STATE OF NORTH CAROLINA.

At a General Assembly begun and held at Tarborough on the nineteenth day of November, in the year of our Lord One Thousand seven hundred and Eighty seven, and of the Severeignty and Independence of the said State the Twelfth, it being the first session of this Assembly.

The returning officers of the several and respective Counties within the State, certified that the following persons were duly elected to represent such Counties in the Senate, to-wit:

For Anson,
Beaufort,
Bertie, John Johnston;
Brunswick,
Bladen,
Burke,
Craven, James Coor;
Cumberland, Alexander McAllister;
Carteret,
Currituck, Hollowell Williams;
Chowan, Jacob Jordan;
Camden, Issac Gregory;
Caswell, Dempsey Moore;
Chatham, Ambrose Ramsey;
Dobbs,
Duplin, James Kenan;
Davidson, James Roberson;
Edgecombe, Elisha Battle;
Franklin, Henry Hill;
Guilford, Alexander Martin;
Gates,
Granville, Thomas Person;
Greene,
Halifax, Nicholas Long;
Hertford,
Hyde, Abraham Jones;
Hawkins,
Johnston, Joseph Boon;
Jones,
Lincoln,
Moore, Thomas Overton;
Martin, Nathan Mays;
Mecklenburg, Robert Irwin;
Montgomery,
Northampton, Allen Jones;
Nash, Hardy Griffin;
New Hanover,
Onslow,
Orange, William McCauly;
Pasquotank,
Perquimans, John Skinner;
Pitt, John Williams;
Rowan, George H. Beringher;
Rutherford,
Randolph, Jesse Hendley;
Richmond,
Rockingham,
Robinson,
Surry, Joseph Winston;
Sullivan,
Sampson, Richard Clinton;
Sumner, Anthony Bledsoe;
Tyrrell, John Warrenton;
Washington,
Warren, John Macon;
Wayne, Burwell Moring;
Wake, Joel Lane;
Wilkes, William Linser.

Pursuant to which the following Members appeared, presented their Certificates, were qualified agreeably to Law and took their seats, to-wit:

John Johnston, James Coor, Alexander McAllister, Jacob Jordan, Isaac Gregory, Dempsey Moore, Ambrose Ramsey, James Kenan, James Robinson, Elisha Battle, Henry Hill, Alexander Mar-

Mr. Battle proposed for Speaker the Honorable Alexander Martin, Esquire, who was unanimously chosen and placed in the chair accordingly.

On motion, Sherwood Haywood was appointed Clerk; whereupon, it was agreed that an Assistant Clerk of this House be immediately balloted for, that Mr. William White and Mr. Montford Stokes be put in nomination for that purpose, and that this balloting be conducted under the direction of Mr. Macon; which being accordingly done Mr. Macon reported that the balloting was closed and that it appeared by the scrolls Mr. Montford Stokes was elected Assistant Clerk. The House taking this report into consideration, Resolved, they do concur therewith; Mr. Wilkes was then qualified.

On motion, William Murphey and Nicholas Murphey were appointed door keepers.

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

Mr. Speaker & Gentlemen:

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

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

This House are also formed and ready to proceed on the business of the public.

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

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

Sir:

The General Assembly inform your Excellency that they are now convened and ready to receive such Dispatches and other public matters as you have to lay before them.
Mr. Speaker & Gentlemen:

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

On motion of General Jones seconded by Mr. Macon,Resolved, that Mr. Skinner, Mr. Gregory, Mr. Overton, Mr. Allen Jones, Mr. Person, Mr. Irwin, Mr. Lenoir, Mr. Lane and Mr. Kenan be a Committee of Privileges and Elections.

On motion of General Jones seconded by Mr. Clinton, Ordered that Mr. Coor, Mr. Johnston, Mr. Person, Mr. Kenan, Mr. Lenoir, Mr. Bledsoe and Mr. Allen Jones act on the part of this House, with such Gentlemen of the House of Commons as may be appointed to consider of and report what Bills of a public nature are necessary to be passed into Laws by the present Assembly, and that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

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

On motion of General Jones, seconded by Mr. Overton, Resolved, That the Rev. Samuel McDougall be appointed Chaplain to the General Assembly during the present Session.

On motion, ordered that Mr. Johnston, Mr. Clinton and Mr. Kenan act on the part of this House as a Committee of Propositions & Grievances and that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

We have appointed on the part of this House as a Committee of Propositions and Grievances Mr. Johnston, Mr. Clinton & General Kenan, who will act in conjunction with such Gentlemen of your body as may be made choice of for this purpose. Ordered that the following Message be sent to the House of Commons:
Mr. Speaker & Gentlemen:

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

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

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

On motion of Mr. Hill seconded by Mr. Allen Jones, Ordered that Mr. Macon, Mr. Ramsey and Mr. Irwin be appointed on the part of this House as a Committee of Claims, and that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

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

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

We propose that a Committee on Finance be appointed by the two Houses to examine & report the State & net produce of the revenues of the last Collection, and the present amount & nature of our public debts, who shall extend their enquiries into the State of the Treasury; that they be authorized to call on all officers concerned in receiving, appropriating & 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 & revenue as may stand in
need of immediate amendment or attention; and also make up an estimate of the expenses of the foreign & incidental charges of the ensuing year. We have for this purpose on our parts appointed Mr. Franklin, Mr. Steel, Mr. Dickens, Mr. Montgomery and Mr. Blount. As a Committee of Claims we have appointed Mr. Sanders, Mr. Dickens, Mr. Anderson, Mr. John Taylor and Mr. Dodd. Your proposal for appointing a Committee to consider of such Bills of a public nature as are necessary to be passed into Laws at the present Session, we have received & acceded to; as also another for appointing a Committee of Propositions & Grievances; for the first we have nominated Mr. Phifer, Mr. Baker, Mr. Cabarrus, Mr. Polk, Mr. Goudy, Mr. Steele, Mr. Mebane, Mr. Horn, Mr. Harvey & Mr. Potte; for the latter Mr. Thomas, Mr. Creecy, Mr. Ferebee, Mr. Smithwick and Mr. Montgomery.

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

Mr. Speaker & Gentlemen:

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

The House adjourned till four O'clock this afternoon.

The House met according to adjournment.

Pursuant to the determination of the two Houses Mr. Overton and Mr. Winston, on the part of the Senate, together with Mr. Rhodes and Mr. Franklin, now proceeded to conduct the balloting for Engrossing & Committee Clerks, which being closed Mr. Winston and Mr. Overton reported, that Mr. Curtis Ivey, Mr. Pleasant Henderson and Mr. Abishai Thomas were elected as such; the House taking this report into consideration, Resolved, That they do concur therewith.

On motion of Mr. Macon seconded by Mr. Coor, ordered that the following rules of decorum be observed by the Senate during the present session of Assembly:

1st. When the Speaker is in the chair every member may sit in his place with head covered.
2nd. That every member shall come into the House uncovered and shall continue so at all times but when he sits in his place.

3rd. No member in coming into the House or removing from his place, shall pass between the Speaker; nor shall any member go across the House or from any part thereof to the other, whilst another is speaking.

4th. When any member intends to speak he shall stand in his place uncovered and address himself to the Speaker but not proceed to speak until permitted so to do by the Speaker, which permission shall be signified by naming the member.

5th. When any member is speaking, no other shall stand or interrupt him; but when he has done speaking and taken his seat, any other member may rise, observing the rules.

6th. 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.

7th. If more than one member attempt to speak at any time the Speaker shall determine which was first up.

8th. When any question shall be before the House, and not perfectly understood, the Speaker may explain but shall not attempt to sway the House by argument or debate.

9th. No member speaking to be disturbed by coughing, spitting, conversation or otherwise; and whoever by spitting, hissing or in any other manner, wilfully or carelessly disturbs or interrupts any member on the floor, he shall answer for it at the bar and be liable to be censured by the Speaker.

10th. That he that digresses from the subject to fall on the person of any member shall be suppressed by the Speaker.

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

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

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

14th. No heats or animosities shall be permitted in the House.

15th. No member shall speak more than twice without leave on
the same question, unless it be in a Committee of the whole House.

16th. No question shall be put on any motion unless seconded.

17th. Every member making any motion which is not of course, shall before making such motion reduce the same to writing.

18th. If there should be any equality of votes for and against any question, the Speaker shall declare whether he be a yea or a nay, but shall in no other case give his vote.

19th. No member shall depart from 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.

20th. Upon motion for an adjournment no member shall presume to move until the speaker arises and goes before.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

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

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

Tuesday, 20 November, 1787.

The House met according to adjournment.

Mr. John Easton the member for the County of Carteret, appeared presented his certificate, was qualified agreeably to law and took his seat.

Mr. Benjamin Sheppard, the member for the County of Dobbs, appeared, presented his Certificate, was qualified agreeably to law and took his seat.

Mr. Battle moved for leave and presented a Bill to compel the attendance of all such persons as are or shall be Elected to represent any County or Town in the General Assembly of this State, at such time and place as may be appointed; which was read the first time, passed & sent to the House of Commons.

Mr. Allen Jones moved for leave and presented a Bill for making proofs in Equity effectual against persons who abscond and who reside without the limits of the State, and for better regulating the
proceedings in Courts of Equity; which was read the first time, passed and sent to the House of Commons:

Mr. Jones also moved for leave and presented a Bill for granting and securing to John Fitch the sole right and advantage of making and employing the Steam Boat by him lately invented, for a limited time; which was read the first time, passed and sent to the House of Commons.

Mr. Jones likewise moved for leave and presented a Bill to amend an act intitled "an Act to remove all disabilities from Simon Cleary, and others therein named," which was read the first time, passed and sent to the House of Commons.

Received from the House of Commons the Petition of Archibald Cain. Endorsed in that House, Referred to the Committee of Propositions and Grievances, which being read was referred in like manner and returned.

Mr. Coor presented the Petition of William Good, praying that an act of Assembly may be passed confirming his title to a certain tract of land in Craven County, which was read and referred on the part of this House, to Mr. Person, Mr. Macon and Mr. Coor.

Mr. Allen Jones moved for leave and presented a Bill to repeal two acts of the General Assembly of this State, one passed at New Bern 1784, intitled "an Act to describe and ascertain such persons who owe allegiance to this State, and to impose certain disqualifications on certain persons therein described;"

The other passed at New Bern in the year 1785, intitled "an Act to amend an act passed at New Bern in the year 1784 intitled an Act to amend an Act intitled an act to describe and ascertain such persons who owe allegiance to the State and to impose certain disqualifications on certain persons therein described;" which was read the first time, passed and sent to the House of Commons.

Received from the House of Commons a resolve prescribing a method by which the two Houses shall be governed in reading and passing bills at the present Session, which was read and rejected;

Whereupon, it was ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

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

Mr. Coor moved for leave and presented a Bill to repeal an act passed in 1786 intitled "an additional Act to an Act intitled an act for regulation of the Town of New Bern and for other purposes;" which was read the first time, passed and sent to the House of Commons.

Received from the House of Commons the Petition of Edward Bridgea. Endorsed in that House, Referred to the Committee of Propositions and Grievances; which being read was referred in like manner and returned.

Mr. Skinner presented the Petition of Mary Richards, praying that the Estate of Jerome Giraud late of Halifax, deceased, or some part thereof which she supposes to be confiscated to the State by his self murder, should be allotted to her use in consequence of a marriage contract which she alleges was existing between them at the time of his death; which being read was referred to the Committee of Propositions & Grievances.

Received from the House of Commons the following Message, to-wit:

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

Mr. Speaker & Gentlemen:
We have added Mr. Philemon Hawkins to the Committee of Finance and to the Committee for considering of public Bills.

Received also, the Petition of William Parham. Endorsed, read and referred to the Committee of Propositions and Grievances; which being read was referred in like manner and returned.

On motion, ordered that Mr. Clinton be added to the Committee of Claims and that the following Message be sent to the House of Commons, to-wit:

Mr. Speaker & Gentlemen:
We have added Mr. Clinton to the Committee of Claims.

Mr. Berger presented the Petition of John Dicksy and William
Sharpe, Executors of the last Will and Testament of Brig. General Davidson, and praying the direction of the Assembly relative to a balance supposed still to be due the said deceased; which was read and referred to the Committee of Propositions and Grievances, and sent to the House of Commons for their Concurrence in such reference.

Received from the House of Commons the resignation of David Crawford, Esq., Justice of the Peace for the County of Rowan. Endorsed, read and accepted; which being read was also accepted by this House and returned.

Adjourned till to-morrow morning nine o'clock.

**Wednesday, 21 November, 1787.**

The House met according to adjournment.

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

Mr. Allen Jones moved for leave and presented a Bill to authorize and empower the County Courts of Pleas and Quarter Sessions to divide and appropriate the real Estate of Intestates, where one or more of the claimants are under age; which was read, passed the first time and sent to the House of Commons.

Mr. Skinner moved for leave and presented a Bill directing the appointment of Wardens of the Poor in the County of Perquimans; 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 & Gentlemen:

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

The House taking this Message into consideration,

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

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

Mr. Jordan presented a petition of a number of the Citizens of this State in behalf of Thomas Garrett, which being read was ordered to be sent to the House of Commons for their information.

Mr. Overton presented the claim of Richardson Fager, Sheriff of Moore, for conveying Philip Alston from the said County to the Town of Wilmington; which being read was referred to the Committee of Claims & ordered to be sent to the House of Commons for their concurrence in such reference.

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

Received from the House of Commons the Memorial of the Hon. Samuel Ashe, Esq. Endorsed in that House, Read and referred to Mr. McDowall, Mr. Mebane, Mr. P. Hawkins and Mr. J. Baker; which being read was, on the part of this House, referred to Mr. Person, Mr. Long and Mr. Lane.

Received also, the following Message:

Mr. Speaker & Gentlemen:

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

Whereupon, ordered that the following message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

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

Received from the House of Commons a Memorial from sundry inhabitants of Rowan County. Endorsed, referred to the Commit-
tee of Propositions and Grievances; which was read and referred in like manner and returned.

Mr. Joseph Martin presented sundry depositions relative to the late election for Members of Assembly for the County of Sullivan, which were read and ordered to be referred to the Committee of Privileges and Elections.

Received from the House of Commons the Claim of Samuel Young relative to articles by him furnished for the use of the public. Endorsed, referred to the Committee of Claims; which being read was ordered to lie on the table.

On motion of Mr. A. Jones & Mr. Macon, ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

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

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

We propose that the General Assembly fix on Wednesday, the fifth and circumstances set forth in the Memorial of Patrick Cleary, that the same together with all the testimonials therein referred to, be submitted to the examination of a Committee who shall make a special report therein as soon as possible. We have for this purpose on our part appointed Mr. P. Hawkins, Mr. Jos. McDowall, Mr. J. Brown, Mr. Phifer, Mr. Mebane, Mr. Wynns, Mr. Person, Mr. Coor, Mr. Allen Jones & Mr. Hill to act on the part of this House for the above mentioned purpose.

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

Mr. Speaker & Gentlemen:

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

Received from the House of Commons the Memorial of James Kerr, the Claim of Richardson Fagan and the Petitions of William Good, Mary Richards and the Executors of the late Brigadier Gen-
eral Davidson. Severally endorsed, read & referred as by the Senate.

Received also the Bill to repeal an act passed in 1786, intituled "an additional act to an Act, for the regulation of the Town of New Bern, and for other purposes." 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 Memorial from the Inhabitants of the town of Wilmington. Endorsed, referred to the Committee of Propositions & Grievances; which was read and referred in like manner by this House and returned.

Mr. Jordan presented the Petition of James Garrett and Mary his wife, praying that an act might be passed permitting the Divorce and separation of them the said James and Mary; which was read and ordered to be sent to the House of Commons, for their information.

Adjourned till to-morrow Morning 10 o'clock.

Thursday, 22 November, 1787.

The House met according to adjournment.

Mr. Thomas Owen, the member for the County of Bladen, appeared, presented his certificate, was qualified agreeably to Law and took his seat.

Mr. Allen Jones presented the Petition of Peter Goodwin of Franklin County, which was read, referred to the Committee appointed on the Memorial of the Hon. Samuel Ashe, Esq., and sent to the House of Commons for their concurrence in such reference.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

This House have added Mr. Carson, Mr. Franklin, Mr. Nixon, Mr. Dauge, Mr. John Baker, Mr. T. Sherrod, Mr. Hays and Mr. Marshall to the Court of Claims, and Mr. Goudy & Mr. Wynns to the Committee of Propositions & Grievances, and propose that a Committee to consist of Members from each House be appointed to consider of and report on Petitions and Memorials, and have for this purpose on our part appointed Mr. Dodd, Mr. Williams, Mr. Cabarrus, Mr. Thackston and Mr. J. McDowall, Jr.
The House taking this Message into consideration ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

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

Received from the House of Commons a Bill for granting and securing to John Fitch the sole right and advantage of making and employing the Steam Boat by him invented, for a limited time. Endorsed, read the first time and passed.

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

Received also, the resolution of this House prescribing the rules to be observed by the two Houses in reading & passing Bills at the present session. Endorsed, concurred with.

Also the Memorials of William Armstrong. Endorsed, read and referred in like manner and returned.

Mr. Person, from the Committee appointed on the Memorial of the Hon. Samuel Ashe, Esq., delivered the following report:

Your Committee to whom was referred a Memorial from the Hon. Samuel Ashe on the subject of a charge brought against the Estate of his deceased Brother John Ashe, Esq., late Treasurer of the Southern District, beg leave to report.

That they have examined the same and inquired into the Circumstances therein set forth. They find from the information of sundry Persons and receipt from Mr. Bloodworth, the Treasurer who immediately succeeded Mr. Ashe, that the balance struck with the Committee of Accounts on his last settlement was delivered with an overplus of three hundred and twenty p'ds into the Hands of the said Successor, and that another charge of Six Thousand three Hundred and eighty-five pounds two Shillings which was charged in his account but never carried forward was in all probability discharged by Brigadier General Ashe at the end of the Smithfield Session, for it appears to us that he then paid off the Certificates of a number of the Members and other persons for their attendance at that Session, which we do not find to have ever been credited in the amount or charged to the State, and it is the belief of your Committee from the evidence they have had that the Certificates and
vouchers then taken in by General Ashe were intended to have balanced the aforesaid Six Thousand Three hundred and eighty-five p’ds two shillings, but upon the coming of the British troops into his neighborhood these were amongst the papers buried, as the Memorial set forth, in an untight Casket, which owing to the General’s death without discovering where they were, and the long absence of the only living person knowing thereto were entirely destroyed.

Your Committee are of opinion it would be an act of cruel injustice, when there is so strong a combination of circumstances to prove the above matters, that perfect Evidence should be required of them which at this distance of time it is next to impossible to procure, as also that for a defect of complete testimony the Orphan Children of an old public servant should be reduced when there is every reason to believe from circumstances of a very pregnant kind that the facts are as above stated.

Your Committee therefore recommend that the Estate of the said John Ashe, Esq., be discharged of the said demand as stated by the Comptroller’s Books and that this report being concurred with by both Houses, shall at all times hereafter be deemed and operate as a full discharge of the same; all which is submitted.

THOS. PERSON, Chr.

The House taking the foregoing report into consideration, resolved, that they do concur therewith.

Received from the House of Commons the Bill authorizing and requiring the County Courts of Pleas and Quarter Sessions to divide and appropriate the real Estate of Intestates, where one or more of the claimants are under age. Endorsed, read the first time & passed.

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

Mr. Person, from the Committee appointed on the Petition of William Good, delivered in the following report, viz:

The Committee to whom was referred the Petition of William Good, Esq. report,

That they have duly considered the subject of the said Petition and are of opinion that the prayer thereof is reasonable and that a Law should be passed for that purpose.

THO. PERSON, Chr.
The House taking the foregoing report into consideration, Resolved, That they do concur therewith.

Whereupon, Mr. Coor moved for leave and presented a Bill to ascertain the true courses of a tract of Land on Neuse river in Craven County, 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 & Gentlemen:

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

Received also the report of the Committee appointed on the Petition of the late Samuel Ashe, Esq. Endorsed, read and concurred with.

Mr. Abram Jones moved for leave and presented a Bill for Establishing a town in the County of Hyde on the Land of Joseph Gibbs; 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 & Gentlemen:

We have received your Message proposing a Day for the consideration of the business of the late Federal convention, and do approve thereof.

Mr. Skinner presented the Petition of Thomas Harvey of Perquimans County, accompanied by the proceedings of a Court held in the Town of Halifax for the trial of a negro named Toney, the property of the said Harvey, which was read and ordered to be sent to the House of Commons for their information.

Received from the House of Commons the Bill for making proofs in Equity effectual against persons who abscond or who reside without the limits of the State, and for better regulating the proceedings in Courts of Equity. 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 Petition of Mr. Quin. Endorsed, read and referred to the Committee of Propositions and Grievances by this House and returned.
The Speaker laid before the House a Petition from Ann Field, wife of Robert Field; at the same time Mr. Long presented a Petition of Jemima and Robert Field, each of which were read and ordered to be referred to the Committee appointed on the Memorial of Hon. Samuel Ashe, Esq.

Received from the House of Commons the Bill to compel the attendance of all such Persons as may be Elected to represent any County or Town in the General Assembly of this State at such time and place as may be appointed. Endorsed, read the first time & passed. Ordered that the Bill be read the first time & passed; which being read was amended, passed the second time and sent to the House of Commons.

Received also, a Bill for the better regulation of the Town of Edenton. Endorsed, read the first time and passed.

Received likewise the following Message:

Mr. Speaker & Gentlemen:

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

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

Mr. Speaker & Gentlemen:

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

The House adjourned till to-morrow Morning 10 O'clock.
STATE RECORDS.

FRIDAY, 23 November, 1787.

The House met according to adjournment.

Mr. Joseph Reddick the Member for the County of Gates, and Mr. James Miller the member for the County of Rutherford, appeared, produced their Certificates, were qualified agreeably to Law and took their seats.

Received from the House of Commons a Petition of the Committee of the People of Mecklenburgh County. Endorsed, Ordered to be sent to the Senate.

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

Mr. Speaker & Gentlemen:

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

Mr. Battle moved for leave and presented a Bill to prevent frauds by the Depreciation of paper Currency which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the Petition of John Shelby and Ruth Hawkins. The first Endorsed, referred to the Committee of Claims; and the latter to the Committee on public Bills; which being read both were rejected.

Mr. Gregory presented the petition of John Johnston, Esq., setting forth that he is in possession of a piece of Land purchased of Henry Eustace McCulloch and which, without the interposition of the Legislature will be sold as Confiscated; which was read, referred to the Committee appointed on the Memorial of the Hon. Samuel Ashe, Esq., and sent to the House of Commons for their concurrence on such reference.

Mr. Winston presented a Bill to repeal part of an act passed at Fayetteville, 1786, entitled "an Act to improve the several County Courts therein mentioned, to lay a tax annually not exceeding three years, for the purpose of erecting or repairing the Court House, prison & Stocks in each County when necessary, and for defraying the Contingent charges of the Counties;" which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a Bill for the more easy
recovery of rents and to prevent Tenants from committing frauds. Endorsed, read the first time & passed.

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

Received also, the Bill for Establishing a Town in the County of Hyde on the Land of Joseph Gibbs. Endorsed, 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.

Received likewise the Bill to repeal an act passed in 1786, intituled “an additional Act to an act Instituted an act for the regulation of the Town of New Bern, and for other purposes.” Endorsed, read the second time & passed.

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

Mr. Boon presented the resignation of Richard Warren a Justice of the Peace of Johnston County, which was read, accepted and sent to the House of Commons.

Received from the House of Commons the Bill to ascertain the true courses of a tract of land on Neuse River in Craven County. Endorsed, 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. Allen Jones presented the Petition of the yearly Meeting of the People called Quakers; which was read, referred to the Committee appointed to report what Bills are necessary to be passed at the present Session, and sent to the House of Commons.

Received from the House of Commons the Bill for granting and securing to John Fitch the sole right and advantage of constructing making & vending the steam boat by him lately invented, for a limited time. Endorsed, read the second time & passed.

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

Mr. Person, from the joint Committee, delivered in the following report:

The joint Committee of both Houses appointed to consider of & report what Bills of a public and general nature are necessary to be passed into laws this present Assembly, report the following:
A Bill agreeable to the recommendation of Congress of the 13th April, 1787;
A Bill ascertaining the salaries of the officers of Government & Contingencies;
A Bill for the better ordering, equalizing and collecting the Taxes for the ensuing year;
A Bill directing the duty of the several Clerks of Superior & County Courts in this State, with respect to the issuing of writs;
A Bill empowering the Counties therein mentioned to pay for negroes Executed, by a tax in said Counties on black polls; all which is submitted.

THOS. PERSON, Ch.

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

Mr. Jones presented a Bill for altering the place of holding Courts in the County of Randolph, for erecting public buildings therein, & for appointing Commissioners, &c., accompanied by a Petition from a number of the Inhabitants of the said County respecting the situation of the said buildings; which being read it was ordered that they be referred to the consideration of a joint Committee, and that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

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

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

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

Received also, the Petition of John Johnston, Esq., and the Petition of the Committee of the People called Quakers. Each endorsed, read and referred as by the Senate.

Mr. Person presented the Memorial of the Field Officers of Davidson County setting forth sundry Grievances, and praying relief; 20—21
which was read, referred to the Committee of Propositions & Grievances & sent to the House of Commons for concurrence in such reference.

Mr. Gregory, from the Committee of Privileges and Elections, delivered in the following report:

The Committee of Privileges & Elections beg leave to report that they have examined the papers and evidence relative to the Election of Thomas Amis & Stokely Donaldson, Esqrs., to represent the County of Hawkins in the Honorable the House & Senate, by which it appears to your Committee that John Hunt, Esq., Sheriff of said County, hath granted to Mr. Donaldson a Certificate setting forth that he was on the third Friday and Saturday in August last duly elected; that George Ridley, Francis Marybury & Daniel Hamlin, inspectors of the poll at the Election held in said County, have jointly granted to Mr. Amis a Certificate specifying that he was duly elected on said third Friday & Saturday in August; it further appears to your Committee that said Inspectors have respectively sworn to and signed separate certificates, setting forth that the election was during both days conducted without commotion or interruption, (except by one man who, in the deposition of George Ridley is set forth to have said in the hearing of the defendant & whilst the poll was open, that if the people were all ot his mind he would have his vote or a blow and he did not care which he gave first), until the close of the second day of election, at which time the polls was closed; that the Sheriff nor his deputy did not attend on said last mentioned day, but that the election was conducted under the inspection of the deponents.  

Your Committee further report that it appears from the testimony of Mr. McHenderson taken on oath before your Committee, that Mr. Peter Turney said to be the Sheriff of a county called Spencer which interferes with the present existing County of Hawkins, publicly advertised that an election would be held at the House of Mr. Joseph Rogers on the third Friday & Saturday of August aforesaid, then & there to elect three persons to represent them in the General Assembly of North Carolina, that said Mr. Turney was present at the opening of the polls for the first mentioned day, but that the polls was opened by the Sheriff of Hawkins, that said Sheriff did make proclamation that no person would be allowed to vote but such
as had paid Tax & was qualified otherwise according to law; that when about three votes were taken Col. Cocke appeared with a number of men, some of whom were from Greene County; that he, the deponent, had undoubted information that these men had come part of the way armed, in consequence of which he was apprehensive a riot would ensue, that he advised the Sheriff to adjourn the election until the next day, which he accordingly did; that the deponent, the Sheriff & some other friends dispersed by different routes, having previous thereto agreed to meet the ensuing day at the House of Mr. Cormack, that they met according to said agreement, but from intelligence received that the opposite party threatened to route them, they adjourned to a third place where the polls were opened by the Sheriff, and there being but a small number of voters present it was again closed in haste.

It further appeared to your Committee from the information contained in the deposition of Benoni Perryman had before John Long, Esq., J. P., of Hawkins County, that Mr. Peter Turney aforesaid asked by the deponent who was to open the election, "The Sheriff of the old State or the Sheriff of the new?" answered, "by both, agreeable to a resolve of Convention," that said Turney. asked the deponent how they intended to take in the votes, who answered that those only would be allowed who had given in their Taxable property and complied with the Law; that said Mr. Turney replied, if that was the case the strongest party should take the House, and the said Turney also told the deponent, before & since the election, that it was not the intention that the members should take their seats, but to disconcert the election.

Your Committee are therefore of opinion, from the facts contained in the foregoing testimony, that neither of the parties is entitled to a seat, as the testimony of Mr. Henderson corroborated by that of Mr. Perryman, fully evinces that the party who fled from the first appointed place of holding the election had real cause for bodily fear, consequently the election there carried on was disorderly and illegal & that the election carried on by the party who dispersed and assembled at different places is illegal, as they have neglected to return a State of the polls with the names of the voters according to Law, which is also neglected by the opposite party.

Your Committee therefore recommend that a new writ of election
be issued for the election of a member to represent said Coun't Hawkins in the House of Senate; all which is humbly submitted.

ISAAC GREGORY, Chm.

The House taking the foregoing report into consideration Resolved, That they do concur therewith.

Mr. Robertson presented the Petition of sundry of the Inhabitants of Davidson County, which was read, referred to the Committee of Propositions and Grievances and sent to the House of Commons for their concurrence in such reference.

Received from the House of Commons the resignation of Burridge Shelby a Justice of the Peace for the County of Hyde, & the resignation of James White a Justice of the Peace for the County of Currituck. Each endorsed, read and accepted; which being read was accepted by this House & returned.

Received also, a presentment from the Grand Jury of Morgan District. Endorsed, read & referred to the Committee on Public Bills; which was read, referred in like manner & returned.

Mr. Irwin presented the Memorial of Thomas Polk, Esq., which was read, referred to the Committee of Propositions & Grievances and sent to the House of Commons.

Received from the House of Commons the Petition of John Beck, Endorsed, referred to the Committee of Propositions & Grievances; which was read, referred in like manner by this House & returned.

Received also, the resignation of Richard Warren a Justice of the Peace for the County of Johnston. Endorsed, read & accepted.

Mr. Person delivered in a Presentment of the Grand Jury of Salisbury District complaining of sundry grievances & praying redress, which was read, referred to the Committee of Propositions & Grievances & sent to the House of Commons for their concurrence in such reference.

Received from the House of Commons the Bill for the better regulations of the Town of Edenton. Endorsed, read the third time, amended & passed.

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

On motion, Ordered that Mr. Allen Jones have leave to withdraw for amendment the Bill authorizing and requiring the County Courts of Pleas and Quarter Sessions to divide and appropriate the real
STATE RECORDS.

Estate of Intestates, where one or more of the claimants are under age.

Adjourned till Monday Morning 10 O'clock.

MONDAY, 26 November, 1787.

The House met according to adjournment.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

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

Mr. Crawford the Member for the County of Richmond, & Mr. John Wilkes the Member for the County of Roberson, appeared, produced their Certificates, were qualified agreeably to Law and took their seats.

Mr. Macon moved for leave and presented a Bill to charge the Estate of Honore Giraud, late of the Town of Halifax, deceased, with the payment of all his just Debts and to prefer the same to the title acquired by this State in the property which was of the said Giraud in consequence of his self murder; which was read, passed the first time & sent to the House of Commons.

Mr. Allen presented the resignation of John Knox, Esq., a Justice of the Peace for the County of Northampton; which was read, accepted & sent to the House of Commons.

Mr. Allen Jones moved for leave and presented a Bill for the Emancipation of the slaves and property of the people called Quakers, under certain rules and restrictions therein mentioned; which being read was passed the first time & sent to the House of Commons.

Mr. Allen Jones likewise moved for leave and presented a Bill to prevent the further importation of slaves, which was read, passed the first time & sent to the House of Commons.

Received from the House of Commons the Bill to compel the attendance of all such persons as are or may be Elected to represent any County or Town in the General Assembly of this State, at such time & place as may be appointed.

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

Mr. Allen Jones moved for leave and presented a Bill to repeal such laws as militate against the Treaty of Peace with the King
of Great Britain; which was read, passed the first time & sent to the House of Commons.

Received from the House of Commons a Bill to establish Order, Security and efficacious government in the western parts of this State. Endorsed, read the first time and passed.

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

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

Your Committee of Privileges and Elections beg leave to report, that they have examined the several papers and other evidence exhibited by Landon Carter and John Tipton, Esq., relative to their Election to represent the County of Washington in the Hon. House of Senate, from which it fully appears to your Committee that John Tipton, Esq., is duly Elected. Your Committee are therefore of opinion that Mr. Tipton ought to be permitted to qualify & take his seat accordingly. All which is submitted.

ISAAC GREGORY, Chr.

The House taking this report into consideration, and having again investigated the facts on which it is founded, are of opinion that the returns of the Sheriff are not admissible, and said Election has been conducted in an illegal manner and ought to be set aside. Whereupon Resolved, That the said Election be and it is hereby declared void, and that a new writ of Election issue to the County of Washington for the Election of a Senator on the first Monday & Tuesday in March next, to represent said County in the present Assembly.

Mr. Owen presented the Petition of Mary White widow of David Lindsay White, late Sheriff of Bladen County, setting forth the disorderly condition of her late Husband's accounts and praying the direction of the General Assembly relative thereto; which was read referred to the Committee appointed on the Memorial of the Hon. Samuel Ashe, Esq., & sent to the House of Commons for their concurrence of such reference.

On motion of Mr. Macon, Resolved, That all claims to be adjusted by this present Assembly be first introduced in one Branch of the Legislature & sent to the other with an Indorsement & reference as in cases of Petitions & Memorials.
Mr. Speaker & Gentlemen:

We propose that the resolution which accompanies this be adopted in view of the one by you entered into on the same subject.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

This accompanies a Message this day received from His Excellency the Governor, with an account of the warrants by him drawn on the public Treasury for Twelve Months past, which we propose referring to the Committee on Finances together with the other papers referred to.

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

Mr. Speaker & Gentlemen:

We agree that the Message from his Excellency the Governor of the 26th Inst. together with the papers therein referred to be submitted to the consideration of the Committee appointed on Finance.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

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

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

Mr. Speaker & Gentlemen:

We agree that the representation from the Field officers of Davidson County be referred to the consideration of a joint Committee as by you proposed. For this purpose we have appointed Mr. Le Noir, Mr. Long & Mr. Owen, who will act with the Gentlemen by you named.

Mr. Skinner, who had leave to withdraw for amendment the Bill for Electing Wardens of the Poor, delivered in the same, which was read with the amendments, passed the first time & sent to the House of Commons.

