascertain the prices of labor, manufactures, internal produce and commodities imported from Foreign parts, and also to regulate the charges of freeholders proceeding to Fredericksburg, Virginia, where together with the Commissioners of that State, they entered on the business recommended to them by Congress and came to some resolutions thereon, which they have reported to me. Those resolutions I now lay before you for your consideration.

Commissioners have been appointed to hold a treaty with the Indians inhabiting the towns in the middle settlements and valleys but the time since the commission was sent up has not been sufficient, I apprehend to enable the Commissioners to complete that service. If any report is made to me by them in the course of the session I shall lay the same before you.

6640 pounds weight of cannon powder has been purchased for the public since the last Assembly, and lodged in the magazine at New Bern. The cost thereof with the charges shall be laid before you.

A letter from the Governor of Virginia of the 23rd of February respecting the ship Caswell was delivered me a few days ago and a pay roll of the crew belonging to the said ship with the Captain's remarks on the usefulness of a tender. These I also lay before you for consideration and think it necessary to acquaint you that Captain

Wilson informed me he had one hundred and forty five men on board the said ship and that the ship was properly fitted to proceed to Ocracock Bar and waited my orders. But as I am not fully acquainted with the contract made by the Commissioners of this State with the State of Virginia in respect of the two galleys said to be built at the joint expence of the said States I could not tell how far I might be justifiable in giving Capt. Wilson orders, therefore only advised him to proceed with his ship immediately to Ocracock and protect the trade in the best manner in his power until he heard further from me and that in the mean time I would lay this business before the Legislature. The defenceless condition of Ocracock and the recent behaviour of the enemy there shew the necessity of a speedy determination in the measures you shall think proper to take.

R. Caswell.

New Bern, 15th April, 1778.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House has had under consideration sundry resolutions of Congress, letters, etc., etc., which have been transmitted to His Excellency, the Governor, since the rising of the last Assembly, which we propose referring to a Joint Committee of both Houses and for that purpose have on our parts appointed Mr. Benbury, Mr. Jones, Mr. Tillman, Mr. Bryan, Mr. James Williams, Mr. Mitchell and Mr. Hawkins, a Committee.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House has received your Message accompanied with sundry resolutions of Congress, letters, etc., etc., and a Message from His Excellency the Governor, and have appointed Mr. Speaker, Mr. Stone, Mr. Rogers, Mr. Luke Sumner, Mr. Irwin, Mr. Saunders, Mr. Jones, Mr. Frazier, to act with the gentlemen appointed by your House to take the above mentioned papers into consideration.

W. Hill, S. S.

Received from the House of Commons the following Bills:

A Bill for building a Court House in the town of Hillsboro, for the district of Hillsboro.

A Bill for erecting and building slopes to Mill Dams across Tar river and for other purposes.

A Bill to compel the late officers of the militia in this State to account for and pay to the succeeding commanding officers all monies in their hands arising from the fines of delinquents.

A Bill for the ease and convenience of the militia of New Hanover County.

A Bill to establish rules to be observed in celebrating of matrimony.

Endorsed in the House of Commons, 16th April, 1778.

Read the first time and passed.

On motion ordered that the Bill for building a Court House in the town of Hillsboro, for the District of Hillsboro, be read, read the same the first time and passed and ordered to be sent to the Senate.

Sent by Mr. Ashe & Mr. Saunders.

On motion ordered that Mr. Oroondates Davis be added to the Committee for taking into consideration the resolutions and other papers received from His Excellency.

Received from the House of Commons a Bill to empower the County Court of each County in this State, to take into their possession the records belonging to each respective Court.

Endorsed in the House of Commons, 16th April, 1778.

Read the first time and passed.

Mr. Ashe according to order, presented the Bill to call into the public treasury the residue of all the proclamation money emitted under the sanction of the late Government & other purposes which he read in his place and delivered in at the table where it was again read, passed the first time, and ordered to be sent to the House of Commons.

Sent by Mr. Battle and Mr. Exum.

Then House adjourned until tomorrow morning 9 o'clock.

Friday, 17 April, 1778.

The House met according to adjournment.

Mr. Battle moved for leave and presented a Bill for securing lots in the town of Tarborough which he read in his place and delivered it in at the table where it was again read, passed the first time and ordered to be sent to the House of Commons.

Sent by Mr. Battle and Mr. Exum.

On motion ordered that the Bill to empower the County Court of each County in this State to take into their possession the records belonging to each respective County be read, read the same the first time, passed and ordered to be sent to the House of Commons.

Sent by Mr. Shepperd and Mr. Thompson.

Received from the Commons the following Message.

Mr. Speaker and Gentlemen of the Senate:

This House propose if agreeable to the Senate to Ballot tomorrow at 5 o'clock in the afternoon for a Governor, Council of State, and a Marshal for Port Roanoke, and put in nomination for Governor Richard Caswell Esquire, for Council of State, William Haywood Joseph Leech, Edward Starkey, Thomas Eaton, William Cray, William Taylor, Thomas Bonner, Frederick Jones, John Simpson, John Bradford, Richard Henderson and William Bryan, Esquires for a Marshal for Port Royal, William John Skinner, Esquire.

If you approve of this measure please signify the same by Message.

Jno. Williams, S. C.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House have received the message of yours proposing that the General Assembly proceed to ballot tomorrow at 5 o'clock for a Governor, Council of State, and Marshal for Port Roanoke, with which we agree, and put in nomination for Governor, Richard Caswell, Esquire; for a Council of State, William Haywood, Joseph Leech, Edward Starkey, William Cray, Thomas Bonner, John Simpson, Richard Henderson, William Bryan, George Moore

and Robert Bignall; and for a Marshall for Port Roanoke, Wm. John Skinner, Esquire.
W. Hill, S. S.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send you the petition of Monsieur Chariole, which this House propose referring to a joint committee, and for that purpose have on our part appointed General Butler, Mr. Jones, Mr. Mallett, Mr. Hawkins, Mr. Rowan, Mr. Benbury, Mr. Johnston, Mr. Courtney, Mr. McCauley and Mr. Davidson a committee to act jointly with such gentlemen of your House as you may appoint.

Jno. Williams, S. C.

At the same time received the petition mentioned in the above message, which was referred to Colonel Thompson, Mr. Coor, Colonel Harris, Mr. Davis, Mr. Stone and Mr. Jones as a committee to act with the gentlemen appointed by the House of Commons.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your message proposing that the petition of Monsieur Chariole be referred to a joint committee, with which we agree, and have on our part appointed Mr. Thompson, Mr. Coor, Mr. Harris, Mr. Davis, Mr. Stone and Mr. Jones a committee to act with the gentlemen by you appointed for that purpose.

W. Hill, S. S.

Mr. Battle moved for leave to take out and amend the Bill to establish rules to be observed in solemnizing matrimony.

Ordered that he have leave.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering His Excellency, the Governor, to issue a proclamation prohibiting the exportation of provisions; also a message from

His Excellency, the Governor, which induced this House to enter into such resolve.
Jno. Williams, S. C.

At the same time received the message from His Excellency, referred to in the above message, as follows:

New Bern, 17 April, 1778.

To the Honorable, the General Assembly,

Gentlemen:

I have received information that there are sundry vessels loading with provisions in one of the ports of this State, the owner designing as it is suggested to send them immediately out on the expiration of the time mentioned in my proclamation prohibiting the exportation of provisions. And as I do not think myself invested (under the Constitution) with power to renew the proclamation during the sitting of the General Assembly without their direction therein, I take the liberty of acquainting you that the time mentioned in the aforesaid proclamation will probably expire as soon as a proclamation can be sent to the distant parts of this State, if you shall think proper to order such proclamations to issue.

Rich'd Caswell.

Together with the following resolve from the Commons.

On motion, resolved, that His Excellency the Governor, be empowered to issue a proclamation prohibiting the exportation of provisions.

Jno. Williams, S. C.

Which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House empowering His

Excellency the Governor to issue a proclamation prohibiting the exportation of provisions.
Concurred with by this House.

W. Hill, S. S.

The House adjourned till to-morrow morning 9 o'clock.

Saturday, 18th April, 1778. The House met according to adjournment.

Received from the Commons the following Bills:

A Bill to prevent the stopping fish in Yadkin River.

A Bill for fortifying Cape Look-out Bay a harbour on the sea coast of this State.

A Bill for establishing a town on the land of Christian Mauney in Tryon County.

Endorsed in the House of Commons, 17th April, 1778.

Read the first time and passed.

Also a Bill for building a Court House in the town of Hillsboro for the District of Hillsboro.
Endorsed in the House of Commons, 10th April, 1778.

Read the second time; amended and passed.

Ordered that the Bill for establishing a town on the land of Christian Mauney in Tryon County,
be read, read the same the first time; passed and ordered to be sent to the House of Commons.

Sent by Mr. Sumner and Mr. Frazier.

Ordered that the Bill to prevent the stopping the fish in Yadkin River be read.
Read the same the first time; passed and ordered to be sent to the House of Commons.

Sent by Mr. Frazier and Mr. Sumner.

Mr. Rutherford moved for leave and presented a Bill to regulate and ascertain the officers fees
therein mentioned which he read in his place and delivered in at the table where it was again read
by the Clerk, passed and ordered to be sent to the House of Commons.

Sent by Mr. Frazier and Mr. Sumner.

Ordered that the Bill for fortifying Cape Look-out Bay and Harbour on the sea coast of this State
be read.

Read the same the first time and passed and ordered to be sent to the House of Commons.

Sent by Mr. Sumner and Mr. Frazier.

Ordered that the Bill for the ease and convenience of the Militia of New Hanover County be read. Read the same the second time and rejected.

Ordered that the Bill for erecting and building slopes to mill dams across Tar River and for other purposes be read.

The same being read the second time was rejected.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House, directing the Commissioners appointed for manufacturing guns, &c., in the District of Hillsborough to sell the material belonging thereto and account for the same at the next session of General Assembly and also for the money heretofore advanced them on account of such manufactory.

Jno. Williams, S. C.

At the same time received the Resolve referred to in the foregoing Message as follows:

Read the memorial of Ambrose Ramsey, Nathaniel Rochester and William Johnston, Esquire, Commissioners for manufacturing Guns and in the District of Hillsborough appointed for that purpose by the Congress at Halifax in April 1776, and it appearing thereby that there is very little probability of the said manufactories answering the many good purposes interested.

Resolved, therefore, that the said commissioners be directed to sell such materials, etc., as are now on hand, at public Vendue, and account with the next General Assembly for the money arising from such sale and also for the money heretofore advanced on account of said manufactory. Jno. Williams, S. C.

Also the Memorial of Ambrose Ramsey, Nathaniel Rochester, and William Johnston Esquires, which being read, was ordered to be filed.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the Resolve of your House, directing the

Commissioners of the Gun Manufactory in the District of Hillsboro to make sale of the materials thereto belonging, etc., with which we concur. W. Hill. S. S.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House allowing Mr. Benj. Bowery a certain sum therein mentioned. Jno. Williams, S. C.

At the same time received the Resolve referred to in the above Message, which is as follows:

Resolved, that Mr. Benj. Bowery, Sheriff of Pitt county, be allowed the sum of seven pounds sixteen shillings, for thirty six Insolvent Taxables for the year 1774.

Jno. Williams, S. C.

The same being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of House or Commons:

We herewith return the Resolve of your House, allowing Mr. Benj. Bowery a certain sum therein mentioned, with which we concur.

W. Hill, S. S.

Received from the House of Commons the following Message and Resolve:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House, directing the Clerk thereof to prepare a Book for a certain purpose therein mentioned.

Jno. Williams, S. C.

On motion Resolved, that the Clerk of the House of Commons be ordered to prepare a Book to enter the list of taxable property as returned by the different Clerks of each county within this State.

Jno. Williams, S. C.

The same being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House directing the Clerk thereof to prepare a Book for purposes therein mentioned, with which we concur.

W. Hill, S. S.

On motion of Mr. Ashe, ordered that a writ of election issue to the Sheriff of the County of Brunswick for electing a member to represent the said County in this House, they having neglected to hold an election in the said county, on the day appointed by Law and that the said election be held on the second Monday in May next.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you for your concurrence the resolve of this House allowing Mr. James Williams a certain sum therein mentioned.

At the same time received the Resolve referred to in the above Message which being read was rejected.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We cannot concur with your Resolve respecting an allowance to Mr. Williams, in the mode you propose, the damage being not ascertained but propose Mr. Oroondates Davis, Mr. Willie Jones, Mr. John Bradford, Mr. John Giddy, Mr. William Martin and Mr. Benjamin McCulloch as commissioners to inspect the Premises and make report to the next General Assembly thereon.

W. Hill, S. S.

Mr. Ambrose Ramsey the member for the County of Chatham, Mr. Charles McDowall the member for the County of Burke, and Mr. Neeham Bryan the member for the County of Johnston, Mr. Ralph Gorrell the member for the County of Guilford, qualified agreeable to Law and took their seats.

Mr. Owen moved for leave and presented a Bill for erecting a Fort at the mouth of Cape Fear river which he read and delivered

in at the Table where the same was again read, passed and ordered to be sent to the House of Commons. Sent by Mr. Owen and Mr. Exum.

Ordered that the Bill to compel the late officers of the militia in this State to account for and pay the succeeding commanding officers all monies in their hands arising from the fines of delinquents, be read; the same being read the second time, was passed and ordered to be sent to the House of Commons.

Sent by Mr. Owen and Mr. Exum.

Received from the House of Commons a Bill to call into the public Treasury the residue of all the proclamation money emitted under the sanction of the late Government and other purposes.

Endorsed in the House of Commons, 17th April, 1778. Read the first time and passed.

Mr. Coor, one of the inspectors on the part of this House from the joint balloting of both Houses for electing a Governor and Council of State, reported as follows, viz:

That the inspectors of both Houses met in the Conference Room, and there did take and receive from the members of the Senate and House of Commons the tickets of all the members of both Houses, which were put into a box, and upon examination of the scrolls, it appeared that the following persons were elected, to-wit:

Richard Caswell Esquire, Governor for one year by the unanimous votes of both Houses. Joseph Leech, Thomas Bonner, William Cray, Edward Starkey, Robert Bignall, Richard Henderson and William Haywood, Esquires, a council of State for one year by a majority of the votes of both Houses.

The House taking the said Report into consideration concurred therewith.

The House adjourned till Monday morning 9 o'clock.

Monday, 20, April 1778.

The House met according to adjournment:

Received from the Commons the following Message:

To his Excellency, R. Caswell, Esquire, Captain General, Governor, etc., etc.

Sir:—

The General Assembly having proceeded on Saturday last

to the election of a Governor of this State, for the present year by Ballot agreeable to the Constitution, you, Sir, was unanimously elected to fill that important office. Your Excellency is therefore desired to qualify forthwith and proceed in the Execution of the office, as the Law directs.

Jno. Williams, S. C.

At the same time received the report made to the House of Commons respecting the appointing of a Governor and Council.

Ordered that the following Message be sent to the house of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your report respecting the appointment of a Governor and Council of State, which is agreeable to the report made to this House, but as in your Message to the Governor you have omitted mentioning the names of the Councillors, we therefore have sent for your concurrence a Message to His Excellency, the Governor, on that Head, which we offer instead of that proposed by your House.

Wm. Hill, S. S.

Together with the following Message to His Excellency, the Governor.

To his Excellency, Richard Caswell Esquire, Captain General, Governor, etc., etc.

Sir:—

The two Houses of the General Assembly proceeded on Saturday last to the appointment of a Governor and Council of State for the ensuing year, when your Excellency was unanimously elected Governor, and Joseph Leech, Thomas Bonner, William Cray, Edward Starkey, Robert Bignall, Richard Henderson and William Haywood Esquires, Councillors of State.

Your Excellency is therefore desired to qualify and proceed in the Execution of that important office.

W. Hill, S. S.

On motion the Bill for building a Court House in the town of Hillsboro, for the District of Hillsboro, was read the second time, passed and ordered to be sent to the Commons.

Sent by Mr. Rogers and Mr. Saunders.

Received from the Commons the following Bills:

A Bill to regulate and ascertain the officers therein mentioned.

A Bill for securing lots in the town of Tarboro.

A Bill for erecting a Fort at the mouth of Cape Fear river, endorsed in the House of Commons, read the first time and passed 18th April, 1778. Also a Bill to prevent the stopping Fish in Yadkin River, endorsed in the House of Commons 18th April, 1778, read the second time, amended and passed.

Read the Petition of John Wilcox praying to be put in peaceable possession of his Iron works, etc.

Ordered to lie over for Consideration.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House, directing Mr. John Sevier to attend on the General Assembly at their next Session, for certain purposes therein mentioned. At the same time received the Resolve referred to in the above Message as follows:

Whereas the Representatives of the County of Washington within this State have suggested to this House that Mr. John Sevier, passed at the last Session of the General Assembly a note to the amount of more money than what he in justice was entitled to receive,

Resolved, therefore, that the said Mr. John Sevier be and he is hereby directed to attend on the General Assembly at their next Session to answer such matters and things as shall then be objected against him respecting said accounts.

Jno. Williams, S. C.

Which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the Resolve of your House relative to Mr. John Sevier.

Concurred with. Wm. Hill, S. S.

On motion, Resolved that Mr. Jones, Mr. Coor, Mr. Davis, Mr. Stone, Mr. Exum, Mr. Russell, Mr. Luke Summer, and Mr. Robert Sumner, be a committee of Priveledges and Elections.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We have received the Message of your House, appointing certain commissioners therein mentioned to ascertain the damages which Mr. James Williams has sustained by the Continental Troops, on his buildings in Halifax, and concurred therewith.

Jno. Williams, S. C.

On motion, the Bill to call into the public Treasury the residue of all the proclamation money emitted under the sanction of the late Government and other purposes, was read the second time and rejected.

On motion, the Bill for securing lots in the town of Tarboro, was read the second time, passed and ordered to be sent to the Commons.

Sent by Mr. Battle and Mr. Davis.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We have received the Message which you recommended to be addressed to His Excellency the Governor instead of that recommended by this House and sent for your concurrence, and concur therewith and have appointed Mr. Benbury, on our part, to wait on His Excellency with the same.

Jno. Williams, S. C.

Ordered that Gen. Rutherford be appointed on the part of this House to wait on His Excellency with the above mentioned Message.

On motion, the Bill to prevent the stopping the fish in Yadkin River was read the second time, amended and passed and ordered to be sent to the Commons.

Sent by Mr. Rutherford and Mr. Irwin.

On motion, the Bill for erecting a fort at the mouth of Cape Fear River was read the second time. On nominating the sum that the Commissioners should be empowered to draw for on the Treasury for building said fort, the sum of three-thousand pounds

was proposed and seconded which was objected to and fifty-thousand pounds was proposed and seconded. The question being put it was carried for the larger sum. Then on motion of Mr. Ashe ordered that the Yeas and Nays be taken, which were as follows:

Yeas:

James Coor, Edward Jones,
Jeremiah Frazier, Benjamin Exum,
William Russell, Luke Sumner,
Robert Sumner, Elisha Battle,
William Sheppard, Michael Rogers,
Charles Roberson, James Saunders,
Robert Irwin, Needham Bryan.

Nays:

John Ashe, Robert Harris,
Thomas Owen, Zedekiah Stone,
Oroondates Davis Henry Rhodes,
William Thompson, Ambrose Ramsey, Ralph Gorrell.

The Bill being read was rejected, then on motion of Mr. Coor ordered that the yeas and nays be taken relative to rejecting the said Bill, which were as follows:

Nays:

John Ashe,
Robt. Harris,
Thomas Owen,
Zedekiah Stone,
Oroondates Davis,
Henry Rhodes,
Ambrose Ramsey,
Ralph Gorrell,
William Thompson.

Yeas:

James Coor,
Edward Jones,
Jeremiah Frazier,
Benj. Exum,
William Russell,
Luke Sumner,
Robert Sumner,
Elisha Battle,
William Sheppard,
Michael Rogers,
Charles Robeson,
James Saunders,
Robert Irwin, Needham Bryan.

Received from the House of Common the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House permitting Mr. Timothy Bloodworth to resign the office of a Justice of the peace for New Hanover County.

Jno. Williams, S. C.

At the same time received the resolve referred to in the above Message, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House relating to Mr. Bloodworth.

Concurred with. Wm. Hill, S. S.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence the report of the joint Committee appointed to consider the dispatches, letters, &c., laid before the Assembly by His Excellency the Governor.

Concurred with by this House with the alterations thereto annexed. Jno. Williams, S. C.

At the same time received the report referred to in the above message, which is as follows:

Report of the joint committee appointed to consider the Dispatches, letters, &c., laid before the Assembly by His Excellency, the Governor.

The committee having considered the matters to them referred, came to the following resolutions:

1st. Resolved that it is expedient to sink the old money, and that a Bill be brought in for that purpose.

2nd. Whereas, the terms agreed upon between the Commissioners of this State and the Assembly of Virginia, respecting a naval armament to be kept up for the Defence of Ocracock, have not been complied with by this State, insomuch that the Frigates

which were stipulated by the said commissioners to act on the part thereof in concert with two row gallies to be built by the Commonwealth of Virginia, have been sold or otherwise employed; and whereas, the protection of Ocracock is essentially necessary to the trade of this State;

Resolved, therefore, that this State will take one of the said gallies, to-wit: The Caswell at the original cost thereof, and pay and victual the officers and men thereto belonging from this date forward, and that the pay of the said officers and men shall be as follows, viz:

For the Commander, per day, \$3.25; Lieutenant, \$2.25; Master, \$2.00; Doctor, \$2.75; Captain of Marine, \$2.25; Lieutenant of Marine, \$2.00; Master Mate, \$1.50, Midshipman, \$1.50; Boatswain, \$1.50; Common Sailors, \$35.00 per month.

Resolved, also, that a small, fast sailing vessel ought to be purchased and fitted as soon as possible to act as a tender to the Caswell.

3rd. Whereas, the Continental Congress have recommended that three delegates from every State be in constant attendance in Congress, and as this State has only three delegates by which means they must be constantly attending or the recommendation of Congress not complied with on the part of this State;

Resolved, therefore, that the General Assembly ought, for the future, to elect four delegates to represent this State in Continental Congress.

4. The Committee having considered the requisition of Congress and of Gen. Washington for filling up the Continental Battalion belonging to this State;

Resolved, that two-thousand men be raised as expeditiously as possible for that purpose to serve nine months from the time they shall appear at the place of rendezvous and that the several counties in this State furnish their proper quotas in proportion to the number of Militia in each County after deducting for such exemptions as were allowed by the act passed at the last session of the General Assembly for drafting five-thousand men to go to the Northward. And in order to induce men to enter as volunteers into the service,

Resolved, that a bounty of one-hundred dollars be given to every person who shall voluntarily enter, and the several counties

shall make up their respective deficiencies out of the Militia in the following mauner:

The field officers and captains shall determine how many each company shall raise in proportion to their number of Militia and the men and officers of each company shall vote and determine by ballot, being first sworn to vote for such as they shall think can best be spared, who shall go to make up its deficiency, and every person so voted in shall have a bounty of fifty dollars, and each company shall also furnish and provide a pair of shoes and stockings, two shirts, a hunting shirt, waist-coat with sleeves, pair of breeches and trousers, a hat and a blanket, according to the several proportions on quotas of the companies for each and every man who shall voluntarily enlist or be voted in as aforesaid, and the articles afore mentioned shall be volued on oath by three indifferent freeholders who shall grant certificates to the persons furnishing the same, and such certificaees shall be received by the tax gatherers in part of taxes. Each and every soldier who shall find a good gun of his own shall be allowed three-dollars and the several captains shall have power to press for deficiency.

5. Whereas, it appears by letters and resolutions of the Continentaal Congress that there is danger of the army of the United States suffering for want of provisions and cloathing.

Resolved, therefore, that proper persons be appointed in different parts of this State to purchase all the salt-pork and bacon therein other than such as may be intended for family use, for the continental Army, and also all the coarse clothes and linen blankets and leather, allowing the prices current at this day and granting certificates to be redeemed at the next Assembly, and if any person having any of the above articles for sale or having more than may be necessary for family consumption shall refuse to sell or dispose of the same, then the purchasers to be appointed as aforesaid shall have power to seize, provided that they shall not seize any goods imported into this State by foreigners while property remains in such foreigners.

6. Resolved that a vagrant Law ought to be enacted, and that the Law for preventing desertions ought to be amended or a new Law enacted.

William Jones, Chairman.

State of North Carolina,
In the House of Commons, 20 April, 1778.

Resolved, that this House concur with the first, second, third, fifth and sixth, resolutions of said report in the whole, and that they concur with the fourth resolution with this alteration vizt that instead of allowing the exemptions mentioned in the act passed at the last Session of the General Assembly for drafting five thousand men to go to the northward, such persons only as have fairly obtained certificates of having enlisted as regular soldiers to serve in the Continental Army, agreeable to an act passed April and May Sessions, 1777, shall be exempted.

Jno. Williams, S. C.

The House, taking the said report into consideration, concurred therewith as altered by the House of Commons.

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

New Bern, 20 April, 1778.

To the Honorable, the General Assembly,

Gentlemen:

I received your message of this day, acquainting me that the two Houses of the General Assembly had on Saturday last elected a Governor and Council of State for the ensuing year, and desiring I would qualify as Governor and proceed in the execution of that important office, in answer to which I am to inform you that I have, since the commencement of the present disputes with Great Britain, considered it a duty incumbent on every individual not only to stand forth in the cause of this country in defence of her freedom and liberty, but also to perform any trust she may call upon him to execute. Under these considerations, and your very honorable and unanimous appointment of me for the third time to be Governor of this State, being such a mark of your approbation of my past conduct, that however diffident I may be of my own abilities, I should be wanting in duty to my country if I did not accept the same. Give me leave to assure your Honorable Body that such powers as I am invested with by the Constitution and laws of this State shall be executed according to the best of my abilities and understanding.

I have now qualified and shall enter upon the important duties of my office with the greatest alacrity.

Richard Caswell.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send you a message from His Excellency, the Governor, and sundry depositions therein referred to. Also a resolve for this House for concurrence relative to the matters and things therein complained of.

Jno. Williams, S. C.

At the same time received the message from His Excellency, the Governor, referred to in the above message, as follows:

New Bern, 20th April, 1778.

To the Honorable, the General Assembly,

Gentlemen:

I herewith lay before you the petition of Peter Theodore Cailland, with sundry depositions in support of the facts therein set forth, for your consideration.

Rich'd Caswell.

Also the resolve of the Commons referred to in the foregoing message, being read, was rejected.

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House do not think it necessary that the petition, &c., relative to Peter Theodore Cailland, commander of the ship called the Count D'Germaine lately stranded at Ocracock, be left to the determination of the Governor and Council, but propose that they be laid before a Joint Committee of both Houses and have on their part appointed Mr. Coor, Mr. Respass, Mr. Thompson and Mr. Stone, to take into consideration the papers above

mentioned and to make report of the measures necessary to be adopted relative thereto.

W. Hill, S. S.

Read the petition of Robert Porter, setting forth that he had lost a sum of money by fire and praying relief in the premises, and the facts set forth therein being sufficiently proved by indifferent testimony;

Resolved, that the said Robert Porter, be allowed the sum of one-hundred and six pounds and seven shillings, being the sum mentioned in his petition, and that the Treasurer or either of them pay him the same and be allowed in their accounts with the public.

Ordered that the above resolve, together with the following

Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favor of Capt. Robert Porter.

W. Hill, S. S.

Read the report of the Commissioners appointed to examine into the state of public manufactory of the guns in Halifax District.

Ordered to lie for consideration.

Received from the House of Commons the following Bills:

A Bill to amend an act entitled an act for erecting part of the County of Surry and part of the District of Washington into a separate and distinct County by the name of Wilkes.

A Bill to enforce such parts of the Statute and Common laws as have been heretofore in force and used here and the Acts of Assembly made and passed when this territory was under the Government of the late proprietors and the Crown of Great Britain and for renewing the several Acts therein mentioned.

Endorsed in the House of Commons, 20th April, 1778.

Read the first time and passed.

Also a Bill for establishing a town on the land of Christian Mauney in Tryon County.

A Bill for fortifying Cape Lookout Bay a Harbour on the sea coast of this State.

A Bill to compel the late officers of the militia to account for and pay to the succeeding Officers all monies in their hands arising from the fines of delinquents. Endorsed in the House of Commons, 20th April, 1778.

Read the second time and passed.

The House adjourned till tomorrow morning 9 o'clock.

Tuesday, 21st April, 1778.

The House met according to adjournment.

Mr. Solomon Perkins the member for the County of Currituck appeared, qualified agreeable to Law and took his seat.

Read the petition of John Wilcox praying to be put in peaceable possession of his Iron Works, etc.

Resolved, that it be referred to a joint Committee of both Houses and that Mr. Owen, Mr. Rogers, Mr. Luke Sumner, Mr. Irwin, Mr. Harris and Mr. Ashe be a Committee on the part of this House.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House proposing to refer the petition herewith sent you to a Joint Committee of both Houses, and have on our part appointed Mr. Owen, Mr. Rogers, Mr. Luke Sumner, Mr. Irwin, Mr. Harris and Mr. Ashe for that purpose.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House repealing a certain resolve of the last General Assembly therein mentioned.

At the same time received the resolve referred to in the above Message, which is as follows:

On motion, resolved that the resolve of the last General Assembly declaring that all and every Officer of the troops in the State of North Carolina who shall, unless for good and sufficient reason certified to the Governor by the Commander in Chief of

the Continental Army, resign his commission at this critical period shall be held and deemed incapable of holding hereafter any Office Civil or Military in the gift of this State, &c., be henceforth repealed, made null and void.

The same being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House repealing a former resolve of Assembly.
Concurred with. W. Hill, S. S.

Received from the Commons a Bill for appointing Commissioners to build a Bridge across Contentney creek and for other purposes therein mentioned.

Endorsed in the House of Commons, 21 April, 1778. Read the first time and passed.

On motion, the Bill to regulate and ascertain the Officers' fees therein mentioned was read the second time and rejected.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have resolved that they will not receive any new Bill or Bills after Thursday next and would recommend to the Senate to adopt a measure of the like nature. Jno. Williams, S. C.

Ordered that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We heartily acquiesce in your proposal for not receiving any new Bills after Thursday next.
Received from the Commons:

A Bill more effectually to punish the persons concerned in the several species of counterfeiting in this State.

A Bill to empower the Justices of Duplin County to take into their possession the records of said County now in possession of James Sampson.

Indorsed in the House of Commons, 20 April, 1778. Read the first time and passed.

A Bill for building a Court House in the town of Hillsboro for the District of Hillsboro.

A Bill to prevent the stopping fish in Yadkin River.

Endorsed in the House of Commons, 20 April, 1778. Read the third time, amended and passed.

Also a Bill for securing lots in the town of Tarboro.

Endorsed in the House of Commons, 20 April, 1778. Read the second time and passed.

On motion, the Bill to enforce such parts of the Statute and Common laws as have been heretofore in place and use here and the Acts of Assembly made and passed when the territory was under the Government of the late proprietors or the Crown of Great Britain and for revising the several Acts therein mentioned was read the first time and passed and ordered to be sent to the Commons.

Sent by Mr. Respass and Mr. Sumner.

On motion, the Bill for establishing a town on the land of Christian Mauney in Tryon County, was read the second time; passed and ordered to be sent to the Commons.

Sent by Mr. Respass and Mr. Sumner.

On motion, the Bill for fortifying Cape Look-out Bay a Harbour on the sea coast of this State, was read the second time; passed and ordered to be sent to the Commons.

Sent by Mr. Respass and Mr. Sumner.

On motion, the Bill for appointing Commissioners to build a bridge across Cotentney creek and for other purposes therein mentioned, was read the first time; passed and ordered to be sent to the Commons.

Sent by Mr. Respass and Mr. Sumner.

On motion, the Bill to amend an act entitled an act for erecting part of the County of Surry and part of the District of Washington into a separate and distinct county by the name of Wilkes, was read the first time; passed and ordered to be sent to the Commons.

Sent by Mr. Respass and Mr. Sumner.

On motion, the Bill to empower the Justices of Duplin County to take into their possession the Records of said county now in possession of James Sampson, was read the first time; passed and ordered to be sent to the Commons.

Sent by Mr. Respass and Mr. Sumner.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have had before them sundry accounts of Capt. Price's, against the State, which they recommend to be referred to the Committee of Claims for perusal and allowance and desire your concurrence thereto.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your Message with respect to Capt. Price's accounts and concur with your House as to referring them to the Committee of Claims, but recommend to the Committee to allow them only foot-men's pay.

Wm. Hill, S. S.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

The House have received the Message and resolve of your House referring the petition of John Wilcox to a Joint Committee of both Houses with which we concur. I have for that purpose appointed Genl. Butler, Mr. Benbury, Mr. Jones, Mr. Courtney, Mr. Hawkins, Mr. Johnston, Mr. Davidson, Mr. Devane, Mr. Bryan, a committee on our part.

Jno. Williams, S. C.

Mr. Davis moved for leave and presented a Bill to amend an act, entitled an act for establishing Offices for receiving entries of claims for lands in the several Counties within this State for ascertaining the method of obtaining tittles to the same and for other purposes therein mentioned, which was read the first time passed and ordered to be sent to the Commons.

Sent by Mr. Davis and Mr. Ashe.

On motion, the Bill for securing lots in the town of Tarboro was read the third time, passed and ordered to be sent to the Commons.

Sent by Mr. Respass and Mr. Sumner.

On motion, the Bill for building a Court House in the town of

Hillsboro, for the District of Hillboro, was read the third time, passed and ordered to be engrossed.

On motion, the Bill to compel the late Officers of the Militia in this State to account for and pay to the succeeding commanding Officers all monies in their hands arising from the fines of delinquents was read the third time, passed and ordered to be sent to the Commons:

Sent by Mr. Respass and Mr. Sumner.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favour of Willis Wilson, Esquire, Commander of the ship of war Caswell.

Jno. Williams, S. C.

At the same time received the petition of Willis Wilson and the resolve of the Commons mentioned in the above Message, which is as follows:

On reading the petition of Willis Wilson Esq., commander of the ship of War Caswell setting forth that he borrowed a Horse of Mr. Wm. Cumming to forward an express from Governor Henry of Virginia, to Governor Caswell, which horse died on the road and for which he paid Mr. Cumming thirty pounds as appears by said Cumming's Receipt.

Resolved therefore that said Willis Wilson Esquire be allowed the sum of thirty pounds for said horse, that the Treasurers or either of them pay him the same and be allowed in their accts with the public.

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

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House respecting an allowance to Willis Wilson, Esq.

Concurred with by this House.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House appointing Mr. John Council Bryan, commissary, &c. At the same time received the resolve referred to in the above message, as follows:

Resolved that Mr. John Council Bryan be appointed commissary to provide provisions for the officers and men in the continental service, which, now or hereafter, may be in New Berne. That he furnish rations agreeable to the continental regulations, and be allowed the sums which he shall pay for the rations actually served out, &c.; a reasonable sum also for his trouble.

Jno. Williams, S. C.

Ordered that the following message be sent to the Commons:

Mr: Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House appointing Mr. John Council Bryan commissary, &c. Concurred with by this House.

On motion, the Bill more effectually to punish the persons concerned in the several species of counterfeiting in this State, was read the first time and passed and ordered to be sent to the House of Commons. Sent by Mr. Respass and Mr. Turner.

On motion, the Bill to prevent the stopping fish in Yadkin River was read the third time, passed and ordered to be engrossed.

Received from the Commons the following Bill:

A Bill for regulating Campbelton and erecting public buildings.

Endorsed in the House of Commons 20th April, 1770, read the first time and passed.

Ordered that the above mentioned Bill be read; the same being read the first time, passed and ordered to be sent to the House of Commons. Sent by Mr. Respass and Mr. Sumner.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House

impowering the Brigadier-General of the District of Wilmington to appoint a commissary, &c.

At the same time received the resolve of the Commons referred to in the above message, as follows:

Resolved, that the Brigadier-General of the District of Wilmington shall have full power to appoint a person to act as commissary for any company of militia when called into service on any occasion whatsoever, and that such commissary be allowed agreeable to the continental establishment, and a reasonable sum also for his trouble.

