THE STATE RECORDS
OF
NORTH CAROLINA.

1786.


STATE OF NORTH CAROLINA,
IN SENATE, NOVEMBER 20TH, 1786.

At a General Assembly begun and held at Fayetteville on the 20th day of November, in the year of our Lord, One Thousand Seven hundred and eighty six, and of the Sovereignty and Independence of the United States of America the eleventh, it being the first session of this Assembly.

The returning officers for several of the counties within the State certified that the following persons were duly elected to represent such Counties in the Senate, viz:

For Anson County—
   Beaufort—John Bonner.
   Bertie—
   Brunswick—
   Bladen—Thomas Brown.
   Burke—
   Craven—James Coor.
   Cumberland—
   Carteret—James Edton.
   Currituck—
   Chowan—Jacob Jordan.
   Camden—Isaac Gregory,
   Caswell—Dempsey Moore.
   Chatham—Ambrose Ramsey.
   Dobbs—
   Duplin—James Gillispie.
   Davidson—
   Edgecombe—Elisha Battle.
**STATE RECORDS.**

<table>
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<th>County</th>
<th>Representative</th>
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<tr>
<td>Franklin</td>
<td>William Gowdy.</td>
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<td>Guilford</td>
<td>Howell Lewis.</td>
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<td>Gates</td>
<td>Benjamin McCullock.</td>
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<td>Granville</td>
<td>Robert Alexander.</td>
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<td>Greene</td>
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<td>Halifax</td>
<td>Nathan Mayo.</td>
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<td>Hyde</td>
<td>John Stokes.</td>
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<td>Lincoln</td>
<td>Griffith Rutherford.</td>
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<td>Edward Sharpe.</td>
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<td>Martin</td>
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<td>Warren</td>
<td>John Macon.</td>
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<td>Wayne</td>
<td>Benjamin Herndon.</td>
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Pursuant to which the following members appeared, presented
their Certificates, were qualified agreeably to law, and took their
seats, viz:

Edward Sharpe, Jacob Jordan, Elisha Battle, John Skinner, Am-
brose Ramsey, James Coor, Charles Medlock, John Armstrong,
John Macon, William McCawley, Robert Alexander, Philip Alston,
Dempsey Moore, John Simpson, John Bonner, Isaac Gregory, Jas.
Whiteside, John Easton, James Gillispie, Thomas Brown, Nathan
Mayo, Benjamin McCulloch, Hardy Griffin, Richard Clinton, Griff-
ith Rutherford, Frederick Harget, Howell Lewis, John Stokes,
Thomas Relffe, Benjamin Herndon & William Gowdy.

Gen'l. Rutherford proposed for speaker James Coor, Esq., who
was unanimously chosen and placed in the Chair accordingly.

On motion, John Haywood was appointed Clerk, and Sherwood
Haywood, assistant.

William Murphy and Nicholas Murphy, Doorkeepers.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

The House of Commons being now formed, acquaint you they
are ready to proceed on the public business.

On motion, ordered that the following message be sent to His
Excellency, the Governor, first being approved of by the House of
Commons, to wit:

To His Excellency Richard Caswell, Esqr., Governor, Captain-Gen-
eral and Commander in Chief in and over the State of North
Carolina.

Sir:

The General Assembly being now convened, are ready to take
under consideration such public dispatches and other matters as
your Excellency may have to lay before them.

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

Mr. Speaker and Gentlemen:

The Senate being likewise formed, are ready to proceed on pub-
lic business, and propose that the message herewith sent you be
presented to His Excellency the Governor. Should it meet your
approbation, Mr. Macon and Mr. Skinner will, on the part of the
House, attend and present him with the same.
On motion of Mr. Gillispie, seconded by Mr. Macon—
Resolved, That Gen'l Rutherford, Mr. Harget, Mr. Macon, Gen'l Gregory, Mr. McCawley, Mr. Eaton, and Mr. Brown be a Committee of Privileges and Elections.

Mr. Gillispie presented the Memorial of Henry Lightfoot, Esquire, which was read and referred to the Committee of Privileges and Elections.

Mr. Thomas Armstrong, the member for the county of Cumberland, appeared, presented his certificate, was qualified agreeably to Law, and took his seat.

Mr. John Herritage, the member for the county of Dobbs, appeared, presented papers declarative of his Election, was qualified agreeably to Law, and took his seat.

On motion of General Rutherford, seconded by Mr. Gillispie, Ordered that a writ of Election Issue to the County of Anson for Electing one member to represent said County in Senate, instead of Thos. Wade, Esqr., deceased, and that the said Election be held on the first Friday and Saturday in December next.

Mr. Battle presented sundry petitions from the Inhabitants of the Counties of Washington, Sullivan and Greene, which, being read, were referred to a special committee. The members chosen on the part of this House were Gen'l Rutherford, Mr. Skinner, Mr. Macon, Mr. Stokes, Mr. Battle, and Mr. Gillispie, and sent to the House of Commons.

On motion of Gen'l Rutherford, seconded by Mr. Macon—
Resolved, That the following rules of decorum be observed by the Senate during the present session of Assembly, viz.:

Firstly. When the Speaker is in the Chair, every member may sit in his place with his head covered.

Secondly. That every member shall come into the House uncovered, and shall continue so at all times, but when he sits in his place.

Thirdly. 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, whilst another is speaking.

Fourthly. 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 to do so by the
Speaker, which permission shall be signified by naming the member.

Fifthly. When any member is speaking no other shall stand or interrupt him, but when he has done speaking and taken his seat, any other member may rise, observing the rules.

Sixthly. When the Speaker desires to address himself to the House, he shall rise and be heard without interruption; and the member then speaking shall take his seat.

Seventhly. If more than one member attempt to speak at any time, the Speaker shall determine which was first up.

Eighthly. When any question shall be before the House and not perfectly understood, the Speaker may explain, but shall not attempt to sway the House by argument or debate.

Ninthly. 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.

Tenthly. He that digresses from the subject to fall on the person of any member shall be suppressed by the Speaker.

Eleventhly. 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.

Twelfthly. Whatever is spoken in the House may be subject to the censure of the House.

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

Fourteenth. No bill shall be read twice in the same day, unless upon some pressing emergency, where the good and safety of the State shall make it necessary.

Fifteenth. No heats or animosities shall be permitted in the House.

Sixteenth. No member shall speak more than twice, without leave, in the same question, unless it be in a committee of the whole House.

Seventeenth. No question shall be put on any motion unless seconded.

Eighteenth. Every member making any motion which is not of
course, shall, before making such motion, reduce the same to writing.

Nineteenth. If there shall be an equality of votes for and against any Question, the Speaker shall declare whether he be a yeas or a nays; but shall in no other case give his vote.

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

Twenty-first. Upon motion for an adjournment, no member shall presume to move until the Speaker rises and goes before.

Mr. Herritage presented the Memorial of William Lenoir, of Wilkes County, relative to the late election of said County, which was read and referred to the Committee of Privileges and Elections.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

In pursuance of a Resolve of the last Gen'l Assembly, we propose ballotting at four o'clock this evening for four Engrossing and Committee Clerks, and nominate for the appointment Messrs. William White, Joshua Winslow, Curtis Ivy, Pleasant Henderson, Montford Stokes, John Franks, and John Simpson. Should you approve of this proposition, you will please signify the same by message.

The foregoing being read it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

It is the opinion of the Senate that two clerks only, to do business out of doors, should be appointed. We agree to ballot at the time by you proposed and add to your nomination Mr. Joseph Dixon, and propose that this ballotting be conducted at the House lately erected by Mr. Hogg in this town. Should you agree to ballot on these terms Mr. Macon and Mr. Skinner will on the part of this House superintend the same.

Mr. John Tipton the member for the County of Washington, appeared, presented his certificate, was qualified agreeable to law and took his seat.
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Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

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

The foregoing being read, it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

From a belief that two clerks will be equal to the whole of the engrossing & Committee Business, this House cannot agree that a greater number be appointed.

Adjourned till to-morrow morning 10 o'clock.

Tuesday, November 21st, 1786.

The House met.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that a Committee on Finance be appointed to examine and report the state and nett Produce of our Revenues, and the amount and nature of the public Debts; who shall extend their enquiries into the present state of the Treasury, the application of the monies levied and collected in and for the years 1784, 1785 & 1786, and the use and application of the last one hundred thousand pounds emitted by this State, that they be authorized to call on His Excellency, the Governor, the Treasurer, the Comptroller General, the Commissioners of Army Accounts, the Commissioners for purchasing tobacco to discharge the interest of the Foreign Debt, the Commissioners of Confiscation, the Commissioners for superintending the press of the two last emissions, and all officers concerned in receiving Appropriating and Accounting for the public Monies or other persons and papers they may deem necessary to such investigation; that they report from time to time, and as soon as possible on such matters concerning the public monies or revenues as
may stand in need of immediate amendment or alteration; and also make up an estimate of the expenses of the Foreign & incidental charges of the ensuing year; and that before the end of this session or as soon as possible, they form a full statement of the debts, funds and revenues of the State, which shall be printed and bound up with the laws enacted this Session, and that they be authorized to require the assistance of the Comptroller if deemed necessary in forming such statement. We have appointed for this purpose on our part Messrs. Davie, Blount, Polk, Spaight, Winslow, Sitgreaves and Hay. We also send you herewith a message received from His Excellency, the Governor, together with the paper therein referred to which so far as they relate to taxes, the Revenue and the Tobacco lately purchased, we propose referring to the Committee above mentioned the other papers we propose committing to the consideration of Messrs. Hamilton, Neale, Hawkins, Holland, Cabarrus, Davie, Hay, Sitgreaves, Roberts, Spaight, Polk and Willis, together with such gentlemen as you may think proper to appoint for that purpose. We also propose that the Committee on Finance call upon the Entry Taker of the Western Lands for all monies received by virtue of his office.

The foregoing being read it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

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

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen;

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

The foregoing being read it was ordered that the following mes-
geage be sent to the House of Commons:

Mr. Speaker and Gentlemen:

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

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

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

Ordered that Messrs. McCulloch, Clinton, Harget, General Ruth-
erford and Mr. Gowdy act on this Committee and that the follow-
ing message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The Senate appoint Messrs. McCulloch, Clinton, Harget, Genl.
Rutherford and Mr. Gowdy to act with the gentlemen by you ap-
pointed a Committee of Claims.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

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

Ordered that Messrs. Medlock, Lewis, McCawley, Alexander,
Eaton, Moore and J. Armstrong act on this Committee and that
the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The Senate appoint Messrs. Medlock, Lewis, McCawley, Alexan-
der, Eaton, Moore and J. Armstrong to act with the gentlemen by
you chosen a Committee of Propositions and Grievances.

Mr. McCulloch presented the Memorial and petition of M. Hunt,
Esquire, Public Treasurer, which was read, referred to the Commit-
tee of Finance and ordered to be sent to the House of Commons.
Mr. Herritage presented the petition of Sundry of the Inhabitants of Dobbs County relative to the suggested misapplication of part of the late emission of paper Currency; which was read, referred to the Committee of Propositions and Grievances and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

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

The foregoing being read it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the Engrossing and Committee Clerk's be immediately ballotted for, and have appointed Mr. Macon and Mr. McCullock to superintend the balloting.

The General Assembly now proceeded to ballot, which being ended, Mr. Macon and Mr. McCullock appointed on the part of this House to superintend the same, reported that having executed the business of their appointment, on casting up the scrolls or ballots it appeared that Mr. Curtis Ivey, Mr. Montford Stokes and Mr. Pleasant Henderson were chosen clerks to do the engrossing business and attend on the several Committees during the present session.

The House taking this report into consideration, Resolved, that they do concur therewith.

Mr. Benjamin Williams the member for the County of Johnston appeared, presented his certificate, was qualified agreeably to law and took his seat.

Mr. Gillispie presented an account of William Williams, late a Captain in the North Carolina Line, against the United States, which was read, referred to the Committee of Claims and sent to the House of Commons for their concurrence in such reference.

Mr. Herndon presented the Memorial of George McNeill which was read, referred to the Committee of Propositions and Grievances and sent to the House of Commons for their concurrence in such reference.

Mr. Zedekiah Stone the member for the County of Bertie, Genl.
Charles McDowell the member for the County of Burke, Mr. Burwell Moring the member for the County of Wayne, and Mr. Abraham Jones the member for the County of Hyde appeared, presented their certificates, were qualified agreeably to Law and took their seats.

On motion, Ordered, that Mr. Skinner have leave of absence during the remainder of this session, on account of the indisposition of his family.

Adjourned till to-morrow morning 10 O'Clock.

Wednesday, November 22nd, 1786.

The House met.

Mr. Gillispe presented an account or claim of James Piercill, late Sheriff of Duplin, against the State, which was read, referred to the Committee of Claims and sent to the House of Commons for their concurrence in such reference.

Mr. Gillispe likewise presented the claim of John Barnhill against the State which being read was referred in like manner and sent to the House of Commons.

Mr. Armstrong presented the claim of Jacob Litel, late a soldier in the State Regiment which was read, referred to the Committee of Claims and sent to the House of Commons.

Genl. Rutherford presented a certificate granted the Honorable Alexander Martin, Esquire, setting forth that Adlai Osborne, Esquire, did in the year 1780 (he being the Governor of the State) act three months as his private secretary, for which no allowance has as yet been made Mr. Osborne; whereupon,

Resolved, That Adlai Osborne, Esquire, be allowed the sum of twenty-five pounds Currency for the service above mentioned, that the Treasurer pay him the same and be allowed. Sent to the House of Commons for concurrence.

Received from the House of Commons a Bill for settling the Titles and Bound of Lands. Endorsed in that House "read the first time and passed."

Ordered that this Bill be read, which being read was passed the first time and returned.

Received from the House of Commons the Memorial of Samuel Pitman, Endorsed by that House "read and referred to the Committee of Propositions and Grievances" which being read was referred in like manner and returned.
Received likewise the resignation of Nicholas Long, Esquire, of his appointment as commissioner of confiscated property in the District of Halifax, together with Certificates from the Comptroller declaring that Col. Long had finally settled and balanced his accounts as Commissioner aforesaid, which being read, Resolved, that his resignation be accepted.

Received also the representation of John Macon, Esquire, on behalf of a negro man slave belonging to the estate of the late Samuel Yeargen of Warren County, deceased. Indorsed in that House "read and referred to Mr. Polk, Mr. Sitgreaves and Mr. Davie," which being read was on the part of the Senate referred to Mr. Macon and Mr. Alston and returned.

Received from the House of Commons the petition of the Executors of the last will and Testament of the late Joseph Hewes, Esquire, of Edenton. Endorsed, "read and referred to Messrs. Cabarrus, Phifer, Dauge, & Creecy." Which, being read, was on the part of this House referred to Mr. Jordan and Gen'l Gregory, and returned.

Received, likewise, the proceedings of a court held in the County of Chowan for the trial of Esther, the property of James Blount. Endorsed in the House of Commons. "Read and referred to the Committee of Claims." Which, being read, was referred in like manner and returned.

Adjourned till Tomorrow morning 10 o'clock.

Tuesday, November 23d, 1786.

The House met.

Received from the House of Commons a bill for enabling certain persons to perfect a canal between Scuppernong River and the Lake, near its head. Endorsed in that House, "read the first time and passed." Ordered that this bill be read; which, being read, was passed the first time and returned.

Received by way of the House of Commons a Message from His Excellency the Governor, accompanied by sundry letters relative to the disposal of the public Tobacco, &c. Endorsed in the House of Commons, "read and referred to the Committee of Finance." Which, being read, were referred in like manner and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

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

The foregoing being read, it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

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

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

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

Received likewise the petition of Winston Caswell and William White, Executors of William Caswell, deceased. Endorsed in the House of Commons, "read and referred to the Committee of Claims." Which, being read, was referred in like manner and returned.

Received also the petition of Nathan Moseley. Endorsed, "read and referred to the Committee of Claims." Which was read and referred in like manner and returned.

Received from the House of Commons the Memorial of Mrs. Margaret Gaston. Endorsed, "read and referred to the Committee appointed to consider of the petition of John Macon, Esquire." Which, being read, was referred in like manner and returned.

Received likewise a bill for the better regulation of the town of Halifax and extending the liberties thereof. Endorsed, "read the first Time and passed."

Ordered that this bill be read; which, being read, was passed the first time and returned.

Received also the Presentment of the Grand Jury of Morgan District, complaining of Sundry Grievances. Endorsed in the House of Commons, "read and referred to the Grand Committee." Which, being read, was referred in like manner and returned.

Received from the House of Commons the Claim of the Sheriff
of Burke County, and others, for having attended on, executed, &c., Thomas Jones and John Lynch, convicted of Feloniously Stealing Horses, at the Superior Court of Morgan District. Endorsed, "read and referred to the Committee of Claims." Which, being read, was referred in like manner and returned.

Received likewise the resolution of this House in favor of Adlai Osborne, Esquire. Endorsed, "read and concurred with."

Received also the Memorial of George McNeill. Endorsed, "read and referred as by the Senate."

General Gregory, from the Committee of Privileges and Elections, delivered in the following Report, viz.:

Your Committee of Memorials and Elections, to whom was referred the Memorial of William Leneir, Esquire, having taken into their consideration the said memorial and attended to the deposition and other Circumstances relating to the election of a Senator for the County of Wilkes, are of opinion that the said memorial, with the other papers produced on this occasion, be referred to the House for their determination thereon.

ISAAC GREGORY, Ch.

The House, taking this report and the papers alluded to into consideration, resolved that the election for a Senator in the County of Wilkes hath been illegally conducted; whereupon, ordered that a writ of election issue to the said County, and that a new election be had therein on the second Friday and Saturday in December next.

Received from the House of Commons a bill for cutting a canal from Currituck Sound to the Indian Ridge, and from thence to the head of North River, or as far as the Commissioners herein named shall think proper. Endorsed, "read the first time and passed."

Ordered that this bill be read; which, being read, was passed the first time and returned.

General Rutherford presented the representation and petition of James Holland, Esquire, which, being read, was referred to the Committee of Propositions and Grievances, and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that a Committee consisting of members from both Houses be appointed to take under consideration Petitions, Memo-
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rials, &c., and for that purpose we have appointed Messrs. Taylor, McDowell, Anderson, Hinton, Reading, Blount, Yancy, Copeland, Pearson, Stewart, Bonds, and Pugh.

Ordered that, on the part of this House, General McDowell, Messrs. Lewis, Mayo, Moore, Griffin, Stone, Tipton, and T. Armstrong act on this Committee, and that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

General McDowell, Messrs. Lewis, Mayo, Moore, Griffin, Stone, Tipton, and T. Armstrong will, on the part of this House, act with the gentlemen by you appointed to consider of and report on Petitions, Memorials, &c., which may be laid before the Assembly.

Received from the House of Commons the petition of the Inhabitants of Davidson County. Endorsed, "read and referred to the Grand Committee on the State papers." Which, being read, was referred in like manner and returned.

Received likewise the claim of William Boggan and the claim of Morgan Brown, respectively. Endorsed, "read and referred to the Committee of Propositions and Grievances." Which, being read, was referred in like manner and returned.

Received also the petition of sundry of the Militia Officers of Wilkes County. Endorsed in the House of Commons, "read and referred on the part of the House to Messrs. Hamilton, McDowell, Nance, Withrow, and Martin." Which, being read, was on the part of the Senate referred to Mr. J. Armstrong, General Ramsey, Mr. Gillispie, General Simpson, & General McDowell, &c.

Received also the Memorial of P. Henderson in behalf of the acting Executors of the last will and Testament of Richard Henderson, Esquire, deceased. Endorsed in the House of Commons, read and referred to the Committee of petitions and memorials, which being read, was referred in like manner and returned.

Adjourned 'till to-morrow 10 o'clock.

Friday, November 24th, 1786.

The House met.

Mr. Henry Hill, the member for the county of Franklin, and Mr. Joseph Riddick, the member for the County of Gates, appeared produced their certificates, were qualified agreeably to law and took their seats.
Received from the House of Commons the Representation and petition of James Holland, Esq. Endorsed, "read and referred as by the Senate."

Received likewise the following message:

Mr. Speaker and Gentlemen:

We propose that the Committee of Finance be directed to consider of and report whether or not it was the intention of the act directing a tax of 1/6d on each Taxable Poll, &c., to be collected for the current year on the foundation of an act passed in the year 1784 imposing what is commonly called the "Continental Tax," that the same should be collected wholly in money or partly in money and partly in Certificates as allowed of in the case of the General Public tax of the State.

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

Mr. Speaker and Gentlemen:

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

Received from the House of Commons the Bill for enabling certain persons to perfect a Canal between Scuppernong River and the lake near its head. Endorsed, read the second time, amended and passed.

Ordered that this bill be read, which being read, was on motion of Mr. Williams by him withdrawn for amendment.

Received from the House of Commons the Memorial of William Armstrong. Endorsed, "read and referred to the Committee of petitions and Memorials," which being read, was referred in like manner and returned.

Mr. McCullock presented the petition of Mr. John Justice, Executor of the last will and testament of James Allen, deceased, late of Halifax county, which being read, was referred to the Committee of Petitions and Memorials, and sent to the House of Commons.

Mr. Lewis presented the claim of William Webb and Conyers White, which being read, was rejected.

Read the petition of James Blair and others praying to be released from the forfeiture of their Recognizance entered into for the appearance of a certain Thomas Powel at the Superior Court of Law and Equity for the District of Morgan.
Whereupon, resolved, that whereas it appears to this General Assembly from sundry affidavits as well as from a certificate from the Honorable Samuel Spencer, Esquire, Judge of the said Court, that the forfeiture of the said Recognizance above alluded to, and which was obligatory on James Blair, Nebuzaradan Coffee, Ambrose Powell and Benjamin Powell, ought not of right and in Justice to take place because the same hath been occasioned by an omission of the late Clerk of that Court, who failed to enter of record the discharge of said securities when they actually surrendered the principal into Custody, the said James Blair, Nebuzaradan Coffee, Ambrose Powell, and Benjamin Powell, and every one of them be and they are hereby released and forever discharged from the forfeiture aforesaid. Sent to the House of Commons for concurrence.

On motion of Mr. Gillispie seconded by Mr. Macon Resolved that Henry Montfort, Esquire, be required to send for the books and other papers belonging to the Commissioner's office for settling army accounts, &c., for the perusal of this General Assembly without delay, and that Colonel Guilford Dudley, of Cumberland County, be, and he is hereby directed, to furnish Mr. Montfort with a file of Twelve men for the protection of said books and papers while on the road. Resolved, further, that Mr. John Craven, Clerk of the Board of Commissioners for settling army accounts, be & he is hereby required forthwith to attend and personally appear before this General Assembly.

Sent to the House of Commons for their concurrence.

Received from the House of Commons the Bill for the better regulation of the town of Halifax, and extending the liberties thereof. Endorsed, "read the second time, amended and passed."

Ordered that this bill be read, which being read, was passed the second time and returned.

Received likewise a bill for erecting a town on the lands of Matthew FIGURES, in Northampton County, on the South side of Meherrin River. Endorsed in the House of Commons, "read the first time and passed."

Ordered that this bill be read, which being read, was passed the first time and returned.

Received also the Petition of William Moore, the Sheriff of Burke County. Endorsed in the House of Commons, read and referred to 18—2
the Committee on Petitions and Memorials, which being read, was referred in like manner and returned.

Received likewise the petition of William Greaves and Elijah Hunter. Endorsed in the House of Commons, read and referred to the Grand Committee who are to be specially instructed to enquire into the present modes of administering the laws of the State and to report thereon, which being read, was referred in like manner and returned.

Received also the resolve of this House of to-day relative to the books and papers belonging to the Commissioner's office for settling Army Accounts. Endorsed in the House of Commons, "read and concurred with."

On motion of Mr. Gillispie seconded by General Rutherford Resolved that whereas it is absolutely necessary that every information be had, which may tend to the investigating the supposed abuses in the office of the Commissioners of Army Accounts. Resolved, that Nathan Cobb, Hardy Robertson, Willis Pipkin, William Andrews, Mann Philips, William Phelps and Moses Holmes, of Dobbs County, and Thomas Jordan, of Sampson County, be, and they and every one of them are hereby required forthwith to appear and personally attend on this General Assembly in order to give in Testimony such matters and things as they may know touching the premises. Resolved, further, that all necessary expenditures arising herefrom shall be paid out of the public treasury.

Sent for Concurrence.

Received from the House of Commons a bill for establishing a town on the lands of Robert Burton, Esquire, in the County of Granville. Endorsed in the House of Commons, read the first time and passed.

Ordered that this bill be read, which being read, was passed the first time and returned.

Received likewise by way of the House of Commons, a message from His Excellency, the Governor of this date. Endorsed in the House of Commons "read and referred to the Grand Committee," which being read, was referred in like manner and returned.

General McDowell presented the petition of Michael Hartsel, of Burke County, which being read, was rejected.

Mr. Stone presented the resignation of Thomas Ward as one of
the Justices of the Peace for Bertie County, which was read, accepted and sent to the House of Commons.

Mr. Griffin presented the resignation of Joseph Williamson, of Nash County, as one of the Justices of the Peace for the said County, which was read, accepted and sent to the House of Commons.

Received from the House of Commons the petition of Mr. John Justice, of Halifax County. Endorsed in the House of Commons, "read, and referred as by the Senate."

Received likewise a resolve in favor of William Aldridge, which being read, was concurred with and returned.

Read the application of John Vickers setting forth that his House was destroyed by fire in the year 1782 or 1783 in consequence of which he lost an Auditor's certificate granted in his own name for twenty-two pounds or therabouts, whereupon,

Resolved, that the Comptroller examine the Auditor's books for the District of Hillsborough, and upon ascertaining the exact amount of the certificate aforesaid, that he make out and deliver the said Vickers another of the like sum and of the like number and date. Sent for concurrence.

Mr. Stone presented the resignation of Reuben Norfleet as one of the Justices of the Peace for Bertie County, which was read, accepted and sent to the House of Commons.

On motion of Mr. Herritage, ordered that he have leave of absence for a few days.

Adjourned 'til to-morrow morning 11 o'clock.

Saturday November 25th, 1786.
The House met.

Received from the House of Commons the following message:
Mr. Speaker and Gentlemen:

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

This message being read, ordered that the following be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the petition of James Blair and others, now before this Assembly be referred to the Grand Committee as by you proposed.
On motion of Mr. Macon, seconded by Mr. Battle, Resolved that Mr. John Craven, of Warren county, be requested to attend this present Assembly in order to give his assistance in re-examining the accounts of the Officers and Soldiers of the Continental line of this State, and that Captain John White be requested to deliver a copy hereof to said Craven.

Sent to the House of Commons for their concurrence.

Received from the House of Commons the resolve of this House requiring the attendance of Mr. John Craven on this Assembly. Endorsed, "read and concurred with."

General McDowell presented the petition of Conrad Hildebrand, which being read, was rejected.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

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

The message referred to, being read, was objected to, whereupon Resolved, that the following be presented to His Excellency, the Governor, first having obtained the approbation of the House of Commons, to wit:

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

SIR:

The General Assembly are now sitting and request Your Excellency to favor them with such further information as you may be possessed of relative to supposed abuses in the office of the Commissioners for settling Army Accounts.

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

Mr. Speaker and Gentlemen:

With this you will receive a message addressed to His Excellency the Governor, which by this House is proposed to be presented him instead of that sent us from your body on the same head and of this date. Should it meet your approbation, Mr. Lewis and Mr. McCawley will on the part of the Senate attend and present him with the same.
Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that the address herewith sent you be presented to His Excellency in lieu of the one proposed by your Body.

The message referred to being read was agreed to, whereupon ordered that the following be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have concurred with the message by you last proposed to be presented to His Excellency the Governor.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that a Conference of the two Houses be immediately had in the room where the House of Commons sit, on the subject of the abuses suggested to have been committed on the Treasury of the State.

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

Mr. Speaker and Gentlemeu:

We consent that a conference of the two Houses be immediately had as by you proposed.

On motion of Mr. Harget, seconded by Mr. Gillispie, Resolved, That whereas it hath been presented to this General Assembly that John Price, John McNees, Thomas Butcher, William Faircloth, Benjamin Shepperd, John Sheppard, Timothy McCasky Simon Totevine, Thomas Price, John Faircloth and Sherrod Barrow of Dobbs County; William Saunders of Caswell County and John Marshall, formerly of Warren County and sundry other persons in those and the neighboring Counties have been guilty of many fraudulent practices in procuring accounts to be passed by the Commissioners for Liquidating Army Accounts, and on the passing the same have obtained Certificates and received money from the public Treasury to the great injury of individuals as well as manifest fraud to the State; therefore,

Resolved, That the Justices of the Peace for the said Counties, or any other County in which any such suspected persons reside be, and they are hereby directed to issue their warrants for apprehending the above named as well as all other suspected persons, and to
cause them to be brought before them, together with such witnesses as they may judge necessary, and if on examination it shall appear to them, that the said persons or any of them, shall have been guilty of any of the offences charged on them as aforesaid; they shall forthwith commit him or them to the custody of the sheriff of the County, who is hereby required without delay to convey such person or persons to the Town of Fayetteville to be further dealt with as the General Assembly may direct.

Resolved also, That the Governor be directed to order such and so many of the Militia as he may judge necessary to aid and support the Sheriffs or other proper officers in the execution of this Resolve, and report his proceedings herein to this Assembly.

Resolved further, That the Sheriffs of each and every County within this State be, and they are hereby required and strictly commanded to take in their possession, all the horses and Negroes belonging to persons of their Counties who shall be committed by any Justice of the Peace for having been guilty of the fraudulent practices above mentioned and detain the same until such persons are discharged by lawful authority. Sent for concurrence.

General Rutherford from the Committee to whom was referred the Petition of sundry of the Inhabitants of Wilkes County, delivered in the following report, viz:

The Report of the Committee on the Petition of sundry of the Inhabitants of Wilkes County:

Your Committee having duly considered the premises respecting the petitions of the Officers, &c., of Wilkes County and after examining the several papers having reference thereto and hearing the Representation of Major Franklyn are of opinion that Benjamin Herndon, Esquire, is entitled by Seniority to the Commission he now bears as Colonel of the Wilkes Regiment of Militia. All which is submitted.

GRiffith Rutherford, Ch.

The House taking this report into consideration, Resolved, That they do concur therewith, and ordered that it be sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

This House are now waiting for the Senate in order to hold a conference as agreed by the two Houses.
The Senate now proceeded to the Room in which the House of Commons sat. When both Houses being assembled in conference, made choice of Richard Dobbs Spaight, Esquire, for Chairman; Mr. Hay then opened the business of this Conference, and after some time spent therein in debate, it was resolved, that sundry resolutions relative to the supposed frauds committed on the Treasury of the State by a number of the Inhabitants of Dobbs and other Counties, should be proposed to the respective Houses for their concurrence, (for which see the Commons Journal of this day).

The Senate then retired to their Room.

Mr. Hill presented the resignation of Sam'l High as one of the Justices of the Peace for Franklin County, which was read, accepted and sent to the House of Commons.

Received from the House of Commons sundry resolutions of this date entered into and agreed on by the two Houses when in Conference; which were read, concurred with and returned.

General Rutherford presented the Memorial of George Doherty, Esquire; which was read, referred to the Committee on Memorials and Petitions and sent to the House of Commons.

Adjourned till Monday morning 9 O'clock.

Monday, 27th November; 1786.

The House met.

Mr. George Mitchell the member for the County of Onslow appeared, presented his certificate, qualified agreeably to law and took his seat.

General McDowell presented the petition of Robert Johnson, now lying in the jail of Morgan District, which being read was rejected.

Mr. Stokes presented the Memorial of Howell Lewis, Esquire, of the County of Granville, on behalf of the overseers of the poor of said County, which being read,

Mr. Lewis moved for leave and presented a bill to empower the overseers of the poor in the County of Granville to sell the Glebe in said County, which was read the first time, passed and sent to the House of Commons.

General McDowell presented the petition of Elizabeth Riley now lying in jail, which being read was rejected.

Mr. Williams according to order presented the Bill for enabling certain persons to perfect a canal between Scuppernong River and
the Lake near its head, as by him amended, which being read with
the amendments was passed the second time and ordered to be en-
grossed.

Mr. Harget presented the petition and Claim of Mr. George Farr-
gut, late a Captain in the State Cavalry, which being read it was
on motion of Mr. Williams seconded by Mr. Gillispie, Resolved as
follows, vizt.:

Resolved, That Mr. George Farragut late a Captain in the Cav-
ality of the State Regiment of North Carolina, be allowed the sum
of sixty-eight pounds eight shillings and four pence current money,
being the one fourth part of the sum which appears by his account
rendered to be due Mr. Farragut, for and on account of his Military
service performed in this State. That the Treasurer pay him the
same and be allowed in the settlement of his public accounts.

Resolved, also, That the Comptroller issue to Mr. George Farr-
gut a Certificate for the other three-fourths of the sum due him;
and, Resolved, likewise, that this General Assembly are led to adopt
the measure, from a conviction of the faithful, voluntary and public
spirited services of the said Mr. Farragut, he being a native and
Subject of the Kingdom of France.

Sent for concurrence.

This Resolution being objected to, on motion of Mr. Macon, sec-
onded by Mr. Clinton, ordered that the yeas and nays be taken
thereon, which were as follows, to-wit: In favor of the Resolve—
Messrs. Sharpe, Ramsey, Tipton, J. Armstrong, Alexander, Simpson,
Eaton, Gillispie, Brown, McCulloch, Rutherford, Harget, Gowdy,
Stone, Williams, McDowell, Moore, Bonner, Gregory, Griffin,
Stokes, Moring, and Jones—22. Against the Resolve—Messrs.
Battle, Medlock, Macon, McCawley, Whiteide, Mayo, Clinton, Red-
dick, Hill, Lewis, and Mitchell—11. So the resolution was entered
into and sent to the House of Commons.

Received from the House of Commons the Memorial of George
Doherty, Esqr. Endorsed, "read and referred as by the Senate."

Received also the resignation of Joseph Williamson, Reuben Nor-
fleet, Thomas Ward, and Samuel High, as justices of the peace,
respectively. Endorsed, "read and accepted."

Received likewise the petition of the administrators and Orphans
of Thomas Bell, deceased, late of the County of Wake. Endorsed
in the House of Commons, "read and referred to a special Commit-
STATE RECORDS.

The members chosen are Messrs. Hooper, Hall and Lewis.”
Which, being read, was on the part of this House, referred to Messrs.
Stokes, Tipton, and Macon, and returned.

Received likewise the following message:

Mr. Speaker and Gentlemen:

We have added Messrs. Hooper and I. G. Blount to the Grand
Committee, and Mr. Hooper to the Committee of Finance.

Mr. Macon moved for leave and presented a Bill for erecting an
Academy at the Town of Warrenton, in the District of Halifax,
which was read the first time, passed and sent to the House of Com-
mons.

Received from the House of Commons a bill to amend an act
entitled “an Act for the regulation of the Town of Salisbury, in the
County of Rowan.” Endorsed, “read the first time and passed.”

Ordered that this bill be read; which, being read, was passed the
first time and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

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

The foregoing being read, it was ordered that the following Mes-
sage be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have received your message proposing a Committee of the
whole of the two Houses immediately, with which proposition we
do not concur, but agree that such Committee be formed Tomorrow
morning at nine of the clock, in the room where the late Confer-
ence of the General Assembly was held.

Received from the House of Commons the accounts of John Whit-
aker, Esquire, Commissioner for purchasing Tobacco in the District
of Halifax. Endorsed, “read and referred to the Committee of
Finance.” Which, being read, were referred in like manner and
returned.

General Gregory moved for leave and presented a Bill for Levy-
ing a further Tax of * * on every hundred acres of Land and * * on every Poll in the County of Camden, for defraying the Expense of completing the public building thereof; which was read the first time, passed and sent to the House of Commons.

Received from the House of Commons the report of the Committee to whom was referred the petition of sundry of the Inhabitants of Wilkes County. Endorsed, "read and concurred with."

Received likewise by way of the House of Commons a Message from His Excellency the Governor, enclosing the Petition of Alexander McIver and others. Endorsed in the House of Commons, "read and referred to the Grand Committee." Which, being read, the petition of Mr. McIver was referred as by the House of Commons and returned; and the petition of Donald Shaw being read, was rejected.

Received from the House of Commons the petition of Nathaniel Tooly and James Lockhart, respectively. Endorsed, "read and referred to the Committee of Memorials and Petitions." Which, being read, were referred in like manner and returned.

Received likewise the memorial of Robert Rowan, Esquire. Endorsed, "read and referred to the Committee of Finance." Which, being read, was referred in like manner and returned.

Received also the Petition of John Ramsey and the Affidavit of R. Leary. Endorsed, "read and referred to the Committee of Propositions and Grievances." Which, being read, were referred as by the House of Commons and returned.

Received likewise the petition of John and Elizabeth Nelson. Endorsed in the House of Commons, "read and referred to the Grand Committee." Which, being read, was on motion of Mr. Battle, seconded by Mr. Clinton, rejected.

Received from the House of Commons a Report from the Committee of Claims, together with a resolution of that Body consequent thereon, which, being read, were rejected.

The Honorable the Speaker laid before the House a letter from the Reverend Mr. Andrews and John Cowper, Gentlemen deputed by the State of Virginia to attend the Assembly of this State on the subject of cutting a canal from the Waters of Elizabeth River, in that State, to the Waters of Pasquotank River, in the State of North Carolina, which was read and ordered to lie on the Table.

Received from the House of Commons the Bill for establishing a
Town on the lands of Robert Burton, Esquire, in the County of Granville. Endorsed, "read the second time, amended and passed."

Ordered that this bill be read; which, on being read, was on motion of Mr. Lewis by him taken out to amend.

Received also the following bills, to-wit:

A Bill for establishing a Town on the lands of Andrew Bass; and a Bill for establishing a Town on the lands late the property of William Petty, adjoining Chatham Court-house, as laid off by the Trustees named in the Act of the last Assembly, entitled "an Act for establishing a Town on the land of Mial Scurlock, deceased, in Chatham County; for appointing Commissioners for the regulation of the Town and repealing said Act," respectively. Endorsed in the House of Commons, "read the first time and passed."

Ordered that these bills be read; which, being read, were passed the first time and returned.

Received also the Bill for the better regulation of the Town of Halifax and extending the liberties thereof, and for altering the mode of Laying and Levying Taxes in the Town of Edenton. Endorsed in the House of Commons, "read the third time, amended and passed."

Ordered that this bill be read; which, being read, was passed the third time and ordered to be engrossed.

Adjourned till Tomorrow morning 9 o'clock.
Tuesday, November 28th, 1786.

The House met.

Mr. James Harris, the member for the County of Mecklenburg, appeared, presented his certificate, was qualified agreeably to Law, and took his seat.

Received from the House of Commons the resolution of this House of yesterday in favor of Mr. George Farragut. Endorsed, "read and concurred with."

Received likewise the following message:

Mr. Speaker and Gentlemen:

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

The House now proceeded to the Conference Room, where the two Houses being convened, formed themselves into a Committee of the whole, and made choice of Elisha Battle for Chairman. The
Committee then resolved that they would submit to the General Assembly the propriety of passing the following bills into Laws, to-wit: (See the Commons Journal of this day.)

The Senate then retired to their room.

Mr. James Galloway, the member for the County of Rockingham, appeared, presented his certificate, was qualified agreeably to Law, and took his seat.

General Rutherford presented the petition of John Augustine De Racan, which, being read, was referred to the Committee of Propositions & Grievances, and sent to the House of Commons.

On motion of Mr. Stokes, seconded by Mr. Stone, ordered that Mr. Galloway be added to the Committee of Propositions and Grievances, and that the House of Commons have notice hereof by the following message:

Mr. Speaker and Gentlemen:

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

Mr. Clinton moved for leave and presented a bill to Impower the County Court of Sampson to levy a further tax on the Inhabitants in said County for defraying the expense of building the Court House, prison and Stocks in the same, and for defraying the contingencies of said County, which was read the first time, passed and sent to the House of Commons.

Received from the House of Commons the representation and petition of a number of the Inhabitants of Orange County, accompanied by a memorial of Samuel Strudwick, Esquire. Endorsed in the House of Commons, “read and referred to a joint Committee. The members appointed on the part of this House are Messrs. P. Hawkins, Maclaine, Martin, John Taylor, Phifer, Hay, McDowell, and Hamilton.” Which, being read, were on the part of this House referred to General Rutherford, Messrs. Gowdy, Brown, Galloway, and McCawley, and returned.

Received likewise the petition of Walter Allen, of Craven County. Endorsed in the House of Commons, “read and referred to the Committee of Memorials and Petitions.” Which, being read, was referred in like manner and returned. Received also the petition of the Inhabitants of the Town of Fayetteville in behalf of themselves, as those persons who were immediately prosecuted on Information of
STATE RECORDS.

Thomas Calvin and Mary Brown at the Superior Court for the District of Wilmington, in December, 1785. Endorsed in the House of Commons, "read and referred to the Grand Committee." Which, being read, was referred in like manner and returned.

Received likewise the petition of James Greenlee. Endorsed in the House of Commons, "read and referred to the Committee on Petitions and Memorials." Which, being read, was referred in like manner and returned.

Received also the Record of the Trial of a Negro man slave named Sam, the property of John Lindsay, of Halifax. Endorsed in the House of Commons, "read and referred to the Committee of Claims." Which, being read, was referred in like manner and returned.

Mr. Stokes moved for leave and presented a Bill to impower the County Court of Richmond to levy a tax for building a prison for said County and appointing Commissioners to contract for building the same, which was read the first time, passed and sent to the House of Commons.

Received from the House of Commons the petition of Matthew Rassell and others, Endorsed, "read and referred to the Committee appointed to consider of the representation of certain Inhabitants in Orange County" which being read was referred as by the House of Commons and returned.

Received also the petition of Isaac Davenport, Jonathan Phelps & John Davenport, endorsed in the House of Commons "read and referred to the Committee of Propositions and Grievances," which being read was referred in like manner and returned.

Received likewise the resignation of Joseph Wyatt as one of the Justices of the Peace for Tyrrell County, and the resignation of George Powers as one of the Justices of the Peace for County respectively, Endorsed "read and accepted" which being read was accepted and returned.

Adjourned till Thursday morning 9 O'clock.

Thursday, November 30th, 1786.

The House met.

Received from the House of Commons the report of the Chairman of the Committee of the two Houses of Tuesday last, recommending that Sundry Bills be passed into Laws by the present General Assembly. Endorsed in the House of Commons, "read and concurred
with," which being read, was concurred with by this House and returned.

Received also a Bill erecting a town on the lands of Matthew Figures in Northampton County, on the South side of Meherrin River. Endorsed in the House of Commons, "read the second time and passed."

Ordered that this bill be read, which being read, was amended, passed the second time, and sent to the House of Commons.

Received likewise a bill for erecting a town on the lands of William Murfree, in Hertford County. Endorsed in the House of Commons, "read the first time and passed."

Ordered that this bill be read, which being read, was amended, passed the first time and returned.

On motion of General Gregory the House moved the Consideration of the Bill for cutting a Canal from Currituck Sound to the Indian Ridge, and from thence to the head of North River, or as far as the Commissioners herein named shall think proper; which being read was passed the second time by this House and returned to the House of Commons.

Mr. Brown presented the Representation and petition of Griffith John McRee, Esquire, Commissioner of Confiscated property for the District of Wilmington, which being read, was on motion of Mr. Brown seconded by Mr. Gillispie, referred to the Committee of Finance, and sent to the House of Commons for their concurrence in such reference.

Received from the House of Commons the Bill to impower the overseers of the poor in the County of Granville to sell the Glebe in said County. Endorsed in the House, "read the first time, and passed."

Ordered that this bill be read, which being read, was amended, passed the second time and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

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

This message being read, it was ordered that Messrs. Gallaway,
Mitchell and Eaton be added on the part of this House to the Committee of Finance, and Messrs. Stokes, Lewis, Gallaway, McCullock and General McDowell, to the Grand Committee, and that the following be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have received your message informing of the addition made by your House to the Committee of Finance, and to the Grand Committee, pursuant to which we have likewise added to the Committee of Finance Messrs. Gallaway, Mitchell and Eaton, and to the Grand Committee of Messrs. Stokes, Lewis, Gallaway, McCullock and General McDowell.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

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

Ordered that Messrs. Moring, John Armstrong and Harris, on the part of this House, act on this Committee, and that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

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

Received from the House of Commons the resignation of William M. Gregory as one of the Justices of the Peace for the County of Montgomery. Endorsed, "read and accepted," which being read was accepted by this House and returned.

Received likewise the recommendation of Field Officers for the County of Wilkes. Endorsed in the House of Commons, "read and agreed to."

Mr. Hill presented the memorial and petition of Angelica Wilton, of Franklin County, which being read, was referred to the Com-
mittee of Petitions and Memorials and sent to the House of Commons.

On motion of Colonel Brown, ordered that he have leave of absence for a few days.

Adjourned 'till to-morrow morning 9 O'clock.

Friday, December 1st, 1786.

The House met.