Mr. Kenan presented the Petition of John Bradley, Esq., of the
Town of Wilmington, which was read and Ordered to be sent to the House of Commons with the following Message:

Mr. Speaker & Gentlemen:

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

Received from the House of Commons the Bill to prevent the further importation of Slaves. Endorsed, read the first time & passed.

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

Mr. Allen Jones moved for leave & presented a Bill for revising and collecting the Acts of the General Assembly of the State of North Carolina, which was read the first time & sent to the House of Commons.

Mr. Gregory presented the Petition of Benjamin Wilson and of Zephaniah Barges of the County of Camden, praying, &c.; which was read, referred to the Committee appointed on the Memorial of Hon. Samuel Ashe, Esq., & sent to the House of Commons for their concurrence in such reference.

Mr. Owen presented the Petition of Ryham Rading of Bladen County, which was read, referred to the Committee of Propositions & Grievances & sent to House of Commons.

Received from the House of Commons the Bill for the Emancipation of Slaves the property of the people called Quakers, under certain rules and restrictions therein mentioned. Endorsed, read the first time and passed. Ordered that the Bill be read, which being read was on motion, rejected. Whereupon, on motion of Mr. Skinner, seconded by Mr. Macon, Ordered that the yeas and nays be taken on this Bill which are as follows:

For the passage of the Bill—Mr. Overton, Mr. Allen Jones, Mr. Ramsey, Mr. Coor, Mr. McCawley, Mr. Johnston, Mr. Gregory, Mr. Jordan, Mr. Lenoir, Mr. Person, Mr. Long, Mr. Robinson, Mr. Hendley, Mr. Relfe, Mr. Easton, Mr. Riddick, Mr. Willis, Mr. Crawford & Mr. Mayo.—19.

Against the passage of the Bill—Mr. Battle, Mr. Griffin, Mr. J. Williams, Mr. Lane, Mr. Skinner, Mr. Warringtn, Mr. Hill, Mr.
Boon, Mr. Mooring, Mr. H. Williams, Mr. Moore, Mr. Kenan, Mr. McAllister, Mr. Irwin, Mr. Owen, Mr. Martin and Mr. Miller.—17.

Mr. Irwin presented the Petition of Daniel Colebreath of Cumberland County, which was read, referred to the Committee appointed on the Memorial of the Hon. Samuel Ashe, Esq., & sent to the House of Commons.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:
This House have received and considered the resolution of your House respecting the mode proposed to be adopted in allowing claims, with which we cannot concur from a supposition that too much time will be taken up in passing the Claims through the two Houses of the General Assembly, and hope that the Senate will consider their resolution on that Head and concur therewith.

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

Mr. Speaker & Gentlemen:
We cannot accede to your proposition relative to the manner Liquidating Claims, therefore hope you will agree to adopt the resolution of this House first entered into on that subject.

Received from the House of Commons a Bill to impower the administration of Samuel Swann, Esq., late of New Hanover County, deceased, to sell and dispose of part of the real estate of said Samuel for the payment of his debts, in order to make the better provision for his family, and also to make conveyances for such part of the real Estate as was sold by the said Samuel in his life time. Endorsed, read the first time & passed.

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

Received also, the presentment of the Grand Jury of Salisbury District, the Memorial of Thomas Polk, Esq., and the Petition of Mary White. Each Endorsed, referred as by the Senate.

Received likewise a Petition of John Walker, Esq. Endorsed, referred to the Committee of Propositions and Grievances & The Petition of John Campbell. Endorsed, referred to the Committee of Claims; which being read, the former was rejected and the latter ordered to lie on the Table.
Ordered that the following Message be sent to the House of Commons:

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

Received from the House of Commons the following Message:

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

Recd. also, the report of the Committee appointed to consider what Bills of a public nature are necessary to be passed at the present Assembly. Endorsed, read and concurred with.

Also, the resignation of John Knox, Esqr., a Justice of the Peace for the County of Northampton. Endorsed, read & accepted.

Received likewise the following Message:

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

Mr. Robins moved for leave and presented a Bill to encourage the making of Salt in Davidson County; which was read the first time, passed & sent to the House of Commons.

Received from the House of Commons the following resolution:
Resolved, That no private Bill be received after Tuesday next. The foregoing being read, it was ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:
The resolution of your House prohibiting the introduction of Private Bills after Tuesday next we have received & concurred with.

Received from the House of Commons a Memorial from the Honorable the Judges of the Superior Courts of Law and Equity in this
State. Endorsed, referred to the Committee on the Memorial of Judge Ashe; which being read was referred in like manner and returned.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

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

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

Mr. Speaker & Gentlemen:

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

Received also the following Message:

Mr. Speaker & Gentlemen:

We herewith send you the Petition of Sundry of the Inhabitants of Rowan County, praying a division thereof, together with a Bill formed for that purpose which we propose submitting to a Committee from both Houses. We have on our part, appointed Mr. Phifer, Mr. Goudy, Mr. Polk, Mr. Hawkins, Mr. Mebane and Mr. Cabarrus a Committee.

The House taking the foregoing into consideration, Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

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

Received from the House of Commons the Petition of William Alexander. Endorsed, referred on the part of this House to Mr. Polk, Mr. Phifer & Mr. Steele; which being read was referred on the part of the Senate to Mr. Bergher, Mr. Williams & Mr. Joseph Martin and returned.

Adjourned till 4 O'clock P. M.
The House met according to adjournment.

Received from the House of Commons Sundry Petitions in behalf of Thomas Wade, Esq., of Anson County. Endorsed, referred to the Committee appointed on the Petition of John Bradley; which being read was on motion rejected.

Received also the Petition of Nathan Hooker. Endorsed, referred to the Committee of Propositions and Grievances; which being read was referred in like manner & returned.

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

The Committee of Propositions & Grievances to whom the Memorial of sundry of the Inhabitants of Rowan County was referred report,

That divers persons became purchasers of Lands in the County of Rowan in consequence of sales held by General Rutherford, the then superintendent Commissioner of Confiscated Estate in Salisbury District; that

They from misguidance, or the want of such Certificates as were then only receivable in discharge of two-thirds of the purchase money, were induced to give their Bonds for the payment of the whole sum in actual Money. Your Committee therefore beg leave to recommend that an act be passed directing the Treasurer to receive from Persons specie, Audited Certificates, or any other Certificates which are receivable at this period for Confiscated property sold, in discharge of two-thirds amount of their said Bonds; all which is submitted.

JNO. JOHNSTON.

The House taking the foregoing report into consideration,

Resolved, That they do not concur therewith, but that the same be rejected.

Received from the House of Commons a Petition from Jonathan Phelps and others. Endorsed, referred to the Committee of Propositions and Grievances; which was read, referred in like manner and returned.

Received also, the Petition of John Devane. Endorsed, referred to the Committee of Claims; which being read was, on motion, rejected.
STATE RECORDS.

Received from the House of Commons a Memorial and Remonstrance of the Commissioners & Citizens of the Town of Wilmington. Endorsed, referred to Mr. Bloodworth, Mr. P. Hawkins, Mr. Rodee, Mr. Cabarrus & Mr. Franklin; which being read was, on motion, rejected.

Received likewise a Bill to divide the County of Davidson, and a Bill to erect a District Court of Law & Equity at Fayetteville. Each endorsed, read the first time and passed.

Ordered that these Bills be read, which being read the former was, on motion, laid over till the next Assembly & the latter passed the first time & returned.

Mr. Macon moved for leave and presented a Bill empowering the several County Courts therein mentioned to lay a tax on all black polls, to defray the expence of Slaves hereafter executed; which was read, passed the first time & sent to the House of Commons.

Received from the House of Commons a Bill directing the Clerks of the several Courts of RECORD within this State as to their duty in office, with respect to issuing of writs. Endorsed, read the first time & sent to the House of Commons:

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

Received also, a resignation of Thos. Hawkins, Esq., as a Justice of the Peace. Endorsed, read and accepted.

Also, the Petition of Alexander Smith and Baptist Clark. Endorsed, referred to the Committee of Claims; which being read the latter was rejected and the former accepted and returned.

Adjourned till To-morrow 10 O'clock.

TUESDAY, 27 November, 1787.

The House met.

Received from the House of Commons the following Bills:

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

A Bill for the better regulation of the Inspection of Tobacco at the Town of Fayetteville and to prevent frauds;

A Bill to repeal the seventh section of an Act directing the method of Electing Members of the General Assembly;

Also, one other act Intitled "an Act for removing the public buildings of Mecklenburg County from Charlotte." Respectively endorsed, read the first time and passed.
Ordered that those Bills be read, which being read were severally passed the first time & sent to the House of Commons.

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

The Committee of Propositions and Grievances, to whom the Petition of William Queen of Randolph County, was referred, report, That it appears to your Committee a redress of the Grievances can only be had in a Court of Equity; they therefore are of opinion that it be rejected.

All which is submitted.

JNO. JOHNSTON, Chn.

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

Mr. Johnston, from the Committee, also delivered in the following report:

Your Committee of Propositions and Grievances, to whom the Memorial of the Inhabitants of the Town of Wilmington was referred report, That considering the peculiar situation of the Memorialist and the length of New Hanover County, beg leave to recommend that an act be passed for the purpose of dividing the regiment of Militia in said County into two Battalions, one of which shall hold their General Musters in the Town of Wilmington the other in the most convenient place to the Inhabitants of the upper or North Western end of the County. All which is submitted.

JNO. JOHNSTON, Chn.

The House taking the foregoing report into consideration, Resolved, That they do concur therewith.

Received from the House of Commons a Bill to repeal part of an act passed at New Bern in the year One thousand seven hundred & Eighty five, entitled “an Act for destroying wolves, panthers, bears, wild cats, crows, & squirrels in the several Counties therein mentioned;” and a Bill to enable the Executors of John Smith formerly Sheriff of Chowan, to collect the arrearages of Taxes due him from such persons as were inhabitants of said County for the years One thousand seven hundred & seventy-four, & one thousand seven hundred & seventy-five; also a Bill for levying a further tax in
the Several Counties in the District of Morgan to defray the remaining expences of Building a Court House, prison & stocks in said District. Respectively endorsed, read the first time & passed.

Ordered that these Bills be read, which being read were severally passed the first time in this House & returned.

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

The Committee of Propositions and Grievances, to whom the Memorial of David Kerr late Commissioner of Specific supplies in the County of Rowan, was referred, report,

That the Memorialist while Commissioner as aforesaid, contracted for a certain quantity of Salt, payable in Tallow, for use of the State, and was induced by the immediate want of the salt & the lowness of the public credit to pass his Bond for the payment thereof as in a private character, which hath been recovered of him by warrant. Your Committee tho' well assured that the salt was applied to the use of the State, yet are of opinion by his failing to prove by sufficient Vouchers that he had not settled for the same in his account as Commissioner aforesaid with the Comptroller, that it be rejected. All which is submitted.

JNO. JOHNSTON, Ch.

The House taking the foregoing report into consideration,
Resolved, That they do concur therewith.

Mr. Johnston, from the Committee, also delivered the following report:

The Committee of Propositions and Grievances, to whom the Petition of Archibald Cain was referred, reports that the said Archibald became bound in a recognizance in the sum of fifty pds for the appearance of a certain Price Hays at Hillsboro Superior Court, to answer to some charge to have been exhibited against him. That previous to the period for Hays appearance it was reported he was shot & killed, which report not being sufficiently authentic to influence the Court, said Cain's recognizance became forfeited. Your Committee maturely considering the premises beg leave to recommend, that by a Resolve of your House the said Cain may have an indulgence until the next General Assembly to adduce such legal testimony of the death of the said Hays as may entitle him to a remis-
sion of the pains and penalties of said forfeiture. All which is sub-
mitted.

JOHN JOHNSTON, Chr.

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

Received from the House of Commons a Petition of John Allen
praying the emancipation of Betty Allen, & her child named Mary,
accompanied by a Bill for the purpose. Endorsed, read the first
time & passed; the former of which was rejected and the latter not
admitted to a reading.

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

WEDNESDAY, 28 November, 1787.

The House met.

Mr. Allen Jones presented the Memorial of John Justice, Esq.,
praying, &c. Whereupon resolved, That the Petition of John Ju-
stice, Esq., administrator of Colonel James Allen, deceased, which
by the last Assembly of this State was laid over to this Assembly in
order that the Petitioners might have a further opportunity of sub-
stantiating the allegations in said Petition, be referred to the Com-
mittee appointed to consider of Judge Ashe's Memorial.

Sent for concurrence.

Ordered that the following Message be sent to the House of Com-
mons:

Mr. Speaker & Gentlemen:

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

Mr. Kenan, from the Committee, delivered in the following re-
port:

The Committee to whom was referred the Petition of John Brad-
ley beg leave to report, That your Committee have attentively con-
sidered the facts therein set forth, notwithstanding we cannot but
reprobate the impious and unchristian practice of duelling, yet
such were the mitigating circumstances of this case that we think the
unhappy offender a subject rather of compassion than public resent-
ment.

It appears to your Committee that Mr. Bradley innocently and
very unintentionally gave an offence to the deceased Mr. Swann who
from the time of the challenge first given to Mr. Bradley, tho' he made every acknowledgment consistent with truth and reconcilable to the feelings of a Man of honor, and every overture proposed to procure an accommodation, persisted with the most relentless implacability in insisting upon that satisfaction which ended in the tragical manner set forth in the Petition, the source of affliction to his family, and of the most anxious concern to Mr. Bradley, who so far from wishing such an event did, we are fully convinced, everything in his power to avoid the fatal conflict which led to it. We are extremely unwilling to hold forth an exemption from punishment to such persons as voluntarily engage in this wicked kind of contest and therefore at the same time that we recommend, as we do in the most pressing manner, Mr. Bradley to the Clemency of Government, we beg leave to declare it as our opinion that this proceeding shall not be drawn into precedent hereafter. Your Committee upon the whole are of opinion under the above restriction, that Mr. Bradley be recommended to the Governor as the Person who ought to be pardoned the homicide of what nature soever it be in construction of Law, committed in killing the said Samuel Swann, and that His Excellency be requested to grant a pardon accordingly.

JAMES KENAN,
WILL POLK,
JOS. RHODES,
JOSHUA POTTs,
JOS. MACON,
READING BLOUNT,
THOMAS OWEN,
WILLIAM GRAVE.

The House taking this report into consideration, Resolved, That we do concur therewith.

Received from the House of Commons the following Bills, to-wit:
A Bill for dividing the County of Surry;
A Bill to provide for the making of Slopes suitable for the free passage of Fish over all Dams of whatsoever kind erected across Deep River & Tar River;
A Bill for promoting the Navigation of Albemarle Sound; and

20—22
A Bill to remove all obstruction to the passage of Fish up Neuse River. Respectfully endorsed, read the first time & passed.

Ordered that these Bills be read, which being read were severally passed the first time in this House and returned.

Received also the following Message:

Mr. Speaker & Gentlemen:

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

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

Mr. Speaker & Gentlemen:

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

Received from the House of Commons the Memorial of John Kingsbury. Endorsed, referred to the Committee of Propositions and Grievances; which was read, referred in like manner and returned.

Also the resignation of Nathaniel Steed, Esq., Justice of the Peace for the County of Randolph. Endorsed, accepted; which was read, accepted of by this House & returned.

Received also, the Petition of Benjamin Wilson & Zephaniah Burges. Endorsed, read and referred as by the Senate.

Received likewise the following Bills:

A Bill to prevent Horse Stealing by imposing a fine on those who shall privately deal with persons of suspicious characters in the Counties herein mentioned.

A Bill to enable the Wardens of the Poor of the County of Halifax to levy a tax on the Inhabitants of the said County to discharge the debts due in the year 1776 to the reverend Thomas Burges, now deceased, for ministerial services performed in the Parish of and for allowances made in lieu of a Glebe.

A Bill to add the County of Moore to Hillsborough District.

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

A Bill to empower the Wardens of the Poor for the County of Cas-
well to purchase Lands & Build a House for the reception of the
Poor in the County aforesaid.

A Bill for altering the place of holding Courts in the County of
Randolph, for erecting public Buildings thereon & for appointing
Commissioners. Respectively endorsed, read the first time & passed.

Ordered that these Bills be read, which being read were severally
passed the first time in this House & returned, except the Bill to add
the County of Moore to the District of Hillsborough, which was re-
jected.

Mr. Allen Jones moved for leave and presented a Bill to amend
an act for restraint of vagrants and preventing desertion, which was
read, passed the first time & sent to the House of Commons.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

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

Received also, a Bill empowering the Commissioners therein named
to build a Gaol in the County of Anson, to levy a tax to defray the
Expence thereof & to change the name of Newton in said County to
that of Wadesborough; and a Bill to prevent abuses in taking up
stray Horses, Cattle, Hogs & Sheep & other things therein men-
tioned. Each endorsed, read the first time and passed.

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

Received likewise a Bill for staying execution for debt in the Coun-
ty of Davidson; and a Bill for altering the name of Jesse Hay to
that of Jesse Spaight, the names of Robert Portress & Benjamin
Clevers Portress to Robert Ramsome & Benjamin Clevers Ransome,
and of William Bonner to that of William Hunt; also the name of
William Barret to that of William Ashley. Endorsed, read the first
time & passed.

Ordered that these Bills be read, which being read were passed
the first time in this House & returned.

Mr. Macon moved for leave and presented a Bill to extend an act
passed at New Bern the Twenty ninth day of Dec. 1785, intitled
"an Act to Impower the County Wardens of the Poor for the Coun-
ties therein mentioned to build Houses in their respective Counties
for the reception of the Poor & other purposes," to the Counties of Warren, Caswell & Pasquotank, which was read the first time & sent to the House of Commons.

Received from the House of Commons the report of the Committee on the Petition of William Queen, the report of the Committee on the Memorial of the Inhabitants of the Town of Wilmington, and the report of the Committee on the Memorial of David Kerr. Respectively endorsed, read and concurred with.

Mr. Willis presented the Petition of John Coplain of Robinson County; which was read and on motion, ordered to lie on the Table.

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

A Bill for establishing two places in the County of New Hanover for the purpose of holding General Musters therein; for dividing the Militia of said County into two Districts suitable & convenient for the inhabitants to attend Musters at the respective places, and for appointing the place for holding Courts Martial in said County.

A Bill to encourage the draining a tract of Land in Tyrrell County, and

A Bill appointing Commissioners to repair the Court House, Prison and Stocks in the Town of Hillsborough for the District of Hillsborough and to levy a tax on the Inhabitants thereof for the benefit, use and reparation of the streets of the Town aforesaid. Respectively, endorsed, read the first time and passed.

Ordered that these Bills be read, which being read were severally passed the first time in this House and returned.

Received also the following Message:

Mr. Speaker & Gentlemen:

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

Received likewise the Report of the Committee on the Petition of Archibald Cain and the resolution of this House in consequence of the Petition of John Justice. Each endorsed, read & concurred with.

Mr. Owen presented the Memorial of Elizabeth Lucas late of Bladen County, which being read was rejected.
STATE RECORDS.

Received from the House of Commons the Petition of Thomas Wright Sheriff of New Hanover County. Endorsed, referred to the Committee of Propositions and Grievances; which was read, referred in like manner and returned.

Also a Petition from the Inhabitants of New Garden Settlement Endorsed, ordered to be sent to the Senate; which being read was on motion, rejected.

Received also the Petition of Daniel Colbreath. Endorsed, referred as by the Senate.

Adjourned till 10 o'clock A. M.

TUESDAY, 29th November, 1787.

The House met according to adjournment.

Mr. Allen Jones, who had leave to withdraw for amendmnet the Bill authorizing and requiring County Courts of Pleas and Quarter Sessions to divide and appropriate the real Estate of Intestates, where one or more of the claimants are under age, which was read with the amendments, passed the third time in this House and sent to the House of Commons.

Mr. Macon presented the Claim of Aaron Fussil, which was read, referred to the Committee of Claims and sent to the House of Commons.

Mr. Allen Jones 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 & sent to the House of Commons.

Mr. Johnston, from the Committee, delivered the following report:

The Committee of Propositions and Grievances, to whom the Petition of William Parham was referred, report:

That the said William became bound in recognizance in the sum of two Hundred pounds for his appearance at Halifax Superior Court of Law & Equity, to answer for a trespass committed in aiding his father to take into his possession a Negro Slave which he believed his said father had an indubitable right to; that from a compromise of the parties as well as the advice of his friends, and his total ignorance of Law matters, he was induced not to appear agreeable to the recognizance which became forfeited.
Your Committee on considering the premises are of opinion that
the said William Parham be relieved from the forfeiture aforesaid
and therefore beg leave to recommend that a Resolve be passed to
that effect.

All which is submitted.

JNO. JOHNSTON, Chn.

The House taking this report into consideration, Resolved, That
they do not concur therewith, but that the same be rejected.

Resolved, That the General Assembly will make an adequate al-
lowance for the services of such Persons as the public Treasurer may
employ as his Clerk during the present Session.

Sent for Concurrence.

Mr. Miller presented the Petition of William Price of Rutherford
County praying to be released from the forfeiture of a recognizance
by him forfeited, which was read and on motion, rejected.

Mr. Allen Jones also moved for leave and presented a Bill for
fixing the final settlement of Unliquidated Claims against the State,
and against the United States within this State; which was read,
passed the first time & sent to the House of Commons.

Mr. Lenoir moved for leave and presented a Bill to enable Wil-
liam Nall, Sheriff of Wilkes County, to collect all the Taxes due from
said County for the years 1785 & 1786 and to allow him a further
time to settle for his collection with the Treasurer; which was read,
passed the first time & sent to the House of Commons.

Received from the House of Commons the resignation of David
Jones, Senr., and John Devane, Esquires, as Justices of the Peace
for the County of Johnston. Endorsed read and accepted; which
was read, accepted and returned.

Also the Claim of Aaron Fussel. Endorsed, read and referred
to the Senate.

Mr. Allen moved for leave and presented a Bill to amend and con-
inue an Act, intitled “an Act to authorize the late Commissioners
of Specific Supplies for the several Counties therein mentioned
to collect the Arrearages of the Specific Taxes yet due from the Inhabi-
tants thereof;” which was read, passed the first time in this House
and sent to the House of Commons.

Mr. McCawley moved for leave and presented a Bill directing the
Court of Pleas and Quarter Sessions of Pasquotank County to be
held at Winfield, on Pasquotank river and for Establishing a Town on the land of Thomas Reif at Winfield in said County; which was read, passed the first time and sent to the House of Commons.

Mr. John Williams moved for leave and presented a Bill for annexing part of the County of Dobbs to Pitt County; which was read, passed the first time & sent to the House of Commons.

Mr. Abram Jones moved for leave and presented a Bill to establish a port at the town of Woodstock in the County of Hyde, on Pungo River; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the Petition of Rhyam Rading. Endorsed, referred as by the Senate.

Received a Bill for the accommodation of Post Riders. Endorsed, read the first time & passed.

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

Mr. Willis moved for leave and presented a Bill to emancipate Joseph, a Mulatto Slave, the property of the Estate of Agerton Willis late of Bladen, deceased; to confirm the said Joseph in the name of Joseph Willis, and to invest certain property herein referred to, in the said Joseph by the name of Joseph Willis; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the Bill to encourage the making of Salt in Davidson county. Endorsed, read the first time & passed.

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

Mr. Macon moved for leave and presented a Bill to amend an Act entitled “an Act to keep open Roanoke River for the passage of Fish up the same & other purposes therein mentioned,” which was read, passed the first time & sent to the House of Commons.

Received from the House of Commons the Petition of John Brevard. Endorsed, referred to Mr. Gaston, Mr. Steele & Mr. Brown; which being read, was referred on the part of this House to Mr. McDowall, Mr. Irwin & Mr. Crawford and returned.

Mr. Macon presented the representation & remonstrance of the Members of Moore County against Phillip Alston, a Justice of the Peace for said County; which was read, referred to the Committee
appointed on Judge Ashes Memorial, & sent to the House of Commons for their concurrence on such reference.

Received from the House of Commons a Petition in behalf of English Early and Company. Endorsed, referred on the part of this House to Mr. Withrow, Mr. McDowall, Mr. Singleton, Mr. Goudy & Mr. Steele; which being read, was referred on the part of the Senate to Mr. Overton, Mr. McDowall and Mr. Miller.

Received also, a Specie Certificate in favour of James Davis. Endorsed, referred to Mr. McDowall, Mr. Bloodworth and Mr. W. Hawkins; which being read was, on the part of the Senate, referred to Mr. Martin, Mr. Irwin & Mr. Abram Jones.

Received likewise a Bill for altering the times for holding the County Courts of Edgecombe, Halifax & Pitt. Endorsed, read the first time & passed.

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

Mr. Crawford moved for leave and presented a Bill to require and direct the Treasurer to receive the Certificates therein mentioned for two-thirds of the Debts due by Bonds now filed in his office for Confiscated property heretofore sold; which was read, passed the first time & sent to the House of Commons.

Received from the House of Commons a Bill to declare and explain the true meaning of the several Acts of Assembly heretofore passed, for giving further time to Surveyors within the different Counties to make their Surveys & return plotts thereof to the Secretary's office; and more especially of an Act passed at New Bern in the year 1785, intitled "an Act to amend an Act for opening the Land office and other purposes, and to give further time for the registration of Deeds and Grants therein described." Endorsed, read the first time and passed.

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

Received also a Bill empowering the Court of Pitt County to establish a Free Ferry over Tar River at the Town of Greenville and to levy a tax on the Inhabitants of said County for that purpose. Endorsed, read the first time and passed.

Ordered that this Bill be read, which being read was passed the first time in this House and returned.
Mr. Sheppard moved for leave and presented a Bill for adding part of Craven County to Dobbs County; which was read, passed the first time & sent to the House of Commons.

Received from the House of Commons the Bill to repeal such Laws as militate against the Treaty of Peace with the King of Great Britain. Endorsed, read the first time & passed.

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

Received also the Petition of Matthew McClure. Endorsed, read and referred on the part of this House to Mr. Polk, Mr. Blount, Mr. Goudy & Mr. McDowall; which being read was, on motion, rejected.

Received likewise a Bill for Establishing a Town on the river Scuppernong in the County of Tyrrell. Endorsed, read the first time & passed.

Also a Bill to amend an act passed at Fayetteville, entitled “an Act to amend an Act Entitled an Act for regulating the Town of Windsor in Bertie County.” Each endorsed, read the first time and passed.

Ordered that these Bills be read, which being read each were rejected.

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

And a Bill to extend an Act of the General Assembly held at New Bern in the year 1785, concerning Warden of the Poor to the County of Hertford. Endorsed, read the first time & passed.

Ordered that these Bills be read, which being read the former was passed the first time in this House & returned, & the latter ordered to lie on the Table.

Mr. Bledsoe moved for leave and presented a Bill to affect the cutting & clearing a Road from the lower end of Clinch Mountain to the Cumberland settlements, and for preserving peace and granting safety to the Inhabitants thereof; which was read the first time in this House and sent to the House of Commons.

Received from the House of Commons a Resoution of that Body directing the Treasurer as to the mode of paying Certificates granted to Members of the Assembly for their attendance, in depreciated Currency; which was read, concurred with & returned.
Also the Resolution of this House allowing the public Treasurer a Clerk during the present Assembly. Endorsed, concurred with.

Mr. Sheppard moved for leave and presented a Bill for dividing the Counties of Dobbs, Edgecombe and Wayne and erecting a County by the name of ————; which was read & rejected.

Received from the House of Commons a Bill to repeal an act intitled "an Act for removing the public Buildings of Mecklenburgh County from Charlotte to the center of said County." Endorsed, read the second time, amended & passed.

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

Mr. Irwin moved for leave and presented a Bill to amend an act Intituled "an Act to encourage the building of public Mills and directing the duty of the Millers," passed at New Bern in 1777; which was read, passed the first time & sent to the House of Commons.

Received from the House of Commons the Bill for reversing and collecting the Acts of the General Assembly of the State of North Carolina. Endorsed, read the first time and passed.

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

Received also a Bill to amend an Act Intituled "an Act to pardon and consign to oblivion the offences and misconduct of certain Persons in the Counties of Washington, Sullivan, Greene and Hawkins." Endorsed, read the first time & passed.

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

Mr. Miller moved for leave to bring in a Bill to erect and Establish a Town in Rutherford County on the 30 Acres of Land already procured by the Comrs. for the purpose of building a Court House, Prison and Stocks for the said County.

Ordered that he have leave accordingly.

Mr. Person also moved for leave to bring in a Bill for Establishing a Town in Granville County on the Lands of Solomon Walker at a place known by the name of Oxford.

Ordered that he have leave accordingly.

Mr. Hill moved for leave and presented a Bill to prevent the building of such Houses as may be considered as nuisances, and to re-
move those already built within the several Towns in this state; which being read, was ordered to lie on the Table.

Adjourned till To-morrow Morning 10 O'Clock.

FRIDAY, 30 November, 1787.

The House met according to adjournment.

Received from the House of Commons the remonstrance and representation of the Members of Moore County against Philip Alston. Endorsed, read and referred as by the Senate.

Mr. Kenan, who had leave to bring in a Bill to appoint a Trustee in the room of James Sampson, Esquire, deceased, who together with others was appointed a Trustee for the purposes therein mentioned by an Act passed at Fayetteville 1787, intituled "an Act to vest in Trustees certain powers for the benefit of Elizabeth Torrens and her children," delivered in the same; which was read, passed the first time & sent to the House of Commons.

Mr. Skinner presented the Petition of Thomas Talbot of Washington County; which was read, referred to the Committee of Propositions and Grievances & sent to the House of Commons.

Received from the House of Commons the Petition of James Fletcher. Endorsed, referred to the Committee of Claims; which being read was, on motion, referred to the consideration of next Assembly.

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

Ordered that this Bill be read, which being read was, on motion, rejected.

Whereupon, on motion of Mr. Battle, seconded by Mr. Bacon, ordered that the Yeas and Nays be taken on this Bill, which are as follows, vizt:

For the passage of the Bill—Mr. Mayo, Mr. Battle, Mr. Griffin, Mr. Jno. Williams, Mr. Lane, Mr. Allen Jones, Mr. Skinner, Mr. Warrington, Mr. Coor, Mr. Johnston, Mr. Jordan, Mr. Clinton, Mr. Macon, Mr. Long, Mr. Easton and Mr. Martin—16.

Against the passage of this Bill—Mr. Abram Jones, Mr. Sheppard, Mr. Ramsay, Mr. Hill, Mr. Boon, Mr. Mooring, Mr. McCaulley, Mr. H. Williams, Mr. Moore, Mr. Gregory, Mr. Lenoir, Mr. Bledsoe, Mr. Winston, Mr. Berger, Mr. Person, Mr. Kenan, Mr. Mc-
Allister, Mr. Irwin, Mr. Robinson, Mr. Hendley, Mr. Relf, Mr. Owen, Mr. Reddick, Mr. Willis, Mr. Miller, Mr. Crawford and Mr. Overton.—27.

Received from the House of Commons the Bill to amend an Act for restraint of Vagrants and preventing desertion. Endorsed, read the first time and passed.

Ordered that this Bill be read, which being read was, on motion, rejected.

Received also a resolution depriving those members who absent themselves from the services of the Houses on private business, from receiving pay during the time of such absence.

The House taking the foregoing into consideration ordered that the following Message be sent to the House of Commons.

Mr. Speaker & Gentlemen:

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

Received from the House of Commons the Bill to prevent the further Importation of Slaves. Endorsed, read the second time & passed.

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

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

The Committee to whom the Petition of the Field officers of Davidson County was referred, report:

That from the peculiar and dangerous situation of the Inhabitants of Davidson County by the frequent attack of the Indians, the Field officers in the Council adjudged twelve men necessary to be employed as Spies in the Country for three months, and became severally bound and responsible in Bonds for the payment of Eight Shillings per day to each of them that should be in service, as will fully appear, recourse being had to the paper herewith presented marked No. 1. That from the Papers marked Nos. 2 & 3, and severally sworn to and corroborated by the Oath of Mr. Sanders, it appears the service was actually performed, or so much thereof as
amouted to the sum of Two Hundred and fifty-six pounds, which the Field Officers from the Tenor of their bargain have paid in part as will plainly appear, recourse being had again to the Paper marked No. 1. Your Committee further report, that the Field officers by the advice of many of the Inhabitants, and their hope of averting the Hostile intentions of the Indians for a while or until some more permanent security & protection could be obtained, engaged a certain John Taylor as an Express to the Creek Nation of Indians, who actually performed the services by delivering their Talks and returning with answers, also as an Express to the Cherokees, which to your Committee appeared by the Oaths of Colls. Bledsoe and Robinson, and the account herewith presented marked No. 2, and became bound as in the former instance in the sum of one hundred and twenty pounds for the service aforesaid which they have bona fide paid.

Your Committee therefore, taking these facts into consideration, are of opinion that in Justice and Equity the said officers, to-wit: Anthony Bledsoe, James Robinson, Isaac Bledsoe & Samuel Barton ought to be paid out of the Treasury the aforesaid sums of Money, amounting to three Hundred and Seventy Six pounds, and recommend a Resolve to be passed to that effect.

WM. LENOIR, Chn.

The House taking the foregoing report into consideration Resolved, That they do concur therewith.

Received from the House of Commons the following Bills, to-wit:

A Bill to prevent the obstructing of Fish from running up the Streams & Water courses in Bertie County & to clear the Navigation thereof;

A Bill to amend an Act intitled “an Act directing the Method of electing Members for the General Assembly and other purposes,” passed at ———— the ——— day of ———— 1777;

A Bill to establish and regulate the Toll Fees of the different Bridges on lower Little river in Cumberland County and repairing the roads leading to the Fords on said river;

A Bill to prevent litigious Suits;

A Bill to regulate the proceedings in the Division of Counties hereafter; and

A Bill to improve the Navigation of the North East branch of
Cape Fear river, the North East Swamp & Goshen Swamp in Duplin County. Respectively endorsed, read the first time & passed.

Ordered that these Bills be read, which being read were severally passed the first time in this House and returned.

The Bill to Establish and regulate the Toll Fees of the different Bridges on lower Little River, and the Bill to amend an Act intitled an act directing the method of Electing Members of the General Assembly excepted, which were rejected.

Received also, a Bill for extending the dividing Line between the Counties of Wayne and Johnston, and a Bill for annexing part of the County of Dobbs to Pitt County. Endorsed, read the first time and passed.

Ordered that these Bills be read, which being read the former was laid over until the next Assembly and the latter rejected.

Received likewise the Petition of Fanny McNeil and the Memo. of James Green Lee. The former endorsed, referred to the Committee of Propositions and Grievances, & the latter to the Committee appd. on John Brevard’s Petition; which was read, referred in like manner and returned.