Jno. Williams, S. C.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House respecting the Brigadier General of the District of Wilmington having power to appoint a Commissary, &c.

Concurred with by this House. W. Hill, S. S.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have received your Message proposing that a petition of Peter Theodore Cailliand, &c., &c., be referred to a Joint Committee of both Houses, and concur with you in that measure and have appointed Mr. Tillman, Mr. Roan, Mr. Easton, Mr. McCauley, Mr. Benbury, Mr. Hawkins, Mr. Johnston, Mr. Jas. Williams, Mr. Courtney and Mr. Jones, to act jointly with the Gentlemen by you appointed for that purpose.

Jno. Williams, S. C.

The report of the Committee at last session of Assembly to examine into the state of the public manufactory of guns in the District of Halifax, being taken up and considered was referred to Mr. Ramsey, Mr. Luke Sumner and Mr. Thompson, with such Gentlemen as the House of Commons may think proper to appoint to take into consideration said report.

Ordered that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send you the report of Benjamin Seawell and

Daniel Sledge, Esquires, Commisioners appointed by the last Assembly to examine and make report to the present Assembly of the several circumstances necessary for them to be informed of respecting the gun manufactory in Halifax District, which we propose referring to a Joint Committee and have on our part appointed Mr. Ramsey, Mr. Luke Sumner and Mr. Thompson for that purpose.

Received from the House of Commons the following Bill:

A Bill to amend an act entitled an act to amend an act to empower the County Courts in this State to order the laying out of public roads, to establish and settle ferries, and to appoint where bridges shall be built sufficient for the use and ease of the inhabitants of this State, and to clear navigable rivers and creeks.

Passed January, 1764.

A Bill to amend an act, entitled an act for establishing Officers for receiving entries of claims for lands in the several Counties within this State for ascertaining the method of obtaining titles to the same and for other purposes therein mentioned.

Endorsed in the House of Commons, 21 April, 1778.

Read the first time and passed.

On motion, the Bill to amend an act, entitled an act to amend an act to empower County Courts in this State to order the laying out of public roads, etc., etc., was read the first time, passed, and ordered to be sent to the House of Commons.

Sent by Mr. Exum and Mr. Battle.

The House adjourned till tomorrow, 5 o'clock, a. m.

Wednesday, 22 April.

The House met according to adjournment.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House received the message of yours accompanying the report of the commissioners relative to the gun manufactory in Halifax District, and concur with you in referring it to the consideration of a joint committee; and have for that purpose on our part appointed Mr. Cobb, Mr. Williams, Mr. Bloodworth, Mr.

Bryan, Mr. Hunter, Mr. Clinton, Mr. Davidson and Mr. Hawkins a committee.
Jno. Williams, S. C.

Mr. Luke Sumner, the chairman of the Committee of Privileges and Elections, reported as follows:

Your committee are of opinion that the seats of four members of this House be vacated, and offer these reasons for the same: They find from a careful examination of the Constitution that all persons who are receivers of public monies by virtue of any office while in possession of that office, or who are in anywise holders of public monies, are deemed and held by the said Constitution inelegible to a seat in the General Assembly, and as they find four members as aforesaid, to-wit: Ambrose Ramsay, Ralph Gorrell, Charles McDowell and Needham Bryan, to be possessed of the office of entry-takers for the Counties they respectively reside in, Your committee, therefore, deeming said office of entry-takers to come expressly within the letter, and meaning of the Constitution and being willing to pursue the same in every article inviolate, do, therefore, hope the House will concur in this report, as your committee are unanimously of opinion that acquiescing in those gentlemen's holding their seats, would be a direct infringement of the Constitution, and a dangerous precedent.

Your committee further report that the objections offered against Mr. Shepperd, especially the legality of his holding a seat in this House, are deemed by them insufficient; it appearing to the satisfaction of your committee that Mr. Shepperd enjoys no lucrative office, nor doth he hold any public monies in his hand, except this House shall suppose money which may be due to a county to be due to the public.

Your committee, as above, are, therefore, of opinion that Mr. Shepperd is eligible to a seat in this House agreeable to the spirit and intention of the Constitution.

Signed by order,
Luke Sumner, Chairman.

The same being read, was concurred with.

On motion, resolved that Writs of Election issue to the Counties of Johnston, Chatham, Burke and Guilford for the election of members to represent said Counties in this House in the stead of Needham Bryan, Ambrose Ramsey, Charles McDowell and Ralph

Gorrell, Esquires, whose seats are vacated by their being appointed to and accepting of the office of entry-takers in their respective Counties, and that the said elections be held on the first Monday in June next.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House relative to the appointment of a surveyor in Caswell County.

At the same time, received the resolve referred to in the above message, as follows:

Whereas, it is certified from under the hand of William Moore, Clerk of Caswell County, that the Justices for said County, at a court held for their said County, on the second day of March, 1778, did then and there proceed to the choice of a surveyor, when a certain Lawrence Vanhook, Esquire, who at that time enjoyed the office of tax gatherer, was chosen surveyor aforesaid, not by a majority of Justices then present on the bench, but by only nine out of twenty;

Therefore, resolved, as the opinion of this House that the said election was not legal, and that it be recommended to the Justices of the County of Caswell to choose at the next court some fit person to execute the office of surveyor agreeable to Act of Assembly passed at New Bern in December, 1777.

Resolved also as the opinion of this House that one and the same person cannot by the Constitution hold the office of Surveyor and Tax Gatherer.

Jno. Williams, S. C.

The same being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the Resolve of your House relative to the appointment of a Surveyor in Caswell County concurred with.

Received from the Commons the following Bills:

A Bill for Building a Court House in Elizabeth Town, in the county of Bladen.

A Bill for quieting and securing the Tuscarora Indians and others claiming under the Tuscaroras in possession of their lands.

Endorsed in the House of Commons, 22nd April, read the first time and passed.

Also a Bill to empower the Justices of Duplin county to take into their possession the Records of said county, now in possession of James Sampson.

A Bill more effectually to punish the persons concerned in the several species of counterfeiting in this State.

A Bill to amend an act entitled an act for erecting part of the county of Surry and part of the District of Washington into a separate and distinct county by the name of Wilkes. Endorsed in the House of Commons 21st April, 1778. Read the second time and passed.

A Bill for establishing a town on the land of Christian Mauney in Tryon county. Endorsed in the House of Commons 21st April, 1778. Read the third time and passed.

The House adjourned till to-morrow morning 9 o'clock.

Thursday, 23 April, 1778. The House met according to adjournment.

Mr. Allen Jones the member for the county of Northampton, appeared, qualified agreeable to Law and took his Seat.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence the Report of the Joint committee appointed to consider the proposal of Mons. Chariole for raising a Regiment for the use of this State or of the United States, concurred with by this House.

Jno. Williams, S. C.

At the same time received the Report of the Committee referred to in the foregoing Message which being read was rejected.

Received from the Commons the following Bills:

A Bill for appointing Commissioners to build a bridge across Contentney Creek and for other purposes therein mentioned.

A Bill to enforce such parts of the Statute and Common Laws as have heretofore in force and use here, and the Acts of Assembly made and passed when this territory was under the government of

the late proprietors and the Crown of Great Britain, and for reviving the several acts therein mentioned.

Endorsed in the House of Commons, 22nd April, 1778.

Read the second time and passed.

On motion, the Bill for establishing a town on the land of Christian Mauney in Tryon County, was read the second time and rejected.

On motion, the Bill for quieting and securing the Tuscarora Indians and others claiming under the Tuscaroras in the possession of their lands, was read the first time, passed and ordered to be sent to the House of Commons. Sent by Mr. Rogers and Mr. Owen.

On motion, the Bill for building a Court House in Elizabeth Town in the County of Bladen, was read the first time, passed and ordered to be sent to the House of Commons.

Sent by Mr. Rogers and Mr. Owen.

On motion, the Bill to empower the Justices of Duplin County to take into their possession the Records of said County now in possession of James Sampson, was read the second time, passed and ordered to be sent to the House of Commons. Sent by Mr. Rogers and Mr. Owen.

On motion, the Bill more effectually to punish the persons concerned in the several species of counterfeiting in this State, was read the second time, passed and ordered to be sent to the Commons. Sent by Mr. Rogers and Mr. Owen.

On motion, the Bill to amend an act entitled an act for erecting part of the District of Washington into a separate and distinct County by the name of Wilkes, was read the second time, passed and ordered to be sent to the Commons.

Sent by Mr. Rogers and Mr. Owen,

On motion, the Bill to amend an act, intituled an act for establishing officers for receiving entries of claims for lands in the several Counties within this State for ascertaining the method of obtaining titles to the same and for other purposes therein mentioned, was read and ordered to be taken out, to be amended.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House

allowing Mr. William Blount a certain sum therein mentioned.

At the same time received the resolve referred to in the above Message as follows:

It appearing to this House that Mr. William Blount advanced to the Continental Soldiers belonging to this State at Philadelphia two thousand four hundred eighty-five and a half dollars, Continental money in exchange for the same sum in Carolina dollars and that the said Carolina dollars have been transmitted to Mr. John Ashe Treasurer of this State and duly accounted for and further that Mr. Blount's charge on this account was disallowed at the last Session of Assembly for want of sufficient proof.

Resolved therefore that the said William Blount be allowed the aforesaid sum of two thousand four hundred eighty-five and a half dollars, that the Treasurers or either of them pay the same and be allowed in their accounts with the public.

The said resolve being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House empowering the Treasurers or either of them to pay to Mr. William Blount a certain sum therein mentioned, concurred with.

Mr. Coor moved for leave and presented a Bill allowing salaries to the Governor, Secretary, Delegates, Treasurers, and Members of the Council of State and for other purposes which he read in his place and delivered in at the table where it was again read the first time, passed and ordered to be sent to the House of Commons. Sent by Mr. Ashe and Mr. Coor.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence the report of the Committee appointed to consider the petition of Mr. John Wilcox.

Concurred with by this House.

Also the report referred to in the above Message which being read was rejected.

Received from the Commons the following Bills:

A Bill for raising men to complete the Continental Battallions belonging to this State.

A Bill to amend and continue sundry Laws for the regulation of the town of New Bern and for other purposes therein mentioned.

A Bill to oblige Masters of vessels coming into this State to deliver up to the Post Master or his Deputy, in the Port where such vessels shall respectively arrive all foreign letters coming in such vessels and for promoting the revenue of the post office.

A Bill to prevent the stopping of Rocky River and other purposes therein mentioned.

A Bill to establish a Court of Chancery and Equity in this State, and to regulate the mode of proceeding therein.

Endorsed in the House of Commons, 23rd April, 1778. Read the first time and passed.

A Bill for regulating Cambpelton and erecting public Buildings.

Endorsed in the House of Commons, 23rd April, 1778.

Read the second time amended and passed. Also a Bill for fortifying Cape Look Out Bay.

Endorsed in the House of Commons 23rd April, 1778

Read the third time and passed. Together with said Bill a Message from His Excellency the Governor, as follows accompanying Capt. Cottineau's proposals.

On motion the Bill to amend an act entitled an act for establishing Officers for receiving Entries of claims for lands in the several counties within this State, etc., etc.

Was read the second time, amended, passed and ordered to be sent to the Commons.

Sent by Mr. Ashe and Mr. Coor.

Genl. Rutherford moved for leave and presented a Bill to amend an act entitled an act for laying a Tax to defray the Expense of the Public Building in the county of Burke and other purposes therein mentioned, which was read the first time passed and ordered to be sent to the Commons.

Sent by Mr. Ashe and Mr. Coor.

On motion the Bill for raising men to complete the Continental Batallions belonging to this State, was read the first time passed and ordered to be sent to the Commons.

Sent by Mr. Ashe and Mr. Coor.

On motion the Bill for regulating Campbelton and erecting public buildings was read the second time passed and ordered to be sent to the House of Commons.

Sent by Mr. Ashe and Mr. Coor.

Mr. Coor moved for leave and presented a Bill to amend an act entitled an act to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wllmington, New Bern, Bath and Edenton, which was read the first time passed and ordered to be sent to the Commons.

Sent by Mr. Coor and Mr. Ashe.

Mr. Perkins moved for leave and presented a Bill for directing the appointing the place where the Clerk of the Court for Currituck County and the Naval officer for Port Currituck should keep their offices, which was read the first time, passed and ordered to be sent to the Commons.

Sent by Mr. Frazier and Mr. Jones.

On motion, the Bill to enforce such parts of the Statute and Common Laws as have been heretofore in force and use here and the Acts of Assembly made and passed when this territory was under the government of the late proprietors and the Crown of Great Britain and for revising the several Acts therein mentioned was read the second time, passed and ordered to be sent to the Commons.

Sent by Mr. Ashe and Mr. Thompson.

Mr. Ashe moved for leave and presented a Bill for repairing Fort Johnston near the entrance of Cape Fear River, which was read the first time, passed and ordered to be sent to the Commons

Sent by Mr. Ashe and Mr. Thompson.

Mr. Shepperd moved for leave to present a Bill for establishing a town in Surry County at the Court House and other purposes therein mentioned, which was read the first time, passed and ordered to be sent to the Commons.

Sent by Mr. Rhodes and Mr. Jones.

Mr. Irwin moved for leave and presented a Bill to empower the regular Ministers as well as Magistrates to solemnize the rites of Matrimony, which was read the first time, passed and ordered to be sent to the Commons.

Sent by Mr. Rhodes and Mr. Jones.

Received from the Commons the Bill for ascertaining Sheriffs' and Constables' fees in this State.

Endorsed in the House of Commons, 23rd April, 1778.

Read the first time and passed.

On motion, the Bill to establish a Court of Chancery and Equity in the State of North Carolina and to regulate the mode of proceeding therein, was read the first time, passed and ordered to be sent to the House of Commons.

Sent by Mr. Rhodes and Mr. Jones.

Mr. Irwin moved for leave and presented a Bill to settle the rank of the several Captains of the Militia in this State, which was read the first time, passed and ordered to be sent to the Commons.

Sent by Mr. Irwin and Mr. Stone.

On motion, the Bill to prevent the stopping of Rocky River, and other purposes therein mentioned, was read the first time, passed and ordered to be sent to the Commons.

Sent by Mr. Irwin and Mr. Stone.

On motion, the Bill to oblige masters of vessels coming into this State to deliver up to the postmaster or his deputy in the port where such vessels shall respectively arrive, all foreign letters coming in such vessels, and for promoting the revenue of the postoffice, was read the first time, passed and ordered to be sent to the Commons.

Sent by Mr. Davis and Mr. Shepperd.

On motion, the Bill for ascertaining sheriffs' and constables' fees in this State was read the first time, passed and ordered to be sent to the Commons.

Sent by Mr. Davis and Mr. Shepperd.

On motion, the Bill to amend and continue sundry laws for the regulation of the town of New Bern, and for other purposes therein mentioned, was read the first time, passed and ordered to be sent to the Commons.

Sent by Mr. Rhodes and Mr. Stone.

The House adjourned till tomorrow morning, 9 o'clock.

Friday, 24th April, 1778. The House met according to adjournment.

Mr. William Graham, the member for the County of Tryon, appeared, qualified agreeable to law and took his seat.

Received from the Commons, sundry letters, &c., from the President of the Continental Congress, Dr. Burke and Mr. Harnett, which were read and ordered to lie.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence the report of the committee appointed to take into consideration the report of Messrs. Seawell and Sledge, relative to the gun factory in Halifax District.

Concurred with by this House.

Also a resolve of this House thereon.

Jno. Williams, S. C.

At the same time received the report of the Committee aforementioned as follows:

The Committee appointed to take into consideration the report of Messrs Benjamin Seawell and Daniel Sledge respecting the gun factory in the District of Halifax report as follows:

That Mr. James Ransom superintendent of the said factory has received from the publick the sum of one thousand pounds twelve hundred and ninety-three pounds of iron and twenty-four pounds of steel and has now on hand ready to deliver the publick the articles in his accounts rendered herewith, and also the sum of two hundred and seventy-nine pounds ten shillings and ten pence which is the just ballance due to the publick as appears to your Committee and it is further the opinion of your Committee that Commissioners should be appointed to receive and sell for the best prices that may be had the articles returned by Mr. Ransom for the use of the public except the thirty six guns fit for use.

James Williams,
Chairman of Com.

State of North Carolina.
In the House of Commons, 23 April, 1778.

The House taking the said report into consideration, resolved

that they do concur therewith, and that Mr. Adkin, Mr. McLemore and that Mr. Edward Jones be appointed Commissioners to make sale of the articles on hand belonging to said factory (guns excepted) and make report thereof to the next Session of General Assembly.

The House taking the said report and resolve into consideration concurred therewith.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith received the Message and resolve of your House together with the report of the Committee relative to the gun factory in Halifax District with which we concur and propose the following addition thereto to-wit:

That Mr. Ransom be directed to deliver the guns already finished to the Commanding Officer of the Guard at Halifax and that he immediately pay to either of the Treasurers the money in his hands belonging to the public.

W. Hill, S. S.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House appointing Commissioners for purposes therein mentioned.

At the same time received the resolve referred to in the above Message.

Resolved, that Jesse Walton, Benjamin Gist, Joseph Wilson and Teachdriah Isabell, Esquires, be added to the Commissioners already appointed to fix on a place for and setting the public buildings in Washington County that they be invested with the same powers and authorities, as the other Commissioners appointed for that purpose are.

The same being read was concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received and herewith return the resolve of your House appointing commissioners for purpose therein mentioned. Concurred with.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence the report of the committee appointed to examine the accounts of William Gilbert passed at the last session of Assembly. Also the resolve of this House therein.

At the same time received the report of the committee as follows:

Your committee having carefully examined the accounts of the said William Gilbert, report that the sum of one hundred and two pounds, nine shillings and ten pence is due to the said Gibert, which sum was deducted by the last Assembly, though allowed by the Committee of Claims, which your committee are of opinion was really just, all which is humbly submitted.

In the House of Commons, 24th April, 1778.

The House taking the said report into consideration;

Resolved, that they do concur therewith, and that the Treasurers, or either of them, pay him the said sum of one hundred and two pounds, nine shillings and ten pence, and be allowed in the settlement of their accounts with the public. The House, taking the above into consideration, concurred therewith.

Ordered that the following message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received the message and resolve of your House, together with the report of the committee appointed to examine the accounts of William Gilbert, which we herewith return. Concurred with. Wm. Hill, S. S.

On motion of Mr. Allen Jones, the report of the committee on Mons. Chariol's petition was reconsidered.

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House cannot concur with the resolve of your House relative to Mons. Chariol's proposal, but with the following alteration, viz:

The officers not to be commissioned or have pay till approved

of by the Governor and Council, and instead of four shillings for rations, this House cannot allow more than three shillings till the arrival of the men at the rendezvous.

If your House approve of the above alterations, the Senate will then concur. Wm. Hill, S. S.

On motion ordered that the Bill for fortifying Cape Look Out Bay be read, read the third time, passed, and ordered to be Engrossed.

At the same time was read a Message from his Excellency the Governor, accompanying a plan of said Harbour and Captain De Cottineau's proposals, which were read and ordered to lie for consideration.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the House of Senate:

We herewith send for your concurrence a Resolve of this House empowering the Delegates of this State in Congress to ratify and confirm on behalf of this said State, the articles of confederation of the United States.

At the same time received the Resolve referred to in the above Message as follows:

Resolved Unanimously that they do concur therewith.

Ordered that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the Resolve of your House, empowering the Delegates of this State in Congress to ratify and confirm on behalf of the said State, the confederation of the United States. Concurred with by the House unanimously. W. Hill, S. S.

On motion the Bill to establish Rules to be observed in solemnizing the Rites of matrimony, was read the second time amended and passed and ordered to be sent to the Commons.

Sent by Mr. _____

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House appointing the Officers therein mentioned.

We also send you a Message from His Excellency the Governor, which induced this House to enter into such Resolve.

At the same time received the Message from His Excellency the Governor which was read and ordered to be filed, also the resolve referred to in the foregoing Message as follows:

Resolved that John Hinton, Esquire, be appointed Col. of the Wake Regiment of Militia.

That Whitmill Hill, Esquire, be appointed Colonel of the Martin Regiment of Militia in the room of William Williams, Esq., resigned; Thomas Wiggins, Esq, Lieutenant Colonel; Kenneth McKenzie, Esq., first Major, and John Hardison, Esq., second Major of said County, that His Excellency the Governor be requested to make out Commissions agreeable to this resolve.

Jno. Williams, S. C.

Ordered that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your Message and resolve appointing field officers of militia of Martin and Wake Counties, and concur with your House in the appointment of officers for Martin County, but cannot agree with your appointing Mr. Hinton to the Command of the Wake Regiment and propose Michael Rogers Esquire as Colonel; Tignal Jones, Esq., Lieut. Col.; Simon Turner, 1st Major; and Lodowick Alford, Jr., 2nd Major, as field officers of said Regiment.

W. Hill, S. S.

Received from the House of Commons the following Bills:

A Bill for repairing Fort Johnston near the entrance of Cape Fear river.

A Bill for directing and appointing the place where the Clerk of the Court for Currituck County and the Naval Officers for Port Curritcuk shall keep their offices.

A Bill to amend an act intituled an act to establish a town in the County of Mecklenburg.

A Bill allowing salaries to the Governor, Secretary, Delegates, Treasurers and Members of the Council of the State and other purposes.

A Bill to amend an act intituled an act to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wilmington, New Bern, Bath and Edenton.

Also a Bill to amend an act entitled an act for laying a tax to defray the expense of the public building in the County of Burke, and other purposes therein mentioned.

Endorsed in the House of Commons, 23 April, 1778.

Read the first time and passed.

Also a Bill for quieting and securing the Tuscarora Indians and others claiming under the Tuscaroras in the possession of their lands.

Endorsed in the House of Commons, 24 April, 1778.

Read the second time, amended, and passed.

And a Bill for regulating Campbelton and erecting public buildings.

Endorsed in the House of Commons, 24 April, 1778. Read the third time, amended, and passed.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We concur with you in directing Mr. Ransom to deliver guns already finished to the Commanding Officer of the guard at Halifax, also to pay into the Treasury the money in his hands belonging to the public. Jno. Williams, S. C.

On motion, the Bill for repairing Fort Johnson near the mouth of Cape Fear River, was read the second time, amended, passed and ordered to be sent to the House of Commons.

Sent by Mr. Ashe and Mr. Owen.

On motion, the Bill allowing salaries to the Governor, Secretary, Delegates and Members of the Council of State and other purposes, was read the second time, amended, passed and ordered to be sent to the Commons. Sent by Mr. Exum and Mr. Graham.

Received from the Commons the Bill for raising men to complete the Continental Battalions belonging to this State.

Endorsed in the House of Commons, 24th April, 1778. Read the second time, amended and passed.

On motion, the Bill for raising men to complete the Continental Battalions belonging to this State, was read and ordered to lie over till tomorrow for further consideration.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House propose if agreeable to the Senate to ballot tomorrow at 5 o'clock in the afternoon for delegates to represent this State in Congress the ensuing year. Also for

Treasurer and Marshall of the court of admiralty for Port Roanoke and the time and place for holding the next Session of Assembly, and put in nomination for Delegates Thomas Burke, John Penn, Cornelius Harnett, Abner Nash, John Williams, Samuel Johnston, Thomas Polk, and Thomas Benbury, Esquires; for Treasurers, William Skinner Esquire, for the Northern District, and John Ashe, Esquire for the Southern District. For a Marshal William John Skinner Esquire. A place for holding the next Session of Assembly: Hillsboro, Halifax and Newbern, and propose the first Monday in Nov. next as the time the next Assembly to be held.

If you accede to this measure please signify the same by Message.

Jno. Williams, S. C.

The House adjourned till tomorrow morning 9 o'clock.

Saturday, 25th April, 1778.

The House met according to adjournment.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your message proposing that the General Assembly proceed at 5 o'clock this evening to ballot for delegates to represent this State in Congress the ensuing year, Treasurers, a Marshal of the Court of Admiralty for Port Roanoke, and the time and place at which the next General Assembly shall be held, with which we concur, and put in nomination for delegates, John Penn, Cornelius Harnett and Thomas Burke, Esquires; for Treasurers, John Ashe and William Skinner, Esquires; for a Marshal for Port Roanoke, Mr. Henry Meacham, and the towns of New Bern, Halifax and Hillsboro for the places at which the next

Assembly shall be held at, and the first Monday in Nov. next as the time for the next Assembly to sit. W. Hill, S. S.

Received from the Commons the Bill to improve the County Courts in this State, to order the laying out of public roads, and establish and settle ferries and other purposes therein mentioned.

Endorsed in the House of Commons 25th April, 1778. Read the first time and passed.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We have received and considered the message of your House proposing some amendments to the resolve of this House relative to Mons. Chariol, and concur therewith.

Jno. Williams, S. C.

On motion, resolved that the Printer of this State be directed to print forty thousand blank certificates for the purpose of granting to the inhabitants of this State who have taken the State oath, and that he be allowed for the said service the sum of twenty-five pounds.

Ordered that the above resolve, together with the following message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House directing the Printer of this State to strike off a certain number of blank certificates, and allowing him a certain sum for the service therein mentioned.

Received from the Commons the following Bills:

A Bill to amend an act entitled an act for erecting part of the County of Surry and part of the District of Washington into a separate and distinct County by the name of Wilkes.

Endorsed in the Commons, the 25 April, 1778. Read the third time and passed.

A Bill for repairing Fort Johnston near the entrance of Cape Fear River.

Endorsed in the House of Commons, 25 April, 1778.

Read the second time and passed.

On motion, the Bill for raising men to complete the Continental

Battalions belonging to this State, was read the second time, amended, passed and ordered to be sent to the House of Commons. Sent by Mr. Jones and Mr. Coor.

On motion, the Bill for appointing Commissioners to build a bridge across Contentney Creek and for other purposes therein mentioned, was read the second time, amended, passed and ordered to be sent to the Commons. Sent by Exum and Mr. Ashe.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House appointing Militia Officers, etc., in Halifax County.

Jno. Williams, S. C.

At the same time received the Resolve of the Commons referred to in the above Message as follows:

Resolved that Willis Alston Esq., be superseded in his command as Colo. of Halifax County and that Samuel Wilcock Esquire be appointed Colonel of said county; John Geddy Esquire, Lieutenant Col.; John Whitaker first Major; and James Allen Esquire second Major of said county. That his Excellency the Governor, be requested to issue Commissions agreeable to this Resolve.

Also received from His Excellency the Governor, a Message accompanying the proceeding of a Court Martial held in Halifax county, which being read and considered,

Ordered that the above Resolve of the Commons be concurred with.

And that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons—

We herewith return the resolve of your House for superseding Colonel Willis Alston. Concurred with by this House.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering His Excellency, the Governor, to appoint persons in different parts of this State for certain purposes therein mentioned.

At the same time received the resolve referred to in the above message, as follows:

Resolved, that His Excellency the Governor be, and he is hereby, impowered to appoint persons in different parts of the State to purchase provisions and clothing of every kind at the prices current at this time, if it shall appear to him to be necessary for the use of the Continental Army, and to grant warrants on the Treasury in favor of such persons taking security for due application of the monies for such sums as may be requisite for the purpose aforesaid, and if any person or persons having more provisions or materials for clothing than may be necessary for their own use or family consumption, shall refuse to sell the same for the prices current at this time, then the persons appointed by His Excellency shall have full power and authority to seize the same for the use of the continent, and they shall grant certificates to the owners specifying the quantity and quality of the articles, that they may obtain payment at the next session of the General Assembly, provided that the persons so appointed shall not seize any goods imported by foreigners while such goods actually remain the property of such foreigners.

Jno. Williams, S. C.

The same being read, was concurred with.

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House empowering the Governor to appoint persons to purchase provisions, clothing, &c., for the use of the continent.

Concurred with by this House.

By order, received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House directing the Printer to print a certain number of certificates therein mentioned.

Also allowing him a certain sum therein mentioned for such service.

Concurred with by this House.

Jno. Williams, S. C.

At the same time received the resolve of this House referred to in the above message.

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Endorsed in the House of Commons 25th April, 1778.

Read and concurred with.

Jno. Williams, S. C.

Received from the House of Commons, the following Bills:

A Bill to establish rules to be observed in celebrating matrimony.

Endorsed in the House of Commons, 25th April, 1778.

Read the second time, amended and passed.

A Bill to alter the time for holding the several sessions of Courts of Law, and for the better arranging the County Courts within this State.

Endorsed in the House of Commons, 25 April, 1778. Read the first time and passed.

Whereas, it appears by a discharge from General McIntosh, dated 29th day of January, 1777, that James Christian, at present an inhabitant of Chatham County hath served as a soldier in the ninth No. Carolina Battalion of Continental Troops for upwards of one year in which service he unfortunately broke one of his arms and is now in a distressed condition.

Resolved, that the said James Christian, be allowed the sum of twenty pounds in order to relieve his present wants, and that the Treasurers or either of them pay to the said James Christian, or to his order, the aforesaid sum for which they shall be allowed in their accounts with the public.

Ordered that the above resolve, together with the following Message be sent to the Commons for concurrence.

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favor of James Christian.

W. Hill, S. S.

William Lewis, Esq., having resigned his commission as first Major of the Wilkes Regiment of Militia and it being necessary that the said commission should be filled,

Resolved, therefore that Elisha Isaacs, Esq., be and he is hereby appointed first Major of the Wilkes Regiment of Militia, in the room of William Lewis, so resigned and that His Excellency the Governor be requested to issue a commission according to this resolve to the said Elisha Isaacs.

Ordered that the above resolve, together with the following Message, be sent to the House of Commons.

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House for appointing Elisha Isaacs, first Major of the Wilkes Regiment of Militia, in the room and stead of William Lewis, resigned, whose commission we herewith send you. W. Hill, S. S.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House have determined that no more than three Delegates are necessary to represent this State in the Continental Congress, and propose balloting for only three.

On motion the Bill for repairing Fort Johnston near the entrance of Cape Fear river was read the third time, passed, and ordered to be sent to the Commons.

Sent by Mr. Irwin and Mr. Saunders.

On motion, the Bill to alter the times for holding the several Superior Courts of Law and for the better arranging the County Courts within this State was read the first time, passed, and ordered to be sent to the Commons.

Sent by Mr. Irwin and Mr. Saunders.

On motion, the Bill to empower the County Courts in this State to order the laying out of public roads and establishing and settling ferries and other purposes therein mentioned, was read the first time, amended and passed, and ordered to be sent to the House of Commons.

Sent by Mr. Irwin & Mr. Saunders.

On motion, the Bill for quieting and securing the Tuscarora Indians and others claiming under the Tusscaroras in the possession of their lands was read the second time, amended, passed and ordered to be sent to the House of Commons.

Sent by Mr. Irwin and Mr. Saunders.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We have received your Message proposing to Ballot for only

three delegates to represent this State in Congress and concur therewith and propose Balloting immediately.

Jno. Williams, S. C.

On motion, the Bills for directing and appointing the place where the Clerk of the Court for Currituck County and the Naval Officer for Port Currituck shall keep their Offices.

Read the second time and passed and ordered to be sent to the House of Commons.

Sent by Mr. Irwin and Mr. Saunders.

On motion, a Bill to amend an act entitled an act to establish a town in the County of Mecklenburg was read the first time and passed and ordered to be sent to the Commons.

Sent by Mr. Irwin and Mr. Saunders.

Mr. Coor, one of the inspectors on the part of this House from the Joint Balloting of both Houses for electing Delegates to represent this State in Continental Congress, Public Treasurers, a Marshal of the Court of Admiralty for Port Roanoke and the time and place where the next Assembly should be held.

Reported as follows, viz.:

That the inspectors of both Houses met in the Conference room and there did take and receive from the members of the Senate and House of Commons, the tickets of all the members of both Houses, which were put into a Box and upon examination of the scrolls it appeared that the following persons, to wit;

John Penn, Cornelius Harnett, and Abner Nash, Esquires, were elected Delegates to represent this State in Congress the ensuing year. That John Ashe Esquire was chosen Treasurer of the Southern District, and William Skinner Esquire, Treasurer of the Northern District. Mr. Henry Meachen was chosen Marshal for Port Roanoke, and at the next Session of the General Assembly it is to be ordered that the following Message be addressed to His Excellency the Governor, and sent to the Commons for concurrence:

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

Sir:

The two Houses of the General Assembly have taken into consideration the Confederacy proposed to the United States by the Continental Congress, and have unanimously acceded thereto, and

request your Excellency will be pleased to inform the President of the Continental Congress thereof, by the earliest opportunity.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Message which we propose to be addressed to His Excellency the Governor.

W. Hill, S. S.

The House adjourned till Monday morning 8 o'clock.

Resolve, allowing William Skinner five thousand pounds for settling public accounts.

Resolve, empowering the Governor to draw on the Continental Treasury for two million and five hundred thousand dollars, in order to carry on the War to the Southward.

Resolve, allowing James Davis five hundred and fifty pounds for printing Confederation, Journals, etc.

Resolve, empowering the Governor to draw on any of the Treasurers for the sum of one thousand pounds to enable the Commissioners to carry on a treaty with the Indians.

Resolve, allowing Thomas Whitson an annuity of ten pounds for three years, thirty pounds.

Resolve, allowing the public printer seventy-five pounds for printing Blank Certificates, on account of taking the State Oath.

Resolve, allowing Walter Lindsay the annual sum of fifty pounds during his life. That the Treasurers pay him the same.

Resolve, allowing John Graham two hundred and fifty pounds for acting as Commisary to General Rutherford's Brigade. That either of the Treasurers pay him the same.

Resolve, allowing Col. Martin Armstrong six hundred and seventy four pounds and sixteen shillings, for provisions furnished Gen. Rutherford's Troops.

Resolve, allowing Andrew Allison, 20 pounds to support him, he being a wounded soldier.

Resolve, allowing James Christian, 20 pounds, he being disabled in the public service.

Resolve, allowing Nicholas Long, 1,400 pounds for 4 wagons and teams, which were sent to head-quarters and taken into the Continental Service.

Resolve, allowing Benjamin DeBerry, 370 dollars for apprehending certain persons guilty of counterfeiting.

Resolve, allowing Wm. Flewellin, 476 pounds for the use of his wagon and team a certain time.

Resolve, allowing James Williams, 400 pounds for damages sustained by Continental soldiers.

Resolve, directing that one hundred and fifty pounds be advanced Dr. Johnson, for to purchase medicines for soldiers.

Resolve, directing Col. Tho. Harvey, to pay into the hand of Col. Martin Armstrong, contractor, Salisbury District five hundred pounds for which he is to account with the General Assembly, and Harvey or the northern Treasurer be allowed in their public accounts for the same.

Resolve, allowing Sarah Dupree 80 pounds for negro executed by public authority.

Resolve, allowing James Robertson four-hundred and eighty seven pounds ten shillings and three pence for his services in attending on Indian affairs.

Report of Committee authorizing the Commissary of stores to draw on the Treasury for fifteen thousand pounds to purchase officers clothes.—Sitgreaves January session, Halifax, second Journal (20).

Resolve, allowing Charles Waddell, 11 shillings and five pence for carrying prisoners to Salisbury gaol.

Resolve, allowing Wm. Bryan of Johnston County twenty-seven pounds twelve shillings and eleven pence for an equal sum spent by him for public use.

Resolve, allowing Wm. Wooton the sum of five-thousand pounds to enable him to purchase provisions for the public.

Resolve, allowing Charles Pasteur, one-hundred and ten pounds for medicines furnished such soldiers.

Resolve, allowing Charles Pasteur, one-hundred and sixty-two pounds for medicines, &c.

Resolve, directing the Commissary of stores pay Dr. William Savage, eight-hundred and eighty-four pounds and twelve shillings being the amount of sundries delivered by Thomas Sitgreaves in behalf of Dr. Savage to Col. Chariol's Troops.

Resolve, allowing Whitmel Hill two hundred and fifty-two pounds, five shillings and two pence, he having advanced that sum on public account.

Resolve, permitting Wm. Amis to draw on the Treasury for four thousand pounds.

Resolve, allowing John Wooten an annuity of twenty barrels corn.