General Gregory from the Committee of Privileges and Elections delivered in the following report, vizt:

Your Committee to whom was referred the Memorial of Henry Lightfoot, Esquire, after duly considering the matter and things contained therein, and also of the allegations set forth in the Deposition of George Glascock, and after hearing the representation of Captain Coxe, a member of the present General Assembly, find that Mr. Philip Alston stands indicted at the Superior Court of the District of Wilmington for murder, and that he is now bound by his securities to appear at the ensuing term, that the election or statement of the Poll stands as represented in the Memorial aforesaid. It also appears to your Committee by the affidavit of George Glascock, that the said Alston did make use of sundry threats that if Henry Lightfoot aforesaid should be elected in preference to him, he would raise a riot, but your Committee do not find that any was raised. It further appears to your Committee that the said Philip Alston hath frequently declared that he believed there was no God, and that the Scriptures were set forth as a Scare-Crow to children, and that he endeavored to corrupt the conductors of the election. This your Committee have thought proper to state, and leave it to the honorable House to determine thereon.

ISAAC GREGORY, Ch'n.

The House taking the foregoing report into consideration, Resolved, that Mr. Philip Alston was not eligible to a seat in the General Assembly at the time of his election, that his seat therefore be vacated, and that a writ of election issue to the county of Moore for the electing some person properly qualified so sit and vote in this House, and that such election be held on Friday and Saturday the 15th & 16th days of December instant.

Received from the House of Commons the petition from Washington, Sullivan and Greene counties. Endorsed in the House of Commons "read and referred on the part of this House to Messrs.
Scott, Davie, Hawkins, White, Phifer, Polk, Hutchings, Pearson and Lewis.”

Received also the petition of Griffith T. McRee, Esquire. Endorsed in the House of Commons, “read and referred as by the Senate.”

Received likewise the account of Capt. William Williams against the United States. Endorsed in the House of Commons, “referred as by the Senate.”

Received from the House of Commons the petition of John Simpson, Esquire. Endorsed in that House, “referred to the Committee of Claims” which being read, was referred in like manner and returned.

Received likewise the petition of John Augustine de Racan. Endorsed, “read and referred as by the Senate.”

Received also a warrant from the late Governor Martin in favor of Mr. Josiah Collins, merchant of Edenton. Endorsed in the House of Commons, “read and referred to the Committee of Claims” which being read, was referred in like manner and returned.

Received from the House of Commons the record of the trial of a negro man slave named Peter, the property of Moore Knight of Halifax county. Endorsed in that House, “read and referred to the Committee of Claims,” which being read, was referred in like manner and returned.

Received likewise by way of the House of Commons an application from the public Treasurer to the General Assembly for their direction as to his receiving certain warrants granted by the Governor to Col. Long. Endorsed in that House, “read and referred to Messrs. Sitgreaves, P. Hawkins, Franklin, Hooper and Bloodworth,” which being read, was on the part of this House, referred to General Ramsey, General Rutherford, Mr. Gillispie and Mr. Riddick and returned.

Received also by way of the House of Commons a letter from the Rev. Robert Andrews, of Virginia, enclosing sundry papers tending to establish a claim for and in behalf of the heirs of the late William Byrd, of that State, to certain lands on Cumberland river. Endorsed in the House of Commons, “read and referred to Messrs. Polk, Hutchings and Sitgreaves,” which being read, were on the
part of the Senate, referred to General Rutherford and Messrs. Tipton, Stokes, Bledsoe and Williams and returned.

Received from the House of Commons the Memorial and petition of Angelica Wilton. Endorsed in the House of Commons, "read and referred as by the Senate."

Received likewise the Petition of sundry of the people called Quakers, relative to the liberation of slaves. Endorsed in the House of Commons, "read and referred to the Grand Committee," which, being read, was referred in like manner and returned.

Mr. Medlock moved for leave and presented a Bill to amend an Act passed at New Bern in December, 1777, entitled "an Act directing the method of Electing Members of the General Assembly, and other purposes," which was read the first time, passed and sent to the House of Commons.

Received from the House of Commons the record of the Trial of a Negro, the property of Reuben Grant, of Onslow County. Endorsed in that House, "read and referred to the Committee of Claims." Which, being read, was referred in like manner and returned.

General Rutherford presented the Petition of the Rev. James Tate, of Wilmington, which was read and referred to the Committee of Propositions and Grievances.

Received from the House of Commons the Resolution of this House of the 24th Ulto, in favor of John Vickers. Endorsed "read and concurred with."

Received likewise the recommendation of Bladen County Court for allowing Sarah Surgeoner the sum of Fifteen pounds, for the year 1786. Endorsed in the House of Commons, "read and agreed to." Which, being read, was agreed to by this House and returned.

Mr. Medlock presented a Petition from sundry of the inhabitants of Bladen County, praying a division of the said County, which, being read—

Mr. Medlock moved for leave and presented agreeably to the prayer of the said petition "a Bill for dividing the County of Bladen, which was read the first time, passed and sent to the House of Commons.

Adjourned till Monday morning 9 O'clock.
Monday, December 4th, 1786.

The House met.

Mr. Macon, from the Committee to whom was referred the petition of the administrators of Thomas Bell, deceased, delivered in the following report:

Your Committee to whom was referred the Petition of the Administrators of Thomas Bell, deceased, report:

That it appears to your Committee the said Thomas Bell was before his death a Merchant, who carried on very considerable dealings; that at the time of his death large sums to the amount of Fourteen thousand pounds, exclusive of debts due by bond, which were also considerable, were due and owing to the said Thomas and have never been collected, or at most, but a very inconsiderable part thereof have been collected since his death.

It appears to your Committee that the Books and papers testifying these debts were taken into the possession of Mr. Hall, attorney at law, who was one of the administrators, and that they being in his house, were, together with the House, unfortunately and entirely consumed by fire.

It is the opinion of your Committee that a remedy in some sort might be had for this accident by application to a Court of Chancery; but they think the Orphans of the said Thomas have been so much reduced by this misfortune that their resources are by no means adequate to the expense of 1,000 or 1,500 suits of dubious event, requiring almost endless attendance and disbursements to bring them to a conclusion.

Your Committee are clearly of opinion that the voice of Reason and Justice loudly cries out for legislative interposition in this case, and do earnestly recommend that an act be passed vesting the several County Courts where those debtors reside with a chancerizing power competent to the compelling of Justice to be done by the debtors of the said Thomas Bell, to his Orphans, and to the enabling them (the said Orphans, or some one in their behalf), without going thro' the expensive, tedious and dilitory forms of litigation in a court of chancery, in a cheap and speedy manner to recover at least some part of the estate that has been honestly and laboriously acquired for them, with many public benefits, by an industrious Father. All which is submitted,

JOHN MACON, Ch.
The House, taking this report into consideration, resolved that they do concur therewith.

Mr. Macon then moved for leave and presented, pursuant to the said Report, a Bill empowering the Courts of Pleas and Quarter Sessions in this State to exercise special jurisdiction over the matters therein mentioned, which was read the first time, passed and, together with the report aforesaid, sent to the House of Commons.

Mr. Joseph Martin, the member for the County of Sullivan, appeared, presented his Certificate, was qualified agreeably to law, and took his seat.

Received from the House of Commons a letter from the Rev'd Robert Andrews and John Cowper, Esquire, Commissioners appointed by the State of Virginia to confer with the Commissioners to be appointed by this State on the subject of opening a canal thro' the Country lying between the waters of Chesapeake and the Rivers or Water courses of this State. Endorsed in the House of Commons, "read and ordered to be sent to the Senate." Which, being read, was on the part of this House, referred to General Rutherford, General Gregory, Messrs. Reife, and Lewis, and ordered to be sent to the House of Commons, with the following message:

Mr. Speaker and Gentlemen:

We have received and read the letter from the Rev'd Robert Andrews and John Cowper, Esquire, of the State of Virginia, which we propose referring to a select Committee, and have for that purpose on our part appointed General Rutherford, General Gregory, Messrs. Reife and Lewis a Committee who will act jointly with such of your body as may be appointed for this purpose.

On motion of Mr. Lewis, the House resumed the consideration of the Claim of William Webb and Conyers White, which, being read, was referred to a special Committee. The members chosen on the part of this House were Messrs. Lewis, Reddick and Eaton. And sent to the House of Commons.

Received from the House of Commons a resolution of that body of this date justifying the conduct of the Speakers of this General Assembly in causing to be withdrawn from certain prisoners therein mentioned their monies, papers, &c., which, being read, was concurred with and returned.

Received likewise a Bill to amend an Act entitled "an Act for the relief of such persons who have suffered or may suffer by their
Grants, Deeds and Mesne Conveyances not being proved and registered within the time heretofore appointed by law”; and also to amend an Act entitled “an Act for raising a public revenue for the support of Government;” and to repeal an Act entitled “an Act to suppress excessive gaming.” Endorsed in the House of Commons, “read the first time and passed.”

Ordered that this bill be read; which, being read, was passed the first time and returned.

Mr. Macon presented the memorial and petition of William Murfree, which, being read, was referred to a special Committee. The members chosen on the part of this House were Messrs. Macon, McCawley and Battle.

Mr. McCulloch moved for leave and presented a Bill to enable the Executors of the last will and testament of Jethro Sumner, Esquire, deceased, to collect and receive the arrears of Taxes in the Counties of Warren and Franklin for certain years therein mentioned, which was read the first time, passed and sent to the House of Commons.

Mr. Hill moved for leave, and presented a Bill for erecting a prison in the county of Franklin, which was read the first time, passed and sent to the House of Commons.

Mr. Hill also moved for leave, and presented a Bill to erect and establish an academy in the county of Franklin, which was read the first time, passed, and sent to the House of Commons.

Mr. Macon moved for leave, and presented a Bill empowering the Commissioners to dispose of the lands and Glebe, the property of Saint John’s Parish, formerly in the county of Bute, now in Franklin, which was read the first time, passed, and sent to the House of Commons.

Received from the House of Commons the petition of John Johnston, Esquire, of Bertie county. Endorsed, “read and referred to Messrs. Pugh, McKenzie, Dobbs, Phillips, Long, Sawyer, Phifer, Brown and Clinch,” which being read, was on the part of this House referred to General Gregory, Messrs. Stokes, Riddick, Battle and McCawley and returned.

Received likewise the petition of Zephaniah Waller. Endorsed in the House of Commons, “read and referred to the Committee on Mr. Johnston’s petition,” which being read, was on the part of this House, referred to the said Committee and returned.
Mr. Thomas Hines, the member for the county of Wake, appeared, presented his certificate, was qualified agreeably to law, and took his seat.

Received from the House of Commons an additional Bill to an Act entitled "an Act to amend an Act passed at New Bern the first day of December, 1766, entitled an Act for establishing a school-house in the town of New Bern." Endorsed, "read the first time, and passed."

Ordered that this Bill be read, which being read, was passed the first time and returned.

Received likewise the memorial of the Rev. James Tate, of Wilmington. Endorsed, "read and referred as by the Senate."

Received also the claims of William Webb and Conyers White. Endorsed in the House of Commons, "read and referred to Messrs. Martin, Hawkins, Franklin and Holland."

Mr. McCawley moved for leave, and presented a Bill directing the Courts of Pleas and Quarter sessions, of Pasquotank county, to be held at Winfield, on Pasquotank river, and for establishing a town on the lands of Thomas Relfe, at Winfield, in said county, which was read the first time, passed, and sent to the House of Commons.

Received from the House of Commons the Bill to amend an Act entitled "an Act for the regulation of the town of Salisbury in the county of Rowan; for regulating the town of Windsor, in Bertie county, and the regulation of the town of Hillsborough, in the county of Orange." Endorsed, "read the second time, amended and passed."

Ordered that this Bill be read, which being read, was amended, passed the second time, and returned to the House of Commons.

Received likewise a Bill to make the securities therein named negotiable. Endorsed in the House of Commons, "read the first time and passed."

Ordered that this Bill be read, which being read, was passed the first time and returned.

Received also a Bill to alter the mode of punishing horse-stealing, also to repeal an Act entitled "An Act to prevent horse-stealing." Endorsed in the House of Commons "read the first time & passed."

Ordered that this Bill be read, which being read, was passed the first time and returned.
STATE RECORDS.

Received from the House of Commons a bill for levying a further tax of —— on every hundred acres of land and —— on every poll in the county of Camden, for defraying the expense of compleating the public buildings thereof. Endorsed, "read the first time and passed."

Ordered that this Bill be read, which being read, was amended, passed the second time and returned.

Received likewise a Bill for the Inspection of Tobacco at Anson Court House. Endorsed in the House of Commons, "read the first time and passed."

Ordered that this Bill be read, which being read, was passed the first time and returned.

On motion of Mr. Macon, seconded by Mr. Hill, Resolved that the Committee of Claims be and they are hereby directed to allow all claims presented them either for Militia service or supplies furnished, which are properly authenticated and apparently just. Sent for concurrence.

Received from the House of Commons the Bill for erecting a town on the lands of William Murfree, in Hertford county. Endorsed, "read the second time, and passed."

Ordered that this Bill be read, which being read, was passed the second time & returned.

Received likewise the Impeachment of Thomas Brickell, Esq., of certain justices of the peace of Franklin county. Endorsed in the House of Commons, "read and referred to the Grand Committee," which being read, it was ordered that the following message be sent to the House of Commons.

Mr. Speaker and Gentlemen:

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

Received from the House of Commons a Bill for raising troops for the protection of the inhabitants of Davidson county. Endorsed, "read the first time and passed."
Ordered that this bill be read, which being read, was passed the first time and returned.

Received likewise a Bill to release the Widow and Orphans of John Anderson, deceased, from the forfeiture of a Recognizance entered into for the appearance of a certain John McCrory before the Superior Court of Salisbury District. Endorsed, "read the first time and passed."

Ordered that this Bill be read, which being read, was passed the first time and returned.

Received from the House of Commons sundry resolutions of that Body of this date relative to certain persons accused of practices injurious to the public credit as well as funds, which being read were concurred with and returned together with the following message:

Mr. Speaker and Gentlemen:

Pursuant to the resolutions of your Body of this date relative to certain prisoners now confined within the town of Fayetteville and others, this House have appointed General Rutherford and General Gregory who will assist the gentlemen by you named in examining them, &c.

Received from the House of Commons the following Bills, vizt:
A Bill for annexing part of the county of Craven to Pitt county.
A Bill to authorize and empower William Murfree, formerly sheriff of Hertford, now Hertford and Gates counties, to collect the arrears of taxes due him from the Inhabitants of said counties for the years 1768, 1769 and 1770.
A Bill to repeal an Act, entitled an Act, to prevent abuses in taking up stray Horses, Cattle, Hogs and sheep and other things therein mentioned.
A Bill for establishing an Academy at the place now called Martinborough in the county of Pitt.
A Bill to establish a public inspection of Tobacco in the town of Salisbury in Rowan county.
Respectively endorsed in the House of Commons, "read the first time and passed."

Ordered that these bills be read which being read, were severally passed the first time & returned.
STATE RECORDS.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

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

Received also a Resolution of the House of Commons directing the Treasurer to pay two Certificates heretofore granted by the General Assembly to Benjamin Fordham, of Craven county, which being read, was concurred with and returned.

Received likewise the following message:

Mr. Speaker and Gentlemen:

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

Received from the House of Commons the following Bills, vizt:

A Bill to compel certain officers therein mentioned to publish the application of the public monies and allowances for insolvents and

A Bill to prevent the obtaining of Grants of Land lying in the Western parts of this State to the prejudice of the first Enterers, which lands have been entered in the office lately established for receiving Entrees of Claims of such lands, by an Act entitled "an Act for opening the land office for the redemption of specie and other certificates, & for discharging the arrears due to the army," respectively. Endorsed, "read the first time and passed."

Ordered that these Bills be read; which, being read, were passed the first time and returned.

General Rutherford, from the Committee to whom was referred a message from His Excellency the Governor relative to the petition of Alexander McIver and others, of the Town of Fayetteville, delivered in the following report, vizt.:

Your Committee, taking into consideration the Memorial of Alexander McIver, are of opinion that the said Mr. McIver is a proper object to be recommended to the mercy of the State, for a Riot for which he stands indicted, as set forth in his Memorial, and that he be recommended to His Excellency the Governor accordingly. Your Committee also recommend that a resolve pass in favor of the said
McIver, that whatever monies have been or may be collected pursuant to a Judgment of Wilmington Superior Court on the forfeited Recognizance of Alexander McIver and his Bail, be refunded to the said Alexander and his Bail, respectively, by the officer in whose hands the same may be. All which is submitted.

GRIFFITH RUTHERFORD, Ch.

The House, taking this report into consideration, resolved that they do concur therewith, and ordered that it be sent to the House of Commons.

General Rutherford also delivered in the following report, to-wit:

The Report of the Committee appointed to report on the message of His Excellency the Governor, &c.:

The Committee, taking into consideration sundry Petitions and Memorials, and other papers relative to the supposed Abuses in the administration of Justice in the Superior Courts of law and equity in this State, Report—

That an enquiry into the present state of the administration of Justices in the Superior Courts is absolutely necessary, and they beg leave to recommend that the Speakers of both Houses be requested to notify the Honorable the Judges of the Superior Courts of law and equity, that this enquiry will take place, in order that they may give their attendance if they think proper. Your Committee also recommend that the clerk of the Superior Court of Wilmington District be required to attend this Committee to give such information as may have come to his knowledge respecting the supposed abuses, said to have been committed by the Honorable the Judges of the Superior Courts in the case of fines and forfeitures, all which is submitted.

GRIFFITH RUTHERFORD, Ch.

The House taking this report into consideration, Resolved, that they do concur therewith and ordered that it be sent to the House of Commons.

Received from the House of Commons the report of the Committee on the petition of Alexander McIver. Endorsed, "read and concurred with."

Received likewise a Bill to carry into further effect an act entitled "an act for opening the land office for the redemption of Specie and other Certificates and discharging the arrears due to the army."
STATE RECORDS.

Endorsed in the House of Commons, "read the first time & passed."

Ordered that this Bill be read, which being read, was passed the first time and sent to the House of Commons.

Mr. Gowdy moved for leave, and presented an additional bill to an act entitled "an act to prevent the several species of hunting therein mentioned," which was read the first time, passed, and sent to the House of Commons.

Mr. McCawley presented the petition of sundry inhabitants of Chatham county, which was read, referred to the Grand Committee and sent to the House of Commons.

Received from the House of Commons the resignation of Hezekiah Pearce, as one of the Justices of the Peace for Beaufort county. Endorsed, "read and accepted," which being read, was accepted by this House.

Received likewise the Bill for enabling certain persons to perfect a Canal between Scuppernong river and the Lake near its head. Endorsed in the House of Commons, "read the third time, amended and passed."

Ordered that this Bill lie on the table 'till to-morrow, and that it be then read for the third and last time in this House.

Adjourned till Tomorrow morning 9 O'clock.

Tuesday, December 5th, 1786.

The House met.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

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

Pursuant to the order of the day the Bill for enabling certain persons to perfect a Canal between Scuppernong river and the Lake near its head, was read the third time, passed, and ordered to be engrossed.

Received from the House of Commons the petition of Mr. Edward Bridgers, merchant of London. Endorsed in that House, "read and referred to the Grand Committee," which being read, was referred in like manner and returned.

Received likewise the Bill for cutting a Canal from Currituck Sound to the Indian Ridge, and from thence to the head of North river, or as far as the Commissioners herein named shall think pro-
Endorsed in the House of Commons, "read the third time and passed."

Ordered that this Bill be read, which being read, was passed the third time and ordered to be engrossed.

Received also the Bill to empower the Wardens of the poor in the county of Granville to sell the Glebe in said county. Endorsed in the House of Commons, "read the second time and passed."

Ordered that this Bill be read, which being read, was passed the third time & returned.

Received from the House of Commons the Bill erecting a town on the lands of Matthew Figures, in Northampton county, on the south side of Mecklenburg river. Endorsed, "read the third time, amended, and passed."

Ordered that this Bill be read, which being read, was passed the third time and ordered to be engrossed.

Received likewise the petition of the sheriffs of the several counties in the district of Salisbury. Endorsed in the House of Commons, "read and referred to the Committee of Propositions and Grievances" which being read, was referred in like manner and returned.

Received also the petition of William Murfree. Endorsed in the House of Commons, "read and referred to Messrs. Bloodworth, Willis, Frohock and Whitfield."

Received from the House of Commons the Bill for establishing a town on the lands late the property of William Petty, adjoining, Chatham Court House, as laid off by the Trustee named in the act of the last General Assembly, entitled "an Act for establishing a town on the land of Mial Scurlock, deceased, in Chatham county, for appointing Commissioners for the regulation of the town and repealing said Act." Endorsed, "read the second time, amended and passed."

Ordered that this Bill be read; which, being read, was passed the second time and returned.

Received likewise the Bill for erecting an Academy at the Town of Warrenton, in the District of Halifax. Endorsed in the House of Commons, "read the first time & passed."

Ordered that this Bill be read; which, being read, was amended, passed the second time and returned.
STATE RECORDS.

Received also a Bill to amend an Act for dividing Guilford County; and,

A Bill to vest certain salt springs and Licks in the Trustees of Davidson Academy, and their Successors, for the use of the said Academy, respectively. Endorsed in the House of Commons, "read the first time and passed."

Ordered that these Bills be read; which, being read, were passed the first time and returned.

Received from the House of Commons the petition of William Hollowell. Endorsed, "read and referred to the Committee on Petitions and Memorials." Which, being read, was referred in like manner and returned.

The resignation of Andrew Hunt, Esquire, as one of the Justices of the Peace for the County of Rowan was read, accepted and sent to the House of Commons.

Received from the House of Commons the Bill to amend an Act entitled "an Act for the regulation of the Town of Salisbury, in the County of Rowan; and for regulating the Town of Wjndso, in Bertie County." Endorsed, "read the third time amended & passed."

Ordered that this Bill be read; which, being read, was passed the third time and ordered to be engrossed.

Mr. Whiteside moved for leave and presented a Bill to annex part of the County of Burke to Rutherford County, which was read, passed the first time and sent to the House of Commons.

General McDowell presented the petition of sundry of the Inhabitants of Wilkes County and others in favor of Thomas Nethery and Ambrose Carlton, of said County, which, being read, was referred to the Committee of Petitions and Memorials and sent to the House of Commons.

On motion of Mr. Gallaway, ordered that Messrs. Macon, Stokes, Gallaway and Riddick be added to the Committee to whom were referred the letter from the Rev'd Robert Andrews and John Cowper, Esquire, of the State of Virginia, together with its enclosures; and that the House of Commons have notice hereof by the following message, vizt.:

Mr. Speaker and Gentlemen:

The Senate have added Messrs. Stokes, Macon, Gallaway and Rid-
dick to the Committee to whom were referred the Letter and enclos-
ures from the Rev'd Robert Andrews and John Cowper, Esquire,
Commissioners for the State of Virginia.

Adjourned till Tomorrow morning 10 o'clock.

Wednesday, December 6th, 1786.

The House met.

General Ramsey moved for leave and presented a Bill to extend
three acts passed in the last General Assembly, held at New Bern,
concerning the County Wardens of the poor, Tobacco Inspection and
for destroying Vermin in certain counties therein mentioned to the
County of Chatham, which was read the first time, passed and sent
to the House of Commons.

Received from the House of Commons the Petition of John Brad-
ley, late Commissary of Issues at Wilmington. Endorsed in that
House, "referred to Messrs. Rhodes, P. Robson, Grant & Winslow."
Which, being read, was referred to Messrs. Mitchell, Martin and
Moore, and returned.

Received also a bill for altering the time of holding the annual
Elections and annual Assemblies. Endorsed in the House of Com-
mons "read the first time and passed."

Ordered that this bill be read which being read was rejected.

General Ramsey moved for leave and presented a Bill for the
promotion of learning in the County of Chatham, which was read
the first time, passed and sent to the House of Commons.

Mr. Brown returned and took his seat.

Received from the House of Commons the petition of George
Lewis and William Price, Endorsed "read and referred to the Com-
mittee of Propositions and Grievances," which being read was re-
ferred in like manner and returned.

Received likewise a Bill for erecting a town on the lands of Wil-
liam Murfree in Hertford County. Endorsed in the House of Com-
mons "read the third time and passed."

Ordered that this bill be read which being read was passed the
third time and ordered to be Engrossed.

Mr. Stokes moved for leave and presented a Bill vesting certain
lands therein mentioned in John Colson, son of William Colson, in
fee simple, which was read the first time, passed and sent to the
House of Commons.
STATE RECORDS.

Received from the House of Commons a Resolve of that Body of this date, relative to certain prisoners now in custody by order of the General Assembly which being read was concurred with and returned.

Mr. Macon presented the petition of David Ross, of the State of Virginia, which was read and referred to a select Committee, the members chosen on the part of this House were Messrs. Tipton, Gallaway, General Rutherford, Messrs. Stokes, Martin and Bledsoe.

Received from the House of Commons the Claim of the Clerk of the Superior Court of the District of Halifax. Endorsed "read and referred to the Committee of Claims" which being read was referred in like manner and returned.

Received likewise the petition of sundry of the inhabitants of Orange County. Endorsed in the House of Commons "read and referred to Messrs. Willis, I. Taylor, Hall, Stewart and Hamilton," which being read, was on the part of this House referred to Mr. McCawley, General Ramsay, Mr. Griffin and Mr. Gowdy and returned.

Received also, a bill to repeal the thirteenth section of an act passed at NewBern in October in the year 1784, entitled "an act for raising a public revenue for the support of Government" and to repeal an act entitled "an act to suppress excessive gaming." Endorsed in the House of Commons "read the first time and passed."

Ordered that this bill be read, which being read was passed the first time and returned.

Mr. Brown presented the petition of William Moore of Bladen County, which was read, referred to the Committee of Petitions and Memorials and sent to the House of Commons.

Received from the House of Commons a bill to prohibit the exportation of Indian Corn. Endorsed "read the first time and passed."

Ordered that this bill be read which being read was rejected.

Received also the resignation of Mr. Andrew Hunt as one of the Justices of the Peace for Rowan County. Endorsed in the House of Commons "read and accepted."

Received likewise the Bill for establishing a town on the lands of Andrew Bass. Endorsed in the House of Commons "read the second time, amended and passed."

Ordered that this bill be read, which being read was passed the second time and returned.
Received from the House of Commons the petition of sundry of the Inhabitants of Chatham County. Endorsed "read and referred as by the Senate."

Mr. Tipton from the Committee of Memorials and Petitions delivered in the following report, vizt.:

The Committee of Memorials and Petitions to whom was referred the Memorial of Pleasant Henderson, report:

That your Committee having taken the aforesaid memorial under consideration, and examined the certificate of Colonel Shelby, find that Colonel Richard Henderson, deceased, did receive sundry articles of Provision and Forage while he was extending the boundary line, &c., and that he passed his note for the same, amounting to twenty-two hundred and seventy-two dollars, which by the scale of depreciation, at one hundred for one, amounts to twenty-two dollars and three fourths of a dollar.

Your Committee therefore recommend that a warrant issue on the Treasury of this State, in favor of the executors of the said Richard Henderson, deceased, for the above sum of twenty-two and three-fourths dollars, and that the treasurer be allowed in the settlement of his public accounts.

JOHN TIPTON, Ch.

The House taking the foregoing report into consideration resolved that they do concur therewith, and ordered that it be sent to the House of Commons.

Mr. Tipton likewise delivered in the following report, to-wit:

Your Committee taking into consideration the matters and things contained in the Memorial of William Moore, sheriff of Burke County, find that through a neglect of the County Court of Burke, the said Moore was obliged to undertake the collection of all the taxes in the said county which renders it impossible for him to settle his account with the Treasurer by the time prescribed by law; your Committee are therefore of opinion that the said William Moore be allowed 'till the first day of May next to settle up and pay up the taxes for the year 1785, and that the treasurer be directed to suspend any suit that may be commenced against the said Moore. Your Committee further recommend that William Moore aforesaid be allowed a commission of two and a half per cent.
his trouble in the collection of the taxes aforesaid, all which is submitted.

JOHN TIPTON, Ch.

The House taking the foregoing report into consideration, Resolved that they do concur therewith and ordered that it be sent to the House of Commons.

Received from the House of Commons the report of the Committee to whom was referred the petition of Winston Caswell and William White, executors of William Caswell, Esquire, deceased. Endorsed in that House "read and concurred with," which being read was concurred with and returned.

Mr. Battle from the Committee to whom was referred the Petition of Zephaniah Waller, of Granville County, delivered in the following report, to-wit:

Your Committee to whom was referred the Petition of Zephaniah Waller, report:

That it appears to your Committee from the Information of Major Hunt and Mr. Benjamin McCullock, that the land mentioned in the said petition was originally held in Deeds patent by Henry McCullock. It also appears to your Committee by a certificate from the Surveyor of the County in which the said lands are situate (corroborated by the information of Major Hunt) that the said lands were conveyed by Henry McCullock to a certain James Kelly and by Kelly to James Boyd, and by this said James Boyd were conveyed to Henry E. McCullock and that the said Henry Eustace McCullock has never conveyed the said lands to any person whatever by deed or otherwise. Your Committee after duly considering several circumstances relating thereto, are of opinion that the said petition be rejected. All which is submitted.

ELISHA BATTLE, Ch.

The House taking this report into consideration resolved that they do concur therewith, and ordered that it be sent to the House of Commons.

Received from the House of Commons the report on the petition of John Simpson, Esquire. Endorsed in the House of Commons 18-4
"read and concurred with" which being read it was ordered that the following message be sent to the House of Commons, vizt.:

Mr. Speaker and Gentlemen:

We propose that the report of the Committee on the Petition of General Simpson be recommitted as he was not present at the investigation of the facts therein set forth.

Received from the House of Commons a bill for levying a tax for the support of government and for the redemption of the old paper Currency, continental money and specie and other certificates. Endorsed "read the first time and passed."

Ordered that this bill be read, which being read was passed the first time and returned.

Mr. Battle from the Committee delivered in the following report, to-wit:

Your Committee to whom was referred the Petition of John Johnston, report:

That it appears to your Committee from several extracts of letters laid before them concerning the allegations set forth in the Petition corroborated by the deposition of James Iredell, Esquire, and the information of Col. Nicholas Long, that no actual contract was ever made by Mr. Johnston for the lands, nor does it appear that any consideration has ever been paid for the same by the said petitioner, either to the State, Mr. McCulloch or any of his agents.

Your Committee are therefore of opinion that the prayer of the petition cannot be granted. All which is submitted.

ELISHA BATTLE, Ch.

The House taking this report into consideration, resolved, that they do concur therewith, and ordered that it be sent to the House of Commons.

Received from the House of Commons a Report of the Committee of Finance, informing of their having sub-divided the members of that Committee and apportioned the business to them committed as therein set forth; recommending that such sub-divisions be considered as Committees of the General Assembly & permitted to report accordingly. Endorsed in the House of Commons "read and concurred with," which being read was concurred with and returned.
Mr. Riddick from the Committee delivered in the following report, to-wit:

Your Committee to whom was referred the papers of William C. Webb and Conyers White, of the County of Orange, and State of Virginia, report:

That it appears to your Committee, the said Webb and White did actually furnish Morgan Brown, who then acted as a purchasing Committee for the Southern Department, with forty-four head of Cattle at the rate of four hundred pounds each as per receipt from the said Brown, dated the 12th day of November, 1780, and that the said Webb & White, or either of them, never received any satisfaction for the same.

Your Committee are therefore of opinion that a warrant issue on the Treasury of this State in favor of the said Webb and White for the amount of the value of the said Cattle agreeable to the scale of depreciation. All which is submitted.

JO. RIDDICK, Ch.

The House taking this report into consideration, resolved that they do not concur therewith, whereupon the same was rejected.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that the petition of the people called Quakers, which at present stands referred to the Grand Committee, be withdrawn from the said Committee, and be referred to a joint select Committee, and have for that purpose our part appointed Messrs. Franklin, Sawyer, Spaight, Bloodworth, Bond and Gardner.

We have added Mr. James Robeson to the Committee to whom is referred the petitions from the counties of Washington, Sullivan and Greene.

The foregoing being read, it was ordered that Messrs. Harget, Stone and Clinton, on the part of this House, act on the Committee to consider of the petition of the people called Quakers, and that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have received your message relative to the petition of the people called Quakers, which we agree to refer to a select Committee, and have appointed Messrs. Harget, Stone and Clinton who will act with the gentlemen by you named for that purpose.
Mr. Brown presented the petition of William Kirkpatrick, which, was read, referred to the Committee on Petitions and Memorials, and sent to the House of Commons.

Received from the House of Commons the additional Bill to an act to prevent the several species of hunting therein mentioned. Endorsed, "read the first time, and passed."

Ordered that this bill be read, which being read, was rejected.

Received likewise the petition of William Ledford. Endorsed in the House of Commons, "read and referred to the Committee of Petitions and Memorials," which being read, was referred as by the House of Commons and returned.

Received also a Bill to establish a Fund for the support of the Academy at Hillsborough. Endorsed in the House of Commons, "read the first time & passed."

Ordered that this bill be read, which being read, was passed the first time and returned.

Received from the House of Commons a special Report of the Committee of Claims on the claim of Mr. James Blount, of Chowan county. Endorsed, "read and recommitted" which being read, was recommitted on the part of this House and returned.

Received, likewise, the application and claim of Mr. James Davis, of Craven county. Endorsed in the House of Commons, "read and referred to Messrs. Martin, Spaight and Lewis," which being read, was referred on the part of the Senate to Messrs. Gowdy, Clinton and General Simpson and returned.

Mr. Gowdy presented the resignation of Charles Bruce as one of the Justices of the Peace for Guilford county, which was read, accepted, and sent to the House of Commons.

Received from the House of Commons the Bill to alter the mode of punishing horse-stealing, also to repeal an act entitled an act to prevent horse-stealing. Endorsed, "read the second time, amended and passed."

Ordered that this Bill be read, which being read, on motion of Mr. Gallaway, it was ordered that he have leave to withdraw it for amendment.

Adjourned till to-morrow morning 10 O'clock.
Thursday, December 7th, 1786.

The House met.

Received from the House of Commons the report of the Committee for ascertaining the produce of the Revenues and taxes, and the nature and state of the public debts, the estimates for the year 1787, &c. Endorsed in that House, “read and concurred with,” which being read, was concurred with and returned.

Received from the House of Commons the Bill for annexing part of the county of Craven to Pitt county. Endorsed, “read the second time, amended and passed.”

Ordered that this Bill be read, which being read the second time, was ordered to lie over until the next General Assembly.

Mr. Herritage returned and took his seat.

Mr. Gallaway agreeably to order, presented the bill to alter the mode of punishing horse-stealing, also to repeal an act, entitled an act to prevent horse-stealing, as by him amended, which being read with the amendments, was passed the second time & sent to the House of Commons.

On motion of Mr. Hill ordered that he have leave of absence for a few days.

Adjourned 'til to-morrow 10 O’clock.

Friday, December 8th, 1786.

The House met.

Mr. Harget from the Committee, delivered in the following report, to wit:

The Committee to whom was referred the petition of the people called Quakers relative to the liberation of Slaves, having taken the same under consideration, beg leave to report,

That it is the opinion of your Committee that the emancipating slaves is impolitic and dangerous to the peace and good order of the State and the community at large, therefore they have determined that the prayer of the petition aforesaid be rejected. All which is submitted.

FREDERICK HARGET, Ch.

The House taking this report into consideration, resolved that they do concur therewith, and ordered that it be sent to the House of Commons.
Mr. Battle moved for leave, and presented a Bill to prevent the appointing too great a number of Justices of the Peace, and to compel the clerks of the several County Courts in this State to make return as herein directed, which was read the first time, passed and sent to the House of Commons.

Received from the House of Commons a Bill to alter and amend an act, passed at Hillsboro in May 1783, entitled an act for repairing the Court House and prison in the town of Salisbury; and also one other act passed at New Bern in 1784, entitled "an act for levying a tax in the counties in Hillsborough and Salisbury Districts for the repairing the District buildings in the town of Hillsborough and Salisbury, and directing the method of calling to account all Commissioners of public buildings heretofore or hereafter to be appointed, also to alter and amend the several laws now in force for erecting and repairing the public buildings in the District of Hillsborough." Endorsed, "read the first time and passed."

Ordered that this Bill be read, which being read, was passed the first time and returned.

On motion of Mr. Harget it was resolved as followeth, to wit:

In conformity to a report of a Committee of both Houses of the General Assembly in May, 1784, allowing Hugh Stanley, of Jones county, an annuity of twenty pounds Currency, which report was concurred with.

Resolved that the public Treasurer pay unto the said Hugh Stanley or order, the sum of forty pounds, being the amount of the said annuity up the 4th of May last, and be allowed in the settlement of his public accounts.

Sent for concurrence.

Received from the House of Commons the petition of Mr. David Ross, of the State of Virginia. Endorsed, "read and referred to Messrs. Heritage, Scott, Hill, Sloan, Perkins, White, Ferebee and Carson."

Received likewise the resignation of Mr. Charles Bruce as one of the Justices of the Peace for the county of Guilford. Endorsed in the House of Commons, "read and accepted."

Received also a Bill to establish a Board to amend errors in patents, and

A Bill to annex part of the county of Burke to Rutherford county,
each, endorsed in the House of Commons, "read the first time and passed."

Ordered that these Bills be read, which being read, the first was amended and passed the second time, and the latter was passed the first time and returned.

Received from the House of Commons the petition of William Moore.

The petition in favor of Thomas Nethery and Ambrose Carlton, and the petition of William Kirkpatrick respectively. Endorsed, "read and referred as by the Senate."

Received likewise a Bill for establishing a town on the land of Robert Burton, Esquire, in the county of Granville. Endorsed in the House of Commons "read the second time amended & passed."

Ordered that this Bill be read, which being read, was amended, passed the second time and returned.

Mr. Macon moved for leave, and presented a bill vesting certain powers in the several County Courts within this State, which was read the first time, passed and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

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

Received likewise the bill vesting certain lands therein mentioned in John Colson, son of William Colson, in fee simple. Endorsed in the House of Commons, "read the first time and passed."

Ordered that this Bill be read; which, being read, was passed the second time and returned.

General Rutherford presented the Memorial of Matthew McClure, which, being read, was referred to a special Committee and sent to the House of Commons. The members chosen on the part of this House: Messrs. Harget, Stone, Macon, Gillispie and Harris.

Received from the House of Commons the report of the Committee of Memorials and Petitions on the Memorial of William Moore, Sheriff of Burke County; and

The report of the said Committee on the Memorial of Mr. Pleasant Henderson. Each endorsed in that House, "read and concurred with."
General Gregory delivered in the following report, to-wit:

The Committee to whom the Petition of Samuel Johnston, Nathaniel Allen and James Iredell, executors of the last will and testament of Joseph Hewes, dec'd, was referred, report—

That after having examined the account of said Joseph Hewes, dec'd, together with the vouchers, do find that a balance of two hundred and sixty pounds three shillings and eight pence is due the estate of Joseph Hewes from the District of Edenton, and recommend that a tax be laid for discharging the said balance in the District of Edenton. All which is submitted.

ISAAC GREGORY, Ch.

The House, taking this report into consideration, resolved that they do concur therewith, and ordered that it be sent to the House of Commons.

General Rutherford delivered in the following report, to-wit:

The report of the Committee on the Papers from Virginia respecting a Canal:

Your Committee to whom was referred the Resolutions of the State of Virginia, and other papers respecting the Canal proposed to be cut from the waters of Elizabeth river to the Head of Pasquotank river, report—

That it is the opinion of your Committee that the General Assembly appoint one or more members from each House, who, in conjunction with the Commissioners now attending on the part of the State of Virginia, shall prepare a Bill for the purpose of opening the said Canal, on terms of reciprocal interest and advantage to each State.

GRIFFITH RUTHERFORD, Ch.

The House, taking this report into consideration, resolved that they do concur therewith; whereupon Messrs. Gallaway and Macon were appointed on the part of this House to assist in preparing the Bill aforesaid; and it was ordered that the foregoing report, together with the following message, be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The report of the joint committee to whom was referred the Resolution of the Assembly of the State of Virginia, and other papers relative to a Canal proposed to be opened from the waters of Eliza-
beth to those of Pasquotank river, we send you herewith, concurred with by this House; who have appointed on their part Messrs. Gallaway and Macon to assist in preparing a Bill agreeably to the tenor thereof.

General Gregory moved for leave and presented a bill for levying a tax in the District of Edenton for building the jail of the said District, and for the purpose of discharging a balance due to the Executors of Joseph Hewes, deceased, which was read the first time, passed and sent to the House of Commons.

Mr. Mitchell, from the Committee to whom was referred the Petition of Mr. John Bradley, delivered in a report, which, being read, was rejected.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

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

The resolve alluded to in the foregoing message being read, was rejected; whereupon, ordered that the following be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have received and rejected the resolution of your House relative to certain lands in the District of Edenton, claimed by John Johnston, Esquire. It is not the sense of this House that the report of the Committee on the Petition of Zephaniah Waller be recommitted.

General Gregory presented a paper signed by John Armstrong, Hardy Murfree, John Ford, G. I. McRee, Robert Fenner, James Read, Reading Blount, & John Nelson, as Officers of the North Carolina line in the late army of the United States, purporting that, pursuant to a Proclamation issued by his Excellency the Governor in conformity to a late Resolution of this General Assembly, they were present and ready to attend on the Assembly and answer for any part of their conduct which they might wish to investigate;
which, being read, was ordered to be sent to the House of Commons.

Received from the House of Commons a message from His Excellency the Governor, with sundry papers enclosed. Endorsed in that House, "read and referred to Messrs. Spaight, Hay and Maclaine, who are to report immediately and to bring in a Bill for the purpose of carrying into effect the Resolutions on this subject." Which, being read, was referred on the part of this House to Messrs. Gillispie, Harget, & Bledsoe, and returned.

Received also the petition of John Williams, of Halifax County. Endorsed in the House of Commons, "read and referred to the Committee of Memorials and Petitions." Which, being read, was rejected.

Received from the House of Commons the Petition of Matthew Jones. Endorsed, "read and referred to the Committee of Petitions and Memorials." Which, being read, was referred as by the House of Commons, and returned.

Received likewise the Petition of John McNeill. Endorsed in the House of Commons, "read and referred to the Committee of Petitions and Memorials." Which, being read, was rejected.

Received also the Report of the Committee of Propositions and Grievances (to whom was referred the Memorial of George McNeil) on the Memorial aforesaid. Endorsed in the House of Commons, "read and concurred with." Which, being read, was concurred with and returned.

Received from the House of Commons to report of the Committee of Propositions and Grievances on the Petition of Samuel Pitman. Endorsed, "read and concurred with." Which, being read, was concurred with by this House and returned.

Received likewise the Petition of Matthew McClure. Endorsed in the House of Commons, "read and referred to Messrs. Sloan, Phillips, Phifer, Alexander and McDowell.

Received also a bill to release the estate of John Anderson, deceased, from a forfeiture of Recognizance, entered into for the appearance of a certain John McCrory before the Superior Court of Salisbury District. Endorsed, "read the second time, amended and passed."

On motion of Mr. Gillispie, seconded by Mr. Harget, Resolved, that the Committee appointed by this General Assembly, in con-
junctory with the Justices of the Peace for Cumberland County, to
take the examination of such persons as have been or may be
accused of having embezzled the public money, he and they are
hereby directed to admit no such person to bail until they shall
have reported to the General Assembly and their further order be
had thereon.

Sent for concurrence.

Received from the House of Commons the Resolution of this
House in favor of Hugh Stanley, of Jones County. Endorsed, "read
and concurred with."

Received likewise the resolution of this House containing instruc-
tions to the Committee appointed to take the examination of such
persons as have been or may be accused of having embezzled the
public monies, &c. Endorsed in the House of Commons, "read
and concurred with."

On motion, resolved that the Honorable the Speaker of this Gen-
eral Assembly be requested to inform the officers of the Continental
line of this State, now attending in Fayetteville in order to give
testimony and aid in bringing to justice sundry persons accused of
having embezzled the public money; that their further attendance
on this Assembly will be necessary, and that they request them not
to depart from this place until further proceedings are had in the
premises.

Sent for concurrence.

Received from the House of Commons a resolution of that body
allowing Thomas W. Pearson, of New Bern, the sum of one hun-
dred and fifty-seven pounds, it being for 7,850 lb. weight of tobacco,
borrowed from the said Pearson in the year 1781 for the use of the
public; which, being read, was concurred with and returned.

The passing of this resolve being objected to, on motion of Gen-
eral Rutherford, seconded by Mr. Stokes, it was ordered that the
yeas and nays be taken thereon, which were as follows, to-wit:

For the Resolve: Messrs. Thomas Armstrong, Jordan, Tipton,
John Armstrong, Macon; Simpson, Bonner, Gillispie, Mayo, McCol-
lock, Clinton, Harget, Williams, Moring, Jones, Riddick, Bledsoe,
Martin, and Lewis—19.

Against the resolve: Messrs. Sharp, Battle, Ramsey, Medlock,
McCawley, Alexander, Whiteside, Griffin, Rutherford, Gowdy,
Stone, McDowell, Mitchell, Harris, and Stokes—15.
So the resolution aforesaid was adopted and passed.