Received likewise the Petition of Wm. Caps. Endorsed, referred on the part of this House to Mr. Nixon, Mr. Sanders & Mr. Devane. And the Petition of Spiers Singleton. Endorsed, referred to Mr. Spaight, Mr. Bloodworth, Mr. Phifer & Mr. Goudy, on the part of this House; which being read, the former was referred on the part of the Senate, to Mr. Crawford, Mr. McAllister & Mr. Warrington, and the later to Mr. Person, Mr. Coor & Mr. Henly & returned.

Received likewise the Memorial of James Thackston. Endorsed, referred to the Committee of Propositions and Grievances; which being read in this House was, on motion, rejected.

Received likewise the following Message:

Mr. Speaker & Gentlemen:

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

Received likewise the following Message:
Mr. Speaker & Gentlemen:

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

The House taking the foregoing into consideration,

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

Mr. Speaker & Gentlemen:

We agree to your proposition relative to the appointment of a Committee to receive from the public Treasurer certificates, &c., and to cause that the same be punched thro'. We have appointed for this purpose on our part, Mr. Hill, Mr. Macon, Mr. Skinner & Mr. Irwin, who will act jointly with the Gentlemen by you named.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

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

In answer to which, Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

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

Received from the House of Commons the Bill to ascertain the true courses of a tract of Land on Neuse river in Craven County. Endorsed, read the second time and passed.
Ordered that this Bill be read, which being read was amended, passed the third and last time in this House, and returned.

Received also a Bill to empower the Administrators of Samuel Swann, late of New Hanover County, Esquire, deceased, to sell and dispose of part of the real Estate of the said Samuel for the payment of his Debts, in order to make the better provision for his Family; and also to make conveyances for such part of the real Estate as was sold by the said Samuel in his life time. Endorsed, read the second time & passed.

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

Received likewise a Bill appointing Commissioners to repair the Court House, prison and Stocks in the Town of Hillsborough, and to levy a Tax on the Inhabitants thereof for the benefit, use and reparation of the Streets of the Town aforesaid. Endorsed, read the second time, amended and passed.

Also the Bill to charge the Estate of Honore Giraud late of the town of Halifax, deceased, with the payment of all his just debts, and to prefer the same to the Title acquired by this State in the property which was of the Giraud in consequence of his self murder. Endorsed, read the second time & passed.

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

Mr. Coor moved for leave and presented a Bill to repeal the fourth section or Clause of an act passed at New Bern in the year 1784, entitled "an Act to amend and supply the deficiencies of an act passed last Assembly at Hillsborough intitled an act to regulate the descent of real Estates, to do away Entails, to make provisions for Widows, and to prevent frauds in the execution of last Wills and Testaments, and for directing how Deeds of Gifts and Bills of Sales of Slavee shall be executed, Authenticated & perpetuated;" which was passed the first time & sent to the House of Commons.

Received from the House of Commons the following Bills:

A Bill empowering the Commissioners therein named to build a Gaol in the County of Anson, to levy a Tax to defray the expence thereof and to change the name of New Town in said County to that of Wadesborough; and a Bill for altering the times for holding the
County Courts of Edgecombe, Halifax & Pitt; also a Bill to repeal part of an Act passed at New Bern in the Year One thousand Seven hundred and eighty five entitled “an Act for destroying Wolves, Panthers, Bears, Wild Cats, Crows & Squirrels in the several Counties therein mentioned;” and likewise the Bill for the accommodation of Post Riders. Respectively endorsed, read the second time & passed.

Ordered that these Bills be read, which being read, were severally passed the second time in this House & returned.

Received also the following Bills:

The Bill to encourage the making of Salt in Davidson County; the Bill to Establish a port at the Town of Woodstock in the County of Hyde, on Pungo River; also a Bill for establishing two places in the County of New Hanover for the purpose of holding General Musters therein, for dividing the Militia of said County into two Districts suitable & convenient for the Inhabitants to attend musters at the respective places and for appointing the places of holding Courts martial in said County; and likewise the Bill to Enable William Nall Sheriff of Wilkes County, to collect all the Taxes due from the said County for the year 1785 and the year 1786, and to allow him a further time to settle for his Collections with the Treasurer. Respectively endorsed, read the first time and passed.

Ordered that these Bills be read, which being read were severally passed the second time in this House & returned.

Mr. Mitchell the member for the County of Onslow, appeared, presented his Certificate, was qualified agreeably to Law and took his seat.

Received from the House of Commons the Bill for Establishing a Town in the County of Hye on the Land of Joseph Gibbs. Endorsed, read the second time and passed.

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

Adjourned till to-morrow Morning half after nine O’clock.

Saturday, 1 December, 1787.

The House met according to adjournment.

Mr. Allen Jones, who had leave to withdraw for amendment the 20—23
Bill for fixing the final settlement of unliquidated Claims against this State and against the United States, deliverede in the same; which was read, with the amendments, the second time in this House and sent to the House of Commons.

Mr. James Gallaway the Member for the County of Rockingham, appeared, presented his Certificate, was qualified agreeably to Law & took his seat.

Mr. Battle moved for leave and presented a Bill to restrain the fraudulent depreciation of Paper Currency of this State; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the Bill for electing Wardens of the Poor. Endorsed, read the first time & passed.

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

Received also the Bill to extend an Act passed at New Bern the 29th day of December 1785, intitled "an Act to impower the County Wardens of the Poor for the Counties therein mentioned, to build Houses in the respective counties for the reception of the poor and other purposes,” to the several Counties therein mentioned. Endorsed, read the first time & passed.

And the Bill empowering the several County Courts herein mentioned to levy a tax on all black polls, to defray the expence of Slaves hereafter executed. Endorsed, read the first time & passed.

Ordered that these Bills be read, which being read the former was amended, passed the second time and returned; & the latter, on motion, rejected.

Mr. Allen Jones moved for leave and presented a Bill to ascertain the Sheriffs fees within this State; which was read, passed the first time & sent to the House of Commons.

Received from the House of Commons the Bill to amend & continue an act Intitled "an Act to authorize the late Commissioners of Specific Supplies for the several Counties therein mentioned, to collect the Arrearages of Specific Taxes as yet due from the Inhabitants thereof.” Endorsed, read the first time & passed.

Also the Bill to repeal part of an Act passed at Fayetteville, 1786, Intituled "an Act to impower the several County Courts therein mentioned to lay a tax annually, not exceeding three years, for the
purpose of erecting or repairing the Court House, prison & stocks in each County when necessary, and for defraying the Contingent charges of the Counties.” Endorsed, read the first time and passed.

Ordered that these Bills be read, which being read the former was, on Motion, rejected, and the latter passed the second time & returned.

Received also, the Bill to remove all the obstruction to the passage of Fish up the Neuse river. Endorsed, read the second time, amended and passed.

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

On motion, ordered that Mr. Hill and Mr. Gallaway have leave to withdraw for amendment the Bill to prevent abuses in taking up stray Horses, Cattle, Hogs & Sheep.

Received from the House of Commons the Bill to amend an act intitled “an Act to keep open Roanoke river for the passage of Fish up the same, and other purposes therein mentioned.” 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, also the Bill to prevent Horse Stealing by imposing a certain fine therein mentioned. Endorsed, read the second time, amended & passed.

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

Received likewise the Bill to provide for the making of Gaps or Slopes suitable for the free passage of Fish over all Dams of whatsoever kind, erected across Deep River & Tar River, the South fork of Catawba River, the first, second and third Broad rivers, and the Rocky River of Pedee as far as Whitesford. Endorsed, read the second time, amended and passed.

And a Bill to repeal an act passed at Fayetteville the 19th day of November 1786, Intituled “an Act for raising Troops for the protection of the Inhabitants of Davidson County. Endorsed, read the first time & passed.

Ordered that these Bills be read, which being read the former was passed the second, and the latter the first time and returned.
On motion, Ordered that Mr. Irwin have leave to withdraw for amendment the Bill to amend an act Intituled "an Act to encourage the building of Public Mills, and directing the duty of Millers," passed at New Bern, 1777.

Received from the House of Commons the Bill to appoint a Trustee in the room of James Sampson, Esquire, deceased, who together with others was appointed a Trustee for the purposes therein mentioned, by an act passed at Fayetteville, 1787, intituled "an Act to vest in Trustees certain powers for the benefit of Elizabeth Torrens and her children." Endorsed, read the first time & passed.

And the Bill to prevent Thefts and Robberies by Slaves, Free Negroes & Mulattoes. Endorsed, read the second time & passed.

Ordered that these Bills be read, which being read the former was passed the second time & the latter the first time in this House & returned.

Received also, the Bill to encourage the draining a Tract of Land in Tyrrell County. Endorsed, read the second time, amended and passed.

And an additional Bill to empower the County Courts of Pleas and Quarter Sessions of the several Counties in this State to order the laying out the public roads, and to Establish and settle Ferries, and to appoint where Bridges shall be built and to clear inland rivers and Creeks. Endorsed, read the first time & passed.

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

Received likewise the Bill to prevent Litigious Suits. Endorsed, read the second time & passed.

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

Adjourned till 4 O'clock P. M.

The House met according to adjournment.

Received from the House of Commons the Petition of Young McLemore and James Ransome. Endorsed, read and referred on the part of this House to Mr. Hawkins, Mr. Mebane and Mr. Phifer; which being read was, on motion, rejected.

Received also, the Bill empowering the Court of Pitt County to establish a free Ferry over Tar River at the Town of
STATE RECORDS.

Greenville, and to levy a Tax on the Inhabitants of said County for that purpose. Endorsed, read the second time and passed.

And the Bill to prevent the obstructing Fish from running up the Streams and Water Courses in Bertie County and to clear the Navigation thereof. Endorsed, read the second time and passed.

Ordered that these Bills be read, which being read each was passed the second time in this House and returned.

Received likewise the Bill for altering the name of Jesse Hay to that of Jesse Spaight, the names of Robert Porthress and Benjamin Clevers Porthress to Robert Ransome and Benjamin Clevers Ransome, and of William Bonner to that of William Hunt, and also the name of William Barrett to that of William Ashley. Endorsed, read the second time & passed.

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

Mr. Johnston, from the Committee, delivered in the following reports, to-wit:

Your Committee of Propositions and Grievances to whom the Petition of Jonathan Phelps, John Davenport and Isaac Davenport, in copartnership, entered a certain Tract of Land in ________ County and obtained a Grant for the same which was laid before your Committee, since which the Commissioner of Confiscated Property in the District of Edenton have exposed and sold the same as subject to the Confiscation Laws.

Your Committee under these circumstances conceive the petitioners redress lies only in a Court of record, wherefore are of opinion that it be rejected.

JOHN JOHNSTON, Ch.

Your Committee of Propositions and Grievances, to whom the Petition of John Beck was referred, report,

That on the 13th of March last the said John Beck, Entry officer for Claims for Lands in the County of Wayne, lost his Dwelling House by Fire and therein Seven Hundred Pounds in Certificates which he had received for Entries by virtue of his said office, together with one of the Books of Office.

Your Committee, by an affidavit of the said Beck, being convinced that the greater part were dated in the years 1781 and 1782, and
none in the year 1785, are of opinion that he be allowed the principal, Seven hundred pounds and three years interest thereon, in his Settlement with the Treasurer as Entry Officer aforesaid, and that the Treasurer by a Resolve be directed accordingly.

JOHN JOHNSTON, Cbn.

Your Committee, to whom the Petition of Rhyam Rading was referred, report,

That in the year 1781 the said Rhyam found in the rear of the British Army commanded by Lord Cornwallis a Negro fellow very much burnt and otherwise disabled, that from an impulse of Compassion he was induced to take the said Negro into possession, and by a Great Trouble, Expence & Twelve Months attendance effected his cure; soon after which the Sheriff of Bladen County, agreeably to an act of the General Assembly, took the Slave into his possession & hired him out for the use of the State for thirty pounds and upwards per year.

Your Committee taking these facts into consideration are of opinion that the said Rhyam be allowed the sum of thirty pounds for his said trouble & expence, and that the Sheriff of Bladen pay the same out of the Monies arising from the hire of said Slave and be allowed in the Settlement of his public accounts for the same.

JOHN JOHNSTON, Cbn.

The House taking the foregoing report into consideration, Resolved, That they do concur therewith.

Received from the House of Commons the Bill for the better regulation of the Town of Fayetteville. Endorsed, read the second time and passed.

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

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

Your Committee to whom was referred the Petition of James English, Early and Company, report,

That on examining the said Petition and minutely enquiring into the facts therein set forth, find them well supported.

They are therefore of opinion that the building of Iron and Steel Works in that part of the Country will be of great utility, and being
desirous of encouraging Industry beg leave to recommend to the
General Assembly to pass a Law to confirm the Order of Court in fa-
vour of said Petitioners, also to grant them two Thousand Acres of
Vacant Land which lie contiguous to the Lands of the said James
English, Jeremiah Early and Co., in order that they may be better
enabled to carry into effect their laudable intentions.
All which is submitted.

CHAS. McDOWALL, Chr.

The House taking the foregoing into consideration,
Resolved, That David Miller, Esq., Entry Taker of Lands in the
County of Rutherford, be and he is hereby directed & required on
application of James English, Jeremiah Early & Co., owners of
Iron Works in said County, to issue a Warrant or Warrants directed
to the surveyor thereof for Two Thousand Acres of vacant, unap-
propriated Land which may be found most convenient to the said
Iron Works, and he is hereby commanded to lay off and survey the
same, and return thereof make to the Secretary's office as is usual;
the said company paying the said officers all fees accruing for their
services on the progress of the business to its final completion.

Sent for concurrence.
Ordered that the following Message be sent to the House of Com-
mons:

Mr. Speaker & Gentlemen:
We have added General Jones to the Committee apptd. on Judge
Ashe's Memorial, and Mr. Gallaway to the Committee of Finance &
Public Bills.

Adjourned till Monday morning 10 o'clock.

MONDAY, 3 December, 1787.

The House met according to adjournment.
Mr. Willis moved for leave and presented a Bill to explain the sev-
enth section of an Act passed at Fayetteville in January, 1786, In-
tituled "an Act to amend an Act passed at New Bern, December,
1785, for increasing the Jurisdiction of Courts of Pleas and Quarter
Sessions and of Justices of the Peace out of Court, and to direct the
time of holding Courts in this State;" which was read the first time,
passed and sent to the House of Commons.
Mr. Hill, who had leave to bring in a Bill for empowering Commissioners to sell the palace and public lots within the Town of New Bern in manner therein mentioned, introduced the same, which was read, passed the first time & sent to the House of Commons.

Received from the House of Commons the Bill to repeal part of an Act passed at New Bern in the year 1785, Intitled "an Act for destroying Wolves, Wild Cats, Crows and Squirrels in the several Counties therein mentioned." Endorsed, read the third time and passed.

And the Bill appointing Commissioners to repair the Court House, prison and Stocks in the Town of Hillsborough for the District of Hillsborough, and to levy a tax on the Inhabitants thereof for the benefit, use and reparation of the Streets of the Town aforesaid. Endorsed, read the third time and passed.

Ordered that these Bills be read, which being read were passed the third time in this House & ordered to be Engrossed.

Mr. Frederick Hargett the Member for the County of Jones, and Mr. Daniel Keneda the Member for the County of Greene, appeared, produced their Certificates, qualified agreeably to Law and took their seats.

Mr. Coor, who had leave to withdraw for amendment the Bill to emancipate certain persons therein mentioned, delivered in the same, which was read with the amendments, passed the second time in this House and sent to the House of Commons.

Mr. Allen Jones presented the Memorial of Francis Child, Esquire, which was read & referred to the Com. on Finance & sent to the House of Commons for their concurrence to such reference.

Received from the House of Commons a Memorial of Caleb Mason. Endorsed, referred on the part of the House of Commons to Mr. Bloodworth, Mr. Fuller, Mr. Harvey & Mr. W. Hawkins; which being read was on the part of the Senate, referred to Mr. Hill, Mr. Easton, Mr. Gallaway, Mr. Hargett & Mr. Ab. Jones and returned.

The Speaker laid before the House a letter from Allen Jones, Esquire, addressed to the General Assembly signifying his resignation of the appointment of Brigadier General for the District of Halifax, which was read and accepted.

Received from the House of Commons the Bill for promoting the
Navigation of Albemarle Sound. Endorsed, read the second time, amended and passed.

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

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

The Committee to whom was referred the Memorial of James Green Lee, heretofore Sheriff of Burke County, report,

That Mr. Green Lee was Sheriff of Burke County for the years 1780 & 1781, and as such received at a time subsequent to those years the public taxes, to-wit: in the year 1784, which was occasioned as well by the confusion of the times as the neglect of the Clerks to furnish Lists. Mr. Green Lee remains still possessed of the monies arising from the Taxes of the said Years which he tendered to John Brown, Esqr., then District Treasurer, & which Mr. Brown refused from a belief Mr. Green Lee was bound to make good the Depreciation, which however is not by any means the opinion of your Committee. Mr. Green Lee also acted as Sheriff of Burke County for the years 1782 & 1783, for the Taxes for which years he still has to account, but it does not appear to your Committee that he has remained thus in arrear voluntarily; the several circumstances which have tended to retard Mr. Green Lee's settlement with the public being tedious the Committee think it unnecessary to trouble the General Assembly with a recapitulation of them. They do therefore, upon the whole, recommend that the Treasurer be directed to settle Mr. James Green Lee's account as Sheriff of Burke County for the years 1780 & 1781 and receive from him the old Dollar Bills in discharge of the same at their nominal value; that he be directed to settle the said Green Lee's account as Sheriff for the year 1782 & 1783 by and agreeable to such return as Mr. Green Lee shall appear to have collected the Taxes for those years by.

Your Committee have become fully possessed of the facts relative to Mr. Green Lee's situation in regard to these his public arrearages, and from a conviction of the Justice of the Measure they have been led to submit to the two Houses the foregoing recommendations.

ROBERT IRWIN, Chr.

The House taking this report into consideration, Resolved, That they do not concur therewith but that the same be rejected.
Mr. Irwin, from the Committee, delivered in also, the following report:

The Committee to whom the Memorial of John Brevard, Esquire, Sheriff of Rowan County, was referred, report:

That the said Brevard as Sheriff aforesaid, made collection of the Taxes for the year 1782, but from a train of circumstances merely accidental, and on the part of the then District Treasurer the said Brevard hath not been able to effect a settlement for the same, altho' he repeatedly applied to Mr. Lock, successor in office to the said Treasurer, and the late Treasurer for the State.

Under these circumstances your Committee are of opinion that the Treasurer be directed to settle with the said Brevard and receive in discharge of said Tax such Certificates and Vouchers of payments as were receivable and warranted by the Law of 1782 and a Resolve of the year 1783.

All which is submitted.

ROBERT IRWIN, Chr.

The House taking this report into consideration, Resolved, That they do not concur therewith but that the same be rejected.

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

Mr. Speaker & Gentlemen:

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

Received from the House of Commons the report of the Committee on the Petition of Jonathan Phelps, the report on the Petition of John Beck, and the report of the Committee on the Petition of Reham Rading. Respectively endorsed, read and concurred with.

Received also, a Resolution of the House of Commons in favour of English, Early & Co., adopted in lieu of the one entered into by this House on the same subject, which was read and concurred with.

Mr. Irwin who had leave to withdraw for amendment the Bill to prevent Litigious suits, delivered in the same, which being read with the amendments was, on motion, rejected.

Received from the House of Commons the Bill to amend “an Act passed at New Bern, December, 1785, for increasing the Jurisdiction of County Courts of Pleas & Quarter Sessions and Jus-
tices of the Peace out of Court and to direct the time of holding
Courts in this State.” Endorsed, read the first time & passed.

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

Received also, the report of the Committee in favour of the Field
officers of Davidson County. Endorsed, read and concurred with.

And the Memorial of Francis Child, Esq. Endorsed, read and
referred as by the Senate.

Received likewise the resignation of Allen Jones, Esq., as Briga-
dier General of the District of Halifax. Endorsed, read and ac-
cepted.

Received likewise the Bill to repeal the fourth section of an act
passed at New Bern in the year 1784, Intituled “an Act to amend
and supply the deficiencies of an Act passed last Session of Assembly
at Hillsborough, intitled an act to regulate the descent of real Estates,
to do away entails, to make provision for widows and to prevent
frauds in the execution of last Wills and Testaments, and for direct-
ing how Deeds of Gifts and Bills of Sales of Slaves shall be executed,
authenticated and perpetuated.” Endorsed, read the first time and
passed.

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

Received likewise the report of a Committee of the last Assembly
in favour of Reuben Searcy, which was by them laid over for the
consideration of this Assembly. Endorsed, referred to Mr. P. Haw-
kins, Mr. W. Hawkins & Mr. Young; which being read was on
the part of the Senate, referred to Mr. Person, Mr. Macon & Mr. Hill
& returned.

Mr. Coor moved for leave and presented a Bill to empower the
Honorable the Continental Congress to regulate the trade & Com-
merce of this State, and to levy and collect duties within the same
for the purposes therein mentioned.

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

Adjourned till To-morrow Morning 10 O’Clock.

TUESDAY, 4 December, 1787.

The House met according to adjournment.

Mr. Skinner moved for leave and presented a Bill to empower the
County Courts of Pleas and Quarter Sessions in the County of Per-
quimans to lay a tax for the purpose of repairing the Prison, and
building a Gaolers House in the County aforesaid; which was read,
passed the first time and sent to the House of Commons.

Mr. Macon presented the account of Robert White, Sheriff of
Dobbs County, for conveying from his said County to the District
Gaol Sundry offenders against the State; which was read and re-
ferred to the Committee of Claims & sent to the House of Commons.

On motion of Mr. Irwin, Resolved, That it is the opinion of this
Assembly that the Laws of the State fully authorize the public Treas-
urer to settle with all persons who may have public Monies in their
Hands.

Sent for concurrence.

On motion of Mr. Allen Jones, seconded by Mr. Irwin,

Resolved, That the Treasurer settle the account of James Green
Lee late Coroner and Sheriff of Burke County according to the se-
veral Duplicates furnished him by the Clerk, allowing him a credit
for the Dollar Bills at their nominal value in the discharge of the
tax for the years 1780 & 1781, and that he also settle with the said
Green Lee as Sheriff for the public tax for the years 1782 & 1783,
giving him a credit for the warrants and certificates drawn
on the Treasury in discharge of the Tax for the years 1780 & 1781; for Taxes, and the Warrants and Claims
by him produced were bona fide by him received from the several Collectors in discharge of the Tax for the Years
1782 & 1783, and that he has in no instance employed the public
Monies to his own use or in any speculation whatever.

Sent for concurrence.

Mr. Hill, who had leave to withdraw for an amendment the Bill
impowering Commissioners to make sale of the Palace and public
Lots within the Town of New Bern in manner therein mentioned,
delivered in the same; which was read with the amendments, passed
the second time and sent to the House of Commons.

Mr. Person, from the Committee, delivered in the following re-
port:

Your Committee to whom was referred the Memorial of Patrick
Cleary, having examined the several papers and Testimonials re-
ferred to in the said Memorial, find that the Memorialist made sev-
eral attempts to come into this State in order to claim the property of his deceased Brother, Timothy Cleary otherwise Clear, within the time limited by the first Confiscation Act and by which it was supposed to be Confiscated, but owing to unavoidable accidents was prevented; the Memorialist also produced ample Testimonials of the attachment of Timothy Cleary otherwise Clear, to the cause of American liberty, by all which it appears to your Committee that the property claimed by Patrick Cleary himself, his brother and three Sisters, was not confiscated by the Spirit of the Law, nor ought it to have been taken or sold as such.

Your Committee are therefore of opinion, that in justice and good faith the said Patrick Cleary & those whom he represents, are intitled to relief by passing a Law whereby the said Patrick Cleary shall become ipso facto seized & possessed of and intitled to all the Estate real and Personal, Lands, Tenements, Goods & Chattels, rights and choses in action of whatsoever kind which were of the said Timothy Cleary otherwise Clear, at the time of his death, and which have at any time since been sold, Confiscated or forfeited to the use of the State by any law thereof, to be held by him the said Patrick Cleary, his heirs, Executor, Administrator or assigns respectively in trust, to be received, possessed of, sold and disposed of, to and for the use and benefit of his said Brother Simon Cleary & the other Persons whom the said Patrick represents; except such part of the personal Estate as by Law belonged to the said Timothy Cleary's widow, and excepting all such part of the personal Estate as he received compensation for, or was paid to him by the State; and that previous to an Act taking effect for the purpose aforesaid the said Patrick Cleary shall take the oath of allegiance to this State prescribed to be taken by the Citizens thereof before some one of the Judges of the Superior Courts or some Justice of the Peace, and that the said Patrick Cleary after taking such oath of allegiance shall and may lawfully commence and prosecute in his own name, all and every such suit or suits, action or actions either in Law or Equity as may be needful for the recovery of the whole or any part of the said real Estate for which he shall become possessed or seized, or to which he shall be entitled, and such suit or suits shall be sustained and Judgment and execution awarded thereon in the same manner as for suits brought by any Citizen of this State,
any plea of the disability or alienism of the said Patrick Cleary or any other therein named, or any Law, usage or Custom to the contrary, notwithstanding.

All which is submitted.

THOS. PERSON, Chn.

The House taking the foregoing report into consideration, Resolved, That they do concur therewith.

Mr. Lane moved for leave and presented a Bill to empower the County Courts to proceed in certain cases as therein directed, which was read, passed the first time and sent to the House of Commons.

Mr. Hill, who had leave to withdraw for amendment the Bill for altering the names of certain persons therein mentioned, delivered in the same; which was read with the amendments, passed the second time & sent to the House of Commons.

Received from the House of Commons the resignations of John Collier and James Dougan, Esquires, Justices of the Peace for the County of Randolph. Endorsed, read and accepted; which being read in this House were likewise accepted and returned.

Received likewise the Bill to erect a District Court of Law and Equity at Fayetteville. Endorsed, read the second time, amended and passed.

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

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

Mr. Speaker & Gentlemen:

We propose that the Committee of Finance and public Bills be consolidated; as the whole of the Gentlemen who act on the one are Members of the other.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

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

Mr. Speaker & Gentlemen:

We have added Mr. Davie to the Committee on Finance and the Committee apd. to report such Bills of a public Nature as are necessary to be passed into Laws this Session.
Received from the House of Commons also the Bill to restore to Hugh Ross of Anson County his Land, and the Bill to amend and regulate the Inspection of Tobacco in this State. Respectively endorsed, read the second time, amended and passed.

Ordered that this Bill be read, which being read the former was passed the second time in the House and returned, and the Latter referred for amendment to Mr. Gallaway, Mr. Macon & Mr. Ramsay.

Received likewise the following Bills, to-wit:

The Bill to emancipate certain persons therein mentioned;

The Bill to repeal the fourth section of an act passed at New Bern in the year 1784, intituled "an Act to amend and supply the deficiencies of an act passed last Assembly at Hillsborough, to do away entails, to make provision for Widows, and to prevent frauds in the execution of last Wills and Testaments, and for directing how Deeds of Gifts and Bills of Sales of Slaves shall be executed, authenticated and perpetuated;" and

The Bill to appoint a Trustee in the room of James Sampson, deceased, who together with others was appointed trustee for the purposes therein mentioned by an act passed at Fayetteville 1787, intituled "an Act to vest in Trustees certain powers for the benefit of Elizabeth Torrens and her children." Respectively endorsed, read the second time & passed.

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

Mr. Allen Jones moved for leave and presented a Bill for hiring out persons convicted on Indictment or presentment and not being able or willing to pay the fine and fees of office.

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

Received from the House of Commons the following Bills:

A Bill empowering the Court of Pitt County to establish a free ferry over Tar River at the Town of Greenville and to levy a tax on the inhabitants of said County for that purpose;

A Bill for establishing two places in the County of New Hanover for the purpose of holding General musters therein, for dividing the Militia of said County into two Districts suitable & convenient for the inhabitants to attend musters at the respective places and for ap-
pointing the place of holding Courts Martial in said County; and
A Bill for the accommodation of Post Riders and to amend an
Act intituled "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 & settle ferries, and to
appoint where bridges shall be built, and to clear Inland Rivers &
Creeks," passed at New Bern the 22d day of October, 1784. Re-
spectively endorsed, read the third time and passed.

Ordered that these Bill be read, which being read were severally
passed the third time in this House and ordered to be Engrossed.

Received also, the resolution of this House in favour of James
Green Lee. Endorsed, read and concurred with; and the accot. of
Robert White, Sheriff of Dobbs County. Endorsed, referred as by
the Senate.

Received likewise the Bill for levying a further Tax in the several
Counties in the District of Morgan to defray the remaining expence
accrued for the public buildings in said District, and also to levy a
further Tax in the County of Mecklenburg to defray the expence of
the public buildings in the said County. Endorsed, read the second
time & passed.

And a Bill to encourage the Citizens of this State, and others, to
promote and improve the several Arts and Sciences and Manufac-
turies within the limits of the Same. Endorsed, read the first time
and passed.

Ordered that these Bills be read, which being read the former was
passed the second time, and the latter the first time in this House
and returned.

Ordered that the following Message be sent to the House of Com-
mons:

Mr. Speaker & Gentlemen:

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

Received from the House of Commons the Representation of
Thomas Benbury, Esquire, Collector for Port Roanoke. Endorsed,
referred to the Committee of Propositions and Grievances; which
being read, it was ordered that the following Message be sent to the
House of Commons:
Mr. Speaker & Gentlemen:

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

Adjourned till To-morrow Morning 10 o'clock.

Wednesday, 5 December, 1787.

The House met according to adjournment.

Whereas, it has been made appear to this Assembly by sufficient Testimony that Francis Harper, a Justice of the Peace for the County of Chatham, hath been guilty of sundry Crimes tending to injure the State and derogatory to the Magistracy which he bears,

Resolved therefore, That the said Francis Harper be and he is hereby suspended from the exercise of his said office of Justice of the Peace of Chatham until the end of the next Session of Assembly, or until he shall shew sufficient cause wherefore this suspension should not be in force.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

Agreeable to the two Houses of the General Assembly of the 21st of November, this day was set apart for taking under consideration the Federal Constitution;

We therefore propose that the two Houses meet in conference on this business in the Commons room immediately.

The foregoing being read the proposition therein contained was objected to by Mr. Person, who rose and stated his objections to such a procedure. Mr. Person having spoken on this occasion as often as the rules of the House would permit, he was called to order by the Speaker; then on motion of Mr. Person, seconded by Mr. Macon, it was ordered that the yeas and nays be taken by way of determining whether Mr. Person should be again permitted to speak, which being accordingly done, were as follows, to-wit:

For granting permission—Mr. Griffin, Mr. Sheppard, Mr. Lane, Mr. Coor, Mr. Hill, Mr. Mooring, Mr. McCawley, Mr. Winston, Mr. Macon, Mr. McAllister, Mr. Irwin, Mr. Henley, Mr. McDowall, 20—24
Mr. Harget, Mr. II. Williams, Mr. Moore & Mr. Bledsoe.—17.
For not granting permission— Mr. Mayo, Mr. Battle, Mr. John
Williams, Mr. Overton, Mr. Allen Jones, Mr. Skinner, Mr. Ram-
say, Mr. Warrenton, Mr. Boon, Mr. Johnston, Mr. Gregory, Mr.
Jordan, Mr. Lenoir, Mr. Clinton, Mr. Berger, Mr. Kenan, Mr. Long,
Mr. Robinson, Mr. Relf, Mr. Easton, Mr. Owen, Mr. Reddick, Mr.
Miller, Mr. Crawford, Mr. Willis, Mr. Mitchell, Mr. Kennady and
Mr. Wynns.—28.

So Mr. Person was not permitted again to speak.
Whereupon, it was ordered that the following Message be sent to
the House of Commons:

Mr. Speaker & Gentlemen:
We agree that the two Houses adjourn into Conference in order
to take up the consideration of the Federal Constitution, as by you
proposed.

The Senate and House of Commons now convened in the Confer-
ence room; Whereupon on motion of Mr. Speight, Resolved, That
the two Houses form themselves into a Committee of the whole to
consider of the proposed Federal Constitution. The Houses formed
themselves into a Committee accordingly and chose Elisha Battle,
Esquire, Chairman, when the said Constitution was read and debated
which being done Mr. Chairman reported that the Committee had
come to several resolutions, but not having time to reduce them
to form deterred until To-morrow to Report;

Whereupon ordered that the Chairman report Tomorrow accord-
ingly.
The Committee then arose, when the Senate returned to their room
& Mr. Speaker resumed the Chair.
Adjourned till To-morrow Morning 10 o'clock.

Thursday, 6 December, 1787.

The House met.
Mr. Battle, Chairman of the Committee of the whole of the two
Houses on the Federal Constitution, agreeably to the order of yest-
derday delivered in the following, as being the proceedings of the
said Committee, to-wit:

Whereas, the General Convention lately held in the City of
Philadelphia have agreed upon a Constitution for the future Gov-
ernment of the United States; and Whereas, Congress have unanimously resolved that the said Constitution, be transmitted to the several Legislatures, in order to be submitted to a Convention of Delegates chosen in each State by the People thereof.

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

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

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

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

Resolved, That three hundred copies of these resolutions and fifteen copies of the proposed Federal Constitution be immediately printed, and dispersed by the members of the General Assembly among their respective Constituents, and that the Executive transmit a Copy of them to Congress, and to the Legislative and Executive of the several States.

ELISHA BATTLE, Chm.
On reading and concurring with the foregoing resolutions one of which is as follows, to-wit:

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

It was proposed by Mr. Coor, seconded by Mr. Person, that it be amended by expunging from the words Congress Assembled to the end thereof and inserting the following, to-wit: But in case they do not agree that the said proposed constitution shall become binding on the people of this State that then and in that case they report to the Executive Authority of this State their objections and the necessary alterations which should be made so as to secure to the people of this State their most valuable and indispensable rights, Liberties and Privileges, as expressed and secured to them by the Bill of rights and Constitution of this State. This being objected to, & the question called for and put, was negatived; whereupon on motion of Mr. Coor, seconded by Mr. Person, ordered that the yeas and nays be taken which are as follows, to-wit:

For the proposed amendment—Mr. Coor, Mr. Hill, Mr. H. Williams, Mr. Bledsoe, Mr. Winston, Mr. Person, Mr. Hendley and Mr. Gallaway.—8.