Resolve, directing either of the Treasurers to pay into the hands of John Haywood, Secretary Board of War, fifty thousand pounds.

Resolve, allowing George Harper twenty barrels corn out of specific tax Franklin County.

Resolve, allowing Thomas Hunter eleven thousand, nine hundred and fifty pounds, the like sum of his own being spent in purchasing provisions for public account.

Resolve, directing either of the Treasurers to pay into the hands General Gregory twenty-five thousand pounds, to be applied on public account.

Resolve, directing the Treasurer of Salisbury District to pay Frank Shelby \$8,587 for to enable him to repay an equal sum borrowed on public account.

Resolve, directing the Treasurer of Edenton to pay Mr. Iredell twenty thousand pounds for his public services.

Resolve, allowing Robert Bignall fourteen thousand, seven hundred and forty pounds for his services as Chancellor.

Resolve, allowing John Spicer nine thousand and eighty-two pounds for the like service.

Report of committee directing the Commissioner of Franklin County to pay twenty-five barrels of corn to Joshua Gordon, he being unable to support himself.

Resolve, allowing Vincent Vass twenty-five thousand pounds for his services to the General Assembly.

Resolve, allowing Joel Lane, Esquire, fifteen thousand pounds for house rent, pasturage, &c.

Resolve, Smithfield Journal, appointing commissioner for fixing on a place for seat of Government, and allowing them a certain sum, No. 30.

Resolve, allowing Jno. Jervis fifty-six pounds and sixteen shillings for a claim too.

Resolve, allowing Robert Lanier thirty-seven pounds for certificate allowed by last Congress and lost.

William Amis' resolve to receive from any Treasurer fifty-seven pounds to support the guard at Halifax. Toole's 2nd Journal.

Green's first session, and Smithfield Journal examined. Toole's examined.

Resolve, allowing H. Dixon the sum of four hundred dollars per month during the time he shall act as inspector over a regiment of militia sent to South Carolina.—Sitgreave's 2nd Journal, Halifax (10).

Resolve, allowing John Wilson the like sum. Toole's 4th Journal, allowances as to delegates, &c.

Resolve, ascertain the pay of the surviving State officers.—Sitgreave's 2nd Journal, Halifax, Jan. 29th, towards the last. We herewith return the resolve of your House in favor Major Henry Dickson.

Concurred with. Wm. Hill, S. S.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House for making void all entries or claims on the lands reserved by resolve of Congress in December 1776 to the State near or about the Iron Works &c., &c.

Concurred with. Thomas Benbury, S. C.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 23 April, 1778.

Read and Concurred with. Thomas Benbury, S. C.

Received from the Commons the Bill for restraint of vagrants and preventing desertion.

Endorsed in the House of Commons, 29 April, 1778.

Read the second time amended and passed.

A Bill for procuring a great seal for this State.

Endorsed in the House of Commons, 29 April, 1778. Read the first time and passed.

Ordered that the Bill for procuring a great seal for this State be read, the same being read passed the first time. Sent to the Commons by Mr. Stone and Mr. Rhodes.

Ordered that the Bill for restraint of vagrants and preventing desertions be read, the same being read was amended and passed. Sent to the House of Commons by Mr. Stone and Mr. Rhodes.

Resolved that Col. Nicholas Long be allowed the sum of one thousand four hundred pounds for four waggons and teams which he sent to Head Quarters and which by general orders, dated January 20, 1778, were taken for the use of the United States.

Ordered that the above resolve together with the following Message be sent to the House of Commons for their concurrence.

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favour of Col. Nicholas Long for four waggons taken from him by general orders.

W. Hill, S. S.

Received from the Commons the Bill for allowing salaries to the Governor, Secretary, Delegates, Treasurers and Members of the Council of State and other purposes.

Endorsed in the House of Commons, 29 April, 1778. Read the second time amended and passed.

On motion, the foregoing Bill was read the third time amended passed and ordered to be sent to the Commons. Sent by Mr. Lowrie and Mr. Jones.

Received from the Commons the Bill for restraint of vagrants and preventing desertion.

Endorsed in the House of Commons, 29 April, 1778.

Read the third time, amended and passed.

A Bill to amend an act entitled an act to establish a town in the County of Mecklenburg.

Endorsed in the House of Commons, 29 April, 1778. Read the second time amended and passed.

A Bill to amend an act entitled an act to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wilmington, New Bern, Bath and Edenton.

Endorsed in the House of Commons, 29 April, 1778.

Read the second time and passed.

On motion, the Bill for restraint of vagrants and preventing desertion was read the third time amended by consent of both Houses passed and ordered to be engrossed.

Received from the Commons the Bill for directing and appointing the place where the Clerk of the Court for Currituck County and the Naval Officer for Port Currituck shall keep their Offices.

Endorsed in the House of Commons, 29 April, 1778.

Read the second time and passed.

A Bill for ascertaining Sheriffs' and Constables' fees in this State.

A Bill for building a Court House in Elizabeth Town in the County of Bladen.

Endorsed in the House of Commons, 29 April, 1778.

Read the third time and passed.

A Bill to prevent the exportation of beef, pork, bacon and Indian corn.

Endorsed in the House of Commons, 29 April, 1778. Read the second time and passed.

A Bill for appointing Commissioners to build a bridge across Cotentney creek and for other purposes therein mentioned.

Endorsed in the House of Commons, 29 April, 1778. Read the third time and passed.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of Capt. DeCottineau.

At the same time received the resolve referred to in the above Message, as follows:

Capt. DeCottineau, having presented a memorial to this House informing that he had some time since imported a valuable cargo of stores into this State fit for the use of the Continental Army and that he had planted and erected a fort at Cape Look-out for the protection of the Harbour thereof, and also that he had addressed a letter to the Congress, praying a commission whereby he might be entitled to fight under Continental Colours, which being considered:

Resolved, that this House entertains a most grateful sense of the important Services rendered by Capt. De Cottineau to the United

States, by the importation of the stores aforesaid and to this State in particular, by planning and erecting a Fort at Cape Lookout, and the highest opinion of Capt De Cottineau as a gentleman and a soldier and therefore that His Excellency the Governor, be requested to forward Capt. De Cottineau's letters to the Congress together with a copy of this Resolution.
Thos. Benbury, S. C.

The said Resolve being read and considered was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the Resolve of your House in favor of Capt. DeCottineau. Concurred with by this House.

W. Hill, S. S.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House empowering His Excellency the Governor, to draw on the Continental Treasury for a certain sum therein mentioned.

Thos Benbury. S. C.

At the same time received the Resolve of the House of Commons referred to in the above Message, as follows:

Resolved that His Excellency the Governor, be impowered to draw on the Continental Treasury for five hundred thousand dollars to be applied in raising and marching men to complete the Continental Battalions belonging to this State, and to other Continental purposes. And that it be earnestly recommended to His Excellency to take the most immediate and effectual steps for obtaining this supply of money, without delay.

Ordered that the above Resolve be concurred with. And that a Message be sent to the House of Commons as following:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House impowering His

Excellency the Governor to draw on the Continental Treasury for a certain sum therein mentioned, concurred with.

W. Hill, S, S.

On motion, Mr. William Russell, has leave of absence from this House during the remainder of this present session of Assembly.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering the Governor and Council to finally settle the accounts of William Kenan, deceased, &c.

Thos. Benbury, S. C.

At the same time received the resolve of the Commons referred to in the above Message, as follows:

Whereas, the settlement of Col. Kenan's account was by order of the General Assembly in April 1777, referred to the Governor and Council and they proceeded to a settlement thereof accordingly, but the same time has not been concurred with by the General Assembly. And whereas, it is suggested by Mrs. Ken an, relict of the Mr. Kenan, that she has sundry just claims on behalf of said Mr. Kenan, deceased, against the State not included in the settlement aforesaid.

Resolved therefore that the Governor and Council be impowered to reconsider and finally settle the accounts of Col. Kenan against this State, and to this end that they call upon Mr. Hunt for a state of charges against said Mr. Kenan, and that His Excellency grant a warrant or warrants on the Treasury for such balance if any as may appear to be due to the estate of Col. William Kenan.

Thos. Benbury, S. C.

The above resolve being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House relative to Col. William Kenan's account concurred with.

W. Hill.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House allowing Col. Nicholas Long a certain sum therein mentioned for four waggons, &c.

Concurred with.

Thos. Benbury, S. C.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 29 April, 1778.

Concurred with.

T. Benbury, S. C.

On motion, the Bill to prevent the exportation of beef, pork, bacon and indian corn, and the Bill to amend an act entitled an act to establish a town in the County of Mecklenburg, was read the second time and passed and ordered to be sent to the Commons.

Sent by Mr. Rhodes and Mr. Hinton.

On motion the Bills for directing and appointing place where the Clerk of the Court for Currituck County and the Naval Officer for Port Currituck shall keep their officers, and the Bills to amend an act entitled an act to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wilmington, New Bern, Bath and Edenton, was read the third time, passed and ordered to be sent to the Commons.

Sent by Mr. Rhodes and Mr. Shepperd.

On motion, the Bill to enforce such parts of the Statute and and Common Laws as have been heretofore in force and use here, and the Acts of Assembly made and passed when this Territory was under the Government of the late proprietors of the Crown of Great Britain, and for revising the several Acts therein mentioned.

The Bill for building a Court House in Elizabeth Town, in the County of Bladen.

A Bill for ascertaining Sheriffs' and Constables' fees in this State.

And a Bill for appointing Commissioners to build a bridge across

Cotentney Creek, and for other purposes therein mentioned, were read the third time, passed and ordered to be engrossed.

The House adjourned till tomorrow morning, 8 o'clock.

Thursday, 30th April, 1778. The House met according to adjournment.

On motion, Mr. Respass has leave of absence during the remainder of this present session, after tomorrow.

On motion, resolved, that His Excellency, the Governor, be requested to issue blank sheriffs' commissions to the members of Assembly who shall apply for them, to be filled up and delivered to the members recommended by the respective County Courts, and to which they shall qualify the succeeding court.

Ordered that the above resolve, together with the following message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House requesting His Excellency to give blank sheriffs' commissions to such persons of Assembly as shall apply for the same.

On motion, ordered that the Clerk of this House be directed to make out the estimate of allowances to the members until Saturday next, inclusive.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of James Davis, Esquire, Printer. Thos. Benbury, S. C.

At the same time, received the resolve of the Commons, referred to in the above message, as follows:

On motion, resolved, that James Davis, Esquire, Printer, be allowed the sum of six hundred pounds for printing the Acts and Journals of the last session of Assembly, instead of that sum for last year; that the Treasurers, or either of them, pay him the same and be allowed in their accounts with the public.

The above resolve being read, was concurred with.

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House in favor of James Davis, Esquire.

Concurred with.

On motion, resolved, that Mr. James Green, Jr., Mr. Christopher Neale and Mr. John Hunt, be empowered, and they, or any two of them, are hereby required to liquidate and adjust the accounts of this State against the United States, and to complete and deliver them to His Excellency, the Governor, as soon as possible, that they may be by him transmitted to the Continental Congress before the first day of July, next, agreeable to their resolve.

Ordered, that the following message be sent to the House of Commons, together with the above resolve:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House empowering certain persons therein mentioned to liquidate and adjust the accounts of this State against the United States etc.

W. Hill, S. S.

Whereas it is absolutely necessary to appoint field officers in the County of Wake.

Resolved that Michael Rogers is hereby appointed Colonel; Tignall Jones, Lieutenant Colonel; Simon Turner first Major; Lodowick Alford second Major of the militia in the said County, and that it be recommended to His Excellency the Governor to issue Commissions accordingly.

Ordered that the above resolve together with the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House for appointing field officers in the County of Wake and are fully of opinion the persons mentioned in the said resolve are such as will give the greatest satisfaction to the inhabitants of that County and meet the approbation of your House.

W. Hill, S. S.

Received from the Commons the following Message:

A Bill for securing a great seal for this State.

A Bill to empower to County Courts in this State to order the laying out of public roads, and establish and settle ferries and for other purposes therein mentioned.

Endorsed in the House of Commons, 30 April, 1778. Read the second time and passed.

Also a Bill to amend an act entitled an act to establish a town in the County of Mecklenburg.

A Bill to prevent the exportation of beef, pork, bacon, Indian corn.

Endorsed in the House of Commons, 30 April, 1778. Read the third time and passed.

On motion, the Bill to empower the County Courts in this State to order the laying out of public roads and establish and settle ferries and other purposes therein mentioned.

And the Bill for procuring a great seal for this State was read the second time, passed, and ordered to be sent to the Commons. Sent by Mr. Sumner and Mr Rhodes.

On motion, the Bill to prevent the exportation of beef, pork, bacon and Indian corn.

A Bill to amend an act entitled an act for establishing a town in Mecklenburg County, passed in the year 1768 were read the third time passed and ordered to be engrossed.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of Monsieur le Chevalier De Chambray.

T. Benbury, S. C.

Also a resolve referred to in the above Message as follows:

On motion, resolved that the Commissioners for erecting and building a Fort at Cape Lookout Bay be directed to pay to Mrs. Bartholomew the damage she sustained by having her chair broke by Mons. Le Chevalier De Chambray in travelling from Beaufort to New Bern to confer with His Excellency the Governor respecting the planning and erecting at Cake Lookout a Fort, and that they be allowed for the same in their accounts with the public.

The same being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House relative to Mons. Le Chevalier De Chambray.

Concurred with.

W. Hill, S. S.

Whereas volunteers cannot be raised without ready money and men are immediately wanted.

Resolved therefore that the entry takers and sheriffs of the several Counties immediately advance to the Colonel or Commanding Officers of the same as many hundred dollars as there are men to be raised in each County respectively out of the public money and that the Col. or Commanding officer repay the said sums on his receiving the same sum for that Deputy Post Master General.

Ordered that the following Message together with the foregoing resolve be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons.

We herewith send for your concurrence a resolve of this House empowering the Col. or Commanding Officer of each County to receive a certain sum of money therein mentioned from the entry takers and Sheriffs of the respective Counties &c.

W. Hill, S. S.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for allowing the Members of this present General Assembly a certain sum therein mentioned.

At the same time received the resolve referred to in the above Message as follows:

On motion, resolved that the members of this present General Assembly be allowed the sum of forty shillings for each day's travelling to attending at and returning from this present Session of Assembly.

Thomas Benbury, S. C.

The House taking the said resolve into consideration concurred therewith.

Then on motion of Mr. Coor ordered that the yeas and nays be taken which were as follows:

Yeas:

Robert Harris,
John Ashe,
Elisha Battle,
Williams Shepperd,
Charles Robeson,
Gen. Rutherford,
James Saunders,
Henry Rhodes,
Robert Irwin,
William Graham,
Ebenezer Folsom,
James Kenan.

Nays:

James Coor,
Thomas Owen,
Zedekiah Stone,
Luke Sumner,
Robert Sumner,
Oroondates Davis,
Michael Rogers,
Allen Jones,
John Chiles.

On motion, for concurring with foregoing resolve of the House of Commons for forty shillings per diem to every member of the General Assembly.

Dissentient—

Because we consider ourselves bound by the resolves of the last Assembly for if the Assembly proceed in this course there is no knowing where the evil will stop for by the same reason that they double their pay today they may increase it to infinity hereafter.

James Coor,
Thomas Owen,
Benjamin Exum,
Zedekiah Stone,
Luke Sumner,
Robert Sumner,
Oroondates Davis,
Michael Rogers,
Allen Jones,
John Chiles.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House requesting His Excellency to grant blank Sheriff's Commissions to such members of Assembly as shall apply for the same.

Concurred with. T. Benbury, S. C.

At the same time received the Resolve of this House referred to in the above Message. Endorsed in the House of Commons, 30th April, 1778.

Concurred with.

Thos. Benbury, S. C.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the Resolve of your House, for allowing the members forty shillings per day.

Concurred with.

W. Hill, S. S.

Resolved, that Charles Bonfield and Henry Montfort, former Commissioners for loading the armed Brigantine, the Pennsylvania Farmer belonging to this State do after giving due notice in the Virginia and North Carolina Gazette, sell at public Vendue the said Brigantine her Tackle, Apparel and Furniture for the best price that may be had and pay by equal proportions the amount of the net proceeds into the hands of Mr. Charles Bonfield of Edenton, and Mr. Thomas Sitgreaves of New Bern, to be by them laid out in purchasing Tobacco for the use of this State and to be disposed of together with all such other public Tobacco as hath been already purchased, as his Excellency the Governor' and the Council of this State may direct.

Ordered that the above Resolve be sent to the House of Commons together with the following Message.

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House relative to Pennsylvania Farmer.

W. Hill, S. S.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House empowering the Governor and Council to settle with the persons claiming the goods that were taken by Warrant under the hands of Joseph Leech and William Tisdale, Esquires, which was supposed to belong to Messrs Savage and Westmore, the sum claimed by one Mr. O'Connor.

T. Benbury, S. C.

Also the resolve referred to in the above Message as follows:

Resolved, that his Excellency the Governor, and the Council be empowered to settle with the persons claiming the Merchandise seized by Wm. Tisdale and Joseph Leech, Esquires, for the United States then supposed to belong to Messrs Savage and Westmore, but now claimed by a certain Mr. O'Connor, and that His Excellency grant to the proper owners a Warrant on the Treasury for the amount which shall be found due. The House taking the said Resolve into consideration concurred therewith.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the Resolve of your House, respecting certain goods taken by Warrant of Joseph Leech and William Tisdale, Esquires.

Concurred with.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House empowering the entry takers and sheriffs of the several counties to advance certain monies therein mentioned and concurred with.

Thos. Benbury, S. C.

Received the resolve of this House referred to in the above Message:

Endorsed in the House of Commons, 30 April, 1778.

Read and concurred with.

Monday, 27 April, 1778.

The House met according to adjournment.

Mr. John Lowry, the member for the County of Pasquotank,

Mr. John Chiles, the member for the County of Anson,

Mr. James Kenan, the member for the County of Duplin, and Mr. Ebenezer Folsom, the member for the County of Cumberland, appeared, qualified agreeable to law and took their seats.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

The House propose if agreeable to the House of Commons to ballot to-morrow evening at 5 o'clock for a Delegate to represent this State in Congress for the ensuing year, in the stead of Abner Nash, Esq., resigned, and put in nomination for that purpose Richard Henderson, Esq.

On motion, the Bill to amend an act entitled an act for laying a tax to defray the expence of the public buildings in the County of Burke and other purposes therein mentioned, was read the second time, passed and ordered to be sent to the Commons. Sent by Mr. _____

Received from the Commons the following Bills:

A Bill for ascertaining Sheriffs' and Constables' fees in this State.

Endorsed in the House of Commons, 25 April, 1778. Read the second time and passed.

A Bill more effectually to punish the persons concerned in the several species of counterfeiting in this State.

A Bill to empower the Justices of Duplin County to take into their possession the Records of said County now in possession of James Sampson.

Endorsed in the House of Commons, 25 April, 1778.

Read the third time and passed.

On motion, the Bill to amend an act entitled an act for erecting part of the County of Surry and part of the District of Washington into a separate and distinct County by the name of Wilkes, was read the third time, passed and ordered to be engrossed.

On motion, the Bill to amend an act entitled an act to regulate

the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wilmington, New Bern, Bath and Edenton, was read the second time, passed and ordered to be sent to the House of Commons.

Sent by Mr. _____.

On motion, the Bill for regulating Campbelton and erecting public buildings, was read the third time, passed and ordered to be engrossed.

On motion, the Bill more effectually to punish the persons concerned in the several species of counterfeiting in this State, was read, amended by consent of both Houses and ordered to be engrossed.

On motion, the Bill to empower the Justices of Duplin County to take into their possession the Records of said County now in possession of James Sampson, was read the third time, passed and ordered to be engrossed.

On motion, a Bill for ascertaining Sheriffs' and Constables' fees in this State, was read the second time, passed and ordered to be sent to the House of Commons.

Sent by Mr. Rutherford and Mr. Irwin.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We have received the Message of your House proposing to ballot tomorrow evening at 5 o'clock for a Delegate to represent this State in Congress the ensuing year in the stead of Abner Nash, Esq., resigned, and concur therein and put in nomination for that purpose John Williams, Esq., of Granville.

Jno. Williams, S. C.

Received from the Commons the following Message:

Mr, Speaker and Gentlemen of the Senate:

We herewith send you a Message from His Excellency, the Governor, and sundry Letters, etc., therein referred to. Also a Resolve of this House for your concurrence, which we have entered into, in consequence of the aforesaid Message, Letters, etc.

Also the Message from His Excellency the Governor as follows:

To the Honourable, the General Assembly:

Gentlemen:

By the last Post I received the Letters and Resolves of Congress herewith sent for your Consideration, to wit:

1. A letter from the Honourable the President of Congress with two Resolves inclosed.
2. A Letter from His Excellency, General Washington.
3. A Letter from the War Office.
4. A Letter from the same.
5. A Letter from Thomas Burke, Esq.

I am to inform you that a considerable quantity of Tin has lately arrived in Cape Fear which may answer the purpose of making the Boxes recommended by the Honourable the Board of War, which I shall order to be purchased for that purpose if you shall think proper to recommend the same.

R. Caswell.

New Bern, 27 April, 1778.

At the same time received the Resolve of the House of Commons, as follows:

Resolved, that his excellency, the Governor, be empowered to purchase all the Tin now in this State, or which may be imported into the same, for the purpose of making Tin Cannisters, and Leather and Deer Skins for making Bayonet Sheaths and Belts for the use of the Continental Army, and also to appoint proper persons to make the said Cannisters, Bayonet Sheaths and Belts upon the plan recommended by the Honourable Horatio Gates, Esquire, in his Letter of the 28th March, last, addressed to His Excellency, the Governor of this State: And that His Excellency take such measure for causing the said accoutrements when finished to be transported to the Northward with all possible Expedition as to him shall seem best.

The House taking the said Resolve into consideration.

Concurred therewith.

Ordered that the following Message be sent to the House of Commons.

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House empowering His Excellency, the Governor, to purchase tin, &c. Concurred with by this House.

Also resolve as to Wilcox Iron Works.

On motion, the Bill to establish rules to be observed in celebrating of matrimony, was read the third time, passed and ordered to be sent to the Commons. Sent by Mr. Battle and Mr. Russell.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House appointing Elisha Isaacs, Esquire, first Major of the Wilkes Regiment of Militia.

Concurred with.

Jno. Williams, S. C.

Received the resolve of this House, referred to in the above message.

Endorsed in the House of Commons, 27 April, 1778. Read and concurred with.

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House in favor of James Christian.

Concurred with by this House.

Jno. Williams, S. C.

At the same time, received the resolve of this House, referred to in the above message.

Endorsed in the House of Commons, 27 April, 1778.

Read and concurred with.

Jno. Williams, S. C.

On motion, the report of the committee appointed to consider

the petition of Mr. John Wilcox, was recommended and read, which is as follows:
Report of the committee appointed to consider the petition of Mr. John Wilcox.

The committee having inquired into the subject-matter of the petition, and obtained all the information which could be had at this distance from the scene of the transactions referred to, were of opinion that Mr. Wilcox has sustained damages through means of the interference of the public with his iron works in Chatham County, to a considerable amount over and above the sums of money heretofore advanced to him by the public, with the hire of McKnight's negroes, the improvements made by the commissioners and the pig iron made by Mr. Miller, inclusive.

They were also of opinion that the iron works ought to be restored to said Wilcox, together with the damages which occurred by the interference of the public.

Resolved, therefore, that the resolution of the General Assembly in December, 1777, directing the payment of five thousand, four hundred and eighty-six pounds to said Wilcox for the iron works aforesaid, and appointing commissioners to sell the same, be rescinded, and that the said iron works, with the appendages, including the lands and every article heretofore sold by said Wilcox to Robert Rowan and Philip Alston, commissioners on behalf of the public, be surrendered by the State to said Wilcox, and the conveyance above mentioned, and the contract made between the said Rowan, Alston and Wilcox be henceforward null and void, and that either of the Treasurers pay to Mr. Wilcox the sum of one thousand pounds for, and on account of, the damages by him sustained without any deduction whatever.

Resolved, also that the resolution of Congress at Halifax in December, 1776, reserving the Iron Ore Hill and the vacant lands adjacent for the use of the public be rescinded.

Willie Jones, Chairman.

Ordered that the following Message be sent to the House of Commons:

Ms. Speaker and Gentlemen of the House of Commons:

This House concur with the report of the Committee appointed

to consider the petition of James Wilcox, he having declared his assent to this House to acquit, release and discharge this State from all further applications, claims and demands whatsoever for or on account of the said iron works.

On motion, resolved that all entries on the lands near or about the iron works in Chatham County (belonging to John Wilcox), which was reserved to this State by resolve of Congress passed at Halifax in Dec., 1776, and all claims on said lands by occupancy since the said resolution of Congress and previous to the passing this resolve be null and void and the said lands are hereby declared liable to the entry of any person whatsoever complying with the laws of this State.

Ordered that the above resolve, together with the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House for making void all entries or claims on the lands reserved by resolve of Congress in Dec., 1776, to the State near or about the iron works.

W. Hill, S. S.

Received from the House of Commons a Bill for raising men to complete the Continental Battalions belonging to this State.

Endorsed in the House of Commons, 27 April, 1778.

Read the third time, amended and passed.

Ordered, that the said Bill be read, which was read the third time, amended by consent of both Houses, passed and ordered to be engrossed.

Received from the Commons the following Bills:

A Bill to amend an act entitled an act for establishing offices for receiving entries of claims for lands in the several counties within this State for ascertaining titles to the same and for other purposes therein mentioned.

Endorsed in the House of Commons, 27 April, 1778.

Read the second time and passed.

A Bill for quieting and securing the Tuscarora Indians and others claiming under the Tuscaroras in the possession of their lands.

Endorsed 27 April, 1778. Read the third time and passed.

The House adjourned till tomorrow morning 9 o'clock.

Thursday, 28 April, 1778. The House met according to adjournment.

Received from the Commons the following Bills:

A Bill to prevent the exportation of beef, pork, bacon and Indian corn.

Endorsed in the House of Commons, 28 April, 1778.

Read the first time and passed.

A Bill for building a Court House in Elizabeth town, in the county of Bladen.

Endorsed in the House of Commons, 28 April, 1778, read the second time, amended and passed.

On motion, the Bill for quieting and securing the Tuscarora Indians and others claiming under the Tuscaroras, in the possession of their Lands, was read the third time, amended by consent of both Houses, and ordered to be Engrossed.

Received from the House of Commons a Bill for Restraint of Vagrants, and preventing Desertion.

Endorsed in the House of Commons, 28 April, 1778. Read the first time and passed.

Resolved, that all persons having any Books or papers relative to Entries or Grants for Land, do send and deliver to the Entry takers in the several counties in this State, all the Books, Grants, and Papers in their Hands, Granted under the former Government, for their use and inspection, and that the several Entry takers deliver to the persons to whom they belong, their several Grants first receiving the purchase money agreeable to Act of Assembly passed December, 1777.

Ordered, that the above Resolve, together with following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House

requiring all persons who have any Books, Papers, etc. relative to Entries or Grants for Lands, to deliver them to the respective Entry takers, etc., etc.

W. Hill, S. S.

On motion, the Bill for building a Court House in Elizabeth Town, in the county of Bladen, was read the second time, passed and ordered to be sent to the Commons.

Sent by Mr. Battle and Mr. Russell.

On motion, the Bill to amend an act entitled an act for establishing Offices for receiving entries of claims for lands in the several counties within this State, for ascertaining the method of obtaining Titles to the same, and for other purposes therein mentioned, was read the third time, amended, passed and ordered to be sent to the House of Commons.

Sent by Mr. Owen and Mr. Sheppard.

Received from the Commons the Bill to alter the Times for holding the several Superior Courts of Law, and for the better arranging the county courts within this State.

Endorsed in the House of Commons, 28 April, 1778. Read the second time and passed.

On motion, the Bill to prevent the exportation of Beef, Pork, Bacon, and Indian Corn, was read the first time, passed and ordered to be sent to the Commons.

Sent by Mr. Owen and Mr. Sheppard.

On motion, the Bill for restraint of Vagrants and preventing desertion, was read the first time, passed and ordered to be sent to the Commons.

Sent by Mr. Owen and Mr. Sheppard.

On motion, ordered that Mr. Speaker issue a writ of election to the county of Nash to elect a member for this House. An election not having been held there at the time appointed by Law there being no Sheriff or Coroner to summon the Inhabitants together, and that the said election be held on the 19th day of June next.

On motion, the Bill to alter the times for holding the several Superior Courts of Law, and for the better arranging the County Courts within this State, was read the second time, passed and ordered to be sent to the Commons.

Sent by Mr. Owen and Mr. Sheppard.

Received from the Commons the Bill to establish a Court of Chancery and Equity in this State, and to regulate the mode of Proceeding therein.

Endorsed in the House of Commons, 28 April, 1778. Read the second time, amended and passed. On motion, the foregoing Bill, was read the second time and rejected.

On motion, Resolved, that the Secretary or other persons having in possession the papers of such suits in Chancery as are not determined, deliver the same to the proper owner thereof on his making Oath that they are his, and giving a particular receipt for the same, then on motion of Mr. Coor,

Ordered, that the Yeas and Nays be taken on the foregoing Resolve, which were as follows:

Yeas.

John Ashe, Robert Harris,
Edward Jones, Thomas Owen,
Jeremiah Frazier, Benjamin Exum,
Luke Sumner, Elisha Battle,
William Sheppard, Thomas Respass,
Michael Rogers,
Charles Roberson,
William Thompson,
Solomon Perkins,
Allen Jones,
James Kenan,
Ebenezer Folsom.

Nays.

James Coor,
William Russell,
Robert Sumner,
Griffith Rutherford,
James Saunders,
Henry Rhodes,
Robert Erwin,
William Graham,
John Chiles.

Ordered, that the above resolve, together with the following Message, be sent to the House of Commons for concurrence:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House relative to papers in the Secretary's Office, etc.

W. Hill, S. S.

Mr. Coor, the member appointed on the part of this House to superintend the Ballotting for one Delegate to represent this State in Congress the ensuing year, (in the stead of Abner Nash, Esquire, resigned), reported as follows, to wit:

That having taken and fairly numbered the Ballots of the members of both Houses, it appeared that John Williams, Esquire, of Granville county, was elected by a majority of the votes of both Houses.

The House taking said report into consideration concurred therewith.

On motion, Resolved that the following Message be addressed to His Excellency, the Governor, and sent to the House of Commons for concurrence:

To His Excellency Richard Caswell, Esquire, Captain General, Governor, etc., etc.

Sir:

The General Assembly having concurred with the report of the Committee appointed to consider the proposal of Mons. Chariol for raising a Regiment for the service of this State or of the United States (a copy of which we herewith send you), requesting your Excellency will grant a commission to Mons. Chariol as Col., and also Commissions to his Officers, agreeable to report.

W. Hill.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Message which this House propose to be addressed to His Excellency, the Governor, requesting him to fill up a Commission to Mons. Chariol.

The House adjourned until tomorrow morning 8 o'clock.

Wednesday, 29 April, 1778.

The House met according to adjournment.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House

in favor of Col. Archibald Lytle, also the following resolve referred to in the above Message.

Mr. Courtney from the Committee of Claims reported that there is due to Col. Archibald Lytle, the sum of fifty-six pounds eight shillings as appears by said report filed.

Resolved, that the Treasurers or either of them pay the said Col. Archibald Lytle, the aforesaid sum of fifty-six pounds eight shillings and be allowed in their accounts with the public.

The same being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House in favor of Col. Archibald Lytle.

Concurred with.

W. Hill, S. S.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of Major Henry Dixon.

At the same time received the resolve of the Commons referred to in the above Message, as follows:

Mr. Courtney of the Committee of Claims reported that there is due to Major Henry Dixon on three claims the sum of one hundred and fifty-three pounds seventeen shillings and eight pence as appears by said report filed.

Resolved that the Treasurers or either of them pay him the said Major Henry Dixon, the aforesaid sum of one hundred and fiftythree pounds and seventeen shillings and eight pence and be allowed in their accounts with the public.

The House taking the above resolve into consideration concurred therewith.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We propose if agreeable to the Senate to ballot at 5 o'clock this evening for officers for Fort Hancock and Fort Johnston, and put in nomination for Captain of Fort Hancock, John Tillman, Esq.; for first Lieutenant, Zephariah Pinkham and Andrew Blanchard; for second Lieutenant, Uriah Jones. For captain at Fort Johnston, Thomas Bloodworth and Robert Ellis; for first Lieutenant, James Smith; for second Lieutenant, John Devane, Jun.

If you acceded to this measure please signify the same by Message.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your Message proposing to ballot this evening at 5 o'clock for officers for Fort Johnston and Fort Hancock and put in nomination for Fort Johnston, Robt. Ellis, Captain; Thomas Bloodworth, first Lieutenant, and John Devane, Jun.' second Lieutenant; and for Fort Hancock, John Tillman, Captain; Andrew Blanchard, first Lieutenant, and Zephaniah Pinkham, second Lieutenant.

W. Hill, S. S.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering Mr. John Easton to purchase a vessel, &c., for a tender to the Caswell, also the resolve referred to in the above Message, as follows:

Resolved, that Mr. John Easton be empowered to purchase a small fast sailing vessel and rig and fit her to serve as a tender to the ship Caswell, and that His Excellency grant a warrant in favor of Mr. Easton, on either of the Treasurers for such sum as may be necessary for that purpose.

T. Benbury.

The above resolve being taken into consideration, was concurred therewith.

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House relative to Captain Easton's purchasing a tender for the Caswell. Concurred with.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House referring the pay roll of the ship Caswell, Capt. Wilson, commander, to the Governor and Council, &c.

At the same time, received the resolve of the House of Commons, referred to in the above message, as follows:

Resolved, that the pay roll of the ship Caswell, Capt. Wilson, commander, for the additional pay voted by the General Assembly in December, 1777, be submitted to His Excellency, the Governor, and Council, and that the Governor be empowered to grant a warrant on either of the Treasurers for the amount which shall be found due.

The House taking the said resolve into consideration, concurred therewith, and ordered that the following message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House referring the pay roll of the ship Caswell, Capt. Wilson, commander, to the Governor and Council. Concurred with.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of Mons. le Chevalier De Chambray.

Also the resolve referred to in the above message, as follows:

The memorial of Mons. le Chevalier De Chambray being read and considered;

Resolved, that this House highly approve of Mons. le Chevalier de Chambray's conduct since his arrival in North Carolina; that

they entertain a most grateful sense of his disinterested and important services rendered to this State by planning and erecting Fort Hancock, and a high opinion of his knowledge and abilities in gunnery and fortification;

Resolved, that His Excellency be requested to grant recommendatory letters to Mons. le Chevalier De Chambray, addressed to the Congress and to His Excellency, General Washington, and that he also transmit a copy of the proceeding resolve.

The above resolve being taken into consideration, was concurred with and ordered that the following message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House in favor of Mons. le Chevalier De Chambray.

Concurred with.

Mr. Coor, who was appointed on the part of this House to superintend the balloting for officers for Fort Hancock and Fort Johnston, reported as follows, to which that: That John Tillman, Esq., was appointed Captain of Fort Hancock; Zepheniah Pinkham, First Lieutenant, and that no person had a majority of votes as second Lieutenant; that Robert Ellis was appointed Captain of Fort Johnston; James Smith, First Lieutenant, and John Devane, Jr., Second Lieutenant of said Fort.

The House taking the said report into consideration concurred therewith and resolved that His Excellency the Governor and the Council be empowered to appoint some proper person as second Lieutenant at Fort Hancock.

The House adjourned till tomorrow morning 8 o'clock.

Friday, 1 May, 1778.

The House met according to adjournment.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for supplying the army with clothing, &c.