Received from the House of Commons the petition of Samuel Gilmore, late a captain in the service of this State. Endorsed, "read and referred to the Committee of Claims." Which, being read, it was, on motion of General Rutherford, seconded by Mr. Macon, resolved as followeth, to-wit:

Read the petition of Samuel Gilmore, late a Captain of the Militia under the command of Brigd. General Harrington; whereupon, Resolved, That the Comptroller of this State be and he is hereby directed, on application of Captain Samuel Gilmore, to issue him a certificate for such sum as he shall make appear is justly due him for his services as Captain aforesaid by this State.

Sent for concurrence.

Received from the House of Commons the Bill to amend an act entitled "an act for the relief of such persons who have suffered or may suffer by their Grants, Deeds & Mensne Conveyances not being proved and registered within the time heretofore appointed by law." Endorsed, "read the second time, amended and passed." Which, being read, it was ordered that the same lie on the table 'til Monday next, and that it be then read for the second time in this House.

Received from the House of Commons the petition of Nathan Smith together with a resolution of the Senate of December last, in favor of the said Smith for the sum of £42 for and on account of two Hogsheads of Tobacco by him, the said Smith lent the State in the year 1781, which said resolution was laid over by the House of Commons 'til this Assembly, the said petition being endorsed in the House of Commons December 8th, 1786. "Read and referred to the Committee of Memorials and Petitions." This measure being objected to a motion was made by General Rutherford that the whole of the papers now before the House appertaining to this claim be rejected; because he, the said Smith, hath already settled with the auditors of New Bern District and been allowed and a certificate granted him for the amount of the tobacco aforesaid. This being objected to the question was put and carried in the affirmative, to-wit: That the petition and other papers tending to establish this claim should be rejected.

Whereupon, the yeas and nays being required by Mr. Harget, seconded by Mr. Stokes, were as follows, to-wit: For rejecting the

Against rejecting them and for making allowance Messrs. Thos. Armstrong, Jordan, Tipton, Bonner, Gillispie, Mayo, McCulloch, Clinton, Harget, Lewis, Williams, Moring, Jones, Riddick, Bledsoe and Martin.—16. So the petition and papers aforesaid were rejected.

Received from the House of Commons the report of the Committee to whom was referred the petition of the executors of the last will and testament of Joseph Hewes, Esquire, deceased. Endorsed “read and concurred with.”

Received likewise a bill for adding part of Wake County to Franklin County. Endorsed in the House of Commons “read the first time and passed.”

Ordered that this bill be read which being read was passed the first time & returned.

Received also the report of the Committee to whom was referred the petition of the people called Quakers, Endorsed “read and concurred with.”

Received from the House of Commons the report of the Committee of Propositions and Grievances on the petition of Isaac Davenport, Jonathan Phelps and John Davenport, and

The report of the said Committee on the petition of William Boggan respectively, Endorsed “read and concurred with” which being read were concurred with and returned.

Received likewise the memorial of John Graham, Endorsed “read and referred to the Committee on Memorials and Petitions,” which being read was referred in like manner and returned.

Received also a resolution of the House of Commons of this date directing the committee appointed to examine certain prisoners, to communicate the result of such examination to certain gentlemen therein mentioned, which being read was concurred with and returned.

Received from the House of Commons the following resolution of that body, to-wit:

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

This resolve being read was concurred with and returned.

Adjourned 'til Tomorrow morning 10 O'clock.

Saturday, December 9th, 1786.

The House met.

Received from the House of Commons the Bill empowering the Courts of Pleas and Quarter Sessions in this State, to exercise special jurisdiction over the matters therein mentioned. Endorsed, "read the first time, and passed."

Ordered that this Bill be read, which being read, on motion of Mr. Harris, it was ordered that he have leave to withdraw the same for amendment.

On motion of Mr. Macon, seconded by Mr. Armstrong, the House resumed the consideration of the Bill for annexing part of the county of Craven to Pitt county laid over by this House on Thursday last until the next Assembly. Whereupon ordered that this bill be read for the second reading in this House on Thursday next.

Received from the House of Commons a Bill for altering the manner of holding the annual elections for the county of Hyde.

A Bill for erecting Bogue Barr and New River Inlets into a distinct Port by the name of Swannsborough, and

A bill for altering the time of holding the County Court of Pleas and Quarter sessions in the county of Mecklenburgh. Each endorsed in the House of Commons, "read the first time and passed."

Ordered that these bills be read, which being read, were respectively passed the first time and returned.

Received likewise the following message:

Mr. Speaker and Gentlemen:

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

The foregoing being read, it was agreed that the report referred
to be re-committed, whereupon ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

Pursuant to your proposition on that head, we agree that the report of the Committee to whom was referred the resolution of the Assembly of Virginia and papers accompanying it, relative to the opening a Canal from the Waters of Elizabeth River, to those of Pasquotank River in this State, be re-committed.

Received from the House of Commons the Bill to annex part of the county of Burke to Rutherford county, and

The additional Bill to an act entitled "an act to amend an act passed at New Bern the first day of December, 1766, entitled an act for establishing a school house in the town of New Bern. Each endorsed, "read the second time and passed."

Ordered that these Bills be read; which, being read, were passed; the former the third and the latter the second time, and returned.

Received likewise by way of the House of Commons a letter from the Rev. Robert Andrews and John Cowper, Esquire, of the State of Virginia, accompanied by the resolution of that House and the following message, to-wit.:

Mr. Speaker and Gentlemen:

This House have appointed Messrs. Maclaine & McKenzie on their part to confer with the Rev. Robert Andrews and John Cowper, Esquire, on the subject expressed in the Resolution herewith sent you, and their Letter.

These papers being read, it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The Senate have, pursuant to the letter from the Reverend Robert Andrews and John Cowper, Esquire, Commissioners on the part of the State of Virginia, and the message and resolution of your House accompanying the same, appointed Messrs. Galloway and Stokes to confer with the said Commissioners, and with them and the Gentlemen appointed by your body to report the form of a Bill relative to the opening a navigable canal between certain waters of that and this State.

Received from the House of Commons the representation of Cap-
tain Robert Fenner, agent for the late line of this State in the continental army. Endorsed, "read and referred to Messrs. Spaight, Rhodes and Martin" which being read, was on the part of this House referred to Messrs. Harget, J. Armstrong and Mayo and returned.

Received at the same time the following message:

Mr. Speaker and Gentlemen:

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

The foregoing being read, it was ordered that the following message be sent to the House Commons, to wit:

Mr. Speaker and Gentlemen:

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

Mr. Stokes delivered in the following report viz:

The Division of the Committee of Finance No. 3, to whom was referred the state and application of the public tobacco, Foreign Debt and Interest, and Future Contracts, report,

That on examination of the returns of the Commissioners of purchases, there appears to be at the warehouses at Wilmington, Washington and the Mouth of Roanok, one Million three hundred and twenty-three thousand nine hundred and twenty-one pounds weight of nett Tobacco.

Your Committee from a conviction of the necessity of re-examining the Tobacco, beg leave to recommend, that the Commissioners of purchases be directed to have the said Tobacco examined and prepared for exportation as soon as possible, and if it is not disposed of during the sitting of the present General Assembly, that it be by the said Commissioners as soon as may be afterwards exported in American or French Bottoms to the Port of L'Orient or some other French Port, at the expence and risque of this State, and that they make a report thereof to the present (if practicable), otherwise to the next General Assembly.

Your Committee have considered the proposals made by Mr. Dauge and other Gentlemen for the purchase of the Tobacco on
hand, and think them such as this State cannot accede to consistently with their interest and safety. Your Committee therefore beg leave to recommend, that unless proposals shall be made and accepted of by the General Assembly during this session, and which will come up to the intent of this Act for the application of the said tobacco that then the same be shipped as above stated, consigned to an agent or Commissioner to be appointed by joint Ballot of both Houses of Assembly, who before entering on his office shall give bond and security in such sums as the General Assembly shall direct for the faithful discharge of his duty, and the due application of the monies arising from the sales of the tobacco to discharge the Quota of the interest on the Foreign Debt from this State, together with part of the first instalment of said debt due in the year one thousand seven hundred and eighty seven.

Your Committee impressed with the belief that the application of a certain part of the Revenue to the annual purchase of tobacco would be advantageous to the State, therefore beg leave to recommend that the duties on goods imported into this State by water and land, Commissions on vendue sales and the unappropriated part of Tonnage on British Bottoms, be appropriated to this purpose, and that the Treasurer be directed to pay the same into the hands of a Commissioner to be appointed by joint ballot of both Houses of Assembly whose duty it shall be to purchase tobacco therewith at such places as to be shipped from the ports of Wilmington, New Bern, Washington and Edenton in as equal proportions as possible, which Tobacco when purchased to be disposed of under the direction of the present or succeeding General Assembly, thus this State will not only declare a willingness to discharge the interest of the Foreign debts, but also be supplied with the means of doing it with punctuality. All which is submitted.

JOHN STOKES, Ch.

The House, taking this report into consideration, resolved that they do concur therewith, and ordered that it be sent to the House of Commons.

On motion of General Rutherford, seconded by Mr. Gillispie, Resolved that the Committee for examining sundry persons charged with having embezzled the finance of this State be directed to liberate a certain Arthur Pierce, it having appeared to them that he is innocent of the charge against him. Sent for concurrence.

18—5
Received from the House of Commons a resolution of that body directing Captain Robert Fenner, agent of Final settlement Certificates, and the Secretary of this State to furnish the Committee appointed to examine the State prisoners, with Lists of the names of all persons now in their respective offices, who have served in the Continental line of this State, &c., which being read, was concurred with and returned.

Received also, the Resolution of this House in favor of Captain Samuel Gilmore. Endorsed in the House of Commons "read and concurred with."

Received also the petition of Andrew Kennedy and the petition of James Fletcher, each endorsed in the House of Commons, "read and referred to the Committee of Propositions and Grievances" which being read, were referred in like manner and returned.

Mr. Gallaway presented the petition of Mrs. Elizabeth Shaw, which being read, was referred to the Committee to whom was referred the petition of Samuel Strudwick, Esquire, and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

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

Mr. Tipton, Chairman of the Committee of Memorials and Grievances, delivered in the following report to wit,

The Committee on Memorials and Grievances to whom was referred the petition of Nathaniel Tooly report,

That it is their opinion that the said petitioner be permitted to have his said patent recorded in the office of the Secretary of State, as it appears to your Committee that the record hath been lost, where it was formerly recorded.

JOHN TIPTON, Ch.

The Committee of Memorials and Petitions to whom was referred the Memorial of William Hollowell, are of opinion that the same be rejected.

JOHN TIPTON, Ch.

The Committee of Memorials and Petitions to whom was referred the Memorial of James Lockhart respecting the removal of his Mill-Dam, report that it is their opinion the said Memorial be rejected.

JOHN TIPTON, Ch.

The Committee on Memorials and Petitions to whom was referred
the petition of Walter Allen, find that there is no positive assurance nor does it appear to their satisfaction, that the certificates left by Mr. Allen, are not now in circulation, Your Committee are therefore of opinion that the said petition be rejected.

JOHN TIPTON, Ch.

The House taking the foregoing reports into consideration, resolved that they do concur therewith, and ordered that they be sent to the House of Commons.

Received from the House of Commons the Bill for establishing a town on the lands of Andrew Bass, and

The Bill for establishing a Town on the lands late the property of William Petty, adjoining Chatham Court House, as laid off by the Trustees named in the act of the last General Assembly, entitled "an act for establishing a Town on the land of Mial Scurlock, deceased, in Chatham County," for appointing Commissioners for the regulation of the towns & repealing said act. Each endorsed in the House of Commons, "read the third time and passed."

Ordered that these bills be read; which, being read, were passed the third time and ordered to be engrossed.

Received likewise the bill vesting certain lands therein mentioned in John Colson, son of William Colson, in fee simple. Endorsed, "read the second time and passed."

Ordered that this Bill be read; which, being read, was passed the third time and returned.

Received also a Bill for improving the navigation to New Bern. Endorsed, "read the first time and passed."

Ordered that this Bill be read; which, being read, was passed the first time and returned.

Received from the House of Commons the Bill to compel certain officers therein mentioned to publish the application of the public monies and allowances for Insolvents. Endorsed in the House of Commons, "read the second time, amended and passed."

Ordered that this Bill lie on the table until Tuesday next, and that it then be read for the second time in this House.

Adjourned till Monday morning 10 O’clock.

Monday, December 11th, 1786.

The House met.

On motion of Mr. Harget, seconded by Mr. Stone, resolved that, whereas, the General Assembly have received information that a
number of Horses, the property of persons now in confinement in the Town of Fayetteville, are running at large, and that the negroes lately taken in custody by the sheriff of Dobbs County, in consequence of a resolution entered into by this General Assembly, are suffering in jail—

Resolved, therefore, That the sheriff of Dobbs County be and he is hereby directed to take into his possession and safe keeping the whole of the Horses belonging to John Price and William Faircloth; the whole of the movable property belonging to Simon Totevine, Thomas Butcher and Nathan Lassiter, and also all the Horses rode to this place belonging to persons now in confinement, supposed to have been guilty of passing fraudulent accounts; that he likewise release from confinement such of the negroes committed to the jail of his County, pursuant to the resolution aforesaid, as he shall judge unequal to the bearing the hardships of confinement; the whole of which property the said sheriff is hereby required safely to keep until he shall receive further orders relative thereto from the General Assembly.

Sent for concurrence.

Received from the House of Commons the report of the Committee of Propositions and Grievances, to whom was referred the claim of Morgan Brown. Endorsed in the House, "read and concurred with." Which, being read, was concurred with and returned.

Received likewise the report of the Committee to whom was referred the Petition of the Rev. James Tate. Endorsed in the House of Commons, "read and concurred with." Which, being read, was rejected; whereupon—

On motion of Mr. Gillispie, resolved that, whereas, it appears to this General Assembly a certificate granted by the Commissioners of Army Accounts to the Rev. James Tate for the sum of three hundred and fifty-eight pounds for his services as chaplain in the late Continental Army, and which remain the property of Mr. Tate, was consumed by the late fire in Wilmington, and is now wholly lost, therefore—

Resolved, That the Treasurer pay unto the Rev. James Tate the sum of Eighty-nine pounds ten shillings, being the one-fourth part of the certificate lost, and that the Comptroller issue to Mr. Tate a certificate for the other three-fourths for which this shall be their Warrant.
Ordered that the foregoing message, with the following resolution, be sent to the House of Commons:

Mr. Speaker and Gentlemen:

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

The foregoing resolution being objected to, on motion of Mr. Lewis, it was ordered that the yeas and nays be taken thereon, which were as follows, to-wit:


Against the Resolution: Messrs. Sharpe, Battle, Medlock, Tipton, Macon, McCawley, Alexander, Moore, Whiteside, Mayo, Griffin, Lewis, Stokes, Gowdy, and Bledsoe—15.

So the resolve was adopted and sent to the House of Commons for concurrence.

Mr. John Allen Campbell, the member for the County of New Hanover, appeared, presented his certificate, qualified agreeably to law & took his seat.

Received from the House of Commons a resolution of that Body in favor of Matthew Moseley, which, being read, was concurred with and returned.

Mr. Hines presented the Memorial of Jeptha Ferrell, which, being read, was referred to the Committee on Petitions and Memorials & sent to the House of Commons.

Mr. Stokes presented the Petition of Cornelius Robinson, which, being read, was rejected.

Mr. Hines presented the Petition of John Hinton, which, being read, was referred to the Committee on Memorials and Petitions & sent to the House of Commons.

Received from the House of Commons the Bill for dividing the County of Bladen. Endorsed, "read the first time and passed."

Ordered that this Bill be read; which, being read, was, on motion of Mr. Brown, referred to a Committee. The members chosen on the part of this House: Messrs. Medlock, Thomas Armstrong,
and Gillispie. Whereupon, ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the propriety of passing into a law the bill now before this Assembly for dividing Bladen County, be submitted to the consideration of a Committee, and have on our part appointed Messrs. Medlock, Thomas Armstrong, and Gillispie a Committee who will act jointly with such of your body as may be appointed for this purpose.

Mr. Tipton, from the Committee to whom was referred the Petition of David Ross, delivered in the following report, which, being read, was rejected.

General Rutherford presented the Memorial of Sarah Rounsavall, which, being read, was referred to a special Committee. The members chosen on the part of this House: Messrs. Macon and Harris.

Received from the House of Commons a resolution of that body of the 9th Inst., allowing Reuben Grant the sum of ninety pounds, which, being read, was concurred with and returned.

Mr. Gallaway moved for leave and presented a Bill permitting the Emancipation of slaves under certain regulations therein mentioned, which was read the first time, passed and sent to the House of Commons.

Mr. Harget delivered in the following report, to-wit:

Your Committee to whom was referred the Petition of Matthew McClure, having taken the same under consideration, beg leave to report—

That it is the opinion of your Committee the articles furnished by Mr. McClure for the use of the Continental Hospital at Charlotte could not be furnished on public faith, which induced him to advance a considerable sum of his own money, in consequence of which he has been prevented from discharging a debt previously transacted, and for which he is now sued and Execution issued against his estate.

Your Committee therefore recommend, as Mr. McClure is possessed of a Comptroller’s certificate for the sum of one thousand seven hundred and thirty-three pounds, that his Excellency the Governor issue a warrant on the Treasury in favor of said Mr. McClure
for four hundred pounds of the above mentioned sum, and that the Comptroller receive into his office the certificate last mentioned and grant him another for the balance which shall then appear due.

FREDERICK HARGET, Ch.

The House, taking this report into consideration, resolved that they do concur therewith, and ordered that it be sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

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

The foregoing being read, it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

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

On motion, the House now proceeded to the conference room, where the Speakers of the two Houses and the members of the General Assembly having taken their seats, General Rutherford presented to the Speakers the following report, to-wit:

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

That they have on Oath examined the persons whose names are herein inserted, and whose depositions for the information of the General Assembly are subjoined and numbered, vizt:

5. Sherrod Barrow. 11. Andrew Armstrong.

Your Committee are of opinion from the depositions marked and numbered as above, as well as from many other circumstantial Evi-
dences they have had, that many wilful frauds have been committed by sundry persons in procuring soldiers' accounts—not only by forging the same and the orders, but wickedly employing by large rewards sundry others to write false accounts and orders whereby they might be able to obtain monies from the public Treasury of this State.

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

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

Your Committee beg leave to remark, that they find by the papers marked and numbered 6 and 7, that Benjamin McCulloch and Henry Montfort have previous to the passing the act of Assembly for reviving the Board for settling Army accounts, as well at New Bern as elsewhere contracted and agreed with sundry individuals to pass their claims through the office for the one-fourth and more and that a receipt hath been given by Benjamen McCulloch to John McNees, wherein he actually promises to have sixteen or seventeen accounts passed. Your Committee are of opinion that such contracts were unjust, and it appears that it was predetermined by the said Commissioners to pass the accounts as well as all that could be purchased (as you will find by the deposition No. 6), whether the act for reviving the Board of Commissioners had been passed or not.

Your Committee find by the depositions marked No. 1, 2, 5, 6, 7, 8, and 12, that Benj. McCulloch hath asked and actually received the one third, and in some instances one-fourth part of the amount of the accounts for passing them in the Commissioners office & for
drawing the money, whereby he has purloined a property to a very
great amount, and that altho' the said McCulloch did promise to
procure and draw the monies for the due Bills which he passed, yet
your Committee find that the individuals have been obliged to give
ten and twelve per centum for drawing the same from the Treasury
Office. Your Committee in their investigation of the conduct of
the Commissioners, have not discovered that John Macou, one of
that Board hath at any time received either part of those fraudulent
accounts or other reward for passing the same.

Your Committee have it not in testimony that Colonel Archi-
bald Lytle or Major Reading Blount, who have signed the greater
part of the fraudulent accounts, have received any gift or reward
for the same, or have been promised any.

Your Committee have it in testimony, that Capt. John McNeess
hath signed almost the whole of the fraudulent accounts, and that
he hath done the same, knowing them to be such. That he hath
signed many accounts while they were blank for sundry persons,
and that he hath also furnished orders for drawing the same from
the Commissioners Office.

Your Committee have it in testimony that Captain Jesse Read,
of Halifax, did sign twenty blank Soldier’s accounts for Captain
Sherrod Barrow, the principal part of the same being for the war,
for which service the said Barrow did give him two Military land
warrants for six hundred and forty acres each.

Your Committee in order more clearly to show the conduct that
hath been pursued by the different persons concerned in those dis-
graceful transactions, and to discover to the General Assembly in
whose hands the monies have rested, beg leave to state the proceed-
ings on the accounts of William Faircloth as an instance, viz:

We find that he hath laid accounts before the
Commissioners to the amount of.............£71369 / 7 11
That the Commissioners have deducted for passing
the same.................................. 23780 15 11
There will then remain for Mr. Faircloth in due
Bills and Certificates.......................... 47579 11 11
Deduct a fourth of the same, the amount of the due
bill part................................... 11894 17 11
Then deduct 10 per centum for the Treasurer for
paying...................................... 1189 9 9
You will then find that Mr. Faircloth, out of £17842 6 11d, the money part of his account rendered, hath drawn only £ 9705 / 8 2

There then remains in the hands of the Commissioners in Certificates 17842 6 11
And in money 5947 8 11

All which is submitted.

GRIFFITH RUTHERFORD.
ISAAC GREGORY.
WILLIAM POLK.
A. NEALE.

On motion, the two Houses now formed themselves into a committee of the whole, and made choice of Elisha Battle, Esquire, as Chairman; whereupon the foregoing report, together with the depositions alluded to were read, and the report was concurred with by the committee.

Thereupon it was resolved that Messrs. Maclaine, Hay, Davie, Hawkins, and Hooper be a Committee to state and arrange the testimony in the depositions laid before the Committee of the two Houses by the Committee appointed to examine the prisoners & to which their report refers.

The Speakers now on motion resumed their chairs, when Mr. Chairman made report of the proceedings of the Committee as above set forth; the Senate then retired, and on coming into their room on motion Mr. Speaker resumed the Chair;

When, on motion of General Rutherford, Mr. Benjamin McCulloch, the member for the County of Halifax (then absent in town) was sent for, and on his appearing was called on and heard in his defence touching those matters and things whereof he stands accused in the report of the Committee for examining the State Prisoners, this day entered on the Journal. When failing to exculpate himself and clear up his character to the satisfaction of the House, it was resolved that his seat as a member of this House be vacated, and that he be expelled therefrom.

Received from the House of Commons a Bill to annex a part of the County of Granville to Warren. Endorsed, "read the first time & passed."
Ordered that this bill be read, which being read the first time, was passed and returned.

Received likewise the petition of Elizabeth Shaw. Endorsed in the House of Commons, "read and referred as by the Senate."

Received also the resolution of this House of this day relative to certain Horses, the property of State Prisoners now in Fayetteville, and also to certain negroes in the jail of Dobbs County. Endorsed in the House of Commons, "read and amended by inserting the name of Thomas Butcher, and concurred with." Whereupon, ordered that the name of said Thomas Butcher be inserted in the resolution as entered on the Journal of this House, which was accordingly done.

Received from the House of Commons the report of the Committee of Memorials and Petitions on the Petition of Nathaniel Tooley. Endorsed, "read and concurred with."

Received likewise the Bill to direct the method to appoint Jurors and Surveyors to run out disputed lands. Endorsed in the House of Commons, "read the first time & passed."

Ordered that this Bill be read, which being read, was passed the first time and returned.

The several matters to this day postponed, the House Adjourned till to-morrow morning 10 o'clock.

Tuesday, December 12th, 1786.
The House met.

Received from the House of Commons the report of the Committee of Memorials and Petitions on the Memorial of James Lockhart, and the report of the said Committee on the petition of William Hollowell, respectively endorsed "read and concurred with."

Received also the Memorial of the Executors of Robert Hogg, deceased, Endorsed in the House of Commons "read and referred to the Committee of Claims", which being read was referred in like manner and returned.

Received likewise the resignation of William Moore, Justice of the Peace for Burke County, Endorsed "read and accepted" which being read was accepted and returned.

Received from the House of Commons the Petition of sundry persons purchasers of lands from Henry E. McCulloch, Endorsed "read and referred to the Committee on Petitions and Memorials" which being read was referred in like manner and returned.
Received likewise the bill to prevent the appointing too great a number of Justices of the Peace, and to compel the clerks of the several County Courts in this State to make return as herewith directed. Endorsed in the House of Commons "read the first time and passed."

Ordered that this Bill be read, which being read was on motion of Mr. Battle, by him withdrawn for amendment.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

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

Ordered that Mr. Gillispie and Mr. Harget be appointed on the part of this House for the last mentioned purpose, and that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The Senate have on their part appointed Mr. Gillispie and Mr. Harget to examine the State prisoners in the stead of Generals Rutherford and Gregory.

On motion of General Rutherford the House resumed the Consideration of the Petition of John McNeil, which being read was referred as by the House of Commons, vizt.: To the Committee on Memorials and Petitions and sent to the Commons.

Received from the House of Commons a resolution of that body of yesterday directing the Committee for examining the State prisoners to furnish His Excellency the Governor with the names of such prisoners as they deem proper to be admitted to bail; to furnish him likewise with the names of such now at large, who have been criminated before them, and declaring the approbation of the General Assembly as to the conduct of the said Committee in committing to close confinement Mann Phillips, &c., which being read was concurred with and returned.

Mr. Thomas Wynns, the member for the County of Hartford, appeared, presented his certificate, was qualified agreeably to law and took his seat.

Received from the House of Commons a Bill to amend an act entitled "an act to amend an act entitled an act for ascertaining what property in this State shall be deemed taxable property, the method
of assessing the same and collecting public taxes." Endorsed in that House "read the first time & passed."

Ordered that this Bill be read, which being read was passed the first time and returned.

Mr. Gillispie presented a Bill to confirm unto Richard Dobbs Spaight an indefeasable title to certain lands therein mentioned in Bladen County, which was read the first time, passed & sent to the House of Commons.

Received from the House of Commons the bill to release the estate of John Anderson, deceased, from a Forfeiture of Recognizance entered into for the appearance of a certain John McCrory before the Superior Court of Salisbury District, Endorsed in that House "read the third time and passed."

Ordered that this Bill be read, which being read was passed the third time and ordered to be engrossed.

Pursuant to the Order of the day the Bill to compel certain Officers therein mentioned, to publish the application of the public monies and allowances for insolvents was read the second time, amended, passed and sent to the House of Commons.

Mr Stokes presented the Petition of John Randle, which was read, referred to the Committee of Propositions and Grievances and sent to the House of Commons.

Received from the House of Commons the Memorial of Jeptha Ferrell and the Petition of John Hinton respectively endorsed, "read and referred as by the Senate."

Received likewise the Memorial of William Wood, endorsed "read and referred to the Committee of Claims" which being read was referred in like manner and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We propose that the General Assembly proceed on Saturday next at 3 o'clock to ballot for the place at which the next General Assembly shall be held, for a Governor, Delegates to represent this State in Congress and a Treasurer.

The foregoing being read it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the General Assembly ballot at the time by you
proposed for a Governor of this State, Continental Delegates, the place where the next Assembly shall be held; and put in nomination for Governor the Honorable Richard Caswell, Esquire; for Delegates to represent this State in Congress Abner Nash, Alexander Martin, Timothy Bloodworth, Nathl. Macon, Robert Burton, William Blount & John B. Ashe, Esquires; and

For the place where the next Assembly shall be held the towns of Hillsborough, Fayetteville, Tarborough, Warrenton, NewBern, Salisbury and Edenton.

It is not the sense of this House that a public Treasurer be balloted for at the time by you proposed.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree that the propriety of dividing Bladen County be submitted to a Committee, and have on our part for this purpose appointed Messrs. Dixon, Rhodes, Bloodworth, McDowell and Phifer.

Received from the House of Commons the report of the Committee to whom were referred the state of representation in Congress and the letters from the Delegates. Endorsed in the House of Commons "read and concurred with" which being read was concurred with and returned.

Received at the same time a Bill for the better and more punctual payment of the salaries of the Delegates in Congress. Endorsed in the House of Commons "read the first time and passed."

Ordered that this Bill be read, which being read was passed the first time and returned.

Received also, a Bill to emancipate Hannah, alias Hannah Bowers, a person of mixed blood belonging to the estate of the late Alexander Gaston, deceased.

A Bill for reprinting and publishing the acts of Assembly of this State.

And an additional bill to an act entitled an act for the regulation of the town of NewBern, and for other purposes respectively, endorsed in the House of Commons "read the first time and passed."

Ordered that these Bills be read, which being read were each of them passed the first time & returned.

On motion of General Rutherford, seconded by Mr. Herritage, Resolved, that His Excellency the Governor, be and he is hereby
authorized and required to issue his proclamation, offering a reward of one hundred pounds current money for the apprehending and delivering up to justice a certain John Pierce, late of Dobbs County, accused of sundry crimes and practices tending as well to injure the public credit as to rob the Treasury of money. Resolved further, that this proclamation be made public as well in the States of Virginia, South Carolina and Georgia as in this State.

Sent to the House of Commons for concurrence.

Received from the House of Commons a Bill for levying a tax in the District of Edenton for building the jail of the said District. Endorsed "read the first time and passed."

Ordered that this Bill be read, which being read was amended, passed the second time and returned.

Adjourned till to-morrow morning 10 O'clock.

Wednesday 13th December, 1786.

The House met.

Received from the House of Commons a bill to erect and establish an Academy in the County of Franklin. Endorsed "read the first time and passed."

Ordered that this Bill be read, which being read was amended, passed the second time and sent to the House of Commons.

Received likewise the resignation of Thomas Bloodworth as Colonel and as one of the Justices of the Peace of the County of New Hanover. Endorsed in the House of Commons, "read and accepted." Which, being read, was accepted and returned.

Received also a Bill for erecting a prison in the County of Franklin. Endorsed, "read the first time and passed."

Ordered that this Bill be read, which being read, was amended, passed the second time & returned.

Received from the House of Commons the resolution of that body of yesterday directing the Committee appointed to examine the State prisoners, to inquire whether blank land warrants have at any time been issued from the secretary's office, and directing them also to inquire into other supposed abuses therein mentioned, which, being read, was concurred with and returned.

Mr. Harget presented the Petition of John Beck, which, being read, was referred to a special Committee. The members chosen on the part of this House: Messrs. Mooring and Herritage.
Received by way of the House of Commons a message from His Excellency the Governor relative to certain resolutions of Congress in favor of Colonel Stephen Moore. Endorsed in the House of Commons, "read and referred to a joint Committee. The members appointed on the part of this House: Messrs. Spaight, Hooper, Blount, and Sitgreaves." Which, being read, was on the part of this House referred to Messrs. J. Armstrong, Macon and Mitchell, and returned.

Received likewise the following message:

Mr. Speaker and Gentlemen:

We have added to the nomination for delegates by you made James White, William Walters, Stephen Moore, John Steele, Thomas Polk, and James Holland, Esquires.

General McDowell presented the petition of William Wofford, which, being read, was referred to a special Committee, and sent to the House of Commons. The members chosen on the part of this House: Messrs. Hill, Riddick, Martin and Hines.

On motion of Mr. Harget, ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

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

Mr. Medlock, from the Committee appointed to report on the propriety of dividing Bladen County, delivered in the following report, to-wit:

The Committee appointed to take into consideration and report the most eligible manner of dividing Bladen County report as follows, viz: Beginning in Drowning Creek, where South Carolina crosses the same, thence up the middle of said Creek to the mouth of the great Swamp, thence a direct line to a point on the main road called McKissick's road, five miles westerly of the Bridge in
said Great Swamp (the said five miles to be laid off as the road goes), thence running a straight line to Cumberland County, touching at Stewart's Mill, but leaving it to Bladen. All which is submitted.

CHARLES MEDLOCK, Ch.

The House, taking this report into consideration, resolved that they do concur therewith, & ordered that it be sent to the House of Commons.

Mr. Macon, for the Committee, delivered in the following report, to-wit:

The Committee to whom was referred the impeachment of certain Justices of Franklin County by Thomas Brickell report—

That on examining the papers and other documents, together with the testimony adduced, as well to support as to extenuate the charge, and considering the nature and amount of the accusation, the unprecedented and singular nature of the case, and the fatal consequences attending a conviction are induced, therefore to solicit the indulgence of the House, that they may be permitted to state the facts as appeared on the investigation and to decline giving an opinion on a matter of such considerable importance and delicacy.

It appeared to your Committee from Indubitable testimony that the County Court of Franklin at their session in June last, did adjudge that Green Hill, who then acted as Clerk to said Court, under an appointment made at the preceding December Court, was unconstitutionally appointed, as it was proved that at the time of his Election he was in arrear to the State as late Treasurer of the District of Halifax; that on a question whether the Court should then proceed to appoint another clerk, they were divided; and it further appears to your Committee that from the record of said Court that the persons named in the Impeachment are those who voted in the negative on that question.

It also appeared to your Committee, from testimony, that the Court were led into that adjudication by a firm persuasion and belief that, as Green Hill had been elected, had given Bond and security and acted under that appointment six months, it was not in their power to wrest the office out of his hands; and that they were particularly led to this belief by the words of the Constitution, in which it is said that appointment of offices of that kind shall

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be held during good behavior, and that no person shall be deprived of his life or property, and of consequence his office, but by a jury of his Peers.

All which is submitted.

JOHN MACON, Ch.

The foregoing Report was read, whereupon the House ordered the following resolution entered on the Journal, and to be sent to the House of Commons for concurrence, to-wit:

The report of the Committee to whom was referred the impeachment by Mr. Thomas Brickell against certain Justices of the Peace of Franklin County being read, the record of the said Court relative to the matters contained in the said impeachment being also read, and sundry witnesses being called on and examined, the House resolved as follows, to-wit:

Resolved, That it appears to this House that six months after the appointment of Green Hill to be Clerk of Franklin County Court the following Justices, to-wit, Henry Hill, Benjamin Seawell, Seth Mabry, Thomas Arrendale, Thomas Sherrod and Jenkins Devaney, did acknowledge that the said Green Hill was not eligible to that office at the time of his appointment, and that the said Justices did refuse to proceed to the appointment of another Clerk, which this House think justifiable in them, as the fact charged against the said Green Hill of his being a holder of public money was not found by a jury, without which they could not remove the said Green Hill from office; and it appears that at the time of Green Hill's being appointed the Court knew not that he was ineligible.

Sent for concurrence.

On motion of General Rutherford, seconded by Mr. Macon—

Resolved, That the Honorable Timothy Bloodworth and James White, Esquires, be and they are hereby requested to give this Assembly such information from Congress as they may think worthy the attention of the Legislature, and which hath not been already officially laid before them, on Friday next, when they will meet in conference at 10 o'clock in the forenoon.

Sent for concurrence.

Received from the House of Commons the resolution of this House of yesterday requesting His Excellency the Governor to offer a Re-
ward of one hundred pounds for the apprehending a certain John
Price, of Dobbs County. Endorsed, "read and concurred with."

Mr. Campbell presented the resignation of George Myrick, of
New Hanover County, as Justice of the Peace for said County, which
was read, accepted and sent to the House of Commons.

Received from the House of Commons the petition of John Ran-
dle. Endorsed, "read and referred as by the Senate."

Received likewise the petition of William Wofford. Endorsed,
"read and referred to Messrs. McDowell, Vance, Perkins, McKissick
and Sloan."

Received also the petition of Henry Purss. Endorsed, "read and
referred to the Committee of Claims." Which, being read, was
referred in like manner and returned.

Received also the resignation of Needham Bryan as one of the
Justices of the Peace for the County of Johnston. Endorsed in the
House of Commons, "read and accepted." Which, being read, was
accepted and returned.

Received from the House of Commons a Bill to erect a District
Court of Law and Equity at Fayetteville. Endorsed, "read the
first time and passed."

Ordered that this Bill be read, which being read, was passed the
first time and returned.

Received likewise the Resolution of this House of the 11th Instant
in favor of the Rev. James Tate. Endorsed in the House of Com-
mons, "read and concurred with."

Received also the following message:

Mr. Speaker and Gentlemen:

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

This message being read, it was ordered that the alteration be
accordingly made in the said Resolution as entered on the Journal
of this House.

Received from the House of Commons the Petition of William F.
Lewis. Endorsed, "read and referred to the Committee on Peti-
tions and Memorials." Which, being read, was referred in like
manner and returned.

Mr. McCawley presented the Petition of James Christian, which,
being read, was referred to the Committee on Petitions and Memorials, and sent to the House of Commons.

Mr. Harris presented the Memorial of Thomas Harris, formerly sheriff of Mecklenburg County, which, was read, referred to the Committee appointed on the petition of Sarah Rounsavall, and sent to the House of Commons.

Received from the House of Commons a Bill to establish the late survey and Plan of the Town of Tarborough, as made and laid down by the direction of the Commissioners composing the body politic & corporate of the said town; and to amend an act entitled “an act for the better regulation of the Town of Tarborough.” Endorsed, “read the first time and passed”

Ordered that this bill be read which being read was passed the first time & returned.

Received likewise the Petition of Sarah Rounsavall. Endorsed in the House of Commons, “read and referred to Messrs. Frohock, Alexander and Carson.”

Received also a Bill for extending the Boundary line between this State and the State of South Carolina. Endorsed, “read the first time and passed.”

Ordered that this bill be read, which being read, was passed the first time and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

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

The foregoing being read, it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

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

Adjourned till to-morrow morning 10 O'clock.

Thursday, December 14th, 1786.

The House met.

Received from the House of Commons a Resolution of that Body of yesterday, relative to a Horse, said to be the property of a Captain Martin, of Maryland, which being read, was rejected.

Mr. Gillispie presented the petition of Nathan Lassiter and Simon Totevine, which being read, was ordered to lie for consideration.

Mr. Battle delivered in the following report, to-wit:

Your Committee to whom was referred sundry petitions from the Inhabitants of Washington, Sullivan and Greene Counties report—

That, impressed with a sense of the sufferings of those people during the anarchy which has long prevailed among them, they beg leave to suggest the necessity of extending to them the Benefits of Government and protection, and that they be assured they will neither be neglected nor discarded by their Brethren on this side the mountains, but that they shall remain secure in regard to liberty and property.

Your Committee are further of opinion that the numbers and wealth of those Counties will by no means enable them as yet to support a separate government, and that therefore the Legislature of North Carolina cannot accede to a separation at this period, without at once abandoning a considerable number of her worthy citizens to ruin and distress.

It appears to your Committee that some designing persons in that Country have so far deluded many of the citizens as to make them wish a separation under an Idea that they, by the act of cession passed in June, 1784, were forever secured from this Government and its protection, and would be an emancipation from slavery. This Notion pervaded the minds of a majority for some time, while led on by a blind infatuation; but when they had time to reflect they clearly discovered that they were equal partakers with the rest of the State in the mild influence of its Constitution and Laws and were equally represented in its Councils.

Your Committee further beg leave to represent that while anarchy prevailed in the Counties of Washington, Sullivan and Greene vari-
ous acts were done under the authority of the supposed State of Franklin, which were not strictly right and consonant to the Laws of this State, and the persons promoting the same have become highly reprehensible; but as great contentions and animosities would arise among the different classes of people in that Country, should those offences be punished, your Committee beg leave to suggest the necessity of passing an act or acts of oblivion, so as to conciliate and quiet the minds of those who may have, through Blindness or passion, acted thus unguardedly; Provided, the said act or acts do not extend to confirm any law proceedings in civil suits, but that the same may be received in the Courts of Common law.

Your Committee beg leave to report as their opinion that the Citizens of Washington, Sullivan and Greene be required to pay the arrears of taxes due from them previous to the Commencement of the interregnum of Government in that part of the State, and that they be released from the payment of any taxes which have become due for the years 1784 and 1785. Your Committee are induced to make the last recommendation from a Conviction that during that period those people were much oppressed, and as they enjoyed none of the benefits of Government, they ought not in Justice to be taxed with its burthens.

Your Committee beg leave to recommend the most friendly intercourse between the Citizens of this State on the eastern and western waters; but above all, that the faction and discord which have too long prevailed may be no longer suffered to have an existence in the Western world. This your Committee conceive is to be effected by extending friendly protection to those whose habitations are west of the Apalachian Mountains.

Your Committee beg leave to suggest, that altho' a separation is at this time impracticable, yet whenever the wealth and numbers of the Citizens on the western waters so much increase as to make the same necessary, that then we are free to say a separation may take place upon friendly and reciprocal terms and under certain Compacts and Stipulations.

ELISHA BATTLE, Ch.

The foregoing report being read was amended, entered on the Journal and concurred with as entered.

Mr. Herritage presented the Petition of Benj. Exum, which was
read, referred to the Committee of Memorials and Petitions & sent to the House of Commons.

Received from the House of Commons a resolution of that Body of yesterday allowing certain persons employed under Major McKinnie and Captain Dodd, in apprehending certain persons of Dobbs County, guilty of embezzling the public monies, the several sums therein expressed; which was read, concurred with and returned.

Received likewise the resolution of this House of yesterday requesting the Honorable Timothy Bloodworth and James White, Esquires, to give information as therein mentioned. Endorsed "read and concurred with."

On motion of General Rutherford, seconded by Mr. Williams, the House resolved as followeth, vizt.:

Whereas a number of persons have been cited to this place as witnesses, pursuant to a resolution of the present General Assembly; and it being just and right that such persons should have their necessary expenditures paid them;

Resolved, That His Excellency the Governor, be and he is hereby authorized to grant a warrant on the Treasury in favor of such persons as he may appoint, for such sum as may be deemed necessary to pay off and settle with all such witnesses so cited as aforesaid, at the rate of ten shillings per day, calculating on the time they have and will necessarily be on the road as well as on such time as they are detained here; and it shall be the duty of the person so appointed to pay off and settle with all witnesses who shall produce to him proper certificates of their having been cited and attended as aforesaid, taking their receipts for the sums respectively paid them; which receipts shall be sufficient Vouchers for such person to settle his account with a Committee of this Assembly before the rising of the present Session, and

Resolved further, that the person so appointed and paying as aforesaid, shall be allowed an adequate compensation for his previous service by the General Assembly on the settlement of his accounts. Sent for concurrence.

Received from the House of Commons a bill to prevent long and extensive credits. Endorsed "read the first time and passed."

Ordered that this Bill be read, which, being read, was passed the first time and returned.
Mr. Lewis presented the Petition of Memucan Hunt, Esquire, public Treasurer, which being read, it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

In consequence of the Petition of Memucan Hunt, Esquire, public Treasurer, herewith sent you, we propose that the General Assembly meet in Conference on Saturday the 23rd Inst. in order to hear Mr. Hunt in his defence, as to those matters and things whereon he stands charged in the report of the Committee, appointed to examine the State prisoners and the depositions by them handed therewith. We also propose that the clerks be directed to furnish Mr. Hunt with copies of such parts of the depositions alluded to as tend to validate the charges contained in the said report against him.

Received from the House of Commons the Memorial of Thomas Harris, (Sheriff). Endorsed, "read and referred as by the Senate."

Received likewise the resignation of George Myrick as Justice of the Peace. Endorsed, "read and accepted."

Received also the Petition of James Christian. Endorsed, "read and referred as by the Senate."

On motion of Mr. Williams the House resolved as follows, vizt.:

Resolved, That the Committee for examining the State prisoners be, and they are hereby authorized from day to day to discharge such persons attending here as witnesses whose further attendance they shall deem unnecessary. Sent for concurrence.

Received from the House of Commons the additional Bill to an act entitled "an act to amend an act passed at New Bern the first day of December, 1766, entitled an act for establishing a School House in the town of New Bern." Endorsed, "read the third time and passed."

Ordered that this Bill be read, which, being read, was passed the third time and ordered to be Engrossed.

Received likewise the Bill to amend an act for dividing Guilford County. Endorsed in the House of Commons, "read the second time, amended and passed."

Ordered that this Bill be read, which, being read, was passed the second time and returned.

Received also, a Resolution of the House of Commons of this date
for examining prisoners as shall be directed by the Committee appointed to state and arrange the Testimony already delivered in to this Assembly against sundry persons, which, being read, was concurred with and returned.

Received from the House of Commons the petition of John Beck. Endorsed, “read and referred to Messrs. McKinne, Dodd and Whitfield.”

General McDowell moved for leave and presented a Bill to consign to oblivion the misconduct of the Inhabitants of Washington, Sullivan and Greene, and for other purposes therein mentioned, which was read the first time, passed & sent to the House of Commons.

Received from the House of Commons a Bill to render amenable to law and to secure their estates, so as to be answerable to the Justice of the General Assembly, persons therein mentioned accused of certain crimes and fraudulent practices, and to indemnify such persons as have acted in pursuance to certain Resolutions of this Assembly from vexatious suits and prosecutions; and to establish a Board for the detection and further discovery of the said fraudulent practices, & for settling and liquidating the accounts of the Officers and Soldiers of the Continental Line. Endorsed, “read the first time and passed.”

Ordered that this bill be read, which, being read, was passed the first time and returned.

Received likewise a Bill to impose a duty on all slaves brought into this State by Land or Water. Endorsed, “read the first time and passed.”