Against the proposed Amendment—Mr. Mayo, Mr. Battle, Mr. Griffin, Mr. J. Williams, Mr. Overton, Mr. Allen Jones, Mr. Shepard, Mr. Lane, Mr. Skinner, Mr. Ramsay, Mr. Warrenton, Mr. Boon, Mr. Moring, Mr. McCawley, Mr. Johnston, Mr. Moore, Mr. Gregory, Mr. Jordan, Mr. Clinton, Mr. Berger, Mr. Macon, Mr. Kenan, Mr. McAllister, Mr. Long, Mr. Irwin, Mr. Reif, Mr. Easton, Mr. Owen, Mr. Riddick, Mr. Willis, Mr. Crawford, Mr. McDowall, Mr. Kennady, Mr. Hargett and Mr. Wynn.—35.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

We have received your Message proposing that no Bills of what-
ever nature be received by either House after Monday next, with which we have concurred.

We have also concurred with your proposal for uniting the Committees of Finance and on Public Bills.

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

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

Mr. Speaker & Gentlemen:

We propose that the General Assembly ballot at 4 O'clock this afternoon for the place at which the State Convention shall be held. We nominate for this purpose the Towns of Hillsborough, Tarborugh, New Bern & Fayetteville.

We also propose that the place at which the next Assembly shall be held be made choice of at the same time, and a Brigadier General for the District of Halifax. We nominate the towns of Tarborough, New Bern and Fayetteville for holding the next Assembly at, and Thomas Eaton, Esquire, for Brigadier General.

Should these propositions meet your approbation, Mr. Gallaway & Mr. Macon will superintend the balloting on the part of this House.

We also propose that the ballots be taken in the respective Houses.

Mr. Jones moved for leave and presented a Bill for the more regular collecting and accounting for the revenues of this State, for allowing the Public Treasurer a Clerk, and for collecting of arrears; which was read, passed the first time in this House & sent to the House of Commons.

Mr. Harget presented a Petition from William White & Winston Caswell, Ex'rs of Wm. Caswell dec'd.; which was read & referred
to the Committee appointed on the Petition of Caleb Mason & sent to the House of Commons.

Mr. McAllister presented the Petition of Daniel Shaw a wounded Soldier, which was read and ordered to lie on the Table.

Received from the House of Commons a Resolution directing the Committee of Claims as to the manner of Liquidating Accounts; which was read, concurred with & returned.

Received also the following Message:

Mr. Speaker & Gentlemen:

We propose that a joint Committee be appointed to settle and liquidate such claims against the public as might heretofore have been liquidated by any of the several boards of Auditors, such claims appearing to them to be just, and have for this purpose appointed one member of this House from each district, to wit: Mr. Lewis, Mr. Latham, Mr. McDowall, Junr., Mr. Dawson, Mr. Copeland, Mr. Gardner & Mr. Whitfield.

The foregoing being read the proposition therein contained was rejected.

Mr. Allen Jones presented the claims of Samuel Lockhart & James Vincent; which was read, referred to the Committee of Claims & sent to the House of Commons.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

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

Adjourned till 4 o'clock P. M.

The House met.

Ordered that the following Message be sent to the House of Commons:
Mr. Speaker & Gentlemen:

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

Mr. Johnston, from the Committee of Propositions & Grievances, delivered in the following report:

The Committee of Propositions & Grievances, to whom the Memorial of John Kingsborough was referred, Report,

That one Daniel Southerland some time in the year 1781 left this State and joined the Enemies of the United States, by means of which his property became forfeited to the use of the States. That some time in the year 1782 & 1783, an attachment was levied on part of a Lott and House in the Town of Wilmington at the suit of Parker Quince, Executor of one Richard Quince, decd. . That in the mean time, to-wit: On the 7th day of June, 1786, the Commissioner of Confiscated property for the District of Wilmington exposed the said part of Lott and House at Public Vendue, and that the Memo- rialist, John Kingsborough, purchased the same at the price of five thousand & fifty pounds & actually paid the Certificates and received a Grant agreeably to Law, since which the said Executor hath ob- tained a Judgment against the said Southerland founded on said attachment for the sum of four hundred pounds, and on the 29th September last the Sheriff of New Hanover County levied an Exe- cution on the said Lott, sold the same and actually dispossessed the said Kingsborough thereof.

Your Committee are therefore of opinion, that the levying the at- tachment on the said Lott, it then being the property of the State by the forfeiture, is entirely illegal, no mode then being pointed out for the recovery of Debts by law from persons who come under that description, and after a Law was passed for that purpose the mode of proceeding thereby not being pursued.

Your Committee are further of opinion that the said John Kings- borough ought still to retain the said part of a Lott & House, and if the Executor hath any Claim for the Judgment it ought to be paid by the public out of the Monies the said piece of Lott and house sold for, and which is actually paid into the Treasury in such manner as the General Assembly shall think proper to direct.

All which is submitted.

JOHN JOHNSTON, Chr.
The Committee of Propositions & Grievances, to whom the Petition of Jonathan Hooker was referred, report that in the year 1769 John Hooker, Brother of the Petitioner, an infant of Twelve years old, was seduced and carried off to the Mosquito Shore in New Spain in America by a certain Abram Jennett; that the said Jonathan Hooker, next of kin and Heir apparent to the said John Hooker, who by devise was possessed of one Hundred & Eighty Acres of Land in the County of Tyrrell in fee simple, that the Commissioner of Confiscated Estates for the District of Edenton on the — day of —— 178—, under & by virtue of the Law commonly called Confiscation Laws, exposed & sold the aforesaid Land at Public Vendue; the said Nathan Hooker became the purchaser as he believed in justice the Land was not confiscated, and that the General Assembly could remove the Grievance.

Your Committee taking these Facts into consideration, together with the information of Colo. Murfree the aforesaid Commissioner, by whom the sale was made, that the Bond of the said purchaser Nathan Hooker is not due and payable until January next, are of opinion that the aforesaid Lands were not subject to confiscation.

Wherefore Resolved, That the said Commissioner Cancel the said Bond, and that the Comptroller credit his account accordingly.

JOHN JOHNSTON, Chr.

The Committee of Propositions and Grievances, to whom the Petition of Fanny McNeil was referred, report,

That the property of James McNeil, Husband of the said Fanny, was confiscated and sold by the Commissioner of Halifax District.

That by an order of Halifax County Court the said Fanny was authorized to draw a proportion of one third of the amount of such sales which she hath actually received, except as to two Hundred and seventy pounds yet owing by Joseph John Clench for a part of the property so sold.

Your Committee are of opinion that the said Fanny McNeil is justly entitled to her proportion of the aforesaid sum of two Hundred & seventy pounds; wherefore

Resolved, That the Commissioner aforesaid pay to the said Fanny such proportion thereof, as soon as he shall receive the same, as she is intitled to by the said order of Court, and that the Comp-
troller credit the Account of the said Commissioner accordingly. All which is submitted.

JOHN JOHNSTON, Chrm.

The House taking the foregoing reports into consideration, Resolved, That they do concur therewith.

Received from the House of Commons the report of the Committee on the Petition of Reuben Scarey, and the Petition of Walter Allen. The former endorsed, read and concurred with; and the latter referred to the Committee appointed on the Petition of Mr. Scarey; which being read each was rejected.

Received also, a recommendation of the County Court of Chatham in favour of John Kendrick. Endorsed, referred to the Committee of Propositions & Grievances.

And a resolution entered into in consequence of the report of a Committee on the Petition of the Field Officers of Davidson, which being read the former was referred as by the House of Commons & the latter concurred with & returned.

Received likewise the Memorial of John Simpson, Esquire. Endorsed, referred to the Committee on the affidavit of Reuben Searcy and the resignation of Isaac Pipkin, a Justice of the Peace for the County of Gates. Endorsed, accepted; which being read, the former was referred as by the House of Commons and the latter accepted.

Received likewise, the Bill for altering the names of certain persons therein mentioned; and the Bill impowering the Commissioners therein named to build a Gaol in the County of Anson, to levy a tax to defray the expence thereof & to change the name of Newtown in said County to the name of Wadesborough. Respectively endorsed, read the third time & passed.

Ordered that these Bills be read, which being read passed the third and last time in this House and ordered to be Engrossed.

Received likewise, a resolution of the House of Commons recommending the people to instruct their Delegates when met on Convention to amend the Constitution of this State; which being read was concurred with & returned.

And the Bill to encourage the draining a Tract of Land in Tyrrell County, which being read was rejected.

On reading the second time in this House the Bill to ascertain the
fees of Attorneys, Sheriffs and Constables within this State, it was
moved and seconded that the following clause thereof be deled, to-wit:

Be it enacted by the General Assembly of the State of North Car-
lina, and it is hereby enacted by the authority of the same, that the
attorneys practicing in the several Courts of Law & Equity shall
demand and receive the following fees and no more:

In Suits of Equity £10

In cases on the Law side where the title of the Land comes in
question £5.

In all other suits originally commenced on the same side the
sum of £2 10s.

In all appeals to the Superior Court £2 10s.

In all suits in the County Courts of Pleas & Quarter Sessions
where the title of lands comes in question £5.

In all other suits originally commenced in said Courts the sum of
£1 5s.

In every appeal from the Judgment of a Justice of the Peace
£12 6s.

This being objected to the question was called for and carried in
the affirmative; whereupon, on motion of Mr. Lenoir, seconded by
Mr. Gallaway, ordered that the yeas and nays be taken on this ques-
tion, which are as follows:

For the clause remaining in the Bill—Mr. Lane, Mr. Hill, Mr.
Lenoir, Mr. Bledsoe, Mr. Winston, Mr. Clinton, Mr. Person, Mr.
Macon, Mr. Henly, Mr. Gallaway, Mr. Kennedy, Mr. Mayo & Mr.
Wynns.—13.

For delcing the clause—Mr. Battle, Mr. Griffin, Mr. J. Williams,
Mr. Ab Jones, Mr. Warrenton, Mr. Coor, Mr. Allen Jones, Mr.
Boon, Mr. McCawley, Mr. Johnston, Mr. H. Williams, Mr. Moore,
Mr. Gregory, Mr. Jordan, Mr. Berger, Mr. Kenan, Mr. McAllister,
Mr. Long, Mr. Irwin, Mr. Robertson, Mr. Relf, Mr. Easton, Mr.
Owen, Mr. Reddick, Mr. Miller, Mr. Willis, Mr. Mitchell & Mr.
Hargett.—28.

Mr. Gallaway & Mr. Macon, from the joint balloting for a place-
at which the State Convention & next Assembly shall be held, deli-
cered in the following report:

That having executed the trust in them reposed find on casting
up the scrolls that Hillsborough had a majority of votes for holding
the Convention, and that no place had a Majority for the sitting of
the next Assembly.

The house taking this report into consideration, Resolved, That
they do concur therewith.

Adjourned till to-morrow Morning 10 O'clock.

FRIDAY, 7 December, 1787.

The House met according to adjournment.

Mr. Skinner, who had leave to withdraw for amendment the Bill
to empower the County Courts of Pleas and Quarter Sessions in the
County of Perquimons to lay a Tax for the purpose of repairing
the prison and building a Gaoler's House in the County aforesaid,
delivered in the same with the amendments; which was read, passed
the second time & sent to the House of Commons.

Mr. Allen Jones, who had leave to withdraw for amendment the
Bill to repeal two Acts of the General Assembly of this State, one
passed at New Bern in 1784, Intituled "an Act to describe and ascer-
tain such persons who owed allegiance to this State & to impose cer-
tain disqualifications on certain persons therein described." The
other passed at New Bern in the Year 1785, Intituled "an Act to
amend an Act passed at New Bern in the year 1784, Intituled an Ace
to amend an Act Intituled an Act to describe and ascertain such
persons who owed allegiance to this State and to impose certain
disqualifications on certain persons therein described," delivered in
the same; which was read with the amendments, passed the second
time & sent to the House of Commons.

Mr. Allen Jones also presented a Petition from sundry of the
Inhabitants of Rowan County; which was read, referred on the part
of this House to the Committee appointed on the Memorial of Judge
Ashe, & sent to the House of Commons.

Mr. Skinner moved for leave and presented a Bill to repeal an
Act passed at New Bern in the year 1784, Intituled "an Act to repeal
an Act of the last General Assembly Intituled an Act ceding to the
Congress of the United States certain western Lands therein de-
scribed and Authorizing the Delegates from this State in Congress
to execute a Deed or Deeds for the same."

On reading for the first time this Bill, it was moved by Mr. Gal-
laway & seconded by Mr. Person, that it be rejected; this being
objected to and the question called for and put, was carried in the negative.

Whereupon, on motion of Mr. Person, seconded by Mr. Macon, ordered that the Yeas and Nays be taken, which are as follows, vizt.:

For the passage of the Bill—Mr. Mayo, Mr. Battle, Mr. John Williams, Mr. Skinner, Mr. Warrenton, Mr. Coor, Mr. Hill, Mr. Boon, Mr. H. Williams, Mr. Moore, Mr. Gregory, Mr. Jordan, Mr. Long, Mr. Robinson, Mr. Easton, Mr. Owen, Mr. Reddick, Mr. Willis, Mr. Mitchell, Mr. Kennedy, Mr. Hargett & Mr. Wynns.—23.

Against the passage of the Bill—Mr. Griffin, Mr. Ab. Jones, Mr. Sheppard, Mr. Lane, Mr. Allen Jones, Mr. Ramsay, Mr. McCawley, Mr. Lenoir, Mr. Bledsoe, Mr. Winston, Mr. Clinton, Mr. Berger, Mr. Person, Mr. Macon, Mr. McAllister, Mr. Irwin, Mr. Hendley, Mr. Relf, Mr. Martin, Mr. Miller, Mr. McDowall, Mr. Gallaway.—22.

So this Bill was passed the first time and sent to the House of Commons.

Mr. Person presented the Petition of Benjamin Sheppard, Esquire, which was read and referred to the Committee appointed on Judge Ashe’s Memorial; and the Petition of Pleasant Henderson, which was also read, referred to the Committee of Claims & sent to the House of Commons.

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

The Committee to whom the Petition of Mary White was referred Report, that on examining the allegations therein set forth, It appears that in the year 1774 a certain David Lindsay White, deceased, was high Sheriff of the County of Bladen, and Husband of the said Mary White; it also appears from the representation of Colo. Owen, that the said White did not settle his account finally with the public. Your Committee are therefore of opinion the Petition ought to be rejected.

All which is submitted.

THOMAS PERSON, Ch.

Mr. Allen Jones presented the account of William Bryant of Bertie County, which was read and referred to the Committee of Claims & sent to the House of Commons.

Mr. Harget presented the Memorial of John Willis, Esquire, of
Robinson County; which was read, referred to the Committee appointed on Judge Ashe's Memorial & sent to the House of Commons.

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

The Committee to whom was referred the Petition of Benjamin Wilson and Zephaniah Burges report, that on examining the premises and strictly inquiring into the nature of the prayer of the said Petition, it appears to your Committee that the lands alluded to are in dispute and that but one of the parties being present they are of opinion that it ought to be rejected.

All which is submitted.

THOMAS PERSON, Chm.

The House taking the foregoing report into consideration, Resolved, That they do concur therewith.

Mr. Jones moved for leave and presented a Bill to establish an Inspection of Tobacco at Murfreesborough; which was read, passed the first time & sent to the House of Commons.

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

Your Committee to whom the Memorial of Matthew McClure was referred, report,

That on a strict enquiry into the nature of Mr. McClure's Claim it appears that he advanced a very considerable sum of money to the public for the purpose of purchasing necessaries for the use of the sick and wounded in the Hospital at Charlotte, by order of General Greene, and that the said McClure has not been reimbursed for such expenditures; It also appears that suits have been instituted against the said McClure on Accot. of contracts made by him for necessaries suitable for the support of the said Hospital, for the amount of Two Hundred and Fifty Pounds.

Your Committee are therefore of opinion as this is a very singular case and so strong a mark of McClure's benevolence to his Country as well as to his fellow creatures who were then in a very distressed situation, that he be advanced by the public Treasurer the sum of two Hundred & fifty five Pounds on loan for which he is to be accountable, the Treasurer holding the Comptroller's Certificates now in his possession for one thousand seven hundred and fifty 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.

THO PERSON, Chr.

The House taking the foregoing report into consideration, Resolved, That they do concur therewith.

Received from the House of Commons the account of William Bryant;

The Petition of Pleasant Henderson; The Petition of the Inhabitants of Rowan County; The Petition of Winstou Caswell & William White; the Memorial of John Willis, Esquire; & the Claims of Samuel Lockhart and James Vincent. Respectively endorsed, read and referred as by the Senate.

Mr. Hill presented the Petition of Josiah Jackson of Franklin County, setting forth that he had his House consumed by fire and in it a Specie Certificate to the amount of Twenty seven pounds, and praying that another might be issued in his favour; which being read was rejected.

Mr. Overton, who had leave to withdraw for amendment, the Bill to prevent frauds committed by the swapping of Horses, delivered in the same with the amendments; which was read the second time, passed and sent to the House of Commons.

Received from the House of Commons the Bill for fixing the final settlement of unliquidated claims against this State and against the United States;

The Bill to amend an Act entitled "an Act to keep open Roanoke River for the passage of Fish up the same, & other purposes therein mentioned," and the Bill to remove all obstruction to the passage of Fish up Neuse river. Respectively endorsed, read the second time & passed.

Ordered that these Bills be read, which being read were severally passed the third time in this House and returned.

Received also, the resolution of this House suspending Travis Harper, Justice of the Peace for the County of Chatham, from the exercise of his said office. Endorsed, read & concurred with.

And the report of the Committee on the Petition of Fanny McNeil. Endorsed, read & concurred with.

Received likewise the report of the Committee on the Petition of
Patrick Cleary; the report of the Committee on the Petition of Nathan Hooker, and the report of the Committee on the Petition of John Kingsborough. Respectively endorsed, read and concurred with.

Mr. Allen Jones moved for leave and presented a Bill to enable the County Courts to appoint Commissioners to keep open rivers & creeks at their several falls, so far as they think necessary for the passage of fish up the same.

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

Received from the House of Commons the Petition of Henry Hill and Thomas Fitt. Endorsed, referred to the Committee of Propositions and Grievances. The Petition of Mrs.-Balfour. Endorsed, referred to the Committee on the Petition of Wm. Alexander; and the Memorial of John Mare. Endorsed, referred to the Committee of Claims; the whole of which being read, were referred as by the House of Commons and returned.

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

The Committee to whom was referred the Petition of a number of the Inhabitants of Rowan County, report,

That on a minute enquiry into the allegations and grievances the said Petition set forth, it appears to your Committee from the information of some of the representatives of the said County that the people have not been properly consulted on that business; they therefore recommend it to your Honourable body as their opinion that the said Petition ought to be laid over till the next Assembly.

All which is submitted.

THOMAS PERSON, Cl. A.

The House taking the foregoing report into consideration concurred therewith.

Mr. Allen Jones moved for leave and presented a Bill to Establish an Inspection of Tobacco at Murfreesborough; which was read the first time, passed and sent to the House of Commons.

Mr. Allen Jones also presented the Memorial and Petition of Mr. Thomas Hill of Halifax County.

Wherefore resolved, That the public Treasurer be and he is hereby directed on application of Thomas Hill of Halifax County, to pay
him the sum of Two Hundred and twenty two pounds thirteen shillings, it appearing to this Assembly that the like sum hath been by him converted to public use and for which the said Treasurer shall be allowed.

Sent for Concurrence.

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

Mr. Speaker & Gentlemen:

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

Adjourned till To-morrow Morning 10 o'clock.

Saturday, 8 December, 1787.

The House met according to adjournment.

On motion, ordered that Mr. Allen Jones have leave to absent himself from the service of this House after Wednesday next during the present Session.

Mr. Jones moved for leave and presented a Bill for amending an Act intituled "an Act for Establishing Courts of Law and for regulating the proceedings therein;" and another Act Intituled "an Act for giving an Equity Jurisdiction to the Superior Courts;" which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the Petition of Thomas Vail. Endorsed, referred to the Committee appointed on Judge Ashe's Memorial; which being read was referred in like manner & returned. And the Report of the Committee on the Petition of Matthew McClure. Endorsed, Concurred with.

Received also, the resignation of Thomas Armstrong, Esqr., Colonel of the Cumberland Regiment of Militia. Endorsed, read and accepted; which was also accepted by this House & returned.

Mr. Allen Jones, who had leave to withdraw for amendment the Bill to impower the County Courts to proceed in certain cases as therein directed, delivered in the same with the amendments; which was read, passed the second time in this House and sent to the House of Commons.
Mr. Easton, from the Committee to whom the Petition of Caleb Mason was referred, reports:

That it appears to your Committee from certain Depositions and other corroborating circumstances, that the said Caleb Mason on his way from Matamuskeet (the place of his collection) to the County Treasurer, was overset in a Boat, by which accident he lost the sum of Seventy-four pounds Eight Shillings in public Money & One Hundred and seventy six Pounds in public Certificates, for which two several sums your Committee are of opinion he ought to be allowed in the settlement of his public accounts.

JOHN EASTON, Chr.

The House taking the foregoing report into consideration, Resolved, That they do Concur therewith, and that the following resolution be sent to the House of Commons:

Resolved, That the Treasurer of this State be and he is hereby authorized & required to allow the Sheriff of Hyde County in the settlement of his public accounts the sum of Seventy-four pounds eight shillings in current Money, one Hundred and seventy-six pounds in Certificates, which appears from the report of a joint Committee to have been lost for the oversetting of a Boat, in the Hands of Caleb Mason Collector of Taxes for the District of Matamuskeet, in the County aforesaid.

Sent for Concurrence.

Mr. Allen Jones moved for leave and presented a Bill for levying a tax for the support of Government and for the redemption of the old paper Currency, Continental Money & Specie and other Certificates; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the Petition of Samuel Knox. Endorsed, referred to the Committee appointed on the Petition of Reuben Searcy. And the Petition of Richard Good. Endorsed, referred to the Committee of Propositions and Grievances; which being read the former was rejected, and the latter referred as by the House of Commons and returned.

Received likewise the Bill to enable the Wardens of the Poor for the County of Halifax to levy a tax on the Inhabitants of the said County, to discharge the debts due in the Year 1776 to the reverend

20—25
Thomas Burgess, now deceased, for Ministerial services performed in the Parish of Edgecombe and for allowance made in lieu of a Glebe. Endorsed, read the second time, amended & passed.

And the Bill to impower the administrators of Samuel Swann, late of New Hanover County, Esquire, deceased, to sell and dispose of part of the real Estate of the said Samuel for the payment of his debts in order to make the better provision for his Family; and also to make conveyances for such part of the real Estate as was sold by the said Samuel in his life time. Endorsed, read the third time and passed.

Ordered that these Bills be read, which being read the first was, on motion, rejected, & the latter passed the third time and ordered to be Engrossed.

On motion of Mr. Allen Jones, seconded by Mr. Skinner,

Resolved, That the General Assembly do not hold themselves bound to insure or Guarantee property of any kind to any Person, therefore will admit of no Claim for Money or Certificates, either lost, mislaid or destroyed by any mode or means whatever.

Sent for Concurrence.

Received from the House of Commons a Bill to extend an Act passed at New Bern the Twenty-ninth day of Dec’r, 1785, Intituled “an Act to impower the County Wardens of the Poor for the Counties therein mentioned, to build Houses in their respective Counties for the reception of the poor and other purposes,” to the several Counties therein mentioned. Endorsed, read the second time and passed. And the Bill for Electing Wardens of the Poor. Endorsed, read the second time & passed.

Ordered that these Bills be read, which being read each was passed the third time in this House and returned.

Received also, the Petition of Nicholas Gibbs of Orange County. Endorsed, refered to Mr. McDowall, Mr. Oliver & Mr. Phifer; which being read was referred on the part of the Senate to Mr. Berger, Mr. Gallaway, Mr. Henly & Mr. Moore and returned.

On motion of Mr. Jones, seconded by Mr. Irvin,

Resolved, That the Committee of Claims admit no Claims for Fees and services due to Individuals on account of Prosecutions that have been had and carried on for and on behalf of this State against Criminals, unless certified by the Clerks of the several Courts that
there is an end to the several prosecutions on which such claims are
or may be founded, and that the parties who have been indicted and
prosecuted to decension are insolvent and unable to pay the same.

Sent for Concurrence.

Received from the House of Commons the following resolution:
Resolved, That the Chairman and any Six Members of the Com-
mitee of Claims be a quorum to proceed on business.

The House taking the foregoing resolution into consideration con-
curred therewith.

Received also, the Bill for fixing the residence of the officers of
Government and the place for the future Meetings of the General As-
sembly. Endorsed, read the first time & passed.

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

Ordered that these Bills be read, which being read the first was
passed the first time, and the latter the third time in this House and
returned.

Received likewise the following Message:

Mr. Speaker & Gentlemen:

We propose that a joint Committee be appointed to prepare and
introduce a Bill directing the mode of trying impeachments. We
have for this purpose on our part appointed Mr. Bloodworth, Mr. Ta-
tham, Mr. Spaight, Mr. Mebane & Mr. Goudy.

The foregoing being read,

Ordered that the following Message be sent to the House of Com-
mons:

Mr. Speaker & Gentlemen:

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

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

We agree to your proposition, with respect to the referring of the
Petition of the Inhabitants of the Western parts of this State to the
Committee on public Bills.
Received also a Bill to repeal so much of an Act Intituled "an Act for building a prison and stocks in the County of Franklin, as relates to the Imprisonment of Criminals and others in the district Gaol, and the Bill empowering the Honble the Continental Congress to regulate the Trade and Commerce of this State and to levy and collect duties within the same for the purposes therein mentioned. Each endorsed, read the first time and passed.

Ordered that these Bills be read, which being read the former was, on motion, rejected & the latter laid over till next Assembly.

Adjourned till Monday Morning 10 O'clock.

MONDAY, 10th Decr., 1787.

The House met according to adjournment.

On motion, Ordered that Mr. Henry Hill have leave to absent himself from the service of this House after Friday next, during the present Session, and that Mr. Hollowell Williams have the like permission after Thursday next.

Received from the House of Commons the resolution of this House and report of the Committee in favour of Caleb Mason. Endorsed, Concurred with.

Received also the following Message:

Mr. Speaker & Gentlemen:

We propose that the General Assembly proceed to ballot on Monday next at 4 O'Clock in the evening for a Governor, Treasurer & Brigadier General for each of the Districts of Halifax and Washington, and the place at which the next Assembly shall be held. We nominate for Governor, Samuel Johnston and the Honourable John Williams, Esquire, For Treasurer, John Haywood, Esqr. For Brigadier General for the District of Halifax, Thomas Eaton, Esqr.; for Washington District, Joseph Martin and Anthony Bledsoe, Esqrs.

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

Mr. Coor presented a Petition from a number of the Inhabitants of Richmond County complaining of an undue Election which was read and referred to the Committee of Privileges & Elections.
Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

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

We approve of the whole of your Nominations and add thereto for Governor the Honourable Alexander Martin and Richard Dobbs Spaight, Esq. It is the request of Anthony Bledsoe, Esquire, that his name be withdrawn from the nomination for a Brigadier General for the District of Washington.

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

Your Committee of Propositions and Grievances, to whom the Petition of Messrs. Henry Hill & Thomas Fitt was referred, report, that on the second day of December, 1785, the said Petitioner fitted out a Vessel to the Coast of Africa for the purpose of importing Slaves; that previous to the arrival of said Vessel the Assembly at Fayetteville, passed a Law imposing a duty of five pounds per head on all Negroes imported into this State.

Your Committee taking these facts into consideration, and being convinced that the said Henry Hill & Thomas Fitt could not by any means in their power countermand the return of the said Vessel, are of opinion that in Equity & Justice & what is usual and Common in cases of the like nature they are not subject to the payment of the Duty aforesaid on the Slaves so imported. Wherefore,

Resolved, That the Collector of the Import at the Port of Edenton be and he is hereby directed and required to return or cancel the Bonds of the aforesaid Henry Hill & Thomas Fitt for the payment of the duties on the Slaves by them so imported.

All which is submitted.

JOHN JOHNSTON, Chn.

The foregoing report being read, it was moved and seconded that the same be rejected.

This being objected to and the question called for and taken was
carried in the negative, whereupon on motion of Mr. Skinner, seconded by Mr. Hargett, Ordered that the Yeas and Nays be taken, which are as follows, vizt.:

For concurring with the report—Mr. Mayo, Mr. Griffin, Mr. Abram Jones, Mr. Allen Jones, Mr. Ramsay, Mr. Warrington, Mr. Hill, Mr. Boon, Mr. Mooring, Mr. McCawley, Mr. Johnston, Mr. H. Williams, Mr. Moore, Mr. Gregory, Mr. Jordan, Mr. Winston, Mr. Berger, Mr. Macon, Mr. Kenan, Mr. McAllister, Mr. Long, Mr. Irwin, Mr. Relf, Mr. Easton, Mr. Martin, Mr. Owen, Mr. Riddick, Mr. Willis, Mr. Crawford & Mr. Mitchell.—32.

For rejecting the report—Mr. Battle, Mr. John Williams, Mr. Overton, Mr. Skinner, Mr. Coor, Mr. Clinton, Mr. Hendley, Mr. Miller & Mr. Hargett.—9.

Received from the House of Commons the Bill for amending an Act Intituled “an Act for Establishing Courts of Law & for regulating the Proceedings therein;” and an other Act Intituled “an Act for giving an Equity Jurisdiction to the Superior Courts.” Endorsed read the first time & passed.

Ordered that this Bill be read, which being read was, on motion, rejected.

Mr. Coor moved for leave and presented a Bill directing the duty of Naval Officers, and of all masters of Vessels coming into any of the Ports or Inlets of this State; which was read, passed the first time and sent to the House of Commons.

Mr. Gallaway moved for leave and presented a Bill to direct the application of such public Tobacco as already is or may hereafter be purchased, by the Commissioners for that purpose appointed by the last General Assembly, and to repeal the thirteenth section of an act Intituled “an Act for the regulation of Commerce,” which was passed the first time & sent to the House of Commons.

Received from the House of Commons a Bill to amend an Act, intituled “an Act to remove all disabilities from Simon Cleary, and others therein named.” Endorsed, read the first time and passed.

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

Mr. Irwin moved for leave and presented a Bill to alter the mode of Taxation on Lands by arranging the Lands within this State into
Classes as therein directed; which was read, passed the first time & sent to the House of Commons.

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

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

That having taken under their consideration the said Petition, & examined the several Papers produced by the said John Johnston in support of his claim; they are of opinion that the said John Johnston ought to have his title to the said Lands confirmed on his paying to the Treasurer or giving Bond according to Law, payable to the Governor and his Successor for the use of the State the Sum of one thousand and Eighty eight pounds Current money, it being the original price agreed upon between the said Jno. Johnston and Henry Eustace McCulloch, after deducting six years Interest, which by act of Assembly is taken off all debts due to persons who resided in Great Britain during the late War, and that by an act of the General Assembly he be released from the obligation given by him to the Commissioners of Confiscated property for the district of Edenton, and be invested with a full title to the said Lands mentioned in the said Petitioners Petition.

THOS. PERSON, Chn.

The House taking the foregoing report into consideration concurred therewith.

Whereupon Mr. Person moved for leave and presented a Bill to vest the title of a certain Tract of land therein mentioned in John Johnston; which being read, passed the first time and was sent to the House of Commons.

Mr. Person also delivered in the following report:

The Committee to whom was referred the petition of Peter Goodwin, report:

That on examining the premises your Committee find that the said Peter Goodwin obtained a Judgment in the Court of Franklin County against John Hamilton, late of this State, for the sum of seven hundred and five pounds fifteen shillings, as will appear by the paper No. 1, to which your Committee beg leave to refer your Honourable Houses.
It also appears from the information of Col. Long that the Estate of the said Hamilton has been sold as confiscated property pursuant to Act of Assembly to a much greater amount than the Judgment obtained against the said Peter Goodwin, and the monies arising from such sale has been actually paid into the public Treasury.

Your Committee conceiving that it was never the intention of the Legislature to enrich their public coffers by injuring any of their citizens, do recommend to your Honourable body to pass a resolve directing the Treasurer to pay the said Peter Goodwin the aforesaid sum of seven hundred and five pounds fifteen shillings out of the Tax to be collected for the Year 1787.

All which is submitted.

THOMAS PERSON, Chn.

The House taking the foregoing report into consideration, Resolved, That they do concur therewith.

Received from the House of Commons the Bill to effect the cutting and clearing a road from the lower end of Clinch Mountain to the Cumberland settlement, and for preserving peace and granting safety to the inhabitants thereof. Endorsed, read the first time and passed.

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

Mr. Allen Jones presented the petition of John Willis, of Warren County, which was read, referred to the Committee appointed on the Memorial of Judge Ashe and sent to the House of Commons for their concurrence in such reference.

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

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

Received also the Petition of Henry Montford. Endorsed, referred to the Committee on Judge Ashe's Memorial; which being read was referred in like manner and returned.

Adjourned till to-morrow morning 10 o'clock.

TUESDAY, 11 December, 1787.

The House met according to adjournment.

On motion of Mr. Allen Jones, Resolved, That the several state-
ments of the accounts of Mr. James Green Lee, Sheriff of Burke County, for the years 1780, 1781, 1782 and 1783, as this day laid before the General Assembly by the public Treasurer, be by him entered on his books, that he receive payment of Mr. Green Lee agreeably to such statements, which payment when made shall be deemed in full and considered as a final settlement on the part of Mr. Green Lee.

Resolved further, That the Comptroller be and is hereby directed to settle with the public Treasurer and allow him his charges on their accounts as stated, notwithstanding the insufficiency of the vouchers tendered in support of either of the debits or credits thereof.

Sent for concurrence.

Received from the House of Commons a Bill to amend an Act entitled "An Act to bring to condign punishment and to secure their Estates so far as to be answerable to the public, the persons therein described accused of certain crimes and fraudulent practices and to indemnify such persons as have acted in pursuance to certain resolutions of this Assembly from vexatious suits and prosecutions, and to establish a Board for the further detection and further discovery of the said fraudulent practices, & for settling and liquidating the accounts of the officers & soldiers of the Continental Line; to give the public a further security and to relieve the creditors of persons who have been presented or indicted in consequence of the said Act."

Endorsed, read the first time and passed.

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

Received also the following Message:

Mr. Speaker & Gentlemen:

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

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

Mr. Speaker & Gentlemen:

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

Received likewise the report of the Committee on the Petitions of
Benjamin Wilson & Zephaniah Burges; the report of the Committee on the petition of Mary White, & and the resolution of this House in favour of Thomas Hill, of Halifax County. Respectively endorsed, read & concurred with.