T. Benbury, S. C.

At the same time received the resolve referred to in the above Message, as follows:
 Whereas, it is essentially necessary for the preservation of the health of the troops belonging to this State and to enable them to bear the rigor of a northern climate, that they be fully supplied with clothing and so as it is possible that supplies from abroad may fail hereafter.
 Be it therefore resolved, that the several counties shall furnish clothing as follows:

County.	Hats.	Yards Linen.	Yards Woolen or double wove cotton cloth.	Pairs of Shoes.	Pairs of Stockings.
Rowan	124	524	248	248	248
Mecklenburg	72	304	144	144	144
Tryon	55	231	110	110	110
Anson	56	233	112	112	112
Surry	63	263	126	126	126
Guilford	112	466	224	224	224
Burke	44	188	88	88	88
Washington	44	188	88	88	88
Wilkes	25	105	50	50	50
Orange	73	306	146	146	146
Granville	50	210	100	100	100
Wake	43	179	86	86	86
Chatham	48	198	96	96	96
Caswell	48	198	96	96	96
Halifax	63	262	126	126	126
Northampton	45	189	90	90	90
Edgecombe	44	188	88	88	88
Bute	76	315	152	152	152
Martin	28	116	56	56	56
Nash	39	164	78	78	78
Chowan	24	98	48	48	48
Perquimans	24	98	48	48	48
Pasquotank	32	135	64	64	64
Currituck	36	149	72	72	72
Bertie	55	220	110	110	110
Tyrrel	24	101	48	48	48
Hertford	44	185	88	88	88
Camden	29	122	58	58	58

Carteret	22	90	44	44	44
Craven	63	263	126	126	126
Beaufort	17	81	34	34	34
Johnston	25	105	50	50	50
Hyde	21	39	42	42	42
Dobbs	73	306	146	146	146
Pitt	25	105	50	50	50
New Hanover	23	97	46	46	46
Onslow	35	143	70	70	70
Bladen	45	189	90	90	90
Duplin	44	188	88	88	88
Cumberland	53	216	105	105	105
Brunswick	9	38	18	18	18

And the justices and field officers in every County at the first Court after the Session of Assembly if convenient, or otherwise at the second Court, are hereby authorized and required to proportion the cloathing afore mentioned to the several companies and to the Quakers, Mennonists, Dunkers and Moravians where there shall be any such in the County, and the several companies in the different Counties being notified of their proportions by the Justices and Field Officers shall agree among themselves what articles each person belonging to or living in the District of the Company shall furnish and likewise the Quakers, Mennonists, Dunkers, and Moravians shall agree among themselves respectively and the Captains of the Companies and the head or leading men of the said persuasions shall return exact lists of the persons names who are to furnish the different articles according to such agreement to the Colonel or Commanding Officer of the militia in each respective County and if any Captain shall fail to return such lists he shall forfeit and pay the sum of one hundred pounds to be levied by warrant from the Colonel or Commanding Officer aforesaid and applied in like manner as militia fines and if the Quakers, Mennonists, Dunkers or Moravians shall fail to return such lists it shall and may be lawful for the Colonel or Commanding Officer aforesaid to issue his warrant against anyone or more of the people belonging to the profession so failing, authorizing the person to whom the same shall be directed to seize and sell as much of the property of such person or persons as will purchase the quantity of cloathing required and the Colonel or Commanding Officer shall apply the money accordingly and if any person belonging to any company the Captain of which shall have returned a proper list as aforesaid shall fail to furnish his or her proper quota the Colonel or Commanding Officer may proceed in manner afore mentioned against the person so failing and apply the money in purchasing his or her quota of cloathing provided that the Colonel or Commanding officer in any County shall not issue his warrant against any Captain for not returning a list until twenty days after the Court which shall apportion the cloathing, nor against any individual of any Company or society afore mentioned until the 20th day of September next and the Colonel or Commanding Officer in each and every County is hereby authorized and required to receive the cloathing afore mentioned from the persons who shall furnish the

same, and the said cloathing shall be valued on oath by three indifferent freeholders or householders in the Counties of Washington, Wilkes, Burke and Surry and in other Counties by three freeholders, who shall certify the valuation and such certificates with receipts endorsed thereon from the Colonel or Commanding officer of delivering thereof shall be received in payment of public taxes by the collectors in their respective districts, and the Colonels or commanding officers are impowered and required to hire waggons or carts and horses, and if necessary to press them to convey the clothing afore mentioned to Halifax Town as soon as may be, to be delivered to the Commissary of stores or his deputy for the sole and particular use of the North Carolina troops, and the Colonel or commanding officers shall send one complete inventory of such clothing with the same to the Commissary or his deputy, and another to the General Assembly at their next session, together with an account of disbursements for conveying the said clothing to Halifax.

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

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have read and concurred with the resolve of your House for providing clothing for the Continental troops raised in this State.

W. Hill, S. S.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House appointing Commissioners to sell the Pennsylvania Farmer, &c., &c.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 30 April, 1778.

Concurred with.

Thos. Benbury, S. C.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering the Delegates of this State in Congress to procure some person to provide certain things therein mentioned for the Continental Troops of this State.

At the same time received the resolve referred to in the above Message, as follows:

Resolved, that it be recommended to the Delegates of this State to the Congress to procure the appointment of some person on behalf of this State to purchase whiskey, brandy or rum, and coffee and brown sugar and issue it to the North Carolina Continental Troops so as that they shall have it and upon as reasonable terms as any soldiers in the Continental Army and that this state be debited for the expense and loss which may occur by this measure.

The House having considered the above resolve concurred therewith and ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House empowering the Delegates of this State in Congress to procure some person to provide certain things therein mentioned for the Continental Troops of this State.

Concurred with.

W. Hill, S. S.

Received from the Commons the following Bills:

A Bill for procuring a Great Seal for this State.

A Bill to empower the County Courts in this State to order the laying out of public roads and establish and settle ferries and other purposes therein mentioned.

A Bill to alter the times for holding the several Superior Courts of law and for the better arranging the County Courts within this State.

Endorsed in the House of Commons, 1 May, 1778.

Read the third time and passed.

On motion, resolved that the Governor be empowered to grant Commissions to the officers of Forts Hancock and Johnston after the officers of such Forts have enlisted one-half of their men, and that no men be enlisted for such Forts until all the troops destined for the northward be first raised.

Ordered that the above resolve be sent to the Commons together with the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House requesting His Excellency, the Governor, to issue Commissions to the Officers of Forts Hancock and Johnston at a certain time.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House declaring how long the soldiers of Forts Hancock and Johnston shall be enlisted.

At the same time received the resolve referred to in the above Message as follows:

Resolved, that the men to be raised to garrison Fort Hancock and Fort Johnston be enlisted for the time of one year, which being read was concurred with.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House relative to the time for enlisting the men for Forts Hancock and Johnston.

Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House directing the Clerk to deliver certain papers therein mentioned to John Wilcox.

At the same time received the resolve referred to in the above Message as follows:

On motion, resolved that the Clerk of the House of Commons

deliver John Wilcox all his papers, &c., in his possession relative to the Iron Works in Chatham County.

The same being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House relative to John Wilcox's papers. Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House requesting His Excellency, the Governor, to issue certain Commissions.

At the same time received the resolve therein referred to as follows:

Resolved, that His Excellency, the Governor, be requested to send blank Commissions to the several Counties within this State to be filled up for the Officers which shall march to the northward with the troops now to be raised.

The same being read was concurred with.

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House empowering His Excellency to send blank commissions to the different Counties, &c.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House directing the commissioners of stores to supply the Continental Officers appointed for this State with some articles of clothing.

Also a resolve referred to in the above message, as follows:

Resolved, that the commissary of stores be, and he is hereby,

directed to supply the officers of the Continental Army appointed by this State, and who have been in actual service to the northward and are now on duty there or in this State, with sufficient cloathing of every kind at one-third of the cost of such cloathing, provided that no officer shall draw more cloth than sufficient for one suit of clothes, nor more linen than will make four shirts, and not more of any other articles than may be necessary for a single man.

The same being read, was concurred with.

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House for furnishing the Continental Officers of this State with cloathes, &c.

Concurred with.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

This accompanies a resolve of this House empowering John Ashe, Esqr., Treasurer of this State, to pass a receipt to the Treasurer of the Continental Loan Office in this State for the sum of thirty thousand dollars, it being for so much already advanced to Mr. Thomas Craike, and desire your concurrence thereto.

At the same time, received the resolve of the Commons, referred to in the above message, which, being read, was concurred with and endorsed in the Senate, 1st May, 1778.

Concurred with.

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House empowering John Ashe, Esqr., Treasurer of this State, to pass a receipt to the Treasurer of the Continental Loan Office in this State for a certain sum therein mentioned.

Concurred with.

On motion, the Bill to alter the times for holding the several Superior Courts of law, and for the better arranging the County Courts within this State was read the third time, passed and ordered to be engrossed.

On motion, the Bill for procuring a great seal to this State, was read the third time, passed and ordered to be engrossed.

On motion, the Bill to empower the County Courts in this State to order the laying out of public roads, and establish and settle ferries and other purposes therein mentioned, was read the third time, passed and ordered to be engrossed.

Whereas, it will be impracticable for the Secretary to attend on the Council of State and in his office at the same time, and for want of some person properly authorized to authenticate copies from the Records and other necessary papers, much delay may happen;

Resolved, therefore, that it be recommended to the Secretary to appoint some person his Deputy, for whose conduct he shall be accountable, which Deputy so appointed, in the absence of the Secretary shall have full power and authority to sign, attest or exemplify any Record or other papers issuing from the Secretary's Office which in all cases shall have the same Force, Validity and Effect as if signed by the Secretary.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House empowering the Secretary to appoint an assistant Clerk for the purposes therein mentioned.

W. Hill, S. S.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House empowering His Excellency, the Governor, to draw on the Continental Treasury for certain sums of money therein mentioned, in favour of Nicholas Long, Esquire, D. Quarter Master General, etc.

Also a Resolve referred to in the above Message, which being read was concurred with and endorsed in the Senate, 1 May, 1778. Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the Resolve of your House in favour of Nicholas Long.

Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House empowering Richard Ellis, Esquire, to sell certain things therein mentioned, etc.

Also the Resolve referred to in the above Message, which was read and concurred with. Endorsed in the Senate, 1 May, 1778.

Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the Resolve of your House relative to Mr. Ellis.

Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

There is paid into the hands of the Chairman of the Committee of Accounts two hundred and thirty-three pounds, one shilling and four pence, old proclamation money, which we propose burning and desire your concurrence thereto.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith received your Message proposing to burn a certain

sum of old proclamation money therein mentioned, to which we agree.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence the report of the Committee appointed to examine the accounts of Robert Rowan, Commissioner, &c., also of this House in consequence thereof, also the report of the Committee aforesaid.

Endorsed in the Senate, 1 May, 1778. Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the report of the Committee appointed to examine the accounts of Robert Rowan, Commissioner, and concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of Thomas Williams, Commissary, also the resolve referred to in the above Message.

Endorsed in the Senate, 1 May, 1778.

Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House in favor of Thomas Williams.

Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House allowing Mr. Alderson Ellison, a certain sum therein mentioned.

At the same time received the resolve of the Commons referred to in the above Message.

Endorsed in the Senate, 1 May, 1778.

Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House in favor of Mr. Alderson Ellison.

Concurred with.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House empowering the Secretary to appoint an assistant Clerk.

Concurred with.

Thos. Benbury, S. C.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House empowering the Governor to issue Commissions to the officers of Forts Hancock and Johnston, &c., &c.

Concurred with.

Thos. Benbury, S. C.

Whereas, it appears that in the several counties of this State upwards of one thousand persons have already been recommended to His Excellency, the Governor, to be commissioned as Justices of the Peace exclusive of those nominated during the present session, and whereas it is probable that unless timely prevented the numbers of those officers may increase so as to become burdensome and prejudicial to the State;

Resolved, that every person heretofore recommended and commissioned as a Justice of the Peace who hath not already qualified as such ought not to be considered in commission or suffered to

qualify as such, until such person shall be again recommended and commissioned agreeable to the Constitution, and resolved also that no person shall in future be recommended and commissioned agreeable to the Constitution as a Justice of the Peace for any county in this State unless the numbers of Justices then in commission for such county shall be less than the proportion of two Justices for every hundred Militia men in the said county.

Ordered that the above resolve, together with the following Message, be sent to the House of Commons for concurrence.

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House respecting Justices.

W. Hill, S. S.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

Upon reconsidering the resolution respecting the garrisons of Forts Hancock and Johnston, we conceive that it ought to be rescinded so far as it relates to the soldiers of such garrisons, because it evidently tends to defeat the intent of erecting the said Forts in as much as there is no encouragement held out to induce men to enlist, we would therefore propose that all such persons as shall enlist in either of the garrisons aforesaid previous to the first day of June shall be exempted from the vote for persons to be raised to complete the North Carolina Continental Battalions.

The House taking the above Message into consideration concurred therewith.

Ordered that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We concur with you in your proposed amendment in the resolve respecting the men to be enlisted for Forts Hancock and Johnston.

Resolved, that Col. Martin Armstrong be appointed one of the contractors for the purpose of purchasing provisions in the District of Salisbury in the stead of William Shepperd, Esq., resigned.

Ordered that the following Measage, together with the above resolve, be sent to the House of Commons.

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House appointing Col. Armstrong, one of the contractors for the District of Salisbury in the stead of William Shepperd, Esq., resigned.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House allowing Robert Rowan, Esq., a certain sum therein mentioned, also a resolve referred to in the above Message.

Endorsed in the Senate, 1 May, 1778.

Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the Resolve of your House in favor of R. Rowan, Esquire.

Concurred with.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Resolve of your House appointing a Contractor in the room of William Shepperd.

Concurred with.

Thos. Benbury, S. C.

The House adjourned till tomorrow morning 9 O'clock.

Met according to adjournment.

Resolved, that the accounts of the Commissary of stores be referred to and settled by the Governor and Council.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House relative to the account of the Commissary of stores.

W. Hill, S. S.

Resolved, that Robert King, William Graham, and Martin Armstrong, former Commissioners, do account for on oath and pay into the hands of General Rutherford the full quantity of Salt which they respectively received by order of Council from the hands of Mr. Robert Rowan; and,

Resolved, also that William Alston former Commissary to pay to the Commanding Officer of the county of Wake, the quantity of Salt which we received from the said Mr. Robert Rowan.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House relative to Salt delivered sundry persons. W. Hill, S. S.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House relative to the Salt to be delivered sundry persons.

Concurred with.

At the same time received the Resolve of the House referred to in the above Message.

Endorsed in the House of Commons, 2 May, 1778. Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Resolve of your House relative to the accounts of the Commissary of stores. Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 2 May, 1778.

Concurred with.

The following Bills, to wit:

A Bill for raising men to complete the Continental Battalion belonging to this State.

A Bill for regulating Campbelton and erecting public Buildings.

A Bill to compel the late officers of the militia in this State to account for and pay to the succeeding commanding officers all monies in their hands arising from the fines of delinquents.

A Bill for ascertaining sheriffs' and constables' fees in this State.

A Bill allowing salaries to the Governor, Secretary, delegates and members of the Council of State and other purposes.

A Bill to empower the County Courts in this State to order the laying out of public roads, and establish and settle ferries and other purposes therein mentioned.

A Bill to empower the Justices of Duplin County to take into their possession the Records of said County now in possession of James Sampson.

A Bill to prevent the stopping of fish in Yadkin River.

A Bill to amend an act, entitled an act to establish a town in the County of Mecklenburg, passed in the year 1768.

A Bill for building a Court House in Elizabeth Town, in the County of Bladen.

A Bill to establish rules to be observed in celebrating of matrimony.

A Bill to enforce such parts of the Statute and Common Laws as have been heretofore in force and use here, and the Acts of Assembly, made and passed when this Territory was under the Government of the late Proprietors or the Crown of Great Britain, and for revising the several Acts therein mentioned.

A Bill more effectually to punish the persons concerned in any of the several species of counterfeiting in this State.

A Bill for securing lots in the town of Tarboro, in Edgecombe County.

A Bill for quieting and securing the Tuscarora Indians and others claiming under the Tuscaroras in the possession of their lands.

A Bill for fortifying Cape Lookout Bay.

A Bill for repairing Fort Johnston, near the entrance of Cape Fear River.

A Bill for building a Court House in the town of Hillsborough, for the District of Hillsborough.

A Bill to amend an act entitled an act to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Edenton, Wilmington, New Bern and Bath.

A Bill to amend an act entitled an act for establishing offices for receiving entries for claims for lands in the several Counties within this State, for ascertaining the method of obtaining titles to the same, and for other purposes therein mentioned.

A Bill to alter the times for holding the several Superior Courts of law, and for the better arranging the County Courts within this State.

A Bill to amend an act entitled an act for erecting part of the County of Surry, and part of the District of Washington into a separate and distinct County by the name of Wilkes.

A Bill for appointing commissioners to build a bridge across Cotentney Creek, and for other purposes therein mentioned.

A Bill for restraint of vagrants, and preventing desertion.

A Bill to prevent the exportation of beef, pork, bacon and Indian corn.

A Bill for procuring a Great Seal for this State.

These having obtained the sanction of the General Assembly by a final reading in each House, Resolved that the Speaker of this House sign the same.

The business of the session being ended;

Resolved, that Mr. Speaker and the Clerk of this House sign the Journals as the Acts of the Senate.

Whitmell Hill, S. S.

SECOND SESSION – AUGUST 8, 1778 TO AUGUST 19, 1778

SENATE JOURNAL.

State of North Carolina.
In the Senate.

At a General Assembly begun and held at Hillsborough on Saturday, the eighth day of August, in the year of our Lord 1778, and in the third year of the Independence of the said State, being the second session of this Assembly, pursuant to a proclamation issued by His Excellency, the Governor, summoning the General Assembly of the said State to meet at Hillsborough on the first Monday in August, instant, and from thence prorogued de die in diem until the eighth day, instant, when the following members appeared and took their seats, (to-wit):

The Honourable Whitmell Hill, Esq., Speaker; Messrs Wm. Shepperd, James Coor, James Kenan, Benjamin Exum, Ebenezer Folsome, Abner Jones, Robert Harris, Michael Rogers, Oroondates Davis, Zedekiah Stone, Henry Rhodes, Elisha Battle, Edward Jones, Charles Robertson, William Graham, James Saunders and Thomas Owen.

Mr. John Brown, the member for the County of Wilkes; Mr. Alexius Medor Foster, the member for the County of Brunswick; Mr. John Birdsong, the member for the County of Chatham; Mr. Nathan Boddie, the member for the County of Nash, appeared, qualified agreeable to law and took their seats.

Then the Senate adjourned till 4 o'clock P. M.

Met according to adjournment.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House acquaint you that they are ready to proceed upon public business.

T. Benbury, S. C.

Resolved, that the following Message be addressed to His Excellency, the Governor, and sent to the House of Commons for concurrence, to-wit:

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

Sir:—

The General Assembly being now formed, acquaint your Excellency that they are ready to take such matters into consideration as are necessary to be laid before them.

Ordered that the following Message containing the above address to His Excellency, the Governor, be sent to the House of Commons for concurrence, to-wit:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Message addressed to His Excellency, the Governor, informing him that the General Assembly are met and ready to proceed on public business.

W. Hill, S. S.

Mr. Thomas Respass, the member for Beaufort County, appeared and took his seat.

The House adjourned till Monday, 9 o'clock.

Monday, 10 August, 1778.

The House met according to adjournment.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have concurred with the Message of yours addressed

to His Excellency, the Governor, and have appointed Mr. John Williams to wait on His Excellency with the same with such of your body as you may think proper to appoint for that purpose.

T. Benbury, S. C.

Mr. Coor, chosen on the part of this House for that above purpose. General Rutherford, the member for Rowan County, appeared and took his seat. Mr. Jeremiah Frazier, the member for Tyrrell County, appeared and took his seat.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

Herewith you will receive a Message from His Excellency, the Governor, addressed to the General Assembly, together with the several letters, papers, resolutions of Congress, &c., &c., &c., therein referred to which this House have had under consideration and have thought proper to refer the consideration of the several letters to and from the President of the Congress and the several resolutions thereof and the several letters, papers, &c., received from His Excellency, the Governor, relative to Indian Affairs, and the letter from the Governor of Virginia to Governor Caswell, relative to the Naval Officers of this State to Joint Committees of the two Houses, and have on our part appointed Mr. Hooper, Mr. Burke, Mr. Jones, Mr. J. Williams (Caswell), Mr. Hawkins and Mr. Johnston a Committee to take under consideration the several letters to and from the President of the Congress and the several resolutions thereof.

Mr. Wilson, Mr. Gilbert, Mr. Courtney, Mr. Nathan Bryan, and Mr. John Simpson, a Committee to take under consideration the several letters, papers, etc., relative to Indian affairs; Mr. Mallett, Mr. Cogdell, Mr. Burke, and Mr. Hooper, a Committee to take into consideration the letters from the Governor of Virginia to Governor Caswell, relative to Naval Officers of this State.

You will also herewith receive the Journals and proceedings of the Council of State which you have had under consideration.

Thos. Benbury, S. C.

At the same time received the address from His Excellency, the Governor, together with the letters and dispatches from Congress, &c., &c.; which being read,

Resolved, that Mr. Exum, Genl. Jones, and Mr. Coor be a Committee

to act with such gentlemen as are appointed of the Commons to take into consideration the several letters to and from the President of the Congress and the several resolutions; that Mr. Sheppard, General Rutherford, Mr. Robertson, and Mr. Davis act with such gentlemen as are appointed by the House of Commons to consider the several letters, papers, &c., to receive from His Excellency, the Governor, relative to Indian affairs, and that Mr. Respass, Mr. Owen, and Mr. Saunders be appointed to act with the gentlemen appointed by the House of Commons to take into consideration the letter from the Governor of Virginia to Governor Caswell, relative to the Naval Officers of this State.

The House adjourned till tomorrow morning 9 o'clock.

Tuesday, 11 August, 1778.

The House met according to adjournment.

The House adjourned till tomorrow morning 9 o'clock.

Wednesday, 12th August, 1778.

The House met according to adjournment.

Resolved, that it is the opinion of this House that it would be for the advantage of this State to elect a Board of Auditors, who, in the recess of the General Assembly, should examine and state all public accounts and claims, and lay them before the succeeding Assembly for their examination, and after such accounts shall be examined and allowed by the General Assembly, the said auditors to issue certificates of each claim, to be paid by either of the Treasurers.

Resolved, also, in order to prevent any impositions on the publick, that the said Auditors keep books well bound, in which they shall examine and state all allowances, and make separate account for each individual that heretofore hath and hereafter shall have a claim against this or the United States.

Ordered that the above resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House

for electing a Board of Auditors to examine and settle public accounts and Claims.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

Herewith you will receive a Message from His Excellency, the Governor, addressed to the General Assembly, together with sundry papers therein referred to, which we propose referring to a joint Committee, and have for that purpose on our part appointed Mr. Courtney, Mr. Simpson, Mr. Hawkins, Mr. Winsley and Mr. Brooks, a Committee.

Thos. Benbury, S. C.

At the same time received the Address from his Excellency, the Governor, together with sundry papers, &c., &c., in favor of Matthew Collins, which were ordered to be referred to Mr. Davis and Mr. Harris, to act with those Gentlemen appointed by the House of Commons.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your Message proposing to refer a Message from His Excellency, the Governor, together with sundry and other papers accompanying it, to a joint Committee, to which we agree, and have on our part appointed Mr. Davis and Mr. Harris a committee to act with the Gentlemen appointed by your House for that purpose.

W. Hill, S. S.

Read the petition of sundry inhabitants of Bladen county setting forth that in consequence of a Reward offered by them for apprehending the murderers of Nathaniel Richardson, an inhabitant of Bladen county, they had become liable to Archibald Best, a person who apprehended Willoughby Johnston, one of the murderers of the said Richardson, for the sum of eighty pounds, praying that the said sum of eighty pounds be reimbursed them by the public. Whereupon, it was resolved that the Treasurers or either of them pay into the hands of Thomas Owen, Esquire, the sum of

eighty pounds for the use of a certain Archibald Best, as a recompence to him for apprehending Willoughby Johnston, one of the murderers of Mr. Nathaniel Richardson, and that Mr. Owen produce to the next Assembly a receipt from said Best, relative to the application of the money.

Ordered that the above resolve, with the following Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

Herewith you will receive a Resolve of this House for paying a sum of money into the hands of Thomas Owen, Esquire, for certain purposes therein mentioned.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

Herewith you will receive a Message from His Excellency, the Governor, addressed to the General Assembly, together with the Letters, etc., therein referred to.

At the same time received the address from His Excellency, the Governor, accompanied with sundry Resolutions of Congress, etc., received from Thomas Burke, Esquire, while a delegate for this State in Continental Congress, which were ordered to be referred to a joint Committee of both Houses, and General Jones, Mr. Coor, Mr. Davis and General Rutherford, was chosen for that purpose on the part of this House.

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received the Message of your House, together with the Message from His Excellency, the Governor, the minutes of Congress, etc., therein mentioned, and propose to refer the consideration of them to a joint Committee of both Houses, and have on our part appointed Mr. Jones, Mr. Coor, Mr. Davis and Mr. Rutherford, a Committee to act with such Gentlemen as you may appoint for that purpose.

The Sheriff of Guilford County, having certified that Mr. Alexander Martin was duly elected to represent said county in Senate, whereupon the said Martin appeared, qualified agreeable to Law and took his seat.

Mr. John Chiles, the member for Anson county, appeared and took his seat.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

Herewith you will receive a Message from His Excellency, the Governor, addressed to the General Assembly, together with sundry papers, etc., therein referred to, which we propose referring to a joint Committee and have for that purpose on our part appointed Mr. Hawkins, Mr. Williams and Mr. Person.

At the same time received the Message from His Excellency, the Governor, with the papers therein referred to which were referred to Col. Martin and Mr. Respass.

Ordered that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received and considered your message, together with the message and other papers from His Excellency, the Governor, which we have referred to Col. Martin and Mr. Respass, to act with the gentlemen by your House appointed.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for adding to the number of Delegates from this State in Congress.

Also the following resolve, which being read was concurred with.

At this critical and interesting period when the affairs of these United States bear so promising an appearance and with wisdom in Council, and valour in the field will in all probability issue happily, it is highly incumbent on the good people of this State that their representation in the Continental Congress be large

enough to secure a constant attendance of members sufficient to co-operate with the Delegates of other States and to signify the assent of this State to such measures as Congress in its wisdom may think fit to adopt.

And as from the great distance of North Carolina from the place where Congress has been heretofore held and is at present sitting, exact frequent journeying thither to attend, with almost insupportable fatigue or the members who have been detained there during the time of their appointment have undergone a painful separation from their families and their private business has been totally neglected, and in some cases from indisposition of the members on the spot or other accidents which whilst the representation of this State continues so small cannot be provided against, this State has in some cases been totally without representation much to the prejudice of its interests and rightful importance in the Councils of America.

Resolved, therefore, that two members shall be added to the Delegation of this State who shall be and continue in office for and during the term of one year unless sooner removed by the Assembly of this State, of which five members, three, and no more, shall unless prevented by unavoidable accidents attend the Councils of Congress, and any two of them present in Congress shall have full power and authority by their vote assent to bind the inhabitants of this State in all cases not inconsistent with the Constitution thereof and its rights and privileges as an independant sovereign people and the instructions they shall receive from this State.

Resolved, that the Delegates so attending in Congress shall each and every of them during their stay when the Congress shall sit, and in going thither and returning from thence receive an allowance at the rate of sixteen hundred pounds per annum for such portion of their year as they shall be so employed in the public service. And that the said five Delegates may in such manner as shall best consist with their several and respective conveniences settle by common consent the rotation of duty, and be at Congress or at home as they can agree, provided, such regulation strictly consists with the nature and intentions of this appointment.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received and considered your resolve, relative to appointing two additional Delegates, and propose that the General Assembly proceed to ballot for two gentlemen for that purpose at 5 o'clock this evening, and put in nomination the Honourable Whitmell Hill and Thomas Burke, Esquires.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have appointed Mr. Simpson, Mr. Bryan, Mr. Jones, Mr. Locke, Mr. Williams, (Caswell), Mr. Courtney, Mr. Person and Mr. Hawkins, a committee on their part to act jointly with such gentlemen of the Senate as may be appointed to take into consideration the returns of officers, &c., which were laid before the Assembly by His Excellency, the Governor, at the beginning of the present session.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your Message referring the consideration of the returns of officers, &c., which were laid before the Assembly by His Excellency, the Governor, at the beginning of the present session to a Joint Committee, and have on our part appointed Mr. Graham, Mr. Rhodes, Mr. Birdsong, Mr. Rogers, Mr. Martin and Mr. Shepperd, a committee to act with the gentlemen by you appointed for that purpose.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have received and considered the message of yours proposing to ballot at 5 o'clock this evening for two additional Delegates to represent this State in Congress, with which we concur, and put in nomination the Honourable Whitmell Hill and Thomas Burke, Esq's.

We have appointed Mr. Hooper and Mr. Hawkins, to superintend the balloting, and propose that the members of the Senate repair to and ballot in the church.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the Commons:

We have appointed Mr. Exum and Mr. Coor, on the part of this House to superintend the balloting for Delegates this evening.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

Herewith we return the resolve of your House for paying a sum of money into the hands of Thomas Owen, Esq., for certain purposes.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 12 August, 1778.

Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have received your Message proposing to refer certain minutes of Congress, &c., &c., to a Joint Committee, with which we concur, and have for that purpose on our part appointed Mr. Hooper, Mr. Person, Mr. Jones, Mr. Simpson, Mr. Johnston and Mr. Locke, a committee.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your perusal a Letter from James Wallace, Quarter Master of Salisbury District.

At the same time received the Letter therein referred to which was read and ordered to be filed.

Mr. Coor, one of the Gentlemen appointed on the part of this House, to superintend the balloting for additional delegates to represent this State in Congress, Reported that Whitmell Hill and Thomas Burke, Esquires, were duly elected delegates to represent this State in Continental Congress for one year.

The Honourable Whitmell Hill, Esquire, having vacated his seat as Speaker of this House, by his acceptance of the Office of delegate to represent this State in Continental Congress, General Rutherford proposed for Speaker Allen Jones, Esquire, who was unanimously chosen and placed in the Chair accordingly.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Message addressed to His Excellency, the Governor.

T. Benbury, S. C.

At the same time received the Message referred to as follows;

To His Excellency, Richard Caswell, Esquire, Captain General, Governor and Commander in Chief, etc., etc.:

Sir:—

The General Assembly have made choice of Whitmell Hill and Thomas Burke, Esquires, as delegates in Continental Congress to represent this State, together with John Penn, Cornelius Harnett and John Williams, Esquires, who have been heretofore appointed for that purpose. We transmit your Excellency with this, the Resolution upon which this measure is grounded, that you may proceed to carry the intentions of the Assembly into execution with as much expedition as its importance requires.

T. Benbury, S. C.

The above Message being read, was concurred with.

The House Adjourned till tomorrow morning 8 o'clock.

Thursday, 13th August, 1778.

The House met according to adjournment.

Mr. Solomon Perkins, the member for Currituck County appeared and took his seat.

Whereas, it has been represented to this House that many of the counties of this State are infested with Tories and disorderly people who refuse to pay Taxes or otherwise to be obedient to Government, and are daily committing outrages on the good people of this State,

Resolved, therefore, that on the order of the county Court or any three Justices of the peace out of session, the Colonel or Commanding Officer of such county shall order out as many men as he shall think necessary for the service, and under such officers as he may think proper to carry the Laws of this State into execution, and to collect such fines and Taxes as may be due by them or any of them, and their services shall be transmitted to the General Assembly for such allowance as they shall think necessary thereon.

Ordered that the above Resolve, together with the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This accompanies a resolve of this House, which we send for your concurrence, empowering the County Courts or any three Justices of any of the respective counties within this State to cause the Colonel or Commanding officer of the County to order out a sufficient number of Militia to compel tories or other disorderly people of their County to a due observance of the law.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

It having been represented to this House that Mr. Wm. Gilbert, in the settlement of his accounts in the Commissary department hath made divers erroneous charges, &c., this House have appointed Mr. Stone and Mr. Coor, to act as a committee with such members of your House as you may appoint to re-examine the accounts of Mr. Gilbert, and make report, together with his conduct touching the same.

Resolved, that Col. Ebenezer Folsome, of Cumberland County expose to sale all the guns unfit for service in his possession which were taken from the Tories for the best price that can be got for them and return the money arising from such sale to the next General Assembly.

Ordered that the above resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

With this you will receive a resolve of this House empowering Col. Ebenezer Folsome to sell the public guns now in his hands unfit for service.

The Sheriff of Orange County certified that Mr. John Kinchen was duly elected a Senator for said County, whereupon, the said John Kinchen appeared, qualified agreeable to law and took his seat.

Received from the Commons the Bill to repeal part of an act entitled an act allowing salaries to the Governor, Secretaries, Delegates, Treasurers and Members of the Council of State and other purposes, which was read the first time, passed and ordered to be sent to the House of Commons.

Sent by Mr. Folsome and Mr. Chiles.

Received from the Commons the Bill for laying a tax by assessment and otherwise, which was read the first time and rejected.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for certain purposes therein mentioned.

At the same time received the resolve of the Senate referred to in the above Message, as follows:

Mr. Ashe, Treasurer of the Southern District having represented to the House, that the Sheriffs of Brunswick County in the year 1773, collected the public tax for that year and paid the same into his hands, and that the said tax was not collected in any other County, and further that the same Sheriffs collected only four shillings as the public tax for 1774 when five shillings and four pence was collected in the other counties in this State;

Resolved, therefore, that Mr. Ashe be and he is hereby directed to refund the tax for 1773 to the Sheriff aforesaid, retaining only one shilling and four pence in such levy for the deficiency of 1774.

The same being read was concurred with and ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House relative to the tax, for 1773, collected in Brunswick County.

Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

Herewith you will receive a Message from His Excellency, the Governor addressed to the General Assembly with the papers therein referred to.

At the same time resolved the Message from His Excellency the Governor, together with the resignation of Mr. Thomas Whitmell, Col. of Bertie, and the resignation of Samuel Weldon, Esq., Col. of the Halifax regiment of militia.

Received from the Commons the following Message.

Mr. Speaker and Gentlemen of the Senate:

This House have received your Message appointing a Committee to examine the accounts of Mr. Gilbert, and have appointed Mr. Locke, Mr. Johnston, Mr. Simpson, Mr. Person and Mr. Hawkins, a Committee who will act jointly with the gentlemen by you appointed for the purpose therein mentioned.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send you the petitions of Philip Alston and John Hinton, Esquires, the consideration of which we propose referring to a Joint Committee and have for that purpose appointed Mr. Johnston, Mr. Bryan, Mr. Whitaker and Mr. Jones a Committee on our part.

At the same time received the petitions therein referred to which

were referred to Col. Kenan, Mr. Davis and Mr. Edward Jones to act with the gentlemen appointed by the House of Commons:

Ordered that the following Message be sent to the House of Commons.

Mr. Speaker and gentlemen of the House of Commons:

We have appointed Mr. Kenan, Mr. Davis and Mr. Edward Jones to act with the gentlemen appointed by the House of Commons to take into consideration the petitions of Col. Philip Alston and John Hinton.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have received the message and resolve of yours empowering the county Courts or any three Justices of any one of the respective counties within this State to do certain things therein mentioned, with which we cannot concur but propose that the consideration thereof be referred to a joint Committee and have for that purpose appointed Mr. Locke, Mr. Person, Mr. Hunter and Mr. Johnston, a committee. We also propose that they enquire into the conduct of certain Prisoners of War, in Guilford county, who have broke their parole of honour to the Northward.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We concur with the House of Commons in referring the consideration of the behavior of the disaffected persons in the several counties in this State, to a joint Committee, and have for that purpose appointed General Rutherford and Colonel Martin, on the part of this House.

Received from the Commons the following Bills:

A Bill to make provision for the recovery of debts due to the United States or any of them.

A Bill to amend an act passed in the last session of this present Assembly, entitled an act to alter the times for holding the several

superior Courts of Law and for better arranging the County Courts within this State.

Endorsed in the House of Commons, 13 August, 1778.

Read the first time and passed.

On motion, the Bill to make provision for the recovery of debts due to the United States or any of them, was read. the first time, passed and ordered to be sent to the House of Commons.

Sent by Mr. Exum and Mr. Sheppard.