Ordered that this Bill be read, which, being read, was passed the first time and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We request the attendance of Mr. Macon, one of your Body, in order to give Testimony to this House, respecting Mr. Montfort's conduct as Commissioner of Army accounts.

Mr. Macon pursuant to this request attended the House of Commons.

Received from the House of Commons the Bill for establishing an Academy at the place now called Martinborough, in the County
of Pitt, and for altering the name of Martinborough to that of Greensville. Endorsed, "read the second time, amended & passed."

Ordered that this Bill be read, which, being read, was passed the second time and returned.

Received likewise the Bill for the Inspection of Tobacco at Anson Court House. Endorsed in the House of Commons, "read the second time, amended & passed."

Ordered that this Bill be read, which, being read, was amended, passed the second time and returned.

Received also, the Bill to alter the mode of punishing Horse Stealing. Endorsed in the House of Commons, "read the third time, amended & passed."

Ordered that this Bill be read, which, being read, was passed the third time and ordered to be Engrossed.

The passage of this Bill being objected to the yeas and nays were required by Mr. Hill, seconded by Mr. McCawley, and were as follows, viz:

In favor of this Bill Messrs. Sharpe, Jordan, Battle, Ramsey, Medlock, Tipton, McCawley, Alexander, Moore, General Gregory, Messrs. Whiteside, Eaton, Mayo, Griffin, Clinton, Gowdy, Stone, Williams, Jones, Riddick, Mitchell, Gallaway, Hines, Martin, Campbell and Wynns.—27.


So this Bill was passed.

Received from the House of Commons the Bill vesting the power of establishing towns in this State in the respective County Courts. Endorsed, "read the first time and passed."

Ordered that this Bill be read, which being read, was passed the second time and returned.

General Rutherford presented the Memorial of the executors of General Davidson, which being read, was referred to the Committee of Memorials and Petitions, and sent to the House of Commons.

Received from the House of Commons a Resolution of that Body of yesterday declaring that no private Bill, petition or Memorial shall be introduced in this Assembly after Monday next; that after that time the Assembly will sit and do business after night, &c.,
which being read, it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have received and considered the resolution of your Body of yesterday, declaring that no bill of a private nature and that no petition or memorial shall be received into the Assembly after Monday next, and that after that day the two Houses will continue business by Candle Light. As to the first part of your resolve, we concur with it; but as to transacting the business of the session by Candle Light, it is a measure which we think by no means advisable, and to which we cannot by any means agree.

Received from the House of Commons the Bill for the better and more effectual payment of the salaries of the Delegates in Congress. Endorsed, "read the second time and passed."

Ordered that this bill lie on the table 'til Monday next, and that it be then read for the second time in this House.

Mr. Harget moved for leave & presented a Bill to vest the title of a piece or parcel of land lying in Jones County in Howell Brown & his heirs in fee simple, which was read the first time, passed and sent to the House of Commons.

Mr. Tipton moved for leave and presented a Bill for a removal of the place for holding Courts of Pleas and Quarter Sessions in the County of Washington; for appointing Commissioners to fix on the most convenient place for the same, & for other purposes therein mentioned, which was read the first time, passed and sent to the House of Commons.

Received from the House of Commons the Bill empowering Commissioners to dispose of the land and Glebe, the property of Saint John's Parish, formerly in the County of Bute (now in Franklin). Endorsed, "read the first time and passed."

Ordered that this Bill be read, which being read, was passed the second time & returned.

General Rutherford presented the account and certificate relative thereto of Samuel Cross, which being read, was referred to a special Committee and sent to the House of Commons. The members chosen on the part of this House were Messrs. Macon, McCawley, General McDowell and Mr. Hill.

Mr. Herritage moved for leave and presented a Bill to repeal an
act entitled "an act to allow further time for saving Lots in the several towns within this State," so far as same relates to the town of Kinston, which was read the first time, passed and sent to the House of Commons.

General McDowell presented the Memorial and Petition of Alla Watts, whereupon the House resolved as follows, to-wit:

Read the Memorial of Alla Watts, relict of William Watts, late a soldier in the continental line of this State; whereupon,

Resolved, That the Secretary of State issue to the heirs of William Watts, deceased, a warrant for the Bounty by law allowed in Lands to each soldier who served during the War; provided, such warrant hath not heretofore been issued.

Sent for concurrence.

Adjourned 'til to-morrow 10 O'clock.

Friday, December 15th, 1786.
The House met.

Mr. Macon presented a Copy of the account of Green Hill, Esqr., late Treasurer of Halifax District, together with other papers, which being read, were referred to a special Committee and sent to the House of Commons. The members chosen were Messrs. Gallaway, Hines, Brown and Bledsoe.

Received from the House of Commons a Bill for altering the name of Walter Hogg and Gavin Hogg to Walter Alves and Gavin Alves. Endorsed, "read the first time and passed."

Ordered that this bill be read, which being read was passed the first time and returned.

Received likewise the Bill to amend an act passed at New Bern in December, 1777, entitled "an act directing the method of electing members of the General Assembly, and other purposes." Endorsed in the House of Commons, "read the first time and passed."

Ordered that this Bill be read; which, being read, was passed the second time and returned.

Mr. Tipton presented a Bill for dividing the County of Sullivan, which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

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

The foregoing being read, it was ordered that the following mes-
sage be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the resolution of the General Assembly of the 13th
Instant, requesting the Honorable Timothy Bloodworth and James
White, Esquires, two of the Delegates for this State in Congress, to
attend the two houses this day in the Conference room, be rescinded,
and that those gentlemen be requested to lay before this Assembly
in writing such matter as they may have to communicate.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

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

The foregoing being read, it was ordered that the following mes-
sage be sent to the House of Commons:

Mr. Speaker and Gentlemen:

This House have received the message of yours proposing that the
public Treasurer be heard in exculpation of himself as to the charges
against him contained in the report of the Committee who exam-
ined the State prisoners, at an earlier day than that pointed out in
their message of yesterday on this Subject, to which they do not
agree.

Received from the House of Commons the report of the Commit-
tee to whom was referred the Memorial of Captain Robert Fenner,
Agent for the late Continental Line of this State. Endorsed in that
House, "read and concurred with." Which, being read, was laid
over until Monday next.

Mr. Tipton delivered in the following report, to-wit:

Your Committee of Memorials and Petitions, to whom was
referred the Petition of William Kirkpatrick, enclosing an auditor's
certificate and praying an allowance for the same, report—

That as certificates of this kind have heretofore been considered
as a circulating currency, your Committee do not think themselves justifiable in stamping a greater or less value on them than that which the demand of the Public hath already fixed them at.

JOHN TIPTON, Ch.

The House, taking the foregoing report into consideration, resolved that they do concur therewith, and ordered that it be sent to the House of Commons.

Mr. Tipton likewise delivered in the following report, vizt.:

Your Committee of Memorials and Petitions, to whom was referred the Memorial of William Armstrong, with an order on the sheriff of Washington County for Eight Hundred Pounds Virginia money for sundry articles furnished the commissioners for extending the Boundary line, &c., report—

That they are of opinion that the prayer of the said Memorial ought to be rejected, as it does not appear to your Committee that the order above is a sufficient Voucher to assure them that a part or the whole of the money hath not already been paid.

JOHN TIPTON, Ch.

The House, taking this report into consideration, resolved that they do concur therewith, & ordered that it be sent to the House of Commons.

Mr. Gallaway, one of the Committee appointed to prepare and report, in conjunction with the Rev. Robert Andrews & John Cowper, Esquire, Commissioners on the part of the State of Virginia, the draft of a Bill for opening a navigable canal between certain waters of that and this State, moved for leave and presented a Bill for cutting a navigable canal from the waters of Pasquotank River, in this State, to the waters of Elizabeth River, in the State of Virginia, which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a resolution of that body of this date enjoining certain duties therein mentioned on His Excellency the Governor & the Committee for examining the State Prisoners, which being read, was concurred with and returned.

Mr. Whiteside presented the Petition of Timothy Riggs, which was read, referred to a special Committee and sent to the House of Commons. The members chosen on the part of this House were Mr. Macon, General Rutherford and General McDowell.
Mr. Brown presented the claim of Mr. Thomas Wright, Sheriff of New Hanover County, which being read, was referred to the Committee of Claims & sent to the House of Commons.

Received from the House of Commons the Petition of Mr. Benjamin Exum and the Petition of Mr. John Justice, respectively. Endorsed in that House, "read and referred as by the Senate."

Received by way of the House of Commons a message of this day from His Excellency the Governor, accompanied by the deposition of Robert White, Sheriff of Dobbs County, and a resolution of the House of Commons consequent thereon; which resolve being read, was rejected, and the following one adopted, to-wit:

Whereas, it is represented to this General Assembly that sundry Horses and other property belonging to Nathan Lassiter and Simon Totevine, now in confinement pursuant to a resolution of the Legislature, are in the possession of Mr. William Armstrong, of Fayetteville, and it being necessary that order be taken thereon, therefore

Resolved, That Colonel Thomas Armstrong, of Cumberland County, be and he is hereby authorized and directed to call on Mr. William Armstrong, and cause him to deliver on oath all the Horses and other property in his possession belonging either to Nathan Lassiter or Simon Totevine aforesaid, giving him a receipt, which shall be an indemnification for his so doing.

Resolved, further, That Colonel Armstrong pay unto the said William Armstrong, Tavern Keeper, the amount of his account against the said Lassiter and Totevine, agreeable to the rates established by the Court of Cumberland County, the said accounts first being legally proved.

Resolved, further, That Colonel Thomas Armstrong, in order to enable him fully to comply with the requisites of this resolution, apply to His Excellency the Governor, who is hereby authorized to grant a warrant on the Treasury in his favor, for such sum as may be necessary for the purpose aforesaid; for the due application of such money Colonel Armstrong shall account with this Assembly; and,

Resolved, further, That should the said William Armstrong refuse to deliver up as aforesaid, that then Colonel Thomas Armstrong be and he is hereby empowered to summon out a sufficient guard and apprehend and cause the said William to be brought
before some Justice of the Peace for the County aforesaid, to be further dealt with.

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

Mr. Speaker and Gentlemen:

With this you will receive a resolve of this House empowering Colonel Thomas Armstrong to take into his possession sundry Horses and other property belonging to Nathan Lassiter & Simon Totevine, which we wish to substitute in place of the one by your body entered into on that head.

Received from the House of Commons the Resolution of this House of yesterday, authorizing His Excellency the Governor, to grant a warrant on the Treasury for monies & to appoint some proper person to pay to witnesses cited to appear at this place, as therein mentioned. Endorsed "read and concurred with."

Mr. Gowdy presented the Petition of a number of the Inhabitants of Randolph County in favor of Joseph Clark, which, being read, was referred to the Committee appointed to consider of & report on the Petition of Samuel Strudwick, Esquire, & sent to the House of Commons.

Received from the House of Commons the copy of the account of Green Hill, Esquire, late Treasurer of Halifax District. Endorsed in that House "referred to Messrs. W. Hawkins, Dickens and Frohock."

Received likewise the report of the Committee on the Petitions of the Inhabitants of Washington, Sullivan and Greene Counties. Endorsed in the House of Commons, "read and concurred with."

Mr. Stokes moved for leave and presented a Bill for establishing a militia in this State, which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the Bill to establish a public Inspection for Tobacco in the town of Salisbury in Rowan County. Endorsed, "read the second time, amended and passed."

Ordered that this Bill be read, which being read, was passed the second time and returned.

Received likewise a Bill for the Inspection of Tobacco at Joseph Green's, in Wayne County. Endorsed in the House of Commons, "read the first time and passed."
Ordered that this bill be read, which being read, was passed the first time and returned.

Mr. Macon delivered in the following report, to-wit:

The Committee to whom was referred the Memorial of Mrs. Sarah Rounsavall report—

That it appears to your Committee that the husband of the Memorialist was Sheriff and Collector of public taxes in the County of Rowan for the year 1779. That previous to his making the Collection in full he was unfortunately taken prisoner by the Enemies of this Country, and died in captivity. It having also been made apparent to the Committee that the Memorialist, after the death of her husband, did proceed to make a collection of the taxes, amounting to the sum of sixty-one thousand six hundred and eighty-four pounds eight shillings and four pence. That from the confused situation of the State in general, and of that part of it in particular, at that time, the Memorialist could not get her accounts settled, altho' it appears to your Committee that she had attended for that purpose several times, and in the course of her attendance that she had the misfortune to lose some of her Vouchers; Your Committee upon examining her account find it stands as follows, to-wit:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>In proper Vouchers filed by the Comms.</td>
<td>£41311 14 0</td>
</tr>
<tr>
<td>In loan office certificates receivable in taxes at that time by Resolve of Assembly</td>
<td>2070 16 0</td>
</tr>
<tr>
<td>In old Continental Dollar Bills</td>
<td>24 12 0</td>
</tr>
<tr>
<td>In State Dollar Bills</td>
<td>2669 4 0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>£46076 6 3</strong></td>
</tr>
</tbody>
</table>

Your Committee from the best information they can possibly get are fully convinced that in the life-time of the said Rounsavall he did collect on such certificates as were receivable by law for public taxes the sum of £22168 6 4. And his Commissions on £61,684 3 4d. the whole public tax at 2 per cent. 1542 1 2. Which added to the payments made by the Memorialist as above, makes 69786 13 9. Which makes a balance in favor of the Memorialist of 8102 5 5. Which sum is reduced by the scale of depreciation at the time the 18—7.
taxes became due, your Committee recommend be allowed her, amounting to two hundred and fifty-three pounds three shillings and ten pence specie. All which is submitted.

JOHN MACON, Ch.

The House, taking this report into consideration, resolved that they do concur therewith, and ordered that it be sent to the House of Commons.

Received from the House of Commons the Memorial of William England. Endorsed, "read and referred to Messrs. Blount, Mac- laine, Winslow, Perkins and Polk." Which, being read, was referred to Messrs. Mooring, Wynns, and General Ramsey, & returned.

Received likewise the resignation of William Avera as one of the Justices of the Peace for the County of Johnston. Endorsed, "read and accepted." Which, being read, was accepted and returned.

Received also the Petition of John Beard. Endorsed, "read and referred to the Committee on Memorials and Petitions." Which, being read, was referred in like manner and returned.

General McDowell presented the Petition of the Inhabitants of the Three Creeks, in Burke County, which was read, referred to a special Committee and sent to the House of Commons. The members chosen: Messrs. Griffin, Brown, General Gregory and General McDowell.

Received from the House of Commons the Memorial of John B. Ashe and James Gray, Esquires, as Guardians of McKinne Sumner and Jackie S. Sumner, Orphans of the late Brigadier Genl. Sumner, of the Continental line of this State. Endorsed, "read and referred to Messrs. McDowell and Blount." Which, being read, was referred to Messrs. Bledsoe and Martin, and returned.

Received likewise the resolution of this House of the 13th Instant entered into in consequence of the report of the Committee to whom was referred the Impeachment made by Mr. Thomas Brickell against certain Justices of Franklin County. Endorsed in the House of Commons, "read and concurred with."

Mr. Tipton delivered in the following report, to-wit:

The report of the Committee of Memorials and Petitions on the Memorial of John Justice, Executor of the late Col. James Allen:

Your Committee, taking this Memorial into consideration, are of
opinion that the orphans of Colonel Allen are entitled to every
Indulgence that can be granted them with propriety; but, as the
Committee are not possessed of sufficient Vouchers to authorize them
to grant the prayer of the petition, they have thought proper to
recommend it to the General Assembly to order the Treasurer to
deer proceeding any further in the suit commenced against the
estate of the said deceased, until he shall have further Instructions
on this Subject.

All which is submitted.

JOHN TIPTON, Ch.

The House, taking this report into consideration, resolved that
they do concur therewith, and ordered that it be sent to the House
of Commons.

Read the Petition of sundry of the Inhabitants of Orange and the
adjacent Counties in favor of John Kimbrough; whereupon, resolved
that John Kimbrough, now confined in the jail of Hillsborough
District, pursuant to a decree and sentence had against him in the
Superior Court of law and equity for the District aforesaid, be
released and set free from any further confinement.

Resolved, further, That in consideration of the distressed situa-
tion to which the wife and children of the said Kimbrough would
be reduced by the carrying the sentence aforesaid into Execution,
the said John Kimbrough be and he is hereby exonerated and for-
ever discharged from the Forfeiture of the one-half of his estate, as
incurred by the sentence aforesaid, or of any part thereof other than
the accustomed and lawful fees for which he may be in arrears in
consequence of his Trial and confinement aforesaid.

Sent for concurrence.

Adjourned 'til tomorrow morning 10 O'clock.

Saturday, December 16th, 1786.

The House met.

Ordered that the following message be sent to the House of Com-
mons:

Mr. Speaker and Gentlemen:

Thro' the hurry of business a message was yesterday sent you (in
consequence of your resolution of the 14th Instant declaring that no
private bill, memorial or petition should be received after Monday.
next), not expressive of the sense of this House; you will therefore
consider it as having been the intention of the Senate by that message to inform you that they consented to continue the daily business of the session by Candle Light, but could not agree with you in declining to receive bills, petitions, &c., after Monday next.

Mr. Tipton delivered in the following report, vizt.:

The Committee of Memorials and Petitions, to whom was referred the Petition of Colonel Benjamin Exum, setting forth that he paid certain Volunteers from Wayne County in the year 1780, and that he lost the receipt for the same in the defeat of General Gates, report—

That it appears to your Committee by the affidavits of Mr. Glasgow and Colonel Mooring that Colonel Exum did actually pay off the Volunteers aforesaid, and that they verily believe to the amount of Three thousand four hundred & forty pounds State Currency.

Your Committee therefore recommend that Colonel Exum be released from the payment of that sum and the costs of the suit commenced for the same by the Treasurer of this State.

JOHN TIPTON, Ch.

The House, taking this report into consideration, resolved that they concur therewith, and ordered that it be sent to the House of Commons.

Received from the House of Commons the resolution of this House of yesterday in favor of William Watts, deceased. Endorsed in that House, "read and concurred with."

Mr. Lewis presented the Petition of William Jones which being read, was referred to a special Committee & sent to the House of Commons. The members chosen on the part of this House were Messrs. Lewis & Moore.

Mr. Lewis also presented the Memorial of George Laine Moore, which being read, was referred to the Committee appointed on the petition of William Jones, & sent to the House of Commons.

Mr. Harget delivered in the following report, vizt.:

The Committee to whom was recommitted their report in favor of Mr. Matthew McClure for a draft on the public Treasury for four hundred pounds, reconsidered the same. Report—

That it is their opinion that the said Matthew McClure be advanced by the Treasurer the sum of four hundred pounds on loan, he holding the Comptroller's certificate now in his possession
for one thousand seven hundred and thirty-three pounds as security for the same, until a final settlement is made by the United States in Congress respecting the premises.

All which is submitted.

FREDERICK HARGET, Ch.

The House, taking this report into consideration, resolved that they concur therewith, and ordered that it be sent to the House of Commons.

Received from the House of Commons the report of the Committee on the Memorial of Wm. Armstrong. Endorsed, "read and concurred with."

Received likewise the bill for dividing the County of Bladen. Endorsed in the House of Commons, "read the second time and passed."

Ordered that this bill be read, which, being read, was passed the third time and returned.

Received also the report of the Committee of Memorials and Petitions on the Petition of Benjamin Exum, Esquire. Endorsed in the House of Commons, "read and concurred with."

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

Mr. Speaker and Gentlemen:

We propose that the General Assembly ballot this evening at the time already appointed for a Governor of this State, and the place where the next Assembly shall be held, but that the Election of Delegates to represent this State in Congress, be deferred to a future day.

Received from the House of Commons a resolution of that body allowing certain persons therein named, the sum opposite their names for their services in taking and assisting the sheriff of Dobbs County, in bringing to this place sundry persons now confined as State Prisoners, which, being read, was concurred with and returned.

Received likewise the Petition of Timothy Riggs. Endorsed in the House of Commons, "read and referred to Messrs. Phifer, Bloodworth, Polk and Lewis."

Received also, the Bill to amend an act for dividing Guilford
County. Endorsed in the House of Commons, "read the third time & passed."

Ordered that this Bill be read, which, being read, was passed the third time and ordered to be Engrossed.

Received from the House of Commons the Bill for adding part of Wake County to Franklin County. Endorsed, "read the second time & passed."

Ordered that this bill be read, which, being read, was passed the second time & returned.

On motion, ordered that Mr. Macon and Mr. Gallaway be appointed on the part of this House to cause to be burned and destroyed, all such sums of old State Dollar Money as may be delivered in to this Assembly; and that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The Senate have appointed Mr. Macon and Mr. Gallaway, who will act jointly with such Gentlemen of your Body as may be appointed to cause to be burned and destroyed, all such sums of old State Dollar Money as may be delivered in to this Assembly during the present session, and make report of their proceedings herein to the General Assembly.

Received from the House of Commons the resolution of this House of yesterday directing Colonel Thomas Armstrong to take into his possession sundry Horses and other property belonging to Nathan Lassiter and Simon Totevine. Endorsed in that House "read and concurred with."

Received likewise the Memorial of the Executors of General Davidson, the Claim of Thomas Wright, Sheriff of New Hanover, and the Petition of a number of the Inhabitants of Randolph County in favor of Joseph Clark. Each endorsed in the House of Commons, "read and referred as by the Senate."

Received also, the claim and certificate of Samuel Cross. Endorsed in the House of Commons, "read and referred to Messrs. McDowell, Franklin, Phifer, McKissick, Pearson and I. Stewart."

Received from the House of Commons the Petition of part of the Inhabitants of the Three Creeks in Burke County. Endorsed, "read and referred to Messrs. McDowell, Sloan, Franklin, Bloodworth & Phillips."
Mr. Campbell presented the petition of George Mitchell, Esquire, which, being read, was referred to a special Committee. The members chosen on the part of this House were Messrs. Armstrong, Eaton and Campbell.

Received from the House of Commons sundry resolutions of that Body of this date, expressive of the approbation of the conduct and high sense this Assembly entertain of the exertions made by His Excellency the Governor, for effectually carrying into execution the Resolutions of the General Assembly of the 24th Ulto., relative to sundry persons accused of passing fraudulent accounts in the Office of the Commissioners for settling Army accounts and thereby drawing monies from the public Treasury; which, being read, were unanimously concurred with and returned.

Whereupon, ordered that Mr. Brown and Mr. Wynns on the part of this House attend and present His Excellency with a copy of the same and that the House of Commons have notice of the order by this following message, vizt.:

Mr. Speaker and Gentlemen:

The Senate have received and concurred with the resolutions of your Body of this day, expressive of the high sense the General Assembly entertain of the exertions made by His Excellency the Governor for effectually carrying into execution the Resolutions of the Legislature of the 24th Ulto., relative to sundry persons accused of passing fraudulent accounts, &c., and have appointed Mr. Brown and Mr. Wynns on their part to attend and present him therewith.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have received and considered the message of yours proposing to postpone balloting for Delegates to represent this State in Congress, with which we do not agree.

Mr. Speaker and Gentlemen:

We propose that Mr. Polk and Mr. Neale be readded to the Committee to examine the prisoners; we have also appointed them to superintend the balloting for the officers to be elected this Evening.
The foregoing being read, it was ordered that the following message be sent to the House of Commons, to-wit:

Mr. Speaker and Gentlemen:

The Senate approve of the addition by you made to the Committee appointed to examine the State Prisoners.

Received from the House of Commons the Representation of Captain Robert Fenner. Endorsed "read and referred to Messrs. John Blount, P. Hawkins and Davie," which, being read, was referred to Mr. Stokes and Mr. Lewis and returned.

Received likewise the Petition of James Ransome and Young McLemore. Endorsed in the House of Commons, "read and referred to the Committee of Memorials and Petitions," which, being read, was referred in like manner and returned.

Mr. Stokes presented the Petition of Thomas Frohock, Esquire, which was read, referred to the Committee on Memorials and Petitions and sent to the House of Commons.

Received from the House of Commons the Petition of Daniel Buie. Endorsed, "read and referred to the Committee on Petitions and Memorials," which, being read, was referred in like manner and returned.

Received likewise the bill to annex a part of the County of Granville to Warren. Endorsed in the House of Commons, "read the second time and passed."

Ordered that this Bill be read, which being read, was passed the second time & returned.

Received also, a resolution of the House of Commons appointing Mr. William White in addition to the Engrossing Clerks already appointed, and declaring that Mr. Joshua Winslow shall be paid for such bills as he may draw during the session, which, being read, was rejected.

Received from the House of Commons a bill for the better regulation of the town of Hillsborough. Endorsed, "read the first time and passed."

Ordered that this Bill be read; which, being read, was passed the first time and returned.

Received likewise the report of the Committee of Claims on the Memorial of William Wood. Endorsed in the House of Commons, "read and concurred with," which being read, was concurred with and returned.
STATE RECORDS.

Received also, the report of the Committee to whom was referred the Memorial of Mrs. Sarah Rounsavall. Endorsed in the House of Commons, "read and concurred with."

Mr. Brown presented the Memorial of Mr. Joseph Cain, which, being read, was referred to the Committee to whom was referred the Copy of the accounts of Green Hill, late Treasurer of Halifax District, and sent to the House of Commons.

Received from the House of Commons the report of the Committee on the Memorial of Mr. John Justice, and

The report on the petition of William Kirkpatrick. Respectively endorsed in the House of Commons, "read and concurred with."

Pursuant to the Resolution of the General Assembly of yesterday, the Honorable Timothy Bloodworth and James White, Esquires, two of the delegates from this State in Congress delivered in to the Chair, papers relative to the proceedings of that Body; which, being read, were sent to the House of Commons;

Whereupon, on motion of Mr. Macon, seconded by Mr. Gillispie, Resolved, That the Honorable the Speaker of this House be requested to offer the thanks thereof to the Honorable Timothy Bloodworth and James White, Esquires, for the faithful and diligent services as Delegates from this State in Congress during their late Tour.

Mr. Speaker accordingly arose, and addressing Mr. Bloodworth and Mr. White, delivered to them from the Chair the sense of the House as above expressed.

Adjourned 'til 3 of the clock, P. M.

Met according to adjournment.

On motion, ordered that Messrs. Macon and Lewis on the part of this House superintend the ballotting now to be had for a Governor of this State, Delegates to represent this State in Congress, and for the place where the next Assembly shall be held.

The House now proceeded to the Conference Room in order to ballot; which, being ended, Messrs. Macon and Lewis, appointed on the part of this House to superintend the same, reported—

That having executed the business of their appointment, on numbering the Scrolls or Ballots, it appeared that the Honorable Richard Caswell, Esquire, was elected Governor for the ensuing year by a very large majority of the votes of the General Assembly.
That James White, Alexander Martin, John B. Ashe, Timothy Bloodworth, Benjamin Hawkins, and Thomas Polk, Esquires, were elected delegates to represent this State in Congress; and,
That there was not a majority of the votes of the General Assembly in favor of any place for holding the next Assembly.
The House, taking this report into consideration resolved that they do concur therewith.
Adjourned till Monday morning 10 O' clock.
Monday, December 18th, 1786.
The House met.
Received from the House of Commons the Petition of William Jones. Endorsed, "read & referred to Messrs. Yancey and Hawkins."
Received likewise the Memorial of George Laine Moore. Endorsed in the House of Commons, "read and referred as by the Senate."
Received also the Bill to extend two acts passed the last General Assembly held at New Bern, concerning the County Wardens of the Poor and Tobacco Inspection to the Counties herein mentioned. Endorsed in the House of Commons, "read the first time & passed."
Ordered that this Bill be read, which being read, was amended, passed the second time and sent to the House of Commons.
Mr. Hines moved for leave and presented a Bill to repeal part of an act passed at New Bern the 29th day of December, 1785, entitled an Act for destroying Wolves, Wild Cats, Panthers, Bears, Crows and Squirrels in the several Counties therein mentioned, which was read the first time, passed and sent to the House of Commons.
General Rutherford presented the Memorial of Robert Bogle, which was read, referred to the Committee of Petitions and Memorials and sent to the House of Commons.
Received from the House of Commons the report of the Committee to whom were referred the Petition of George Lewis and William Price. Endorsed in that House, "read and concurred with." Which, being read, was concurred with and returned.
Received at the same time, and together with the report aforesaid, a resolution of the House of Commons consequent thereon, allowing the said George Lewis and the male heirs of the said William Price, Lands as therein mentioned, which being read, was also concurred with and returned.
Mr. Tipton delivered in the following report, vizt.:

The Committee of Memorials and Petitions, to whom was referred
the Petition of John Hinton, setting forth that he had his house
consumed by fire in March last, in which was burned specie and
County Commissioners' certificates to the amount of six hundred
and forty pounds, and also eight pounds in money of the emission
of May, 1783, Report—

That it is their opinion that the said John Hinton be allowed a
certificate having date in September, 1782, as it appears to your
Committee that those burned were dated about that time; and also
that he be allowed the sum of eight pounds in the money part of
his taxes in his settlement with the sheriff or collector for the County
of Wake, wherein he resides.

JOHN TIPTON, Ch.

The House, taking this report into consideration, resolved that
they do concur therewith, and ordered that it be sent to the House
of Commons.

Mr. Tipton likewise delivered in the following report, vizt.:

The Committee of Memorials and Petitions, to whom was referred
the Memorial of John Graham, setting forth that he was two months
employed as a surgeon in the hospital at Charlotte, for which he has
received no recompense, report—

That they do not think themselves justifiable in making any
allowance for such service, as they have no vouchers before them to
prove what pay Mr. Graham was entitled to, by what authority he
acted or whether he hath not already received an allowance by the
Hands of the continental surgeon who employed him; they are
therefore of opinion that the said Memorial be rejected.

JOHN TIPTON, Ch.

The House, taking this report into consideration, resolved that
they do concur therewith, and ordered that it be sent to the House
of Commons.

Mr. Tipton also delivered in a report of the Committee of Memori-
als and Petitions on the Petition of sundry persons in favor of
Thomas Nethery and Ambrose Carton, who stand indicted in the
Superior Court of Morgan District for the Murder of a certain James
Smith; which report being read, was rejected.
Mr. Macon moved for leave and presented a Bill for destroying Wolves, Wild Cats, Panthers, Bears, Crows and Squirrels in the several Counties therein mentioned, which was read, passed the first time & sent to the House of Commons.

Received from the House of Commons a resolution of that Body requesting His Excellency the Governor to direct the Honorable Robert Burton & Nathaniel Macon, Esquires, to proceed immediately and take their seats in Congress, which was read, concurred with and returned.

General Rutherford presented an acct. of Mr. Hugh Torrence's, which was read, referred to a special Committee, and sent to the House of Commons. The members chosen on the part of this House were General Ramsey, Messrs. McCawley and Brown.

On motion of General Rutherford, it was ordered that the following message be sent to the House of Commons, vizt.:

Mr. Speaker and Gentlemen:

We propose that the Petition of William Graves & Elijah Hunter, which at present stands referred to the Grand Committee, be withdrawn from them and referred to the Committee of Propositions and Grievances.

Received from the House of Commons the following report, vizt.:

Your Committee appointed to examine the State prisoners and take the depositions of Witnesses against them, report—

That it appears by the deposition of Hardy Robertson that Thos. Butcher and John Sheppard had drawn the sum of £186 12 6d in his name; that although he had never served in the army, he thought proper to call on them for the money drawn in his name; that Sheppard acknowledged the fact and promised to settle with him; which, with other Circumstances, will appear by the deposition marked No. 2.

The Depositions of John Brown, Mann Phillips and William Johnston, marked No. 3, 5, 6, added to the charges against John Sheppard, William Faircloth, and others, and by which it appears that the said Phillips had been generally employed in making out accounts & Orders.

The Depositions marked 1, 4, 7, 8, 10, contain additional charges against Price, Faircloth and others, already committed.

It appears to your Committee, on examining Col. Mitchell, Messrs.
Williams and Mann Phillips, that the report with respect to blank warrants issued from Mr. Glasgow's office was illy founded, and refer the House to the Depositions marked 9, 11, 3.

It appears to your Committee on the examination of General James Armstrong, that John Bonds, Esquire, a member of this House, had illegally drawn the due Bill and Certificate of a certain James Crenor, a twelve months' soldier, out of the office of the Commissioners of Army Accounts; that he denied the above fact to General Armstrong at New Bern Assembly, 1785, and afterwards confessed it by a Letter to one David Perkins; a conduct apparently on a line with the other frauds committed on individuals and which your Committee think highly reprehensible; for the several circumstances your Committee refer to the Deposition No. 12, and the Letter annexed.

S. CABARRUS.
F. HARGET.
JA. MARTIN.
JAMES GILLISPIE.

Endorsed in the House of Commons, "read and concurred with."
Which, being read, was concurred with & returned.

Mr. Herritage delivered in the following report, vizt.:

Your Committee to whom was referred the papers of John Beck, of Wayne County, purporting the loss of a Mare while in public service, after examining the premises, are of opinion that the said mare, the property of the said John Beck, was, while in public service, actually disabled in such manner as to render her entirely useless, and that she was worth thirty pounds; therefore, recommend that the Treasurer be directed to pay the same, and shall be allowed in the settlement of his public accounts.

JOHN HERRITAGE, Ch.

The House, taking this report into consideration, resolved that they do concur therewith, and ordered that it be sent to the House of Commons.

Mr. Tipton delivered in the following report, to-wit:

Your Committee of Memorials and Petitions, to whom was referred the Petition of William Ledford, praying to be released
from an execution against him for non-attendance as a Juror at Salisbury Superior Court, report—

That it is the opinion of your Committee that the said William Ledford be released from the fine aforesaid and the costs of the same, as it appears to your Committee that he was not able to walk at the time he should have attended.

All which is submitted.

JOHN TIPTON, Ch.

The House, taking this report into consideration, resolved that they do concur therewith, and ordered that it be sent to the House of Commons.

Received from the House of Commons the report of the Committee to whom was referred the representation of Captain Robert Fennner as Agent for the late North Carolina line, and which report was laid over until this day; which, being now read pursuant to the determination of this House of Saturday last, was rejected; whereupon, ordered that the following message be sent to the House of Commons, vizt.:

Mr. Speaker and Gentlemen:

The Senate have received and rejected the report of the Committee to whom was referred the Representation of Captain Robert Fennner, Agent for the late North Carolina Line, and now propose that Captain Fennner's papers as agent aforesaid be submitted to the consideration of a special Committee, who shall report what allowance in their opinion Captain Fennner shall be considered as justly entitled to in consequence of his appointment as agent pursuant to a Resolution of Congress; and who shall also report such further measures as they deem necessary relative to the certificates of which Captain Fennner as agent has taken charges; for which purpose we have on our part appointed Messrs. Gallaway, Stokes, McCawley and Brown a committee.

Mr. Tipton delivered in the following report, to-wit:

The Committee of Memorials and Petitions, to whom was referred the Petition of James Christian, setting forth that he was a soldier in the continental line of this State, and was wounded in the service, and that he obtained a discharge, which was delivered by Col. Luttrell to one of the clerks of the General Assembly, and which has been lost or mislaid, report—

That it is their opinion, that the certificate of Captain Matthew
Ramsey with whom the said Christian enlisted, shall be a sufficient voucher to entitle him to receive his pay from the Commissioners hereafter to be appointed for the settlement of Army Accounts, as also to entitle the said Christian to such relief as by the laws of this State is provided for disabled Soldiers.

JOHN TIPTON, Ch.

The House taking the foregoing report into consideration resolved, that they do concur therewith and ordered that it be sent to the House of Commons.

Mr. Gillispie presented the petition of Mr. Benjamin Sheppard, which, being read, was ordered to lie on the table 'til Wednesday next and then be taken up and considered.

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

General Rutherford presented the Memorial of James McDonald, which, being read, was referred to the Committee of Petitions & Memorials & sent to the House of Commons.

Received from the House of Commons a bill for the promotion of learning in the County of Chatham. Endorsed, "read the first time and passed."

Ordered that this Bill be read, which, being read, was passed the second time and returned.

On motion of Mr. Stokes, seconded by Mr. Gallaway,

Resolved, That the sub-Committee to whom was referred the papers on Indian affairs be dissolved, and that a special Committee be appointed, whose duty it shall be to form a Resolve, expressive of the sense of the Legislature relative to the late Cherokee and Choctaw treaties, held at Hopewell by the Commissioners of Plenipotentiaries of the United States in Congress; and to form & report a state of the costs, charges & disposition of the goods intended as a present for the Indians by this State; and who shall also report such measure as they may deem necessary to be adopted in consequence of the said treaty & intended compensation or present, not having taken place on the part of the State.

Resolved further, that on the part of this House Messrs. Stokes, Stone, Gallaway, Martin & Lewis be a Committee for the purposes aforesaid.

Sent for concurrence.
Received from the House of Commons the account of Mr. Hugh Torrence. Endorsed, "read and referred to Messrs. Frohock, Carson & Winslow."

Mr. Gillispie moved for leave and presented a bill to vest in Trustees certain powers for the benefit of Elizabeth Torrens and her children; which, was read the first time, passed and sent to the House of Commons.

General McDowell moved for leave and presented a Bill to alter the place of holding the Superior Court of the District of Morgan, which was read, passed the first time and sent to the House of Commons.

Mr. Hill moved for leave and presented a Bill to amend an Act entitled "an act to empower the County Courts of Pleas and Quarter Sessions of the several Counties in this State to order the laying out public roads and to establish and settle Ferries and to appoint where bridges shall be built and to clear Inland Rivers and Creeks," which, was read the first time, passed and sent to the House of Commons.

Mr. Hill also, moved for leave and presented a Bill to empower the executors of William Hill, deceased, late Commissioner of Franklin County to carry into effect, as far as relates to the County of Franklin an act passed at Hillsborough in the year 1784, entitled an act to authorize Richmond Pearson to collect the specific tax which remains due from the Inhabitants of the County of Rowan for the year 1781 and also, the Commissioners of Franklin County to collect the arrears of taxes of said County for the years 1780, 1781 and 1782, which, was read the first time, passed and sent to the House of Commons.

General Rutherford moved for leave and presented a bill to make provision to conciliate the minds of the Inhabitants of the Counties of Washington, Sullivan and Greene; which, was read the first time and rejected.

Received from the House of Commons the Bill to annex part of the County of Granville to Warren. Endorsed, "read the third time, amended and passed."

Ordered that this bill be read; which, being read, was passed the third time and ordered to be engrossed.

Received likewise the Bill to establish a Fund for the support of
the Academy of Hillsborough. Endorsed in the House of Commons, "read the second time, amended and passed."

Ordered that this Bill be read, which being read the second time, was rejected.

Pursuant to the Order of the day, the bill for the better and more punctual payment of the salaries of the delegates in Congress; and

The Bill to amend an act entitled "an act for the relief of such persons who have suffered or may suffer by their grants, Deeds & Mesne Conveyances not being proved and registered within the time heretofore appointed by law;" and also to amend an act entitled "an act for raising a public revenue for the support of Government;" and to repeal an act entitled "an act to suppress excessive Gaming," were respectively read and rejected.

Received from the House of Commons the Bill to compel certain officers therein mentioned to publish the application of the public monies and allowances for insolvents. Endorsed, "read the third time & passed."

Ordered that this Bill be read, which being read was passed the third time and ordered to be engrossed.

Received from the House of Commons the report of the Committee to whom was recommitted their report on the petition of Mr. Matthew McClure. Endorsed, "read and concurred with;" whereupon,

Resolved, That the public Treasurer be and he is hereby required to advance on loan to Mr. Matthew McClure the sum of four hundred pounds, currency, on the terms directed by Report of a Committee, concurred with by both Houses, any Injunctions laid on him by this Assembly to the contrary notwithstanding, and for his so doing this shall be a sufficient warrant.

Sent for concurrence.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that two Delegates, to represent this State in Congress for the current year—the one to supply the place of the Honorable Absar Nash, Esquire, lately deceased; the other instead of the Honorable Charles Johnson, Esquire, resigned, be ballotted for at four o'clock this evening. Also at the same time that we ballot for the place of holding the next General Assembly, and for a Council of 18—8
State. We nominate Benjamin Hawkins, Stephen Moore, William Walters, Alexander Martin, and John Steele, Esquires, for Delegates; and John Barker, Joseph Green, John Hawks, Spyers Singleton, Thomas Routledge, Dr. William McClure, Robert Bignall, James Gillispie, Frederick Harget, Joseph McDowell, Dr. Miles King, Dr. Isaac Guion, James Sampson, Dr. Boyd, Joseph Leach, John Wright Stanley, John Nelson, and General Rutherford, Esquires, for Councillors of State. And have appointed Col. Polk & Mr. Neale to superintend the balloting on the part of this House.

The foregoing being read it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We consent to ballot as by you proposed at 4 of the clock this evening, and propose that the superintendents appointed on this behalf attend and receive the votes of the members of each House separately and without convening the whole in one room. Messrs. Macon and Lewis will on the part of this House superintend the balloting. We nominate for the place of holding the next Assembly the Towns of Warrenton, Fayetteville, Tarborough and New Bern.

Adjourned 'til 4 O'clock P. M.

Met according to agreement.

The inspectors of the poll for the balloting this evening to be had now attended and received the Ballots of the members of the Senate.

Received from the House of Commons the following Bills, to-wit:

A Bill prescribing the method of admitting attorneys to practice in this State and ascertaining how they shall be tried for misbehavior.

A Bill directing the mode of proceeding upon Impeachments.

A Bill to amend an act entitled an act to empower the County Court of Pleas and Quarter Sessions in the several Counties in this State, to order the laying out public roads and to establish and settle Ferries, and to appoint where bridges shall be built and to clear inland Rivers and Creeks.

A Bill to empower the several County Courts therein mentioned to lay a Tax annually for the purpose of erecting or repairing the Court House, Prison and Stocks in each County, when necessary, and for defraying the contingent charges of the County.
A Bill for amending an act entitled “an act for emitting one hundred thousand pounds for the purposes therein mentioned;” and for appropriating the tobacco lately purchased by the Commissioners to discharge the interest of this State’s quota of the Foreign debt, and for making effectual Provision for the future discharge of this State’s quota of the principal and interest of the foreign debt.

A Bill to invest the title of a certain tract of land therein mentioned in Jeremiah and Robert Field, sons of William Field; and

A Bill for raising money by a lottery, for the purpose of building a House for the reception of the poor in Craven County.

Respectively endorsed in the House of Commons, “read the first time and passed.”

Ordered that these Bills be read, which being read were each of them passed the first time and returned.

Received likewise the bill to alter the time of holding the County Court of Pleas & Quarter Sessions in the County of Mecklenburg.

The Bill for improving the navigation to New Bern.

The additional Bill to an act entitled “an act for the regulation of the town of New Bern, and for other purposes; and,

The Bill for altering the manner of holding the annual elections for the County of Hyde.

Each endorsed in the House of Commons, “read the second time and passed.”

Ordered that these Bills be read, which being read, were respectively passed the second time and returned.

Received also the Bill to establish a public Inspection of tobacco in the Town of Salisbury, in Rowan County; and,

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

Each endorsed in the House of Commons, “read the third time and passed.”

Ordered that these Bills be read, which, being read, were respectively passed the third time and ordered to be Engrossed.

Received from the House of Commons a bill to authorize and empower the County Commissioners in the several Counties in this State to collect the arrears of specific taxes for the years 1780, 1781 and 1782; and,

A Bill declaring in what manner and for what limited times Foreigners to whom real Estates may have descended, or may hereafter descend, shall hold and enjoy the same.
Each endorsed, "read the first time and passed."

Ordered that these Bills be read, which being read, were rejected.

Received likewise the petition of Gilbert Clark, John Smith, Archd. McNeil, Hugh Ray & John Maclaine. Endorsed, "read and referred to the Committee of Memorials and Petitions." Which, being read, was referred in like manner and returned.

Received also the Petition of John Ray, the Petition of Burwell Stricklin, and a second Petition of John Ray. Each endorsed in the House of Commons, "referred to the Committee of Claims." Which, being read, was referred in like manner and returned.

Received from the House of Commons the Bill to erect and establish an Academy in the County of Franklin. Endorsed, "read the second time & passed."

Ordered that these Bills be read, which being read, were passed the third time and returned.

Received likewise the report of the Committee to whom was referred the Representation and Petition of Reuben Searcey. Endorsed in the House of Commons, "read and ordered to lie over 'til the next Assembly." Which, being read, was laid over in like manner and returned.

Received also the report of the Committee to whom was referred the petition of John Ramsey. Endorsed in the House of Commons, "read and concurred with." Which, being read, was concurred with and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that the Committee appointed to examine the prisoners, &c., and the sub-Committee No. 4, be directed to make report to-morrow.

The foregoing being read, it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We do not agree that the Committee for examining Prisoners, &c., and the sub-committee No. 4, be directed to report at the time by you proposed.

Mr. Harris moved for leave and presented a Bill to direct the Commissioners appointed to sell confiscated property to collect the debts due to confiscated estates, and enable certain persons therein
described to obtain titles for their Lands; which was read the first time, passed and sent to the House of Commons.

Mr. Bledsoe moved for leave and presented a Bill for removing the place of holding Courts in the County of Sullivan, which was read the first time, passed and sent to the House of Commons.