Received likewise the petition of James Christian; a petition in favour of Thomas Matthews, of Moore County, & the petition of Joseph Arrington. Respectively endorsed, referred to the Committee of Propositions and Grievances; which being read was referred in like manner and returned.

Received likewise a letter from Benjn. Hawkins, Esquire, and a petition & memorial from George Henry Berger, Esquire. Each endorsed, referred to the Committee appointed on Judge Ashe’s Memorial; which being read was referred in like manner & returned.

Received likewise a report of the Committee appointed on the Petition of Thomas Benbury, Esquire. Endorsed, concurred with; which being read was also concurred with by this House & returned.

Also the Memorial of Stephen Moore, Esquire, late Deputy Quartermaster-General of this State. Endorsed, referred on the part of this House to Mr. Eversgin, Mr. Dickens & Mr. Phifer; which being read was, on the part of the Senate, referred to Mr. Smaw, Mr. Miller & Mr. Moore & returned.

Received likewise a Bill to carry into further effect an Act intituled “An Act for opening the Land Office for the redemption of Specie and other Certificates, and discharging the Arrears due to the Army.” Endorsed, read the first time & passed.

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

Mr. Galloway presented the Petition of Charles McDowell, Esquire, & David McPeters; which was read, referred to the Committee appointed on Judge Ashe’s Memorial & sent to the House of Commons for their concurrence in such reference.

Received from the House of Commons a representation and letter from James Glasgow, Esqr. The first endorsed, referred to the Committee of Claims; and the latter to the Committee appointed on Judge Ashe’s Memorial; which being read, each was referred as by the House of Commons & returned.

Mr. Person, who had leave to withdraw for amendment the Bill to amend and explain the true meaning of the several Acts of As-
sembly heretofore passed for giving a further time to Surveyors within the different Counties to make their Surveys & return Plots thereof to the Secretary’s office, and more especially of an Act passed at New Bern in the year 1785, intitled “An Act to amend an Act intitled an Act for opening the Land office and other purposes and to give a further time for the registration of Marriage contracts;” which was read with the amendments & amended, passed the second time & sent to the House of Commons.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

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

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

Mr. Speaker & Gentlemen:

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

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

The Committee to whom the Petition of William Caps was referred report,

That the said Petitioner, in consequence of a wound received at Yorktown, in Virginia, was adjudged by the Commissioner of New Bern District entitled to half pay during life, and agreeable to an Act of the General Assembly passed at New Bern 1785, received one year’s allowance, (per treasurer’s receipt herewith presented) but refused to pay any arrearages.

Your Committee taking these facts into consideration are of opinion that the said Caps is entitled to half pay from the conclusion of the war; wherefore,

Resolved, That the Treasurer pay him all arrearages of pay from
the conclusion of the late War, which he is entitled to by the said Certificate, up to the passing of the aforesaid Act.

All which is submitted.

JNO. WARRINGTON, Ch.

The foregoing report being read, Resolved, That they do not concur therewith, but that the same be rejected.

Received from the House of Commons the report of the Committee on the petition of John Johnston, Esquire. Endorsed, concurred with. Also the petition of Charles McDowall, Esquire, and David McPeters, and the petition & Memorial of John Willis, Esqr. Endorsed, referred as by the Senate.

Received also the Memorial of John Geddy. Endorsed, referred to the Committee on Finance. And the Memorial of Stephen Brooks. Endorsed, referred to the Committee appointed on the petition of Joseph Cain; which being read each was referred as by the House of Commons & returned.

Mr. Allen Jones, from the Committee, reported as follows:

The Committee for ascertaining the produce of the revenues and taxes, and the estimates for the year 1788, on examining the reports from the Treasury and Comptroller's office, with the Continental requisitions, beg leave to report that the net produce of our taxes and revenues as established for the present year, appear to amount on the

For Land Tax........................................£17,099 14 00
For Poll Tax........................................32,632 00 00
For Town Property............................... 730 00 00
For Taxes in aid of the Public Revenue, Estimated at 3,800 00 00
Imports by water..................................11,929 10 00

Total Ann't Nett Revenue for the Year 1787........£66,191 4 00

The above Estimate is formed on the returns from fifty-one Counties only, there being no returns of either revenue or taxable property from the Counties of Washington, Greene, Davidson, Sumner or Hawkins.

The County of Robeson being erected only by Act of Assembly of last Session, is included in the above under the return of Bladen.

Your Committee beg leave to observe that the taxes on the Lands lying Westward of the Appalachian Mountains, when collected, will produce the sum of £1,929.18.3d nett revenue; but they are informed
that claimants & holders of the said Lands have generally refused or evaded returning them as part of their taxable property on the groundless pretence that they were caveated by an Act of the General Assembly, and therefore recommend that immediate measures be taken to compel such persons to make full and just returns of the said property.

Your Committee are of opinion that for the services of the year 1788, to be provided for by the present General Assembly for the payment of the Civil list, the requisitions by Congress, and incidental charges, it will be necessary that the sum of £96,866 be raised for the following purposes:

For the Civil List Department ................... £20,214 00 00
For this State's quota of the Principal & Interest of the French & Dutch Loans ...................... 46,401 12 00
For Contingencies, including Warrants & Drafts
  unpaid ............................. 11,689 3 9
For Military Department .............................. 7,799 2 6
For Commissions & Insolvencies ................. 10,762 1 9

£96,866 00 00

ALLEN JONES, Chn.

The Sub-Committee of Finance No. 1 report on the estimate of Taxes, Civil List, &c., for the year 1788, as follows:

Governor's Salary ................... £ 750 00 00
Private Secretary ................... 100 00 00
Secretary of State ................... 100 00 00
Treasurer .......................... 500 00 00
Public Printer .................... 500 00 00
Judges 120s per day for each day's attendance, supposing 8 Districts ............... 2,880 00 00
Atto. General 80s per day, do........ 640 00 00
Comptroller ........................ 500 00 00
Delegates £64 p. mo. .................. 3,072 00 30
Council 25s p. day .................. 100 00 00
Clerk to the Council 20s .............. 20 00 00
Doorkeeper to do, 8s do............. 8 00 00
Members Assembly .................. 11,044 00 00

£20,214 00 00
Requisitions of Congress .................................. £46,401 12 00
   Army department, viz:—
   One year's pay ........................................ £ 143 5 00
   Clothing .............................................. 955 17 6
   Provisions and Forage .................................. 5,000 00 00

£ 7,799 2 6

£ 74,414 14 6

13,028,346 acres Land in 51 Counties—Nett Am’t of Tax .................. £ 17,099 14 4
82,875 Polls in 51 Counties, nett Am’t of Tax .................. 32,632 0 8
Town Property estimated at .................. 728 00 00

Taxes in aid of Public Revenue—
   Stud Horses, Carriage Wheels, Import by Land, Suits at Law .................. 3,800 00 00
   Import by Water .................. 11,929 10 00

£ 66,189 5 00

4,393,945 Acres Land on Cumberland which ought to produce net .................. £ 1,921 18 3

Concurrcd with by Committee of Finance.

(Signed.)
   A. JONES, C.

Copy, Test:
   ALD. THOMAS,
   Ch'm to Committee of Finance.

Mr. Person, from the Committee, delivered in the following reports:

The Committee to whom was referred the petition of Daniel Colebreath report, that having taken the said Petition under consideration & examined the papers produced in support thereof, it appears that the said Daniel Colebreath contracted with Thomas Rutherford in the year 1774 for the Lands mentioned in his said Petition, for the sum of twenty-four pounds, and actually paid the money for the same, but never has had a deed of conveyance for said lands. It also appears that the said lands has since been sold by the Commissioner of Confiscated property for Wilmington District,
and that a grant has issued from the State to the purchaser thereof agreeable to Act of Assembly.

Your Committee are therefore of opinion that the said Daniel Colebreath be paid out of the public Treasury the sum of twenty-four pounds with interest, which amounts to forty-two pounds fourteen shillings and three pence.

All which is submitted.

THOMAS PERSON, Chm.

The Committee to whom was referred the representation and remonstrance of the members of the General Assembly for the County of Moore, report,

That on examining the several allegations in the said remonstrance set forth, supported by the testimony of Mr. Tison, a member of one of your honorable Houses, it appears that the said Philip Alston is guilty of part of the charges alleged against him, and from very strong circumstantial proof he is guilty of the whole of the charges against him; they are therefore of opinion he be suspended from the office of Justice of the Peace until he show cause to the contrary.

All which is submitted.

THOMAS PERSON, Chm.

The House taking the foregoing report into consideration, Resolved, That they do concur therewith.

The Committee of Propositions & Grievances to whom the Memorial of Thomas Polk was referred report,

That in consequence of the surveyor of Mecklenburg County refusing to survey and return agreeably to Law, the lands in said County subject to sales under the Confiscation Laws, the Justices, or a part thereof conceiving they had sufficient authority, convened in the recess of the Court of said County and appointed the said Polk surveyor thereof, who, whereupon taking the oath necessary for the qualification of public officers, proceeded to the duties of his said appointment, and surveyed a number of tracts of Land which were knowing to him to be confiscated, and which the former surveyor had refused to do, alleging that many of his friends were concerned or interested in those Lands by entries and grants, and he could not proceed therein without wounding their interests. That the Court next after the appointment of the said Polk, reinstated the old sur-
veyor by which means his whole proceedings were vitiated, & he sub-
ject to the expense of making the surveys aforesaid, which he hath
already paid or liable to pay, being specially bound for that purpose
to the deputy surveyor, unless, relieved therefrom by the General
Assembly.

Your Committee further represent that the said Thomas Polk un-
der&by a Letter of Attorneys from Henry Eustace McCulloch, made
sale of about thirty Tracts of Land, previous to the passing of any of
the Confiscation Laws, the property of the said McCulloch, and ac-
tually gave his bonds for making Titles for the same, upon which
in some instances suits have been commenced.

Your Committee in the latter case submit to the determination of
the House whether an Act ought not to be passed empowering said
Thomas Polk, to compleat the titles to the several Persons with
whom he hath contracted for the said Lands, on their paying the
sums due with Interest, & the same being paid into the public Treas-
ury.

JOHN JOHNSTON, Chm.

The House taking the foregoing report into consideration, Res-
olved, That they do not concur therewith, but that the same be re-
jected, and that Mr. Coor, Mr. Galloway, & Mr. Irwin prepare and
introduce a resolution on the subject matter thereof.

Mr. Macon presented the petition of the Inhabitants of the Town
of Warrenton, which was read and referred to the consideration of
the next Assembly.

Received from the House of Commons the resolution of this
House directing the Committee of Claims with respect to allow-
ances by them to be made on account of prosecutions that have been
had or carried on for and on behalf of this State against Crimi-
nals. Endorsed, read and concurred with.

Received also the petition of Benjamin Sheppard. Endorsed, re-
ferred as by the Senate. And the Memorial of Joseph Cain. En-
dorsed, referred to Mr. Goudy, Mr. Bloodworth & Mr. Lewis; which
being read was referred, on the part of the Senate, to Mr. Willis,
Mr. Owen & Mr. Smaw and returned.

Received likewise a resolution of the House of Commons, declar-
ing that the Clerks of the Superior and County Courts shall not
be paid by the public for any services officially done on Indictments
STATE RECORDS.

or other criminal prosecutions; which being read was concurred with and returned. And the petition of James Carney. Endorsed, referred to the Committee on the Petition of Mr. Good; which was read, referred in like manner and returned.

Received likewise the Bill to amend an Act entitled “An Act to remove all disabilities from Simon Cleary and others therein named.” 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 resolution of this House of this day’s date entered into in favor of James Green Lee. Endorsed, read and concurred with.

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

The Committee of Propositions and Grievances, to whom the Memorial of James Hamilton, of Sullivan County, was referred, report,

That on examining the said Memorial and believing the grievance complained of to be remediable only at common Law and by Jury, are of opinion and therefore recommend, as the only method of redress, an Act to be passed for the re-establishment of Courts in the Counties West of the Mountains, to-wit: Washington, Sullivan, Green and Hawkins.

JOHN JOHNSTON, Ch’m.

The House taking the foregoing report into consideration, Resolved, That they do not concur therewith, but that the same be rejected.

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

Mr. Speaker & Gentlemen:

At the particular request of the Hon’ble Alexander Martin, Esqr., his name is withdrawn from the Nomination for Governor.

Adjourned till to-morrow morning 10 o’clock.

WEDNESDAY, 12th Dec’r, 1787.

The House met according to adjournment.

On motion, resolved, That the Treasurer pay to John Willis, Esquire, the sum of fifty-five pounds fifteen shillings and four pence due him from the Estate of John Kersey, whose property was confis-
cated and sold, and this shall be a sufficient Voucher in the settlement of his public accounts.

Sent for concurrence.

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

Mr. Speaker & Gentlemen:

We have amended the resolution of your House allowing the Members who shall attend the Convention on July next a certain sum, and send it for your concurrence.

Mr. Speaker & Gentlemen:

On a representation of the member for Robeson County, we now agree that William Tatham, Esquire, be commissioned a Lieutenant-Colonel for the same.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

We have amended the report of the Committee on the representation of Robert Fenner agreeable to your Message, & now return it to you concurred with.

Resolved, That Henry Irwin Toole be allowed the sum of Forty-five pounds for furnishing the present Assembly with Firewood, Seats, &c., that the Treasurer pay him the same and be allowed.

Received from the House of Commons the resolution in favour of John Willis, Esquire; the resolution allowing Henry Irwin Toole, Esqr., a certain sum; and the resolution on the subject of Bonds given for confiscated property to the agents of Henry Eustace McCulloch. Respectively endorsed, read and concurred with.

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

The Committee of Finance to whom were referred sundry papers respecting Indian Treaties, report,

That in pursuance of an Act of the General Assembly passed at Hillsborough on the 17th day of May, 1783, intitled "An Act for appointing an agent, and holding a Treaty with the Cherokee Indians and for other purposes," His Excellency Governor Martin, issued a warrant or warrants on the Treasury in favor of John G. & Thomas Blount to an amount of £2,500 for the purpose of purchasing Goods to be given to the Indians for Lands to be ceded; that Messrs. John
G. & Thomas Blount did purchase goods for the purpose aforesaid to the amount of £2,531.9.9¾, as appears by the Certificate of the Comptroller. That also, in pursuance of said Act, His Excellency Governor Caswell, did commission William Blount & Joseph Martin, Esqrs., to hold a Treaty with the said Indians on the Kiowee when the said Indians were about to convene for the purpose of holding a Treaty with the Commissioners appointed by Congress. That the Governor did issue warrants in favour of said William Blount for £1,000 to defray the expense of removing said goods and other incidental charges attending the Treaty with the said Indians, with instructions to transport the said goods so purchased, by water to Charleston and from there by land to Kiowee, there to be disposed of to the Indians for the purposes expressed in the said Act, (see His Excellency’s instructions of the 24th August, 1785). That the said William Blount did put into the hands of John and Thomas Blount £900 with a request and instructions to them to ship the said goods to Charleston to Col. Vanderhorst, and to make provision for shipping corn and otherwise to raise hard money in South Carolina to enable him, the said W. Blount, to hold the Treaty at Kiowee as aforesaid. That the said John G. & Thomas Blount did dispose of the said £900 as follows, viz.:

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Price</th>
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</thead>
<tbody>
<tr>
<td>For 6 Hogsheads rum</td>
<td></td>
<td>£227   9</td>
</tr>
<tr>
<td>23 kegs Hogs lard</td>
<td></td>
<td>38     2</td>
</tr>
<tr>
<td>150 bbls corn</td>
<td></td>
<td>150</td>
</tr>
<tr>
<td>Freight of goods to Charleston</td>
<td></td>
<td>150</td>
</tr>
<tr>
<td>A Bill of Messrs Ogden on Messrs. Owen &amp; Thompson for 250 Dlls. hard money</td>
<td></td>
<td>150</td>
</tr>
</tbody>
</table>

I. Marquee .................................. 33

Commissions on the purchases, storage & shipping goods 37 8 6½

Sundry Goods delivered William Blount over and above the £2,500 first put into their hands & for which the State is credited by him in their account, settled with the Comptroller .................................. 31 9 9¾

Freight 3 Hhds. rum returned from Charleston.. 4 16

£822 5 4½

Which being a balance in their hands of £77 14 7¾ and which Mr. Blount in his account makes himself debtor for. That the said
Goods, Corn, &c., were shipped by the said John G. & Thomas Blount to address of Arnoldus Vanderhorst at Charleston and did arrive there and were delivered to him; that the said Goods, with two Hogsheads of rum, were by order and direction of William Blount transported to Kiowee at the expence as follows, vizt.:

For waggonage from Charleston to Long Cane £62 14\$/4
Specie, equal in currie..........................£ 94 1 5
And for waggonage from Long Cane to Kiowee £66 12
Specie ......................................... 99 18
For corn furnished the waggoners £15 6, Specie ...... 22 19

Amounting in the whole to............................£216 18 5

That Mr. Vanderhost did dispose of the corn & Hogs lard which netted £77 0 6 Sterling, equal to £130 0 2 Specie, dollars at 8 per cent, which he paid to said W. Blount, and which is equal to £198 0 3 paper Currency, and that he, W. Blount, did receive of Messrs. Owen & Thompson the amount of the Bill drawn on them by Messrs. Ogden equal to £150 currency, both which articles are charged to him on this account. That one Hhd. rum was stove and the rum lost in getting it into a waggon to transport it to Kiowee and the other three Hogsheads were reshipped to Washington by order of W. Blount, to address of John G. & Thomas Blount, who received and sold the same for nett amount of £84 7 1\$/2 with which the said William Blount also stands charged in his account aforesaid.

That the goods aforesaid & the two Hogsheads of rum did not arrive at Kiowee before the 5th of December, 1783, which was —— days after the Treaty had been concluded at Hopewell, on the Kiowee, between the said Cherokee Indians and the Continental Commissioners and at a time when the said Indians would not treat with the said William Blount & Joseph Martin, Commissioners of North Carolina.

That the said William Blount in whose care the goods solely was, then found himself at Hopewell aforesaid, without any instructions as to the disposition of the Goods and the Indians as aforesaid having refused to treat, did dispose of said Goods & Rum as follows, vizt.:

To Bryan Ward, goods to amo’t..........................£1,333 3 10
To do. one Hhd. rum, quantity not ascertained for
want of a gauging rod, supposed 100 Gall. at 1¼
Dolls. p. Gall. .......................... 35
To George Ogg, goods as aforesaid to amount of..... 39 15 9
And one Hhd. rum, supposed 100 Galla. ............. 35
To Wm. Blount, goods as aforesaid to amount of.... 145 9 9

Amounting in the whole to..........................£1,588 9 4

That he hath charged a Commission of 5 per cent. on Sales of
Goods to Ward £66 13 2, which leaves a balance of nett sales
£1,521 16 2.

That from the foregoing State of facts the Committee have raised
two amounts, the first of which is Indian Treaties in account with
the State of North Carolina, by which it appears there is a balance
in favour of the State to amount of £776 8 10¼ gained. The other
is William Blount, Commissioner of Indian Treaties in account with
the State of North Carolina, on which he stands charged with sundries
including the goods with which he has debited himself at Hopewell, on Kiowee, to amount of..............£1,806 9 6
And is credited by sundries.......................... 1,820 11 10½

Which leaves a balance of..........................£ 595 17 7½
due to the State from him. That it appears to the Committee
4 Hogbds. of Deer Skins have been paid by Bryan Ward in part of
his purchase, into the hands of George Ogg, who shipped them to
New York for and on account of this State, agreeably to his instruc-
tions from William Blount for that purpose, that they arrived safe
in New York and were then sold by order of Wm. Blount for account
of this State by John Ramsay, the three first Hhds., which arrived
netting £187 9 2, and the fourth £44 10. That the money arising
from the sales of the first three was, by order of said Wm. Blount,
principally laid out in seven Chests best Hyson Tea, the weight not
ascertained, and shipped from New York to address of Mr. Henry
Toomer at Wilmington, with directions not to sell the same for a
less price than 24 per cent. per pound for the benefit of the State.
That the money arising from the sales of the 4th Hogshd. was laid
out, by order as aforesaid, in 12 pieces of Irish linen & shipped to
New Bern on account and risque of this State, addressed to Messrs.
John G. & Thomas Blount, with instructions to sell the same for the
benefit of the State, which linen now remains unsold in the hands of Mr. Abner Neale of New Bern.

Your Committee are therefore of opinion that the said William Blount, as Commissioner of Indian Treaties, is chargeable with the sales of goods and rum to Mr. Ward and Mr. Ogg amounting to £1,442 19 7 Sterling, no Law having passed to justify him in making such sales, and that he be allowed until the meeting of the next General Assembly to settle and account for the same, and that the Treasurer and Comptroller be directed to conduct themselves in respect of the premises accordingly.

All of which is submitted.
20 Decr., 1787.

THOMAS PERSON, Ch’m.

WEDNESDAY, 12th December, 1787.

The House met according to adjournment.

Mr. Allen Jones, from the Committee of Finance No. 3, reported as follows:

That they have examined the accounts of John Whitaker, Esquire, late Commissioner for purchasing Tobacco at the Town of Halifax, whereby it appears that he hath drawn from the public Treasury on Warrant from the Governor Ten thousand pounds.

That he hath received for sales of two Hogsheads of Tobacco, Fifty-nine pounds Eight Shillings and Six Pence; and for sales of five Hogsheads of Tobacco, refused on reinspection, Sixty-one Pounds Sixteen Shillings & Six Pence; amounting on the whole to Ten Thousand One Hundred & Twenty-one Pounds Five Shillings.

That he hath purchased of Sundry Persons, agreeably to his account & Vouchers rendered, Three Hundred and Twelve Hogsheads of Tobacco containing Three Hundred and Fifty-six Thousand Nine Hundred & Thirty-two pounds nett, which at Fifty Shillings per Hundredweight is Eighty Thousand Nine Hundred & Twenty-three Pounds Five Shillings.

That he hath paid expenses of Freight, Storage, reinspection, re-prizing, coopering and sundry incidental charges, nine hundred and ninety-eight pounds one shilling.

And that his commission at two and a half per cent amount to two hundred and fifty pounds, the whole amount of which is Ten thousand One Hundred & Seventy-one pounds 6sh. and which leaves a balance of Fifty pounds One Shilling. They have also examined his
STATE RECORDS.

statement of the application of said Tobacco which is as follows, vizt.:

Three Hundred and Twelve Hogsheads weighing nett Three Hundred and Fifty-six Thousand Nine Hundred and Thirty-two pounds weight. Three Hundred & Three Hogshead reinspected and delivered to the agent of Constable, Rucker & Company, as per receipts, Three Hundred and Twenty-four Thousand Five Hundred & four pounds, Five Hogsheads condemned. Four Thousand Nine Hundred and Forty-six pounds, two ditto, sold to Mr. Mair & Mr. Hill. Two Thousand Three Hundred and seventy-six pounds weight, two ditto, not to be found in the Warehouse, the notes for which are in his hands; two thousand and eighty-four pounds weight. Nett amount three hundred and thirty-three thousand nine hundred and eleven pounds.

Three Hundred and Twelve Hogsheads reinspected and delivered on which a loss is sustained to amount of Twenty-three Thousand and twenty-one pounds weight.

Your Committee are therefore of opinion that Mr. Whitaker hath executed the trust reposed in him with integrity & that the balance of Fifty pounds one Shilling which appears to be due him ought to be paid by his taking and receiving at his own risque in full discharge of said balance, the said two Notes for two Thousand and Eighty-four pounds of Tobacco which appear to have been lost or misplaced in the Ware House at Halifax, & for which the Inspectors at said Ware House are accountable, and that he lodge his account so balanced in the office of the Comptroller. All which is submitted.

S. CABARRUS, Chr. Sub. Com. No. 3.

Agreed to by the Committee on Finance.

ALLEN JONES, Ch’m.

The House taking the foregoing report into Consideration, Resolved, That they do concur therewith.

Received from the House of Commons a Bill authorizing and requiring the Sheriffs of the several Counties in this State to bring suit or take in possession, receive and make sale of all property left by the British in this State during the late War. Endorsed, read the first time & passed.

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

Mr. H. Williams moved for leave and presented a Bill to impower
the Wardens of the poor for the County of Currituck, to lay a Tax to enable them to settle their arrears due from the said County to Persons who have supported the poor, which was read, passed the first time & sent to the House of Commons.

Received from the House of Commons a Bill for the more speedy determining disputes that hath arisen or which may hereafter arise from erecting Mill Dams in the several Counties in this State. Endorsed, read the first time & passed. Also a Bill directing the mode of tryals upon impeachments. Endorsed, read the first time and passed.

Ordered that these Bills be read, which being read each was passed the first time in this House & returned.

Mr. McCawley presented the petition of a number of the inhabitants of the Counties of Halifax and Warren, praying that Benjamin McCulloch now in Halifax Gaol may be released from confinement.

Whereupon, the House resolved as follows:

Whereas, it appears that Benjamin McCulloch has, in consequence of a Judgment & sentence against him passed at Warrenton at a Court of Oyer & Terminer in January last, paid the sum of Four thousand pounds and has been nearly twelve Months imprisoned, and it has been petitioned by a number of respectable Citizens that the remainder of his imprisonment should be remitted.

Wherefore resolved, That His Excellency the Governor, be and he is hereby requested and authorized to issue and grant a pardon to the said Benjamin McCulloch, so far as regards his imprisonment, remitting and pardoning the remainder of the said imprisonment.

Mr. Allen Jones presented the Petition of Martha Mitchell, relict of Theophilus Mitchell, late a soldier in the Continental Line of this State; which was read, referred to the Committee of Propositions and Grievances & sent to the House of Commons for their concurrence in such reference.

Received from the House of Commons the following Bills, to-wit:.

A Bill directing the duty of Naval officers and of all Masters of Vessels coming into any of the Ports or Inlets of this State; A Bill for erecting the Counties of Davidson & Sumner into a District and for appointing an assistant Judge & Attorney General; A Bill for levying a tax in the County of Brunswick for the purpose of building a Gaol therein; and the Bill to erect and establish a Town in
Rutherford County on Land already secured by the Commissioners for the purpose of building a Court House, Prison & Stocks for the said County, and to amend an act to regulate the Town of Salisbury. Respectively endorsed, read the first time and passed.

Ordered that these Bills be read, which being read the Bill respecting the duty of Naval officers & the last mentioned Bills were passed the second time in this House, and the two former the first and returned.

On motion, Resolved, That His Excellency the Governor, be requested and empowered upon the application of any or all of the prisoners now in Halifax Gaol on account of the Judgment of the Court of Oyer & Terminer at Warrenton, and setting forth and satisfying His Excellency the Governor that he or they have complied with and satisfied the Judgment of the Court by paying the fine or fines and giving the security required by Law and praying relief from the remainder of their imprisonment, to issue a pardon to said Person or Persons as far as relates to their imprisonment, by pardoning the remainder thereof.

Sent for concurrence.

Received from the House of Commons the Bill to extend and amend an Act entitled "an Act to pardon and consign to oblivion the offences and misconduct of certain persons in the Counties of Washington, Sullivan, Greene and Hawkins. Endorsed, read the second time & passed; and the Bill to impower the Court of Pleas and Quarter Sessions in the County of Perquimans to lay a tax for the purpose of repairing the prison and building the Gaoler's House in the County aforesaid. Endorsed, read the second time and passed.

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

Received also the Bill to repeal part of an Act entitled "an Act to impower the several Courts therein mentioned to lay a tax annually, not exceeding three years, for the purpose of erecting and repairing the Court House, Prison & Stocks in each County when necessary, & for defraying the contingent charges of the Counties. Endorsed, read the second time and passed.

The Bill to settle the Title & bounds of Lands, and the Bill directing the method which shall be observed in future for the better regulating the Division and addition of Counties & fixing the public buildings in the same, & to prevent unfair practices from taking
place in Divisions, addition & removal of public buildings. Each endorsed, read the first time & passed.

Ordered that these Bills be read, which being read the former was passed the third time in this House and returned, & the two latter rejected.

Received likewise the report of the Committee in favour of Peter Goodwin, of Franklin County. Endorsed, read and concurred with.

Received likewise the Bill for making process in Equity effectual against Persons who abscond and who reside without the Limits of the State, and for better regulating the proceedings in Courts of Equity. Endorsed, read the second time & passed.

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

Received likewise the following Message:

Mr. Speaker & Gentlemen:

We herewith transmit to you an address this day handed into the Commons from His Excellency the Governor, on the subject of certain pardons lately granted to condemned Persons, requesting an inquiry into his conduct and the motives thereof in granting the said pardons, which we propose referring to a joint Committee who shall report thereon on Friday next. We have appointed on our parts Mr. Davie, Mr. Polk & Mr. Hargett.

The foregoing being read, it was ordered that Mr. Person, Mr. Jones & Mr. Hargett act on the part of this House for the above-mentioned purpose, and that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

We have received your Message inclosing an address from His Excellency the Governor, & proposing that it be referred to a joint Committee to which we agree, and have appointed Mr. Person, Mr. Hargett & Mr. Jones on the part of this House, to act with the Gentlemen by you named.

Adjourned till 4 o'clock P. M.

The House met.

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

Mr. Speaker & Gentlemen:

We are now ready to proceed on the balloting as heretofore agreed
on, and have appointed Mr. Person & Mr. Galloway to superintend
the same on the part of this House.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

We have appointed Mr. Cabarrus & Mr. Franklin to superintend
the balloting & are now ready to proceed with that business.

Mr. Person, from the Committee, delivered in the following re-
ports:

The Committee to whom the Petition of the Inhabitants of Rowan
County was referred, report,

That having taken the said Petition under consideration and min-
utely inquiring into the matters therein contained, It appears from
the information of the Members of the said County, that in the year
1782 a number of the Inhabitants of the said County of Rowan pur-
chased at a sale of the Commissioner of Confiscated property, Lands
therein situate; the conditions of which sales were two-thirds of the
purchase money to be paid down in Currency Certificates at the rate
established by Law, the other third in Money, with Interest, at the
expiration of five years which time is now expired. It also appears
that a number of the purchasers of said Lands are Persons in indi-
gent circumstances, & from the very great Drouth in that part of the
Country the Crops of last year are scarcely equal to the support of
their own Families whereby the urging the payment of said Debts at
this time will, in the opinion of your Committee, be of very injury to
the said Petitioners and of little service to the public.

Your Committee are desirous of relieving the distressed as far as
is consistent with justice and do recommend the following resolve, vizt.:

Resolved, That the Treasurer be and he is hereby directed not to
institute any suit or suits on any Bonds given by any of the Inhabi-
tants of Rowan County, in consequence of any purchase made by
them of Confiscated property, sold in the year 1782 by the Commis-
ioners of Confiscated property at five years credit, until the meeting
of the next General Assembly.

All of which is submitted.

THO. PERSON, Ch’m.

Your Committee to whom the representation of James Glasgow,
Esquire, Secretary of the State, was referred, report,
That on examining the said representation and the several papers produced in support of the same, it appears that in the year 1782, Thomas Burke and James Hogg, Trustees of Hillsborough Academy, became purchasers of a piece of Land joining the Town of Hillsboro containing one Hundred and forty-three Acres sold by the said Commissioner of Confiscated property as such, that the said Purchasers held out that they were purchasing said Lands for the use and benefit of the said Academy; from which declaration, knowing them to be Trustees as aforesaid, persons who actually inclined to bid for said Lands declined from a motive of encouraging the Academy, whereby the Lands sold for the sum of sixty-one pounds. That the said Lands have never been appropriated by the said purchasers for the purposes for which, as held out, they intended it; but on the contrary they have attempted to obtain a Grant in the usual form in their own names and to their own use and behoof. It also further appears by a Certificate from the Treasurer, that the said Thomas Burke and James Hogg never have paid the purchase money, neither have they given Bond as the Law directs; that Col. Archibald Lytle, present Commissioner of Confiscated property for the district of Hillsborough, has since sold the said Lands conceiving that it was subject to be sold on account of the apparent defeat of the first sale & that John Taylor became the purchaser and actually paid therefor the sum of one thousand pounds in specie Certificates.

Your Committee are therefore of opinion that the Governor be directed to issue a Grant for the aforesaid Lands in favour of the said John Taylor, agreeably to the returns of the present Commissioner of Confiscated property for the District of Hillsborough.

All of which is submitted.

THO. PERSON, Ch'm.

The House taking the foregoing reports into consideration, Resolved, That they do concur therewith.

Received from the House of Commons the report of the Committee on the petition of Daniel Colebreath, and the report on the remonstrance of the Members of Moore County. Endorsed, read and concurred with.

Also a resolution in favour of Thomas Ryan Butler, late an officer of the State Legion, which was read and concurred with and returned.
Received likewise the following Bills, to-wit:

The Bill for the better regulation of the Town of Fayetteville;

The Bill granting the Inhabitants living on the South East side of Mecklenburg County a privilege of holding a separate election for Members of the Assembly, and to repeal an Act Intituled "an Act for the removing the public buildings of Mecklenburg County from Charlotte to the center of the said County;"

The Bill for promoting the Navigation of Albemarle Sound, and the Bill to enable the County Courts to appoint Commissioners to keep open rivers and Creeks at their several Falls, so far as they think necessary, for the passage of Fish up the same. Respectively endorsed, read the third time and passed.

Ordered that these Bills be read, which being read were severally passed the third time in this House and ordered to be Engrossed.

Received likewise the Bill to establish an Inspection of Tobacco at Murfreesborough. Endorsed, read the first time & passed.

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

Received likewise the following Message:

Mr. Speaker & Gentlemen:

On the representation of the Gentlemen appointed to punch the Governor's Warrants and to burn the Certificates granted by the General Assembly to their Members and officers, we conceive it to be improper to burn those Certificates as they are necessary for the Treasurer as Vouchers in the making up his accounts with the Comptroller. We therefore propose that these Certificates, as well as Governor's Warrants & resolutions of the Assembly directing the payment of money now in the possession of the Treasurer, be all of them punched as directed by our former Message to you on this subject.

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

Mr. Speaker & Gentlemen:

We agree that the Certificates, Warrants & resolutions of Assembly directing the payment of Money now in possession of the Treasurer, be punched through as by you proposed.

Received from the House of Commons a resolution directing that the Original Copies of Acts passed at this Assembly be delivered to the Secretary of State; and a resolution directing Treasurer as to
the manner of punching the Warrants, resolutions, &c., so as to prevent their circulation; which was read, concurred with and returned.

Received also the report of the Committee on Finance; and the report of the sub-Committee of Finance No. 3, on the accounts of John Whitaker. Each endorsed, read and concurred with.

Adjourned till 10 o'clock To-morrow Morning.