On motion, the Bill to amend an act passed in the last session of this present Assembly entitled an act to alter the times for holding the several Superior Courts of Law and for better arranging the County Courts within this State, was read the first time, passed and ordered to be sent to the House of Commons.

Sent by Mr. Exum and Mr. Sheppard.

General Rutherford, from the committee appointed to take under consideration the several letters and papers received from His Excellency, the Governor, relative to the Cherokee Indians, reported as follows:

It appears to your committee by the complaints of the said Indians that trespasses have been committed on the lands within their hunting grounds, which if not timely prevented may involve this State in a second war with the said nation, and as your committee conceive that the most effectual method to remove the jealousies now subsisting among the said Indians would be to pass a law by this present Assembly empowering the Attorney General of this State to prosecute all offenders who may trespass or commit any depredations on the said Indians, and that no person in this State be suffered to trade or traffic with the said Indians unless they first obtain a license for so doing from the Judges of the Superior Courts of this State, and that His Excellency, the Governor, be requested to write to the Governors of the States of Virginia and South Carolina to use their influence in procuring acts to prevent persons from their States trading with the said Indians without licences from some civil authority, which your committee are of opinion would prevent the many abuses which at present prevail, your committee also recommend it to the General Assembly as their opinion that His Excellency, the Governor, be requested to transmit the substance of such act of Assembly, when passed, in a talk to be presented to the Chiefs or head men of the middle and

valley settlements of Cherokees by Col. Charles McDowell and Major Charles Robertson, and in which talk His Excellency, the Governor will be pleased to assure the Indians that this State will be ready at all times to hear their complaints and redress their grievances, and in return expect and hope that the strictest harmony and friendship may subsist between the said Indians and the good people of this State.

Your Committee are also of opinion that the Superintendent of Indian Affairs cannot render that service to this State that might be expected unless he resides in the Indian Nation therefore recommend it to the General Assembly that Mr. James Robertson, the Superintendent, be directed to reside in the said Cherokee Nation during his continuance in office, all which is submitted.

Griffith Rutherford,
Chairman.

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

Ordered that the said report, together with the following Message be sent to the House of Commons:

Mr. Speaker and gentlemen of the House of Commons:

Herewith you will receive the report of the Joint Committee on Indian Affairs which this House have considered and concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence the report of the Joint Committee appointed to take into Consideration divers letters and Messages from and to the Continental Congress and certain other papers referred to the Assembly by His Excellency, the Governor.

Concurred with by this House except the seventh section.

At the same time received the report of the Committee referred to in the above Message as follows:

The Joint Committee of both Houses appointed to take into consideration the divers letters and messages from and to the Continental Congress and certain other papers referred to the Assembly

by His Excellency, the Governor beg leave to report as follows:

That this State stands indebted to sundry persons in large sums of money which have been principally incurred by raising a body of troops at the request of the Continental Congress to reinforce the Continental Army, and that this State has pledged the public faith for the payment of the same, that the Treasury of this State is at this time exhausted and that the means of obtaining a supply without a further provision by the Legislature are distant and uncertain and that therefore there is an absolute necessity to emit a sum of money equal to the present pressing exigency.

That the present depreciation of our money is in a great measure owing to the quantity of counterfeit money, which has been so well executed as to deceive the most skilful and thereby has been drawn into circulation in common with the currency of the State and scarce distinguishable therefrom.

That the money emitted under the authority of Congress since our war with Great Britian has been in some degree prejudiced by an invidious and injurious distinction made by the disaffected in favour of what is commonly called old money and which from their obstinate prejudices in favour of a government, their adherence to which can no longer support them, and which only proves their obstinacy and its weakness, has by them been preferred to the currency which has the credit of our present happy constitution to support it. For these reasons your Committee recommend that the sum of two hundred and twenty thousand pounds be emitted in Bills of credit for the payment of the debts which this State is bound in Honor immediately to discharge your Committee presuming that such sum will be fully equal to that purpose.

That the further sum of six hundred and thirty thousand pounds be emitted to redeem the whole of the currency which is at present circulating in this State, the committee supposing that the last mentioned sum may be equal to the redemption as well of the monies emitted under the authority of Great Britian as of this State since the Origin of that controversy which has happily terminated in our total separation from it.

That the Bills emitted be struck in a printing press and not in a rolling press as the impressions of the former are less capable of being imitated to produce deception than of the latter and counterfeiting will thereby be in some degree discouraged.

That the Bills emitted under the British Government and by the authority thereof shall be held irredeemable and that the credit of the State shall not be pledged for them after the first day of January, 1779.

That the Bills emitted under the authority of Congress since our war with Britain shall be paid into the public Treasury before the first day of May, or be held irredeemable.

Wm. Hooper,
For the Committee.

The House taking the said report into consideration concurred therewith.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

You will herewith receive the report of the Committee appointed to take into consideration sundry letters and dispatches from and to the Continental Congress and concurred with as by your House.

Allen Jones, S. S.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

At the last Session of General Assembly there was a resolve of Assembly passed much to the purport of the one herewith sent for your concurrence. His Excellency, the Governor, informed one of the Members of this House that it was necessary there should be some alterations made therein in order that he may be the better able to comply with the order of the Assembly.

At the same time received the resolve of the Commons therein referred to, as follows:

Resolved, that His Excellency, the Governor, be and he is hereby empowered to appoint persons in different parts of the

State to purchase provisions and Cloathing of every kind, at the lowest prices at which they can be obtained, if it shall appear to him to be necessary, for the use of the Continental Army, and to grant warrants on the Treasury in favour of such persons taking security for the due application of the monies for such sums as may be requisite for the purpose aforesaid, and if any person or persons having more provisions or materials for cloathing than may be necessary for their own use or family consumption shall refuse to sell the same for the prices current at this time, then the persons appointed as aforesaid by His Excellency shall have full power and authority to seize the same for the use of the Continent, and they shall grant Certificates to the owners specifying the quantity and quality of the articles, that they may obtain payment at the next session of General Assembly, provided that the persons so appointed shall not seize any goods imported by Foreigners while such goods actually remain the property of such Foreigners.

The above resolve being read was concurred with, and the following Message ordered to be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House relative to His Excellency, the Governor, appointing persons to purchase cloathing, &c.

Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House propose if agreeable to the House of Commons to ballot tomorrow at 12 o'clock in the church for the place and time of holding the next session of General Assembly, for a Judge of the Superior Court, in the room of James Iredell, Esq., resigned, for a Judge of the Court of Admiralty for Port Bath, for two members of the Council of State, in the room of William Haywood and Richard Henderson, Esquires, who decline acting, and put the towns of Halifax, New Bern, Hillsborough and Salisbury, and the first Monday in January next in nomination for the time and place

for the Assembly to sit; for a Judge of the Superior Court, Richard Henderson, Esq., for a Judge of the Court of Admiralty for Port Bath, Samuel Willis; for members of the Council of State, John Simpson, Frederick Jones, Esquires and General William Bryan.

This House have appointed Mr. Coor and Mr. Exum, to superintend the balloting.

Should your House accede to this measure you will signify the same by Message.

Whereas, by a resolve passed last session of Assembly the Colonels of the several counties were empowered to draw money from the entry takers and Sheriffs of the respective counties for the purpose of paying the bounties to such men as should turn out volunteers or be balloted to march to the northward, which monies were to be paid the Colonel by the Deputy Paymaster Genl. and by them returned to the several entry takers and Sheriffs, and whereas, in pursuance of said resolve monies have been collected from several entry takers and Sheriffs, and have not been returned by which means they are prevented from making settlements with the Treasurers, therefore,

Resolved, that such entry takers and Sheriffs producing receipts from the Colonels or Commanding officers of their respective counties shall be allowed for the sums specified by said receipts in the settlement of their account with the Treasurers.

Ordered that the above resolve with the following Message, be sent to the House of Commons for concurrence:

Mr. Speaker and Gentlemen of the House of Commons:

You will herewith receive a resolve of this House relative to entry takers and Sheriffs, who have agreeable to resolve of Assembly advanced monies for the payment of the soldiers lately raised by this State.

Allen Jones, S. S.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Resolve of your House empowering Col. Ebenezer Folsome, to sell certain guns.

Concurred with.

At the same time received the Resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 13 Aug., 1778.

Concurred with.

Whereas, provision hath been made in this present session of Assembly for procuring cloathing for the Continental Soldiers raised by this State,

Resolved, that the resolution of the General Assembly passed at New Bern the thirtieth day of April last for supplying the army with cloathing, &c., &c., be rescinded and it is hereby rescinded accordingly.

Ordered that the above resolve, together with the following Message, be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This accompanies a resolve of this House for rescinding a resolve passed last session of Assembly for supplying the army with cloathing, and expect your concurrence thereto.

The House adjourned till tomorrow morning 8 o'clock.

Friday, 14 Aug., 1778.

The House met according to adjournment.

The Sheriff of Camden County certified that Mr. Joseph Jones was duly elected a member to represent the said County in Senate, whereupon the said Joseph Jones appeared, qualified and took his seat.

Mr. Alexander Martin moved for leave and presented a Bill to amend and explain an act for establishing officers for receiving entries for lands in the several counties within this State for ascertaining the method of obtaining titles to the same, and for other purposes therein mentioned, was read the first time, passed and ordered to be sent to the House of Commons.

Sent by Mr. Perkins and Mr. Birdsong.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the report of the Joint Committee on Indian affairs.

Concurred with.

Also the report therein referred to.

Endorsed in the House of Commons, 13 Aug., 1778.

Concurred with.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

This House have received and considered the Message of yours proposing to ballott tomorrow at 12 o'clock, for the place at which and the time when the next session of Assembly shall be held; for a Judge of the Superior Court in the room of James Iredell, Esquire, resigned; for a Judge of the Court of Admiralty for Port Bath; for two members of the Council of State in the room of William Haywood and Richard Henderson, Esquires, with which we concur, and put the Towns of Halifax, New Bern, Hillsborough and Salisbury in nomination for the place at which, and Monday the 23rd November, the time when, the next session of Assembly shall be held.

For a Judge of the Superior Court, Richard Henderson, Esq.

For a Judge of the Court of Admiralty for Port Bath, Samuel Willis, Esq.

For members for Council of State John Simpson and Frederick Jones and General William Bryan.

On motion, the Bill to repeal part of an act entitled an act for allowing salaries to the Governor, Secretaries, Delegates, Treasurers and members of the Council of State and other purposes, was read the second time, passed and ordered to be sent to the House of Commons.

Sent by Mr. Perkins and Mr. Birdsong,

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

Herewith you will receive the petition of a number of the inhabitants

of Rowan county which we propose referring to the committee appointed to take into consideration the petitions of Phillip Alston and John Hinton, Esquires, and have added Moses Winsley, Esquire, to the Committee.

At the same time received the petition mentioned in the above message, which was referred to the Committee appointed to take into consideration the petition of Phillip Alston and John Hinton, Esquires.

Mr. Speaker and Gentlemen of the House of Commons:

We have received your message referring a petition of a number of the inhabitants of Rowan county to the Committee appointed to take into consideration the petition of Philip Alston and John Hinton, Esquires, to which we agree, and have also referred the consideration thereof to the said committee.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for ascertaining the pay of the members of the General Assembly.

At the same time received the Resolve of the House of Commons as follows:

On motion, Resolved that the members of this present Assembly be allowed the sum of twenty shillings for each day traveling to, attending at, and returning from this present session of Assembly.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have considered of your resolve for ascertaining the pay of the members of this Assembly but cannot concur therewith and propose that the pay of the members be fixed at four dollars per day for this Session, thinking that sum to be nearer the expence the members are at.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

Herewith you will receive the petition of Mrs. Martha Gilchrist

wife of Mr. Thomas Gilchrist, which we propose referring to a Joint Committee of both Houses, and have for that purpose on our part appointed Mr. Locke, Mr. Courtney, Mr. Nash, Mr. Hooper, Mr. Hawkins, Mr. Person, Mr. Doty, Mr. Johnston, and Mr. Bryan, a Committee.

At the same time received the petition therein referred to, which being read,

Ordered, that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received the Message of your House proposing that the petition of Mrs. Martha Gilchrist be referred to a Joint Committee to which we agree, and have for that purpose on our part appointed General Rutherford, Mr. Martin, Mr. Kinchen, Mr. Edward Jones, Mr. Coor and Mr. Exum a Committee who will act jointly with the gentlemen by you nominated for that purpose.

On motion ordered that a writ of election issue to the Sheriff of Martin County for the election of a Senator for said County in the room of Whitmell Hill, Esq., whose seat is vacated by his acceptance of the office of Continental Delegate for this State, and that the election be held on the fifteenth day of September next.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

Herewith you will receive the petition of the United Brethren, or otherwise called Moravians, which we propose referring to a Joint Committee of both Houses and have for that purpose on our part appointed Mr. Courtney, Mr. Nash, Mr. Brooks, Mr. Hawkins, Mr. John Williams (Caswell) Mr. Bryan, Mr. Sessums, Mr. Persons, Mr. McLean and Mr. Whitaker a Committee.

Also the following Message:

Mr. Speaker and Gentlemen of the Senate:

Herewith you will receive the petition of a number of the people called Nicholites which we propose referring to the Joint Committee appointed to take into consideration the petition of the United Brethren, otherwise called Moravians.

At the same time received the petitions of the Moravians and Nicholites mentioned in the two foregoing Messages, which being read,

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your Message, together with the petitions of the Moravians and Nicholites and have appointed General Rutherford, Mr. Battle, Col. Martin, Mr. Joseph Jones, Mr. Stone and Mr. Coor to act with the gentlemen appointed by your House to take into consideration the said petitions.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favour of Jonathan Dunbibbin, Esquire.

At the same time received the resolve therein referred to as follows:

On reading the petition of Jonathan Dunbibbin, Esquire, and other papers relative thereto,

Resolved, that he be allowed the sum of twenty-four pounds for that sum allowed him by the Congress at Halifax in December 1776, for which allowance he never received a warrant on the Treasury, that the Treasurers or either of them pay him the same and be allowed, &c.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House in favor of Jonathan Dunbibbin, Esquire.

Concurred with.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House for rescinding a certain resolve therein mentioned.

Concurred with.

At the same time, received the resolve of this House referred to in the above message.

Endorsed in the House of Commons, 14 Aug., 1778.

Concurred with.

Mr. Davis has leave of absence for the the remaining part of the Session.

Mr. Coor, one of the members who were appointed to superintend the balloting for the place where and time when the General Assembly shall sit, for a Judge of the Court of admiralty for Port Bath, for a judge of the Superior Court and for two Councillors of State, reported as follows:

That the town of Halifax and the first Monday in January were appointed for the place and time of the Assembly to sit at; that Richard Henderson, Esq., was elected Judge of the Superior Court; Mr. Samuel Willis, Judge of the Court of Admiralty for Port Bath and General William Bryan and John Simpson, Esquires, Councillors of State.

Received from the Commons a Bill for emitting eight hundred and fifty thousand pounds in Bills of credit for discharging the debts incurred by this State in raising men to reinforce the batallions belonging to this State in the Continental Army, for calling in all former emissions and other purposes.

Endorsed in the House of Commons, 14 Aug., 1778. Read the first time and passed.

Ordered that the said Bill be read, read the same the first time, passed and ordered to be sent to the Commons.

Sent by Mr. _____.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We propose that Mr. Hooper, Mr. Johnston, Mr. Person, Mr. Nash, Mr. Hawkins, Mr. Locke and Mr. Jones, with such Members

of your House as you may think proper to appoint be a Committee, to ascertain the denominations of the several Bills of credit to be emitted under the authority of an act to be passed by the present General Assembly.

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your message relative to the appointment of a Committee for ascertaining the denomination of the Bills of credit now to be emitted and have for that purpose appointed Mr. Speaker, General Rutherford and Mr. Coor to act with the gentlemen by you appointed.

The House adjourned till tomorrow morning, 9 o'clock.

Saturday, 15 August, 1778.

The House met according to adjournment.

Mr. James Roper, one of the contractors for Salisbury District, having signified his desire of resigning that appointment after settling and adjusting his necessary business.

Resolved, therefore, that the said Roper's appointment as contractor cease after the twenty-eighth day of this instant.

Ordered that the above resolve, together with the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House relative to Mr. James Roper, contractor for Salisbury District.

Resolved that Mr. Absalom Tatom be appointed contractor for Hillsborough District, the former contractor's appointment being expired.

Ordered that the above resolve with the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House for appointing a contractor in Hillsborough District.

Received from the Commons the following Message.

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence the report of the Joint Committee appointed to take into consideration divers letters and papers containing a charge in behalf of the Continental Congress against Thomas Burke, Esquire, one of the delegates of this State.

Concurred with by this House.

At the same time received the report of the Committee mentioned in the forgoing message, which being read was rejected.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence the report of the Joint Committee appointed to examine the several papers and make our arrangement of the officers to command the battalions, to be filled out of the new levies, &c.

Concurred with by this House with the alteration thereunto annexed.

At the same time received the report of the Committee referred to in the above message, which being read was concurred with as by the House of Commons.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the report of the Committee for settling the arrangements of the officers to command the Battalions belonging to this State, to be filled out of the new raised services.

Concurred with as by the House of Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence, the report of the joint Committee appointed to ascertain the denomination of the several Bills of credit to be emitted.

Concurred with by this House.

At the same time received the report therein referred to, which being read was concurred with and ordered that the following Message be sent to the House of Commons.

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the report of the Committee appointed to ascertain the denomination of the several Bills of Credit.

Concurred with by this House.

On motion, the Bill to repeal part of an act entitled an act allowing salaries to the Governor, Secretary, Delegates, Treasurers and members of the Council of State, and other purposes, was read the third time, passed and ordered to be engrossed.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House relative to Mr. James Roper, &c.

Concurred with.

At the same time received the resolve of this House referred to in the above message.

Endorsed in the House of Commons, 15 Aug. 1778. Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House relative to the entry takers and Sheriffs who have, agreeable to resolve of Assembly, advanced monies for the payment of Soldiers lately raised by this State, &c.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 15 August, 1778.

Concurred with.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

This House have received the Message of yours proposing that the members of this Assembly be allowed four dollars per day for their attendance on this session, with which we concur.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of Mr. James Green, Jun.

Also the following Resolve:

Resolved, that Mr. James Green, Jun., be allowed the sum of one hundred pounds for correcting and revising the Journals of the House of Commons in 1777, he having produced a receipt from the public printer of having received the said revised Journals.

The Treasurers or either of them to pay the same and be allowed.

T. Benbury, S. C.

On motion, the Bill to amend and explain an act for establishing Officers for receiving Entries of Claims for Lands in the several counties within this State, for ascertaining the method of obtaining titles to the same, and for other purposes therein mentioned, was read the second time, amended, passed and ordered to be sent to the Commons.

Sent by Mr. _____

On motion, the Bill to make provision for the recovery of Debts due to the United States or any of them, was read the second time, passed and ordered to be sent to the House of Commons.

Sent by Mr. _____

General Rutherford moved for leave and presented a Bill for making two Medicinal Springs in Rowan and Burke Counties, and the lands adjacent thereto public property, which was read

the first time, passed and ordered to be sent to the House of Commons.

Sent by Mr. _____

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Resolve of your House in favor of James Green, Esq.

Concurred with.

Resolved, that Major William Polk, be appointed to the first vacancy of a Major that shall happen in any of the Continental Battalions of this State with the same rank he heretofore held when in the service of this State.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

You will herewith receive a resolve of this House in favor of Major William Polk, which we send for your concurrence.

Whereas, it has been represented to this House that the Commanding officers of the Militia within this State, and contractors for provisions for the Continental Troops have been under the necessity of borrowing upon interest or advancing money for the use of the public,

Resolved, therefore, that the said officers and contractors who have actually borrowed upon interest or advanced money for the use of the public be reimbursed all such sums of money with the interest due thereon by them borrowed or advanced as aforesaid.

Ordered that the above resolve, together with the following Message, be sent so the House of Commons for concurrence:

Mr. Speaker and Gentlemen of the House of Commons:

You will herewith receive a resolve of this House relative to the officers of Militia and contractors who have borrowed or advanced monies for the use of this State.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House citing Mr. John Sevier to attend on the General Assembly at their next session for certain purposes therein mentioned.

At the same time received the resolve referred to in the above Message, as follows:

Whereas, John Sevier, of Washington County, who was cited by the last, to attend on the present, session of General Assembly to answer such things as should then be alleged against him respecting certain accounnts exhibited by him against and allowed by the public has failed to attend agreeable to the said citation;

Therefore, Resolved, that he be and he is hereby cited to attend on the General Assembly at their next Session to answer such matters and things as shall then be alleged against him respecting the said accounts.

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House relative to Mr. John Sevier.

Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House citing Mr. Charles Bondfield and John Blackburn to attend on the General Assembly for certain purposes therein mentioned Also the following resolve, which being read was concurred with:

Whereas, it hath been represented to this House, that Mr. Charles Bondfield, of Edenton, who was by the General Assembly, in their last session, impowered to sell the armed Brigantine Pennsylvania Farmer, did on the thirtieth day of May last, expose to public sale the said Brigantine, which was cried out by John Blackburn on Mr. Joseph Hewes, after which Mr. Hewes denied having bid the sum which she was cried out at;

Resolved, therefore, that the said Mr. Charles Bondfield and John Blackburn be and they are hereby cited to attend on the General Assembly at their next session to give further information relative thereto.

Ordered that the following Message be sent to the House of Commons:

We herewith return the resolve of your House requiring Mr. Charles Bondfield and Mr. John Blackburn to attend the General Assembly at their next session.

Concurred with.

Colo. Ebenezer Folsom has leave of absence during the remainder of this session.

On motion, the Bill to amend an act passed in the last session of this present Assembly, entitled an act to alter the times for holding the several Superior Courts of Law, and for better arranging the county Courts within this State, was read the second time, amended, passed and ordered to be sent to the House of Commons.

Sent by Mr. Graham and Mr. Chiles.

On motion, a Bill to establish a Court of Chancery and Equity in the State of North Carolina, and to regulate the mode of proceeding therein, was read the first time and rejected.

Read the report of the committee appointed last session of Assembly to ascertain the damages done to Mr. James William's buildings in Halifax town by the Continental Soldiers, who having fixed the damages done to said buildings at the sum of four hundred pounds,

Resolved, that the said sum of four hundred pounds be paid the said James Williams, by the Treasurers or either of them, who shall be allowed in their accounts with the public.

Ordered that the above resolve, together with the following Message, be sent to the House of Commons.

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favour of Mr. James Williams, together with the Report of the Gentlemen appointed last session of Assembly, to examine and make report of the damages sustained by Mr. Williams, in certain Lots and Houses in the town of Halifax.

The report of the Committee on the Petitions of the people called Moravians, being read was rejected.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House having received the Report of the Committee appointed by both Houses to take into consideration the Petition of the Moravian Brethren, have not concurred with the same, but propose in the affirmation by that people to be taken that they renounce any Fidelity to the present King of Great Britain, his heirs and successors during their continuance and residence in this or any of the United States of America or the Dominions thereto belonging, which mode of affirmation will be satisfactory to the consciences of that useful Society who deserve well of this country, who are daily, from their religious economy, sending Missionaries to propagate the Gospel in foreign parts where they cannot continue subjects of this State. Should this meet your approbation a Bill will be provided for that purpose.

Resolved, that Doctor Lancelot Johnston be appointed Surgeon to the new Levies of Salisbury and Hillsborough Districts, during their continuance in the State.

Ordered that the above resolve, together with the following message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House, appointing Doctor Lancelot Johnston, Surgeon to the new Series of Salisbury and Hillsborough Districts during their continuance in this State.

Mr. John Kitchen and Col. Alexander Martin, have leave of absence during the remainder of this Session.

The House adjourned till Monday morning 9 o'clock.

The House met according to adjournment.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

The House have ordered the Clerk to make out the estimate to Tuesday inclusive, expecting the Assembly will rise on that evening.

On motion the Bill for emitting eight hundred and fifty thousand pounds in Bills of credit for discharging the debts incurred by this State in raising men to reinforce the batalions belonging to this State in the Continental Army, for calling in all former emissions and other purposes was read the second time, amended passed and ordered to be sent to the House of Commons.

Sent by Mr. Coor and Mr. Birdsong.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence the report of the Joint Committee appointed to examine the accounts formerly allowed to William Gilbert, Commissary of Tryon County.

Concurred with by this House.

At the same time received the report of the Committee referred to in the above Message which being read was concurred with.

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the report of the Committee appointed for re-examining the accounts of William Gilbert.

Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

Herewith you will receive for your concurrence a resolve of this House citing William Alston, Commissary, &c., to attend on the General Assembly at their next Session for the purpose therein mentioned.

At the same time received the resolve referred to in the foregoing message which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

Herewith you will receive the resolve of your House citing William Alston formerly Commissary of Tryon County, to attend the next General Assembly.

Concurred with.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your Concurrence a resolve of this House permitting certain officers therein mentioned to resign their appointment.

Also the Resolve therein referred to which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House relative to Messrs. Brooks and Jones resigning their appointments as Justices of the peace, &c.

Concurred with.

Resolved that the sum of one hundred and fifty pounds be advanced to Dr. Lancelot Johnston to enable him to purchase medicines for the relief of the new series and that he give security for accounting for the same with the next General Assembly.

Ordered that the above resolve with the following message be sent the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House for advancing a sum of money to Dr. Lancelot Johnston to be applied as therein directed.

On motion the Bill for making two medicinal springs in Rowan and Burke Counties and the lands adjacent thereto public property

was read the second time amended, passed and ordered to be sent to the Commons.

Sent by Mr. _____.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House appointing a Surgeon to the new raised levies in the District of Salisbury and Hillsborough. Concurred with.

At the same time received the Resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 17 Aug., 1778.

Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House in favour of James Williams, and the report of the gentlemen appointed last session of Assembly to examine and make report of the damages sustained by Mr. Williams, in certain lots, houses, &c., in the town of Halifax.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 17 Aug., 1778.

Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence the report of the Joint Committee, appointed to take under consideration the petition of Philip Alston, Lieutenant Colonel of Cumberland County, the petition of Col. John Hinton, of Wake County, and the petition of a number of the inhabitants of Rowan County, relative to the conduct of Col. Francis Locke and others.

Concurred with by this House.

At the same time received the report of the committee referred to in the foregoing message, which being read.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received and read the report of the committee appointed to take under consideration the petition of Lieutenant Colonel Alston and sundry other petitions, and concur therewith except that clause of the report which recommends a division of Captain Johnston's Company.

Should your House consent to dele that clause, the Senate will then concur with the report.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House empowering the several Court Martials in this State where any vacancy may happen, &c., to recommend some person to fill such vacancy.

At the same time received the resolve referred to in the foregoing message, which being read,

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House empowering Court Martials in this State to recommend some person to fill any vacancy in the Militia which may happen.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House, directing Mr. John Atkinson to pay into the hands of Mr. Thomas Harvey, the public money in his hands, &c.

At the same time received the resolve referred to in the foregoing Message, which being read.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

You will herewith receive the resolve of your House, requiring Mr. John Atkinson to pay the public money in his hands to Mr. Thomas Harvey, in behalf of the Northern Treasurer.

Concurred with by this House.

Resolved, that Mr. Thomas Harvey pay into the hands of Col. Martin Armstrong, contractor for the troops in Salisbury District, five hundred pounds to be by him accounted for with the next Assembly, which sum the aforesaid Thomas Harvey, or the Northern Treasurer shall be allowed in the settlement of his public accounts.

Ordered, that the above resolve, together with the following message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

Herewith you will receive a resolve of this House in favor of the contractor for the troops in Salisbury District.

Mr. Coor moved for leave and presented a Bill for the more effectually collecting the public taxes, and other purposes therein mentioned, which was read the first time, passed and ordered to be sent to the House of Commons.

Sent by Mr. _____

The House adjourned till tomorrow morning, 8 o'clock.

Tuesday, 18 August, 1778.

The House met according to adjournment.

On motion, the Bill to amend an act passed in the last session of this present Assembly, entitled an act to alter the times for holding the several Superior Courts of Law and for better arranging the county Courts within this State, was read the third time, passed and ordered to be engrossed.

On motion, the Bill to make provision for the recovery of Debts due the United States or any of them, was read the third time, passed and ordered to be engrossed.

Resolved, that the public Printer of this State print all the resolves of the General Assembly immediately after the acts of each Session and in the same volume.

Ordered that the above resolve, together with the following Message be sent to the House of Commons.

Mr. Speaker and Gentlemen of the House of Commons:

Herewith you will receive a resolve of this House ordering the public Printer to print the resolves of the Assembly.

General Rutherford, from the Committee appointed to take under consideration, the Petition of Mrs. Martha Gilchrist in behalf of her husband, Thomas Gilchrist, reported as follows:

It appears to your Committee that Mr. Thomas Gilchrist was under peculiar circumstances regarding his connections in Britain and the West Indies, which rendered it out of his power to recover his interest without leaving this State at the time he did.

That it manifestly appears by testimony before your Committee that through the whole course of his conduct since the commencement of Hostilities between Great Britain and the United Colonies, the said Mr. Gilchrist ever showed an attachment to the common cause by submitting and cheerfully contributing to the defence of this State, and that he never did, by word or deed, make use of means to advise or persuade the good people of this State from their allegiance to the same. That in consequence of a resolution of the Continental Congress, the said Thomas Gilchrist sailed from Bermudas and arrived in Georgia, and there took Oath of allegiance on the ninth day of June, 1778, and was admitted a free citizen, from thence he departed and arrived in the State of South Carolina, and on the 21 June, 1778, took the Oath of allegiance and Fidelity and was admitted a subject of that State.

The said Mr. Gilchrist now waits the determination of this Assembly and prays leave to return to his family and friends, and become a subject to this State, and forasmuch as your committee well know that Mrs. Martha Gilchrist is descended from and allied to some of the first families in this State, who as well at this time as from the beginning or commencement of hostilities, have in every part of their conduct manifested a spirited, zealous and warm attachment to the liberties of the United States, and in a particular

manner rendered singular services to this State as Representatives of the free people of the same.

Your committee therefore, in tender consideration of the premises and of the very peculiar circumstances and situation of the said Mr. Thomas Gilchrist, together with the distresses which must naturally arise to the family of the said Mr. Gilchrist, by a separation from his disconsolate wife and helpless children, and forasmuch as your committee in compliance to the resolve of the Continental Congress regarding returning penitents conceive that mercy ought to be extended to such as this Honourable Assembly may think deserving pardon from the pains of death.

Your committee do therefore, in the most earnest manner recommend it to this Assembly that by a resolve of the same to be signed by both Speakers, the said Thomas Gilchrist be discharged from the pains and penalties directed to be inflicted by an act of Assembly of this State entitled an act to amend an act for declaring what “crimes and practices against this State shall be “treason and what shall be misprision of treason,” “and providing punishments adequate to crimes of both classes,” and for preventing the dangers “which may arise from persons disaffected to the State.” And that such resolve immediately after the said Thomas Gilchrist shall have taken the oath of allegiance to this State shall be considered, held, deemed and taken to be a full and free pardon from the pains and penalties of the act aforesaid.

Submitted,

Griffith Rutherford.

The House taking the said report into consideration concurred therewith.

Thereupon, resolved, that in consideration of the peculiar circumstances of Thos. Gilchrist, and out of regard to his family and connections in this State who have invariably been active in maintaing and supporting our happy independency that after taking an oath of allengiance to this State the said Thomas Gilchrist, be discharged from the pains and penalties directed to be inflicted by an act of Assembly of this State entitled “an act to amend act for declaring what crimes and practices against the State shall be treason and what shall be misprision of treason and providing punishments adequate to crimes of both classes, and for preventing the dangers which may arise from persons disaffected to the State,” and that this resolve be held and deemed a full and free pardon.

Ordered that the above resolve and the report of the Committee on the petition of Mrs. Martha Gilchrist, with the following message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This accompanies a resolve of this House in favour of Mr. Thomas Gilchrist for your approbation.

Also the report the Committee on the petition of Mrs. Martha Gilchrist.

Concurred with by this House.

Received from the Commons the following Message.

Mr. Speaker and Gentlemen of the Senate:

The House cannot concur with yours in making any alterations in the oath of affirmation to be taken by the Moravians as they think that all people living in, or inhabiting this State, should acknowledge their fidelity to the same by taking the same oath or affirmation and therefore have determined not to admit any Bill for making any alterations as recommend by you.

On motion, a Bill to prevent trading with the Cherokee Indians without license first had and obtained, and also to prevent trespasses upon the Indian hunting grounds, was read the first time, passed and ordered to be sent to the Commons. Sent by Mr. Jones and Mr. Owen.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House in favour of Dr. Lancelot Johnston.

Concurred with.

At the same time received the resolve of this House referred to in the above message.

Endorsed in the House of Commons, 18 August, 1778.

Concurred with.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

This House concur with yours in the proposed alteration in

the report of the Committee appointed to take under consideration the petition of said Colonel Alston, &c.

Received from the Commons the following message.

Mr. Speaker and Gentlemen of the Senate.

We herewith return the resolve of your House in favor of the contractor for the troops in Salisbury District.

Concurred with.

At the same time received the resolve of this House referred to in the foregoing Message:

Endorsed in the House of Commons, 18 August, 1778. Concurred with.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate.

We herewith send for your concurrence a resolve of this House in favour of Balaam Thompson.

At the same time received the resolve of the Commons referred to in the above message, as follows:

Resolved,

That Balaam Thompson pay into the public Treasury of this State the sum of five hundred pounds which he received for a certain tract of land sold the Commissioners of the Iron Works in Chatham Connty.

In consideration whereof the public relinquishes all and every claim and title to the same that was ever conveyed or made them by the said Thompson. The same being read,

Ordered, that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House directing Balaam Thompson to pay a certain sum of money into the Treasury.

Concurred with.

Allen Jones, S. S.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House have directed the Clerk to make out the estimate tomorrow inclusive, being determined to rise then.

Resolved, that it be recommended to the officers under the new arrangement to use their utmost endeavors to induce the new Levies to enlist into the Continental services, during the war or for the term of three years, and for that purpose to grant furloughs to all such until the first day of March next, should they require it, at which time they shall be entitled to receive a bounty of fifty dollars each.

Resolved, also, that the aforesaid Officers be impowered to grant furloughs until the first day of March next, to all such Soldiers as shall agree to continue in the service for nine months after the aforesaid first day of March next, who with the Militia Officers shall be on pay from the time of their enlistment; and in case the said Soldiers should refuse to agree to either of the aforesaid proposals, that then, they be immediately marched to Head Quarters under proper Officers agreeable to the act of Assembly.

Ordered that the above resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker and gentlemen of the House of Commons:

We herewith send for your concurrence, a resolve of this House for promoting the recruiting Service.

On motion, the Bill to prevent trading with the Cherokee Indians without Licence first had and obtained, and also to prevent trespasses upon the Indian hunting grounds, was read the second time, amended, passed and ordered to be sent to the Commons.

Sent by Mr. Jones and Mr. Owens.

Received from the Commons the following Message:

We herewith send for your concurrence, a resolve of this Hoase in favour of Matthew Collins, a disabled Soldier, also the resolve therein referred to, as follows:

Resolved, that Matthew Collins, a disabled Soldier, to be allowed twenty pounds as a recompence for his past services, that the Treasurers or either of them pay him the same and be allowed.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House in favour of Matthew Collins.

Concurred with.

Resolved, that all Quakers, Moravians, Dunkers and Mennonists, who shall, before the setting of the next General Assembly, take the affirmation prescribed by Law shall be admitted to the rights of citizens, any Law, custom or usage to the contrary notwithstanding

Ordered the above resolve, together with the following Message be sent to the House of Commons:

M. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence, a resolve of this House relative to Quakers.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have received the Message of yours acquainting them that your estimate is to be made out to tomorrow inclusive, and have directed their Clerk to make out the estimate of allowance to the members of this House, &c., to include tomorrow.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House for promoting the Recruiting Services.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 18 August, 1778.

Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have received the resolve of your House in favour of Mr. Thomas Gilchrist, also the report of the Committee on the petition of Mrs. Martha Gilchrist, both of which we concur with.

At the same time received the resolve of this House and the above mentioned report.