Mr. Whiteside moved for leave and presented a Bill for establishing the dividing line between the Counties of Burke and Rutherford, which was read the first time, passed and sent to the House of Commons.

Mr. Herritage moved for leave and presented a Bill for adding part of Craven County to Dobbs County, which was read the first time, passed and sent to the House of Commons.

Mr. Macon and Mr. Lewis appointed on the part of this House to superintend the balloting this evening to be had, returned and reported as follows, to-wit:

That having executed the business of their appointment on numbering the ballots or scrolls, it appeared that Benjamin Hawkins, Esquire, was chosen Delegate to supply for the remainder of the present year one of the two places now vacant in Congress as to a representation from this State; that Frederick Harget, Joseph Leech, Joseph Green and John Hawks were elected as four of the Council of State, and that the other appointments balloted for are yet to be made, this Balloting having failed to decide on any of them. This report being read was concurred with.

Adjourned 'til to-morrow 10 O'clock.

Tuesday, December 19th, 1786.

The House met.

Received from the House of Commons the bill to establish the late survey and plan of the town of Tarborough, as made and laid down by the direction of the Commissioners composing the Body politic and corporate of the said town, and to amend an act entitled "an act for the better regulation of the town of Tarborough." Endorsed "read the second time, amended and passed."

Ordered that this Bill be read, which being read, was amended, passed the second time and returned.

Received likewise the bill for erecting an Academy at the town of Warrenton in the District of Halifax. Endorsed "read the second time, amended and passed."
Ordered that this bill be read, which, being read, was amended, passed the third time and sent to the House of Commons.

General McDowall moved for leave and presented a bill for the more expeditious recovery of stolen Horses; which was read, passed the first time and sent to the House of Commons.

Mr. Lewis delivered the following report, viz:

The Committee to whom was referred the Petition of William Jones and George Laine Moore, report—

That they have taken the same under their consideration and are of opinion that the prayer of the petitioners ought to be granted, and a law passed for the same.

All which is submitted.

HOWELL LEWIS, Ch.

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

Mr. Lewis moved for leave and presented agreeably to the said Report "a bill for the relief of George Laine Moore and William Jones," which, was read, passed the first time and sent to the House of Commons.

Mr. Gallaway agreeably to order delivered in the Bill to prevent the appointing too great a number of Justices of the Peace and to compel the clerks of the several County Courts in this State to make return as therein directed, which being read and debated, it was on motion of Mr. Gillispie ordered, that he have leave to take out and amend the same.

Mr. Herndon the member for the County of Wilkes appeared, presented his certificate, was qualified agreeably to law & took his Seat.

Mr. Brown delivered in the following report, to-wit:

Your Committee to whom was referred the Petition of Hugh Torrence, Sheriff for Rowan County, for expenses for himself and guard to carry a certain William Turner, charged with murder, to the district Jail of Wilmington by order of the Superior Court of Law and Equity, for the District of Salisbury, beg leave to report—

That it appears to your Committee that Mr. Torrence actually advanced out of his own Money for the expence of the guard as per receipts filed, the sum of £35 14 2d, and that the said sheriff and three of his men have been on actual service twenty-two days to this
place, for which we allow six shillings per day for man and Horse, amounting to the sum of twenty-six pounds eight shillings (£26 8/0d) and one of his men who served twelve days at six shillings per day amounting to three pounds twelve shillings (£3 12/0d), and hath allowed the said sheriff and four men four days to return to Salisbury, for which we allow the sum of twelve shillings per day amounting to the sum of £12 /0 0d with an addition to the sheriff for extra service of one pound (£1 /0 0d), and as for the Irons charged in the account for the use of the jail, we consider it a distinct charge and cannot allow it. And that a resolution be directed to the Treasurer to discharge the same. All which is submitted.

THOMAS BROWN, Ch.

The House taking this report into consideration concurred therewith and ordered that it be sent to the House of Commons.

Mr. Macon delivered in the following report, to-wit:

The Committee to whom was referred the Memorial of Thomas Harris, setting forth that he was appointed Sheriff of Mecklenburgh County, for the year 1782, and that he was also obliged to make the collection for the two preceding years, for which collection he hath not been able to obtain a settlement, owing to the death of the district Treasurer with whom he should have settled, report—

That they find from the return of the Clerk of Mecklenburgh Court that the whole of the taxes for the years 1780 and 1781 amount to three hundred and eighty-one thousand three hundred and forty-seven pounds (£381,347 /0 0d). And your Committee find that the said taxes have been collected in the following manner, to-wit:

In continental Dollar bills received by this Committee .......................................................... £113,294 /16 0
In State dollar bills received by ditto .......................................................... 182,046 16 0
In currency certificates received by ditto .......................................................... 64,306 6 0
In specie certificates, at 800 for one, rec'd ditto .......................................................... 51,501 0 0
Delinquents for 1780 & 1781, per blk. return .......................................................... 1,130 15 0
Commissions on £381,347 at 5 per cent .......................................................... 19,087 7 0

Which make in all the whole tax .......................................................... £381,347 /0 0

Your Committee also find the taxes for the said County of Mecklenburg for the year 1782 amounts to eight hundred & five pounds
twelve shillings (£805 /12 0) specie, and the same has been collected in the following manner, to-wit:

In clothing certificates, payable by a resolve of the General Assembly ........................................ £522 / 7 10
In specifics, per the succeeding sheriff's Rect .................. 37 7 0
Delinquents per Clerk's return .................................................. 32 14 0
Commissions on £805 /12 0 at 5 per cent ......................... 40 5 6

£632/14 4

The Balance then due the State will be, in Certificates or Indents payable by law ............... £172/17 8

Which your Committee recommend be paid into the hands of the Treasurer.
Submitted to the General Assembly.

JOHN MACON, Ch.

The House, taking this report into consideration, concurred therewith, and ordered that it be sent to the House of Commons.

Received from the House of Commons a Bill to amend and alter the Court System. Endorsed, "read the first time and passed."

Ordered that this bill be read, which, being read, was passed the first time and returned.

Mr. Hill moved for leave and presented a bill to adopt a mode whereby each County shall defray the expense of their own members in the General Assembly of this State, which was read the first time, passed and sent to the House of Commons.

General Rutherford moved for leave and presented a bill to prevent the selling of Goods, Wares or Merchandise for hard money only, and to prevent the depreciation of the paper currency, which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a supplementary bill to an act entitled "an act concerning providing wills and granting Letters of administration, and to prevent fraud in the management of intestate estates. Endorsed, "read the first time and passed.

Ordered that this Bill be read, which, being read the first time, was rejected.

Received likewise the Resolution of this House of yesterday in
favor of Mr. Matthew McClure. Endorsed in the House of Commons, "read and concurred with."

Received also a bill for establishing a town on the land of Robert Burton, Esquire, in the County of Granville. Endorsed, "read the third time, amended and passed."

Ordered that this Bill be read, which, being read, was passed the third time and ordered to be Engrossed.

On motion of Mr. Harget, seconded by Mr. Gillispie, Resolved, That Generals Rutherford and Gregory be added to the Secret Committee, and that the Commons have notice thereof by the following message:

Mr. Speaker and Gentlemen:

The Senate have added General Rutherford and General Gregory to the Committee appointed to examine the State prisoners.

Received from the House of Commons the bill to prevent long and extensive Credits. Endorsed, "read the second time, amended and passed."

Ordered that this Bill be read, which being read the second time, was rejected.

On motion of Mr. Macon, it was ordered that the following message be sent to the House of Commons, vizt.:

Mr. Speaker and Gentlemen:

We propose that the General Assembly ballot tomorrow evening at 4 of the clock for one Delegate to represent this State in Congress in the room of Charles Johnson, Esquire, resigned; for the three Councillors of State yet to be elected, and for the place where the next Assembly shall be held; and put in nomination for a Delegate as aforesaid Stephen Moore, John B. Ashe, William Walters, and William Sharpe, Esquires.

For Councillors: Robert Bignall, Thomas Rutledge, Miles King, Isaac Guion, Wm. McClure, Spyers Singleton and Jno. Nelson, Esquires; and for the place where the next Assembly shall be held, the Towns of Tarborough, Fayetteville, Salisbury and New Bern.

Should you approve of this measure, you will please signify the same by message.

Adjourned 'til to-morrow morning 10 O'clock.
Wednesday, 20th December, 1786.

The House met.

Mr. Stephen Miller, the member for the County of Anson, appeared, presented his certificate, qualified agreeably to Law and took his seat.

On motion of Mr. Macon, seconded by Mr. Brown, the House resolved as follows, vizt.:

Whereas, it appears to this General Assembly that many of the certificates granted by the late Board of Commissioners for settling Army accounts have been fraudulently obtained—

Resolved, therefore, That the Comptroller be and he is hereby directed to receive no certificate which may be offered him by any Commissioner of confiscated property, or other person in arrear to the State, which hath been granted and issued since the last session of Assembly by the Commissioners for settling Army accounts.

Sent for concurrence.

Received from the House of Commons the report of the Committee on the Memorial of Mr. Thomas Harris. Endorsed, "read and concurred with."

Received likewise the following message:

Mr. Speaker and Gentlemen:

We agree to ballot as by you proposed, and have added to the nomination for Councillors Joseph McDowell and James Sampson, Esquires.

General Ramsey presented the Petition of John Kendrick, which being read, was referred to the Committee of Memorials and Petitions and sent to the House of Commons.

On motion of General McDowell, the House resolved as follows, vizt.:

Resolved, That the public Treasurer pay unto Hugh Torrens, Sheriff of Rowan County, the sum of eighty-one pounds fourteen shillings and two pence currency in full of that sum reported himself and guard as pay whilst employed in conveying to the jail of Wilmington District a certain William Turner, charged with having been guilty of the committing a murder, by a Committee of this present Assembly.

Sent for concurrence.
On motion of Mr. Gillispie, seconded by Mr. Brown, the House resolved as followeth, viz.:

Whereas, it is represented to this General Assembly that there is now in the jail of Wilmington District a certain William Turner, charged with having murdered the late Mr. John Latshaw, of the town of Baltimore, in Maryland, and with having after the perpetration of the crime aforesaid pillaged and robbed the estate of the said Latshaw to a very considerable amount; and it being suggested that there are sundry negroes, late in the possession of the said Turner, now in the hands of Thomas Williams and Thomas Turner, of Rowan County, and sundry other articles of property heretofore belonging to the said John Latshaw, in the said County of Rowan and the Counties adjoining thereto; and there being reason to suspect that the said property or some part thereof may be moved out of the limits of this State, and so disposed of as to elude the Enquiries or search of the Widow or Orphans of the said Latshaw; therefore,

Resolved, That Mr. Hugh Torrence, Sheriff of Rowan County, do forthwith take into his possession and safe-keeping two stills and three brass kettles which were left by the said John Latshaw in the hands of Abraham Watty, wheresoever the same may now be found; and that he likewise take charge of ten slaves, said to be the property of the said William Turner, now in the hands of Thomas Turner and Thomas Williams; and that he, the said Sheriff, retain the property above mentioned in his hands, to the end that Justice may be done, and until a lawful decision be had thereon.

Resolved further, That any person or persons claiming the aforesaid property, or any part thereof, may receive the same on giving bond with good and sufficient security to the said sheriff in double the estimated value of the said property, conditioned, that he or she will in due course of law as soon as possible make his or her right appear, and in course of failure therein restore the said property together with such damages as may have been sustained by the real Owner or Owners, and the said sheriff as soon as may be after taking the said property into his possession, shall notify the same to James Gillispie, Esquire, of the County of Duplin, & Thomas Brown, Esquire, of Bladen County, who are attorneys to Magdeline Latshaw, widow of the deceased aforesaid.

Sent for concurrence.
On motion of Mr. Macon, seconded by Mr. Gallaway, the House
resolved as follows, vizt.:

Resolved, That Thomas Harris, late sheriff of Mecklenburgh
County, pay into the hands of the public Treasurer the sum of one
hundred and seventy-two pounds seventeen shillings and eight
pence (being the amount of the balance due from Mr. Harris to the
State) in certificates or Indents issued by authority of the General
Assembly, which payment when made shall be considered as a final
settlement on the part of the said Harris with the public; on ac-
count of his having been sheriff for the County of Mecklenburgh
for the years 1780, 1781 & 1782.

Sent for concurrence.

Mr. Thomas Tison the member for the County of Moore appeared
presented his certificate, was qualified agreeably to law and took
his seat.

Received from the House of Commons a bill to vest a title of the
lands therein mentioned in the persons therein named. Endorsed,
"read the first time and passed."

Ordered that this Bill be read, which, being read, was passed the
first time and returned.

Mr. Tipton delivered in the following report, to-wit.:

The Committee of Memorials and Petitions to whom was referred
the Petition of William F. Lewis in behalf of himself and others
setting forth that they took up a number of deserters during the
late war for which they have not received any reward, report—

That they find by sundry Vouchers and certificates with other
Testimony, that William F. Lewis and others, his Constituents did
deliver ten deserters to the Officers of the Army directed to receive
them, but as these deserters were delivered previous to the passing
the Act of Assembly for making allowance for such service your
Committee do not think themselves justifiable in making any allow-
ance for the same; at the same time your Committee recommend
that some allowance be made by the General Assembly to the said
Petitioners.

JOHN TIPTON, Ch.

The House taking this report into consideration resolved that it
be rejected.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send a message addressed to His Excellency the
Governor, should it meet your approbation Mr. Polk and Mr. Winslow with such of your body as you may appoint, will attend and present him with the same.

The message alluded to being read, was rejected, whereupon ordered that the following be addressed to & presented His Excellency the Governor, to-wit:

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

Sir:

The General Assembly on the 18th Instant proceeded to the election of a Chief Magistrate to preside over the Executive Department of this State, when you Sir, was chosen to that important office for the ensuing year by a large majority of the suffrages of the Legislature of your Country; you will therefore be pleased when the time of your former election to this office shall have elapsed to qualify and enter on the duties incident to this your Appointment.

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

Mr. Speaker and Gentlemen:

We propose that the message herewith sent you be presented to His Excellency the Governor, instead of the one sent us from your House. We have been induced to do so from a belief that as the time for which the Governor of this State under his former appointment can of right hold and exercise the powers and authorities of that office will not expire until May next it was necessary the Message now to be sent him should be more explicit.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have rejected the Resolve of your House directing the Comptroller not to receive from the Commissioners of Confiscation and others any certificates granted and issued since last session of Assembly, as we suppose the evil you wish to guard against is already provided for by a Resolution of the 4th Instant directing His Excellency the Governor to issue a Proclamation requiring all public officers that it is the sense of the General Assembly, that no due bills or certificates issued since the first day of January, 1786, shall be received in payment of any arrears, due, &c.
On motion of Mr. Gillispie, seconded by General Rutherford, the House resolved as follows, vizt.:

Whereas, pursuant to a Proclamation issued by His Excellency the Governor, in consequence of a Resolution of this General Assembly, Colonel Hardy Murfree and Major John Ingles, of the late North Carolina Continental Line, have attended on a Committee of the Legislature and borne testimony, in order to aid as far as in them lay the exertions of this State to detect and bring to due punishment all persons concerned in passing fraudulent accounts, or committing other deeds tending to injure the public credit; and the said Colonel Murfree and Major Ingles being now about to depart from this place to their respective places of abode—

Resolved, That the General Assembly entertain a high and proper sense of the laudable conduct, ready attendance and former as well as present public spirited Exertions of those two Gentlemen.

Sent for concurrence.

Received from the House of Commons a bill to establish a Board to amend errors in Patents. Endorsed, "read the second time, amended and passed."

Ordered that this bill be read, which being read, was rejected.

Received likewise the bill for adding part of Wake County to Franklin County. Endorsed in the House of Commons, "read the third time and passed."

Ordered that this Bill be read, which, being read, was passed the third time and ordered to be Engrossed.

Received also a bill to direct the method to appoint Jurors and Surveyors to run out disputed Lands. Endorsed, "read the second time, amended and passed."

Ordered that this bill be read, which being read, was amended, passed the second time and returned.

Received from the House of Commons the Petition of Thomas Frohock, the Memorial of James McDonald, the Memorial of Robert Bogle, and the Petition of John Kendrick. Respectively endorsed in that House, "read and referred as by the Senate."

Received likewise the Petition of George Mitchell, Esquire. Endorsed, "read and referred to Messrs. Blount, Grant, and Long."

Received also the report of the Committee of Memorials and Peti-
tions on the Petition of James Christian. Endorsed in the House of Commons, "read and concurred with."
Adjourned 'til 4 o'clock P. M.

Met according to adjournment.
Mr. Polk and Mr. Neale, on the part of the House of Commons, now appeared, who, together with Mr. Lewis and Mr. Macon, on the part of this House, proceeded to take the ballots from the members of the Senate agreeably to the vote of the General Assembly of Monday last; which being ended, those Gentlemen returned to the House of Commons for the like purpose.

Received from the House of Commons a bill to establish a town on the East side of the Northeast of Cape Fear River, in Duplin County. Endorsed, "read the first time and passed."
Ordered that this Bill be read, which being read, was passed the first time and returned.
Received likewise the following message:

Mr. Speaker and Gentlemen:
Messrs. Long, Neale, Hall and Wyatt Hawkins will act with the gentlemen by you appointed a Committee to receive and destroy the old State dollar Bills.

On motion of Mr. Campbell, ordered that he have leave of absence from the service of this House after Friday next.
Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:
We herewith send you a message from His Excellency the Governor, with Sundry resolutions of Congress and dispatches from the Board of Treasury, which we propose referring to a joint Committee, and have for that purpose on our part appointed Messrs. Davie, Spaight, Hooper, Blount, Hay, Maclaine and McDowell.

Ordered that Messrs. Harget, Herndon, Brown, Stokes, Gallaway, and Stone on the part of the Senate act on this Committee and that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:
We agree that the message of this day from His Excellency the Governor and the public dispatches accompanying it, be referred to a special committee and have appointed Messrs. Harget, Herndon,
Brown, Stokes, Gallaway, and Stone a Committee who will act with the Gentlemen by you appointed for that purpose.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree that the petition of William Graves and Elijah Hunter be withdrawn from the Grand Committee and referred as by you proposed and propose that the petition of the Inhabitants of Fayetteville be withdrawn from the Grand Committee and referred to the Committee of Propositions and Grievances.

This message being read it was ordered that the following be sent to the House of Commons, vizt.:

Mr. Speaker and Gentlemen:

We agree that the petition of the Inhabitants of Fayetteville be withdrawn from the Grand Committee and referred as by you proposed.

Received from the House of Commons a bill for the support of Government and for appropriating the Revenues of the State. Endorsed "read the first time and passed."

Ordered that this bill be read, which being read, was passed the first time and returned.

The Ballotting being closed, Messrs. Macon and Lewis now returned and reported as followeth, to-wit:

That having, pursuant to their appointment, attended and taken the ballots or tickets of the members of the General Assembly, on closing this ballotting and casting up the scrolls, it appeared that the Honorable John B. Ashe, Esquire, was re-elected to supply the place of Charles Johnson, Esquire, resigned.

That the next General Assembly is to be held at Tarborough, and that there yet remain the three Councillors ballotted for to be elected, no gent having had a majority of the votes of the members of the General Assembly for that purpose.

The House, taking this report into consideration, resolved that they do concur therewith.

Adjourned 'til to-morrow morning 10 o'clock.
STATE RECORDS.

Thursday, 21st December, 1786.
The House met.
Received from the House of Commons the following message, vizt:

Mr. Speaker and Gentlemen:

This House cannot agree with the Senate in referring the papers of Robert Fenner as Agent, &c., to a select Committee, but propose that they be referred to the Committee to whom was referred the Petition of the Officers of the late Continental line of this State.

The foregoing being read, it was ordered that the following message be sent to the House of Commons, to-wit:

Mr. Speaker and Gentlemen:

We consent that Captain Fenner's papers, as agent of the late No. Carolina line, be referred to the Committee by you mentioned, but propose that this Committee be directed (in addition to the duties enjoined a select Committee on the part of this House for the above mentioned purpose appointed) to enquire into and report on the receipts and issues of Captain Fenner, as agent aforesaid, and that they deliver on such their report without delay.

Received from the House of Commons the bill to make the Securities therein named negotiable. Endorsed, "read the second time, amended & passed."

Ordered that this bill be read, which, being read, was passed the second time and returned.

Received likewise the bill to alter and amend an act passed at Hillsborough in May, 178—, entitled an act for repairing the Court House and Prison in the town of Salisbury, for the District of Salisbury; and also, one other act passed at New Bern, 1784, entitled an act for laying a tax in the Counties in Hillsborough and Salisbury Districts, for the repairing of the district buildings in the towns of Hillsborough and Salisbury; and directing the method of calling to account all commissioners of public buildings, heretofore or hereafter to be appointed; also, to alter and amend the several laws now in force for erecting and repairing the public buildings in the District of Hillsborough. Endorsed "read the second time & passed."

Ordered that this bill be read, which being read, was amended, passed the second time and returned.

Mr. Stone moved for leave and presented a bill to authorize the
Commissioners of Bertie to collect the arrearages of the specific tax for the years 1780, 1781 and 1782, which was read the first time, passed and sent to the House of Commons.

Mr. Campbell presented the Petition of Christian McKenzie and Christian Yonge, which was read, referred to Mr. Wynns, and Mr. Campbell on the part of this House and sent to the House of Commons.

Mr. Campbell also presented the petition of Wanton Casey and Charles Greene, which was read and referred to the Committee to whom was referred the petition of Christian McKenzie and Christian Yonge and sent to the House of Commons.

Received from the House of Commons a Bill to prevent Doubts as to the right of Sovereignty and Jurisdiction in and over the counties of Washington, Sullivan and Greene, and to consign to oblivion any misconduct of the citizens within the same. Endorsed, "read the first time and passed."

Ordered that this Bill be read, which being read, was passed the second time and returned.

Received likewise the following message:

Mr. Speaker and Gentlemen:

We have received your message relative to the message to be presented to the Governor, with which we do not concur, concerning the same, grounded on a mistaken belief as to the time of his continuance in office.

The foregoing being read, it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We approve of the message by you proposed to be presented to His Excellency the Governor, have caused the same to be signed and have appointed Messrs. Gallaway & Wynns on the part of this House to attend and present him with the same.

Received from the House of Commons a Resolution of that Body of this date requesting the Attorney-General to attend the Sub-Committee of Finance No. 4, which being read was concurred with and returned.

Received likewise the report of the Committee on the petition of John Beck. Endorsed, "read and concurred with."

Received also the Resolution of this House of yesterday directing
Mr. Thomas Harris to pay into the public Treasury as therein mentioned. Endorsed, "read and concurred with."

Received from the House of Commons the report of the Committee to whom was referred the petition of Andrew Kennedy, together with a resolution of the House of Commons consequent thereon, which Resolution being read, was concurred with and returned.

Mr. Miller presented the resignation of John Jackson as Lt. Col. of Anson county, and as a Justice of the Peace for the said County, which being read were accepted and sent to the House of Commons.

Received from the House of Commons the Bill prescribing the method of admitting attorneys to practice in this State in the several Courts of Law and Equity, and ascertaining how they shall be tried for misbehaviour. Endorsed, "read the second time, amended and passed."

Ordered that this Bill be read, which being read was amended, passed the second time & sent to the House of Commons.

Received likewise the Bill to impose a duty on all slaves brought into this State by land or water. Endorsed in the House of Commons, "read the second time, amended and passed."

Ordered that this bill be read, which being read, was amended, passed the second time & returned.

Received also the Bill to repeal an act entitled "an act to prevent abuses in taking up stray Horses, Cattle, Hogs and Sheep & other things therein mentioned. Endorsed in the House of Commons "read the second time and passed."

Ordered that this Bill be read, which, being read, was rejected.

General Ramsey moved for leave and presented a Bill for empowering the Court of Chatham County to adjourn to the town of Pittsborough in said County, which was read, passed the first time and sent to the House of Commons.

Adjourned 'til To-morrow morning 10 O'clock.

Friday December 22d, 1786.

The House met.

• Received from the House of Commons the Bill for erecting Bogue Bar and New River Inlets into a distinct Port by the name of Swannsborough. Endorsed, "read the second time, and passed."

Ordered that this Bill be read, which being read, was amended passed the second time, and returned.
Received likewise the resignation of John Jackson as Lt. Colonel and as a Justice of the Peace for Anson County. Endorsed, “read and accepted.”

Received also the Memorial of His Excellency Richard Caswell, Esquire. Endorsed in the House of Commons, “read and referred to Messrs. Sitgreaves, Cabarrus, Blount and Davie,” which being read, was referred to Messrs. Harget, Herndon, McCawley & Wynns and returned.

Received from the House of Commons the Bill for the relief of George Laine Moore and William Jones. Endorsed, “read the first time & passed.”

Ordered that this Bill be read, which being read, was passed the second time and returned.

Received likewise the Claim of Samuel Clegg. Endorsed in the House of Commons, “read and referred to the Committee of Claims,” which being read, was referred in like manner and returned.

Received also a Bill for enabling Executors and Administrators to make a speedy settlement of their accounts. Endorsed in the House of Commons, “read the first time & passed.”

Ordered that this Bill be read, which being read, was passed the first time and returned.

Received from the House of Commons the following Bills to wit:

The Bill for improving the navigation to New Bern, and the additional Bill to an act entitled “an act for the regulation of the town of New Bern and for other purposes.” Each endorsed in the House of Commons, “read the third time, and passed.”

Ordered that these Bills be read, which being read, were respectively passed the third time, and ordered to be engrossed.

Received likewise a Bill to alter the time of holding the annual Assemblies of this State. Endorsed in the House of Commons, “read the first time, and passed.”

Ordered that this Bill be read, which being read, was passed the first time, and returned.

Received also the Bill to emancipate Hannah, alias Hannah Bowers, a person of mixed blood belonging to the estate of the late Alexander Gaston, deceased. Endorsed in the House of Commons, “read the second time, and passed.”

Ordered that this Bill be read, which being read, was passed the second time and returned.
STATE RECORDS.

Received from the House of Commons a resolution of that Body allowing sundry persons who served as a guard under Col. Adam Saunders the sums therein mentioned, which being read, was concurred with and returned.

Received likewise the petition of John Copeland. Endorsed in the House of Commons, "read and referred to the Committee of Petitions and Memorials," which being read, was referred in like manner and returned.

Received also the resignation of John Beck a Justice of the Peace for Duplin County. Endorsed in the House of Commons, "accepted" which being read, was accepted and returned.

Received from the House of Commons the Bill for dividing the county of Sullivan. Endorsed, "read the first time and passed."

Ordered that this Bill be read, which being read, was amended, passed the second time, and returned.

Mr. Stokes moved for leave and presented a Bill for purchasing Arms and Military Stores, and for establishing a Magazine, which was read the first time, passed & sent to the House of Commons.

(Griffin leave of absence).

Received from the House of Commons a Bill for removing the place of holding Courts in the county of Sullivan. Endorsed "read the first time, and passed."

Ordered that this Bill be read, which being read, was passed the second time, and returned.

Received likewise a Bill to keep open Cape Fear, Deep River, Haw River, and Rocky River for the passage of Fish up the same. Endorsed in the House of Commons, "read the first time and passed."

Ordered that this Bill be read, which being read was passed the first time and returned.

On motion of Mr. Williams, it was ordered that he have leave of absence from the service of this House during the remainder of the present session.

Received by way of the House of Commons a message from His Excellency the Governor enclosing a letter to him directed from Mr. Thomas Amis, together with other papers; the whole endorsed in the House of Commons, "read and referred to the Committee to consider of the Communications from Congress," which being read, was referred in like manner and returned.
Received likewise the following message:

Mr. Speaker and Gentlemen:

We propose that the Representation of the Honorable Timothy Bloodworth and James White, Esquires, be referred to the Committee appointed to consider of the Communications from Congress.

The foregoing being read, it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the Representation of the Honorable Mr. Bloodworth and Mr. White, Delegates from this State in Congress be referred as by you proposed.

Received from the House of Commons an additional Bill to an act entitled "an act to prevent the several species of hunting therein mentioned." Endorsed, "read the first time, and passed."

Ordered that this Bill be read, which being read, was passed the first time & returned.

Received also by way of the House of Commons, a message from His Excellency, the Governor, enclosing the account of Captain Justice against the State and other papers. Endorsed in the House of Commons in the following manner to wit: "the claim to which this message refers was read and referred to the Committee of Claims" which being read, was referred in like manner and returned.

On motion of Mr. Griffin, it was ordered that he have leave of absence during the remainder of the session.

Pursuant to a former determination of this House on motion of Mr. Herritage the Bill for annexing part of the county of Craven to Pitt county, which was laid over until the next assembly by a vote of the 7th inst., was again taken up, when it was read the second time, passed, & sent to the House of Commons.

The passing of this Bill being objected to, it was on motion of Mr. Gallaway, seconded by Mr. Herritage, ordered that the yeas and nays be taken thereon which were as follows to wit:


Against passing this Bill—Genl. Ramsey, Messrs. Eaton, Clinton,
Harget, Gowdy, Williams, Jones, Riddick, Gallaway, Bledsoe, Campbell, Wynns, Herndon and Tyson—14.

So this Bill was passed.

Mr. Macon presented the petition of Mr. Philip Alston, relative to the late election in Moore county, which was read and referred to the Committee of Privileges and Elections.

Received from the House of Commons the Bill to repeal the 13th section of an act passed at New Bern in October in the year 1784, entitled "an act for raising a public revenue for the support of Government," and to repeal an act entitled "an act to suppress excessive Gaming." Endorsed, "read the second time, and passed."

Ordered that this Bill be read, which being read, was passed the second time and returned.

Received likewise the Bill to extend two acts passed at the last General Assembly held at New Bern concerning the County Wardens of the poor, and Tobacco Inspection to the county of Chatham. Endorsed in the House of Commons, "read the second time, & passed."

Ordered that this Bill be read, which being read, was passed the third time and returned.

Received also the Bill for a removal of the place for holding Courts of Pleas & Quarter sessions in the county of Washington, and for appointing Commissioners to fix on the most convenient place for the same. Endorsed in the House of Commons, "read the first time, amended and passed."

Ordered that this Bill be read, which being read, was amended, passed the second time, and returned.

Genl. Simpson presented the petition of Mrs. Clara Salter, of Pitt county, which was read and ordered to be sent to the House of Commons.

On motion of General Rutherford, seconded by Mr. Hill, it was resolved that Messrs. Macon and Gallaway, on the part of this House, examine the Engrossed Bills, and that the following message be sent to the House of Commons

Mr. Speaker and Gentlemen:

The Senate have appointed Messrs. Macon and Gallaway, who will on their part act with such of your body as may be appointed
to examine and compare the engrossed copies of such bills as may be passed into laws by the present Assembly.

On motion of Mr. Hines, ordered that he have leave of absence from the service of this House for a few days.

Received from the House of Commons the Bill to carry into further effect an act entitled "an act for opening the land office for the redemption of specie and other certificates, and discharging the arrears due to the Army." Endorsed, "read the second time, amended and passed."

On motion of Mr. Macon, resolved that this House form itself into a Committee of the whole to consider of the amendment necessary to be made in the last mentioned bill, whereupon Elisha Battle, Esquire, was placed in the Chair; some time being spent in Committee, on motion, Mr. Speaker resumed the Chair, and Mr. Chairman reported the several amendments proposed, which being agreed to this Bill was amended accordingly and put on its passage, when it was passed the second time and returned to the House of Commons.

On reading this Bill, a motion was made by Mr. Macon, seconded by Mr. Stokes, that the part thereof, which declared the price at which the Lands should be entered for or sold at should provide, that the Certificates paid therefor should be delivered in and counted exclusive of Interest, vizt: that the Interest should not be calculated on them, this being objected to the question was put and carried in the negative, whereupon the yeas and nays being required by Mr. Macon, seconded by Mr. Stokes, were as follows, to wit:


Adjourned 'til tomorrow morning 10 O'clock.

Saturday, December 23d, 1786.
The House met.

Mr. Speaker laid before the House a letter from the Honorable Samuel Ashe, Esquire, one of the Judges of the Superior Courts of
Law and Equity in this State, which being read was on motion of General Rutherford, ordered to be entered on the Journal of this House, the contents of which were as follow to wit:

WILMINGTON, Dec. 14th, 1786.

The Honorable, the Speaker of the General Assembly:

Gentlemen:

The reports of the Joint Committee respecting the Judges, &c., concurred with by both Houses, with your polite letter notifying the same, were handed me yesterday, perhaps it may be thought that a proper regard and attention to my Reputation ought to induce me to be present when the enquiry you mention shall take place, but prudence forbids me to avail myself of your notice, for I am apprehensive that at my time of life and in my infirm state of health a journey of near two hundred miles (going and returning) in this severe and inclement season with cold and bad lodgings (which from the fulness of the town I suppose would be my lot) might prove dangerous if not fatal to me. Indeed I am at a loss to know what purpose my being present would answer. I presume the Houses do not mean to go into a formal exercise of Judicial power; to hear “finding and proving” and to pass final decision, nor can I go from member to member out of doors assuring each of them in turn of my innocence, and thus endeavor to exculpate myself and do away offences that never existed, this would be lessening myself and degrading that high character my country have been pleased to dignify me with. I cannot stoop to it, the measure itself would indicate guilt. In my Judicial Character I am righteous and therefore bold. Malice may accuse and calumny blast for a while the fairest characters, but upon Impartial and strict inquiry and fair researches, truth will be developed and shine forth like the morning light. The charges against me are malicious and groundless, I therefore wrapt in conscious innocence far from eluding or wishing to elude an enquiry, make my particular request to the Honorable Houses, nay I claim, I demand of them Justice, a strict enquiry upon my conduct. They owe it to their country, they owe it to me, for if I am guilty I am unfit for the high trust reposed in me; and if I am innocent reparation ought to be made me; and that stigma wiped away by suitable entries, which otherwise will forever remain upon the Journals, painful to me the short
time I have to live, and painful to my posterity as long as relationships can be recollected. By your letter and resolve transmitted us I observe no charges disclosed but that relative to fines and forfeitures, tho' several others are circulated in whispers; such as the affair at New Bern (as it is called) the exiling two Tories, McNeil and Brice, and the delay of the business of the Courts; if there are others I wish you had been pleased to have notified them, as I then should have been enabled to have placed them in their true light. As to the fines and forfeitures I do in the most positive express and direct terms, say that I never received and appropriated to my own use one shilling of them, or any other public money whatever, the wretched pittance allowed me by law excepted; often too little to defray my expenses at Court. As to the affair at New Bern (if it is in charge) the Houses may probably have a fuller information of it than I can give, but they will pardon and bear a short recital of it; as far as it respects myself it was thus: A suit in Ejectment had been commenced in the Superior Court at New Bern prior to the passing of the act entitled an act, &c., and at the Court in May term last the hasty defendant filed his affidavit (without producing his titles) setting forth that the property in dispute had been confiscated and sold by the Commissioner of the District, and prayed a discharge of the suit, this brought on long arguments from the Council on each side on constitutional points; and when the pleadings were finished, the Court made a few observations on our Constitution and System of Government. I on my part (as far as I now recollect) observed that at the time of our separation from Great Britain, we were thrown into a similar situation with a set of people shipwrecked and cast on a maroon’d Island, without laws, without magistrates, without Government or any legal authority. That being thus circumstanced, the People of this Country with a general union of sentiment by their Delegates, met in Congress and formed that system or those fundamental principles comprised in the Constitution, dividing the powers of Government into separate and distinct branches, to wit: the Legislative, the Judicial and the Executive, and assigning to each several and distinct powers, and prescribing their several limits and boundaries. This I said without disclosing a single sentiment upon the cause, or the proceeding, or the law introduced in support of it. The other Judges proposed to take an advisari thereon, to which I readily agreed, as the printer had never
furnished me with the law, and I had then only read it cursorily, and as I had reason to believe the next Assembly meant to revise the law, and in respect to them wished to decline an opinion, and lastly from a strange malady with which I was then attacked having not slept three hours in as many days and nights next preceding the trial, though I had taken repeated doses of laudanum, I was afraid to give my opinion in that situation in any matter, especially in one of importance. I therefore immediately after the rising of the Court, fearing my malady would increase left New Bern; the matter (I have been told) was stirred again, but the result I know only from report. If my opinion of our Constitution is an error I fear it is an incurable one, for I had the honor to assist in the forming it and confess I so designed it, and I believe every other gentleman concerned did also. As to the exiling McNeil and Brice, the enclosed papers will show upon what grounds the Court proceeded. The case of McNeil was thus: He is a native of Bladen county, upon the arrival of the British joined them, and behaved himself (as has been said) in insupportable insolence, went off with the British and returned upon the preliminary articles of Peace, and during the sitting of the Superior Court at Wilmington, walked the streets with an air of defiance. Colonels Brown and Robertson with several others of the most respectable inhabitants of Bladen who knew him and his late obnoxious behaviour mentioned him to the Court, and said he would be knocked down in the streets but in respect to the Court. A Bill of indictment was preferred and found against him, and he was tried and found guilty of the charge, the Court imposed a small fine and required him to depart the State in sixty days and not to return 'till the pleasure of the Assembly should be known thereon. Brice's character is too well known to require a comment, the proceedings against him were similar. Brice went off, McNeil is still here. The Court thought the peace of the community made the measure necessary, and that the law and treaty justified it. This is the foundation of that charge against the Judges, and I suppose the charge is considered among the Tories as a mighty achievement, a matter of great exultation and triumph that their champion dare stand forth, and in the face of the Legislature accuse the Judicial power of the State for presuming to molest those respectable personages.

As to the charge of delay of business whispered against the Judges
I candidly admit to be in part true; for tho' the delay has arisen from the Bar, the Bench are blamable; they have been to blame in not constraining the bar to a more punctual and close attention to the business of the Court; for often while the Court have been waiting they have been scouring and hunting after fees; the Bench have been to blame also, for indulging the Bar in unnecessary long and rambling harangues, calculated only to amuse the client, and pay him in empty words for the extravagance of the fee. But Sirs, for these blamable indulgences at the first, I had (and I believe my brothers in office also) laudable motives. I wished to convince the people at large (for the minds of many, though they acquiesced under, were not reconciled to, our Government) that the suitors would receive as much Justice from the Courts of the present Government as from those in the former—that the present Judges were as easy of access as patient in hearing and as desirous of redressing wrongs and doing equal justice as those under the Crown. These motives (with me) first gave rise to those indulgences which the lawyers (an encroaching tribe) have carried into a mischief. I hope Sirs, from this true State of the above matters, they stand sufficiently elucidated, and the Houses convinced that they originated in malice, and are founded in falsehood. Possibly there are many others against us—the temper of our accuser gives reason to expect it, for I have been told he has been exceedingly active and industrious upon the occasion, leaving no means untried nor stone unturned, and saying with the Poet "flectere si-nequeo Superos, acheronta movebo." It is an easy matter to calumniate, to raise up many and variety of matters, fair and innocent in themselves, and by artful and base insinuations, false glosses and coloring and foul misrepresentations pervert them and give them an appearance entirely different from their original complexion, this is throwing dirt into the eyes of the most discerning, it is a measure dark and insidious, and seems now adopted against us, but I rely on the Justice and discernment of the Honorable Houses that they will not suffer misrepresentation and falsehood to take place, where truth and fairness ought to prevail; far be it from me to say I have committed no errors, it would be a presumption I am incapable of, for I do not pretend to infallibility; but my errors have been those of the head unattended with any corruption or turpitude. The wisest men daily fall into such; look into the law books where may be seen a Judge giving an opinion
one day and retracting it as error at another; where may be seen the Judge of one Court reversing for error the opinion of a Judge of another Court and where may be seen the House of Lords reversing the opinion (as erroneous) of a whole Bench of Judges, and yet these errors have never yet been considered criminal, nor the Judges put to answer for them.

_Humanum est errare_, is a true adage and strikingly verified in the accuser himself who is a compound of errors. At my first appointment to the office, sensible of the importance of it, I entered upon it, not with levity but awe; lifted up my heart to heaven and implored its support and determined that the wealth of empire should not allure nor the crush of worlds deter me from a religious and faithful discharge of it; in this resolution I have persevered and I am now bold to challenge all the world to fix one act of corruption or one single act of turpitude upon me, no Sirs it cannot be done for my integrity is with me, my hands are clean and my heart is pure; pardon this vanity of boasting, the occasion has warmed and constrained me into it. The secret spring the source from whence these complaints flow is unknown to the Assembly. I beg leave therefore to disclose it. Our accuser conscious of his demerits in his profession and conceiving that the measure of his transgressions was filled, and that he might become a subject of censure of the Court, and fearing the consequences hath fallen upon this device, if possibly it may be done by false charges and calumnies, to remove the Judges from their seats and to screen himself; and successful in this (if I conjecture right) his designs lead further; inflated with self importance he pleases himself with the expectation of an invitation to a Judicial Seat. The Honorable Assembly are not aware of the mischief which will result from their listening to such complaints, for in future if a lawyer should be guilty of malpractice in his profession or of rude or indecent behavior to a Court, and should be reprehended for the same; he immediately returns a threatening side nod, intimating he can make out a tale elsewhere, thus a timid Judge may be deterred from censoring offences, which ought not to escape; the lawyer gets the ascendancy, domineers over and insults the Court. It is true a Gentleman in the profession will never fall under reprehension, for he diadains the conduct that may incur it; but alas, every practitioner is not of that character, and every day's observation points out their insufferable rudeness
to the inferior Courts. I beg pardon for this long and tedious letter, the matter is interesting to me and therefore I hope the goodness of the Houses will excuse it. I will only add that upwards of forty years I have been in active life, during which time my character has been fair and unsullied; I have carefully preserved and valued it as dearly as the vital blood that warms my heart for I wished to transmit it as a legacy of a fair example to my children; but alas, unfortunately for them and me at the very Eve of life, at almost the hour of my departure, this character long and carefully preserved, is in danger of being perpetually sullied; and by whom? A man of yesterday, a unknown. Nothing sublunary is stable, and it is among the uncertainties of human life and I must submit; for the dirty styx may defile the fairest picture, but I trust to the Justice and discernment of the Honorable Houses for reparation. I am Gentlemen,

Yours respectfully, &c.,

SAML. ASHE.

The Honorable The Speakers, &c.

The foregoing letter being read and entered, was ordered to be sent to the House of Commons:

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that the sub-committee, appointed by the grand Committee to consider of the present mode of administering the laws of this State, be appointed to consider of complaints to be alleged against the Judges in their official character, that the said sub-committee be considered as the Committee of the Assembly and that they proceed immediately to this enquiry and make report as soon as the nature of the business will admit.

Received at the same time a Resolution of the House of Commons of yesterday declaring that all charges intended against the Judges should be introduced in the Assembly before 12 o'clock on this day; which, being read, was objected to; whereupon, it was ordered that the following message be sent to the House of Commons, vizt:

Mr. Speaker and Gentlemen:

We agree that the sub-Committee appointed to consider of the present mode of administering the Laws of this State, shall be considered as the committee of this Assembly, that they consider of
such complaints as have been or may be alleged against the Judges in their official character, and that they proceed as by you proposed to make enquiry and report. We have not concurred with your resolution limiting the time in which charges to be exhibited against the Judges shall be delivered in this Assembly, but propose that you amend it by prolonging the time therein mentioned to Monday next 12 of the clock.

We have added Messrs. Macon, Stokes, and Gallaway to the sub-Committee above mentioned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that the Gentlemen who delivered to His Excellency the Governor, the message signifying his election for the ensuing year again wait on him and acquaint him that the two Houses are now ready to receive him & see him qualify to his office; and that on this occasion both Houses assemble in the Commons' room.

The foregoing being read, it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the Gentlemen who delivered to His Excellency the Governor, the message signifying his election for the ensuing year, shall now attend and conduct him to this place, and that on this occasion the two Houses assemble as by you proposed.

Received from the House of Commons the Bill for establishing an Academy at the place heretofore called Martinborough in the county of Pitt, and for altering the name of Martinborough to that of Greensville. Endorsed, "read the third time, amended and passed."

Ordered that this Bill be read, which being read, was amended by consent of the House of Commons, passed the third time and ordered to be Engrossed.

Received likewise a complaint of the Conduct of the Judges exhibited by the Inhabitants of the town of New Bern and its vicinity. Endorsed in the House of Commons, "read and referred to the sub-committee appointed to consider of the mode of administering the law, &c., of this State," which being read, was referred in like manner and returned.

Received also the Bill to repeal part of an act passed at New
Bern the 29th day of December, 1785, entitled "an act for destroying Wolves, Wild Cats, Panthers, Bears, Crows and Squirrels in the several counties therein mentioned." Endorsed, "read the first time, & passed."

Ordered that this Bill be read, which being read, was passed the second time & returned.

Mr. Tyson moved for leave and presented a Bill for establishing a town on the land of Richardson Fagin, in the county of Moore, which was read, passed the first time, and sent to the House of Commons.

Received from the House of Commons the following bills to wit:
The Bill for establishing the dividing line between the counties of Burke and Rutherford.
The Bill to authorize the Commissioners of Bertie county to collect the arrearages of the specific tax for the years 1780, 1781 & 1782, and the Bill for empowering the Court of Chatham county to adjourn to the town of Pittsburg. Each endorsed, "read the first time and passed."