THURSDAY, 13 December, 1787.

The House met according to adjournment.

Mr. Allen Jones presented the Memorial of Edmund Blount, Esquire, of Chowan County; which was read, referred to the Committee appointed on Judge Ashe's Memorial & sent to the House of Commons.

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

Mr. Speaker & Gentlemen:

It is the sense of this House that the place yet to be made choice of for the setting of the next Assembly be ballotted for at 4 O'clock this afternoon.

We also propose that a Council of State be balloted for at the same time, and nominate Charles Johnston, John Mair, Thomas Eaton, John Faulcon, Nathaniel Macon, Josiah Collins, John Johnston, John Skinner, Sam'l Strudwick & Edward Everagin.

Received from the House of Commons a Letter from Robert Fenner. Endorsed, referred to the Committee on Finance, & that they be directed to report on Friday next; which being read was referred in like manner and returned. Also the petition of Martha Mitchell. Endorsed, referred as by the Senate.

Received likewise a Resolution of the House of Commons in favour of John Simpson, Esqr., and the resignation of William Cherry and John Ballinger, the former a Justice of the Peace for the County of Bertie, and the latter for Guilford; which being read, the resolution was concurred with and the resignation accepted and returned.

Received likewise the following Message:

Mr. Speaker & Gentlemen:

The Honourable Samuel Johnston being elected Governor of this State for the ensuing year, it is proper he should attend this Assembly and be qualified into his office. We therefore propose that the
Speakers of the two Houses be requested to inform him of his election and desire his attendance for the above purposes.

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

Mr. Speaker & Gentlemen:

It is also our opinion that Samuel Johnston, Esquire, qualify immediately to his late appointment, and concur with you in a request that the Speakers give him immediate information thereof.

Mr. Allen Jones presented the Petition of Colonel Hardy Murfree, Commissioner of Confiscated property; which was read, referred to the Committee appointed on Judge Ashe's Memorial & sent to the House of Commons.

Received from the House of Commons the Bill to empower the County Courts to proceed in certain cases, as therein directed; and the bill directing the Clerks of the several Courts of record within this State as to their duty in office, with respect to the issuing of writs. Each endorsed, read the second time, amended & passed.

Ordered that these Bills be read, which being read the first was passed the third and the last the second time in this House & returned.

Received also the Bill for hiring out persons convicted on indictment or presentment and not being able or willing to pay the fine or fees of office. Endorsed, read the first time and passed. And the Bill to repeal an act passed at Fayetteville the 19th Day of Nov., 1786, Intituled "an Act for raising Troops for the protection of the Inhabitants of Davidson County." Endorsed, read the second time & passed.

Ordered that these Bills be read, which being read the first was passed the second time in this House and returned, and the last rejected.

Received likewise the Bill to prevent the obstructing Fish from running up the streams and Water Courses in Bertie County, and to clear the Navigation thereof. Endorsed, read the third time and passed.

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

Mr. Gallaway and Mr. Person, appointed on the part of this House
to superintend the balloting for a Governor, &c., reported as follows, to-wit:

That having executed the Trust in them reposed on casting up the scrolls find that Samuel Johnston, Esquire, is elected Governor of this State for the current year by a Majority of Votes.

That Mr. John Haywood, Esquire, is made choice of as public Treasurer.

That Thomas Eaton, Esquire, is appointed Brigadier General for the District of Halifax; Joseph Martin, Esqr., Brigadier General for the District of Washington, & that no place appears to have a Majority of votes for holding the next Assembly.

The House taking the foregoing report into consideration, Resolved, That they do concur therewith.

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

Ordered that this Bill be read, which being read a motion was made and seconded, that it be rejected. This being objected to and question called for and taken, was carried in the affirmative; whereupon, on motion of Mr. Miller, seconded by Mr. Person, Ordered that the Yeas and Nays be taken on this question, which are as follows, to-wit:

For the passage of the Bill—Mr. Mayo, Mr. Overton, Mr. Lane, Mr. Ramsay, Mr. Hill, Mr. Boon, Mr. McCawley, Mr. Moore, Mr. Lenoir, Mr. Bledsoe, Mr. Berger, Mr. Person, Mr. Kenan, Mr. McAllister, Mr. Irwin, Mr. Robinson, Mr. Martin, Mr. Miller, Mr. Crawford, Mr. McDowall, Mr. Gallaway, Mr. Kennedy—22.

Against the passage of the Bill—Mr. Battle, Mr. J. Williams, Mr. Ab. Jones, Mr. Allen Jones, Mr. Skinner, Mr. Harrington, Mr. Coor, Mr. Johnston, Mr. H. Williams, Mr. Gregory, Mr. Jordan, Mr. Clinton, Mr. Long, Mr. Macon, Mr. Hendley, Mr. Relfe, Mr. Easton, Mr. Owen, Mr. Reddick, Mr. Willis, Mr. Mitchell, Mr. Hargett, Mr. Mooring, Mr. Wynn and Mr. Shaw—25.

So the Bill was rejected.

Read sundry depositions relative to the conduct of Henry Spears, a Justice of the Peace for the County of Surry; whereupon,

Resolved, That the said Henry Spears be and he is hereby suspended from the exercise of his said office until the end of the next
Session of Assembly, or until he shall show cause wherefore this suspension should not be confirmed.

Received from the House of Commons the Bill to amend an Act to encourage the building of public Mills and directing the duty of Millers. Endorsed, read the first time and passed.

And the Bill to prevent thefts and robberies by Slaves, Free Negroes and Mulattoes. Endorsed, read the third time and passed.

Ordered that these Bills be read; which being read the former was amended, passed the second time and returned, and the latter the third and last time & ordered to be Engrossed.

Received likewise the following Message:

Mr. Speaker & Gentlemen:

We agree to your Message proposing to ballot at 4 o'clock this evening for the place of holding the next Assembly & for a Council of State; in addition to the persons by you named for Councillors we have inserted the following Names, vizt.: Willlie Jones, John Kinchen, Whitmill Hill, Charlie Johnston, James Sanders, Maxwell Chambers, William Hooper, Thomas Brown, Henry W. Harrington and William Littlejohn.

Adjourned till 4 o'clock.

The House met according to adjournment.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

We propose that a joint Committee, to consist of five Members from each House, be appointed in order to agree upon and adopt some general mode that shall in future be observed between the two Houses of the General Assembly on the passage of the Bills, particularly on the last reading; and that such Committee shall report to-morrow. We have for this purpose on our part, appointed Mr. Spaight, Mr. Davie, Mr. Bloodworth, Mr. Hawkins and Mr. Polk.

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

Mr. Speaker & Gentlemen:

Mr. Allen Jones, Mr. Skinner, Mr. Coor, Mr. Lenoir and Mr. Galaway will act with the Gentlemen by you appointed for the purpose

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of preparing rules to be observed by the two Houses for amending and passing Bills by Message.

Mr. Johnston, from the Committee, delivered in the following reports, to-wit:

The Committee of Propositions and Grievances to whom the Memorial of Edward Bridgen, of the City of London, Merchant, was referred, report,

That the said Edward, by Act of the General Assembly passed in December, 1785, was empowered to take into his possession all his Estate (unsold) which had been confiscated; and where sales had been made to receive the purchase money, or the obligations taken for securing the payment thereof.

That among other things the said Edward claimed, under a Will of his late sister Elizabeth Catharine DeRossett, a House and Lott in the Town of Wilmington, which were sold previous to the passing of the aforesaid Act, and the Certificates lodged in the Comptroller's office.

That Certificates ceasing to be an Article of Traffic, he prays that in lieu thereof he may be authorized to receive and draw from the Treasury the sum of six hundred pounds, the valuation of the said House and Lott as per Certificate herewith presented.

The Committee considering the premises are of opinion that the operation of that Law ought not to be so diverted as to enable him to draw the aforesaid sum in actual money; therefore Resolved, That the said petition be rejected.

JOHN JOHNSTON, Chm.

The Committee of Propositions and Grievances, to whom the recommendation of Chatham Court in favour of Lieutenant John Kendrick was referred, report,

That on the night of the 30th of September, in the year 1781, the said Kendrick in an action with a party of the British and Tories, received a wound in his breast, which will fully appear, recourse being had to the Certificate of General Butler herewith presented. That agreeable to the Act of Assembly, passed in the year 1785, he applied to the Commissioners of Hillsborough District for such an allowance as they conceived he might be entitled to by virtue of said Act, as an Invalid; who refused to make any such allowance, suggesting they were not warranted so to do by the Law aforesaid.
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Your Committee taking these facts into consideration, and being fully satisfied that the said Kendrick is rendered totally incapable of labour by the wound aforesaid received in defence of his Country, are of opinion that he comes under the description of invalids by the act aforesaid; wherefore,

Resolved, That the Commissioners of Hillsborough District order him such relief annually, to commence from the passing of the said Law, as they may conceive him entitled to in consequence of said wound.

JOHN JOHNSON, Ch.

The House taking the foregoing report into consideration, Resolved, That they do concur therewith.

Mr. McCawley presented the petition of Elizabeth Williams, widow and relict of William Williams, Deceased, late an officer in the Continental line of this State; which was read, referred to the Committee appointed on the Memorial of Judge Ashe, and sent to the House of Commons.

On motion, ordered that Mr. Lane have leave to absent himself from the service of this House after Friday next, and that Mr. Easton have the like permission after Saturday next.

Adjourned till To-morrow Morning 10 O'clock.

FRIDAY, 14th December, 1787.

The House met according to adjournment.

The Speaker laid before the House a Letter from the Honorable Benjamin Hawkins, Esquire; which was read, 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 Memorial of William Blount, Esquire. Endorsed, referred on the part of this House to Mr. Wynns, Mr. Franklin & Mr. Polk; which being read was, on the part of the Senate, referred to Mr. Gallaway, Mr. Person & Mr. Clinton, and returned.

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

Mr. Speaker & Gentlemen:

We propose that a joint Committee be appointed to consider of and report what alterations, if any, are necessary to be made in the
present Constitution of this State at the intended Convention, and
have appointed on the part of this House for the above mentioned
purpose, Mr. Gallaway, Mr. Coor, Mr. Person, Mr. Skinner & Mr.
Hill.

On motion, Resolved, That in pursuance of the report of a joint
Committee, concurred with by both Houses of the General Assembly,
the public Treasurer be and he is hereby required to pay unto Peter
Goodwin, of Franklin County, the sum of seven hundred and five
pounds fifteen shillings out of the monies collected for the year One
Thousand Seven Hundred and Eighty-seven, and for which this shall
be a sufficient Voucher in the settlement of his public accounts.

Sent for Concurrence.

Received from the House of Commons the resolution of this House
entered into in favour of the State Prisoners. Endorsed, read and
concurring with. And the petition of Micajah Thomas. Endorsed,
read and referred to the Committee appointed on the Memorial of
Judge Ashe; which being read was referred in like manner & re-
turned.

Received likewise the Bill to ascertain the Sheriff’s Fees within
this State. Endorsed, read the first time & passed. And the Bill to
effect the cutting and clearing a road from the lower end of Clinch
Mountain to the Cumberland Settlements, and for preserving peace
and granting safety to the Inhabitants thereof. Endorsed, read the
second time and passed. Also the Bill for erecting the Counties of
Davidson and Sumner into a District and for appointing an assistant
Judge & Attorney General. Endorsed, read the second time,
amended and passed.

Ordered that these Bills be read, which being read the Bill ascer-
taining Sheriffs fees was passed the second, and the Bill for cutting
and clearing a road, &c., the third time in this House and returned;
and the Bill for erecting a District Court in Davidson County was
laid over until the next Assembly.

Mr. Gallaway and Mr. Person, appointed on the part of this House
to superintend theballoting for a Council of State and the place at
which the next Assembly shall be held, report as follows, to-wit.:

That having executed the trust in them reposed they find on cast-
ing up the scrolls, that Willie Jones, Charlie Johnston, Whitmill Hill
and John Kinchin, Esqrs., were elected Councillors of State by a ma-
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jrity of Votes, and that Fayetteville was made choice of as the place at which the next Assembly shall be held.

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

Mr. Gallaway, who had leave to withdraw for amendment the Bill to vest the Title of a certain Tract of Land therein mentioned in John Johnston, returned the same; which was read with the amendments, passed the second time in this House and sent to the House of Commons.

Received from the House of Commons the Bill to amend an Act intituled “an Act to bring to condign punishment and to secure their Estates so far as to be answerable to the public, the persons therein described accused of certain Crimes and fraudulent practices, and to indemnify such persons as have acted in pursuance to certain resolutions of this Assembly from vexations Suits and prosecutions, and to establish a Board for the further detection and further discovery of the said fraudulent practices, and for settling and liquidating the accounts of the officers and Soldiers of the Continental Line of this State; to give the public a further security and to relieve the creditors of persons who have been presented or indicted in consequence of the said Act.” Endorsed, read the second time and passed.

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

Mr. McCallister presented the Petition of Daniel Shaw, of Cumberland County; which was read, referred to the Committee of Propositions and Grievances & sent to the House of Commons.

Received from the House of Commons a Resolution requesting the Delegates of this State, late in Congress, to lay before the Assembly the present State and circumstances of the Union. And a resolve empowering the Chairman and Six Members of the Committee of Finance to do business; each of which being read was concurred with and returned.

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

Your Committee to whom was referred the Memorial of Stephen Moore on the subject of a Bond for fifty-four pounds ten shillings by him given as a servant of the public, bearing date the 14th December, 1781, and made payable to the Governor of the State for the time being, which bond having since been put in suit and a verdict
thereon obtained against him in the Superior Court for the District of Hillsborough in his private capacity. That the same being done in consequence of an order of the Governor of that date to us now addressed, accompanied with satisfactory Testimony establishing the other facts in his Memorial set forth, beg leave to recommend that the following Resolve be passed;

Whereas, Stephen Moore, late Deputy Quarter Master General of this State, in obedience to an order of the late Governor Burke, hired several public Negroes (whom the Law required should be hired out) and employed them in the service of the State. And whereas, the said Stephen Moore gave his Bond with security to the Governor for the Time being, for the payment of the sum of fifty-four pounds ten shillings, the amount of the hire of the said Negroes, and the said bond being put into suit and Verdict thereon given against the said Stephen Moore for the aforesaid sum of fifty-four pounds Ten Shillings with cost in the Superior Court of Law & Equity for the District of Hillsborough at the last October Term,

Wherefore resolved, That Stephen Moore be and he is hereby released from the payment of the aforesaid sum of fifty-four pounds Ten Shillings and all costs thereon attendant; and the Clerk of said Court take Order to stop all further process thereon, and that this resolution be entered of Record in said Court.

All of which is submitted.

JAMES MILLER, Chm.

The House, taking the foregoing report into consideration, Resolved, they do concur therewith.

On motion, ordered that Mr. Person have leave to withdraw for amendment the Bill to amend and explain the true meaning of the several Acts of Assembly heretofore passed for giving further time to Surveyors within the different Counties to make their Surveys and return plots thereof to the Secretaries office, and more especially of an Act passed at New Bern in the year 1785, intituled “an Act to amend an Act intituled an Act for opening the Land office, and other purposes, and granting a further time for the Registration of Deeds and Grants therein described.”

Mr. Macon presented the claim of James Miller, Esquire, for victualing Indian Prisoners; which was read, referred to the Committee of Claims & sent to the House of Commons.
Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

We propose that the General Assembly proceed to ballot at 4 o'clock To-morrow evening for four Members of the Council yet to be elected, and that the five Gentlemen who had the greatest number of Votes on the last balloting be in Nomination for Councillors. We propose also that six Persons be Elected at the same time to represent this State in the Congress of the United States for the ensuing year, and two for the present year to supply the places of the Honbl. Alexander Martin and Timothy Bloodworth, Esquires, resigned; and for a Judge of the Court of Admiralty for port Beaufort. We nominate for Delegates for the ensuing year James White, John Stokes, J. B. Ashe, Robert Burton, Stephen Moore, Hugh Williamson, Benjamin Hawkins, Joseph McDowall, H. W. Harrington, William Tatham, John Swann and Thomas Polk, Esquires. Delegates for the present year Robert Burton, Hugh Williamson, John Stokes, Henry Wallers, Esquires; for a Judge of the Court Mercantile and Maritime for Port Beaufort, John Hawkins, Esquire.

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

Mr. Speaker & Gentlemen:

We agree to ballot at 4 o'clock this afternoon for the Councillors of the State yet to be made choice of. For Delegates to represent this State in Congress the ensuing year and to supply the places of those resigned, and for a Judge of the Court of Admiralty for Port Beaufort. We approve of the whole of your Nominations.

We also propose that a Judge for the Court of Admiralty be now appointed for the Port of Swansborough & nominate to that office Robert Sneed.

Mr. Johnston presented the resignation of John Macon, Esquire, as first Major of the regiment of Horse in Halifax District; which was read, accepted of and sent to the House of Commons:

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

It is the opinion of this House that the Witnesses who attended in behalf of the State, at the Court of Oyer and Terminer lately held at Warrenton, and all such as have attended any of the Superior
Courts on similar business should be allowed for their attendance and Travelling expenses by the Committee of Claims, and the Certificates expressing the sums allowed for such service shall entitle them to draw money out of the public Treasury.

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

Mr. Speaker & Gentlemen:

We agree that those persons who attended the Court of Oyer held at Warrenton as Witnesses in behalf of the State, or at any of the Superior Courts, be paid out of the public Treasury.

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

Your Committee appointed to prepare and introduce rules to be observed by the two Houses in future, in amending and passing Bills on the third and last reading by Message, recommend the following Resolution as declaratory of their rights;

Resolved, That each House shall pass freely on any Bill either in rejecting or passing the same, notwithstanding any amendments assented to by the other House after the Bill had been passed there for the third and last time.

JAMES COOR, Clm.

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

Received from the House a Resolution allowing Thomas Benbury, Esquire, a certain sum therein mentioned; which being read was concurred with & returned.

Read the Memorial of Silas W. Arnett & Isaac Blanchard, Administrators of Andrew Blanchard, deceased.

Whereupon Resolved, That the Treasurer delay issuing any precept or suit in behalf of this State against the Administrators of Andrew Blanchard, dec'd, until after the meeting of the next Assembly, in order that they may have time to settle their acts, of the said deceased with the Comptroller, according to Law.

Sent for Concurrence.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

On examining the balloting for the Council of State we find that John Kinchin, Esquire, was Elected a Member by a Majority of
the Votes of both Houses of the Genl. Assembly. We therefore propose that only three Members be yet Elected, instead of four, as by this House proposed on yesterday.

Received also the Bill directing the mode of Tryals upon impeachments. Endorsed, read the second time and passed.

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

Received likewise the Petition of Eliza Williams, and the Petition of Hardy Murfree. Each endorsed, read and referred as by the Senate.

And the report of the Committee on the recommendation of the County Court of Chatham in favour of John Kendrick, & the report on the Memorial of Edward Bridgen. Endorsed, read and concurred with.

Received likewise the following resolution of the House of Commons:

Whereas, it has been represented to the General Assembly and confirmed by several depositions, and those of record, and by the Testimony of the Sheriff who was present at the Tryal, that Thomas Vail, of the County of Chowan, has been indicted in the Superior Court of Law & Equity for the District of Edenton for forging and publishing, knowing to be forged, in November 1786, an obligatory Note, and that on the trial of the said Indictment the Jury found him not guilty, yet by some accident the said Verdict was recorded as guilty of passing it knowing to be forged. And whereas, it appears that the said Vail has heretofore supported a fair and unblemished character,

Resolved, That it be recommended to his Excellency the Governor, to issue and grant full and ample pardon to the said Thomas Vail for the Crime or Crimes aforesaid; and that it be recommended to the Attorney General to enter a Nolle prosequi on the same charge.

On reading and concurring with the foregoing resolution, it was moved and seconded that it be rejected; this being objected and question taken thereon, it was carried in the negative.

Whereupon, on motion of Mr. Lenoir, second by Mr. Miller, Ordered that the Yeas and Nays be taken on this question, which are as follows, to-wit.:

For concurring with this resolution—Mr. Mayo, Mr. Sheppard,
Mr. Ramsay, Mr. Harrington, Mr. Boon, Mr. Mooring, Mr. McCawley, Mr. Johnston, Mr. Moore, Mr. Gregory, Mr. Jordan, Mr. Bledsoe, Mr. Winston, Mr. Clinton, Mr. Berger, Mr. Person, Mr. Kenan, Mr. McCallister, Mr. Irwin, Mr. Robinson, Mr. Handley, Mr. Relfe, Mr. Easton, Mr. Martin, Mr. Owen, Mr. Willis, Mr. Gallaway, Mr. Hargett, Mr. Wynns & Mr. Smaw—30.

For rejecting this resolution—Mr. Battle, Mr. Griffin, Mr. John Williams, Mr. Skinner, Mr. Coor, Mr. Overton, Mr. Lenoir, Mr. Long, Mr. Macon, Mr. Reddick, Mr. Miller, Mr. McDowell, Mr. Mitchell & Mr. Kennedy—13.

So the resolution was concurred with and returned.

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

Your Committee of Propositions and Grievances to whom was referred the Petition of James Christian of Chatham County, report, That said James was a Soldier in the Continental Line of this State, was wounded in the service and discharged in the year 1778; that he applied, under a resolve of the last Genl. Assembly in his favour, to the Commissioners who granted him a Certificate of allowance from the date of the said resolve.

Your Committee taking these facts into consideration are of opinion that the said James is entitled to an allowance as an Invalid from the passing of this Law for the Establishment of the Commissioners in the year 1785. Wherefore, Resolve, That the Commissioners of Hillsborough District grant him a Certificate accordingly.

JOHN JOHNSTON, Chm.

The House taking the foregoing report into consideration, Resolve, That they do concur therewith.

SATURDAY, 15th Dec., 1787.

The House met according to Adjournment.

Received from the House of Commons the Bill directing what Crimes and practices against this State shall be Treason, and what shall be misprision of Treason, and for providing punishments adequate to Crimes of both Classes. Endorsed, read the third time, amended and passed.

Ordered that this Bill be read, which being read it was moved and seconded that it be rejected; this being objected to and question
called for and taken thereon was carried in the affirmative, where-
on upon on motion of Mr. Person, seconded by Mr. Gallaway, ordered
that the Yeas and Nays be taken on the question, which was as fol-
lows, to-wit:.

For the passage of the Bill—Mr. Ramsay, Mr. Mr. McCawley, Mr.
Lenoir, Mr. Bledsoe, Mr. Clinton, Mr. Berger, Mr. Kenan, Mr.
Overton, Mr. McCalister, Mr. Irwin, Mr. Hendley, Mr. Martin, Mr.
Easton, Mr. Reddick, Mr. Miller, Mr. McDowell, Mr. Gallaway, Mr.
Kennedy & Mr. Wynns—18.

Against the passage of the Bill—Mr. Battle, Mr. Griffin, Mr. J.
Williams, Mr. Sheppard, Mr. Skinner, Mr. Harrington, Mr. Coor,
Mr. Moore, Mr. Gregory, Mr. Jordan, Mr. Winston, Mr. Person,
Mr. Macon, Mr. Long, Mr. Robinson, Mr. Owen, Mr. Willis, Mr.
Mitchell & Mr. Hargott—21.

So this Bill was rejected.

Received likewise the Bill to regulate the Inspection of Tobacco in
this State. Endorsed, read the second time, amended and passed.

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

Received likewise the Bill directing the Clerks of the several
Courts of record within this State as to their duty in office, with
respect to the issuing Writs. Endorsed, read the third time and
passed.

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

Mr. Johnston, from the Committee, delivered in the following re-
port:

Your Committee of Propositions and Grievances, to whom the Pe-
tition of Mary Richards, of Perquimans County, was referred report,

That in consequence of a Marriage Contract with a certain Henry
Jerroe (Giraud), late of the town of Halifax, who hath since been
guilty of suicide, the said Mary claims the estate of the said deceased.

It not appearing to your Committee by any satisfactory or convinc-
ing Testimony that the contract was ever perfected by the solemniza-
tion of the rites of Matrimony between the said parties, we are un-
willing to alter the Legal disposition of the Estate of the said de-
ceased, and are of opinion that the said Petition be rejected. Where-
fore resolved, That it be rejected accordingly.

JOHN JOHNSTON, Chm.
Your Committee of Propositions and Grievances, to whom the petition of a number of the Inhabitants of Moore County in favour of a certain Thomas Matthews, was referred, Report,

That by a resolve of the last General Assembly in consequence of some charge then exhibited against the said Thomas Matthews by a certain Duncan Campbell, he was suspended from the office of a Justice of the Peace in said County; that no proof being adduced to your Committee sufficient to warrant a recommendation in his favour, they are of opinion the said petition ought to be rejected.

J. JOHNSTON, Chm.

The House taking the foregoing reports into consideration, Resolved, That they do concur therewith.

Received from the House of Commons the Petition of James Mulloy and the Petition of John Crawford. Endorsed, referred to the Committee of Propositions and Grievances; which being read was referred in like manner and returned.

Received likewise the petition of Benj’vn Gaylord. Endorsed, referred to Mr. Tatham, Mr. Blount and Mr. Phifer; which being read was, on the part of the Senate, referred to Mr. Reddick, Mr. Owen and Mr. McCallister and returned.

Received also the petition of William Wootton. Endorsed, referred to the Committee appointed on Finance; which being read was referred in like manner & returned.

Adjourned till Monday Morning 10 o’clock.

MONDAY, 17th Decr., 1787.

The House met according to Adjournment.

Mr. Relfe presented the resignation of John Smithson, Senr., a Justice of the Peace for the County of Pasquotank; which was read, accepted & sent to the House of Commons.

Mr. Alexius M. Foster, the Member for the County of Brunswick, appeared, produced his Certificate, was qualified agreeable to Law and took his seat.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

We have appointed on our part, Mr. Bryant, Mr. McDowell and Mr. Wynns a Committee, who with such Gentlemen as may be appointed by the Senate, shall amend the Bill for selling the pallace,
&c., agreeably to the proposals made by Mr. Spaight in his Memorial on that subject herewith sent you. We propose that the Committee so appointed shall make report on Monday next.

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

Mr. Speaker & Gentlemen:

We do not agree with you on the appointment of a Committee to amend the Bill for Selling the public Buildings in the Town of New Bern, nor do we concur with your resolution on that subject.

Read the petition of Frederick Fisher, of Rowan County; Whereupon,

Resolved, That the public Treasurer take up & discharge, agreeable to the Scale of depreciation, a Loan office certificate issued by Robt. Lanier, late district Treasurer in favour of Frederick Fisher, to the amount of Fourteen Thousand Five Hundred pounds, and that the public Treasurer be required to take up and discharge all issued in like account and similarly circumstanced.

The Speaker laid before the House a Letter from John Armstrong, Esqr., late Entry taker for the Western Lands; which was read and referred on the part of the Senate to Mr. Bledsoe, Mr. Person, Mr. Coor & Mr. Gallaway & sent to the House of Commons.

Mr. Overton presented the petition and claim of Charles Harrington, of Chatham County; which was read, referred to the Committee of Claims & sent to the House of Commons.

Received from the House of Commons a Resolution on the subject of Lands Caveated, lately entered in the office of John Armstrong, Esquire; which was read, Concurred with and returned.

Received also the report of the Committee appointed to prepare rules to be observed by the two Houses in passing and amending Bills by Message, on the third reading. Endorsed, read & concurred with. And the petition of John Humphries, Esquire. Endorsed, referred to the Committee of Propositions and Grievances; which was read, referred in like manner and returned.

Mr. Irwin and Mr. McCawley, from the joint balloting for Delegates to represent this State in the Congress of the United States for the present and ensuing year, three Councillors of State and a Judge for the Court of Admiralty for ports Brunswick & Swansborough, reported as follows, to-wit:
That having carefully executed the business of their appointment and on casting up the scrolls, that Robert Burton and Hugh Williamson, Esquires, were elected Members of Congress for the present year; that James White, John Ashe, John Stokes, Benjamin Hawkins & Hugh Williams, Esquires, were elected by a Majority of votes Delegates to Congress from this State the ensuing year; that John Skinner & Thomas Brown, Esquires, were made choice of as Councillors of State; that John Hawks, Esquire, was appointed Judge of the Marine Court for Port Beaufort; that no Person appears to have a Majority for the Maritime Court for port Swansborough, and that one Delegate to Congress and one Councillor of State remained yet to be ballotted for.

The House taking the foregoing report into consideration, Resolved, That they do concur therewith.

Received from the House of Commons the Bill authorizing and requiring the Sheriffs of the several Counties in this State, to bring suit or take possession, receive and make sale of all property left by the British in this State during the late War. Endorsed, read the second time & passed.

And the Bill for the more easy recovery of rents, and to prevent Tenants from committing frauds. Endorsed, read the second time, amended and passed.

Ordered that these Bills be read; which being read the first was passed the second time in this House and returned, and the last, on motion, rejected.

Received from the House of Commons the Bill directing the duty of Naval officers, & of all Masters of Vessels coming into any of the Ports or Inlets of this State. Endorsed, read the second time, amended and passed.

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

On the passage of this Bill, in which is the following Oath, to-wit: "I, A. B., do solemnly swear that I will faithfully execute the duty of Naval officer for the port of ———— according to Law, and that I will not during my continuance in said office be concerned directly or indirectly in exporting or importing any goods, Wares or Merchandise which by the Laws of this State are or may be subject or liable to any duty or import, unless for my own particular use and consumption, and not exceeding the value of two Hundred
pounds Sterling in any one year;" it was moved and seconded that
the said words in the oath be deleted from the word "Import" to the
end thereof. This being objected to and question taken thereon was
negative; whereupon the Yeas and Nays being required on the ques-
tion are as follows, to-wit:

For declining the oath as above—Mr. Overton, Mr. Ramsay, Mr.
Moore, Mr. Lenoir, Mr. Berger, Mr. Person, Mr. Kenan, Mr. Irwin,
Mr. Robinson, Mr. Henly, Mr. Owen, Mr. Willis, Mr. Crawford, Mr.
McDowall, Mr. Gallaway & Mr. Kennedy—16.

For not amending—Mr. Griffin, Mr. J. Williams, Mr. Sheppard,
Mr. Skinner, Mr. Coor, Mr. Boon, Mr. Johnston, Mr. Gregory, Mr.
Jordan, Mr. Bledsoe, Mr. Clinton, Mr. McCallister, Mr. Long, Mr.
Reddick, Mr. Mitchell, Mr. Hargett & Mr. Foster—17.

So the said form of an oath was not amended.

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

Your Committee, to whom was referred the petition of James Car-
ney of Craven County, respecting the Bounds of his Land on Gatt-
tens Creek, on the north side of Neuse river in Craven County, be-
low the Town of New Bern, which Lands were granted to Edward
Hawcott by the Lords Proprietors of Carolina in the year one thou-
sand Seven Hundred and sixteen, having duly considered the same,
report, that it fully appears the number of poles & the Courses as
mentioned in the said Grant are erroneous, and as appears by the
plot include only thirty-seven instead of three Hundred and Ninety
Acres, as mentioned in the original Grant; therefore, that justice
may be done in the premises, your Committee propose and report
the following resolution,

Resolved, That the third Course mentioned in the aforesaid Grant,
that is to say, No. 85 Wt. one hundred and thirty poles, shall be ex-
tended so that with the other courses mentioned in said Grant, the
aforesaid quantity of 390 Acres may be included according to the
original intention, and that all the Lands which are now vacant and
shall be included by extending the said line as aforesaid shall be con-
sidered and is hereby appropriated unto the said James Carney, his
Heirs and assigns, & not liable to be taken up or entered by any other
person whatsoever.

All which is submitted.

JAMES COOR, Chm.
The House taking the foregoing report into consideration, Resolved, That they do not concur therewith, but that the same be rejected.

Received from the House of Commons a Message from His Excellency the Governor, addressed to the General Assembly accompanied by a Letter from Richard D. Spaight, Esquire. Endorsed, referred on the part of this House to Mr. Cabarrus, Mr. Steele, Mr. Davie and Mr. Sanders; which being read was, on the part of the Senate, referred to Mr. King, Mr. Hargett and Mr. Gregory and returned.

Mr. Coor, from the Committee to whom was referred the Petition of Spiers Singleton, reported as follows, to wit:

That they have examined the contents thereof and find that the assistant Commissary for the Southern department for the use of the Army under the Command of General Greene, purchased, certain goods to the amount of one Hundred and four pounds Nineteen Shillings 16d Specie, that he received from him a Warrant on the Treasury for that Sum, as appears by the affidavit of said Henry Viper and the Warrant.

Your Committee are therefore of opinion that the public Treasurer be directed to pay to the said petitioner the aforesaid sum of one Hundred and four pounds Nineteen Shillings and 16d Currency, taking up the said Warrant as a Voucher in the settlement of his public accounts, and that he give information thereof to the Comptroller, that the amount of the said Warrant may be carried to the credit of this State in their account with the United States.

JAMES COOR, Chm.

The House taking the foregoing report into consideration, Resolved, That they do concur therewith.

Received from the House of Commons a Bill to amend "an Act to bring to condign punishment and to secure their Estates so far as to be answerable to the public, the persons therein described, accused of certain Crimes and fraudulent practices, and to indemnify such persons as have acted in pursuance of certain resolutions of this Assembly from vexations suits and prosecutions, and to establish a Board for the further detection & further discovery of the said fraudulent practices, and for settling & liquidating the accounts of the officers and Soldiers of the Continental Line, to give the public a further security and to relieve the Creditors of Persons who have
been presented or indicted in consequence of the said act.” Endorsed, read the third time and passed.

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

Received also the Bill to direct the application of such public Tobacco as already is or may hereafter be purchased by the Commissioners for that purpose appointed by the last General Assembly, and to repeal the thirteenth section of an act for the regulation of Commerce. Endorsed, read the first time & passed. And the Bill for revising and collecting the Acts of the General Assembly of the State of North Carolina. Endorsed, read the second time, amended and passed.

Ordered that these Bills be read, which being read the former was passed the third, and latter the first time in this House & returned.

Mr. Johnston, from the Committee of Propositions and Grievances to whom was referred the petition of Richard Sears, reported as follows:

That the Commissioner of Confiscated Estates in the district of Hillsborough hath advertised and sold the Land of the said Sears as Confiscated.

The Committee therefore conceiving the said Richard to have redress in Court of Law are of opinion that the said petition be rejected.

JOHN JOHNSTON, Chm.