Endorsed in the House of Commons, 18th Aug., 1778.

Concurred with.

On motion, the Bill to prevent trading with the Cherokee Indians without licence first had and obtained, and also to prevent trespasses upon the Indian hunting grounds, was read the third time, passed and ordered to be engrossed.

On motion, the Bill for emitting eight hundred and fifty thousand pounds in Bills of credit for discharging the debts incurred by this State in raising men to reinforce the Battalions belonging to this State in the Continental Army and for calling in all former emissions and other purposes, was read the third time, amended by consent of both Houses, passed and ordered to be engrossed.

The House adjourned till tomorrow morning 5 o'clock.

Wednesday, 19 Aug., 1778. The House met according to adjournment.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House relative to Quakers, &c. Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 18 Aug., 1778. Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House relative to Col. Chariol's Regiment, &c.

At the same time received the resolve of the Commons, as follows:

As it has been made evident to this House from divers circumstances which could not be foreseen at the time of passing, a resolve to raise a French regiment, under the command of Colonel Chariol that the good intention of the Colonel and the officers under his command cannot be carried into execution as a sufficient number of privates, of the French Nation cannot be obtained to compleat the said regiment within this State or vicinity thereof, resolved therefore that as this State cannot avail themselves of the good intentions of Colonel Chariol, who wishes to contribute his best eadeavours to aid America in her contest with Great Britain, occasioned by circumstances out of his power to command, that this State have no further occasion for the services of Colonel Chariol or his officers and that the privates who have been enlisted into the said regiment should be discharged and that the Colonel and other officers be requested to settle their accounts of the regiment with the Governor and Council and that Colonel Chariol his officers and men may be assured that if this State at a future day shall have an opportunity to call them into service under more favorable circumstances that they will with pleasure embrace it.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House relative to Colonel Chariol's regiment.

Concurred with.

Whereas, divers disorderly persons in the Counties of Guilford, Anson, Cumberland and Bladen refuse paying taxes and resist the Civil Officers in the execution of their duty, resolved that on application of any two Justices of the Peace, the Colonel or Commanding Officer of such County do order out any number of light horsemen not exceeding twenty-five to assist the officers of this State in the execution of their duty and bringing the offender to justice for which service such light horsemen are to be paid out of the public Treasury agreeable to the Militia Law.

Ordered that the above resolve together with the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

Herewith you will receive a resolve of this House relative to disorderly people in the several Counties within this State.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House relative to the Justices who refuse qualifying to their respective appointments.

At the same time received the resolve of the Commons referred to in the above Message.

Endorsed in the Senate, 19 Aug, 1778. Concurred with.

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House relative to the qualification of Justices.

Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of John Holgan, paper maker.

Also the resolve therein referred to which being read,

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House in favor of Mr. Holgan the paper maker.

Concurred with.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House relative to Farquhard Campbell and others who have broke their parole, &c.

At the same time received the resolve of the Commons, referred to in the foregoing message,

Which being read,

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House relative to Farquhard Campbell, &c.

Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering the Governor and Council to settle the accounts of Capt. De Cottineau and Colonel Chariol, &c.

At the same time received the resolve therein referred to which being read,

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House empowering the Governor, &c., to settle the accounts of Capt. De Cottineau and Colonel Chariol.

Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House

impowering the Commanding Officer of the Continental troops to draw on the Treasury for a sum therein mentioned.

Also the resolve referred to in the above message,

Which being read,

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House empowering the Commanding Officer of the Continental Troops to draw on the Treasury for a sum therein mentioned.

Concured with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your Concurrence a resolve of this House respecting the appointment of Jurymen in certain Counties therein mentioned.

At the same time received the resolve of the Commons therein referred to which being read.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons;

We herewith return the resolve of your House empowering the house-holders of certain Counties to act as Jurors.

Resolved that Major James Smith pay into the hands of either of the public Treasurers the sum of three hundred and fifty-seven pounds ten shillings, which sum he received by mistake in his accounts at Halifax Congress in Dec., 1776, and that the Treasurers account for the same.

Ordered that the above resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House directing Major James Smith to pay a certain sum therein mentioned into the public Treasury.

Received from the Commons the following Message, &c., &c.

We herewith send for your concurrence a resolve of this House in favour of John Hunt.

Also the resolve therein mentioned, which being read,

Ordered that the following Message be sent to the House of Commons.

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House for advancing a sum of money to Mr. John Hunt for the purposes therein mentioned.

Concurred with.

Resolved that William Murphy, doorkeeper be, allowed four pounds six shillings, for fire wood and candles, &c., found the last Session of the General Assembly.

Ordered that the above resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favour of Wm. Murphy.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House directing Major James Smith to pay a certain sum therein mentioned into the public Treasury.

Concurred with.

Also the resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons, 19 August, 1778.

Concurred with.

THIRD SESSION – JANUARY 19, 1779 TO FEBRUARY 13, 1779

SENATE JOURNAL - 19 January, 1779.

When the Following Members Appeared:

James Coor,
Wm. Thompson,
Elisha Battle,
Henry Rhodes,
Robert Harris,
Mr. Speaker,
Edwd. Jones,
Thos. Respass,
Kenneth McKenzie,
James Kenan,
Ben Exum,
Alexius Mason Forster,
Jeremiah Frazier,
Chas. Robeson,
John Brown,
Alex Martin,
John Ashe,
Robert Sumner,
Wm. Russell,
Wm. Graham,
Thomas Owen,
Nathan Boddie,
Thomas Harvey,
Ebenezer Folsom,
Michael Rogers,
John Kinchen,
Robert Salter,
Robert Irwin,
William Shepherd,
John Birdsong,
Luke Sumner,
John Chiles.

State of North Carolina, in the Senate, 19th January, 1779. At a General Assembly begun and held at Halifax, on the nineteenth day of January, in the year of our Lord 1779, and in the third year of the Independence of the said State, being the third Session of this Assembly.

In pursuance of an adjournment of the last Session of Assembly for meeting at Halifax on the first Monday in January, Instant, & thence prorogued by His Excellency the Governor de die in diem until the nineteenth Instant, the following Members appeared & took their Seats, viz:

The Honorable Allen Jones, Esq., Speaker;

Messrs. Oroondates Davis, James Coor, Zedekiah Stone, William Thompson, Elisha Battle, Henry Rhodes, Robert Harris, Edward Jones, Thomas Respass, James Kenan, Benjamin Exum, Alexius Mason Foster, Jeremiah Frazier, Charles Roberson, John Brown, Alexander Martin, Robert Sumner, William Russell, William Graham and John Ashe, Junr.

The returning Officer for the County of Martin certifies that Mr. Kenneth McKenzie was duly Elected a member to represent said County in Senate, Whereupon the said Kenneth McKensie appeared, qualified agreeable to law and took his Seat.

Ordered that the following Message be put to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

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

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This house have received the Message of yours informing them that you are ready to proceed on public Business, And in Answer thereto, we inform you that this House is also formed and ready to proceed upon Business.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Message addressed to His Excellency the Governor, also the following Message directed to His Excellency the Governor,

which being read was Concurred with.

To His Excellency Richard Caswell, Esq., &c., &c., &c.

Sir:—The two Houses of the General Assembly being now formed, acquaint your Excellency that they are ready to take under Consideration the Journal & proceedings of the Council of State & such public Dispatches as you have to lay before them.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this receive the Message addressed to to his Excellency the Governor, concurred with by this House.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Courtney, Mr. Hawkins, Mr. Bryan, Mr. Bloodworth, Mr. Hunter & Mr. Wilson, as a Committee of Public Claims. Mr. Locke, Mr. Person, Mr. Whitaker, Mr. Harvey, Mr. Easton & Mr. Mitchell, as a Committee of Public Accounts, who will act jointly with such Gentlemen of your House as you may think proper to appoint for the purpose aforesaid.

Ordered that the following Message be put to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received the Message of yours appointing Committees of Accounts & Claims & have on their part appointed Messrs. Coor, Kenan & Forster, a Committee of Accounts, & Messrs. Exum, Jones & Rhodes, a Committee of Public Claims, who will act in Conjunction with the Gentlemen by you appointed for those purposes.

Committee to prepare & bring in a Bill for levying a Tax by General Assessment.

On motion Ordered that Mr. Coor, Mr. Martin & Mr. Battle, be appointed as a Committee to act with such Gentlemen as are appointed by the House of Commons to prepare & bring in a Bill for Levying a tax by General Assessment.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons.

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Mr. Martin, Mr. Coor & Mr. Battle, to act in Conjunction with such of your Body as you may appoint for that purpose to prepare & bring in a Bill for levying a Tax by General Assessment.

The House adjourned till tomorrow Morning 9 o'clock.

Wednesday, 20th January, 1779.

The House met according to adjournment.

Mr. Thomas Owen, the member for Bladen county, & Mr. Nathan Boddie, the member for Nash county, appeared & took their Seats.

The returning Officer for the County of Perquimans Certified that Mr. Thomas Harvey was duly Elected a Member to represent said County in Senate, whereupon the said Thomas Harvey appeared, qualified agreeable to Law & took his Seat.

Received from the Commons A Bill to regulate and Establish a Militia in this State, which was read the first time, passed and Ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Jones, Mr. Johnston, Mr. Williams, Mr. Hooper, Mr. Hewes, Mr. Nash & Mr. Clinton, as a Committee on their part to act jointly with such Gentlemen of the Senate as may be appointed to take into Consideration the Petition of Samuel Marshall and Thomas Barker, Esquires. For your further Information we herewith send the said Petition.

At the same time received the Petition therein referred to & the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your perusal sundry papers, &c., relative to the case of John London parolled to the Town of Wilmington, which we propose referring to the Committee appointed to take under Consideration the petition of Samuel Marshall & Thomas Barker, Esqrs. Also the papers relative to the said London Referred to the above Message, which being read Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Messages referring sundry Petitions of Messrs. London, Marshall, Barker, &c., to a joint Committee, and cannot concur therewith but have appointed Colo. Martin, Colo.

Thompson, Colo. Rhodes & Mr. Ashe, to act with such Gentlemen as you may think proper to appoint as a Committee to receive and Consider of the Petition of Robert Hogg of the above and all other Petitions as shall be presented by such persons (praying to be admitted Citizens of the State) during the Session, who are to report specially on the same.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of the House for appointing a Chaplain to the General Assembly. Also the Resolve therein referred to which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House appointing a Chaplain to the General Assembly. Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House appointing a Committee to act jointly with a Committee of the Senate for purposes therein mentioned.

Also the Resolve therein referred to, which being read was Concurred with, & ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for appointing a Committee to prepare & bring in such Bills as are necessary to be passed, & have on our part appointed Colo. Martin, Mr. Coor & Mr. Battle, to act with the Gentlemen by you appointed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Hawkins, Mr. Jones, Mr. Walton & Mr. Person, a Committee on their part to act jointly with

such Gentlemen of the Senate as may be appointed to take under Consideration a Letter from the Governor of Virginia to Governor Caswell concerning the Reduction of the Chickamaggaw Settlements, &c., which you will herewith receive for your perusal & concurrence in the Measure.

At the same Time receiving the letter from the Governor of Virginia, &c., which being read, Ordered that Messrs. Coor, Robeson & Brown, be a Committee to act with the Gentlemen appointed by the House of Commons, & that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received the Message of your House appointing a Committee to take under Consideration a letter from the Governor of Virginia to his Excellency Governor Caswell, concurred with by this House, who have appointed Messrs. Coor, Robeson & Brown, to act with the Gentlemen appointed by the House of Commons for that purpose.

(Mr. Stone, the Member from Bertie County, appeared and took his seat.)

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

With this you will receive a Message from his Excellency the Governor, addressed to the General Assembly, together with the sundry Resolutions of Congress, letters from the Governor of South Carolina and the Commander in Chief of the Southern Expedition, the President of Congress & the Delegates from this State in Congress, and sundry other papers therein referred to, which we have had under Consideration & propose referring them to the Committee appointed to report what Bills of a General & public nature are necessary to be brought in and perfected at this Session.

At the same time received the letters, Resolutions & Despatches &c., referred to in the above Message, which being read, ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message referring sundry letters

& Resolve from Congress, Letter from South Carolina, &c., to the Committee appointed to prepare and bring in what Bills are necessary, &c., and concur therewith.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message of yours appointing certain Gentlemen therein mentioned a Committee to act with such Gentlemen of this House as may be appointed to receive & consider the petitions of Robert Hogg & of all others praying to be admitted as Citizens, with which we concur, & propose on our part that the Committee appointed to receive & consider the Petitions of Robt. Hogg & Samuel Marshall & Thomas Barker, Esquires, shall act with the Gentlemen by you appointed for the purpose aforesaid.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of the House for paroling the officers and men therein mentioned, &c. Also the resolve therein referred to, Endorsed in the Senate 20th January, 1779.

Concurred with.

Ordered that the following Message be put to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for paroling certain persons therein mentioned, concurred with.

Received from the Commons a Bill to regulate and ascertain the Fees of Clerks in the Superior and County Courts, Justices of the peace, and Attornies in this State, and directing the Method of paying the same, and other purposes, which was read the first Time, passed and Ordered to be sent to the Commons.

Mr. Jones moved for leave & presented a bill for dividing Bute County into two distinct Counties and other purposes therein

mentioned; which was read the first time, passed and ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the joint Committee appointed to take under Consideration the letter from the Governor of Virginia to Governor Caswell, &c.

Concurred with by this House.

Also the Report therein referred to as follows:

The Committee appointed by both Houses to take under Consideration the letter from the Governor of Virginia respecting our aid to be sent to the frontiers, beg leave to report as follows:

It is the opinion of your Committee that two Hundred Men be immediately sent under one Lieutenant Colonel and four Captains to join Colo. Shelby, and that they be furnished from the Militia of Washington formed by Voluntary Enlistment, if they can be so procured, or by Draught agreeable to the Militia Law. That they be furnished with a Commissary, who shall be supplied with Money to enable him to accommodate the troops; that he give Bond to the Governor for the faithful performance of his Trust. That the Officers and Soldiers (should they be successful) treat Captive Women and Children with Tenderness and humanity, conducting them safely to some neighbourly friendly Tribe of the Cherokees & then supply them with live stock and such other of their provisions as they may think necessary. That they treat the friendly Tribes with the utmost Respect, and that they inform them as soon as the Situation of Affairs will permit of their Intentions.

The Committee further beg leave to recommend Major Charles Robeson to the Command, with the rank of Lieutenant Colonel, and that the Troops be furnished with two Hundred weight of Powder.

All which is humbly submitted to the House.

Thos Person, for Committee.

The same being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the report of the Committee appointed to consider of the Governor of Virginia's letters to Gov. Caswell, concurred with.

Received from the Commons the following Message:

Herewith you will receive the remonstrance of sundry people of Pasquotank County, which this House propose referring to a joint Committee of both Houses, and have, for that purpose, on their part, appointed Mr. Hawkins, Mr. Johnston, Mr. Harvey, Mr. Nash, Mr. Jones and Mr. Courtney, a Committee.

At the same time Received the Remonstrance therein referred to, which being read,

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your Message appointing a Committee to take under Consideration the Remonstrance from Pasquotank County, with which we concur, and have appointed Mr. Stone, Mr. Harvey and Mr. Sumner, who will act with the Gentlemen by you appointed for that purpose.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

Herewith you will receive a Resolve of this House for appointing Commissioners to purchase Provisions, &c.; also empowering them to draw a certain Sum of Money therein mentioned for that purpose.

The House adjourned till tomorrow morning 9 o'clock.

Thursday, 21st January, 1779.

The House met.

Mr. John Kinchen, the Member for Orange County; Mr. Ebenezer Folsom, the Member for Cumberland, and Mr. Michael Rogers, the Member for Wake, appeared and took their Seats.

The returning Officer for the County of Pitt Certified that Mr. Robert Salter was Elected a member to represent said County in Senate, whereupon the said Robert Salter appeared, qualified agreeable to Law and took his Seat.

Received from the Commons a Bill for dividing Hertford County and other purposes, which was read the first time, passed and ordered to be sent to the Commons.

Also the Bill for dividing Bute County into two distinct Counties and other purposes therein mentioned, which was read the second time, amended, passed and ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We have appointed Mr. Person, Mr. Johnston, Mr. Locke, Mr. Harvey, Mr. Courtney and Mr. John Williams, Caswell, as a Committee on our part who will act jointly with such Gentlemen of your House as may be appointed to take under Consideration the address and Petition of the people called Quakers.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

The House have received your Message referring the Petition of the Quakers to a joint Committee, and concurs therewith, and have for the purpose appointed Mr. Kinchen, Colo. Martin and Mr. Frazier, to act with the Gentlemen by you appointed.

We also send you a Petition from the United Brethren alias Moravians, which we propose referring to the same Committee.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have appointed Mr. Nash, Mr. Person, Mr. Johnston and Mr. Hawkins, a Committee on their part to act jointly with such Gentlemen of the Senate as may be appointed to examine the accounts of William Gilbert, late Commissary of Tryon Couty, &c.

Ordered that the following Message be sent to the Common:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your Message appointing a Committee to examine the Accounts of Wm. Gilbert, late Commissary of Tryon County, &c., with which we concur, and have for that purpose, on our part, appointed Messrs. Stone, Coor, Rogers and Owen, a Committee.

Received from the Commons a Bill to further ascertain the Duties of the different Surveyors in this State, & other purposes, which was read the first time, passed & ordered to be sent to the Commons.

Also a Bill to enforce the attendance of the Voters at Elections of Members of the General Assembly & other purposes, which was read the first time, passed & ordered to be sent to the Commons.

Mr. Forster moved for leave & presented a Bill for erecting a Court House, Prison & stocks, in Brunswick County, & other purposes, which was read the first time, passed and Ordered to be sent to the Commons.

Resolved, That Colo. Long be requested to furnish a Cart & Horses for the purpose of transporting to Mr. Jno. Brown, at the bend of the Yadkin, immediately, two Hundred Weight of powder, three Hundred weight of Lead & a sufficient number of Flints, for the use of the Troops ordered against the Chickamaggaw Indians.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons: Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House

for transporting Ammunition for the Use of the Troops ordered against the Indians.

Resolved, That Mr. Jesse Walton be appointed Commissary to the Troops now ordered on the Indian Expedition under the Command of Colo. Robeson.

Ordered that the above Resolve be sent to the Commons, together with the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive for your Concurrence a Resolve of this House appointing Mr. Jesse Walton, Commissary to the Troops, under the Command of Colo. Robeson, on the Indian Expedition.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Nash, Mr. Hooper & Mr. Locke, a Committee on their part, to act jointly with a Committee of the Senate, to enquire into the Conduct of Mr. Charles Bondfield, relative to selling the Pennsylvania Farmer, & charging Mr. Hewes with being the purchaser.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message appointing a Committee to enquire into the conduct of Charles Bondfield relative to selling the Pennsylvania Farmer, & concur therewith, & have, on our part, chosen Colo. Martin & Mr. Stone to act in conjunction with the Gentlemen by you appointed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Hewes, Mr. Nash, Mr. Jones & Mr. Hawkins, a Committee on their part, to act jointly with a

Committee of the Senate, to devise ways & means to supply the State with Arms & Ammunition with the greatest Expedition and Economy possible.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your Message appointing a Committee to devise ways & means to supply this State with Arms & Ammunition, &c., & concur therewith, & have for that purpose chosen Messrs. Salter, Davis & McKenzie, to act with the Gentlemen by you appointed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House appointing a Commissary to the Troops ordered on the Indian Expedition.

Also the Resolve for transmitting Ammunition for the Troops on the same service, Concurred with by this House.

At the same time Received the Resolves of this House referred to in the above Message and Endorsed in the House of Commons 21st January, 1779.

Concurred with.

The House adjourned till tomorrow morning 9 o'clock.

Friday, 22d January, 1779.

The House met according to adjournment.

Received from the Commons a Bill for dividing Craven County into two distinct Counties, & for other purpose therein mentioned, which was read the first Time, passed and ordered to be sent to the Commons.

Also a Bill for confirming certain Grants of Lands in Earl Granville District, made by Thomas Child, Esq., Agent for said Earl Granville, after his Departure from Edenton, in North Carolina, and during his Residence in Suffolk, in Virginia, which was read the first time, passed and ordered to be sent to the Commons.

And a Bill for annexing part of Halifax County to Edgecombe, and other purposes, which was read the first time, passed & ordered to be sent to the Commons.

Whereas, many of the subjects of the King of Great Britain have & may come into this State and voluntarily make application to be permitted to take the Oath of Allegiance & become Subjects thereof; & whereas, it hath been Doubtful to what Authority such persons should apply for the aforesaid Privilege & Indulgence.

Resolved, that in such Cases & Circumstances any two Justices of the peace of any County in this State may & they are hereby required at their Discretion to administer the Oath of Allegiance to any such person so applying & to give a Certificate thereof under their Hands, provided that this Indulgence shall not extend to such persons as have been compelled to leave this State or any of the United States, by virtue of any law or resolve of this or the United States, nor to such as have taken Arms against this State and have removed themselves therefrom or still continue within the limits of this State.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

You will with this Receive a Resolve of this House permitting the Subjects of the King of Great Britain, who shall voluntarily come into this State to take the oath of Allegiance & become subjects thereof, which we send for your Concurrence.

As it is obvious from the advanced price of every Commodity that Lieutenant's pay at present allowed to Ptolemy Powell & Samuel Caswell, Commanding officers of the Guards at Halifax & Kingston, is inadequate to their maintenance as Officers;

Resolved, therefore, that the said Ptolemy Powell & Samuel Caswell be advanced to the rank, pay & Command of Captains, to be under the same Rules, Regulations & Restrictions, & be subject to the same pains and Penalties as Officers in the Continental service, and that His Excellency the Governor commission them accordingly, and further that each be allowed to draw Captain's pay from the Date of their Commission as Lieutenants and

be empowered to appoint one Sergeant and two Corporals, who shall draw pay accordingly.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House for advancing the pay and Rank of the Officers of the Guard of Halifax & Kinston.

Colo. Kenan has leave of absence during the remainder of this Session.

Colo. Robeson has leave of absence during the remainder of this Session.

Mr. Robt. Irwin, the Member for Mecklenburg County, appeared & took his seat.

The House adjourned till to-morrow morning 9 o'clock.

Saturday, 23d January, 1779.

The House met.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for raising men to be stationed in Cumberland County, &c., &c.

Also the Resolve therein referred to, which being read, Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for raising men to march to Cumberland, &c., concurred with by this House,

with the Amendment of the words "compelled to" in the first page.

Received from the Commons a Bill for ascertaining the lines & Boundaries of a tract of land lately granted to Samuel Spencer,

which was read the first Time, passed & ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you a letter from the Honble. Samuel Spencer, Esq., Judge, &c., the Consideration of which we propose referring to a joint Committee and have for that purpose, on our part, appointed Mr. Hawkins, Mr. John Williams, Mr. Courtney & Mr. Person, a Committee.

Also the letter therein referred to and the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the Petition of Waightstill Avery, Esq., Attorney General, which we propose referring to the Committee appointed to take under Consideration the Letter from the Honble Judge Spencer.

Also the Petition therein referred to.

Which being read, ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message referring the letter from the Honble Samuel Spencer, and the Petition of Waightstill Avery, Esquire, to a joint Committee, with which we concur & have, for that purpose, appointed Messrs. Davis, Martin & Rogers, a Committee.

We also propose referring to said Committee the Consideration of the allowance of the Governor, Secretary, Delegates in Congress, & other public Officers of this State.

Received from the Commons a Bill for raising Forces for the Defense of this State, which was read the first Time, passed and ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House appointing Commissioners in the different Districts of this State

for purchasing the provisions therein mentioned & allowing them the Sums therein mentioned for such Service:

We propose that a former Resolve of this House, and concurred with by the Senate, for this purpose should be Expunged from the Journals of both Houses, as the Substance of that is included in the one herewith sent you.

Also the Resolve therein referred to, which being read was Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House concur with yours in the proposed Amendment to the Resolve for raising men, &c.

Received from the Commons a Bill for erecting a Court House, Prison & stocks, in Brunswick County, and other purposes, which was read the second time, amended, passed & ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House empowering the Commissary of Stores to remove the public powder.

Also the Resolve therein referred to, which being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive the Resolve of your House empowering the Commissary of Stores to remove the public powder to some convenient House in the Town of Halifax.

Received from the Commons a Bill for annexing part of Halifax County to Edgecombe & other purposes, which was read the second Time, passed & ordered to be sent to the Commons.

Ordered that Mr. Irwin & Major Owen be added to the Committee of Claims.

Whereas, many Entry takers & Sheriffs, for the furtherance of the present Expedition to the Southward, have advanced public Monies to the Commanding Officers of the Militia now in that Service, for the purpose of paying Bounties to such persons as should turn out Volunteers in the same and whereas, the Resolve passed last Session of the General Assembly respecting the Treasurers allowing such Monies advanced to the Volunteers ballotted to march to the Northward in the Accounts of such Entry takers and Sheriffs did not include Monies to be advanced to the said Officers to be paid as Bounty to the Militia on like Service;

Resolved, therefore, that Entry takers & Sheriffs who have advanced public monies for the purpose of raising Volunteers of Militia now serving in the present Expedition to the Southward be comprehended in the meaning of the said Resolve, and that the Treasurers pass such accounts on the said Entry takers & Sheriffs producing from the Colonels or Commanding Officers in the County of said Volunteers and Militia Receipts of such Monies by them so received.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this receive a Resolve of this House for making valid all Receipts for monies advanced by Entry takers & Sheriffs for the purpose of raising Volunteers of the Militia in the present Expedition to the Southward.

Received from the Commons a Bill for confirming certain Grants of Lands in Earl Granville District, made by Thomas Child, Esq., Agent for said Earl Granville, after his Departure from Edenton, in North Carolina, and during his Residence in Suffolk, in Virginia, which was read the second time, amended, passed & ordered to be sent to the Commons.

Mr. William Shepherd, the Member for Surry County, appeared & took his Seat.

Colo. Graham moved for leave & presented a Bill for annexing part of Burke County to the County of Tryon and for other purposes, which was read the first time, passed & ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for admitting Jacob Pope to the priviledges of a Citizen, &c.

Also the Resolve therein referred to.

Endorsed in the Senate 23 January, 1779.

Read & Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this Receive the Resolve of your House admitting Jacob Pope a Citizen of this State.

Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to Consider the Petition of the people called Moravians & Quakers.

Concurred with by this House.

Also the report of the Committee therein referred to as follows:

Your Committee appointed to consider of the petitions of the people called Moravians and Quakers, having taken the same under their Consideration are of the opinion, That as the end of all government is to make every member of the Community equally happy, and as in a State settled by people of different Religions this equality of political Happiness is inseparable from an Indulgence to those whose religious Opinions make them object to the usual form of promising fidelity to the State, That the people called Moravians and Quakers should be permitted to take the following Affirmation, to-wit:

I, A, B, Do solemnly and sincerely declare and affirm in the presence of Almighty God that I will truly and faithfully demean myself as a peaceable subject of the Independent State of North Carolina

and will be subject to the powers and Authorities that are or may be established for the good Government thereof not inconsistent with the Constitution by yielding either an active or passive Obedience thereto and that I will not abet or join the subjects or forces of the King of Great Britain or others the Enemies of this State in any Conspiracy by any means whatsoever against this said State or the United States of America and that I will make known to the Governor or some member of the Council of State, Judge of the Superior Court, or Justice of the peace, all treasons, Conspiracies or attempts committed or intended against the same which shall come to my knowledge.

And your Committee are further of the opinion that an Act of the General Assembly of this State ought to be made for the above purpose. All which your Committee humbly submits to the Houses.

Thos. Person, Chairman.

On reading the foregoing Report, ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your Message with the Report of the Committee appointed to consider the Petitions of the Moravians and Quakers, and concur therewith, with the amendments we have made in the oath to be taken by such people, and further propose that the Mennonists and Dunkards should be included within the meaning and purview of the said Report.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received the Message of yours proposing Amendments in the Report of the Committee appointed to consider the Petitions of the Moravians and Quakers and have acceded thereto and made the Report Conformable.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House concur with you in referring to the Committee appointed to take into Consideration the letter from the Honble

Samuel Spencer, &c., the Consideration of the allowance of the Governor, Secretary, &c., Delegates in Congress, and other public officers of this State.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed The Honorable the Speaker, and Colo. Martin to act with the Gentlemen by you appointed for the purpose of preparing the Thanks of this State to the Honorable Cornelius Harnett, Esquire, one of the Delegates for this State in the Continental Congress, for his faithful and important Services rendered this State in the Execution of that office.

The House adjourned till Monday morning 10 o'clock.

Monday, 25th January, 1779.

The House met.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House permitting Henry Hinton, Master of the Sloop Mary, bound for the Island of Bermuda, to load out with provisions.

Also the Resolve therein referred to.

Which being read, ordered that the following Message be sent to the House of Commons:

This House have received your Message and Resolve in favour of Capt. Hinton, and propose passing a Resolve in favour of the Inhabitants of Bermuda generally, supposing that many of that Island will come into this State with the same Desire of procuring provisions, and that all are equally entitled to those Benefits, for which purpose we have sent a Resolve for your Concurrence as follows:

It being Evident that the United States, and particularly this State, have received great Benefit and Advantage from the importation of salt and other useful articles by the Inhabitants of Bermuda, and it being also represented to this House that the Inhabitants

of the Island of Bermuda, claimed by and guaranteed to the United States by Treaty with France, are in most distressing Circumstances thro' want of Provisions;

Resolved, therefore, that all vessels belonging to the Inhabitants of the Island of Bermuda, who shall import into any part of this State any Quantity of salt, shall, and they are hereby empowered, to take on board & export to the said Island so much Provision as will amount to the value of the salt so imported by them and no more.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the joint Committee appointed to receive and consider the Petition of all persons praying to be admitted as Citizens, unanimously concurred with by this House.

Also the Report of the Committee appointed to receive and consider the Petitions of all persons praying to be admitted.

Which being read was concurred with.

On reading the report of the said Commons, admitting Robert Hogg as a Citizen of this State, it was objected to, and the question being put it was carried in the affirmative.

Then, on motion of Robert Harris, Ordered that the yeas and nays be taken, which were as follows:

Yeas.—Messrs. Davis, Thompson, Battle, Rhodes, Forster, Martin, Russell, Graham, Ashe, Owen, Boddie, Rogers, Kinchen, Salter, McKenzie and Stone.

Nays.—Messrs. Coor, Harris, Jones, Respass, Exum, Frazier, Brown, Sumner, Irwin and Shepherd.

Dissentient—Because it appears when Mr. Hogg left this Country he was generally deemed unfriendly to the public Measures of this & the United States; that he returned under the protection of the King of Great Britain and hath not taken the Oath of Allegiance to this State, and lastly because Mr. Hogg hath not shown or offered in his own behalf any mitigating Circumstance to induce the General Assembly to admit him as a Citizen and restore to him his property, which we conceive was absolutely necessary and particularly required by the act of Assembly—Jas.

Coor, Robert Harris, Edwd. Jones, Thos. Respass, Ben. Exum, Jeremiah Frazier, Jno. Brown, R. Sumner, R. Irwin, Wm. Shepherd.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message, with the Report of the Committee appointed to receive and consider the petition of all persons praying to be admitted Citizens of this State, which we herewith return you concurred with.

Received from the Commons:

A Bill to Amend an act to amend the staple of Tobacco and prevent frauds, passed at New Bern, 15th November, 1779, which was read the first time, passed and ordered to be sent to the Commons.

Colo. Martin moved for leave & presented a Bill to lay out and Establish a town on the land adjoining to the Court House, in Guilford County, which was read the first Time, passed and ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Resolve of your House for making valid all Receipts for monies advanced by Entry takers & Sheriffs for the purpose of raising Volunteers of Militia in the present Expedition to the Southward, concurred with.

Also the Resolve of this House.

Endorsed in the House of Commons 25th January, 1779.

Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We have received the Message of your House appointing certain Gentlemen therein mentioned to prepare the thanks of the State to be given the Honble. Cornelius Harnett, Esq., one of the Delegates from this State in Congress, & we have for that purpose,

on our part, appointed Mr. Hooper & Mr. Jones, to act jointly with the Gentlemen by you appointed for that purpose.

We think that the Honble. John Penn & John Williams, Esquires, justly merit the thanks of the State for the great Services they have rendered as Delegates in Congress, & propose that the thanks of the State shall also be given them thro' the Assembly.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House appointing a Contractor for the Troops on the Indian Expedition, &c.

Also the Resolve therein referred to.

Which being read ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House appointing Mr. Jesse Walton, Contractor, for purposes therein mentioned Concurred with.

Received from the Commons a Bill for regulating the Town of New Bern & other purposes therein mentioned, which was read the first time, passed & ordered to be sent to the Commons.

Mr. Coor moved for leave & presented a Bill for ascertaining what property in this State shall be deemed Taxable property, the method of assessing the same & collecting the public Taxes & other purposes, which was read the first time, passed and ordered to be sent to the Commons.

Mr. John Birdsong, the Member for Chatham County, appeared & took his Seat.

On motion a Bill for dividing Hertford County and other purposes was read the second time, passed and ordered to be sent to the Commons.

The House adjourned till tomorrow morning 9 o'clock.

Tuesday, 26th January, 1779.

The House met.

Mr. Stone moved for leave & presented a Bill to empower the Court of Bertie County to levy a further Tax for completing the public Buildings of said County & other purposes, which was read the first Time, passed & ordered to be sent to the Commons.

Mr. Luke Sumner, the Member for Hertford County, appeared & took his Seat.

Mr. Respass & Mr. Harvey have leave of absence from the session of this House.

On motion a Bill for annexing a part of Burke County to the County of Tryon and for other purposes was read the second Time, amended, passed & ordered to be sent to the Commons.

Colo. Graham moved for leave and presented a Bill for dividing Tryon County into two distinct Counties and for other purposes, which was read the first Time, passed & ordered to be sent to the Commons.

Resolved, that all officers of the Militia and others of this State, who have collected clothing of any kind agreeable to a late act of Assembly in such case made, be directed to make Return thereof to his Excellency the Governor & that they also keep the same until the Governor shall direct them to deliver it to some officer or other person.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House being informed that several persons in the different parts of this State have in their possession public cloathing, have sent you a Resolve for your Concurrence, relative to the same.

Received from the Commons a Bill for dividing the County of Guilford into two distinct Counties, & other purposes therein mentioned; which was read the first time, passed & ordered to be sent to the Commons.

Resolved, that Edward Jones & Adkin McLemon Deliver into the hands of Colo. Nicholas Long the remainder of the Guns, Gun Locks & every other Thing belonging to the Gun Manufactory

in Bute County, & that the said Colo. Nicholas Long be directed to have those Gun Barrels, that have Locks & mountings finished, and that he sell the remainder for the best price that can be got for them & account with the General Assembly for the same.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House directing Colo. Long to receive the Guns & Gun Locks from Messrs. Jones & McLemon that formerly belonged to the Gun Manufactory in Bute County.

Colo. Alexander Martin, from the joint Committee of both Houses, appointed to prepare an address of thanks from this State to the Honorable Cornelius Harnett, Esquire, as also to the Honorable John Penn & John Williams, Esquires, Delegates in Continental Congress, Reported that he had prepared the same, which is as follows:

To the Honorable Cornelius Harnett & John Williams, Esquires, Gentlemen:

The General Assembly of the State of North Carolina, by the Unanimous Resolves of both Houses, have agreed that the Thanks of the State be presented to you for the many great and important Services you have rendered your Country as a Delegate in the Continental Congress.

The Assiduity & zeal with which you have represented our affairs in that supreme Council of the Continent, (during a long & painful absence from your family,) demand this respectful attention of your Countrymen, whose minds are impressed with a sense of the most lively Gratitude.

We cannot but congratulate you with ourselves for those late remarkable Successes of the American Arms, that under the Auspices & divine Providence of Almighty God have at length humbled the Pride of an insulting, vengeful, cruel & imperious Enemy, which, together with those wise Councils and Negotiations in which you (and your worthy Colleagues,) have borne a share, have induced the first Power in Europe to acknowledge the Freedom,

Independence, & Sovereignty of the United States of America, and have given them Rank among the Sovereign Powers of the World.