Ordered that these bills be read, which being read, were respectively passed the second time and returned.

Received likewise the following bills vizt:
The Bill to emancipate Hannah alias Hannah Bowers, a person of mixed blood belonging to the estate of the late Alexander Gaston, deceased, and the bill for altering the names of Walter Hogg and Gavin Hogg to Walter Alves and Gavin Alves. The first endorsed in the House of Commons, "read the third time and passed," the other "read the second time and passed."

Ordered that these bills be read, which being read were passed the first and third time, & ordered to be engrossed, and the other the second time, which was returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We have appointed Messrs. Davie and Hooper to assist the Gentlemen appointed by the Senate to examine the Engrossed Bills.

Received from the House of Commons the petition of Mrs. Clara Salter and the petition of C. McKenzie and C. Yonge. The former endorsed "read and referred to the Committee of Petitions and Me-
memorial" and the latter"read and referred to Messrs. Blount and Long."

Mrs. Salter's petition being again read, was referred as by the House of Commons.

Received likewise the petition of John Brown. Endorsed in the House of Commons, "read and referred to the Committee of Claims," which, being read, was referred as by the House of Commons and returned.

Received also the bill for the more expeditious recovery of stolen Horses. Endorsed in the House of Commons, "read the first time and passed."

Ordered that this bill be read, which being read was passed the second time and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have added Messrs. Franklin and Hamilton to the Committee of Propositions and Grievances, and propose that any five of them shall be a quorum.

The foregoing being read, it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We approve of the addition you made to the Committee of Propositions and Grievances, and consent that the number of that Committee by you mentioned be considered a quorum.

Received from the House of Commons the petition of Andrew Bass and the petition of John Sloan. The first endorsed, "referred to the Committee on Petitions and Memorials" and the second "referred to the Committee of Propositions and Grievances," which being read, were referred in like manner and returned.

Mr. Gallaway presented the petition of a number of Inhabitants of Rockingham county, in favor of George Peay, Esquire, which was read, referred to the Committee of Petitions and Memorials, and sent to the House of Commons.

Received from the House of Commons a Resolution of that body of this day for suspending Henry Finch from the Execution of the Office of Justice of the Peace for Johnston county until the next session of Assembly, when & where he shall appear, and show cause if any he can wherefore such suspension should be taken off. Which being read, was concurred with and returned.
Received also, a bill for appointing Treasurers. Endorsed "read the first time and passed."

Ordered that this bill be read, which being read, was passed the first time and returned.

Mr. Miller presented the Petition of Hugh Ross, which was read, referred to the Committee on Petitions and Memorials & sent to the House of Commons.

Received from the House of Commons the Petition of the Honorable James Coor, Esquire. Endorsed "referred to the Committee of Memorials and Petitions," which, being read, was referred in like manner and returned.

Received likewise the petition of Walton Casey and Charles Greene, of New England. Endorsed, "read and referred as by the Senate."

Received also the bill to vest in Trustees certain powers for the Benefit of Elizabeth Torrens and her children. Endorsed in the House of Commons, "read the first time, and passed."

Ordered that this bill be read, which being read, was amended, passed the second time, and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a message addressed to His Excellency the Governor, should it meet your approbation, Mr. Winslow will, on the part of this House, present the same.

The message to His Excellency the Governor, above alluded to, being read and approved of, it was ordered that Mr. Gallaway on the part of this House attend and present him with the same, & that the following be sent to the House of Commons, vizt:

Mr. Speaker and Gentlemen:

We approve of the message by you proposed to be presented to His Excellency, the Governor, and have appointed Mr. Gallaway to attend and present him with the same.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree to prolong the time in which charges shall be exhibited against the Honorable, the Judges, until Monday, as by you proposed, and have made the resolve of our House on that head conformable thereto.
STATE RECORDS.

Received from the House of Commons a bill to vest certain Salt Springs and Licks in the Trustees of Davidson Academy and their successors for the use of the said Academy. Endorsed, "read the second time and passed."

Ordered that this bill be read, which being read the second time, was rejected.

Received likewise the bill to amend an act entitled "an act to empower the County Courts of Pleas and Quarter Sessions of the several counties in this State to order the laying out public roads, and to establish and settle Ferries and to appoint where bridges shall be built, and to clear inland Rivers and Creeks. Endorsed in the House of Commons, "read the first time and passed."

Ordered that this bill be read, which being read, was passed the second time and returned.

Received also the letter this day read in this House addressed to the Honorable, the Speakers of the two Houses from the Honorable Samuel Ashe, Esquire. Endorsed in the House of Commons, "read and referred to the Committee appointed to consider of the mode of administering the Laws and Justice of the State," which was referred in like manner and returned.

Received from the House of Commons the bill for altering the manner of holding the annual elections for the county of Hyde. Endorsed, "read the third time, and passed."

Ordered that this bill be read, which being read, was passed the third time and ordered to be engrossed.

Received likewise the bill to establish the late survey and plan of the town of Tarborough, as made and laid down by the direction of the Commissioners composing the body politic and corporate of the said town; and to amend an act entitled "an act for the better regulation of the town of Tarborough." Endorsed in the House of Commons, "read the third time, and passed."

Ordered that this bill be read, which being read, was passed the third time and ordered to be engrossed.

The petition of Mary Moore was read, referred to the Committee of Memorials and Petitions, and sent to the House of Commons.

Received from the House of Commons the Reports of the Committee of Memorials and Petitions on the petition of William Ledford and the memorial of John Graham. Respectively endorsed in that House, "read and concurred with."
Received likewise the report of the Committee of Memorials and Petitions on the Petition of John Hinton, Esquire. Endorsed, "read and concurred with, the following words being added, viz: "Resolved that the Comptroller issue such certificate accordingly. "This amendment being read, was agreed to by the Senate."

Adjourned 'til Monday morning 10 O'clock.

Monday December 25th, 1786.

The House met.

Received from the House of Commons the Bill to amend an Act entitled "an act to amend an act entitled an act for ascertaining what property in this State shall be deemed taxable property, the method of assessing the same and collecting public taxes." Endorsed "read the second time, amended and passed."

Ordered that this bill be read, which, being read, it was on motion of Mr. Harget, ordered that he have leave to withdraw the same for amendment.

Received likewise the bill to vest the title of a piece or parcel of land lying in Jones County in Howell Brown and his heirs in fee simple. Endorsed in the House of Commons "read the first time & passed."

Ordered that this Bill be read, which, being read, was passed the second time and returned.

Mr. Hines presented the Petition of Wm. Ashley and others, which was read, referred to the Committee on Petitions and Memorials & sent to the House of Commons.

Mr. Whiteside presented the Petition of Lodowick Wray, which, was read, referred to the Committee of Petitions and Memorials and sent to the House of Commons.

Mr. Macon moved for leave and presented a bill to emancipate Caesar, formerly a servant of Samuel Yargan, deceased, which, was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the affidavit of Dennis McClindon. Endorsed "read and referred to the Committee of Propositions and Grievances" which, being read, was referred in like manner and returned.

Received also, the resignation of David Reese as one of the Justices of the Peace for Mecklenburgh County. Endorsed in the
House of Commons "read and accepted," which, being read, was accepted and returned.

Received likewise the bill for the relief of George Laine Moore & William Jones. Endorsed "read the second time and passed."

Ordered that this bill be read, which being read, was passed the third time and returned.

Received from the House of Commons the bill for raising money by a lottery, for the purpose of building a house for the reception of the poor in Craven County. Endorsed "read the second time, amended & passed."

Ordered that this bill be read, which being read, was amended, passed the second time and returned.

Received likewise the bill for dividing the County of Davidson into two Counties. Endorsed "read the first time and passed."

Ordered that this Bill be read, which being read, was passed the first time and returned.

Received also, a bill to enable William Moore, late sheriff of Burke County, to collect all the taxes due from the said County for the year 1785, and to allow him a further time for settling for his Collections with the Treasurer. Endorsed in the House of Commons "read the first time and passed."

Ordered that this bill be read, which, being read, was passed the first time and returned.

Mr. Macon presented the account of Colonel Nicholas Long against the State, which was read, referred to the Committee of Claims and sent to the House of Commons.

Received from the House of Commons a bill to amend an act entitled "an act for the more regular collecting, payment of and accounting for the public taxes." Endorsed "read the first time and passed."

Ordered that this bill be read, which, being read, was passed the first time and returned.

Mr. Gallaway moved for leave and presented a bill to amend an act passed at Hillsborough in the year 1782, entitled an act to vest the title of a certain tract of Land in Robert Cummings, &c., which was read the first time, passed and sent to the House of Commons.
Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have added Mr. McKenzie and Mr. Sitgreaves to the Committee for examining the Engrossed Bills.

Received from the House of Commons the following report, to-wit:

Your Committee to whom was referred the examination of the State Prisoners report—

That they have taken several depositions, as well of the prisoners as of the witnesses; that additional charges appear against John Bonds, Esquire, by the depositions marked No. 3, 4 & 10; and also, against the Treasury office and one of the Commissioners of Army accounts by the depositions No. 2, 5, 7, 8, 10 and 15.

The depositions No. 1, 5, 6, 11, 12 and 13 contain certain charges against William Sanders, Charles Dixon, Wynn Dixon, John Marshall and others, to all which depositions the Committee beg leave to refer the House.

By the Deposition No. 14 of Everitt House, Your Committee find that when the deputy sheriff of Dobbs County took into charge the property of John Price, that the said Everitt House did see a small Trunk which he supposed to contain a large number of grants, which the wife of the said Price, claimed as the property of Col. James Glasgow, and that the trunk was afterwards delivered unto Colonel James Edmunston. As the examinations are now gone almost through, with respect to those persons already apprehended or accused, Your Committee beg leave to refer the House to the opinion of the Attorney General relative to their being held to jail or bailed & the proper mode, time and place of prosecution and Trial.

All which is submitted.

S. CABARRUS,
F. HARGET,
GRiffith Rutherford,
ISAAC GREGORY,
JAMES GILLISPIE,
JAMES MARTIN,
A. NEALE.

This report was endorsed in the House of Commons “read and concurred with,” which, being read, was concurred with and returned to the House of Commons.
STATE RECORDS.

Received from the House of Commons a resolution of that body of this date for admitting to bail the several persons apprehended and charged with the crimes of fabricating false accounts, &c., which was read, concurred with and returned.

On motion, ordered that Mr. Stokes and Mr. Harget be added to the Committee for examining Engrossed bills & that the House of Comons have notice hereof by the following Message:

Mr. Speaker and Gentlemen:

The Senate have added Mr. Stokes and Mr. Harget to the Committee for examining the Engrossed Copies of Bills.

Received from the House of Commons the account of Col. Long. Endorsed "read and referred as by the Senate."

Received likewise the Petition of Josiah Parker. Endorsed in the House of Commons "read and referred to Messrs Blount, Phifer & Holland," which, being read, was on the part of this House referred to Messrs. Wynn's, Hill and Miller and returned.

Adjourned 'til to-morrow morning 10 O'clock.

Tuesday, December 26th, 1786.

The House met.

Received from the House of Commons a bill for allowing to Benjamin Smith a further time for finishing the Causeway over the great Island opposite to the Town of Wilmington, under such regulations and restrictions as are therein expressed and declared. Endorsed "read the first time and passed."

Ordered that this bill be read, which being read, was laid over until the next Assembly.

Mr. Miller moved for leave, and presented a bill to appoint Commissioners to carry on and finish the public buildings in the county of Anson, which was read the first time, passed, and sent to the House of Commons.

Received from the House of Commons the bill to amend an act entitled an act directing the mode of proceeding against the estates of deceased persons, where the personal estate is insufficient for the payment of debts. Endorsed, "read the first time, and passed."

On motion of Mr. Campbell, the House resolved as follows to wit:

Whereas, it has been represented to this General Assembly that certain suspended Majistrates of New Hanover county in the Court of the said county, and in last term of January, 1786, did in a sud-
den and precipitate manner and without any previous notice go into the said Court when there were but few Magistrates on the Bench, though many attending, and demanded that the Oath prescribed by the last Clause of the act of pardon and oblivion might be administered to them, which they were ready to take in order to enable them to act as justices, and the said oath was accordingly administered and the said suspended Justices took their seats in consequence thereof; and whereas several of the Justices of the said county, to wit: Thomas Bloodworth, John A. Campbell, James Read, John Huske, David Flowers and John Fergus, Esquires, being dissatisfied with the admission of some of the said suspended Justices, entered their Dissent against the said admission on the minutes, alleging among other things, that the offences of the said suspended Justices might be various and ought to have been particularly inquired into before their suspension could with propriety be taken off.

Resolved, therefore, that the mode of admitting the said suspended Justices was improper and unwarranted by law, and that their conduct should and ought to be examined and reconsidered by the Court of their county, and the clerk of the Court of New Hanover county, is hereby directed as soon as may be to issue notices to them respectively to be at the said Court at the next session to be held after the first Monday in April, when their admission to act as Magistrates is to be reconsidered, and the Court to proceed in the confirmation or rejection of the said admission as the respective merits or demerits of the suspended Justices shall to them be made to appear upon due proof and the Oath of them respectively upon such questions as the Court may propound for that purpose, and that there shall not be less than six acting Justices upon the Bench at the admission of such suspended Justices.

Sent for concurrence.

Received from the House of Commons the following bills to wit:

A bill for laying a tax on all seamen coming into the respective ports of this State for raising a sum for the support of sick seamen, and for the proper appropriation of the sum.

A Bill to amend the law relative to attachment of property, and

A Bill to enable the Executors of Robert Hogg to maintain and defend suits under the regulations therein mentioned. Each endorsed, "read the first time and passed."
Ordered that these bills be read, which being read, were respectively passed the first time and returned.

Received from the House of Commons the Bill for erecting Bogue Barr and New River Inlets into a distinct Port by the name of Swannsborough. Endorsed, "read the third time and passed."

Ordered that this bill be read, which being read was passed the third time, and ordered to be engrossed.

Mr. McCawley delivered in the following report, to wit:

The Committee appointed by Resolve of the General Assembly at New Bern, December, 1785, for the purpose of receiving the old dollar bills of this State from Memucan Hunt, Esquire, public Treasurer, and destroying the same, report—

That they have received from the Treasurer and destroyed the sum of seven hundred & ninety-two thousand two hundred and ninety-three old dollars of this State. All which is submitted.

JOHN BUTLER,
WILLIAM McCAWLEY.

On the back of this report was the following receipt, viz:

October 30th, 1786.

Received and destroyed thirty-one thousand nine hundred and fifty-seven old dollar bills from Memucan Hunt, Esquire, Treasurer, exclusive of the within mentioned sum.

WILLIAM McCAWLEY.

£792,293
£31,957

£824,250 total, amounting at 800 for one to Four Hundred and twelve pounds, two shillings & six pence.

The House taking the foregoing report into consideration, resolved that they do concur therewith, and ordered that it be sent to the House of Commons.

Received from the House of Commons the following message, viz:

Mr. Speaker and Gentlemen:

In the report of the Committee appointed to examine the prisoners, &c., of yesterday, that part thereof relative to Colonel Glasgow, was ordered by this House to be struck out of the report, it was accordingly done on the Journal, and the deposition relative thereto
withdrawn, but omitted in the report sent for your concurrence; the House was induced to this from a conviction of Mr. Glasgow's innocence, which appeared by sundry papers produced. We therefore propose that the report so far as relates to him be expunged.

The House taking this proposition into consideration, resolved, that the message which it contained lie on the table for consideration.

Received from the House of Commons the bill for establishing a Militia in this State. Endorsed, "read the first time, & passed."

Ordered that this bill be read, which being read, was amended, passed the second time and returned.

On reading this bill a motion was made by General Ramsey, seconded by Mr. Hill, that the word Bayonets in the clause thereof which directs the manner in which the non-commissioned officers & privates shall appear equipped at musters be deleted, this being objected to. the question was put and carried in the affirmative, whereupon the yeas and nays being called for were as follows, to wit:


Against the proposed amendment—Messrs. Thomas Armstrong, Battle, General Ramsey, Mr. Tipton, General Gregory, Messrs. Gillispie, Herritage, Mayo, Clinton, Harget, Stokes, Hill, Harris, Bledsoe, Martin, Herndon and Miller—17.

So the amendment took place, and the word Bayonet was expunged from the bill.

Received from the House of Commons the bill for the support of Government, and for appropriating the revenues of the State. Endorsed, "read the second time, amended and passed."

Ordered that this bill be read, which being read, was passed the second time and returned.

Received from the House of Commons a resolution of that Body of this day relative to a number of the Officers of the late continental line of this State, which being read and objected to, it was or-
ordered that the following message be sent to the House of Commons, vizt:

Mr. Speaker and Gentlemen:

This House do not concur with the resolution of yours of this day relative to the Officers of the late Continental line of this State, but return it herewith in order that you may amend it by inserting the name of Colonel Armstrong in the 6th line of the first page of this resolve immediately after that of Hardy Murfree; by inserting likewise the name of Dixon Marshall immediately after that of Benjamin Coleman on the eleventh line of the same page; and by deleting the last part of your resolve which is relative to Colonel Armstrong and Major Blount, and which is now included within lines marked by a pen. Should you think proper to make the amendments, we will then on its being returned concur with it.

Received from the House of Commons a resolution of that body of this date directing the sub-Committee of Finance No. 2, to count, destroy and report the sum of ragged money in the hands of the Treasurer unfit for circulation, and to punch the warrants and orders of the General Assembly already taken up by the Treasurer & make report which was read, concurred with and returned.

General Ramsay presented the petition of Margaret Monroe and Sarah McIver, which was read and rejected.

Received from the House of Commons the Bill to amend an act entitled “an act for emitting £100,000 paper Currency for the purposes herein mentioned.” For appropriating the tobacco lately purchased by virtue of the said act towards the discharge of the Interest of the foreign debt due by the United States, and for making provision for the future discharge of the principal and interest of the said debt. Endorsed, “read the second time & passed.”

Ordered that this bill be read, which being read the second time, was rejected.

Mr. Hill moved for leave and presented a bill to empower the Commissioners therein mentioned, to sell the public Lotia in the town of New Bern with the palace and other public buildings thereon, in manner therein mentioned; which was read the first time, passed and sent to the House of Commons.

Received from the House of Commons the bill to prevent the selling of Goods, Wares or Merchandize for hard money only, and
to prevent the depreciation of the paper currency. Endorsed "read
the first time and passed."

Ordered that this bill be read, which being read, was rejected.

Whereupon, the yeas and nays being called for by Mr. Herndon,
seconded by Mr. Macon, were as follows, vizt:

For the passing of this bill Messrs. Jordan, Medlock, Genl. Greg-
ory, Messrs. Whiteside, Gillispie, Herritage, Clinton, General Ruther-
erford, Messrs. Herndon, Gowdy, Hill, Mitchell, Harris, Gallaway,
Bledsoe, Martin and Tyson—17.

Against passing and for rejecting this bill Messrs. Sharpe, Thomas,
Armstrong, Battle, Genl. Ramsey, Messrs. Tipton, J. Armstrong,
Macon, McCawley, Bonner, Eaton, Mayo, Hargett, Stokes, Stone,
Jones, Riddick, Hines, Campbell, Wynns and Miller—20.

So this bill was rejected.

Mr. Clinton presented the account of James Brantley against sundry
persons lately confined by order of this General Assembly, which,
being read, the House resolved that the following be inserted
therein, to wit:

Resolved, That Richard McKinnie, Esq., be, and he is hereby di-
rected, to discharge & pay off the above account out of the money
he has in his possession for the purpose of paying the sums allowed
for the daily attendance of witnesses, and for his so doing this shall
be a sufficient voucher in the settlement of his account.

Sent for concurrence.

Received from the House of Commons the report of John Butler
and William McCawley, relative to ragged money by them burned
pursuant to a resolution of the last Assembly. Endorsed in that
House "read and concurred with."

On motion of Mr. Gillispie the House resolved as follows, vizt:

Resolved, That the sheriff of Dobbs County be, and he is hereby
required to deliver up to each and every person, all his or their
property of which property he, the said Sheriff, hath become pos-
sessed in consequence of any resolution or resolutions of this Gen-
eral Assembly, whenever it shall be certified to him by the Honor-
able the Judges, that the person or persons claiming have given
bond with sufficient security for his or their personal appearance at
the Court of Oyer & Terminer, to be held at the Town of Warrenton
on the last Monday in January next, and for the safe keeping
and forth coming of his or their property to answer the decree of the said Court.

Sent for concurrence.

Received from the House of Commons the bill for altering the names of Walter Hogg and Gavin Hogg to Walter Alves and Gavin Alves, the name of James Mason to that of James Isham, and the name of Jonathan Ballinger to that of Jonathan Parker. Endorsed “read the third time, amended and passed.”

Ordered that this Bill be read, which, being read, was passed the third time and ordered to be Engrossed.

Received likewise the resolution of this House of to-day relative to the property now in the hands of the sheriff of Dobbs County, which heretofore belonged to sundry Inhabitants of the said County, late confined by order of this General Assembly. Endorsed in the House of Commons “read and concurred with.”

Received also, the bill for the inspection of Tobacco at Joseph Green’s, in Wayne County. Endorsed in the House of Commons “read the second time & passed.”

Ordered that this bill be read, which, being read, was passed the second time and returned.

Received from the House of Commons the Bill empowering the Court of Chatham County to adjourn to the town of Pittsborough in the said County. Endorsed “read the second time and passed.”

Ordered that this Bill be read, which, being read, was passed the third time and returned.

Received likewise the bill to amend an act passed at Hillsborough in the year 1782, entitled “an act to vest the title of a certain tract of land in Robert Cummings,” &c. Endorsed “read the first time and passed.”

Ordered that this Bill be read, which, being read, was passed the second time and returned.

Received also, the bill to appoint Commissioners to carry on and finish the public buildings in the County of Anson. Endorsed in the House of Commons “read the first time and passed.”

Ordered that this Bill be read, which, being read, was passed the second time and returned.

Received from the House of Commons the bill for dividing the County of Sullivan. Endorsed “read the second time, amended and passed.”
Ordered that this bill be read, which, being read, was passed the third time and returned.

Received likewise the bill for raising money by a Lottery for the purpose of building a House for the reception of the poor in Craven County. Endorsed in the House of Commons "read the third time, amended & passed."

Ordered that this Bill be read, which, being read, was passed the third time and ordered to be Engrossed.

Received also, the bill for the removal of the place for holding Courts of Pleas and Quarter Sessions in the County of Washington & for appointing Commissioners to fix on the most convenient place for holding the same. Endorsed in the House of Commons "read the first time, amended and passed."

Ordered that this Bill be read, which, being read, was passed the second time and returned.

Received from the House of Commons the following bills, vizt:

The Bill for the promotion of learning in the County of Chatham, and the additional bill to an act entitled "an act to prevent the several species of hunting therein mentioned. Each endorsed "read the second time and passed."

Ordered that these bills be read, which, being read, were respectively passed, the former the third and the latter the second time and returned.

Received likewise the bill to vest in Trustees certain powers for the Benefit of Elizabeth Torrens and her children. Endorsed "read the second time & passed."

Ordered that this Bill be read, which, being read, was passed the third time and returned.

Received also the bill to repeal part of an act passed at New Bern the 29th day of December, 1785, entitled "an act for destroying Wolves, Wild Cats, Panthers, Bears, Crows and Squirrels in the several counties therein mentioned." Endorsed in the House of Commons, "read the second time, amended and passed."

Ordered that this bill be read, which being read, was passed the third time and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that the nomination of Justices of the Peace and
Field Officers shall be made on Thursday next, and desire your concurrence.

The foregoing being read, it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the Justices of the Peace and Field Officers to be appointed by the present Assembly, be nominated on Thursday next. 
Adjourned 'til to-morrow 9 O'clock.

Wednesday, Dec. 27th, 1786.
The House met.

On motion of Mr. Battle, the House resumed the consideration of the bill to amend an act entitled an act for emitting £100,000 paper currency for the purposes therein mentioned; for appropriating the Tobacco lately purchased by virtue of the said act towards discharging the interest of the Foreign debt due by the United States, and for making provision for the future discharge of the principal and interest of the said debt, which being read and amended as by him proposed, was put on its passage when it was passed the second time, with the amendments and sent to the House of Commons.

Received from the House of Commons the bill to impose a duty on all slaves brought into this State by land or water. Endorsed, "read the third time, and passed."

Ordered that this bill be read, which being read, was amended by consent of the House of Commons, passed the third time, and ordered to be engrossed.

On motion of Mr. Macon, it was ordered that the following message be sent to the House of Commons, vizt:

Mr. Speaker and Gentlemen:

The Senate propose in order to save time that the bill altering the Court system be committed, to which end they appoint General Rutherford, Messrs. Stokes and Macon a committee on their part, and propose further that such Committee be directed to report the amendments by them deemed necessary, by to-morrow 12 of the clock.

Mr. Hill delivered in the following report, vizt:

Your Committee to whom was referred the Claim of Samuel Cross report,

That it appears by the certificate of the County Commissioner of
Rowan, that he, the said Commissioner, did receive from said Cross, Sixty-Seven Head of beef cattle, which were impressed from him, allowed to weigh twenty thousand seven hundred and fifty pounds weight, which was received for the use of the Quarter Master's Post at Salisbury to support the prisoners at Salisbury aforesaid, taken at the Eutaw, and as the certificate appears to be deficient in not having the price inserted, your Committee recommend that the Comptroller be directed to make out a specie certificate in favor of the said Cross, ascertaining the price allowed by law. All which is submitted.

HENRY HILL, Ch.

The House taking this report into consideration, resolved, that they do concur therewith and ordered that it be sent to the House of Commons.

Received from the House of Commons the bill to confirm unto Richard D. Spaight an indefeasible title to certain lands therein mentioned. Endorsed "read the first time & passed."

Ordered that this bill be read, which, being read, was passed the second time and returned.

Mr. Armstrong presented the Petition of James Collins, which was read, referred to the Committee to whom was referred the Petition of William England and sent to the House of Commons.

Received from the House of Commons the Bill to amend an act entitled "an act to amend an act entitled an act for ascertaining what property in this State shall be deemed taxable property, the method for assessing the same and collecting public taxes." Endorsed "read the second time, amended and passed."

Ordered that this bill be read, which, being read, was amended, passed the second time and returned.

On reading this bill a motion was made and seconded, that the part thereof which directed the classing of lands, and which had been deled by the House of Commons, should again be re-instated in the Bill; this being objected to the question was put and carried in the negative, whereupon, on motion of General Rutherford, seconded by Mr. Herndon, it was ordered that the yeas and nays be taken on this question, which were as follows, vizt.:

For classing lands as by this bill when it last went from this House, Mr. Sharpe, Genl. Ramsey, Messrs. Medlock, McCawley,


Received from the House of Commons the following messages, viz:

Mr. Speaker and Gentlemen:

We agree that the bill for altering the Court system be committed as by you proposed, and have on our part as a committee for that purpose appointed Messrs. P. Hawkins, Sitgreaves and I. G. Blount.

Mr. Speaker and Gentlemen:

We propose that the two Houses assemble to-morrow morning at 9 o'clock to hear the Treasurer in defense of himself with respect to the charges of misconduct in office contained in the several depositions taken on that subject by the secret Committee.

The foregoing being read, it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The Senate have received the message of your House proposing that the two Houses assemble to-morrow morning at nine of the o'clock, to hear the public Treasurer in his defense as to the charges against him contained in the depositions taken by the secret committee, to which proposition they do not agree, thinking such a measure productive of too great a delay of business, but consent (if agreeable to you) that the two Houses convene for that purpose at 4 of the clock in the afternoon of tomorrow.

Adjourned 'til 4 of the clock, P. M.

Met according to adjournment and

Adjourned 'til to-morrow morning 9 o'clock.

Thursday December 28th, 1786.

The House met.

Received from the House of Commons the following report, to-wit:
The subdivision of the Committee appointed to consider and re-
port upon the application of the one hundred thousand pounds emitted, beg leave to report.

That with much care and attention they have investigated the accounts of the Treasurer, so far as they apply to the due Bills, that they find he has paid to the holders of them the sum of sixty-one thousand eight hundred and forty-eight pounds and three pence. That the said due bills are signed by the Commissioners of Army Accounts to wit, by Benjamin McCulloch, Henry Montfort, and John Macon, in some instances by the three, occasionally by two of them.

They further report that they have critically inspected the Army accounts & Orders under and by authority of which the said Commissioners have granted due Bills and Certificates. That they find the said accounts signed in almost every instance by a Captain or Subaltern and countersigned by a Field Officer. That the accounts in the very face of them in most of the instances in which your Committee have examined them carry with them the most decided proof of Fraud. That the orders produced by the Commissioners of Army accounts so far as they relate to Butcher, Faircloth, Price, Totevine and Sanders, are almost without an exception, so far as your Committee could discover, false, fraudulent and counterfeit. These orders have been made out with so little caution, with such an utter disregard of appearances that your Committee have in a very few instances only hesitated to decide upon them, so few that that they have not thought it necessary to note the distinction.

Your Committee have not passed through but in part the accounts of Butcher, Price, Totevine and Sanders. The further investigation of them must be reserved for a Board of Commissioners specially appointed for that purpose, who may sit in the recess of the Assembly; such a one with powers competent to its object your Committee beg leave to recommend to be appointed by the Legislature during its present session.

Your Committee request that you would regard those whose names are herein inserted, tho' perhaps the principal offenders, yet but as a small portion of the number of those who have been involved in this iniquitous business. For the rest of them your Committee beg leave to refer you to the Book of accounts of the Commissioners and Treasurer, to the Army accounts. Orders and due Bills in the hands of the Commissioners as well as those which
have been deposited in the Course of our examination with Pleasant Henderson, Clerk of this Committee.

Your Committee for the general Information of this House, have thought proper to state from the Treasurer's List of payments, the names of those who have been the principal Receivers from the Treasury Office with the several sums that have been paid into their hands for themselves and others, to wit:

<table>
<thead>
<tr>
<th>Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benjamin McCulloch</td>
<td>£23132/14</td>
</tr>
<tr>
<td>Henry Montfort</td>
<td>6939 2 7</td>
</tr>
<tr>
<td>William Faircloth</td>
<td>6935 8 11</td>
</tr>
<tr>
<td>Thomas Donoho</td>
<td>1790 0 4</td>
</tr>
<tr>
<td>William Sanders</td>
<td>1997 6 8</td>
</tr>
<tr>
<td>John McNeece</td>
<td>476 14 2</td>
</tr>
</tbody>
</table>

Amounting to: £41271/14 2

Your Committee had an explanation with the Secretary of this State relative to certain due Bills paid to him and received from him the most unequivocal proof of the integrity of his conduct on that Business, nor have they, from any information which they have, had the slightest reason to call his character into question.

Your Committee further report that the Commissioners of Army accounts have received from the Treasury of the State by virtue of ten thousand pounds which was to be applied so far to the payment of the claims of the Officers and Soldiers; that the said Commissioners have not rendered to your Committee any account of the disposition of the said money.

From various Depositions and Reports upon your Table, it will appear that John Price hath received due Bills from the Commissioners for liquidating Army accounts to a vast amount. From the Treasurer's Books it will appear that Receipts have been had upon these by others, for and in behalf of Price; or for themselves by his Order. All which is submitted.

ISAAC GREGORY,  
JAMES GALLAWAY,  
JOHN STOKES,  
WILLIAM HOOPER,  
JNO. SITGREAVES,  
A. NEALE,  
WILLIAM POLK,  
DAVID VANCE.
This Report was endorsed in the House of Commons "read and concurred with," which, being read, was concurred with and returned.

Resolved, That the Secretary of the State be and he is hereby directed to issue Military Land Warrants on application of Isaac Hicks, John Murray, Martin Miller, John Brooks and the legal Representatives of Samuel Griffith; deceased, for such quantities of land as they and each of them shall make appear they are justly entitled to.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have made the resolve respecting the Officers conformable to your proposition, which we now send for your concurrence.

Received together with the foregoing message the resolution alluded to, which was read, as amended concurred with and returned to the House of Commons.

Received likewise a resolution of the House of Commons of yesterday for discharging on certain conditions John Faircloth & others now in confinement; which was read, concurred with and returned.

Received also, a resolve of yesterday directing the Comptroller to settle the accounts of Mr. McKinnie as Paymaster to certain witnesses brought before this Assembly, which was read, concurred with and returned.

Received from the House of Commons a Resolution of that Body of this day directing the public Printer to strike off two hundred copies of the report of the Committee of Finance respecting the Revenue and Estimates for the year 1787, which was read, concurred with and returned.

Mr. Campbell delivered in the following report, to-wit:

Your Committee to whom was referred the Petition of Colonel George Mitchell, report—

That it appears that the said Mitchell did advance to his Company of North Carolina Troops in part of their pay to enable them to go on to the Northward in September, 1776, the sum of one hundred and thirty-five pounds which sum has never been repaid to the said Mitchell. We are therefore of opinion that the said George
Mitchell have a draft on the Treasury for the said sum of one hundred and thirty-five pounds.
All which is submitted.

JOHN A. CAMPBELL.

The House taking this report into consideration concurred therewith and ordered that it be sent to the House of Commons.

Received from the House of Commons a Letter from Benj. Smith, Esquire, relative to monies heretofore drawn by him in part of his Salary as Delegate from this State in Congress; accounting for the disposition and settlement of the same, &c. Endorsed “read and ordered to be sent to the Senate,” which, being read, was ordered to be filed.

Received likewise the Bill for adding part of Craven County to Dobbs County. Endorsed in the House of Commons “read the first time and passed.”

Ordered that this Bill be read, which, being read the second time, was rejected.

Received from the House of Commons the following report, viz:

The Committee to whom the Governor’s message, covering the accounts of Stephen Moore of Caswell County, was referred, report—

That on examining the said accounts a Balance appears due to said Moore (authenticated by a certificate of Joseph Nourse, Register of the Treasury Office of the United States) of three thousand four hundred and nine dollars and twenty-two ninetieths of a dollar, drawing an interest of six per cent. per annum from the first day of January, 1784, until the same shall be paid. It also appears to your Committee by a Resolution of Congress bearing date the 18 July, 1786, that the said Stephen Moore obtained a draft from the United States on this State for thirty thousand dollars when depreciated to forty for one; and that this State had at that rate been credited for the same in the books of the Treasury of the United States. By a Certificate from the Comptroller of this State it also appears that the said Stephen Moore received the aforesaid sum of thirty thousand dollars of Richard Cogdell, then Treasurer of New Bern District in May, 1780, at a time when the depreciation was sixty for one, making a difference of two hundred and fifty dollars in favor of this State.

Your Committee sensible of the advantages that will accrue to
this State by payments made in consequence of & under the said resolution, beg leave to recommend that the Treasurer be directed to pay the said sum of three thousand four hundred and nine dollars and twenty-five ninetieths of a dollar with the accruing interest, whenever he shall produce any resolve of Congress that the same when paid shall be deducted out of the amount of any Requisition then next to be made on this State; also the further sum of two hundred and fifty dollars the difference of depreciation on the draft aforesaid, with interest from May 1780 until paid.

All which is submitted.

JOHN ARMSTRONG,
WILLIAM HOOPER,
JNO. SITGREAIVES,
JOHN MACON.

This report was endorsed in the House of Commons, "read, amended and concurred with, as amended," which being read, was concurred with in like manner and returned.

Received likewise the Bill for raising troops for the protection of the Inhabitants of Davidson county. Endorsed in the House of Commons, "read the second time, amended and passed."

Ordered that this bill be read, which being read, was amended, passed the Second time, and returned.

Received also by way of the House of Commons, a message from His Excellency, the Governor, covering the petition of John Trubody. Endorsed in the House of Commons, "read and referred to Messrs. Hooper & Phil. Hawkins," which being read, was referred on the part of this House to Mr. Gallaway & Mr. Eaton and returned.

Mr. Hill moved for leave and presented a bill to repeal the several acts of Assembly respecting slaves as far as the same relate to making an allowance to the owner or owners for any executed or outlawed slave or slaves; which was read, passed the first time, and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have received your message of yesterday's date proposing that the two Houses assemble in the Commons room at one of the
STATE RECORDS.

Clock in order to hear the public Treasurer in his defence, &c., to which we agree.

The Senate now proceeded to the room in which the House of Commons sit, when the two Houses being convened resolved themselves into a Committee of the whole, and made choice of Elisha Battle, Esquire, for Chairman. They then proceeded to hear the Treasurer in his defence, when the Testimony charged against him as arranged by Mr. Maclaine was read, whereupon the Treasurer introduced divers witnesses who were examined. The Committee then rose and Mr. Battle, the Chairman, reported that the Treasurer had been heard in his defence, but that the committee conceived there was no necessity for giving a particular detail of their proceedings or coming to any resolution thereon as the intention of their meeting was only to give the Treasurer an opportunity of vindicating his conduct of which each Individual member had probably formed an opinion in the course of the proceedings of the Committee.

This Report was concurred with by the Committee, whereupon the Senate retired to their room.

Received from the House of Commons the Bill for the better regulation of the town of Hillsborough. Endorsed, "read the second time, amended and passed."

Ordered that this bill be read, which being read, passed the second time and returned.

Received likewise the Bill to establish a town on the east side of the North-east of Cape Fear River in Duplin county. Endorsed in the house of Commons, "read the second time and passed."

Ordered that this bill be read, which being read, was passed the second time and returned.

Received also by way of the House of Commons, a letter from the Honorable Samuel Spencer & John Williams, Esquires, two of the Judges of the Superior Courts of Law and Equity in this State, together with a Resolution of the House of Commons consequent thereon; which resolution being read, was concurred with and returned.

Received from the House of Commons a Resolution of that body of this day, directing the Comptroller to furnish a list of the names of the District Treasurers, County Commissioners of Confiscated Property, Commissaries of Prisoners, &c., who have not fully set-
tled their account with the public; which was read, concurred with and returned.

Received likewise the Bill to make the Securities therein named negotiable. Endorsed in the House of Commons, "read the third time, amended and passed."

Ordered that this bill be read, which being read, was passed the third time and ordered to be engrossed.

Mr. Battle delivered in the following report, vizt.:

Your Committee to whom was referred the Accounts of the Commissioners of Confiscated property and Superintendents of the Press report,

That they have examined the several papers and matters and other circumstances relative to the accounts of the said commissioners and superintendents, to-wit: the account of Griffith I. McRee, Commissioner of Confiscation for the district of Wilmington, whereby it appears to your Committee that the said McRee has sold in the several counties of the said district confiscated property to the amount of £46,607 9/ for which he has accounted to the public with the proper officer and lodged certificates issued by the Commissioners of army accounts to the amount of £14,985 7/7d, whereby there appears to be a balance due the State of £31,622 5/ 5d.

The account of Archibald Lytle, Commissioner of Confiscation for the District of Hillsborough, whereby it appears that he has sold confiscated property in the several Counties of said District to the amount of £38,714 18 4d, for which he has accounted to the public with the proper officer and lodged certificates to the amount of £19,701 19 5d, whereby there appears to be due the State a balance of £19,012 18 11d.

The account of Charles Bruce, Commissioner of Confiscation for the District of Salisbury, whereby it appears that he has sold confiscated property to the amount of £33,316 0 6d for which he has accounted with the public and lodged in the proper office certificates to the amount of £15,414 4 7d, whereby a balance appears to be due the State of £17,901 15 11d.

The account of Hardy Murfree, Commissioner of Confiscation for the District of Edenton, whereby it appears he has sold confiscated property to the amount of £42,916 4 0d for which sum he hath accounted to the public with the proper officer and lodged certificates
to the amount of £30,583 14 9d, whereby there appears a balance due the State of £12,332 9 3d.

The account of Nicholas Long, Commissioner of Confiscation for the District of Halifax, by which it appears he has sold confiscated property in the said District to the amount of £24,905 18 for which he hath accounted to the public and lodged certificates, &c., in the proper office to the full amount of sales in the said District.

The account of General James Armstrong, Commissioner of Confiscation for the District of New Bern, whereby it appears that the said Armstrong hath sold confiscated property in the said District to the amount of £14,294 0 0d for which he hath accounted to the public and lodged certificates in the proper office to the full amount of the said sales. Which said balances are in the hands of the Commissioners in Bonds taken according to the act of Assembly not yet payable.

Your Committee further report that on examining the account of Benjamin Sheppard, formerly a Commissioner of Confiscation for the District of New Bern, it appears that the said Commissioner has sold property in the said District for prompt payment in specie money at a time when there was no circulating medium in this State but coined money to the amount of £2,160 for which sum they conceive he hath properly accounted with the public. Also property at five years credit payable in the Currency of the State to the amount of eleven thousand and sixty pounds four shillings; and the credits given balance his account, provided they should be admissible which in the opinion of your Committee they cannot well be, as will more fully appear on the face of the account to which your Committee beg leave to refer the Honorable House.

Also the Account of John Sitgreaves, Esquire, formerly a Commissioner of confiscated property for the District of New Bern, whereby it appears that the said Commissioner hath collected confiscated debts to the amount of seven thousand three hundred and ninety-nine pounds seven shillings and eight pence; for which sum he hath accounted with the public.

That after examining the accounts of James Gillispie, Esquire, one of the Superintendents of the Press, for printing the late emission of money as settled with the Comptroller, your Committee are of opinion that it is fairly stated and that the several charges therein made for his services and expenditures for procuring paper and other necessaries for carrying on the business are just and reasonable.
Your Committee beg further to observe that a number of the former Commissioners of confiscated property have not settled their accounts with the public and do recommend that some method be fallen on to bring them to a settlement.

ELISHA BATTLE, Ch.

The House taking this report into consideration, resolved, that they do concur therewith and ordered that it be sent to the House of Commons.

Received from the House of Commons the Bill for purchasing Arms and Military stores, and for establishing a Magazine. Endorsed, "read the first time and passed."

Ordered that this bill be read, which, being read, was amended, passed the second time and returned.

Received likewise the bill for the inspection of tobacco at Joseph Green's, in Wayne county. Endorsed in the House of Commons, "read the third time and passed."

Ordered that this bill be read, which, being read, was passed the third time and ordered to be engrossed.

Received also the bill to emancipate Casar, formerly a servant of Samuel Yeagar, deceased. Endorsed in the House of Commons, "read the first time and passed."

Ordered that this bill be read, which, being read, was passed the second time and returned.

Mr. Gallaway delivered in the following report, vizt:

The Committee to whom was referred the Memorial of Joseph Cain, Esquire, late Treasurer of Wilmington District report.

That they have considered the said Memorial, and after examining his accounts are of opinion that he be allowed the sum of one hundred and sixty pounds thirteen shillings and four pence in full for his salary for one year and eight months, for which it appears to your Committee he has had no allowance; and also the sum of thirty pounds for his extra services as per his account rendered, which shall be credited to him in the settlement of his accounts with the Comptroller. All which is submitted.

JAMES GALLAWAY, Ch.

The House taking this report into consideration, resolved that they do concur therewith, and ordered that it be sent to the House of Commons.
STATE RECORDS.

Received from the House of Commons the bill for annexing part of the county of Craven to Pitt county. Endorsed, "read the third time and passed."

Ordered that this bill be read, which, being read, was passed the third time, and ordered to be Engrossed.

The passage of this bill being objected to, it was, on motion of Mr. Gallaway, seconded by Mr. Harget, ordered that the yea and nays be taken thereon which were as follows, viz:—


The subscribing members then moved for leave, and entered their dissent against the passage of this bill in the following words, viz:—

Dissentient.

Firstly, Because the representatives of Craven county, from whom we are to understand the sense of the people at large of that county, have not agreed to the passing this Bill.

And secondly, Because it appears to this House that even a majority of the Inhabitants within the limits prescribed, and by this Bill added to Pitt county, wish to continue and remain Inhabitants of Craven county. Signed by James Gallaway, Frederick Harget, Richard Clinton, Joseph Riddick; Anthony Bledsoe, Jacob Jordan, Dempsey Moore, Isaac Gregory, John Eaton, Nathan Mayo, John A. Campbell, Griffith Rutherford, Zedk. Stone, Wm. Wynns and Stephen Miller.

Received likewise the bill to alter the time of holding the annual Assemblies of this State. Endorsed in the House of Commons, "read the second time and passed."

Ordered that this bill be read, which being read the second time, was rejected.

Received also the bill appointing commissioners to fix on a convenient place for holding the Courts of Pleas and Quarter sessions in the county of Washington. Endorsed in the House of Commons "read the second time, amended and passed."
Ordered that this bill be read, which, being read, was amended, passed the third time, and returned.

Received from the House of Commons the petition of Robert Bignall. Endorsed, "read and referred to the Committee on Petitions and Memorials," which, being read, was referred in like manner and returned.

Received likewise a Resolution of the House of Commons requesting the Speakers of the two Houses to ratify bills of a private nature to the intent and purpose therein mentioned, which was read, concurred with and returned.

Resolved that Messrs. Gallaway, Gillispie, Macon and Hill be a Committee to pass and bring in a bill in aid of the Revenue act.