Received by way of the House of Commons a Message from His Excellency the Governor, addressed to the General Assembly requesting that a Committee may be appointed to settle his public accounts. Endorsed, referred to the Committee of Finance; which being read was referred in like manner and returned.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

We have been informed the Bill declaring what Crimes and practices shall be deemed Treason, &c., has been rejected in the Senate and as we conceive it a matter of the utmost consequence that some measures should be adopted by the present Assembly for quieting the disorders in the Western part of the State, we propose that a
joint Committee be appointed to propose some method whereby these purposes may be effected. We have on our part appointed Mr. Davie, Mr. Steele, Mr. Maxwell, Mr. Spaight, Mr. Starkey, Mr. Campbell, Mr. McDowall, Mr. Mebane, Mr. Hawkins and Mr. Cabarrus.

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

Mr. Speaker & Gentlemen:

Mr. Martin, Mr. Robinson, Mr. Lenoir, Mr. Hargett, Mr. Kennedy and Mr. Gallaway will act jointly with the Gentlemen by you appointed, to report what measures are necessary to be adopted by the General Assembly for quieting the disorders in the Western parts of this State.

Received from the House of Commons the Bill to carry into further effect an act intituled "an Act for opening the Land office, for the redemption of Specie and other Certificates, and discharging the Arrears due to the Army." Endorsed, read the second time, amended & passed.

Ordered that this Bill be read, which being read a motion was made and seconded, that it be rejected; this being objected to and question taken thereon was carried in the affirmative; whereupon, on motion of Mr. Person seconded by Mr. Gallaway, ordered that the Yeas and Nays be taken on this question which are as follows, to wit:

For the passage of the Bill—Mr. Overton, Mr. Ramsay, Mr. Johnston, Mr. Clinton, Mr. Berger, Mr. Person, Mr. Irwin, Mr. Miller and Mr. McDowall—9.

Against the passage of this Bill—Mr. Mayo, Mr. Battle, Mr. Griffin, Mr. J. Williams, Mr. Skinner, Mr. Coor, Mr. Boon, Mr. McCawley, Mr. Moore, Mr. Gregory, Mr. Jordan, Mr. Lenoir, Mr. Bledsoe, Mr. Winston, Mr. Kenan, Mr. McCallister, Mr. Long, Mr. Robinson, Mr. Henly, Mr. Martin, Mr. Owen, Mr. Reddick, Mr. Willis, Mr. Crawford, Mr. Mitchell, Mr. Gallaway, Mr. Kennedy, Mr. Hargett, Mr. Wynns and Mr. Foster—30.

So the Bill was rejected.

Received from the House of Commons a Resolution requiring the Judges of the Superior Court of Law and Equity to be more punctual in their attendance at the Court of Morgan District; a Resolution
directing the public Treasurer to pay unto Silas Cooke a sum therein
Mentioned; and the report of the Committee appointed on the Memo-
rial of Stephen Brooks; which being read, were severally Concurred
with and returned.

Received also the resolution of this House suspending Henry
Spears, of Surry County, from the exercise of his appointment of
Justice of the Peace. Endorsed, read and concurred with; and the
following Message:

Mr. Speaker & Gentlemen:

We think proper to inform you that Col. Burton desires his name
may be omitted in the nomination next to be made for the election of
a Delegate yet to be chosen for the ensuing year.

Received also the resignation of John Macon, Esquire, as first
Major of the Regiment of Horse in the District of Halifax; the res-
ignation of Solomon Green a Justice of the Peace for the County of
Warren, and the resignation of Thomas Waddington a Justice of the
Peace for the County of Rutherford. Respectively endorsed, read
and accepted.

Received likewise the Bill for hiring out persons convicted on In-
dictment or punishment and not being able or willing to pay the fine
or fees of office. Endorsed, read the second time and passed.

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

Mr. Johnston, from the Committee, delivered in the following re-
ports:

Your Committee of Propositions and Grievances to whom the pe-
tition of Martha Mitchell was referred report,

That the said Martha by her petition, charges that her Husband,
Theophilus Mitchell, was a Soldier and died in the service of the
United States and that she has not received any pay or allowance for
the service of her said Husband. These suggestions not being sup-
ported by a Certificate of Inlistment of any officer, or affidavit of the
said Mary, the Committee are of opinion that the petition be rejected.

JOHN JOHNSTON, Chm.

Your Committee of Propositions and Grievances, to whom was
referred the petition of John Crawford, of Anson County, report,

That on examining the said Petition & vouchers attendant it ap-
ppears that the said Crawford can only be redressed by passing an act
in his favour, and the Sessions having already been very long, they are unwilling to recommend the introduction of a Bill to that effect at this late Hour. Wherefore resolved, That the said Petition be laid over until the next Assembly.

JOHN JOHNSTON, Chm.

Your Committee of Propositions and Grievances, to whom the petition of Edmond Gamble was referred, report,

That in the year 1779 the said Edmond Gamble, as deputy Quarter Master and Commissary, received orders to lay up a quantity of provisions at Charlotte for the use of the Southern Army; that in carrying these orders into effect he became bound to a certain William Moore in a private capacity for the payment of the waggon hire; that in consequence thereof the said Moore instituted a suit against him and at March Term last in Salisbury Superior Court recovered the sum of Eighteen pounds Eight Shillings and eight pence, with interest thereon from July, 1785, until paid, together with thirty three pounds sixteen Shillings cost of suit, making in the whole fifty-four pounds Nineteen Shillings and Ten pence, as per Clerk's Certificates hereon attendant.

Wherefore resolved, That the Treasurer be and he is hereby required to pay to the said Edmund Gamble or assigns, the aforesaid sum of fifty-four pounds nineteen shillings & ten pence, the amount of the said Debt & cost.

JOHN JOHNSTON, Chm.

The House taking the foregoing reports into consideration, Resolved, That they do concur therewith.

Received from the House of Commons the resignation of Benjamin Hawkins, Esqr. Endorsed, referred as by the Senate. Also the resignation of William Sumpter, a Justice of the Peace for the County of Burke, and the resignation of John Smithson, Junr., a Justice of the Peace for the County of Pasquotank. Endorsed, read and accepted.
Received likewise the report of the Committee on the petition of the Inhabitants of Moore County in favour of Thomas Matthews. The report on the petition of James Christian; the report of the Committee on the petition of Richard Sears; the report of the Committee on the Memorial of Stephen Moore, & the report of the Committee on the petition of Mary Richards. Severally endorsed, read and concurred with.

Received likewise the report of the Committee appointed to report on the Message of His Excellency the Governor, of the 13th inst., and certain Pardons therein alluded to. Endorsed, read and concurred with; which being read was likewise concurred with and returned.

On motion of Mr. McCawley, ordered that the following resolution be sent to the House of Commons for their concurrence:

Whereas, it is represented to this General Assembly that Abbott, late of the County of Wake in this State, having been convicted before the Superior Court of Hillsborough District of a misdemeanor and fined in the sum of twenty-five pounds and was committed to Jail until the same should be paid;

And whereas, he has remained therein for the space of two years and more, not being of sufficient ability to make payment and satisfy the Judgment of said Court;

Resolved, That the said Judgment and fine be and the same is hereby remitted, and that the Sheriff of Orange be directed to release the said prisoner without any further demand.

Received from the House of Commons the Bill to regulate the inspection of Tobacco in this State. Endorsed, read the third time, amended and passed.

Ordered that this Bill be read, which being read a motion was made and seconded, that it be rejected; this being objected to and the question called for and taken thereon, was carried in the negative, whereupon on motion of Mr. Long, seconded by Mr. Ramsay, Ordered that the Yeas and Nays be taken on this question which are as follows, to-wit: :

For the passage of the Bill—Mr. Griffin, Mr. Overton, Mr. Ramsay, Mr. McCawley, Mr. Moore, Mr. Bledsoe, Mr. Winston, Mr. Clinton, Mr. Berger, Mr. Person, Mr. Kenan, Mr. McCallister, Mr. Irwin, Mr. Robertson, Mr. Martin, Mr. Owen, Mr. Miller, Mr. Willis, Mr. Crawford, Mr. McDowall, Mr. Gallaway, Mr. Kennedy, Mr. Hargett & Mr. Foster—24.
Against the passage of the Bill—Mr. Mayo, Mr. Battle, Mr. Williams, Mr. Skinner, Mr. Warrington, Mr. Coor, Mr. Boon, Mr. Gregory, Mr. Jordan, Mr. Lenoir, Mr. Long, Mr. Hedley, Mr. Reddick and Mr. Wynns—14.

So the Bill was passed and ordered to be Engrossed.

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

Mr. Speaker & Gentlemen:

It is the opinion of this House that the Committee of Finance be directed to report a full state of the Indian affairs now under their Consideration, from the issuing the Warrants for the purchase of Goods to be applied in that department to the present time.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

We agree that the Committee of Finance be directed to report on the State of the Indian affairs as by you proposed.

Adjourned till To-morrow Morning 10 O'clock.

Tuesday, 18 Decr., 1787.

The House met according to adjournment.

Resolved, That Hardy Jones of Edgecombe County, be allowed the sum of fifteen pounds for carrying a Copy of the Journal of last Assembly to the public printer at Fayetteville, & carting from thence to Tarborough the papers of the Senate; that the Treasurer pay him the same and be allowed.

Received from the House of Commons the report of the Committee on the petition of the Inhabitants of Rowan County. Endorsed, read and concurred with. And the resolution of this House directing the public Treasurer to delay issuing any process or suit in behalf of this State against the Administrators of Andrew Blanchard, dec'd. Endorsed, read and concurred with. Also the report of the Committee appointed on the petition of Joseph Cain; which was read, concurred with and returned.

Received likewise the following Message:

Mr. Speaker & Gentlemen:

This House, on the supposition that all the Copies of the Federal Constitution, &c., were in our possession, have proceeded to distribute them by Counties by which means it has happened that there
are some Counties which have not been furnished, one-third of them being in your House. We therefore propose that the Copies in your possession be sent to the Commons so that each County may be supplied with its proportion.

Mr. Person, from the Committee to whom the Memorial of John Willis was referred, reported as follows, to-wit.:

That on examining the premises they find that the said petitioner did furnish for the use of the public, Corn and other articles of provision to a large amount, and obtained a certificate from the County Commissioner for the amount of such supplies, as directed by Law; they are therefore of opinion as it is impossible to relieve all those who are in similar circumstances the prayer of said Petition cannot be granted.

THO. PERSON, Chm.

The House taking the foregoing report into consideration, Resolved, That they do concur therewith.

Received from the House of Commons a resolution of that Body in favour of John Abbott, and a resolve allowing Henry Thompson a sum therein mentioned; which was read, concurred with and returned.

Mr. Person, from the Committee, delivered in the following reports:

The Committee, to whom the petition of John Justice, Exr. of the last Will and Testament of James Allen, dec'd, was referred, report,

That having examined the said petition and the several depositions and papers produced in support of the same, it appears that the said James Allen, dec'd, did in his life time advance to the public, for the purpose of paying Militia Volunteers and Draffs their bounty, the sum of five thousand two hundred and twenty-three pounds, which by scale is equal to five Hundred and twenty-two pounds 6 Shillings Specie; and that some time afterwards the said James Allen obtained a Warrant on the Treasury for the said sum, and before settling his account with the public, he died without leaving sufficient Vouchers to make a settlement. Your Committee are therefore of opinion that the Comptroller be directed to ballance his said account with the public.

THO. PERSON, Chm.
The Committee to whom the petition of Ann Field was referred, report,
That having taken under consideration the said petition & strictly enquiring into the Facts therein set forth, find them well supported, and are therefore of opinion that the prayer of the petitioner be granted.

THO. PERSON, Chm.

The Committee to whom was referred the petition of Jeremiah Field and Robert Field, report,
That they have taken into consideration the said petition, and from the information of several of the Members of your Hon’ble Houses there appears to be a great degree of justice in the Claim of the petitioner; but the information necessary to induce your Committee to grant their request having not been fully adduced (tho’ in all probability it will at a future day) they are of opinion that the said petition be laid over until the next General Assembly in order that the petitioners may have a further time of adding Testimony to substantiate their claim, and that the Commissioner of Confiscated property of the District in which the said Lands lie be directed to postpone the sale of the same until the determination of the next Genl. Assembly had thereon.

THOMAS PERSON, Chm.

The Committee, to whom the Memorial of Micajah Thomas, administrator of the estate of Colonel Thomas Hunter of Nash County dec’d, was referred, report,
That they have taken under consideration the said Memorial and examined the several papers produced, from which it appears, corroborated by the oral Testimony of said Thomas, that in the year 1780 the said Thomas Hunter drew from Richard Cogdell, Esq., the Treasurer of New Bern District, the sum of 180 pounds 1 for the express purpose of paying Militia Soldiers’ bounties. It also appears from the information of the said Mr. Thomas that the said Thomas Hunter did actually appropriate the said Monies to the particular purpose for which it was drawn, but from a misfortune of having his House burnt in which was consumed all his valuable papers among which (in all probability) the Vouchers for the bounties
by him paid, as set forth in the petition, were destroyed and thereby
was made unable to settle his accounts.

That the said Thomas Hunter has since deceased and the settle-
ment of his accounts has devolved on the aforesaid Micajah Thomas,
in consequence of his Administrator on the Estates of the deceased,
who finds himself unable to settle with the public for the aforemen-
tioned Monies for want of the Vouchers supposed to be so consumed.

Your Committee are of opinion that there is the strongest cir-
cumstantial proof of the due appropriation of the Monies drawn and
the entire destruction of the said Vouchers. Therefore recommend
that the Comptroller be directed to balance the account of the said
Thomas Hunter with the public.

THO. PERSON, Chm.

The Committee to whom the Memorial and petition of George
Henry Berger was referred, report,

That on examining the premises and duly deliberating thereupon,
they are of opinion that on either the principles of Law or Justice
they are not warranted to grant the prayer of said petition, therefore
do reject it.

THOMAS PERSON, Ch’m.

The foregoing reports being read were concurred with & sent to
the House of Commons.

Received from the House of Commons the Bill to empower the
Wardens of the poor for the County of Currituck to lay a tax to ena-
ble them to settle the arrears due from the said County to persons
who have supported the poor, and for Electing Wardens for the poor
in the several Counties within this State, where no such have been
elected agreeable to Law. Endorsed, read the first time & passed.

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

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

We propose balloting to-morrow evening at four O’Clock for one
person to represent this State in Congress the ensuing year, for one
Councillor, for a Brigadier-General for the District of Fayetteville,
for the officers of Cavalry in that District, and for the officers of Cav-
alry in the other Districts who are to supply the places of those re-
signed. We nominate for Delegate the two Gentlemen who had the
greatest number of votes on the last Balloting; for Councillor the two
Gentlemen who had the greatest number on the last balloting; for
Brigadier-General for the District of Fayette, James Thaxton, Rich-
ard Clinton and Henry Wm. Harrington; for Colonel of Cavalry in
the same District, Thos. Overton, Richard Clinton and Captain Wil-
lis; for first Major, David Dodd, Esquire; for second Major John
Porterfield; for Colonel of Cavalry for Washington District, Robert
Hays and Landon Carter; for second Major of Cavalry in Wilminton
District, David Jones; for first Major of Cavalry in Halifax Dis-
trict, Durham Hall; for second Major in the same District, Robert
Fenner. We propose further that a Judge for the County of David-
son be balloted for at the same time and nominate Josiah Love, John
Macary & Howell Tatum.

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

Mr. Speaker & Gentlemen:

We agree to ballot to-morrow evening at 4 o’clock for the Delegate
to Congress & Councillor of State yet to be made choice of and for the
several Military and Civil officers mentioned in your Message. We
approve of the whole of your nominations and add thereto Thomas
Polk, Esquire, for Delegate for the ensuing year and Robert Rowan
for Brigadier-General of the District of Fayette.

We propose that a Vendue Master for the Town of Fayetteville
be balloted for at the same time and a Judge of the Marine Court
for the port of Swansboro, and nominate for Vendue Master, Lewis
Barge and James Moore; for Judge, Robert Snead, Senr.

We also propose, by way of expediting this business, that the Gent-
lemen in nomination for officers of Cavalry, who on casting up the
poll shall appear to have the greatest number of votes, be returned
elected.

At the request of Col. Clinton we inform you that he is not a can-
didate for the Col. of the Horse for the District of Fayette.

Received from the House of Commons a report of the Committee
of Finance on the State of the Treasury. Endorsed, read and con-
curred with; which being read was likewise concurred with and re-
turned.

Received also the Bill for the more regular collecting & accounting
for the revenues of this State; for allowing the public Treasurer a
Clerk, and for the collection of arrearages. Endorsed, read the first
time & passed.

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

Received likewise the Bill for altering the times for holding the
County Courts of Edgecombe, Halifax and Pitt. Endorsed, read
the third time, amended & passed.

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

On motion, Ordered that Mr. Shaw have leave to absent himself
from the service of this House during the present Session.

Ordered that the following Message be sent to the House of Com-
mons:

Mr. Speaker & Gentlemen:

We herewith send you the Claim of Mr. Mare, No. 20, which we
have read & concurred with as reported by the Committee of Claims;
should it meet your concurrence we propose that he have leave to
withdraw it before the whole proceedings of that Committee are
taken under consideration, he having attended some time on this
business.

Received from the House of Commons the Bill for Levying a tax
for the support of Government, and for the redemption of the old
paper Currency, Continental Money & Specie, and other Certificates.
Endorsed, read the first time and passed.

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

Received also the Bill authorizing and requiring the Sheriffs of
the several Counties in this State to bring suit, or take into posses-
sion, receive or make sale of all property left by the British in this
State during the late War; and the Bill to empower the County Court
of Pleas and Quarter Sessions in the County of Perquimans, to lay
a tax for the purpose of repairing the prison & Building a Gaolers
House in the County aforesaid. Each endorsed, read the third time
and passed. Also the Bill for levying a tax in the County of Brun-
swick for the purpose of building a Gaol therein. Endorsed, read
the second time & passed.

Ordered that these Bills be read, which being read the first two
were passed the third time in this House and ordered to be Engrossed, and the last the second time and returned.

Received likewise the Bill to amend an Act to regulate the Town of Salisbury, and for allowing the Commissioners in the town of Halifax to levy a tax on the Slaves within the liberties thereof. Endorsed, read the second time & passed after being amended.

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

Received likewise the following Message:

Mr. Speaker & Gentlemen:

The House have directed the Estimate of Expenses and allowances of the present Session be made up so as to include Friday next and that the allowance for Member's attendance be at the rate of twenty Shillings per day.

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

Mr. Speaker & Gentlemen:

It is also our opinion that the Estimates of the present Session be made up to include Friday next and agreeable to the sum mentioned in your Message.

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

WEDNESDAY, 19th Decr., 1787.

The House met.

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

Mr. Speaker & Gentlemen:

The list of Justices recommended for the several Counties in this State, which accompanies this, we propose shall be handed his Excellency the Governor, immediately, in order that Commissions may be obtained previous to his going out of office.

Those recommendations agreed to by the House of Commons, and which do not appear on this list, are either taken out for alteration or ordered to lie for consideration.

Mr. Lenoir, from the Committee appointed to report what measures are necessary to be adopted by this General Assembly for quieting the disorders in the Western parts of this State, delivered in the following report:
That it is the opinion of your Committee that all the benefits and advantages of an act of Assembly passed at Fayetteville in the year 1786, intituled "an Act to pardon and consign to oblivion the offences and misconduct of Persons in the Counties of Washington, Sullivan, Greene and Hawkins," be extended to the Persons therein described as fully & amply as said act can possibly operate an act of pardon and oblivion, and that all suits commenced for the recovery of any penalty or forfeiture incurred by not complying with the Laws usually called revenue or Tax Laws be discontinued on the defendant or defendants assuming costs.

All of which is submitted.

WM. LENOIR, Chm.

The House taking the foregoing report into Consideration, Resolved, That they do concur therewith.

Whereupon, Mr. Lenoir moved for leave and presented a Bill to extend an act intituled "an Act to pardon and Consign to oblivion the offences and misconduct of certain Persons in the Counties of Washington, Greene, Sullivan and Hawkins;" which was read, passed the first time & sent to the House of Commons.

Received from the House of Commons a resolution requesting His Excellency the Governor, to issue certain Civil and Military Commissions previous to his going out of office; which was read, concurred with and returned.

Received also the report of the Committee on the Memorial of Micajah Thomas, Esquire;

The report of the Committee on the petition of Martha Mitchell;
The report of the Committee on the petition of John Crawford;
The report of the Committee on the petition of Jeremiah Field;
The report of the Committee on the Memorial of George Henry Berger, Esquire;
The report of the Committee on the Memorial of Edmund Gamble;
The report of the Committee on the petition of the Inhabitants of the County of Rowan; and

The resolution of this House in favour of the Exers of Andrew Blanchard. Severally endorsed, read and concurred with.

Mr. Person, from the Committee of Finance to whom was referred the Memorial of Francis Child Comptroller, setting forth that he could not compleat the removal of the public books and papers to
Hillsboro for the want of Money, that he has already expended thirty-five pounds of his own Money in removing part and suggest that it will require a further sum of fifty pounds to compleat the same; report, that it is the opinion of the Committee that His Excellency the Governor, be directed to issue a Warrant on the Treasury in favour of the said Comptroller for the sum of one Hundred pounds for the purpose aforesaid, and for which said Comptroller shall be accountable and settle with the next Assembly.

On the requisition of the Comptroller to be allowed an additional Clerk or Clerks to enable him to compleat the settlement between this State and the United States, the Committee are of opinion that the Governor, with the advice of the Council, shall be directed to authorize him to appoint such a number of Clerks and for such a length of time or times as to them shall appear necessary for expediting said business. Your Committee further beg leave to report it as their opinion that where Doubts shall arise in the Course of Settlement between the Comptroller on the part of this State and the Commissioner of the United States respecting their settlements, the Comptroller shall state such Doubts to the Governor who, with the advice of the Council, shall give such Orders respecting the same as to them shall appear just and necessary, which orders the Comptroller shall be directed and authorized to pursue.

All which is submitted.

THO. PERSON, Chm.

The Sub-Committee of Finance report:
That they have read the Memo. of John Armstrong, Esquire, Entry taker of Western Lands, which states that he is in perfect readiness to exhibit his account and make settlement with the Comptroller for all sums by him received for Entries—but that some few individuals had neglected to pay up the Certificates due for Lands entered on which he prayed a longer indulgence. They are therefore of opinion that he be allowed until the first day of June next to make good his settlement, and that on his failing or neglecting to make final settlement on or before that day that the Comptroller shall give notice thereof to the Treasurer who shall without delay commence a suit against him or his Bond for the faithful execution of his duty and the Trust reposed in him.

The Sub-Committee further report that they have received from
the Comptroller a state of the account against said Entry taker together with a Copy of the report of the Sub-Committee of Finance No. 2, made to the last General Assembly at Fayetteville, which they beg leave to lay before and submit to the Committee.

A. BLEDSOE, Chm.

Ordered that the same be received as a report of the Sub-Committee No. 5, and as the report of this Committee submitted to the House with the Comptroller’s Account and report aforesaid, annexed.

All which is submitted.

THO. PERSON, Chm.

The Sub-Committee of Finance No. 4, reported that they had received from the Comptroller on account of sales of Confiscated property, the payments made by the Commissioners with the balances due, which they beg leave to lay before and submit to the Committee.

Ordered that the same be received and submitted to the House as the report of the Committee.

THO. PERSON, Chm.

The Committee of Finance, to whom was referred the Memorial of William Wootton, Report,

That it appears to your Committee Mr. Wootton, (as Executor of the Estate of John Bradford, dec’d, one of the late Board of Auditors of Halifax District,) has in his Hands a number of Certificates passed by the said Board of Auditors which appears to be the property of Individuals who never have made application for the same. The Committee are of opinion that a resolve should be entered into by both Houses directing the several late Boards of Auditors, their Secretaries and Clerks throughout the State, as also the Executors or Administrators of such as may have died within six Months from and after the rising of this General Assembly, to deliver to the Comptroller on oath all the Certificates which remain in their hands being the property of Individuals who have never applied for the same, giving one Months previous notice at the Court House of the District and other public places by public Advertisement of the particular Certificates thus about to be returned, in order that the proprietor of such Certificates may have an opportunity of claiming and receiving them prior to such return being made; that the Comp-
controller shall endorse each Certificate by him thus received with the
name of the Board of Auditors the same was received from in con-
sequence of this resolve, that he give each Board of Auditors a receipt
for the number and amount of each and every Certificate by him
thus received and hold the same ready to be delivered to the proper
owners on proper application; also that the Clerks of the two Houses
shall publish this Resolve in the several districts within this State
as soon as may be after the rising of the present Assembly.

All which is submitted.

THO. PERSON, Chm.

The Sub-Committee of Finance No. 6, report,
That they have received from the Comptroller a state of his ac-
counts and progress in settlement with County Commissioners, Qua-
ter Masters and others, which they beg leave to lay before and sub-
mit to the Committee of Finance.

JAMES GALLAWAY, Chm.

Ordered that the same be received and reported to the House ac-
compained with the following Resolve, which they recommend to
be adopted by both Houses, vizt:

Resolved, That the Comptroller be and he is hereby directed by
public advertisement at the Court House doors of each and every
County within this State, to call on all delinquents by name whose
accounts shall remain unsettled at the time of such Advertisement,
notifying them to attend at his office with their respective accounts
properly attested for settlement prior to the first day of June next;
and in case of the neglect or refusal of any Person or persons whose
name or names shall appear in said Advertisement to comply with the
tenor thereof and with this resolve, that the Comptroller be and he
is hereby directed to lodge the Accounts of such delinquents in the
Hands of the Treasurer who is hereby directed to commence a Suit
for the penalty or penalties of the Bond or Bonds which said Delin-
quent or Delinquents may have given for the faithful discharge of
the Trust reposed in them, and in case of no bonds being given by the
said delinquent or Delinquents that suit shall be commenced for the
balance of which may appear to be due on the Comptrollers return;
and in order that the Treasurer may be possessed of necessary in-
formation on this subject the Committee recommend that a clause
be added to this revenue bill requiring the Clerks for the several
County Courts within this State under the penalty of Five Hundred
Pounds to furnish the Comptroller with attested Copies of the ac-
counts and Settlements of the County Commissioners of Confiscated
property together with the Bonds of such Commissioners, which bonds
the Comptroller shall put into the Hands of the Treasurer, so far as
suits shall be necessary to be commenced thereon, in compliance with
the forgoing resolve.

THO. PERSON, Chm.

The House taking the foregoing reports into consideration, Re-
solved, That they do concur therewith.

Whereas, it is represented to this Assembly that there are in the
possession of divers Persons in this State, Books of record wherein
are entered or recorded Patents issued or granted under the former
Government, and the record Books properly belonging to Lord Gran-
ville's office, which of right should be deposited in the Secretaries
office of this State;

Resolved Therefore, That the Secretary of this State be and he is
hereby required to call on all persons that may have any of the re-
cords above mentioned in his or their possession, and every such per-
son is hereby required at their peril to deliver the same.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

We have received your Message in answer to ours proposing to bal-
lot this Evening for a Delegate, &c.; have decided to the further pro-
posals made by you on that subject and so approve of your nomi-
ination.

Mr. Johnston, from the Committee, delivered in the following re-
ports:

The Committee of Propositions and Grievances to whom was re-
ferred the Memorial of James Mulloy, report,

That the said Mulloy received from the late Commissioners of
Army accounts a due Bill and certificate to the amount of —— for
his service as a Nine Month's Soldier, that by an act of the last
General Assembly these Claims, indiscriminately, are precluded
from payment for a certain time.

The Committee unwilling to draw any line of distinction previous
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to the setting of the Commissioners appointed for the purpose of examining of these Claims, are of opinion that it be rejected.

JOHN JOHNSTON, Chm.

The Committee of Propositions and Grievances, to whom was referred the petition of Daniel Shaw, report,

That the said Daniel, in the year 1781, was wounded in the service of this State, that he paid the sum of Eighteen pounds 10 shillings to a surgeon who attended and effected his cure, as appears by the Vouchers No. 1 & 2.

Your Committee taking the later into consideration are of opinion that he is entitled to the aforesaid sum from the Treasury, wherefore they recommend that the Treasurer be directed to pay to the said Daniel Shaw the sum of Eighteen Pounds ten Shillings and be allowed therefor in the settlement of his accounts.

JOHN JOHNSTON, Chm.

The Committee of Propositions and Grievances, to whom was referred the Memorial of John Dickey and William Sharp, Exrs of Genl. Davidson, report,

That in consequence of a Settlement by William Sharpe, Exr. as aforesaid, with a Committee of the Assembly in the year 1784, at New Bern, he placed in the hands of Mr. McCulloch the voucher & other papers relating thereto; a balance appearing due to the said Estate of three or four hundred pounds.

The Commissioners of Army accounts failing to report in the said papers, and the Committee having no papers or vouchers that tend to the elucidation of the claims are of opinion that it be rejected.

JOHN JOHNSTON, Chm.

The House taking the foregoing report into consideration, Resolved, That they do concur therewith.

Mr. Person, from the Committee of Finance, delivered in the following report:

The Sub-Committee of Finance No. 3, beg leave to report, that on examining the accounts of Colo. Robert Rowan, late Commissioner for the purchase of Tobacco at Fayetteville, it appears to your Committee that this business cannot at present be finally adjusted
in Consequence of Mr. Rowan's absence occasioned by indisposition, and the want of certain vouchers in his possession.

It appears that Mr. Rowan has delivered to the agents, Messrs. Constable, Rucker & Co., five hundred and three Hogsheads, wt. 516,959 lbs. as per vouchers; that there remains on hand 201,069 lbs. nett Tobacco, for which Mr. Rowan hath the Inspector's notes.

Your Committee therefore advise that the present year's Commissioner be directed to take the said notes and Tobacco into his possession for which his receipt will be a sufficient voucher in the settlement of Mr. Rowan's accounts; that Mr. Rowan shall make a final settlement of his accounts with the Comptroller on or before the first day of March next, who shall be directed to lay such settlement before the next Session of the General Assembly for their approbation.

Your Committee further recommend that his Excellency the Governor, be directed with the advice of the Council, to make sale of all Tobacco which is now on hand, or which may hereafter be purchased by the Commissioners for account of the public, for the most obtainable price in Specie or such Securities as shall obtain a specie Credit with the United States on account of this States' Quota of the principal & Interest of the French and Dutch Loans. The Sub-Committee advise the measure in consequence of the heavy loss and expence which the public have heretofore sustained by the mode pursued for disposing of their Tobacco, and they trust the plan herein proposed will be attended with a good effect.

All which is submitted.

S. CABARRUS, Chm.

The Committee taking the foregoing report into consideration concurred therewith, and ordered the same to be reported and submitted to the House.

THOMAS PERSON, Chairman.

The House taking the foregoing report into consideration, Resolved, That they do concur therewith.

Received from the House of Commons the following Message, accompanied by a Letter from Samuel Johnston, Esquire:

Mr. Speaker & Gentlemen:

This accompanies an address from the Honble Samuel Johnston, Esquire, in consequence of which we propose that the Speakers of
the two Houses acquaint Mr. Johnston that the General Assembly will receive him to-morrow at 11 O'clock in order that he may qualify as Governor.

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

Mr. Speaker & Gentlemen:

We agree with you that the Speakers of this Assembly be requested to inform the Honble Sam'l Johnston, Esqr., that to-morrow at 11 O'clock the General Assembly will receive him in order for his qualification.

Received also the report of the Committee on the Petition of John Justice; the report of the Committee on the Petition of Ann Field. Endorsed, concurred with.

And the report of the Committee on the Petition of Winston Caswell and William White, Ex'rs of William Caswell, dec'd; which was read, concurred with and returned.

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

The Sub-Committee of Finance No. 3, to whom was committed the investigation and settlement of the accounts of the late Commissioners for purchasing Tobacco for the use of the State, report,

That they have examined the accounts of John Haywood, formerly Commissioner for purchasing Tobacco for the use of the public at the Town of Tarbor', whereby it appears that he received from the public Treasury as Commissioner aforesaid the sum of ten thousand pounds .................... 10,000 00 00

That part of three Hogsds Tobacco by him purchased were refused at the time of Delv'y & sold at vendue for ................................................. 15 13 06

That he hath purchased 1 other Hhd., wt. 1,024 lbs, which was prized in those sent to Washington

From whence he became accountable for ............. 10,015 13 06
while at Tarboro; amounting at the same rate... 25 12 00
That while the amount of the storage of this Tobacco both at Tarboro & Washington appears to be... 250 15 10
That the amount of the freight of the 315 Hhds. from Tarboro' to Washington at 16 shillings p. Hhd. the price given, is ...................... 252 00 00
in Augst., 1786 & May, 1787, amounts to............ 148 07 10
That the Committee have allowed the said Commissioner as a reimbursement of his expenditure when attending to the business......................... 16 00 00
That his Commissions at 2½ p. cent, on £9,435 00 02 the amount of the Money expended is.............. 235 17 06

Which several sums amounting in the whole to...... 9,670 17 08
Leaving a balance of ......................... £ 344 15 10

Due the public & yet to be accounted for by the said Commissioner; which sum of £344 15 10 Mr. Haywood retained in his hands from a belief that the freight of the Tobacco when sold, from Washington to the port of delivery, would be paid by the Commissioner, which however the tenor of the Contract with Constable, Rucker & Co., has not made necessary.

Your Committee therefore report the following resolution for the concurrence of the two Houses:

Resolved, That John Haywood, late Commissioner for purchasing Tobacco for the use of the public at the Town of Tarboro', be and he is hereby required to pay the aforesaid balance of £344 15 10, in equal proportion into the hands of Etheldred Phillips, Commissioner for purchasing Tobacco at the Town of Tarboro', and Egbert Haywood, Commissioner at the Town of Halifax, and

Resolved further, That the Comptroller be and he is hereby directed, on Mr. Haywood's producing to him the receipts of the said Commissioners for the aforesaid balance, to debit them with the same and finally to balance the accounts of him the said John Haywood, as Commissioner aforesaid, and the holder of his Bond given in this behalf is directed on application to deliver to him the same.

Your Committee find that of the 315 Hhds. of Tobacco stored at Washington by the said Commissioner two hundred and sixty-four
are delivered to the agents of the purchasers, amounting to 265,143 pounds nett at the time of delivery. That 48 Hhds. of the Tobacco which Mr. Blackledge converted to his own use, weighing 55,867 pounds, are yet to be accounted for and for which the Assembly are possessed of his Bond.

That 3 Hhds. weighing 2,986 lbs were refused and sold at vendue for the price expressed in the credits of this report; From whence we report that the loss in weight of this Tobacco from the time the same was purchased until it was delivered, occasioned by lying and damage is 25,693 pounds weight. Upon the whole your Committee are unanimously and clearly of opinion that the said Commissioner hath conducted himself uprightly and honestly throughout the whole of his transactions as such, and that he hath discharged his duty with fidelity towards the public.