For the faithful Discharge of this your Duty and the high Trust reposed in you by this State, accept, Gentlemen, through me, the thanks & Plaudit of your Country.

The copy of the foregoing address was also prepared for the Honble. John. Penn.

Ordered that the foregoing Report, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence the Report of the joint Committee appointed to prepare an address of thanks to the Honble Cornelius Harnett, John Penn, & John Williams, Esqrs., which this House have Concurred with.

Received from the Commons a Bill for erecting a town in the County of Washington.

Which was read the first time, passed, & ordered to be sent to the Commons.

Received from the Commons a Bill for dividing Craven County into two distinct Counties, & for other purposes therein mentioned.

Which was read the second time, passed & ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This house being informed that it is necessary, from the Multiplicity of Business before the Committee of Claims, to appoint another Committee of Claims to settle and allow accounts separate and apart from the other, I have appointed Mr. Winslow, Mr. John Williams (Caswell), Mr. Clinton, Mr. Cogdell, Mr. Baker & Mr. Johnston, to act jointly with such Gentlemen as you may appoint for the purpose aforesaid.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message appointing another Committee of Claims & concur therewith, for which purpose we

have appointed Messrs. Shepard, Rogers, Frazier, Birdsong & Brown, to act with the Gentlemen by you appointed.

The House adjourned till tomorrow morning 9 o'clock.

Wednesday, 27th January, 1779.

The House met.

Received from the Commons the Bill for the Ease and convenience of the Militia in the west end of Rowan County.

Which was read the first time, passed & ordered to be sent to the Commons.

Mr. Davis moved for leave & presented a Bill for levying a Tax for defraying the Contingencies of the several Counties in this State & for other purposes therein mentioned.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House allowing Mr. Benjamin Clark a certain sum therein mentioned.

Also the Resolve therein referred to, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Resolve of your House in favour of Benjamin Clark.

Concurred with by this House.

Resolved, that Mrs. Sarah Dupree, of Brunswick County, be allowed the sum of Eighty pounds for a negro fellow, named James, who was executed in Brunswick for the Murder of Henry Williams.

That the Treasurers or either of them pay her the same and be allowed.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House allowing Mrs. Sarah Dupree a certain Sum therein mentioned.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House relative to public clothing in the hands of sundry people in different parts of the State. Concurred with.

At the same time received the Resolve of this House referred to in the above Message.

Endorsed in the House of Commons 26th January, 1779. Concurred with.

Received from the Commons the Bill for ascertaining what property in the State shall be deemed taxable property, the method of assessing the same and collecting the public Taxes and other purposes.

On motion, for reading the above Bill, the House resolved itself into a Committee of the whole House to take into Consideration this Bill and chose Mr. Luke Sumner, Chairman, and after some time spent therein Mr. Speaker resumed the Chair and Mr. Chairman reported that the Committee has proposed several Amendments in the said Bill, which were read.

Then on motion, Ordered that the Bill for ascertaining what property in this State shall be deemed taxable property in this State, &c., &c., be read.

Read the same the second time, Amended, passed and ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House allowing Mrs. Sarah Dupree the Sum therein mentioned. Concurred with.

At the same time received the resolve of this House referred to in the following Message.

Endorsed in the House of Commons 27th January, 1779.

Concurred with.

The House adjourned till tomorrow morning 9 o'clock.

Thursday, 28th January, 1779.

The House met.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to take under Consideration the petition of the people of Pasquotank, &c., concurred with by this House.

Also the Report of the Committee therein referred to, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the Report of the Committee appointed to take under Consideration the petition of the people of Pasquotank, &c., concurred with by this House.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House directing the Treasurers to receive the old proclamation money therein mentioned.

At the same time Received the Resolve of the House of Commons referred to in the foregoing Message, as follows:

Resolved, that the Treasurers be directed to receive of the Tax Gatherers and County Treasurers all old proclamation Money collected or received by such Tax Gatherers & County Treasurers in payment of public Taxes, oath being first made that such proclamation money was so collected or received on or before the first day of February, 1779.

The above Resolve being read was concurred with, & ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this receive the Resolve of your House directing the Treasurers to receive old proclamation money from the Tax Gatherers & County Treasurers in payment of public Taxes, & concurred with by this House.

Received from the Commons a Bill to explain an act entitled an Act to prevent Domestic Insurrections & for other purposes.

Which was read the first time, passed & ordered to be sent to the Commons.

Also the Bill for dividing Craven County into two distinct Counties & for other purposes therein mentioned.

Which was read the third time, passed & ordered to be Engrossed.

Also the Bill for erecting a Court House, Prison & Stocks, in Brunswick County and other purposes.

Which was read the third time, passed and ordered to be sent to the Commons.

Resolved, that Mr. Robert Summer, Colo. Martin, Mr. Coor and Mr. Thompson, be appointed to act with such Gentlemen as the House of Commons shall think proper to appoint, for the purpose of receiving the old proclamation money from the Treasurer and counting the same.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House appointing a Committee to receive and count the old money from the Treasurer.

Mr. Battle moved for leave and presented a Bill for levying a tax for the year 1779, and other purposes.

Which was read the first time, passed and ordered to be sent to the Commons.

On motion of Colo. Folsom, Resolved that Philip Alston and Thomas Hadley, of Cumberland County, who were appointed

Commissioners by the Congress at Halifax to settle on behalf of the public with the said Ebenezer Folsom are hereby cited to make Report to the next Session of General Assembly of their Settlement with said Folsom.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of the House, citing Philip Alston and Thomas Hadley to make report to the next assembly of their settlement with Colo. Folsom.

Received from the Commons a Bill for dividing Bute County into two Distinct Counties, and for other purposes therein contained.

Which was read the third time, amended, passed and ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have appointed Mr. Person, Mr. Davidson, Mr. Hunter, and Mr. Hewes, a Committee, to act with the Gentlemen by you appointed, to receive and count the old money of the Treasurer.

Received from the Commons A Bill to impower the Executors of the last Will and Testament of Richard Quince, late of New Hanover County, Esquire, deceased, to sell part of the Estate of the said Richard Quince, and for other purposes, and to apply the monies arising by such sales to the uses of the said Will.

Which was read the first time and Rejected.

Received from the Commons a Bill for erecting a separate and distinct County by taking off a part of the Counties of New Hanover, Duplin and Bladen Counties, and for other purposes therein mentioned.

Which was read the first time, passed and ordered to be sent to the Commons:

Also a Bill for the suppression of Vice and immorality, which was read the first time, passed and ordered to be sent to the Commons.

Mr. Kinchen moved for leave and presented a Bill to prevent Stealing of Slaves, and for other purposes therein mentioned.

Which was read the first Time, passed and ordered to be sent to the Commons:

Received from the Commons a Bill for dividing Hertford County, and for other purposes, which was read the third time, amended by Consent of both Houses, and ordered to be Engrossed.

Also the Bill for the Ease and Convenience of the Militia of West End of Rowan County.

Which was read the second time, amended, passed and ordered to be sent to the Commons:

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House citing Philip Alston and Thomas Hadley to attend the next Assembly for the purposes therein mentioned. Concurred with.

At the same time Received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 28th January, 1779, Concurred with.

Received from the Commons a Bill for dividing the County of Guilford into two distinct Counties, and other purposes therein mentioned.

Which was read the second time, amended, passed and ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee relative to the sale of the Pennsylvania Farmer, Concurred with by this House.

Also the Report of the Committee therein referred to, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Report of the Committee relative to the sale of the Pennsylvania Farmer, Concurred with by this House.

Mr. Frazier moved for leave and presented a Bill for altering the time of holding certain County Courts of Pleas & Quarter Sessions therein mentioned.

Which was read the first Time, passed and ordered to be sent to the Commons.

Mr. Davis moved for leave and presented a Bill for extending the Boundary Line between this State and the Commonwealth of Virginia.

Which was read the first time, passed and ordered to be sent to the Commons.

Colo. Martin moved for leave and presented a Bill to amend and explain an act for establishing Offices for receiving Entries of Claims for land in the several Counties within this State, for ascertaining the method of obtaining Titles to the same and for other purposes therein mentioned.

Which was read the first time, passed and ordered to be sent to the Commons.

Mr. Kinchen moved for leave and presented a Bill for establishing an Academy in the Neighborhood of Hillsborough.

Which was read the first Time, passed and ordered to be sent to the Commons.

The House adjourned till tomorrow morning 9 o'clock.

Friday, 29th January, 1779.

The House met.

Received from the Commons a Bill to explain an act entitled an Act to prevent Domestic Insurrections and for other purposes.

Which was read the second time, amended and Rejected.

Received from the Commons a Bill for levying a Tax for the year 1779, and for other purposes.

Which was read the second time, amended, passed and ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have Resolved that they will not receive any new Bill or Bills after Monday next, and desire your concurrence thereto.

The above Resolve being read was concurred with, and ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have recieved your Message relative to the Resolve for receiving no new Bill after Monday next, to which we agree.

Whereas, Mr. James Robertson, Superintendant of Indian Affairs for this State, hath resigned his said Appointment, and it appearing that it is the earnest Request and Desire of the Indians that Mr. Ellis Harling should succeed said Robertson in the Appointment;

Resolved, therefore, that the said Ellis Harling be & he is hereby appointed Superintendant of Indian Affairs for this State; that he be allowed the same pay as the said James Robertson was allowed; that His Excellency the Governor be requested to grant him a Commission for that purpose & that His Excellency return a talk to the Raven of Chola in answer to the Talk given by him to our Superintendant on the 23d of December, last.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House appointing Ellis Harling, Superintendant of Indian Affairs, in the stead of James Robertson, resigned.

Received from the Commons a Bill for establishing an Academy in the neighbourhood of Hillsborough.

Which was read the second time, passed and ordered to be sent to the Commons.

Received from the Commons a Bill to enable the Inhabitants of a certain Tract of Land lying in Mecklenburg County, known by the name of Governor Dobb's Tract, number five, to make Entries thereof and obtain Titles for the same.

Which was read the first time, passed and ordered to be sent to the Commons.

Received from the Commons a Bill for regulating the town of New Bern and other purposes therein mentioned.

Which was read the second time, amended, passed and ordered to be sent to the Commons.

Resolved, that Mr. James Robertson be allowed the sum of Four Hundred and Eighty-seven pounds 10 shillings and $1\frac{3}{4}$ pence in full of his pay from his appointment to this Day, and for all Disbursements expended on the Indians in behalf of this State.

That the Treasurer be directed to pay the same to Thoms Houghton for the use of the said James Robertson.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House in favour of Mr. James Robertson.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Person, Mr. Jones, Mr. Nash, Mr. Courtney, Mr. Bloodworth and Mr. Hooper, a Committee on their part, to act jointly with such of your Body as you may think proper to appoint, to prepare and bring in a Bill for carrying the Confiscation act into Effect.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message appointing a Committee to prepare and bring in a Bill for carrying the Confiscation Act into Effect, and have, for that purpose, on our part appointed Mr. Coor.

Received from the Commons a Bill for annexing a part of Burke County to the County of Tryon and for other purposes.

Which was read the third time, passed and ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House appointing Ellis Harling, Superintendant of Indian Affairs, concurred with.

Also the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 29th January, 1779, Concurred with.

Received from the Commons a Bill to amend part of an Act entitled an Act for emitting Eight Hundred and fifty thousand pounds in Bills of Credit for discharging the Debts incurred by this State in raising Men to reinforce the Battalions belonging to this State in the Continental Army, for calling in all former Emissions and other purposes.

Which was read the first time, passed and ordered to be sent to the House of Commons.

Also a Bill for the suppression of Vice and immorality.

Which was read the second time, amended, passed and ordered to be sent to the Commons.

Also a Bill for annexing a part of Halifax County to Edgecomb and other purposes.

Which was read the third time, passed and ordered to be Engrossed.

Mr. Frazier moved for leave and presented a Bill to empower the County Courts of Martin and Tyrrell to lay a further Tax for defraying the expense of the public Buildings of the Counties aforesaid.

Which was read the first time, passed and ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of James Robertson, concurred with.

Also the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 29th January, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the address of thanks to the Honble Cornelius Harnett, John Penn and John Williams, Esquires, Concurred with.

At the same time Received the Report of the Committee appointed to prepare an address of thanks to the Honble Cornelius Harnett, John Penn and John Williams, Esquires.

Endorsed in the House of Commons 29th January, 1779, Concurred with.

Whereas, there are several Guns in the possession of Mr. Mial Scurlock, which were purchased for the use of the public and are unfit for service;

Resolved, therefore, that Colo. Ambrose Ramsay be hereby appointed to receive the said Guns from Mr. Scurlock and sell the same for the best price, and that he account with the next General Assembly for the money arising therefrom.

Ordered that the above Resolve, together with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House for selling certain Guns which are in possession of Mr. Mial Scurlock.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House declaring the Intent and meaning of the former Assessment Law, &c.

Also the Resolve therein referred to, which being read was Rejected.

Whereas, by the last Assessment Law it is required that each and every person in the State shall give in a true List on Oath of all his taxable property whatsoever to the Justice appointed to receive such List in the District in which each person respectively resides, and that the Assessors for such District shall assess all

such property, Notwithstanding which Overseers and others have been called upon to render in an Account of their employer's land and other taxable property in their care, lying in different parts of the State, who thereby are in danger of being subjected to a double tax, for remedy whereof it is hereby:

Resolved, that no Inhabitant of this State who hath complied with the direction of the aforesaid Act, by giving in an account of all his taxable property in the District or County where he usually resided, shall be liable to pay in any other District or County in this State, and in case any Tax hath been collected from the Estate of any such person he shall, on producing a Receipt for such Tax, be entitled to Receive the Amount thereof from the Sheriff of his County out of the next Year's public Tax, and the Sheriff of such County is hereby required and directed to pay the same, for which he shall be allowed in the settlement of his public Accounts.

Ordered that the above Resolve, together with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message & Resolve, explaining the last Assessment Act, but cannot concur therewith, and propose the Resolve you will herewith receive in lieu thereof.

The House adjourned till tomorrow morning 9 o'clock.

Saturday, 30th January, 1779.

The House met.

Received from the Commons the following Message:

Mr. Speader & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for ascertaining the daily allowance of the members of this Assembly.

Also the Resolve therein referred to, as follows:

Resolved, that the Members of this Assembly be allowed ten dollars per Day each for their Attendance at, coming to and returning from this present Session of General Assembly.

The above Resolve being read was concurred with, and ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for ascertaining the pay of the Members of the Assembly, Concurred with.

Mr. Kinchen moved for leave and presented a bill for apprehending and selling certain Slaves set free contrary to Law, and for confirming the Sales of others, and for other purposes.

Which was read the first time, passed, and ordered to be sent to the Commons.

Received from the Commons a Bill to empower the County Courts of Martin and Tyrrell to lay a further tax for defraying the Expense of the public Buildings of the Counties aforesaid.

Which was read the second time, passed, and ordered to be sent to the Commons.

Received from the Commons a Bill for ascertaining the Lines and Boundaries of a tract of Land lately granted to Samuel Spencer.

Which was read the second time and Rejected.

Received from the Commons a Bill to empower the Court of Bertie County to levy a further Tax for completing the public Buildings of said County and other purposes.

Which was read the second time, amended, passed and ordered to be sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House allowing Cap. Ralph Williams a certain Sum therein mentioned.

Also the Resolve referred to in the foregoing Message.

Endorsed in the Senate 30th January, 1779, Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House allowing Cap. Ralph Williams a certain Sum therein mentioned, Concurred with.

Resolved, that Cap. Matthew Wood do, without Delay, collect all the Regulars in and about Halifax together, with all the Militia Men directed to go to the Southward, and march the same by the most convenient Route to Kingston, where he is to obey such orders as he may receive from His Excellency the Governor.

Resolved further, that His Excellency dispose of said troops as he may think most proper.

That the Quarter Master General furnish the said Wood with necessary teams, and that William Amis supply him with sufficient provision for the purposes aforesaid.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House for ordering on the Regular troops in and about the town of Halifax to Kingston.

Colo. Martin moved for leave and presented a Bill to prescribe the Affirmation of Allegiance and Fidelity to this State to be taken by the people called Moravians, Quakers & Mennonists & Dunkards, and granting them certain Indulgencies therein mentioned, and for other purposes.

Which was read the first time, passed and ordered to be sent to the Commons:

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Resolve of your House you propose adopting in lieu of the one sent by this House for your Concurrence, explaining the last Assessment Act, agreed to.

Also the Resolve of this House referred to in the foregoing Message.

Endorsed In the House of Commons 30th January, 1779, Concurred with.

Colo. Russell has leave of absence for the remainder of the Session.

Whereas, the General Assembly on the 23rd day of January, Instant, did, by Resolve, appoint a Commissioner for each District in this State to purchase provisions, and granted to each of the said Commissioners the Sum of ten thousand pounds for that purpose; and whereas, it appears that the said appointments have manifestly occasioned a very great rise in the price of such provisions, to the great detriment of the good people of this State, therefore,

Resolved, that His Excellency the Governor be required not to issue any Warrant or Draught on the Treasury of this State to any of the aforesaid Commissioners.

Ordered that the Above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House requiring the Governor to issue no. Draughts on the Treasury in favour of the Commissioners appointed to purchase provisions, &c.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. William Baker on their part to examine the Engrossed Bills.

Ordered that Mr. Coor and Mr. McKenzie be appointed for the above purpose on the part of this House, and that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Mr. Coor and Mr. McKenzie are appointed on the part of this House to examine the Engrossed Bills.

The House adjourned till Monday morning 9 o'clock.

Monday, 1st February, 1779.

The House met.

Whereas, Philip Alston, Lieut. Colonel of Cumberland County, is now absent on the service of this State, and at this Critical period it is highly necessary that there should be a Commanding Officer in that County,

Resolved, that Mr. David Smith be appointed Colonel of Cumberland County, until the next Session of General Assemcly or the return of the said Philip Alston.

Ordered that the above Resolve, together with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House for appointing a Commanding Officer in Cumberland County, &c.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have thought proper to refer the Accounts formerly allowed Colo. William Graham to the joint Committee appointed to examine the Accounts of William Gilbert, and desire your Concurrence thereto.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message proposing that the Committee appointed to examine the Accounts of William Gilbert be directed to reexamine the accounts of William Graham, to which we agree.

Received from the Commons following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House ordering the Regular Troops in and about Halifax to Kinston, Concurred with.

At the same time Received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 30th January, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of Mr. Jesse Walton, &c.

Also the Resolve therein mentioned, which being read,

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House allowing Mr. Jesse Walton to draw a certain sum from the Treasury for the purpose of supplying the Troops ordered on the Indian Expedition, with provisions, you will with this receive, Concurred with.

Received from the Commons a Bill for dividing the County of Anson into two distinct Counties and other purposes therein mentioned.

Which was read the first time, passed and ordered to be sent to the Commons.

Also a Bill for Appointing Naval Officers in the different parts of this State and directing their duty in office, and for other purposes.

Which was read the first Time, passed and sent to the Commons.

Also a Bill to establish Courts of Chancery in this State and to regulate the manner of proceeding therein.

Which was read the first time, passed and sent to the Commons.

Also a Bill for apprehending and selling certain Slaves set free contrary to Law, and for confirming the Sales of others and for other purposes.

Which was read the second time, amended, passed and sent to the Commons.

Also a Bill to amend an act intitled an Act to amend an Act for establishing Offices for receiving Entries of Claims for Lands in the several Counties within this State; for ascertaining the Method of Obtaining Titles to the same, and for other purposes therein mentioned.

Which was read the first Time, passed and sent to the Commons.

Also a Bill to amend an Act entitled an Act for erecting a Prison in the town of Edenton, for the use of the District of Edenton.

Which was read the first Time, passed and sent to the Commons.

Also a Bill for establishing an Academy in the County of Granville, for appointing Trustees and other purposes.

Which was read the first time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Hewes, Mr. Hawkins and Mr. Bloodworth, a Committee on their part, to take under consideration the Remonstrance of Mr. Adam Boyd, on behalf of the Continental Officers and Soldiers from this State, &c.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message appointing a Committee to consider of the Remonstrance of Mr. Adam Boyd, on behalf of the Continental Officers and Soldiers from this State, to which we agree and have on our part appointed Mr. Martin & Mr.-----

Mr. Birdsong moved for leave and presented a Bill to lay off and establish a Town on a Tract of land near Chatham Court House, on a Tract of land formerly the property of Ambrose Edwards, now entered in the Land Office by Ambrose George, in said County.

Which was read the first time, passed and sent to the Commons.

Mr. Davis moved for leave and presented a Bill to empower the County Courts respectively to order the laying out public

Roads, &c., and other purposes therein mentioned.

Which was read the first Time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Hewes, Mr. Locke, Mr. Hawkins, Mr. Cogdell, Mr. Whitaker and Mr. Person, a Committee on their part, to act jointly with such Gentlemen of the Senate as may be appointed, to take under Consideration the Petition of Alexander Diack.

At the same time Received the Petition of the said Alex. Diack, which being read,

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have appointed Colo. Martin, Mr. Corr and Mr. Kinchen, to act with the Gentlemen by you appointed, to take under consideration the Petition of Alexander Diack.

On motion, a Bill for dividing Tryon County into two distinct Coonties and for other purposes, was read the second time amended, passed and sent to the Commons.

Received from the Commons a Bill to amend an act to regulate the Pilotage of Cape Fear and Ocracock Bars, and the Rivers leading from the same to Brunswick, Wilmington, New Bern, Bath and Edenton.

Which was read the first time, passed and sent to the Commons.

Also a Bill to amend an Act entitled an Act to empower the Courts for the Counties of Tryon and Guilford to lay a Tax by Assessment for finishing the Court House, Prison and Stocks in the said Counties, and also to empower the several Counties in the District of Wilmington to levy taxes for building a District and Gaol and Gaoler's House in the Town of Wilmington, and other purposes therein mentioned.

Which was read the first time, passed and sent to the Commons.

Received from the Commons the following Message:

A Bill to divide Craven County into two distinct Counties, &c. by Nat Bryan.

A Bill for annexing part of Halifax to Edgecombe by J. Haywood.

A Bill for Dividing Hertford County by Mr. Baker, of C.

A Bill for dividing Guilford by J. Haywood.

Fee Bill to Clerks and Sheriffs, &c. by J. Haywood.

Anson Bill by J. Haywood.

A Bill for vesting the property of a Bridge in Gideon Lamb by J. Haywood.

A Bill for establishing Naval offices by J. Haywood.

Governor Dobbs tract, No. 5 by J. Haywood.

Camden County by J. Haywood.

Confiscation Act by J. Haywood.

Examined.

Tuesday, 2d February, 1779.

The House met according to adjournment.

Received from the Commons a Bill for levying a further Tax on the taxable property of the Inhabitants of Cambden County for the purpose of finishing and completeing the Court House, prison and Stocks for the said County.

Which was read the first time, passed and sent to the Commons.

Also a Bill for erecting a Battery at Currituck Inlet, and for other purposes.

Which was read the first Time, passed and sent to the Commons.

Also a Bill to invest the property of a Bridge or Causeway in Gideon Lamb, his Heirs and Assigns, by him already built thro. the great Dismal Swamp, from Lebanon to Camden County, for the Term of thirty-five years.

Which was read the first time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for enlarging the Parols of the Men and Officers therein mentioned.

Also the Resolve therein referred to, which being read, ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for enlarging the paroles of certain persons.

Concurred with.

Received from the Commons a Bill to prescribe the affirmation of Allegiance and Fidelity to this State, to be taken by the people called Moravians, Quakers, Mennonists and Dunkards, and granting them certain Indulgencies therein mentioned, and for other purposes.

Which was read the second time, amended, passed and sent to the Commons.

Received from the Commons a Bill for levying a tax for defraying the Contingencies of the several Counties in this State, and for other purposes therein mentioned.

Which was read the second time, amended, passed and sent to the Commons.

Also a Bill for extending the Boundary line between this State and the Commonwealth of Virginia.

Which was read the second time, amended, passed and sent to the Commons.

Also a Bill for altering the time of holding certain County Courts of Pleas & Quarter Sessions therein mentioned.

Which was read the second time, passed and sent to the Commons.

Also a Bill to lay off and establish a town near Chatham Court House, on the plantation and Land formerly the property of

Ambrose Edwards, now Entered in the Land Office by Ambrose George, in said County.

Which was read the second time, amended, passed and sent to the Commons.

Also a Bill for apprehending and selling certain Slaves set free contrary to law, and for confirming the Sales of others, and for other purposes, which was read the third time, passed and sent to the Commons.

Also a Bill to prevent stealing of Slaves, and for other purposes therein mentioned, which was read the second time and passed & sent to the Commons.

Also a Bill for establishing an Academy in the County of Granville, for appointing Trustees, and other purposes, which was read.

Then, on motion, ordered that Colonel Salter have leave to take out and amend said Bill.

Also a Bill to empower the County Courts of pleas & Quarter Sessions, in this State, to order the laying off public Roads, &c., and other purposes therein mentioned.

Which was read the second time, amended, passed and sent to the Commons.

And a Bill to empower the County Courts of Martin and Tyrrell to lay a further Tax for defraying the Expense of the public Buildings of the Counties aforesaid.

Which was read the third time, passed and sent to the Commons.

Whereas, it appears by a Resolve of the Continental Congress of the fifth of December, 1779, that the light Dragoons raised by this State should not be considered in the service of the United States after the first day of January, 1779; and,

Whereas, this State has no further Occasion for the Service of the said Troops, therefore,

Resolved, that the paymaster General do pay the aforesaid Troops from the aforesaid first day January up to the twelfth day of this month, and that they be thenceforth discharged from the Service of this State, and

Resolved, that the Quarter Master General demand and receive from the aforesaid Troops all such public Horses as may be in their possession, and sell them at public Sale and account for the same with the next General Assembly.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this Receive a Resolve of this House for discharging the light Dragoons raised by this State, &c.

Received from the Commons a Bill to establish the Seat of Government for the State of No. Carolina, for erecting public Buildings and providing proper Offices for the public Officers, and for the reception of the Public Records, and other purposes therein mentioned.

Which was read the first time, passed and sent to the Commons.

Also a Bill for dividing the County of Guilford into two distinct Counties, and other purposes therein mentioned.

Which was read the third time, amended by consent of both Houses, passed and ordered to be Engrossed.

The House adjourned till tomorrow morning 9 o'clock.

Wednesday, 3d February, 1779.

The House met.

Mr. Ashe has leave of Absence from the Service of this House after tomorrow.

Received from the Commons a Bill for establishing an Academy in the neighbourhood of Hillsborough.

Which was read the third time, amended, passed and sent to the Commons.

Also a Bill to lay off and establish a Town near Chatham Court house on the plantation and Land formerly the property of Ambrose Edwards, now entered in the Land Office by Ambrose George, in said County.

Which was read the third time, passed and sent to the Commons.

Also a Bill for appointing Naval Officers in the different parts of this State and Directing their Duty in Office, and for other purposes.

Which was read the second time, amended, passed and sent to the Commons.

Also a Bill for extending the Boundary line between this State and the Commonwealth of Virginia.

Which was read the third time, amended, passed and sent to the Commons.

Also a Bill to amend and explain an Act for establishing Offices for receiving Entries of Claims for lands in the several Counties within this State, for ascertaining the method of obtaining Titles to the same, and for other purposes therein mentioned.

Which was read the second time and ordered to lie on the Table.

Whereas, the present mode of appointing Justices of the peace for the several Counties in this State, and the very great number of persons already in Commission, calls loudly for the Interposition of the Legislative Authority of this State to prevent the manifest Injury which must otherwise ensue,

Resolved, therefore, that for the future no person shall be added to the Commission of the peace for any County in this State, unless it shall appear to the Satisfaction of the Governor for the time being that there are not at that time more than fifteen persons in the Commission of the peace for such County.

Resolved, that the Speakers of both Houses of this General Assembly are hereby requested to strike from the List of Justices the names of all such persons who have been heretofore recommended and not yet qualified agreeable to Law.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House restricting the number of Justices in the several Counties within this State.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House appointing Commissioners to erect Magazines for the reception of the Military Stores, &c., in this State.

Also the Resolve therein referred to, which being read, ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House appointing Commissioners to erect Magazines for the reception of Military Stores in this State you will with this Receive, concurred with.

Received from the Commons a Bill to enable the Inhabitants of a certain Tract of Land lying in Mecklenburg County, known by the name of Governor Dobbs Tract, number five, to make Entries thereof and obtain Titles for the same.

Which was read the second time, amended, passed and sent to the Commons.

Received from the Commons a Bill for dividing the County of Anson into two distinct Counties, and other purposes therein mentioned.

Which was read the second time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for adding to the Delegation of this State in Congress, &c.

At the same time received the resolve of this House of Commons referred to in the foregoing Message, which being read, ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for increasing the number of Delegates from this State in Congress, &c., Concurred with.

Received from the Commons the Bill for dividing Tryon County into two distinct Counties, and for other purposes.

Which was read the third time, amended, passed and sent to the Commons.

Mr. John Childs, the Member for Anson County, appeared and took his Seat.

Received from the Commons a Bill to carry into effect an act passed at New Bern, in November, in the year 1777, Entitled an Act for Confiscating the property of all such persons as are inimical to the United States, and of such persons as shall not within a certain time therein mentioned appear and submit to the State, whether they shall be received as Citizens thereof, and of such persons as shall so appear and shall not be admitted as Citizens, and for other purposes therein mentioned.

Which was read the first Time, passed and sent to the Com. mons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House propose, if agreeable to the Senate, to Ballot at 4 o'clock in the afternoon for a Judge of the Superior Court in the stead of James Iredell, Esquire, resigned, two delegates to represent this State in Congress, one in the stead of John Williams, Esquire, resigned, the other to be added to the Delegation; a Brigadier General for the District of Wilmington, in the stead of General Ashe, promoted; A Councilor, in the room of William Gray, Esquire, deceased; A place for holding the next Assembly at; and put in Nomination for a Judge, John Williams (Granville) and Archibald Maclaine, Esquires; for Delegates, Joseph Hewes, Alexander Martin, William Sharpe and Thomas Barker, Esquires; for a Brigadier General, Alex. Lillington and Thomas Brown, Esqrs.; for a Councillor, Frederick Jones, Esquire; a place for holding the next Assembly at, the Towns of New Bern, Hillsboro and Campbelltown.

If you approve of this measure you'll signify the same by Message.

We have on our part appointed Mr. Person and Mr. Jno. Williams to superintend the Ballotting.

The same being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message proposing that the General Assembly ballot at 4 o'clock this Evening for the several Offices therein mentioned, to which we agree, and put in nomination for a Delegate to represent this State in Congress, Mr. Benjamin Hawkins.

Ordered that Messrs. Coor and Exum superintend the Balloting on the part of this House.

The House adjourned till tomorrow morning 9 o'clock.

Thursday, 4th February, 1779.

The House met.

Mr. Thompson has leave of absence from the service of this House after Saturday next.

Mr. Coor, who was appointed on the part of this House to superintend the Balloting for Delegates, a Councillor, Brigadier General, Judge of the Superior Court and place where the next Assembly shall sit, reported, that Joseph Hewes and William Sharpe, Esquires, were duly Elected Delegates to represent this State in Congress for the Ensuing year; that Frederick Jones, Esquire, was elected Councillor; Archibald Maclaine, Esquire, Judge of the Superior Court, and that New Bern was the place chosen for the next Assembly to sit at.

Whereas, Men have been raised in this State for the service of the United States, agreeable to the aid Bill passed in November, 1777, and as it appears said Bill has had the Effect intended by the Assembly who passed it, and as it may be requisite to raise and march the Militia to defend this or any of the United States,

Resolved, therefore, that the Governor, with the advice of his Council, be and he is hereby impowered whenever he shall find it absolutely necessary to order out so many of the Militia, agreeable to the Militia Law, as he may judge the nature of the occasion requires and to march them, under proper Officers, wherever they may be wanted.

Ordered, that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House empowering His Excellency the Governor to order out the Militia upon an Emergency.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Messrs. Person, Nash, Jones, Hawkins, Hewes, Hooper, Johnston, Cogdell and Respass, a Committee on their part to act jointly with a Committee of the Senate to take under Consideration the Memorial of James Iredell, Esquire, in behalf of Henry Eustace McKulloch.

Also a Message from Commons referring the Consideration of a Memorial of Thomas Benberry, Esq., in behalf of Thomas Oldham, and a Memorial from William Palmer in behalf of Robert Palmer, to the aforementioned Committee.

Which several Messages and papers relative thereto being read,

Resolved, that this House do not concur with the Commons in appointing a Committee for the aforesaid purposes, and that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message referring the Consideration of several Memorials in behalf of Absentees to a Committee of both Houses, which we cannot concur with, the House being clearly of Opinion that the prayers of the said Memorials militate directly against the true Spirit and Intention of the Confiscation Act, and would be granting a partial Indulgence to a few Individuals who are equally as subject to the rigor of the Law as many others now in the same Situation.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to examine into the quantity of public Tobacco, and Concurred with by this House.

Also the report of the Committee referred to in the foregoing Message, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Report of the Committee appointed to examine into the Quantity of public Tobacco, &c., Concurred with by this House.

Mr. Kinchen has leave of absence from the service of this House after this day.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of the Inhabitants of the Island of Bermuda, Concurred with by this House.

At the same time received the Resolve of this House.

Endorsed in the House of Commons to February 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House empowering any three Justices of the peace in Bladen County to appoint Assessors, for the purpose therein mentioned.

Also the Resolve of the Commons referred to in the foregoing message, which being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House empowering any three Justices of the peace in Bladen County to appoint Assessors for a certain District in the said County, we herewith return you, Concurred with.

Received from the Commons a Bill to regulate and ascertain the Fees of Clerks in the Superior and County Courts, Justices of the peace, and Attornies in this State, and directing the Method of paying the same and other purposes.

Which was read the second time, amended, passed and sent to the Commons.

The House adjourned till tomorrow morning 9 o'clock.

Friday, 5th February, 1779.

The House met.

Colo. Salter presented the Bill for establishing an Academy in the County of Granville, for appointing Trustees, and other purposes, which he had leave to take out and amend.

Ordered that the said Bill be read, which was read accordingly the second time, amended, passed and sent to the Commons:

Received from the Commons the following Message.

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of Hance Bond, Captain of the Mariners, on board the Ship Caswell.

Also the Resolve of the Commons referred to in the foregoing Message, which being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The Resolve of your House in favour of Capt. Hance Bond we herewith return you Concurred with.

Colo. Salter, from the Committee appointed to consider of Ways & means to supply the State with Arms, &c., Reported as follows:

That a proper person or persons be appointed, with full power to purchase or charter good Swift sailing Vessels on account of the State; that they also purchase a quantity of good Tobacco and other Articles of Export, and lade therewith such Vessels as they may be able to procure and send them to France, Spain, Holland, or some of the French or Dutch West India Islands, and order in return good Muskets, with Bayonets, Powder, Lead, Flints, Blankets, Hats, Shoes, Cloth for Soldiers Cloathing, and Tent Cloth. That in doing this care should be taken to divide

the Risk of such homeward bound Cargoes as much as possible by putting part of each in different Vessels.

That Commissioners be employed in the Sea port Towns to purchase any of the said Articles as may be imported by private Adventurers or offered for sale, and that they be empowered to enter into Contracts with such merchants and Traders as may be willing to import any of the before mentioned articles on their own proper Account and risque, and that as soon as they have entered into such Contract they shall transmit a Copy to the Governor and Council.

That His Excellency the Governor be requested to grant Warrants on the Treasurers, from time to time, payable to such Commissioners on their making it appear to him that such sums as they apply for are absolutely necessary in order to carry the purposes hereby intended into Effect.

That the said Commissioners give Bond and Security to the Governor or Commander in chief in the sum of fifty thousand pounds, with Condition for their faithful Discharge of the Trust reposed in them, and that they lay their Accounts and proceedings before the General Assembly when thereto required.

The House taking the said Report into Consideration Concurred therewith.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence the Report of the Committee appointed to consider of Ways and means to supply the State with Arms, &c.

Concurred with by this House.