On motion of Mr. Gillispie, the House resolved as followeth, vizt:

Resolved, that in consequence of a recommendation of the County Court of Duplin, William Moore, a wounded soldier, be allowed the sum of eight pounds currency as a gratuity for the year 1785, that the Treasurer pay him the same and be allowed therefor in the settlement of his public accounts.

Sent for concurrence.

On motion of Mr. Gillispie, the House resolved as followeth, vizt:

Resolved, that the Committee of Claims be, and they are hereby directed to allow all claims presented them for liquidation for services performed in the late State legion, provided they shall think them just and properly authenticated.

Sent for concurrence.

On motion of Mr. Macon, seconded by General Rutherford, Resolved that the Committee appointed to prepare amendments to be made in the bill for altering the Court System, be directed to report in the morning, and that this House will then take up the consideration of the said bill.

Received from the House of Commons the following message, vizt:

Mr. Speaker and Gentlemen:

We propose that the General Assembly proceed to ballot at 4 o'clock on Saturday next, for the three Councillors yet to be appointed, a collector and naval Officer for Port Swannsborough—Vendue Masters for Washington and New Bern—Field Officers for the several Troops of Horse and Battalions of Infantry, a Commissioner
of confiscation for Halifax District in the room of Col. Long, re-signed, an Entry Officer for the Western Lands, Officers to command the Troops intended to be raised for the defence of the Western Country. Should you accede to this proposition you will signify the same by message.

This message being read, the House adjourned ’til to-morrow morning 9 o’clock.

Tuesday December 29th, 1786.

The House met.

Received from the House of Commons the bill to empower the several County Courts therein mentioned to lay a tax annually, for the purpose of erecting and repairing the Court House, Prison and Stocks in each county when necessary, and for defraying the contingent charges of the county. Endorsed, “read the second time, and passed.”

Ordered that this bill be read, which, being read, was passed the second time and returned.

Mr. Harget presented the petition of Mary Moore, which was read, referred to the Committee of Petitions and Memorials, and sent to the House of Commons.

Mr. Tipton from the Committee, delivered in the following Report, viz.

The Committee of Petitions and Memorials to whom was referred the petition of John Kendrick setting forth that he was wounded in an engagement at the Brown Marsh in the year 1781, and praying relief, report: That they find by sundry vouchers annexed to the said petition, that the said John Kendrick was a deserving officer under General Butler in the Militia Service of this State. That he by his wounds is incapable of obtaining a living for himself and family, and that he hath not even received an Auditor’s certificate for his services. Your Committee therefore recommend him as an object worthy the attention of the Assembly, and entitled to receive such reward as they may deem adequate to the support of himself and family.

JOHN TIPTON, Ch.

The House taking this report into consideration, resolve that they do concur therewith, whereupon,

Resolved, That John Kendrick wounded in the Militia service of
this State, and thereby rendered unable to procure a living, be allowed the sum of twenty pounds current money, that the Treasurer pay him the same, for which this shall be his warrant,

Sent for concurrence.

The House, resuming the message of the House of Commons of yesterday relative to Balloting, ordered that the following be sent to the House of Commons, vizt.:

Mr. Speaker and Gentlemen:

The Senate, pursuant to your proposition, have agreed that the General Assembly ballot at 4 of the clock on Saturday next for the three Councillors of State yet to be chosen, and nominate Dr. William McClure, Thomas Brown, Joseph McDowell, Spyers Singleton, Robert Bignall, Miles King, & Thomas Routledge, Esquires.

For a Collector and Naval Officer for Port Swanneborough, and nominate Mr. John McCullough for Collector, and Mr. Samuel Hall for Naval Officer of the said Port.

For Vendue Masters for the towns of Washington and New Bern, and nominate Mr. Peter Casseau for the town of Washington, and Mr. Hazell Smith for the town of New Bern.

We propose that the General Assembly do at the same time and on the same day ballot for a Treasurer for this State, and put in nomination General Griffith Rutherford, James Gillispie, Memucan Hunt and John Haywood.

It is not the sense of the Senate that any of the other appointments enumerated in your message should take place at this intended Balloting.

Mr. Tipton, from the Committee, delivered in the following reports, vizt.:

The Committee of Petitions and Memorials, to whom was referred the Memorial of Angelica Wilton, setting forth that her husband was inhumanly murdered by a certain John High, who hath made his escape and forfeited his recognizance, and praying that the forfeitures of the said High and his securities be given her for the maintenance of herself and child, report—

That they find that the husband of the said Memorialist was wilfully murdered for no crime by the said High, who hath made his escape, leaving his two securities to pay the sum of two hundred and fifty pounds each; your Committee therefore recommend that
the said Fines incurred by the securities be granted to the Memorialist aforesaid.

All which is submitted.

JOHN TIPTON, Ch.

The Committee of Petitions and Memorials, to whom was referred the Memorial of Jeptha Ferrell, praying a Releasement from the Forfeiture of a recognizance entered into for the appearance of a certain John High, report—

That they are of opinion that the prayer of the said Memorial ought to be rejected.

JOHN TIPTON, Ch.

The Committee of Petitions and Memorials, to whom was referred the Petition of Mrs. Clara Salter, praying to be allowed for sundry Ferriages for persons going to Musters, Courts and Vestrys, report—

That they are of opinion that the said Petition be rejected.

JOHN TIPTON, Ch.

The Committee on Petitions and Memorials, to whom was referred the Petition of John Beard, report—

That they find by the Deposition annexed that the said Petitioner had his House burned by accident, in which was consumed an auditor’s certificate for thirty-eight pounds eight shillings specie. Your committee therefore recommend that the Comptroller issue a certificate for the above sum in favor of the said John Beard, dated in June, 1783, as it appears to your Committee that the one burned was of that date.

JOHN TIPTON, Ch.

The Committee of Petitions and Memorials, to whom was referred the Petition of John McNeil, praying that certain lands be restored to him, which were sold by the commissioner of confiscation for Wilmington District, report—

That they are of opinion that the same be rejected.

JOHN TIPTON, Ch.
The Committee of Petitions and Memorials to whom was referred the petition of James Ransome and Young Maclemore praying an allowance for certain Certificates in their possession, report,
That they are of opinion that the same be rejected.

JOHN TIPTON, Ch.

The Committee of Petitions and Memorials to whom was referred the Memorial of Robert Bogle, praying an allowance for driving cattle to the different quarters of the Army and where the Commissioners directed, report,
That they are of opinion that the same be rejected because the payment for such services was commonly to excuse the person performing the same from a tour of duty in the Militia, and your Committee hath no proof that the Memorialist hath not received that benefit.

JOHN TIPTON, Ch.

The Committee of Memorials and Petitions to whom was referred the petition of William Moore and others, setting forth that they killed two of the Murderers of Nathaniel Richardson, Esquire, for which the Governor's Proclamation held out a reward of fifty pounds each, report,
That they are of opinion that the said Moore for himself and those who assisted him be allowed the reward allowed by the said Proclamation, which by the scale of Depreciation is sixty-six pounds thirteen shillings and four pence for the two murderers killed by them, and that the Treasurer pay the same and be allowed in the settlement of his account.

JOHN TIPTON, Ch.

The House taking these several reports into consideration resolved, that they do concur therewith, and ordered that they be sent to the House of Commons.

Mr. Tipton also delivered in a report on the Petition of Thomas Frohock, Esquire, which was read, rejected and filed.

Received from the House of Commons the Bill to confirm unto Richard Dobbs Spaight an indefeasible title to certain lands therein mentioned in Bladen County. Endorsed, "read the second time and passed."

Ordered, that this bill be read, which being read was passed the third time and returned.
STATE RECORDS.

Received from the House of Commons a Resolution of that body of this day, directing the manner in which the Treasurer shall discharge and pay off the allowances made for the daily attendance of members of the General Assembly at the present session, which being read was objected to, it was ordered that the following message be sent to the House of Commons.

Mr. Speaker and Gentlemen:

The Senate approve of part of the Resolution of your body of this date, relative to the mode of paying the members of the present Assembly and will concur with it, provided you will agree to amend the latter part thereof by deleting from the word "certificates," in the 7th line from the bottom, and inserting in the place of the lines so to be deleted, the words "he taking a receipt for the money so advanced, and endorsing on the back of each certificate the amount of the sum or part paid."

Received from the House of Commons the Bill to amend an Act entitled "an Act for the more regular collecting, payment of, and accounting for the public taxes, "and for laying certain duties therein mentioned." Endorsed "read the second time, amended and passed."

Ordered that this bill be read, which being read was amended, passed the second time and returned.

Mr. Brown presented the petition of Mary White, which was read, referred to the Committee of Petitions and Memorials and sent to the House of Commons.

Received from the House of Commons the memorial of Hodge and Blanchard, printers to the State. Endorsed "read and referred to Mr. Sitgreaves, Mr. McDowall, Mr. Spaight and Mr. Neale," which, being read, was referred to Mr. Herndon, Mr. Hill and Mr. Herritage and returned.

Received likewise a Bill enabling and empowering the Administrators of Robert Schaw, late of Brunswick county, Esquire, deceased, to sell certain lands in Bladen County commonly called the Western prong, late the estate of the said Robert Schaw, to save the personal estate for his widow and son. Endorsed in the House of Commons "read the first time and passed."

Ordered that this Bill be read, which being read was rejected.

Received also the report of the Committee to whom was referred the petition of the Honbl. John B. Ashe, Esquire, and James Gray, 18—12
Esq., in behalf of the heirs of Brigadier General Jethro Sumner, deceased. Endorsed in the House of Commons "read and concurred with," which being read was concurred with and returned.

Received from the House of Commons a Bill for levying a tax for the support of Government and for the redemption of the old paper currency, continental Money and Specie and other certificates. Endorsed "read the second time, amended and passed."

Ordered that this bill be read, which being read, was passed the second time and returned.

Received likewise the petition of James Collins; the petition of Hugh Ross; the petition in favour of George Peay; the petition of Mary Moore; the petition of Lodowick Wray; and the petition of Wm. Ashley, respectively endorsed in the House of Commons "read and referred as by the Senate."

Received also the report of the Committee to whom was referred the Petition of George Mitchell, Esq., and the report of the Committee on the Claim of Samuel Cross. Each endorsed in the House of Commons "read and concurred with."

Received from the House of Commons the bill to repeal an Act entitled "an Act to allow further time for saving lots in the several Towns within this State" so far as the same relates to the town of Kinston. Endorsed "read the first time and passed."

Ordered that this bill be read, which being read was passed the second time and returned.

Received likewise the additional bill to an Act entitled "an Act to prevent the Several Species of Hunting therein mentioned. Endorsed in the House of Commons "read the third time and passed."

Ordered that this bill be read, which being read was passed the third time and ordered to be engrossed.

Mr. Brown presented the petition and Memorial of John Rutherford on behalf of himself and his Brother and Sister, William Gordon Rutherford and Francis Menzies’ widow, which was read, referred to Genl. Rutherford, Mr. Gillespie, and Mr. Stokes as a Special Committee on the part of this House and sent to the House of Commons.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen:

We agree to ballot as by you proposed and add to the nomination for vendue Master at New Bern, Mr. Titus Ogden; for Councillors,

On motion of Mr. Lewis it was ordered that the following Message be sent to the House of Commons, Vizt:

Mr. Speaker and Gentlemen:

We further add to the nomination for a Treasurer Colonel Stephen Moore of Caswell County.

Received from the House of Commons a Bill empowering Hiram Jeremiah Richards of New Hanover County to take, hold and enjoy all the real and personal estate, late of Numan Harrison Chevers, of the same County, deceased, and to vest the same in the said Hiram Jeremiah Richards, his heirs, executors, administrators and assigns respectively. Endorsed "read the first time and passed."

Ordered that this Bill be read, which being read the first time was on motion laid over til the next Assembly.

Received likewise the following Message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a resolve of this House which we propose in lieu of the one entered into by your House in favor of Mr. Brantley.

Received at the same time the Resolution of the House of Commons above referred to which being read, was concurred with and returned.

Received also the report of the Committee to whom was referred the letter and papers of Mr. James Davis. Endorsed in the House of Commons, "read and concurred with," which being read was rejected.

On motion of Mr. Macon, seconded by Mr. Herritage it was ordered that the following Message be sent to the House of Commons.

Mr. Speaker and Gentlemen:

We propose that a Brigadier General for the District of Washington be ballotted for to-morrow at the time already set apart for balloting, and put in nomination for that appointment Joseph Martin, Evan Shelby and Anthony Bledsoe, Esquires.

Adjourned till tomorrow morning 10 o'clock.

Saturday Dec. 30th, 1786.
The House met.

Received from the House of Commons the resignation of Daniel
McKissick as one of the Justices of the Peace, for Lincoln county. Endorsed, "read and accepted" which being read was accepted and returned.

Received likewise the following message:
Mr. Speaker and Gentlemen:

We further add to the nominations for Councillors James Sampson, Esq.

Mr. Gallaway moved for leave and presented a Bill directing the Commissioners of confiscated property to receive certificates agreeable to a resolution of the last Genl. Assembly which was read, passed the first time, and sent to the House of Commons.

Received from the House of Commons a resolution of that Body of yesterday in favour of Jeremiah and Robert Field, sons of William Field, which was read, concurred with and returned.

Received likewise the following message:

Mr. Speaker and Gentlemen:

We further add to the nomination for Councillors, Bryan Whitfield, Esquire.

Received also the report of the Committee of Claims on the claim of Nicholas Long, Esquire, as Commissioner of confiscated property for the District of Halifax. Endorsed in the House of Commons "read and concurred with" which being read was concurred with and returned.

On motion of Mr. Gillispie, seconded by Mr. Harget, Resolved, that Mr. Harget, Mr. McCawley and Mr. Gillispie be a Committee on the part of this House to consider of and report the names of such officers of the late North Carolina line who have attended on this Assembly pursuant to a proclamation issued by His Excellency the Governor, and who in consequence of such attendance are entitled to a reimbursement of their expenditures from the public.

Sent for concurrence.

Received from the House of Commons the report of the Committee on the Petition of the Inhabitants of Fayetteville. Endorsed, "read and concurred with," which being read was concurred with and returned.

Received at the same time a resolution of the House of Commons of yesterday relative to the subject matter of the said report, which was read, concurred with and returned.
Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

Agreeable to the request of the Honorable the Judges this day handed to us and herewith transmitted to you, we propose that the two Houses meet in Conference for their reception at ten of the clock on Monday morning next.

The foregoing being read, it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

Pursuant to your proposition of this day, we agree that the two Houses assemble in Conference on Monday next for the purpose by you expressed and at the time by you appointed.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

By the request of Mr. Rowan and Colonel Moore, we propose that their names be withdrawn from the nomination for treasurer.

Adjourned till 4 o'clock p. m.

Met according to adjournment.

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

Mr. Speaker and Gentlemen:

We have appointed Mr. Lewis and Mr. Harget to superintend the balloting this evening to be had, and are now ready to proceed on that business.

Mr. Polk and Mr. Neale appointed on the part of the House of Commons, together with the gentlemen appointed by this House, now proceeded to take the ballots or tickets for the members of the two Houses, which being done and the ballot closed, Mr. Harget and Mr. Lewis returned and reported that on choosing the balloting it appeared that John Haywood was appointed treasurer of the State.

That John McCulloch was appointed Collector, and Samuel Hall Naval Officer for Port Swannsborough.

That Peter Casseau was appointed Vendue Master for the town of Washington.

That none of the other appointments ballotted for were made,
there being no majority, the House taking this report into consider-
ation resolved that they do concur therewith.

Received from the House of Commons the report of the Joint
Committee on Captain Fenner's representations endorsed in the
House concurred with, which being read, was objected to, where-
upon it was ordered that the following message be sent to the House
of Commons, vizt:

Mr. Speaker and Gentlemen:

The Senate have considered of the report of the Committee to
whom was referred Captain Fenner's Second Representation, and to
whom was committed the consideration of the purport of his suit,
and have determined, that this report so far as it relates to the mak-
ing Captain Fenner an allowance for his services as agent to the
late North Carolina line shall be deled. That Captain Fenner be
allowed the sum of two hundred pounds for his services aforesaid
in advance; that he be allowed one hundred pounds in full of his
expenses in this business to the present date, and that he make up
and deliver to the next Assembly a complete statement of his ac-
counts as agent, and that his services in this business be then con-
sidered and an adequate compensation made him; and that he de-
deliver up the certificates now on hand to the public Treasurer tak-
ing his receipt for the same. Should the House of Commons concur
with the Senate in opinion as to these propositions they will, on be-
ing informed thereof, cause that a resolution be drawn up for the
purpose.

Received from the House of Commons the following reports of
the Committee on Memorials and Petitions, vizt:

The report on the Memorial of Jeptha Ferrell; the report on the
Memorial of William Moore; the report on the Petition of John
Beard and the report on the Memorial of Robert Bogle, severally
endorsed in that House "read and concurred with."

Received likewise the Bill to alter the time of holding the County
Court of Pleas and Quarter Sessions in the county of Mecklenburgh.
Endorsed "read the third time, amended and passed."

Ordered, that this Bill be read, which being read, was passed the
third time and ordered to be engrossed.

Received also the report of the Committee of Petitions and Me-
morials on the petition of John McNeil, and the report of the said
Committee on the petition of Mrs. Clara Salter. Each endorsed "read and concurred with."

Received from the House of Commons the following reports of the Committee of Claims, to wit:

The Report on the Petition of Henry Purse; the Report on the Petition of Burwell Strecklen; and the Report on the Governor's Message in favour of Captain Lustre, respectively endorsed "read and concurred with."

Received likewise the report of the Committee of Claims on the Petition of Hogg's Executors, accompanied by a resolution of the House of Commons of yesterday directing the Comptroller to issue a Certificate in favour of those claiming under Mr. Hogg as therein mentioned, which was read, concurred with and returned.

Received also the report of the Committee of Claims on the Claim of Mr. James Blount; together with a resolution of the House of Commons allowing said Blount the sum of forty pounds for a negro executed by public authority, which was read, concurred with and returned.

Received from the House of Commons the Report of the Committee of Propositions and Grievances on the representation and petition of Mr. James Holland. Endorsed in the House of Commons, "read and concurred with," which being read was concurred with and returned.

Received likewise the report of the Committee to whom was referred the representation of Josiah Parker, Esqr. Endorsed in the House of Commons, "read, amended and concurred with," which being read was concurred with as amended and returned.

Received also the petition of John Smith and Robert Boak. Endorsed in the House of Commons, "read and referred to the Committee of Propositions and Grievances," which being read was referred in like manner and returned.

Received from the House of Commons the Bill for appointing the place of holding courts in the county of Sullivan. Endorsed, "read the second time and passed."

Ordered, that this Bill be read, which being read, was passed the third time and returned.

Received also the Bill appointing Commissioners to fix on a place for holding the Courts of Pleas and Quarter Sessions in the county of Washington. Endorsed, "read the third time, and passed."
Ordered, that this Bill be read, which being read, was passed the third time, and ordered to be engrossed.

Received from the House of Commons the petition of Mary White and the petition of Mary Moore. Each endorsed, "read and referred as by the Senate."

Received likewise a resolution of the House of Commons directing the Secretary of the State to issue land warrants to such officers and soldiers of the continental line as are yet entitled to the same, under the regulations and restrictions therein mentioned, which was read, concurred with, and returned.

Received also the resolution of this House relative to certain suspended Justices of New Hanover county. Endorsed in the House of Commons, "read and concurred with."

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We do not concur with the report of the Committee on the petition of James Ransome and Young McLemore, but propose that it be recommitted.

The foregoing being read, it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We consent that the report of the Committee on the petition of James Ransome and Young McLemore be recommitted.

The gentlemen appointed on the part of this House to prepare such amendments as they supposed necessary to be made the Bill to amend and alter the court system reported the same. Whereupon the said Bill was read, amended, passed the second time and returned to the House of Commons.

On reading this Bill a motion was made by General Rutherford, seconded by General McDowall, that the following claim be inserted therein as an amendment, viz:

"And be it further enacted by the authority aforesaid, that every "attorney when employed in any suit in any of the courts in this "State shall file his declaration in the Clerk's office the first day of "the term to which the writ is made returnable and on failure "thereof such suit shall be dismissed by the court at the cost of the "plaintiff, which cost being paid by said plaintiffs to the clerk of "the said court, he or they paying such cost in consequence of a
"declaration not being filed in due time as aforesaid, may warrant
"such attorney for all such costs by him paid as aforesaid, and the
"receipt of the clerk shall and may be given in evidence in support
"of such claim, and the Justice before whom such warrants shall be
"tried may give judgement and issue execution thereon and such
"attorney shall be further liable to the action of such plaintiffs for
"such damage as he or they may have sustained in consequence of
"such declaration not being filed as aforesaid; this being objected
"to the question was put and carried in the negative, to wit: that
"the proposed amendment should not be received; whereupon
the yeas and nays being called for by Genl. Rutherford, seconded
by General McDowall were as follows, to wit: For the proposed
amendment, Messrs. Thomas Armstrong, Ramsey, Medlock, Tipton,
Moore, Bonner, Gregory, Whiteside, Clinton, Rutherford, McDowall,
Harris, Galloway, Bledsoe, Hines, and Miller, 16. Against
the amendment, Messrs. Jordan, Battle, John Armstrong, McCawley,
Eaton, Brown, Herritage, Mayo, Harget, Stokes, Gowdy, Stone,
Mooring, Hill, Riddick, Mitchell and Wynne, 17. So the pro-
posed amendment was rejected.

Adjourned till to-morrow morning 9 o'clock.
Sunday December 31st, 1786.
The House met.

Received from the House of Commons a resolution of that Body
for commissioning as a Justice of the Peace for the county of Tyrrell
Mr. Simeon Spruill, which was read, concurred with, and re-
turned.

Received likewise a resolution of the House of Commons of the
29th inst., for inserting the name of Major Reading Blount in the
resolution of the 26th inst., respecting the officers of the late North
Carolina line attending at this place, immediately after the name of
Colonel John Armstrong in the said resolution, which being read,
was concurred with and returned, and the name of Major Reading
Blount inserted accordingly.

Received also the following message, viz:

Mr. Speaker and Gentlemen:

We propose that the estimates of allowances for the present ses-
sion be made up so as to include Wednesday agreeable to the rate
inserted in the Bill for allowing salaries, &c., to the officers of the
public.
The foregoing being read, it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The Senate have not agreed with you as to the time of making up the estimates, but propose that they be made up to Saturday next inclusive, which is, in their opinion, as short day as can with propriety be fixed on, the multiplicity of business now before the two Houses considered; we agree with you as to the mode of making up these estimates.

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

Mr. Speaker and Gentlemen:

We have again taken up and considered the report of the Committee on the petition of Zephaniah Waller, and have determined that the said report shall not be considered as being rejected, but as having been laid over till the next Assembly, by which time it is suggested Mr. Waller will be able to procure other and more sufficient testimony in support of his claim therein set forth.

General Rutherford from the Committee delivered in the following report, viz:

The Committee to whom was referred the petition of John Rutherford and others, report,

That they have examined into the Merits of the said petition, and find from the affidavit thereto annexed, and from the information of other members of the Committee, that the allegations therein contained are fully and satisfactorily proved, and that as minors and absenteees, the rights of the petitioners are saved, and that the property withheld from them by the Sheriff of New Hanover county should be returned.

Resolved therefore, that it be recommended to the General Assembly to order the Sheriff of New Hanover county to restore to the petitioner the negro slaves belonging to the petitioners hired out by order of the court of said county together with such monies and securities as he may have received for the said hire, and that this measure may be carried into execution without delay as the slaves will have completed their present year's service this month, and un-
less otherwise ordered, the Sheriff will deem himself obliged to hire them during the sitting of New Hanover court this present week. All which is submitted.

GRIFFITH RUTHERFORD, Ch'rn.

The House taking this report into consideration, resolved that they do concur therewith, and ordered that it be sent to the House of Commons.

Received from the House of Commons the report of the Committee to whom was referred the petition of the Inhabitants of Randolph county, and the report of the Committee to whom was referred the petition of William Graves and Elijah Hunter. Each endorsed, "read and concurred with," which being read were concurred with and returned.

Received likewise the report of the Committee of Propositions and Grievances on the Memorial of Angelica Wilton. Endorsed in the House of Commons, "read and concurred with."

Received also the Bill to erect a District Court of Law and Equity at Fayetteville. Endorsed in the House of Commons, "read the second time, amended and passed."

Ordered, that this Bill be read, which being read, was on motion laid over until the first day of January next.

Received from the House of Commons the following message, viz:

Mr. Speaker and Gentlemen:

We agree to the resolve of your House for appointing a Committee to report to the Houses the names of such officers who have attended on this Assembly, and we have on our part appointed Mr. Hawkins and Mr. Lewis.

On motion of Mr. McCawley, it was ordered that the following message be sent to the House of Commons.

Mr. Speaker and gentlemen:

We have rejected the recommendation of Justices for the county of Orange, on account of its not being signed by the representative of that county as is usual.

Received from the House of Commons a resolution of that Body of the 29th instant, in favour of James Fletcher, the report of a Committee in that behalf, which being read, was objected to, where-
upon on motion of Mr. Herndon, it was ordered that the following message be sent to the House of Commons, viz:

Mr. Speaker & Gentlemen:

It being represented to this House that there is an error in the report of the Committee (in respect to calculation on the petition of James Fletcher) they have determined at the request of Col. Herndon, that he have leave to withdraw the whole of the papers on that subject in order to their being laid before the next Assembly.

Received from the House of Commons a Bill to repeal an Act entitled "an Act to secure and quiet in their possessions all such persons their heirs and assigns, who have purchased or may hereafter purchase lands and tenements, goods and chattels which have been sold or may hereafter be sold by the Commissioners of forfeited estates legally appointed for that purpose. Endorsed in the House of Commons, "read the first time, and passed."

Ordered, that this Bill be read, which being read, was passed the first time and returned.

Received likewise the Bill to establish a town on the East side of the Northeast of Cape Fear river, in Duplin county, Endorsed in the House of Commons, "read the third time, and passed."

Ordered, that this Bill be read, which being read, was passed the third time and ordered to be engrossed.

Received also the Bill to enable the executors of Robert Hogg to maintain and defend suite, under the regulations therein mentioned. Endorsed in the House of Common, "read the second time, and passed.

Ordered, that this Bill be read, which being read, was passed the second time and returned.

Mr. Armstrong presented the petition of Hugh McLean, which was read, referred to the Committee on Petitions and Memorials, and sent to the House of Commons.

General McDowell presented the memorial of Colonel Martin Armstrong of of Surry county, on behalf of Samuel Cummings, Esq., which was read referred to the Committee of Petitions and Memorials and sent to the House of Commons.

Received from the House of Commons a Bill for enabling executors and administrators to make a speedy settlement of their accounts. Endorsed, "read the second time, amended and passed."

Ordered, that this Bill be read, which being read, was rejected.
STATE RECORDS.

Received likewise the report of this day on the petition of John Rutherford, together with a resolution of the House of Commons consequent thereon, which resolution was read, concurred with, and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We propose balloting at 4 o'clock to-morrow evening for purchasers of tobacco for the town of Halifax, Tarborough and Fayetteville; for the three Councillors yet to be elected; for a Vendue Master for the town of New Bern, and an entry taker of Western lands. We nominate for Commissioners for purchasing tobacco, Thomas Hogg for the town of Halifax; James Porterfield and John Ingram for Fayetteville, and Ethelred Philips for the town of Tarborough. For Councillors we nominate the four gentlemen who had the greatest number of votes on the last balloting, to wit: Joseph McDowell, Thomas Brown, John Nelson and Spyers Singleton, Esquires. John Armstrong and William McCawley, Esqrs., for Entry Taker of Western lands; Titus Ogden and Bazil Smith, for a Vendue Master for New Bern. We further add to the nomination for Councillors, Robert Bignall, Esq. We have appointed Col. Polk and Mr. Neale to superintend the balloting.

The foregoing being read, it was ordered that the following message be sent to the House of Commons, viz:

Mr. Speaker and Gentlemen:

We agree to the measures by you proposed with respect to the report on the representation of Captain Fenner as amended by the House.

Whereupon, it was resolved, that Captain Fenner, agent to the late North Carolina line, be allowed the sum of two hundred pounds currency in advance for and on account of his services as such; that he be allowed the sum of one hundred pounds in full of his expenditures in this business to the present date; and that he make up and deliver to the next General Assembly a complete statement of his accounts as agent, when his services in this business shall be considered and adequately rewarded.

Resolved, further, that Captain Fenner in the mean time deliver up to the public treasurer all certificates now in his hands as agent aforesaid, together with the Cheques, taking the treasurer’s receipt for the same. Sent for concurrence.
Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree that the estimate of allowance be made up to include Saturday next as by you proposed; and also agree that the report of the Committee on the petition of Zephaniah Waller be laid over until the next Assembly.

General Rutherford from the Committee, delivered in the following report, vizt:

The Committee appointed to consider the nature of the claim of the late Honorable William Byrd, of Virginia, to certain lands within the limits of this State report,

That it appears to your Committee by the papers and documents before them that the late Honorable William Byrd was entitled, for his military services, to five thousand acres of land under the proclamation of his Britannic Majesty in Council of 1763. That in consequence one thousand acres thereof were located, as appears by a certificate of the late Col. William Preston, surveyor of Fincastle county in Virginia at the Salt Lick, on Cumberland river, now called Nashville.

Your Committee considering the nature and extent of the said Proclamation, and it being fully ascertained to them by the extension of the Boundary Line between this and the State of Virginia, that the aforesaid entry was made on lands within the proprietary part of the Carolinas; and consequently not within the gift of the Crown, are of opinion, that the claim of the late Honorable William Byrd to the said lands is inadmissible. All which is submitted.

GRiffith Rutherford, Ch.

The House taking this report into consideration resolved that they do concur therewith and ordered that it be sent to the House of Commons.

Received from the House of Commons the Resolution of this House of to-day relative to Captain Robert Fenner, agent to the late North Carolina Line, endorsed "read and concurred with."

On motion of Mr. Stone the House resolved as followeth, vizt:

Whereas, the Board of Auditors for the District of Edenton which were revived by an act of the last session of Assembly, entitled "an Act empowering Commissioners to liquidate the accounts of the officers and soldiers of the Continental line of this State, and to re-
vive the late Board of District Auditors for a limited time," failed to sit agreeable to the said Act owing to the indisposition of one of the Board; by which failure, a number of the inhabitants of said district have been deprived of the opportunity of presenting their claims against the public, therefore Resolved, That Edward Ever-again, William Righton and Lott Brewster be, and they are hereby appointed a Board of Auditors for the aforesaid district, who shall have, possess and enjoy the same powers, privileges and emoluments that were incident or appertaining to that office by the aforesaid Act of Assembly; and the aforesaid Board shall meet at Edenton the first Monday in May next, and shall continue to sit ten days for the purpose of receiving and auditing all just claims which may be presented them by the inhabitants of the said district, and not heretofore allowed; and the aforesaid Auditors shall give public notice of the purport of this Resolution three months previous to their meeting; and all claims which shall not be presented for liquidation at the aforesaid Board shall be forever barred and precluded from allowance agreeable to the true intent and meaning of the said Act. Sent for concurrence.

Received from the House of Commons a Resolution of that body of yesterday directing the Commissioners of confiscated property for the District of New Bern to sell certain property therein mentioned, and directing the Treasurer to bring suit against Benj. Shepperd and others therein mentioned, which was read concurred with and returned.

Received likewise the following Bills, viz:

The bill to keep open Cape Fear, Uharie, Rocky River of Pee Dee, the Catawba, Deep River, Haw River and Rocky River for the passage of fish up the same. And

The bill to appoint Commissioners to carry on and finish the public buildings in the county of Anson. Each endorsed in the House of Commons "read the second time and passed."

Ordered that these bills be read, which being read were respectively passed, the former the second and the latter the third time and returned.

Received also the Bill for the better regulation of the town of Hillsborough. Endorsed in the House of Commons "read the third time and passed."

Ordered that this Bill be read, which being read was passed the third time and ordered to be engrossed.
Received from the House of Commons, the Bill to repeal an Act entitled "an Act to allow further time for saving lots in the several towns within this State," so far as the same relates to the town of Kinston. Endorsed "read the second time and passed."

Ordered that this bill be read, which being read was passed the third time and returned.

Received likewise the Bill to authorize the late Commissioners of Specific Supplies for the counties therein mentioned to collect the arrearages of Specific Taxes yet due from the Inhabitants thereof. Endorsed in the House of Commons "read the second time and passed."

Ordered that the Bill be read, which being read was passed the third time and returned.

Received also the following Message:

Mr. Speaker and Gentlemen:

We propose that the report of the Committee on the Accounts of the Officers of Confiscation, &c., be amended by striking out the clause relative to Colo. Sitgreaves included within lines, this Amendment being read, we will concur with the same.

This Message being read, the proposition therein contained was unanimously concurred with. The report amended accordingly and sent to the Commons for concurrence with the following Message, viz:

Mr. Speaker and Gentlemen:

We have received the Message of your House of yesterday proposing an amendment in the Report of the Committee on the accounts of the Officers of Confiscation as to that part thereof which respect the Acct. of Col. Sitgreaves, to which proposition we have unanimously agreed; made the Amendment accordingly and now again send that report for your concurrence.

Adjourned til to-morrow morning 9 o'clock.

Monday, January 1st, 1787.
The House met.

On motion of Mr. Harget the House resolved as followeth vizt:

Resolved, that Winston Caswell, in favor of whom a warrant has been issued by his Excellency, the Governor, on the Treasury of this State for the purpose of paying off and making a compensation to sundry persons compelled to this place as witnesses, by virtue of
a resolution of this Assembly, be and he is hereby required to settle and account for the monies so by him drawn as aforesaid with the public Comptroller. Sent for concurrence.

Mr. Tipton delivered the following report to-wit:

The Committee of Petitions and Memorials to whom was referred the Memorial of Thomas Frohock, setting forth that he had obtained a judgment against Henry Eustice McCulloch for the sum of two thousand three hundred pounds, and had it satisfied by the Commissioner of Confiscated Property, of Salisbury District, who let him have a piece of land lying on the Yadkin, and praying to be released from the bargain, which was oppressive, and that the Assembly will direct to the land to be sold by the Commissioner, and leave to him to seek his remedy elsewhere, report,

That they are of opinion that Mr. Frohock be released from the said contract or purchase, and the Commissioner be directed to sell the said land again for the use of the State, providing that Mr. Frohock shall not levy his judgment on any property already confiscated as having belonged to the said Henry Eustace McCulloch or on any of the lands of the said McCulloch in this State; your Committee further report that Mr. Frohock professes himself satisfied with this report and is willing to be debarred from levying his said Judgment on any of the property aforesaid, and from calling on the State for the amount of the same. Your Committee are of opinion that Mr. Frohock’s case is a very hard one in all its circumstances and think in equity and good conscience he ought to be released in the premises above set forth. All of which is submitted.

JOHN TIPTON, Ch.

The House taking this report into consideration resolved that they do concur therewith and ordered that it be sent to the House of Commons together with the following resolution, to-wit:

Resolved that Thomas Frohock, Esqr., pay into the hands of the Commissioner of Confiscated Property, for the District of Salisbury, the sum of twenty-five pounds current money, being in full of that sum due by the said Frohock to this State for and on account of the rent of a farm belonging to the public; and which hath been by a report of a committee concurred with by both Houses, directed to be sold by the Commissioner aforesaid.

Sent for concurrence.

18—13
On motion of Mr. McLean, Resolved that the following Message be sent to the House of Commons, vizt:

Mr. Speaker and Gentlemen:

We have appointed Mr. Macon, Mr. Harris and Mr. Wynn a Committee who will act jointly with such of your body as may be appointed to receive from the Several Committees, such Continental and old dollar bill money, as may be in their hands belonging to the public, and who will cause the Continental money to be delivered to the Comptroller and the other to be burned and destroyed, and make report of their proceedings herein.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen:

We propose that the two Houses immediately assemble, agreeable to the proposition of this House of Saturday last, to receive and hear the judges on the subject of the charges to be established against them, and that two of the members from each House attend on their Honors and acquaint them therewith.

The foregoing being read it was ordered that the following Message be sent to the House of Commons.

Mr. Speaker and Gentlemen:

We agree that the two Houses meet in Conference agreeable to your proposition, and have appointed Mr. Macon and Mr. Galloway to wait on the honorable the Judges with the information.

The Senate now proceeded to the room in which the House of Commons sit. When the two Houses being convened the honorable Samuel Spencer and John Williams, Esquires, two of the Judges of the Superior Courts of Law and Equity in this State were introduced and seated.

Whereupon, Mr. Maclaine from the Committee to whom was referred the examination into the present mode of the Administration of Justice in the Superior Courts of Law and Equity, delivered in a Report, (which see in the Proceedings of this House of Wednesday next) which being read, on motion the two Houses formed themselves into a Committee of the whole to take under consideration the charges contained in the report aforesaid against the honorable the Judges, and made choice of Richard Dobbs Spaight, Esquire, for Chairman, who having taken the chair accordingly, the charges
contained in the report above mentioned were debated by the Committee; the honorable the Judges having been previously heard in their defence; some time being spent herein the Speakers on motion resumed their chairs and Messrs. Chairman reported, that the Committee had come to several resolutions, but not having time to reduce them to form, desired until to-morrow to report; whereupon it was ordered that he have time until the Morrow accordingly.

The Senate now retired to their room when Mr. Speaker having taken the chair, the House on motion,

Adjourned til to-morrow morning 9 o'clock.

Tuesday January 2nd, 1788.

The House met.

Mr. Galloway, from the Committee, delivered in the following report, vizt:

The Committee to whom was referred His Excellency's, the Governor's Message inclosing the Petition of John Truebody, one of the citizens of the State of Rhode Island in behalf of himself and his brother and sisters, respecting a tract of land to them belonging and which has been sold to Christopher Neale and John Jones, Esquires, by the Commissioners of Confiscated Property for the District of New Bern, report,

That it appears to your Committee that no money has been paid by, or titles made to, the said purchasers; and as they have signified their willingness to have the said lands restored to the proper owners thereof, on being by them re-imburzed for the improvements they have made thereon since their purchase, and the bonds which they gave cancelled.

Your Committee beg leave to recommend that the said lands be restored to the said John Truebody his Brother and Sisters, and that the bonds of the said Christopher Neale and John Jones, for the purchase of said lands be returned to them to be cancelled, provided the said claimants pay and satisfy the Abner Neale and John Jones, Esquires, for the improvements they have made on said lands, which one of the Petitioners has promised to do. All which is submitted.

JAMES GALLAWAY, Ch.

The House taking this report into consideration resolved that
they do concur therewith and ordered that it be sent to the House of Commons, together with the following resolutions, viz:

Resolved, that His Excellency the Governor, be and he is hereby requested on its being made appear to him by John Truebody, Esqr., of the State of Rhode Island, that he is in quiet and peaceable possession of a tract of land, the property of him the said John Truebody, his Brother and Sisters, which hath been sold as confiscated property to Christopher Neale and John Jones, Esquires, to cause the bond of the said Jones and Neale given for the purchase money of the said lands, to be cancelled, but should it so happen that possession is continued to be refused to the above mentioned proprietors, that then and in that case the Governor direct the Treasurer to assign over the said bond to him the said John Truebody, his Brother and Sisters.

Sent for concurrence.

Received from the House of Commons a resolution of that body allowing Thomas Bridgen the sum of £15 for removing the public papers belonging to the House of Commons from New Bern to Fayetteville which was read and rejected.

Mr. Macon, from the Committee, delivered the following report, viz:

The Committee to whom was referred the Petition of William Murphy, report,

That it appears by the Deposition of the said Murphy, and other proofs which they have no reason to doubt as the same is confirmed by common report, that there were stolen out of his pocket on the night of the 25th of December, 1785, a certificate for his attendance as Doorkeeper to the Senate at the session at Wake Court House for £10,000, another for his attendance at the preceding intended session at New Bern for £2,000, and another in the name of his son, William Rigney Murphy, then a door keeper, for his attendance at the said intended session for £2,000, all which sums according to the scale of depreciation amount to £40,000 of the present currency; Your Committee therefore considering the honest character and the faithful services of this man in his humble station for several years past, do recommend that on his producing a certificate to the Treasurer from the public printer, that the loss of the said certificates particularly described has been advertised in the North Carolina Gazette for four weeks successively and entering into bond
to be taken by the Treasurer that they shall not be passed into any public office established for the receipt of public monies; shall pay him the said forty pounds & be allowed therefor in the settlement of his public accounts.

Your Committee also find, that there were stolen from him at the same time a loan office Certificate marked A No. 9 B. NewBern; dated the 11th of April, 1781, for £8,000 in his own name; and, another marked C. No. 10 D. NewBern for £8,000 dated the same day in the name of his son William Rigney Murphy, and that the same as appears by a Certificate from under the hand of the Treasurer & Comptroller respectively have never yet been presented, or passed into either of their Offices; Your Committee therefore recommend that new Certificates of the same tenor and date and in the same names be issued by the person or Officers having the cheques thereof in his possession, & that he mark on the cheques a short note signifying the date of this report and the re-issuing of the Certificates and make mention of the same in the Certificates so re-issued. All which is submitted.

JOHN MACON,
BRYAN WHITFIELD,
THOMAS FROHOCK,
JAMES BLOODWORTH.

This report being read was concurred with and sent to the House of Commons.

Received from the House of Commons a Resolution of that Body of this date in favor of John Macon, Esquire, which was read, concurred with and returned.

Received likewise by way of the House of Commons an Estimate of the Certificate Debts due by this State; accompanied by a Resolution of the House of Commons relative thereto; which resolution being read and objected to, the House resolved as follows, vizt.: "Resolved, That the public printer of this State be and he is hereby directed to strike off for the information of the public at large, one Hundred and fifty copies of the Estimate of Certificate Debts due and owing by this State, and cause that they be forwarded in due proportion to the Clerks of the Superior Courts of Law and Equity; which Clerks shall cause such copies to be delivered at the same time with the acts of the present session to the Clerks of the
County Courts in each District one Copy thereof to be by each of them posted up at the door of the Court House of each County respectively.

Ordered that the foregoing, with the following message be sent to the House of Commons vizt:

Mr. Speaker and Gentlemen:

We do not concur with the resolution of your House directing the Printer to publish and bind up with the Laws a Copy of the Estimate of Certificates due by the State, but propose that the one herewith sent you on that subject be adopted in lieu thereof.

Received from the House of Commons a Resolution of that Body of this date in favor of Stephen Moore, Esquire, of Caswell County, which was read, concurred with and returned.

Received likewise the Bill directing the mode of proceeding upon impeachments. Endorsed in the House of Commons “read the second time, amended and passed.”

Ordered that this bill be read, which, being read, was on motion laid over until the next session of Assembly.

Mr. Tipton presented the petition of Duncan Campbell setting forth that Col. Thomas Matthews of Moore County, had as a justice of the peace, been guilty of Bribery, &c., whereupon, the said Petition and the Affidavits therein enclosed being read the House resolved as follows, to-wit:

Whereas, it appears to this House by sundry affidavits and other testimony that Thomas Matthews, Colonel of the County of Moore and one of the Justices of the Peace therein, hath been guilty of Bribery as a Justice and hath otherwise demeaned himself in an unbecoming manner,

Resolved, That the said Thomas Matthews be and he is hereby suspended from the execution of his said Office as Colonel and Justice of the Peace, unless he shall appear at the next General Assembly and shew cause wherefore this suspension should be done away; and that in the mean time he be served with a Copy hereof. Sent for Concurrence.

Received from the House of Commons the Report of the Committees on the Accounts of Commissioners of Confiscated Property & Superintendents of the Press. Endorsed “read and concurred with as amended.”

Received likewise the bill for establishing a Militia in this State.
Endorsed in the House of Commons "read the second time, amended and passed."

Ordered that this bill be read, which, being read, was amended, passed the third time and sent to the House of Commons.

Received from the House of Commons a Resolution of that Body of yesterday requiring His Excellency the Governor to cause to be published in the North Carolina Gazette a List of the names of the negroes carried away by the British in contravention of the late Treaty of Peace; which was read, concurred with and returned.

Mr. Gillispie who withdrew for amendment the bill to prevent the appointing too great a number of Justices of the Peace & to compel the clerks of the several County Courts in this State to make return as therein directed; presented the same when it was read as by him amended, passed the second time and sent to the House of Commons.

Received from the House of Commons a bill declaring the late Treaty of Peace between the United States of America and Great Britain is and hath been in full force in this State as part of the Law of the Land. Endorsed in the House of Commons "read the first time and passed."

Ordered that this bill be read, which, being read the first time was laid over 'til next Assembly.

Received likewise the Bill for laying a tax on all seamen coming into the respective ports of this State for raising a fund for the support of sick seamen and for the proper appropriation of the same. Endorsed in the House of Commons "read the second time and passed."

Ordered that this Bill be read, which, being read, was passed the second time and returned.

Received also a bill to amend an act entitled "an act to establish in the Towns of Edenton, Washington, NewBern and Wilmington Courts for the more speedy Decision of Mercantile Transactions with Foreigners and transient persons & of maritime Affairs." Endorsed in the House of Commons "read the first time and passed."