All which is submitted.

S. CABARRUS, Chm.

Concurred with by the Committee of Finance and ordered to be reported to the House.

All which is submitted.

THOMAS PERSON, Chm.

The foregoing being read was concurred with & sent to the House of Commons.

Received from the House of Commons the following resolution:

Whereas, the General Assembly at their Session at Fayetteville passed a resolve directing the present Commissioner to sell all such Lands as had been sold by Benja. Sheppard, and the Law not fully complied with; in consequence of which resolution the present Commissioner for the District of New Bern has sold all the lands under the aforesaid description, whereby the former purchasers are deprived of the lands and the public still have possession of their Bonds;

Resolved, That the Comptroller be and he is hereby directed in all cases where the Commissioner has resold the Lands agreeable to the aforesaid resolution to restore or cancel the bonds given by the former purchasers.

On the reading of this resolution it was moved and seconded that it be rejected, this being objected to and on motion of Mr. Person
seconded by Mr. Crawford, ordered that the Yeas and Nays be taken which are as follows, to-wit:

For concurring with the resolve—Mr. Battle, Mr. Griffin, Mr. Williams, Mr. Sheppard, Mr. Ramsey, Mr. Boon, Mr. McCawley, Mr. Jordan, Mr. Bledsoe, Mr. Winston, Mr. Clinton, Mr. Kenan, Mr. Long, Mr. Irwin, Mr. Robinson, Mr. Martin, Mr. McDowall, Mr. Kennedy, Mr. Hargett, Mr. Foster, Mr. Willis.—21.

For not concurring—Mr. Mayo, Mr. Overton, Mr. Hill, Mr. Person, Mr. McAllister, Mr. Owen, Mr. Crawford, Mr. Gallaway.—8.

Adjourned till To-morrow Morning 10 o'clock.

THURSDAY, 20 DECR., 1787.

The House met.

Mr. Lenoir and Mr. Riddick, appointed on the part of this House to superintend the balloting for a Delegate to Congress, Councillor of State, &c., reported,

That having attended to the duties of their appointment, find on casting up the scrolls that Joseph McDowall, Esquire, is appointed Delegate to Congress from this State the ensuing year; John Mare, Esquire, Councillor of State; John McNair, Esquire, Judge of the Court for Davidson County; Thomas Overton, Esquire, Colonel of the Horse for the District of Fayette; David Dodd, First Major & James Porterfield second Major of the same; that Durham Hall is appointed first Major of the Horse in Halifax District & Robert Fenner second Major; that David Jones is appointed second Major of Horse for the District of Wilmington & James Moore, Vendue Master for the Town of Fayetteville.

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

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

The Superintendants of the balloting last evening have made a report by which it appears that several of the Persons balloted for have not a Majority of both Houses, to the end that a second balloting may be avoided we propose that all who have the greatest number of votes, as well for officers of Cavalry as other officers, may be deemed duly elected altho' the number of Votes fall short of a Majority of the Assembly.
The foregoing being read it was ordered that the following be sent to the House of Commons:

Mr. Speaker & Gentlemen:

We agree to the proposition of your Message on the yesterday's Balloting except as to the Judge of Port Swansboro, Colonel of the Horse for Washington District and Brigadier General for the district of Fayetteville, which we propose shall be balloted for at 4 o'clock, the Colonel of Washington District excepted, which we propose shall be postponed altogether, it not appearing to this House by the resignation of the Gentleman heretofore elected to that office that such an appointment is necessary.

Mr. Irwin presented the resignation of George Mitchell, Esquire, as Colonel of the Onslow regiment of Militia and Justice of the Peace; which was read, accepted & sent to the House of Commons.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

This House is now ready to receive Samuel Johnston, Esquire, in order to see him qualified and propose that the two Houses assemble together for this purpose. We have appointed Mr. Davie & Mr. Cabarrus to attend and conduct Mr. Johnston to the House.

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

Mr. Speaker & Gentlemen:

We agree that the two Houses assemble together in order to qualify Samuel Johnston, Esqr., to his late appointment of Governor of this State and have appointed Mr. Person and Mr. Long to wait on and conduct him into their presence.

The two Houses being now convened in conference the Gentlemen appointed to wait on Mr. Johnston conducted him into their presence when, after taking the oath of allegiance to the State and oath of office, he withdrew.

Received from the House of Commons the Bill to prevent abuses in taking up stray Horses, Cattle, Hogs & Sheep. Endorsed, read the second time, amended & passed.

Ordered that this Bill be read, which being read was, on motion, rejected.

Received also, the report of the Committee to whom was referred the representation of John Haywood, Esquire, relative to the mis-
application of certain Tobacco by him purchased for the use of the State, accompanied by a Resolution entered into in consequence thereof; which was read, concurred with and returned.

Received likewise the Bill to amend the several acts of Assembly heretofore passed for giving a further time to Surveyors within the different Counties to make their Surveys and return plots thereof to the Secretary’s office and for giving a further time for the registration of certain Deeds issued from Lord Granville’s office, and Marriage contracts therein mentioned. 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 in this House and ordered to be Engrossed.

Mr. Person, from the Committee of Finance, reported as follows, to-wit:

That they have examined the representation of Robert Fenner, Esquire, Agent of the Continental Line of this State, setting forth that he has in possession a Warrant drawn by the Board of Treasury of the United States on William Skinner, Esquire, Commissioner of the Continental Loan Office in this State, for the sum of three thousand one Hundred and twenty Seven Dollars and fifty four Nineteenths Specie, which he is willing to negotiate for the paper Currency of this State. Your Committee are of opinion that His Excellency the Governor, be directed to issue a Warrant or Warrants on the Treasury for the amount to be paid to the said Agent out of the contingent fund, and that His Excellency deliver to the said Loan officer the Continental draft by him taken up, taking his receipt for the same as so much paid of this State’s quota of the specie requisitions of Congress for the current year.

The Committee further report it as their opinion that it be recommended to the Governor to transmit without delay to the Commissioner of Continental Loans aforesaid, all such Bills & Drafts of the Board of Treasury of the United States for pay or arrears due the Continental Line of this State which he may have taken up, taking receipts of said Commissioner as before mentioned, and procure as early a credit as possible with the United States.

All which is submitted.

THO. PERSON, Chm.
The House taking the foregoing report into Consideration, Concurred therewith.

Received from the House of Commons the Bill to amend an act intitled “an Act to amend an act passed at New Bern December, 1785, for increasing the Jurisdiction of County Courts of Pleas and Quarter Sessions, and of Justices of the peace out of Court, and to direct the time of holding Courts in this State, and to appoint Jurors for the District of Wilmington.” Endorsed, read the second time and passed.

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

Mr. Person, from the Committee of Finance, to whom was referred the Memorial of Stephen Moore, report,

That it appears to the Committee that Col. Moore did obtain from the United States in Congress Assembled, on the Eighteenth day of July, 1786, a recommendation to this State to pay him the sum of three Thousand Four Hundred and nine Dollars and 32–90 of a Dollar with Interest thereon until paid, from the first day of January, 1784.

The Committee are of opinion that the Governor be directed to issue a Warrant or Warrants on the Treasurer of the State for the amount aforesaid with Interest as aforesaid, and that His Excellency lodge with the Comptroller of the State the amount of the Warrant or Warrants so issued in order that the same may be charged to the United States.

All which is submitted.

THOMAS PERSON, Chm.

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

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

This accompanies a Message of this day's date from His Excellency the Governor, with the resolutions of Congress therein referred to.

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

Mr. Speaker, &c.:

We propose that the Message from His Excellency the Governor,
of this day's date together with its inclosures, be referred to the consideration of a joint Committee and that they report To-morrow. We have appointed for this purpose on our part, Mr. Gallaway, Mr. Hargett, Mr. Johnston & Mr. Irwin.

Received from the House of Commons the Bill to empower the Wardens of the Poor for the County of Currituck to lay a Tax to enable them to settle their arrears due from the said County to persons who have supported the poor, and for electing Wardens of the Poor in the several Counties in this State where no such have been elected agreeable to Law. Endorsed, read the second time, amended and passed.

And the Bill to direct the application of such public Tobacco as is or may hereafter be purchased by Commissioners for that purpose appointed by the last General Assembly and to repeal the Thirteenth section of an Act Intituled "an Act for the regulation of Commerce." Endorsed, read the second time, amended and passed.

Ordered that these Bills be read, which being read each was passed the third time in this House and returned.

Mr. Reddick, from the Committee to whom was referred the Petition of Benjamin Gaylard, reported as follows, to-wit:

Your Committee having examined the Petition of Benjn. Gaylard together with the deposition of Jesse Watters, are of opinion that the testimony is insufficient and that the said Petition ought to be rejected.

JOSEPH REDDICK, Chm.

The House taking the foregoing report into consideration, Resolved, That they do concur therewith.

Mr. Gallaway, who had leave to withdraw for amendment the Bill to enable William Nall, Sheriff of Wilkes County, to collect all the Taxes due from the said County for the year 1785 & in the year 1786, and to allow him a further time for to settle for his collection with the Treasurer; and also for giving a further time to John May, Sheriff of Rockingham County, to collect the arrearages of the Sinking Fund and Continental Tax in said County, delivered in the same with the amendments; which was read, passed, the third time in this House and sent to the House of Commons.

Received from the House of Commons the Bill to extend an Act Intituled "an Act to pardon and consign to oblivion the offences and
misconduct of certain Persons in the Counties of Washington, Sullivan, Green & Hawkins.” Endorsed, read the first time and passed.

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

Received also the Bill directing the mode of Tryals upon impeachments, and the Bill for levying a Tax in the County of Brunswick for the purpose of building a Gaol therein. The first endorsed, read the second; and the last the third time, amended and passed.

Ordered that these Bills be read, which being read each was passed the third time in this House, the former returned and latter ordered to be Engrossed.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

We propose that the General Assembly proceed to ballot for the field Militia Officers at four o’clock this evening & nominate for
Anson County for Lt. Colo.—Thomas Wade & William Wood.
Cumberland County—James Porterfield, Colo.; Nathan King, Lt. Colo.; James Moore, 1st Major; David McKeathen, 2d Major.
Beaufort County—Edmund McKiel, Lt. Colo.; Richard Respess, 1st Major; Thomas Smith, 2d Major.
Currituck County—James Phillips, Lt. Colo.; Andrew Drake, 1st Major; Thomas Poyner, 2d Major.
Camden County—Henry Forbes, Lt. Colo.; Jacob Taylor, 1st Major; Thomas Surry, 2d Major.
New Hanover County—John Larkins, Lt. Colo.; John Bloodworth, 1st Major; William Wright, 2d Major.

Robeson County—Elías Barnes, Lt. Colo.


Edgecombe County—James Scarborough, 1st Major; John Dolvin, 2d Major.

We agree to ballot again as by you proposed for Brigadier General for the District of Fayette & for a Judge for Port Swansborough, but are of opinion the Colo. of Cavalry for the District of Washington (agreeable to the former determination of the two Houses) is legally elected to that appointment.

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

Mr. Speaker, &c.:

We cannot by any means at this late hour of the Session, agree to ballot for the officers to command the different regiments of Militia in this State, as mentioned in your Message, but propose that they be recommended by the Members of the respective Counties as in case of Justices of the Peace.

We are now ready to proceed on the balloting proposed in our Message of this day's date, and cannot forego our determination with respect to the Colo. of Horse for the Washington District.

Should you approve of our proposition relative to the appointment of Field officers it is our opinion that strict attention be paid to the order of seniority.

Read also the following Message:

Mr. Speaker & Gentlemen:

We agree to your last Proposition relative to balloting this Evening for a brigadier Genl. and a Judge of the Marine Court for Port Swansboro'. As the Session is now too far advanced to proceed to balloting for Field Officers we propose that the appointment of them be postponed till next Assembly.

With respect of the Col. of Cavalry for Washington district we
are clearly of opinion that agreeably to your own Message of yester-
day, agreed to by this House, Mr. Hays was properly Elected as hav-
ing the greatest altho' not a majority of the two Houses, to which 
Message together with the Governor's Message & Col. Taylor’s letter 
on this subject, we beg leave to refer you.

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

Mr. Speaker, &c.:

Your second Message on the subject of balloting we have received.  
As to your proposition relative to postponing the balloting for officers 
of the several Counties we do not either reject or agree to, but refer 
you to a clause annexed to the bill for enlarging the jurisdiction of the 
County Courts, to which if you agree the necessity of choosing these 
officers by Ballot will be done away.  We propose that the appoint-
ment of a Col. of the Horse for Washington district be deferred 
till next Assembly, the two Houses not being fully possessed of every 
necessary information on this Hand.  We are now ready to proceed 
on the balloting as agreed on.

The two Gentlemen appointed on the part of the House to examine 
the Engrossed Bills having obtained leave of absence, we have app’d 
Mr. Johnston & Mr. Hill to attend to this business.

Received from the House of Commons the Memorial of William 
Blount, Esq.  Endorsed, referred to Mr. McDowell, Mr. Polk and 
Mr. Davie, which being read was, on the part of the Senate, referred to 
Mr. Winston, Mr. Mayo & Mr. McCawley.

Also the Petition of A. Hodge.  Endorsed, referred to Mr. Tatum 
& Mr., Whitfield; which being read was referred on the part of the 
Senate to Mr. Hargett & Mr. Bledsoe.

And the Memorial of the Public Treasurer.  Endorsed, referred 
to Mr. Baker, Mr. Creecy & Mr. Lindley; which being read was, on 
the part of the Senate, referred to Mr. Willis, Mr. Foster and Mr. 
Kennedy.

Received likewise a report of the Committee on the petition of Wil-
liam Alexander & report of the Committee appointed on the petition 
of Mary Balfour.  Each endorsed, read and concurred with; which 
being read were concurred with and returned.

Received also a resolution in favour of Thomas Bridges; a reso-

lution in consequence of the report of the Committee on John Arm-
strong's Memorial and a resolution in favour of Wm. Armstrong; which being read, the first was concurred with and returned, and the two last rejected.

Received also a resolution directing the Clerks of the two Houses to deliver the Secretary of State all dispatches from Congress in their possession; which was read, concurred with and returned.

Mr. Lenoir, from the Committee to whom was referred the Memorial of the Field Officers of Davidson County, reported as follows:

That they have examined the accounts laid before them by Col. Robertson and find them fairly stated, and that the whole of the Militia Services performed by the Inhabitants of said County agreeably to said accounts, including Provisions furnished, amounts to two thousand Six Hundred Twelve Pounds 18s 2d; that the accounts rendered by Col. Bledsoe for services performed in the Militia by the Inhabitants of Sumner County (then Davidson) including Provisions furnished, appears also to be fairly stated and amounts to three Hundred and twenty-five pounds one shilling and Ten pence, and that the total amount of the whole is Two Thousand Nine Hundred and thirty Eight pounds.

Your Committee are therefore of opinion that the Comptroller be directed to issue certificates to the respective individuals, agreeable to the annexed pay rolls, for the amount of pay due to them in consequence of such services; also to such Persons as have furnished provision and other necessaries for the use of said Troops agreeable to the accounts and Vouchers herewith rendered.

All which is submitted.

WM. LENOIR, Chm.

The House taking the foregoing report into Consideration, concurred therewith.

Received from the House of Commons the report of the Committee on the Petition of Benjn. Gaylard; the report of the Committee on the Memorial of Francis Child; the report of the Committee on the account of Robert Rowan; the report of the Committee on the Comptroller's return of Confiscated Property; the report of the Committee on the petition of Stephen Moore; the report of the Committee on the Memorial of the Exrs. of Genl. Davidson; the report of the Committee on the petition of Daniel Shaw; the report of the Committee on the representation of John Haywood, and the report of
the Committee on the Petition of Wm. Wootton. Respectively endorsed, read and concurred with.

Received also the resolution of this House requiring the Secretary of State to call on all Persons having in their hands books of record belonging to his office; & the report of the Committee on the petition of James Mulloy. Endorsed, read & concurred with.

Also the report of the Committee on the Memorial of John Armstrong, Entry Taker. Likewise endorsed, concurred with.

Adjourned till To-morrow Morning, 10 o'clock.

FRIDAY, 21 Decr., 1787.

The House met according to adjournment.

Mr. Person, from the Committee of Finance, delivered in the following report:

The Committee of Finance, to whom was referred the Memorial of John Geddy, Esqr., late Sheriff of Halifax County, report,

That it appears to them Mr. Geddy did receive in payment of public Taxes for the year 1785, sundry due Bills issued by the Commissioners of Army accounts at Warrenton, in the year 1786, to the amount of four Hundred and Ten pounds, also three pension Certificates, all which the Treasurer has refused to receive in settlement of his account on these principles, viz: that the due bills were of the number of those condemned by the last General Assembly and the pension Certificates were granted for arrears or back pay from the first of January, 1782.

The Committee are of opinion that as Mr. Geddy did receive said due Bills prior to his having any knowledge of their being fraudulent and with the express approbation of the late Treasurer, and as the pension Certificates were issued from the Commissioners under a misconstruction of the law making provision for Invalids, the Treasurer be directed and authorized to receive said two Bills and Certificates in settlement of said accounts, & that Mr. Geddy shall deliver with his accounts a list of said due Bills, on oath that he had actually received them as set forth in his Memorial with the names of the Persons from whom the same were respectively by him received, in order that if they shall hereafter appear to have been fraudulently obtained the State may have remedy of the Persons so obtaining the same.

Your Committee are further of opinion that the Treasurer be di-
rected to receive in settlement of accounts with all Sheriffs who may tender them, such pension Certificates as they may have received in payment of public Taxes prior to the present resolve, the said Sheriffs respectively taking an oath, which the Treasurer shall be empowered to administer, that they had actually received such Certificates in payment of public taxes before the passing said resolve.

And further your Committee recommend, that the Comptroller be directed in future settlements with pensioners, where it shall appear that allowances have been made for arrearages prior to the passing of the Law for granting pensions, to deduct from such future allowances all such sum or sums as shall to him appear to have been granted contrary to Law; and that the Treasurer furnish him with compleat List of all Pensions by him paid together with a State of the time for which such allowances were made; also that the Clerks of the two Houses transmit as soon as may be to the Commissioners for granting pensions in the several districts, the Sense of this Committee on the Law for granting pensions.

All which is submitted.

THO. PERSON, Chm.

Mr. Willis and Mr. Riddick, appointed on the part of this House to superintend the balloting for a Brigadier General for the district of Fayette and Judge of the Marine Court for the Port of Swansborough, reported as follows, to-wit:

That having executed the duties of their appointment find on casting up the Scrolls that Richard Clinton, Esquire, is appointed Brigadier General for the District of Fayette, and Reuben Snead, Esq., Judge of the Marine Court for the Port of Swansborough, by a Majority of Votes.

The House taking the foregoing report into consideration, Resolved, That they do concur therewith.

Mr. Gallaway, who had leave to withdraw for amendment the Bill to extend an Act Intituled “an Act to pardon & consign to oblivion the offences and misconduct of certain Persons in the Counties of Washington, Sullivan, Green & Hawkins,” delivered in the same with the amendments; which was read, passed the third time & sent to the House of Commons.

Mr. Person, from the Committee delivered in the following report,

That having taken into consideration the said Petition it appears

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from the information of Col. McCawley & Col. Mebane that the facts contained therein are true.

They therefore recommend that the Monies paid by the Husband of the said Eliza Williams in his life time, as interest due on his Bond given to the public for the Lott Mentioned in said Petition amounting to twenty-six pounds, be refunded to the said Eliza Williams on her making a reconveyance of the said Lott to the public.

THO. PERSON, Chm.

The Committee to whom was referred the representation of Hardy Murfree, Esquire, Commissioner of Confiscated Property for the district of Edenton, report,

That having taken under consideration the representation, it appears by the information of Col. Hardy Murfree that the Surveyor of Tyrrell County made a return to him as Commissioner aforesaid, of two thousand and thirty-two Acres of Land which he had surveyed as the property of Governor White of the West Indies, which said lands were sold agreeable to said return. It further appears that on complaint made to the Commissioner by a certain Thomas Buncomb, that part of the above mentioned Lands was his property, a recovery was had by which it appears that only one thousand & sixteen Acres of said Land was the property of the above mentioned Governor White.

Your Committee are therefore of opinion that the Governor be directed to issue a grant in favour of the purchaser agreeable to the last mentioned Survey and that the Commissioner of Confiscated property make a proportionable deduction out of the purchase Money on his settlement with the purchaser, respect being had to the number of Acres Sold, and that such deduction be allowed the Commissioner in his settlement with the public.

All which is submitted.

THO. PERSON, Chm.

The Committee to whom the Petition of Edmund Blount was referred, report,

That having taken under consideration the said Petition & examined the papers produced in support of the same, together with the information of Col. Nicholas Long, they are of opinion that the facts are not properly supported, therefore reject the Petition.

All which is submitted.

THO. PERSON, Chm.
The House taking the foregoing reports into consideration, Resolved, That they do concur therewith.

Mr. Person, from the Committee of Finance, to whom was referred a representation of the Comptroller & State of balances due the State from Sundry Individuals, report,

That they are of opinion where it shall appear to the Comptroller and Treasurer, or either of them, that where bonds shall have been given specifying that Certificates should be received in discharge thereof, in that case Certificates shall and may be received, and where Money shall be expressed in such Bond Money shall only be received in discharge thereof, and that this shall extend to accounts liquidated which stand open against Individuals in all cases whatsoever.

All which is submitted.

THOMAS PERSON, Chm.

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

Mr. Willis, from the Committee to whom was referred the representation of the public Treasurer of yesterday's date, report:

That they have considered the same and are clearly of opinion that the Treasurer was not only justifiable but was compelled to take up the Warrant granted to Capt. Long which is mentioned in the representation, for as there was and still is a positive Law both for the granting and payment of such Warrants the Treasurer was not at Liberty to refuse it. Your Committee are however of opinion this Law should not hereafter be carried into execution, but that part thereof which directs the granting Commissioners of Confiscation Warrants on the Treasury for their Commission should be repealed.

Your Committee are further of opinion that the reports of the balance due by Sundry Individuals yesterday laid before the Assembly by the Treasurer, ought not to be put in suit. As to the fines imposed at Warrens and which are yet unaccounted for, it is the opinion of your Committee that the Treasurer bring suit for them without delay, in whatever Hands the Monies may be.

All which is submitted.

J. WILLIS, Chm.

The House taking the foregoing report into consideration, Resolved, That they do concur therewith.
Received from the House of Commons the Bill for Levying a tax for the support of Government, & for the redemption of the old paper Currency, Continental Money, & Specie & other Certificates. Endorsed, read the second time, amended & passed.

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

Resolved, That as soon as John Johnston shall pay into the Hands of the Treasurer the sum of one Thousand and Eight-eight pounds Current Money, or give his bond with Security to the Treasurer for that Law payable to the Governor and his Successors for the use of the State agreeable to the report of the Committee concurred with by both Houses, That he be released from the obligation given by him to the Commissioner of Confiscated property for the District of Edenton and that the Commissioner deliver up the same to the said John Johnston to be cancelled.

Sent for Concurrence.

Received from the House of Commons the following reports, to-wit:

The report of the Committee on whom the representation of the Comptroller & return of Debts due the State; the report of the Committee on the Petition of Eliza Williams; The report of the Committee on the representation of Hardy Murrone; The report of the Committee on the Petition of Edmund Blount, and the resolution of this House in favour of Peter Goodwin. Respectively endorsed, read & concurred with.

Received from the House of Commons the following Message:

Mr. Speaker, &c.:

We have concurred with the report on the representation of Mr. Fenner as by you amended. We conceive the part you have struck out should be adopted, as it will certainly produce a Specie credit with the United States which cannot be obtained by other means with as much facility; we therefore take the liberty of recommending the reconsideration thereof and that it be again inserted.

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

Mr. Speaker, &c.:

We cannot agree to resume the consideration of that part of the
report of the Committee on the representation of Robert Fenner as was rejected by this House.

Mr. Hargott, from the Committee appointed on the Memorial of Hodge and Blanchard, Public Printers, reported as follows:

That they have examined the premises to them committed and are of opinion that owing to the Multiplicity of the business of the last Session the public printers were ordered to perform many additional services besides those expressed in the Law ascertaining their duty, and your Committee conclude that considering the difficulties of procuring paper, Types, &c., it is reasonable that the sum of one Hundred and Fifty Pounds be allowed them in compensation for the following & other extra services, viz: Publishing the accounts of the late Treasurer which are added to the Journals, furnishing one Hundred and fifty Copies of Baron Steuben's Military Instructions, fifteen Hundred Copies of the Federal Constitution and three Hundred Resolves for calling a Convention.

Your Committee therefore recommend the following resolve:

Resolved, That the Treasurer be and he is hereby authorized and required to pay A. Hodge and Blanchard the sum of one Hundred and Fifty Pounds in full consideration for the extra services as set forth in their Memorial and agreeably to the report of the Committee thereon.

All which is submitted.

FREDERICK HARGOTT, Chm.

The House taking the foregoing report into consideration, Resolved, That they do concur therewith.

Received from the House of Commons the report of the Committee on the petition of John Geddy, and the report of the Committee on the Petition of the Field Officers of Davidson County. Endorsed, Concurred with.

Also a report of the Committee appointed to examine and cause to be destroyed money in the Hands of the Treasurer unfit for further circulation; which being read was concurred with and returned.

On reading the proposition of the House of Commons relative to a reconsideration of the report of the Committee on the representation of Robert Fenner, which part is as follows, to-wit: Mr. Fenner further proposed to the Committee to negotiate on the foregoing principles to the amount of seventeen Thousand Dollars, which they are of
opinion, and they recommend, that his Excellency the Governor, be directed to issue Warrants on the contingent fund for the whole amount or such part thereof as said fund may be enabled to discharge, regard being had to other drafts which must be actually paid out of said fund, and taking receipts of the Commissioner of the Loan Office as aforesaid.

Received from the House of Commons the bill for the more regular collecting and accounting for the revenues of the State, for allowing the public Treasurer a Clerk and for the Collection of arrears. Endorsed, read the second time, amended & passed.

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

Mr. Jordan, from the Committee, delivered in the following reports, vizt:

The Committee of Propositions and Grievances, to whom the Petition of Richard Good, Sheriff of Surry County, was referred, report, That the said Good by his Petition, charges that for the year 1785 he collected the Taxes for the said County, that in a Settlement with the Treasurer he could not obtain interest in the Certificates for part of said Taxes to a higher period that the first of June in each year, altho' by Law he was not allowed to settle with the Treasurer until the first week in August.

Your Committee taking the matter in consideration are of opinion that the said Good is not entitled to Interest on the Certificates by him so collected and paid after the first day of June, the time appointed by Law for the settlement with the Collectors, wherefore they recommend that the said Petition be rejected.

JNO. JOHNSTON, Chm.

The Committee of Propositions and Grievances, to whom was referred the Petition of John Humphries, report that in the year 1781 two Hogsheads of Rum and spirits were impressed for the use of the State from the said Humphries in the Town of Halifax, that at the Wake Assembly in the year aforesaid, he made application for payment and was allowed therefore. The said Humphries failing to introduce any Testimony or supporting the Charge by his own Oath that he hath not received the allowance made as above is a sufficient inducement for your Committee to recommend that the said Petition be laid over till the next Assembly.

JNO. JOHNSTON, Chm.
The House taking the foregoing reports into consideration, Resolved, That they do concur therewith.

Received from the House of Commons a resolve on the subject of the Navigation of the Mississippi; a resolve directing the Comptroller to deliver a Certificate in his possession, Issued in the name of Thomas Amis, to Timothy Bloodworth, Esqr.; a resolve allowing Wyche Good a certain Sum, and a resolve directing the Public Treasurer to publish the amount of Current Money Burned at the present Assembly; which being read, were Concluded with and returned.

Mr. Irwin, from the Committee to whom was referred the Memorial of John Brevard, report:

That the said Brevard was Sheriff for Rowan County for the year 1782, that he collected the Taxes for the said year in Specie and Cloathing Certificates, that from sundry casualties happening to the district Treasury officer he was prevented making final settlement of his accounts and that he made application to the State Treasurer who concurred that it was not authorized by Law to settle accounts of so early a date, by all which means the accounts of the said Brevard remain unsettled. Your Committee therefore, taking these things into consideration, are of opinion that the present Treasurer be directed to settle the same agreeable to an act of the Assembly made for that purpose, together with the resolve of 1783.

It is therefore resolved, That the State Treasurer receive from the said Brevard the Clothing Certificates which he may have received in said Tax and whatever balance may remain in the present Specie Certificates of this State, without interest.

ROBERT IRWIN, Chm.

The House taking the foregoing report into Consideration, Resolved That they do concur therewith.

Received from the House of Commons a report of the Committee appointed to burn such of the Current Money of this State now in the Hands of the Treasurer as is unfit for circulation; & a report of the Committee appointed on the Memorial of William Blount, Esquire, which were read, concurred with and returned.

Received also, a resolution directing the Comptroller to remove the public papers in his possession to Hillsboro; and a resolution expressive of the thanks of the General Assembly to the Honble Richard
Caswell, Esquire, late Governor of this State for his faithful services; which being read each was concurred with & returned.

Mr. Person, from the Committee to whom was referred the Memorial of John Willis, reported as follows, to-wit:

That having taken the same into consideration & examined the papers laid before them in support thereof, it appears that of the property of the said John Kersey there was sold to a greater amount than the debt claimed by the Memorialist, and the Money actually paid into the Treasury.

Your Committee are therefore of opinion that the Treasurer be directed to pay to the said John Willis the sum of fifty-five pounds fifteen Shillings and four pence, it being the amount of the sum due from said John Kersey's Estate to the Memorialist.

THO. PERSON, Chm.

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

Received from the House of Commons a report of the Committee to whom was referred the Message of his Excellency the Governor, relative to the Artillery of this State; and resolution reappointing the Commission for purchasing Tobacco; which were read, concurred with and returned.

On motion resolved, That the Estate of Henry Montfort, which was sequestered by an Act of the General Assembly, be released from the same on his giving bond and approved security to the Governor for the amount of all new due Bills and Certificates which may appear on an investigation to have been unlawfully drawn by said Montfort out of the public Treasury of this State; and it is further Resolved, That the said Montfort may if he thinks proper, give landed and Negro security, such as shall be approved of by the Governor.

Sent for concurrence.

Mr. Irwin, from the Committee to whom was referred the claim of James Davis, report:

That they have taken the same under consideration and examined the several papers laid before them, by which it appears that the Auditors of the New Bern district did in the year 1782, issue in favour of James Davis a Certificate for the sum of two Hundred & thirty three Pounds 6 shilling 8 pence for sundries.

Your Committee are of opinion, as they have not been fully in-
formed whether the said Certificate was issued for his services as
Public Printer or for Specific supplies, that it be over laid until next
Assembly for a more full information on the subject.
All which is submitted.

ROBT. IRWIN, Chm.

The House taking the foregoing report into consideration, Concur-
red therewith.

On reading a Message from the House of Commons for raising a
tax on Lands from one Shilling on the Hundred Acres, as it went
from this House, to three West of the Apalachian Mountain, it was
proposed that the proposition be rejected; which being determined on
was carried in the affirmative. It was then proposed that it be made
two Shillings, which being objected to and the question taken thereon,
was also carried in the affirmative; whereupon on motion of Mr. Ken-
dedy, seconded by Mr. Person, Ordered that the yeas and nays be
taken on this question which are as follows, to-wit:

For the motion—Mr. Mayo, Mr. Battle, Mr. Griffin, Mr. Williams,
Mr. Overton, Mr. Boon, Mr. Mooring, Mr. McCawley, Mr. Moore,
Mr. Jordan, Mr. Clinton, Mr. Winston, Mr. Person, Mr. Kennedy,
Mr. Relfe, Mr. Reddick, Mr. Willis and Mr. Mitchell.—18.

Against the motion—Mr. Ramsay, Mr. Lenoir, Mr. Bledsoe, Mr.
Berger, Mr. Long, Mr. Irwin, Mr. Robinson, Mr. Martin, Mr. Owen,
Mr. Miller, Mr. McDowall, Mr. Gallaway, Mr. Kennedy, Mr. Har-
gott, Mr. Foster.—15.

Received from the House of Commons the following reports, to-wit:
The report of the Committee on the Petition of the Public Printer;
The report of the Committee on the Petition of Richard Good;
The report of the Committee on the Petition of John Humphries;
The report of the Committee on the petition of John Brevard;
The report of the Committee on the representation of Robert
Fenner;
The Resolution of this House in favour of Henry Montfort. Re-
spectively endorsed, concurred with.

Also a resolution directing the Clerks of the Assembly to furnish
the several officers of State the resolutions respecting their depart-
ments, which being read and concurred with was returned.

Received likewise a resolution permitting the Secretary of State to
continue his office at the usual place until the seat of Government shall be fixed, which being read was rejected.

Received likewise the following Message:

Mr. Speaker & Gentlemen:

We propose that the report of the Committee on the papers relative to the Indian Treaties be amended by annexing the Clause herewith sent to the recommendation of the Committee.

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

Mr. Speaker, &c.:

We agree to your proposition relative to the amending the report of the Committee on Indian Treaties and have sent it herewith, in order that you may enter your concurrence thereto.

On motion of Mr. Gallaway, ordered that the following resolution be entered into and sent to the House of Commons:

Whereas, it is represented to the General Assembly that sundry good Citizens of this State have heretofore contracted with Thomas Polk and other agents of Henry Eustace McCulloch for lands, and gave their Bonds and other assurances for the payments of the purchase money, and also received obligations conditioned that titles to the same should be made to them. And whereas, it is but just and reasonable that they should have titles executed to them on their paying into the public Treasury the full amount of the purchase money, with Interest thereon from the time the payment ought to have been made until paid. And whereas, this Session of Assembly is now so far advanced as to render it impracticable to bring forward a Bill to be passed into a Law for that purpose, wherefore,

Resolved unanimously, That in all cases when it shall appear to any of the Commissioners of Confiscated Estates that any of the present possessors being claimants of any land supposed to be Confiscated, ground their claims to the same in consequence of Contracts made as aforesaid, the said Commissioners are hereby directed and required to forbear exposing the same to sale until the end of the next General Assembly, and that they report the same, with the Bonds and claims, together with such facts relating thereto as shall come to their knowledge, to the next Assembly, to the end that the same may be fully investigated.

Note—The concluding part of this Journal is lost.—En.