Received from the Commons a Bill to dock the Entails of Lands, which was read the first time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Hewes, Mr. Sessums and Mr. Johnston, a Committee, on their part, to act jointly with such Gentlemen of the Senate as may be appointed to examine and report on the accounts of Nicholas Long, Esq., Deputy Quarter Master General.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message appointing a Committee to examine and report on the Accounts of Nicholas Long, Esquire, to which we agree, and have appointed Messrs. McKenzie, Coor and Sumner, a Committee.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of a Committee appointed to enquire into facts set forth in the Petition of Isaiah Paschal.

Concurred with by this House.

Also the Report of the Committee therein referred to, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

The Report of the Committee appointed to inquire into facts set forth in the Petition of Isaiah Paschal we herewith return you Concurred with.

Colo. Martin, from the joint Committee of both Houses, appointed to take under Consideration the Memorial of the Rev. Mr. Adam Boyd, respecting the supplies of the North Carolina Troops in the Continental Service, Reported as follows:

That the faithful Services of the Officers of the North Carolina Troops in the Continental Service justly claim the notice of the Legislature, who, from their scanty pay and the great price of goods, with difficulty make a decent appearance.

It is therefore the Opinion of your Committee that they be comfortably and decently clad at the expense of the State, which would in some measure soften the rigor of their duty and enable them to perform the same with Cheerfulness, and that the Commissary of Stores be authorized to draw for that purpose fifteen

Thousand pounds from the Treasurer, which by the said Commissary shall be laid out in purchasing the following Articles of Clothing for every Officer now in said Service, to wit:

Cloth for a full suit of Cloaths, to contain one Coat, two Jackets and two pair of Breeches, Linen for four shirts and four Stocks, four pair of Stockings, one Hat, two Handkerchiefs, two pair of Shoes and one pair of Leather Boots.

Which said Articles shall be received from the Commissary aforesaid by the Quarter Master General of this State, who shall transmit the same to the Commanding Officer of said Troops or of separate corps of the same, by him to be distributed as a Gratuity of this State to every Officer as aforesaid.

Ordered that the foregoing Report, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this receive the Report of the joint Committee appointed to take under Consideration the Memorial of the Reverend Mr. Adam Boyd, Concurred with by this House.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Report of the Committee appointed to consider of ways and means to supply this State with Arms, &c., Concurred with.

At the same time received the Report of the Committee therein referred to.

Endorsed in the House of Commons 5th February, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Report of the Committee appointed to take under Consideration the Memorial of the Rev. Adam Boyd, Concurred with by this House.

At the same time received the Report of the Committee therein referred to.

Endorsed in the House of Commons 5th February, 1779, Concurred with.

Received from the Commons a Bill to empower the Court of Bertie County to levy a further Tax for compleating the public Buildings of said County and other purposes, which was read the third time, passed and sent to the Commons.

Received from the Commons a Bill to invest the property of a Bridge or Causeway in Gideon Lamb, his Heirs & Assigns, by him already built thro' the great Dismal Swamp, from Lebanon to Camden County, for the Term of twenty-five years.

Which was read the second time, amended, passed and sent to the Commons.

Also a Bill to establish Courts of Chancery in this State and to regulate the manner of proceeding therein.

Which was read the second time and rejected.

Then on motion, the Members who were against rejecting the said Bill entered the following protest:

Dissentient—

Because the want of such Courts has long been severely felt by great numbers of people, who can have no Redress in Courts of Law, and many of whom complain of hardships arising from Judgments of Law which equity alone can relieve.

Because, the System of English Jurisprudence is so interwoven with the present internal Policy of this State that any Considerable Innovation in the constituent parts thereof will be found not only inconvenient but almost impracticable, and from Time immemorial has been divided into two great Branches, each of which, upon different (tho' not inconsistent) principles, has for its great Object the Distribution of Justice.

Because, tho' that part of our Jurisprudence usually called the Common Law, forms the Basis of the whole, yet there are many Cases where it is necessary to apply to the conscience of the Party, who under the Solemnity of Religion may discover an undue advantage taken of his Adversary, Evidencies suppressed, Papers concealed, or a suit brought upon an Obligation secretly and bona fide discharged, in all which Cases the common Law affords no adequate or complete Relief.

Because, in particular the two great Cases of Mortgages and the ordering and compelling a specific Execution of Contracts, where the Common Law in the first Instance vests the Property absolute in the Mortgagee, upon the non payment at the day, and in the other case only gives a Compensation in Damages, which in many Cases will be far from being adequate, call aloud for the Establishment of such Courts, of which they are the proper Objects. There are also other Cases of Trust, unforeseen Accident, secret and artful Fraud, wherein Numbers of People at present, under the Impunity held forth to them by the Legislature, proudly and iniquitously triumph.

Because, the Declaration of the Bill of Rights, concerning a Trial by Jury, alluded to in the Debate, is a general Principle evidently affecting all Cases at Law, where that essential Mode of Trial is a necessary Barrier and Guard to our Liberties at Large, but cannot rationally, in our Opinion, affect the Establishment of that Court which the Constitution calls for, and which in its very Essence so far excludes the Idea or the Necessity of a Jury that they cannot exist together.

Because, notwithstanding the Trial by Jury was equally a favourite part of the English Constitution, and no people under Heaven have ever been more jealous of their Liberty than the Britons, yet they have found it necessary in that Country to have such a Court that has the Stamp of Antiquity, the Wisdom of Ages and all States a precedent for its support, for the peculiar & indispensable purposes it is meant to serve, without assigning it a Jury, and whose Proceedings by immediately applying to the Conscience of a Defendant and sifting Truth with the most penetrating Research, whenever it can be discovered, can neither admit or require a Jury.

Because, Courts of Law, thro' the Rigor of Form & Letter thereof, have been, and will be in many Instances, highly grievous to the subjects, without the Interposition of Courts of Equity, and they ought either to exist or be suspended together, we are convinced that any Attempt to give them a separate or confused Operation will only be found ridiculous and ineffectual, and we cannot think this Country non equal to the Business of framing an entire new Code of Laws for that purpose. We are conscious of

having done our Duty in endeavouring to carry that Bill into Effect, and we desire by this protest to exculpate ourselves to our Country at large, to whom our Conduct is amenable.

Received from the Commons a Bill for appointing Naval Officers in the different ports of this State and directing their Duty in Office and for other purposes.

Which was read the third time, passed and Ordered to be Engrossed.

And a Bill to amend an Act entitled an Act to regulate the pilotage of Cape Fear & Ocracock Bars & the Rivers leading from the same to Brunswick, Wilmington, NewBern, Bath & Edenton.

Which was read the second time, passed and sent to the Commons.

The House adjourned till tomorrow morning 9 o'clock.

Saturday, 6th February, 1779.

The House met according to adjournment.

Ordered that the Clerk of this House make out the Estimate of allowances to the Members to Thursday next, inclusive, & that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have ordered their Clerk to make up the Estimate of allowances to the Members to Thursday next, inclusive.

Received from the Commons a Bill to regulate & establish a Militia in this State.

Which was read the second time, amended, passed and sent to the Commons.

Received from the Commons a Bill to amend an Act entitled an Act to empower the Courts for the Counties of Tryon and

Guilford to lay a Tax by Assessment for finishing the Court House, prison & Stocks, in the said Counties, and also to empower the several Counties in the District of Wilmington to lay Taxes for building a District Gaol & Gaoler's House in the town of Wilmington, and other purposes therein mentioned.

Which was read the second Time and Rejected.

Received from the Commons a Bill for the Ease & Convenience of the Militia in the West End of Rowan County.

Which was read the third time and Rejected.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of a Committee appointed to examine the payroll of Capt. Ptolemy Powell, Concurred with by this House, and a Resolve empowering the Treasurers, or either of them, to pay the amount of the said payroll.

Also the Resolve of the Commons and Report of the Committee referred to in the foregoing Message.

Which being read, Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House in favour of Cap. Powell, Concurred with.

Received from the Commons a Bill to carry into Effect an Act passed at NewBern, in the year 1777, entitled an act for confiscating the property of all such persons as are inimical to the United States, and of such persons as shall not with a certain Time, therein mentioned, appear & submit to the State, whether they shall be received as Citizens thereof, and of such persons as shall so appear & shall not be admitted as Citizens, and for other purposes therein mentioned & for other purposes.

Which was read the second time, amended, passed and sent to the Commons.

The House adjourned till Monday morning 9 o'clock.

Monday, 8th February, 1779.

The House met.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Mr. Coor and Mr. Sumner, to act with such Gentlemen as you may appoint, to receive the Old proclamation Money from the Treasurers and burn the same this Evening.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of the Reverend Mr. Adam Boyd.

Also the Resolve of the Commons therein referred to.

Which being read, Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith Return the Resolve of your House in favour of the Revd. Adam Boyd, Concurred with.

Resolved, that all the old proclamation Monies which have been bona fide received by the Collectors of the several Districts within this State on or before the first day of February last, and since paid into the Hands of the Sheriff, shall be accounted for by the Treasurer with said Sheriff as if the same had been paid into his Hands on or before the Time aforesaid.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House empowering the Treasurer to receive such old proclamation Money as the Collectors had received bona fide before the first day of February.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received your Message appointing certain Gentlemen to receive of the Treasurer the old proclamation money and burn the same this Evening, and have for that purpose, on our part, appointed Messrs. Hunter, Williams (Caswell), Jordan, Mayo, Bloodworth, Relfe and Fifer.

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

We herewith send for your Concurrence the Report of the Committee appointed to re-examine the accounts of William Gilbert.

Also a Resolve of this House thereon.

At the same time Received the Report of the aforementioned Committee and the Resolve of the House of Commons thereon.

Which being read ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Report of the Committee appointed to re-examine the accounts of William Gilbert and the Resolve of your House thereon, Concurred with.

Received from the Commons a Bill for ascertaining what property in the State shall be deemed taxable property, the method of assessing the same, and collecting the public Taxes and other purposes.

Which was read the third time, amended, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House empowering the Treasurer to receive the old proclamation money therein mentioned, Concurred with.

Also the Resolve of this House therein referred to.

Endorsed in the House of Commons, 8th February, 1779.

Concurred with.

Received from the Commons a Bill for regulating the Town of NewBern and other purposes therein mentioned.

Which was read the third Time, passed and Ordered to be Engrossed.

Received from the Commons a Bill for establishing an Academy in the County of Granville, for appointing Trustees, and for other purposes.

Which was read the third time and Rejected.

Received from the Commons a Bill to enable the Inhabitants of a certain Tract of Land lying in Mecklenburg County, known by the name of Governor Dobbs Tract, number five, to make Entries thereof and obtain Titles for the same.

Which was read the third time, passed and ordered to be Engrossed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House directing Mr. James Green to pay a certain sum of Money into the public Treasury, which is in his hands, for certain Tory and public Horses sold by him.

Also the Resolve of the Commons referred to in the foregoing Message.

Which being read, was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House directing Mr. James Green to pay a certain Sum of Money into the Treasury, &c., Concurred with.

A letter from His Excellency the Governor to the General Assembly, and a letter from the Delegates of this State in Congress to his Excellency, was read.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received and considered a Letter from His Excellency the Governor, and a Letter from the Delegates from

this State to His Excellency, which we propose referring to a joint Committee of both Houses, and have appointed Messrs. Martin, Coor, Rogers, and Davis.

Received from the Commons a Bill for levying a further Tax on the taxable property of the Inhabitants of Cambden County, for the purposes of finishing and compleating the Court House, prison and Stocks for the said County.

Which was read the second time, passed and sent to the Commons:

Also a Bill for erecting a Town in the County of Washington.

Which was read the second time, passed and sent to the Commons.

Also a Bill for raising forces for the defence of this and the neighbouring States, and other purposes.

Which was read the second time, amended, passed and sent to the Commons.

Also a Bill to dock the Entails of Land.

Which was read the second Time and rejected.

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

This House have received the Message of yours appointing certain Gentlemen therein mentioned to act jointly with a Committee of this House to take under Consideration the Letters, &c., therein referred to, and have for that purpose, on our part, appointed Messrs. Nash, Hooper, Jones, and Locke.

The House adjourned till tomorrow morning 9 o'clock.

Tuesday, 9th February, 1779. The House met.

Resolved, that the Treasurers, or either of them, pay Mr. Chas. Waddell, for himself and Guard, for conveying prisoners to Salisbury Gaol, the sum of Eleven pounds five shillings, and be allowed the same in their public Accounts.

Ordered that the above Resolve, together with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House

in favor of Charles Waddell. For your further Information we send you said Waddell's account.

Resolved, that Colo. Wm. Bryan, of Johnston County, be allowed two Hundred and seventy one pounds twelve shillings and eleven pence for that sum by him expended on behalf of the public; that the Treasurers, or either of them, pay him the same and be allowed.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive a Resolve of this House in favour of Colo. Wm. Bryan, of Johnston County, together with his Account, which we send for your Concurrence.

Resolved, that Dr. Charles Pasteur be allowed the sum of One Hundred & ten pounds for Medicines furnished sundry sick Soldiers at Halifax, and administering the same, and that the Treasurers, or either of them, pay him the same, who shall be allowed, &c.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the Commons:

We herewith send for your Concurrence a Resolve of this House in favor of Charles Pasteur, Esquire.

Resolved, that Mr. William Woolton be allowed a further sum of five thousand pounds to enable him to comply with the Contracts he has made for provisions. That the Treasurers be directed to pay him the same, who shall be allowed in his account.

Ordered that the above Resolve, together with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House in favour of Mr. William Woolton.

Received from the Commons a Bill to amend part of an Act entitled an Act for emitting Eight hundred and fifty thousand pounds in Bills of Credit for discharging the Debts incurred by this State, &c., &c., &c.

Which was read the second time, amended, passed and sent to the Commons.

Received from the Commons a Bill to prescribe the Affirmation of Allegiance and Fidelity to this State to be taken by the people called Moravians, Quakers, Mennonists & Dunkards and granting them certain Indulgencies therein mentioned, and for other purposes.

Which was read the third time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House allowing Messrs. Savage & Westmore a certain Sum therein mentioned.

Also the Resolve of the Commons therein referred to, which being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith Return the Resolve of your House in favour of Messrs. Savage & Westmore, concurred with by this House.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you the Petition of John Cruden, Sen., which we have thought proper to refer to the Committee appointed to take under Consideration the Memorial, rejected, of James Iredell, Esquire.

We also propose that the same Committee take under Consideration the Memorial of the Honble. Thomas Benbury, Esquire, in behalf of Thomas Oldham, late of Chowan County, and desire your Concurrence thereto.

The foregoing Message being taken into Consideration, resolved that it be rejected.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of Charles Waddell, Concurred with.

At the same time Rec'd the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 9th February, 1779, Concurred with.

Received from the Commons a Bill for altering the times of holding certain County Courts of pleas & Quarter Sessions therein mentioned.

Which was read the third time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of Colo. William Bryan, of Johnston County, Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 9th February, 1779, Concurred with.

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

We herewith return the Resolve of your House in favour of Mr. William Wooten, Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 9th February, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of Charles Pasteur, Esq., Concurred with.

At the same time Received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 9th February, 1779, Concurred with.

Received from the Commons a Bill to amend an Act for erecting a Prison in the Town of Edenton, for the use of the District of Edenton.

Which was read the second time, passed and sent to the Commons.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House permitting William Gilbert to resign the Office of a Justice of the peace of Tryon County.

Also the Resolve therein referred to, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House unanimously agree that Mr. Gilbert shall resign his Office as a Justice of the peace.

Received from the Commons a Bill to amend an Act entitled an Act to amend an Act for establishing Offices for receiving Entries of Claims for Lands in the several Counties within this State, for ascertaining the Method of obtaining Titles to the same, and for other purposes therein mentioned.

Which was read the second Time, amended, passed and sent to the Commons.

Also a Bill to amend and explain an Act for establishing offices for receiving Entries of Claims for Lands in the several Counties within this State, for ascertaining the Method of obtaining Titles to the same, and for other purposes therein mentioned.

Which was read the second time and Rejected.

Received from the Commons a Bill to regulate and ascertain the Fees of Clerks in the Superior & County Courts, Justices of the peace, and Attornies, in this State and directing the Method of paying the same, and other purposes.

Which was read the third time, amended and, by the Consent of both Houses, passed and ordered to be Engrossed.

Received from the Commons a Bill for dividing the County of Anson into two distinct Counties, and other purposes therein mentioned.

Which was read the third time, amended, by Consent of both Houses, passed and Ordered to be Engrossed.

Also a Bill to invest the property of a Bridge or Causeway in Gideon Lamb, His Heirs & Assigns, by him already built thro. the great Dismal Swamp from Lebanon to Cambden County, for the term of twenty five years.

Which was read the third time, passed and ordered to be Engrossed.

Resolved, that Doctor Charles Pasteur be allowed a further Sum of One Hundred and fifty-two pounds seventeen Shillings, being the Ballance of his account.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House in favour of Dr. Charles Pastuer, being the Ballance of his account, it sufficiently appearing that the account is justly due.

Received from the Commons a Bill for levying a Tax for the year 1779 and other purposes.

Which was read the third time, passed and sent to the Commons.

Also a Bill to amend an Act entitled an Act to regulate the Pilotage of Cape Fear and Ocracock Bars, and the Rivers leading from the same to Brunswick, Wilmington, NewBern, Bath & Edenton.

Which was read the third time, passed and Ordered to be Engrossed.

Also a Bill for erecting a Town in the County of Washington.

Which was read the third time, amended and Rejected.

The House adjourned till tomorrow morning 9 o'clock.

Wednesday, 10th February, 1779.

The House met.

Whereas, from the rapid Rise of every necessity of life, it is expedient to raise the Salaries of many of the public Officers of this State.

Resolved therefore, that for the future His Excellency the Governor be allowed after the rate of three thousand pounds per Annum, the Members of the Council of State at the rate of four pounds per Day while in Service of the public, Secretary at the rate of One Thousand pounds per Annum, the Judges of the Superior Court two Hundred & fifty pounds each per Court, the Attorney General at the rate of One thousand pounds per Annum,

and the Treasurer at the rate of Two thousand pounds per Annum.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will Receive a Resolve of this House for raising the Salaries of several of the public Officers of this State.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of Doctor Charles Pasteur concurred with.

Also the resolve of this House referred to in the foregoing Message.

Endorsed In the House of Commons 9th February, 1779, Concurred with.

Received from the Commons a Bill for levying a further Tax on the taxable property of the Inhabitants of Camden County, for the purpose of finishing and compleating the Court House, prison and Stocks, for the said County.

Which was read the third Time, passed and ordered to be Engrossed.

Mr. Coor, who was appointed on the part of this House to receive the old Money from the Treasurer & see the same burned, reported that he attended, and that the Committee received of Gen. William Skinner, the Northern Treasurer, the sum of Twenty-two thousand seven Hundred and ninety-one pounds seven shillings, which was burned and destroyed.

Resolved, that Thomas Sitgreaves, Sen., of New Bern, Nathan Revis, of Washington, and Joseph Collins, of Edenton, or any two of them, be and they are hereby empowered and required to purchase or charter two good well found swift sailing Vessels for the use of this State.

Resolved also, that Benjamin Hawkins be and he is hereby appointed Commercial Agent for the State, and that His Excellency the Governor be requested to commission him accordingly, and that the said Hawkins do purchase two Hundred hogshead of good Tobacco to be shipped on board the Vessels directed to be purchased by the aforesaid Commissioners, and that he proceed

as soon as may be to France, Spain, Holland, or elsewhere, for the express purpose of purchasing and importing necessaries for this State, to-wit: Muskets with Bayonets, Powder, Lead, Flints, Blankets, Hats, Cloth for Soldiers Cloathing, Tent Cloth, &c. That in doing this he should take particular care to divide the risque of such goods in as many homeward bound Vessels as possible, and that he govern himself by such Instructions as he shall from time to time receive from His Excellency the Governor. That the Governor be required to issue Warrants on the Treasury in favor of the aforesaid Commissioners and Agent for such Sums as will be necessary to carry this Resolve into Effect, they giving Bond & Security for the due application of the same.

Resolved, that if either of the above Mentioned Commissioners or the Agent should resign or refuse to act the Governor & Council be and they are hereby empowered and required to appoint others in their stead.

That the aforesaid Commissioners be and they are hereby empowered to purchase such Arms, Cloathing, Tent Cloth, &c., as shall be offered for sale in this State, and that they be allowed the usual Commission for such Services.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this Receive a Resolve of this House appointing persons for certain purposes therein mentioned, which we send for your Concurrence.

Colo. Martin has leave of absence from the Service of this House after today.

Resolved, that Colo. Robert Salter be recommended to His Excellency the Governor as a proper and suitable person to command the Detachment which may be sent from the Militia of this State as an escort to the Commissioners for running the dividing line between this State and the State of Virginia, in case any such Detachment should be deemed necessary.

Ordered that the above Resolve, together, with the following Message, be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House recommending Colo. Robr. Salter to the Command of the

Detachment to be ordered as an escort to the Commissioners who are to run the dividing line between this State and the State of Virginia.

Received from the Commons a Bill to amend an Act entitled an Act for erecting a Prison in the Town of Edenton for the use of the District of Edenton, and for other purposes.

Which was read the third time, amended by consent of both Houses, passed and ordered to be Engrossed.

Resolved, that the Commissary of Stores be directed to pay Dr. William Savage the sum of Eight Hundred & Eighty-four pounds twelve shillings, being the amount of sundries delivered by Thomas Sitgreaves & Son in behalf of said Savage to Colo. Chariol's Troops, by order of His Excellency the Governor.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House in favour of Dr. William Savage.

Whereas, the great Delay in the Settlement of the Continental Debt of this State has been occasioned from the public Account of the same, and the Individuals thereof being so complicated and perplexed that the Committee of the General Assembly, as heretofore appointed, have not Leisure or time during the Session to adjust the same.

Resolved, therefore, that a Board of Auditors be appointed and constituted consisting of three Gentlemen of Skill and Abilities in Accounts, who shall examine and State all former public and private Accounts and Claims and lay the same before the next General Assembly, and in order to prevent any Impositions on the public that the said Auditors keep Books well bound in which they shall State all accounts so examined against the United States and Inhabitants of this State since the Commencement of the present War with Great Britain; and,

Resolved also, that Messrs. Christopher Neale, John Sitgreaves and John Hunt, or any two of them, be and they are hereby appointed Auditors for the purpose aforesaid, who shall be allowed the Sum of One thousand pounds each, and such other Sums as a future Assembly may think their Services merit; And, in case of

the Death, removal or refusal to act of any of the said Auditors, that His Excellency the Governor be and he is hereby empowered to appoint another person of Skill and Abilities in the Room of the person or persons so dying, removing or refusing to act; and,

Resolved further, that the said Auditors, or a Majority of them, shall have free access to all public papers & accounts, and shall have power to remove the same to any place they shall think most convenient.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House appointing Auditors to settle and adjust the public Accounts.

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

We herewith send for your Concurrence the Report of the Committee appointed to consider His Excellency the Governor's Letter, together with a Letter from the North Carolina Continental Delegates, Concurred with by this House.

Also the Report of this Committee relative to His Excellency's Letter, &c.

Which being read, was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We return you with this the Report of the Committee appointed to consider the letter of His Excellency the Governor, and a letter from the North Carolina Continental Delegates, &c., Concurred with.

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

We herewith return the Resolve of your House appointing persons for purposes therein mentioned, Concurred with.

Also the Resolve of this House relative to Commissioners for purchasing Vessels, &c., referred to in the foregoing Message.

Endorsed in the House of Commons 10th February, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House recommending Colo. Robert Salter to the Command of the Detachment ordered as an Escort to the Commissioners, &c., Coucurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 10th February, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of Doctor William Savage, Concurred with.

At the same time Received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 10th February, 1779, Concurred with.

Received from the Commons a Bill to prevent stealing of Slaves and other purposes.

Which was read the third time, passed and sent to the Commons.

The House adjourned till tomorrow morning 9 o'clock.

Thursday, 11th February, 1779.

The House met.

Colo. Rogers, from the Committee appointed to reconsider the accounts of Mr. Graham, reported as follows:

The Depositions exhibited by Mr. Gilbert, against Mr. Graham, appeared to your Committee to have been improperly taken, and, upon examining Mr. Graham's Accounts, we find by the Vouchers that he hath received no more money from the public than what he was justly entitled to, and lastly, upon thoroughly investigating the Charges alledged against Mr. Graham, we find them to to have been malicious and groundless.

All which is submitted.

The House taking said Report into consideration, Concurred therewith, and ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence the Report of the Committee appointed to examine the Accounts of Wm. Graham, Concurred with by this House.

Resolved, that Whitmell Hill, Esquire, be allowed the sum of Two Hundred and fifty-two pounds five shillings and two pence, being the Ballance of Bounty money advanced by him to the Volunteers & Ballotted Men of Martin County.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House allowing Whitmell Hill, Esquire, a certain sum of money advanced to the Volunteers & Ballotted Men of Martin County.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House appointing John Hunt to settle the public Accounts, which passed this House some Days ago.

Also the Resolve of the House of Commons referred to in the foregoing Message.

Which being read was rejected, and ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message appointing Mr. John Hunt, Sole Auditor, &c., and cannot concur therewith.

This House would wish to avoid giving the public Reason to say that instead of employing Men adequate to the Service of the State we endeavour to render offices Suitable to the convenience of the Individuals.

We hope the Commons will reconsider the Resolution of this House appointing three Auditors, and adopt the same; otherwise the Senate consider this as a protest against the proceedings of the Commons, who, from partiality to an Individual, deny Justice to the public.

Received from the Commons the following Message:

This House have Resolved that William Bryan have leave to resign his Command as Colo. of Johnston County, as also the Office of a Justice of the peace, agreeable to his request herewith sent you, and desire your Concurrence.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message permitting Mr. Bryan to resign the Command of Johnston County and his Office of a Justice of the peace.

With which we concur.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have ordered their Clerk to make out the Estimate of allowances to include tomorrow.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House concur with yours in ordering the Clerks to make out the Estimate to include tomorrow.

Resolved, that Mr. William Amis be allowed to draw the sum of four thousand pounds from the Treasury, who shall account with the next Assembly for the same.

Ordered that the above Resolve, together with the following Message, be sent to the Commons.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House in favour of Mr. William Amis.

The Petition of Joshua Parker, setting forth that he was taken up as a Vagrant & turned into the Continental Service, being read & it appearing that the measure was unjust,

Resolved that the said Joshua Parker, be and he is hereby discharged from the service.

Ordered that the foregoing Resolves, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House for discharging a certain Joshua Parker from the Continental Service.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of Whitmell Hill, Esquire, Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 11th February, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of William Amis, Concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message:

Endorsed in the House of Commons 11th February, 1779, Concurred with.

Received from the Commons a Bill to carry into Effect an act passed at New Bern in November, in the year one thousand seven hundred & seventy-seven, intituled an act for confiscating the property of all such persons as are inimical to the United States, and of such persons as shall not within a certain Time therein mentioned appear an submit to the State whether they shall be received as citizens thereof, and of such persons as shall so appear and shall not be admitted as citizens, & for other purposes therein mentioned & for other purposes.

Which was read the third time, amended by consent of both Houses, passed and Ordered to be Engrossed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for authenticating a plan of the Town of New Bern by a Certificate Endorsed thereon and signed by the Speakers of both houses.

Also the Resolve therein referred to, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for authenticating the plan of New Bern, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House for discharging a certain Joshua Parker from the Continental Service, concurred with by this House.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 11th February, 1779, Concurred with.

Received from the Commons a Bill to Regulate & establish a Militia in this State.

Which was read the third time, amended by consent of both Houses, passed and ordered to be Engrossed.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to settle the Accounts of Nicholas Long, Esq., Deputy Quarter Master General, Concurred with by this House.

At the same time received the Report of the Committee referred to in the foregoing Message, which being read was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the Report of the Committee appointed to settle the accounts of Nicholas Long, Esq., concurred with.

Received from the Commons a Bill to amend part of an Act entitled an Act for Emitting Eight hundred and fifty thousand pounds in Bills of Credit for discharging the Debt incurred by this State in raising Men to reinforce the Battalions belonging to this State in the Continental Army, for calling in all former emissions & other purposes.

Which was read the third time, passed & ordered to be Engrossed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have Resolved that Benjamin Blount have leave to resign the office of Colonel of Tyrrell County & desire your Concurrence.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We concur with your Resolve relative to Mr. Blount's resigning his Command in Tyrrell County.

The House adjourned till tomorrow morning 9 o'clock.

Friday, 12th February, 1779.

The House met.

Received from the Commons a Bill to amend an Act entitled an Act to amend an Act for establishing offices for receiving Entries of Claims for Lands in several Counties within this State, for ascertaining the Method of obtaining Titles to the same & for other purposes therein mentioned.

Which was read the third time, amended by Consent of both Houses, passed and Ordered to be Engrossed.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House allowing Nathan Williams a certain sum therein mentioned.

Also the Resolve therein referred to, which was read and concurred with.

Also the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House allowing John Armstrong a certain sum therein mentioned.

Also the resolve therein referred to, which was read & concurred with.

Also the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of Mr. Agerton.

Also the Resolve therein referred to, which was read & concurred with.

Also the following Message: Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House in favour of William Wilkinson.

Also the Resolve therein referred to, which being read was concurred with.

Also the following Message: Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of a Committee appointed to examine the Accounts of Cap. Christopher Dudley, Concurred with.

Also the Report of the Committee aforementioned.

Which being read, was concurred with.

Also the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of a Committee appointed to take under Consideration the Petition of Corlin Wallard and William Coughton, Concurred with by this House.

Also the Report of the Committee therein referred to, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House in favour of Cap. Nathan Williams, Concurred with.

We also concur with the Report of the Committee relative to Mr. Christopher Dudley.

We also concur with your Resolve in favour of John Armstrong, & you will likewise receive your Resolve in favour of Agerton, Concurred with.

The Resolve in favor of William Wilkinson we likewise concur with, & the Report of the Commons relative to Corlin Wallard & William Coughton.

Whereas, at the present alarming Situation of affairs it is absolutely necessary that there should be a Commanding Officer in the County of Cumberland;

Resolved therefore, that Colo. David Smith be and he is hereby appointed Colo. Commandant Cumberland County, until the return of——.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have appointed Col. Graham & Mr. Shepherd to act with the Gentlemen by you appointed to consider and report upon sundry letters, &c.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House for Discharging the light Dragoons raised by this State.

Also the Resolve of this House.

Endorsed in the House of Commons 12th February, 1779, Concurred with.

Received from the Commons a Bill for raising forces for the defence of this & the Neighboring States, and other purposes therein mentioned.

Which was read the third time, passed & Ordered to be Engrossed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House appointing Colo. David Smith Commandant Colonel of Cumberland County, and the Resolve for disarming the disaffected persons in this State, Concurred with.

At the same time Received the Resolve of this House appointing Colo. Smith & the resolve for disarming the Disaffected persons, &c.

Endorsed in the House of Commons 12th February, 1779, Concurred with.

Mr. Coor who was appointed on the part of this House to consider and examine the Accounts of Thomas Craike, Esquire, Deputy Commissary General of Stores, made report, which being read was Concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your Concurrence the Report of the Committee appointed to examine the Accounts of Thomas Craike, Esquire, Concurred with by this House.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Report of the Committee appointed to

examine the Accounts of Thomas Craike, Esquire, Concurred with.

At the same time Received the Report of the aforementioned Committee.

Endorsed In the House of Commons 12th February, 1779, Concurred with.

Resolved, that Colo. Nicholas Long, Deputy Quarter Master General, be requested immediately to send off for Salisbury & deliver to Mr. Mathew Lock One thousand pounds of Gun powder and twice the quantity of Lead for the service of the Troops now to be raised.

Ordered that the Above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive a Resolve of this House for conveying Powder, &c., to Salisbury, which we send for your Concurrence.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the Report of the Committee appointed to consider and report upon the Letters from the Frontiers, &c., concurred with by this House.

At the same time received the Report of the Committee aforementioned, which being read was concurred with.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive the Report of the Committee appointed to consider and report upon the Letters from the Frontiers &c., concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have resumed the Consideration of the Resolve of your House ascertaining the pay of several State Officers, which we herewith return you concurred with.

At the same time Received the Resolve this of House referred to in the foregoing Message.

Endorsed in the House of Commons 12th February, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House for conveying powder, &c., to Salisbury, Concurred with.

At the same time Received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 12th February, 1779, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House allowing Thomas Craike, Esquire, Commissary of Stores, a certain sum therein mentioned.

At the same time Received the Resolve of the Commons referred to in the foregoing Message, which being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this Receive the Resolve of your House in favour of Thomas Craike, Esq., Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House empowering the Justices within the several Counties in this State to seize and secure disaffected persons, &c.

At the same time received the Resolve therein referred to, which being read was concurred with.

Also the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House allowing General William Skinner a certain sum therein mentioned.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House empowering the Justices in the several Counties of this State to secure disaffected persons, Concurred with.

We likewise concur with your Resolve in favor of General Skinner.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House requesting the Speakers of both Houses to send Expresses to Governor Caswell and the Governor of Virginia, for purposes therein mentioned.

At the same time Received the Resolve of the Commons referred to in the foregoing Message, which being read was Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Your Resolve requesting the Speakers of both Houses to send Expresses to Governor Caswell, &c., we herewith return you, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House recommending to his Excellency the Governor to remove certain prisoners now in Johnston County.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House for removing certain prisoners, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House recommending to his Excellency the Governor to dispatch a Sum of Money to Brigadier General Lock, for the purposes of beginning the March of the Militia.

At the same time Received the Resolve of the Commons referred to in the foregoing Message, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House recommending to the Governor to send a sum of Money to Brig. Gen. Lock, for the purposes therein mentioned, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House appointing Officers to command the light Horse to be raised.

At the same time received the Resolve of the Commons referred to in the foregoing Message, which was read and concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House appointing Officers to the Command of the Light Horse to be raised, &c., concurred with by this House.

The House adjourned till Monday morning 9 o'clock.

Saturday, 13th February, 1779.

The House met.

Resolved, that Messrs. Coor & Davis examine, correct and prepare for the press the Acts of this Assembly, so far as any Clerical Mistakes may appear therein.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your Concurrence a Resolve of this House appointing persons to examine & revise the Acts of Assembly.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House directing the Commissary of Stores to deliver to John Whitaker a quantity of Ammunition.

At the same time received the Resolve referred to in the above, which being read, Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

You will with this receive the Resolve of your House directing the Commissary of Stores to deliver Ammunition, &c., to Colo. Whitaker, Concurred with.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House directing the printers to print certain Acts of the Assembly, and transmit the same to the respective Districts, immediately.

At the same time received the Resolve of the Commons referred to in the foregoing Message.

Endorsed in the Senate 13th February, 1779. Read & Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the Resolve of your House directing the printers to strike off certain Acts therein mentioned, with which we concur.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Resolve of your House appointing Gentlemen to receive & prepare for the press the Acts of Assembly, concurred with.

At the same time received the Resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons 13th February, 1779, Concurred with.

On motion the Bill for confirming certain Grants of Land in East Granville District, made by Thomas Child, Esquire, agent for said East Granville, after his Departure from Edenton, in North Carolina, and during his Residence in Suffolk, in Virginia, and for other purposes, was read the third time and rejected.

The Business of the Session being Ended,

Resolved, that Mr. Speaker & the Clerk of this House sign the Journals as the Acts of the Senate.

ALLEN JONES, S. C.

By order
Sitgreaves, Ch.

List of Members:

Ephraim McLean.

Willm. Graham.

Griffith Rutherford.

Samuel Johnston.

Elisha Battle.

Jasper Charlton.

James Kenan.

Robert Irwin.

Ambrose Ramsay.

John Childs.

John Hogan.

Samuel Smith.

John Devane,

Benj. Seawell.

Allen Jones.

Edwd. Salter.

Henry Rhodes.

John Faulcon.

Nathan Boddie.

John Rand.

John Gray.

Benj. Exum.

Oroondates Davis.

John Collins.

Memucan Hunt.

Thomas Owen.

Thomas Respass.

Kenneth McKenzie.

Colo. William Thompson.

George Wynns.

Thomas Relfe.

James Sanders.