Ordered that this bill be read, which, being read, was laid over until the next Assembly.

Received from the House of Commons the bill to enable William Moore, late sheriff of Burke County, to collect all the taxes due from the said County for the year 1785, and to allow him a further
time for settling for his collections with the Treasurer. Endorsed "read the second time and passed."

Ordered that this Bill be read, which being read, was passed the second time and returned.

Received likewise the bill for establishing a Town on the land of Richardson Fagin in the County of Moore, &c., which was read the second time and laid over 'til next Assembly.

Received also, the bill to pardon and consign to oblivion the Offences and Misconduct of certain persons in the Counties of Washington, Sullivan, Greene and Hawkins. Endorsed in the House of Commons "read the second time, amended & passed."

Ordered that this bill be read, which being read, was amended, passed the third time & returned.

General Rutherford presented the account of Lewis Bowell, which, being read, the House resolved as follows, vizt.:

Resolved, That Lewis Bowell, of the Town of Fayetteville, be allowed the sum of eighty-nine pounds one shilling current money in full for provisions, &c., by him furnished sundry persons confined agreeable to a resolution of the General Assembly, that the Treasurer pay him the same and be allowed. Sent for concurrence.

General Rutherford also presented the Petition of Hugh McDonald, which, being read, the House resolved as follows, to-wit.:

Resolved, That Hugh McDonald of the Town of Fayetteville be allowed the sum of fifteen pounds current money in full of that sum granted him for the use of a House for the purpose of confining certain prisoners during the present session; that the Treasurer pay him the same and be allowed. Sent for concurrence.

Resolved, That General Gregory be, and he is hereby directed to return to Memucan Hunt, Esquire, late Treasurer, all the due Bills which the Committee for examining, &c., received of him during their sitting as such.

Sent for concurrence.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose balloting at five o'clock this evening for the officers that were to have been balloted for last evening and put in nomination for the said offices respectively the persons before nominated, and add to that nomination for purchaser of Tobacco for Halifax Egbert Haywood.
The foregoing being read it was ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We likewise add to the nomination for purchasing Tobacco at the town of Halifax Egbert Haywood, Esquire, but do not agree that this balloting be had at the time by you proposed.

Received from the House of Commons the Bill to emancipate Ceasar, formerly a servant of Samuel Yeargan, deceased. Endorsed, "read the second time, and passed."

Ordered that this bill be read, which, being read, was passed the third time & returned.

Received likewise the Bill to alter and amend an act passed at Hillsborough in May 1783, entitled "an act for repairing the Court House and Prison in the Town of Salisbury for the District of Salisbury," and also one other act passed at New Bern 1784, entitled "an act for levy a tax in the counties in Hillsborough and Salisbury Districts, for the repairing the District Buildings in the towns of Hillsborough and Salisbury, & directing the method of calling to account all Commissioners of public buildings heretofore or hereafter to be appointed, also to alter and amend the several Laws now in force for erecting and repairing the public Buildings in the District of Hillsborough." Endorsed, "read the third time and passed."

Ordered that this bill be read, which, being read, was passed the third time and ordered to be engrossed.

Mr. Tipton, from the Committee, delivered in the following report, viz:

The Committee of Petitions and Memorials to whom was referred the petition of James Greenlee, report:

That they find that Mr. Greenlee was appointed Sheriff and made the collections for the county of Burke for the years 1780 and 1781, and hath the money now by him received from those collections, which the Treasurer of that District refused to receive as Mr. Greenlee collected it, and that Mr. Greenlee also collected the taxes for the years 1782 and 1783, agreeable to a list of taxables delivered to him, but the sheriff having a different return would not settle by the one delivered the sheriff as aforesaid.

Your Committee are therefore of opinion that the Treasurer of this State, settle with Mr. Greenlee for the years 1780 and 1781, in
such money and claims as he by his oath or otherwise shall prove were paid to him, and that he be allowed to settle his accounts for the years 1782 & 1783, by the return which he received to collect the taxes for the said years.

JOHN TIPTON, Ch.

The House taking this report into consideration, resolved that it be rejected.

Mr. Tipton likewise delivered in the following reports, vizt:
The Committee of Petitions and Memorials to whom was referred the petition of Hugh Ross, praying that his estate be restored to him, which is confiscated, report,

That they are of opinion that the said Ross was in a manner frightened away from his habitation by a set of men who, calling themselves Friends to America, tied him and whipped him for being a tory. Your Committee are therefore of opinion that the said Ross (being a poor ignorant man) be restored to his property, and that the commissioner of confiscated estates be directed not to make sale of his land.

JOHN TIPTON, Ch.

The House taking this report into consideration, resolved that they do concur therewith & ordered that it be sent to the House of Commons.

The Committee of Petitions and Memorials to whom was referred the petition of Andrew Bass, praying an allowance for sundry certificates & Cattle taken away from him by the British Troops under Lord Cornwallis, report,

That they find that these claims have been presented to two or three Assemblies before the present, and have as often been justly rejected, that Mr. Bass appears to have revived the Claim of the Certificates upon a mistaken opinion, that if he proved he lost them they would be allowed, but the invariable rule adopted by your Committee (and they believe it a just one) is to make no allowance for any certificates lost, which there is reason to suppose remain yet in circulation. Your Committee are therefore of opinion that the prayer of the said petition be finally and absolutely rejected.

JOHN TIPTON, Ch.

The House taking this report into consideration, resolved that
they do concur therewith, and ordered that it be sent to the House of Commons.

The Committee of Petitions and Memorials to whom was referred the petition of Daniel Buie and others, report,

That they find by sundry vouchers that the Troops under the command of General Rutherford in 1781, did receive from Daniel Buie and Archibald Maclaine fifteen Head of Cattle, for which they have not received satisfaction. Your Committee therefore recommend, that the said Buie receive a specie certificate for fifty-four pounds for the nine Beaves taken from him, and the said Maclaine thirty-six pounds in the same kind of Certificates for the six taken from him.

JOHN TIPTON, Ch.

The Committee of Petitions and Memorials to whom was referred the petition of George Peay, praying a Release of the Fine imposed for the Forfeiture of a Recognizance entered into for the appearance of his son at Salisbury Superior Court, report,

That as the said George Peay has been in several posts of honor and trust in the said county, he be allowed to discharge the said fine with the certificates he received for his services while in the said offices. Your Committee are lead to make this mitigation in the Fine from an assurance that the said George Peay, in all his employments, hath conducted himself like an honest and upright servant of the public.

JOHN TIPTON, Ch.

The House taking these Reports into consideration, resolved that they do concur therewith, and ordered that they be sent to the House of Commons.

Received from the House of Commons the Bill for erecting a Prison in the county of Franklin. Endorsed, "read the second time & passed."

Ordered that this bill be read, which, being read, was passed the third time and returned.

Received likewise the bill to bring to condign punishment, and to secure their estates so as to be answerable to the public the persons therein described accused of certain crimes and fraudulent practices, and to indemnify such persons as have acted in pursuance to certain resolutions of this Assembly from vexatious suit
and prosecutions, & to establish a Board for the detection & further discovery of the said fraudulent practices, and for settling and liquidating the accounts of the Officers and Soldiers of the Continental Line. Endorsed in the House of Commons, "read the second time, amended and passed."

Ordered that this bill be read, which being read, was amended, passed the second time, & sent to the House of Commons.

Received also the following Bills, vizt:

The Bill to amend an act passed at Hillsborough in the year 1782, entitled "an act to vest the Title of a certain Tract of land in Robert Cummings," &c.

The Bill to amend an act entitled "an act to empower the County Courts of Pleas and Quarter Sessions of the several counties in this State to order the laying out public roads, and to establish and settle Ferries & to appoint where Bridges shall be built, and to clear inland Rivers and Creeks," and the Bill to keep open Uharie, Rockey River of Pee Dee, the Catawba, Cape Fear, Deep River, the Yadkin River, Dan River, Haw River, and Rockey River for the passage of Fish up the same. Each endorsed in the House of Commons, "read the second time & passed."

Ordered that these bills be read, which being read, were passed the third time and returned, except the one last mentioned, which was passed the third time and ordered to be Engrossed.

On motion of General Rutherford, the House resolved as followeth, to wit:

Whereas, it is represented to the General Assembly that Edwin Ingram, of Montgomery county, hath rendered essential services to this State by his spirited conduct in apprehending and bringing to justice sundry persons of evil Fame, some of whom were convicted of Crimes and Misdemeanors, and punished for the same at the last Salisbury Superior Court, whereupon,

Resolved, that the General Assembly highly approve the spirited and virtuous conduct of the said Edwin Ingram.

Sent for Concurrence.

Received from the House of Commons the Bill to empower the several County Courts therein mentioned to lay a Tax annually for the purpose of erecting or repairing the Court House, Prison and Stocks in each county where necessary, and for defraying the Con-
tingent charges of the county. Endorsed, "read the third time, amended & passed."

Ordered that this Bill be read, which being read, was amended by consent of the House of Commons, passed the third time, & ordered to be Engrossed.

Received likewise the Resignation of Reuben Slade and Augustine Swain as two of the Justices of Peace for Hyde county. Endorsed "accepted," which being read were accepted and returned.

Received also the Bill for purchasing Arms and Military Stores, and for establishing a Magazine, and

The Bill for destroying Wolves, Wild Cats, Panthers, Bears, Crows and Squirrels in the several counties therein mentioned. Each endorsed in the House of Commons, "read the second time & passed."

Ordered that these Bills be read, which being read, were each of them laid over till next Assembly.

Received from the House of Commons the Memorial of Col. Martin Armstrong, of Surry county, in behalf of Samuel Cummings, Esquire, and

The Petition of Hugh McLean. Each endorsed in the House of Commons, "read and referred as by the Senate."

Received likewise the Bill for levying a Tax in the District of Eden for building the jail of the said District. Endorsed, "read the Second time & passed."

Ordered that this Bill be read, which, being read, was passed the third time & returned.

Received also the Bill to Suspend the Execution of Grants of certain Lands in Guilford county, for the purpose therein mentioned. Endorsed in the House of Commons, "read the first time & passed."

Ordered that this Bill be read, which, being read, was passed the first time & returned.

Received from the House the Bill to enable William Moore, late Sheriff of Burke county, to collect all the Taxes due from the said county for the year 1785, and to allow him a further time for settling for his collections with the Treasurer. Endorsed, "read the third time & passed."

Ordered that this Bill be read, which, being read, was passed the third time, and ordered to be Engrossed.

Adjourned 'til to-morrow morning 9 O'clock.
Wednesday, Jany. 3d, 1787.
The House met.

Received from the House of Commons a Resolution of that Body of yesterday, directing Genl. Gregory to deliver to the Comptroller all such due Bills which the Committee for examining, &c., received from the Treasurer, which was read, concurred with, & returned.

Received likewise the following message:

Mr. Speaker and Gentlemen:

We agree that the petition of James Fletcher and all the papers relative to the Subject matter thereof, be withdrawn as by you proposed.

Received also a Resolution of the House of Commons of yesterday, requesting Mr. Neale and Col. Polk to collect the original Depositions, &c., relative to the fraudulent making out of Certificates, Due Bills, &c., and directing Mr. Pleasant Henderson as therein mentioned, which was read, concurred with and returned.

Received from the House of Commons the Resolution of this House of yesterday relative to the striking off a number of Copies of the Estimate of the Certificate Debts due by this State, and the Report of the Joint Committee on the Claim of the late Honorable William Byrd, Esq., decd. Each endorsed in the House of Commons, "read and concurred with."

Received likewise a Resolution of the House of Commons of yesterday, directing Mr. Winston Caswell as to the manner in which he shall settle for Monies drawn for the purpose of paying off Expresses, Witnesses, &c., who have been employed or called on to give Testimony pursuant to some Resolution or Resolutions of this General Assembly, which was read, concurred with and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We have appointed Messrs. Sloan, McDowell, Brown, Carson and Holland to act with the Gentlemen by you appointed to receive from the Sub-Committee, &c., the old Continental and State Dollar Money, and to do therewith as by you proposed.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have received and considered of your Resolve relative to the
Suspension of Col. Matthews, with which we do not concur; that Gentleman being now in town and desirous to be admitted to his defence immediately, we therefore propose that a Committee be appointed to examine into and report the Charges against him. We have on our part appointed Messrs. Whitfield, Hamilton and McDowall for this purpose.

The foregoing being read, it was ordered that the following message be sent to the House of Commons, vizt:

Mr. Speaker and Gentlemen:

Messrs. Lewis, McCawley, Riddick and Bledsoe will, on the part of this House, act with the Gentlemen by you appointed as a Committee to hear and report of Col. Matthews' defence as to the Charges exhibited to this Assembly against him.

Mr. Tipton delivered in a Report on the Memorial of Major Geo. Doherty, which being read and objected to, the House resolved as follows, vizt:

Resolved, That, pursuant to the Report of the Committee of Propositions and Grievances this day handed in, Major George Doherty be and he is hereby allowed the Sum of One Hundred & Eighty pounds, current Money, in full of that Sum due him for services and Expenditures when on duty by order of the late Gov. Martin; that the Treasurer pay him the same & be allowed.

Resolved, further, That the Comptroller issue to Major Doherty a Certificate for Two Hundred & thirty-four pounds four Shillings, being in full for a Horse by him lost in the public Service & for Forage due him as Brigadier Major, which Certificate when issued shall be of equal value with Auditor's Specie Certificates.

Sent for concurrence.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send a Recommendation of persons to be added to the Commission of the peace for the County of Orange, signed by the Representatives. This Recommendation being read, was agreed to & returned accordingly.

Received likewise a Resolution of the House of Commons for Striking off 400 Copies of "the Bill to amend and alter the Court System;" which was read, concurred with & returned.
Mr. Hill, from the Committee, delivered in the following Report,

v. t.:

The Committee to whom was referred the Memorial of Hodge &
Blanchard, Printers to the State, beg leave to report—

That in order to obtain a small Sum in hard Money on purpose
to purchase Materials to complete the public Business the said
Hodge & Blanchard disposed of a Warrant on the Treasury for one
half of their annual Allowance as Printers, for some hard Money,
and a due Bill which was issued by the former Board of Commis-

sioners, dated 7th May, 1785; that the said due Bill was presented
to the Treasury for payment & was refused, the money, as the late
Treasurer asserts, being then all paid out.

Your Committee are Therefore of Opinion that the Treasurer be
directed to pay off said due Bill, which shall be allowed him in the
Settlement of his public Accounts.

All which is submitted.

HENRY HILL, Ch.

The House, taking this report into consideration, resolved that
they do concur therewith, & ordered that it be sent to the House of
Commons for concurrence.

Received from the House of Commons a Bill declaratory of the
Powers of Courts and of the Rights of Juries. Endorsed, "read the
first time & passed."

Ordered that this bill be read, which, being read, was passed the
first time & returned.

Received likewise the Bill to vest the Title of a piece or parcel of
Land lying in Jones County in Howell Brown and His Heirs in fee
Simple; and

The Bill empowering Commissioners to dispose of the Land and
Glebe, the property of St. John's Parish, formerly in the County of
Bute (now in Franklin). Each endorsed in the House of Commons,
"read the second time & passed."

Ordered that these bills be read, which being read, were respec-
tively passed the third time & returned.

Received also the Bill to direct the Method to appoint Jurors and
Surveyors to run out disputed lands. Endorsed in the House of
Commons, "read the third time & passed."

Ordered that this Bill be read, which, being read, was passed the
third time and ordered to be Engrossed.
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Received from the House of Commons the following Bills, vizt.:
The Bill directing the Commissioners of Confiscated Property to receive Certificates agreeable to a Resolution of the last General Assembly; and,
The Bill to repeal the several Acts of Assembly respecting Slaves as far as the same relates to making an Allowance to the Owner or Owners for any executed or outlawed Slave or Slaves. Each Endorsed in the House of Commons, "read the first time and passed."
Ordered that these Bills be read, which being read, were respectively passed the second time and returned.
Received likewise the Bill prescribing the Method of admitting Attorneys to practice in the several Courts of Law and Equity in the State, and ascertaining how they shall be tried for Misbehavior. Endorsed in the House of Commons, "read the third time, amended & passed."
Ordered that this bill be read, which being read, was rejected.
On motion of General Rutherford, the House resolved as followeth, vizt.:
Whereas, it is represented to the General Assembly that a certain Alexander Shannon was killed by a Company of Militia of Guilford County in the year 1781, which said Shannon had fled from the defence of this Country & joined the Enemies therof, and had committed sundry Atrocious Robberies and other Enormities on the good Citizens of this State, at a time when a Banditti of Villains, headed by one Fanning, with whom the said Shannon was supposed to be connected, had massacred a number of worthy Citizens with impunity, when the public Jails of the State were in such condition that no Prisoners could be detained without large Guards to attend, and when Courts of Law, through the confusion of the times, were dormant; and whereas, it is further represented that James McAdon, whose Brother had been then lately murdered by said Fanning & his party, Henry Reid and William Hall were a part of and present in the said Company by whom the said Shannon was put to death, who are now liable to a capital prosecution in the Courts of Justice for having committed an Act not justifiable by the Laws of the Land; which persons are recommended by a number of respectable Citizens to the Notice of the Legislature—
Resolved, therefore, that the said James McAdon, Henry Reid, William Hall and every other person or persons then present of 18—14
the said Company, who were in anywise concerned in the killing of
the said Alexander Shannon, be, and the said persons and every
of them, are hereby recommended to His Excellency, the Gov-
ernor, to be fully pardoned for any Murder, Manslaughter or other
Species of Homicide done or committed by them or any of them on
the person of the said Shannon, with which they are, or may be
chargeable in the Courts of Law respecting the same.

Sent for Concurrence.

Received from the House of Commons the Bill declaring what
shall be considered Misbehaviour, Absence and Inability in a Just-
tice of the Peace, and to prevent the Increase of Justices in this
State. Endorsed, "read the first time, & passed."

Ordered that this Bill be read, which, being read, was passed the
third time, and returned.

Received likewise the Bill to carry into further effect, an Act en-
titled "an Act for opening the Land Offices for the redemption of
Specie and other Certificates, and discharging the Arrears due to
the Army." Endorsed in the House of Commons, "read the third
time, amended & passed."

Ordered that this Bill be read, which being read the third time,
was laid over until next Assembly.

General McDowall presented a Bill to amend an Act passed at
New Bern in December, 1785, entitled "an Act for increasing the
Jurisdiction of the County Courts of Pleas and Quarter Sessions &
of the Justices of the Peace out of Court, & directing the time of
holding the several Courts of this State," which was read the first
time, passed, & sent to the House of Commons.

Received from the House of Commons the Report of the Com-
mittee to whom was referred the Returns made from the different
counties in this State, pursuant to an Act for Ascertaining the num-
ber of white and black Inhabitants, &c. Endorsed, "read and con-
curred with," which, being read, was concurred with and returned.

Received likewise the following message:
Mr. Speaker and Gentlemen:

We propose that a Judge of the Court of Admiralty for Port Roa-
noak be ballotted for at the time the other Officers are ballotted,
and put in nomination John B. Beasley.

The foregoing being read, the House resolved as followeth, vizt:

Resolved, that John B. Beasley, Esquire be, and he is hereby ap-
pointed Judge of the Court of Admiralty for Port Roanoak in the room of W. Skinner, Esquire, resigned, and he is hereby declared to be vested in consequence of this his Appointment with the like powers & authorities as the other Judges of the Courts of Admiralty in this State, and his Excellency the Governor, is hereby required to Commission him accordingly.

Sent for Concurrence, together with the following message, viz:

Mr. Speaker and Gentlemen:

We do not agree to ballot for a Judge of the Court of Admiralty for Port Roanoak, but propose that Office be appointed by Resolve to which end we send herewith a Resolution for your Concurrence.

Mr. Mitchell moved for leave, & presented a Bill to amend an Act passed at Hillsborough in May 1784, entitled "an Act for regulating the Pilotage of Cape Fear River," &c., which was read the first time, passed, & sent to the House of Commons.

Mr. Tipton from the Committee, delivered in the following reports, viz:

The Committee of Petitions and Memorials to whom was referred the petition of Mary Moore, praying an allowance for saving a quantity of Money at Gates' defeat, report,

That they are of Opinion that the same be rejected.

The Committee of Petitions and Memorials to whom was referred the petition of Mary Moore, praying an allowance for pay due her late Husband, Stephen Moore, a Sergeant under Captain Grainger, report,

That they find that the said Mary Moore is entitled to receive the pay due her late Husband as aforesaid, & recommend that the Commissioners to be appointed for the Settlement of Army Accounts do allow the same.

JOHN TIPTON, Ch.

The House taking these Reports into Consideration, resolved that they do concur therewith, and ordered that they be sent to the House of Commons for Concurrence.

Received from the House of Commons the Bill for the better ascertaining the taxable property in the town of Wilmington, and collecting the public and other Taxes which may be imposed thereon and for the further regulation of the said town, and also for repairing the Episcopal church of Saint James's situated therein, and
The Bill to amend an Act entitled "an Act for the promotion of learning in the District of Wilmington." Each endorsed in the House of Commons, "read the first time & passed."

Ordered that these Bills be read, which, being read, the first mentioned one was laid over 'til next Assembly, and the other was rejected.

Received likewise a Resolution of that Body of Yesterday, in favor of Doctor Charles Pasteur, of Halifax, which was read and concurred with & returned

Mr. Harget delivered in the following Report to wit:

The Committee appointed to ascertain the names of the Officers of the late Continental Line of this State who are entitled to pay under the Governor's Proclamation report,

That it is the Opinion of your Committee that Major John Nelson, Capt. Benjamin Coleman, Thomas Armstrong, John Ingles, Thos. Evans, William Lytle, John Davis, Gee Bradley, Tillman Dixon, John Ford, James Tatam and Abner Lamb, are entitled to pay, and recommend that they be allowed Fifteen Shillings for every day they so attended, & at the same rate for every thirty miles travelling to and from the Genl. Assembly.

All which is Submitted.

FREDK. HARGET, Ch.

The House taking this Report into Consideration, resolved that they do concur therewith, and ordered that it be sent to the House of Commons for Concurrence.

General Rutherford presented an Instrument of writing signed by a number of the Merchants of Fayetteville and others, declaratory of the careful and praiseworthy conduct of Robert Rowan, Esq., in the Business of Purchasing Tobacco for the use of the public, which was read, & ordered to be sent to the House of Commons.

Received from the House of Commons the report of the Chairman of the Committee of the whole of the two Houses assembled on Monday last, for the purpose of hearing the Judges of the Superior Courts of Law and Equity in their defence as to the Charges exhibited against them to this Genl. Assembly, which Report was in the words following, vizt:

Report "on the first charge as Stated in the Report of the Com-
mittee appointed to enquire into the present Mode of the admin-
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"istration of Justice in the Superior Courts of Law & Equity, which "respected the Conduct of the Judges on the case of Peter Mallett. "It was resolved that the Facts reported by the Committee respect-"ing the suspension of Peter Mallett's suits in the Superior Courts, "do not amount to a Misdemeanor in office."

On the Second, which was the Banishment of Francis Brice and Daniel McNeill, the following question was proposed to wit :

"Are the Judges guilty of any Malpractice in Offices in the Ban-"ishment of Francis Brice and Daniel McNeill?"

"It was resolved in the negative."

"The Committee then proceeded to take up the remaining part "of the Report, containing Sundry Charges against their Honors "the Judges, and to decide thereon generally by the following gen-"eral question, vizt:

"Have the Judges been guilty of any Malpractice in Office or not? Which was resolved in the negative."

All which is Submitted.

RICHARD DOBBS SPAIGHT, Ch.

This Report was endorsed in the House of Commons, "read and concurred with." Which, being read, was concurred with and returned.

The Report of the joint Committee alluded to in the foregoing Report of the Chairman of the Committee of the whole of the two Houses was in the words following, vizt.:

The Committee to whom was referred the Examination into the present mode of the administration of Justice in the Superior Courts of Law and Equity report—

That Peter Mallett, having been indicted for high Treason in Wilmington Superior Court, was, in May term, 1783, brought to his Trial, and having pleaded a Pardon of the Governor, the Verdict of the Jury was that he was not excepted out of the same, and that he had performed the Conditions thereof, and the Judgment therein was that the Pardon should be admitted according to the purport thereof for pardoning the said Crime, and restoring the said Peter Mallett to all the Privileges of a Citizen; and it was the opinion of the Court of the then last term under the Act of Assembly for Suspending the Privileges of the said Peter Mallett to commence or prosecute any suit in Law or Equity, be in consequence of the said pardon rescinded & fully vacated.
That at Hillsborough, in October term, 1785, two suits of the said Peter Mallett were refused to be tried, the Court questioning the right of him, the said Peter, to commence or prosecute any Suits; and that at Wilmington, in December term, in the year last mentioned, the said Peter Mallett, having obtained Judgment at the said term against divers persons, the Court ordered that execution of the said Judgments should be stayed until it should be decided whether the said Peter Mallett was not disabled from suing in the Court.

That at Wilmington Court, in June, 1786, upon Motion of Peter Mallett's Attorney, that cause might be shown why his, the said Peter's, right to sue in the Courts of this State should be suspended, a day was given them to argue the same; and on argument, the Court were of opinion that this question had before been decided in May term, 1783, and therefore it was the opinion of the Court that the subsequent order should be vacated; and for the Proof of these Facts your Committee beg leave to refer to the Paper marked No. 1, containing Extracts from the Records of Wilmington Court; the latter part of the Deposition of John Huske, marked B No. 2; the Information of the Lawyers on the Committee who practice in Hillsborough & Wilmington Courts, and McNeill's Petition, with Papers enclosed marked A.

That at Wilmington Superior Court in December term, 1785, Indictments were preferred by express directions of the Court against a certain Francis Brice and a certain Daniel McNeill for Misdemeanor, in returning to this State after having committed divers treasonable Acts and having fled for the same, contrary to the meaning and spirit of the Treaty of Peace and to the laws and Constitution of the State; and in order that the said Bills might be found by the grand jury, who doubted whether the Charges in the Indictments amounted to a crime, did expressly direct the said grand jury that if the Facts charged appeared to them to be true, they were to find the Bills, and that the Court, and not they, were to judge whether the Act was criminal, and in what degree; and that the Judges during the Trial in these Causes hereafter mentioned said "that no Sovereign State or Government was without a power to prevent its receiving injury; that the return of the said Francis Brice and Daniel McNeill was a Misdemeanor in each of them, & that a Law should have been made against the return of such characters to the
State, or to that effect.” That the Indictments were found, and the
said Brice & McNeill tried (although the former prayed time for
his trial, alleging the want of his Council) and convicted, and the
Court laid a small fine upon each of them (Reasons in arrest of
Judgment being offered by Francis Brice’s Attorney and over-ruled),
adjudged that the said Francis Brice should stand committed
until he should pay his fine and enter into security before two Mag-
istrates, himself in the Sum of Five Hundred pounds, and two
Securities in the Sum of Two Hundred & fifty pounds each; that
he should depart the State within Sixty days, and the like Judg-
ment with respect to Daniel McNeill. And for proof of the above
facts your Committee refer to authenticated Copies of the Indict-
ments, Verdicts and Judgments marked No. 3; the Deposition of
the Attorney General, marked No. 4, and the Deposition of John
Huske, marked B No. 2.

That the Judges, Spencer and Williams, did in some instance
receive Monies levied for forfeited Recognizance and Fines imposed
by themselves; and that all the Judges at Wilmington Court in
December Term, 1785, did declare that the General Assembly had
no power to remit or suspend the payment of Fines until they should
be paid into the Treasury. See the Papers marked No. 5 and 6;
and your Committee for the declaration of the Judges as to the
Power of the General Assembly refer to the Information of the Prac-
tisers of the Law on the Committee, who attend Wilmington Court.

That Judge Williams at Wilmington in June, 1786, in the Case
of William Hay, surviving partner of John Hay & Co., against
Whitall on a Bond, to which the defendant had pleaded payment,
and on which the Jury meant to calculate the Interest and deduct
some payments which had been made; the said Judge, after direct-
ing them to find the issue for the Plaintiff, expressly directed the
Clerk of the Court to strike off six years’ Interest, without any Plea
of the defendant or any Suggestion on his part; the Plaintiff came
within the description of the Act of last Session for preventing the
Recovery of Interest in certain cases. For proof of this, your Com-
mittee refer to the Information of Colo. Thomas Brown, who was
one of the Jury; William Hooper, Esquire, Council for the Defend-
ant, and a Transcript of the Records in that case, marked No. 7.

That Judge Spencer, at Morgan Superior Court, in the Term of
September, 1785, declined to relieve the Securities in a Recogni-
sance on a supposed Judgment and erroneous Execution thereon, issued after it appeared; that the principal had been surrendered, and was actually ordered into custody, though the whole appeared to be a Misprision of the Clerk. See the Petition of James Blair and others, marked No. 3, & the Paper enclosed. And that all the Judges at Wilmington Court in June Term, 1786, in the case of Alexander McIver, who was surrendered by his Bail on criminal Prosecution, did adjudge that the said Bail should forfeit five pounds each, notwithstanding that they pleaded they were released and without suffering to try the validity of their Plea: See the Petition of Alexander McIver, No. 9, and Copy of the Record, No. 10.

That the Judges, Ashe and Williams, have never attended the Superior Court of Morgan District, by reason of which matters of Law in that Court remain undetermined (see the Presentment of the grand Jury in that District, marked No. 11); and that all the Judges occasionally neglect to attend their Courts regularly—sometimes arriving late in the terms, and sometimes leaving the Courts early. That Judge Ashe frequently arrived at Salisbury when the term of the Court was far advanced, and almost constantly left New Bern three or four days before the term ended.

That the delay of the Judges was greatly increased by tedious disputes between Judge Spencer and Judge Williams, and all the Judges as if combined to waste their time and delay business by long & frequently unnecessary Charges to the Juries, even in cases where they have been all agreed, Seldom trying more than six or eight cases during a term.

That the Number of Cases in the Superior Courts, are from the above Causes and perhaps from others, so much increased, that many Suitors have lost all hopes of ever seeing them determined, and from the non-attendance of the Judges and their difference of Opinion when there were but two on the Bench, Matters of Law are left undecided. All the Circumstances with respect to the Neglect and delay of the Judges being a Matter of public Notoriety. Your Committee have not thought it necessary to produce any proof thereof.

That at New Bern Court in May Term, 1786, in several Suits brought against Mr. Singleton and others, the Defendants under the Act for quieting in their possessions the purchasers of confiscated property, produced such Affidavits as the Act appears to require, and prayed that their suits might be dismissed, but the Judges declined to decide either for or against the Defendants, though an-
other Term has elapsed since the Arguments were heard, whereas if any insuperable Doubts arose on that Subject your Committee submit whether they should not have stated them to the General Assembly, that the Act in question might have undergone a Revision. See the New Bern Petition marked No. 12.

Your Committee from the Shortness of time which they have had since the Examinations were finished, and from the delay which would have been occasioned by giving an Opinion on the several Charges, have been obliged to refer them to the Genl. Assembly.

A. MACLAINE,
W. R. DAVIE,
WILL HOOPER,
R. D. SPAIGHT,
J. G. BLOUNT,
JNO. STOKES,
JOHN SITGREAVES.

Received from the House of Commons the Resolution of this House of to-day appointing John B. Beasley, Esquire, Judge of the Court of Admiralty for Port Roanoak. Endorsed, “read and concurred with.”

Received likewise the Bill for dividing the county of Davidson into two counties. Endorsed in the House of Commons, “read the Second time & passed.”

Ordered that this Bill be read, which, being read, was passed the Second time and returned.

Received also the Bill to bring to condign Punishment, and to secure their Estates so as to be answerable to the public, the persons therein described, accused of certain Crimes & fraudulent Practices, and to indemnify such persons as have acted in pursuance to certain Resolutions of this Assembly from Vexatious Suits & Prosecutions, and to establish a Board for the Detection & further discovery of the said fraudulent practices & for settling and liquidating the Accounts of the Officers & Soldiers of the Continental Line. Endorsed in the House of Commons, “read the third time, amended & passed.”

Ordered that this Bill be read, which, being read, was passed the third time & ordered to be Engrossed.

Mr. Macon delivered in the following Report, vizt:
The Committee appointed to receive and burn the old Dollar
Bills from the several Receivers heretofore of public Money, &c., Report,

That they have received, examined and burned from Thos. Harriess, late Sheriff of Mecklenburgh, the sum of three hundred & twenty-seven thousand, eight hundred & ninety-six dollars issued by the State of North Carolina, and have delivered the sum of two hundred and eighty-four thousand five hundred & fifty-four & three fourths Continental Dollar Bills, and have also delivered Certificates to the amount of sixty-four thousand three hundred & six pounds six shillings, and eight hundred & nineteen pounds three shillings & five pence Specie Certificates of several denominations, which were likewise received of said Harriss.

Your Committee have also received & burnt from John Brown, Esquire, the sum of ten thousand and six hundred & sixty-two pounds, eight shillings & seven pence in State Dollar Bills.

Your Committee also have received & burnt from Mrs. Rounsdale two thousand six hundred & sixty-nine pounds four shillings, in State Dollars, and returned to the Comptroller twenty-four pounds twelve shillings in Continental Dollars, and also returned forty-one thousand three hundred & eleven pounds fourteen shillings & three pence, in Certificates issued from this State, and two thousand and seventy pounds in loan office Certificates.

JOHN MACON,
JAMES HARRIS,
THO. CARSON,
JOHN SLOAN,
JOSEPH McDOWALL,
JAMES HOLLAND.

The House taking this Report into Consideration, resolved that they do concur therewith, and ordered that it be sent to the House of Commons.

Received from the House of Commons the Bill to amend an Act entitled" an act directing the mode of proceeding against the real estate of deceased debtors, where the personal Estate is insufficient for the payment of debts." Endorsed in the House of Commons, "read the second time and passed."

Ordered that this Bill be read, which, being read the second time was rejected.
STATE RECORDS.

Received likewise the Bill to amend the Law relative to attachment of property. Endorsed, "read the second time & passed."

Ordered that this Bill be read, which being read the second time was rejected.

Received also a Resolution of the House of Commons of this day directing the publication of two hundred Copies of "an Act to bring to condign Punishment certain persons accused of fraudulent practices against the State," &c., which was read, concurred, with and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you a message from His Excellency, the Governor, accompanied with Sundry Papers from Congress and the Board of Treasury, which we propose referring to the Committee to whom the last Communications from Congress, and as those Papers appear to be of consequence of the first Magnitude, we further propose that the Committee report without delay.

The foregoing being read, it was ordered that the following message be sent to the House of Commons, viz.:

Mr. Speaker and Gentlemen:

We consent that the Message & Papers this day laid before the Genl. Assembly by his Excellency, the Governor, be referred as you proposed, & that the Committee to whom they are referred report forthwith.

Received from the House of Commons the Bill to amend an Act entitled "an Act for emitting £100,000 paper Currency for the purposes herein mentioned; for appropriating the Tobacco lately purchased by virtue of the said Act, towards discharging the interest of the Foreign debt due by the United States, and for making Provision for the future discharge of the principal & Interest of the said debt." Endorsed, "read the third time, amended & passed."

Ordered that this Bill be read, which, being read, was passed the third time and ordered to be Engrossed.

Received likewise the Bill to vest a Title of the Lands therein mentioned in the persons therein named. Endorsed in the House of Commons, "read the Second time & passed."

Ordered that this Bill be read, which being read the Second time, was laid over 'til next Assembly.
Received also the Bill for the Support of Government and for appropriating the Revenues of the State. Endorsed in the House of Commons, "read the third time, amended & passed."

Ordered that this Bill be read, which, being read, was amended by consent of the House of Commons, passed the third time, and ordered to be Engrossed.

Received from the House of Commons the Bill to direct the Commissioners appointed to sell confiscated property to collect the debts due to confiscated Estates, and enable certain persons therein described to obtain Titles for their Lands. Endorsed, "read the first time & passed."

Ordered that this bill be read, which being read the second time, was laid over 'til next Assembly.

Received likewise the Bill to enable the Ex'ors of Robert Hogg to maintain & defend Suit under the regulations therein mentioned. Endorsed in the House of Commons, "read the third time & passed."

Ordered that this bill be read, which being read, was amended by consent of the House of Commons, passed the third time and ordered to be engrossed.

Received also the Bill to amend an Act entitled "an Act for ascertaining what property in this State shall be deemed taxable property, the method of assessing the same, and collecting public Taxes." Endorsed in the House of Commons, "read the third time, amended & passed."

Ordered that this bill be read, which being read, was passed the third time and ordered to be engrossed.

Adjourned 'til to-morrow morning 9 O'clock.

Thursday, January 4th, 1786.

The House met.

On motion of Mr. Battle, the House resolved as follows, to-wit:

Whereas, there is in the office of the Comptroller a large amount of Paper Currency and Certificates, which have been paid into the public Offices for Taxes & other purposes, all of which should be examined and destroyed to prevent their coming again into circulation, to the great injury of the State; therefore,

Resolved, That James Coor, John Herritage and Frederick Harret be a Committee, and that they or any two of them do apply
to the Comptroller at his Office at Kinston, for all the Paper Currency of this State and Comptroller and Auditor's Certificates in his Office, & that after examining the same and the Amount thereof, they cause the same to be utterly destroyed, excepting such as they may find to be fraudulent; and further, that the said Commissioners do receive from the Comptroller all Certificates and due Bills which may be at his Office, issued previous to the last Session of the General Assembly; and that after taking an Account of the Amount thereof, they cause the same to be finally & effectually destroyed, and make report of their proceedings to the next General Assembly, that a suitable Allowance be made for their services.

Sent for concurrence.

On motion the House Resolved as follows, vizt:

Resolved, that William Good and James Nicholson, of the town of New Bern, or either of them, do take into their care the public ground in New Bern, called the Palace Square, & the Buildings thereon, and rent the same or any part thereof as they may think proper until the General Assembly shall otherwise direct, and apply any Monies they may receive therefrom to the use of the Buildings; and in case any person shall in any manner damage the said Buildings, that they the said William Good and James Nicholson, or either of them do prosecute such person as they may find it necessary, at the risque and Expence of this State.

Sent for concurrence.

Received from the House of Commons a Resolution of that Body of yesterday for presenting the thanks of the General Assembly to Col. Adams Sanders, for his exertions in executing the Resolutions of the General Assembly for the Apprehension of certain persons accused of fraudulent practices against the Treasury of the State, &c., which was read, unanimously concurred with, & returned.

Received from the House of Commons the Bill for reprinting and republishing the Acts of Assembly of this State. Endorsed, "read the Second time, amended & passed."

Ordered that this Bill be read, which, being read the Second time, was laid over 'til next Assembly.

Received likewise the Bill to suspend the Execution of Grants to certain lands in Guilford county, for the purpose therein mentioned. Endorsed in the House of Commons, "read the Second time & passed."
Ordered that this Bill be read, which, being read, was passed the Second time & returned.

Received also the Bill to erect a District Court of Law and Equity at Fayetteville. Endorsed in the House of Commons, "read the second time, amended & passed."

Ordered that these Bills be read, which, being read, were amended, passed the Second time & returned.

On motion of Mr. Gillispie, the House resolved as follows, vizt:

Resolved, that it is the Sense of the Genl. Assembly that the officers who have been reported as entitled to a reimbursement of the Expenditures by them incurred in consequence of a late Proclamation issued by His Excellency the Governor, shall be allowed at the rates of Fifteen Shillings per day for every day they shall have attended on this Assembly previous to the 27th ulto., and at the like rate for every thirty miles they shall have travelled, & will be under the necessity of traveling in coming to and returning from this place, for which Allowances Certificates shall issue to them respectively, whenever their Accounts in this particular shall be presented to the Clerk of this House, duly proved, and which Certificates when issued, shall be of like value with those to the members of this Assembly, the Amount considered.

Sent for concurrence.

Received from the House of Commons the Report of the Committee appointed to consider of the Names of such Officers who have appeared here pursuant to the Proclamation issued by His Excellency, the Governor, and who, in consequence of such appearance, are entitled to pay. Endorsed in that House, "read & concurred with."

Mr. Herndon, from the Committee, delivered in the following Report; vizt:

Your Committee to whom was referred the Memorial of Richard Caswell, Esquire, report,

That the facts set forth in the Memorial of the said Richard Caswell so far as they relate to one Tract of Land called Tower Hill, containing four hundred acres, and one other Tract adjoining the same containing three hundred acres, appear to your Committee to be sufficiently supported. That it appears there is not, nor ever was, any Title to the late Governor Dobbs for those Lands, that the said Lands were notwithstanding sold for the property of the said
Governor Dobbs as forfeited under the Confiscation Laws, to the said Richard Caswell for the sum of Six Hundred & and fifty-one pounds, for which he gave his Bond as well as for the Consideration of other Lands amounting in the whole to Nine hundred & ten pounds.

That as no Title to the aforesaid two Tracts of Land containing Seven Hundred Acres can be properly issued to the said Richard Caswell, your Committee are of opinion that the Treasurer be directed to release to the said Richard Caswell, on his said Bond, the Consideration for such Lands amounting to the said sum of Six Hundred & fifty-one pounds, and that he be also directed to receive in payment of the residue of the said Bond, Certificates to the amount of two-thirds of the remaining sum, and the other third in Money agreeable to the Tenor of the Act of Assembly under which such Lands were Sold.

Your Committee further report, that it is their opinion that all the Lands which were sold by Benj. Shepperd as Commissioner of New Bern District, and the law not fully complied with, shall be sold by the present Commissioner for that District agreeable to the Law under which he now acts, the sales made under the former law to the contrary notwithstanding.

All which is submitted.

BENJ. HERNDON, Ch.

The House taking this Report into Consideration, resolved that they do concur therewith, & ordered that it be sent to the House of Commons.

Received from the House of Commons the Bill to repeal the several Acts of Assembly respecting Slaves as far as the same relate to making an Allowance to the Owner or Owners of any executed or outlawed Slave or Slaves. Endorsed, "read the Second time & passed."

Ordered that this Bill be read, which, being read, was passed the third time and returned.

Received likewise the pay Rolls of the Militia who acted as a Guard to the Prisoners confined by order of this Assembly, together with other papers relative thereto. Endorsed in the House of Commons, "read & referred to Messrs. Dodd and McKinne," which, being read, were referred to Messrs. Herndon & Harris and returned.

Received also the Report of the Committee on the petition of Wil-
liam Murphy Door-Keeper. Endorsed, "read and concurred with."

Received from the House of Commons a Bill for raising Troops for the Protection of the Inhabitants of Davidson county. Endorsed, "read the third time, amended & passed."

Ordered that this Bill be read, which, being read, was amended by Consent, passed the third time & ordered to be Engrossed.

Received likewise the Bill directing the Commissioners of confiscated property to receive Certificates agreeable to a Resolution of the last Genl. Assembly. Endorsed, "read the third time, amended & passed."

Ordered that this Bill be read, which being read was passed the third time & returned.

Received also the Reports of the Committee of Petitions & Memorials on the petition of Andrew Bass, and the Report of the said Committee on the petition of Hugh Ross. Each endorsed in the House of Commons, "read & concurred with."

Received from the House of Commons the Resolution of this House of yesterday relative to the murder of a certain Alexander Shannon. Endorsed, "read and concurred with."

Received likewise a Resolution of the House of Commons directing John Haywood public Treasurer, to qualify as such, &c., which was read, concurred with and returned.

Whereupon, Mr. John Haywood, Clerk of the Senate made formal Resignation of his Appointment as Clerk aforesaid, when Sherwood Haywood was appointed Clerk in his stead.

It was then Resolved, That an Assistant Clerk for this House be balloted for to-morrow.

Received from the House of Commons the Report of the Committee to whom was referred the Memorial of Mr. Wm. England. Endorsed "read and concurred with as amended."

Which being read was concurred with by this House as by the House of Commons and returned.

Received at the same time a Resolution of the House of Commons consequent on the Report aforesaid, which, being read, was concurred with and returned.

Mr. Tipton from the Committee of Petitions and Memorials delivered in a Report on the Petition of Mrs. Mary White, which was read and rejected; whereupon,

Resolved, That Mary White, Relict of David Lindsey White,
late Sheriff of Bladen County, or the Administrators of the said White be and they are hereby directed to pay into the Hands of the public Treasurer the old Dollar Bills amounting to Nineteen thousand & Sixty pounds & Six pence; also, the old Proclamation Money amounting to One hundred & Ninety-eight pounds, fourteen Shillings, which the said late Sheriff received for Taxes, and that the said Treasurer Scale the old Dollar Bills at Eight hundred for one; for which two sums the Treasurer is directed to credit said late Treasurer Sheriff's Account with the public; and further that the said Treasurer be directed to delay bringing suit against the said Administrators for the Balance due the Public until the said Administrators have time to finish the Collection for said Taxes which the said late Sheriff's Administrators are by Law accountable for.

Sent for Concurrence.

Received from the House of Commons a Resolution of that Body of this day declaring the Approbation of the Genl. Assembly of the Conduct and ready Attendance of Capt. Abram Lamb, which was read.

[The concluding pages of Senate Journal are missing.—Ed.]