At a General Assembly begun and held at Fayetteville on the third day of November, in the year of our Lord One Thousand Seven Hundred and Eighty-eight, and of the Independence of the United States the thirteenth, it being the first Session of this present Assembly.

The returning officers for the several Counties in this State certified that the following persons were duly elected to represent such Counties in the Senate, Viz.:

Anson, John Auld;
Beaufort,
Bertie,
Brunswick, Lewis Dupree;
Bladen,
Burke, Cha. McDowall;
Craven, Benj. Williams;
Cumberland, Alex. McAlister;
Carteret, Joseph Hill;
Currituck,
Chowan, Cha. Johnston;
Camden, Isaac Gregory;
Caswell, Robert Payne;
Chatham, Ambrose Ramsey;
Dobbs, Richard Caswell;
Duplin, Jas. Kenan;
Davidson, Jas. Robertson;
Edgecombe, Etheldred Gray;
Franklin, Thomas Brickell;
Guilford, Alex. Martin;
Granville, Memucan Hunt;
Gates, Jos. Reddick;
Greene, Jas. Roddy;
Halifax,
Hertford, Robt. Montgomery;
Hyde,
Hawkins, Thomas Amis;
Johnston, Arthur Bryan;
Jones, Fred Hargett;
Lincoln, Joseph Dixon;
Moore, Thomas Overton;
Martin,
Mecklenburg, Joseph Graham;
Montgomery, David Nisbett;
Northampton, John Binford;
New Hanover, Timothy Bloodworth;
Nash, Redmond Bunn;
Onslow, Thomas Johnston;
Orange, Wm. McCawley;
Pasquotank, Joseph Keeton;
Perquimans, Thomas Harvey;
Pitt, Wm. Blount;
Rowan, Basil Gaither;
Randolph, Thos. Dugan;
Richmond,
Rutherford,
Rockingham,
Robeson, John Willis,
Surry, John Armstrong;
Sullivan,
Sampson,
Sumner,
Tyrrell,
Washington, John Tipton;
Warren, John Macon;
Wayne,
Wake, Joel Lane;
Wilkes, William Lenoir.

Pursuant to which the following Members appeared, presented their Certificates of their Election, were qualified agreeably to Law & took their Seats, Viz.:

STATE RECORDS.


Mr. Caswell proposed for Speaker the Honourable Alexander Martin, Esquire, who was unanimously chosen and placed in the Chair accordingly.

On motion, S. Haywood was appointed Clerk and Montford Stokes Assistant.

At the same time William Murphy and Nicholas Murphy were appointed Doorkeepers.

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 public business.

Adjourned till To-morrow Morning 10 O'Clock.

TUESDAY, 4th Nov., 1788.

The House met.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

This House have received the Message of the Senate acquainting them that that House is formed and ready to proceed on the dispatch of public business. In answer to which we inform you this House is also formed.

Mr. Willie Jones, the Member for the County of Halifax, Mr. John Auld the Member for the County of Anson, Mr. Richard McKinnie the Member for the County of Wayne, and Mr. Hardy Holmes the Member for the County of Sampson, appeared, presented the Certificates of their Election, were qualified agreeably to Law & took their Seats.

On motion of Mr. Macon, seconded by Mr. Blount, it was ordered that the following Message be presented His Excellency the Governor, first having the approbation of the House of Commons:
To His Excellency Samuel Johnston, Esquire, Governor, Captain-General, &c., &c.:

Sir:

The General Assembly inform your Excellency that they are now convened & ready to receive such Dispatches & other Public Matters as you may have to lay before them.

Mr. Speaker & Gentlemen:

The Message which accompanies this we propose shall be presented His Excellency the Governor, should it meet your Concurrence. Mr. Blount and Mr. Williams will, on the part of the Senate, attend and present him with the same.

On motion, Resolved, That Mr. Macon, Mr. Caswell, Mr. Gregory, Mr. McDowall, Mr. Jones, Mr. Lenoir & Mr. Charles Johnston be a Committee of Privileges and Elections.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

We have agreed to the Address proposed to be presented to His Excellency the Governor, and appointed Mr. Cabarrus & Mr. Steele to attend His Excellency with the same.

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

Mr. Speaker, &c.:

We have appointed Mr. Dixon, Mr. Graham, Mr. Hunt, Mr. Harget, Mr. Tipton, Mr. Dupree & Mr. Brickell a Committee of Claims, who will act jointly with such Gentlemen of the House of Commons as may be appointed for this purpose. We have also appointed Mr. Lane, Mr. Overton, Mr. Montgomery, Mr. McKennie, Mr. Ramsey, Mr. Reddick & Mr. Holmes a Committee of Propositions and Grievances.

On motion of Mr. Willie Jones, seconded by Mr. Caswell, it was 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 Bills of a general nature are necessary to be passed into Laws at the present Assembly, and to prepare and introduce the same; for this purpose we have appointed Mr. Charles Johnston, Mr. Cas-
well, Mr. Jones, Mr. Lenoir, Mr. Bloodworth, Mr. Hunt, Mr. Willis, Mr. Amis & Mr. Gaither.

Received from the House of Commons the following Message:
Mr. Speaker & Gentlemen:

We propose that a Committee be appointed from both Houses to enquire into the present State and Condition of the Public revenue and to make a report thereon. We have on our parts appointed Mr. Tatum, Mr. Cummings, Mr. Joseph McDowall, senior, Mr. Skinner, Mr. Edward Jones, Mr. Lindley, Mr. Wm. McClain, Mr. Barnes, Mr. Bethell, Mr. John Jones, Mr. Edward Williams, Mr. McDowall, junior, and Mr. Branch. We have appointed Mr. Stewart, Mr. Phillips, Mr. Lennard, Mr. Porter, Mr. King, Mr. Phifer, Mr. Hinton, Mr. Harvey, and Mr. Joseph McDowall to act with the Gentlemen you have appointed as a Committee of Claims. We have also appointed Mr. Person, Mr. E. Robinson, Mr. Phifer, Mr. Hardeman, Mr. Dauge, Mr. Sanders, Mr. Creecy, Mr. Everagain & Mr. John Brown to act on our parts as a Committee of Propositions and Grievances.

Mr. Speaker laid before the House a Letter from Francis Child, Esquire, Comptroller of this State, setting forth the progress he had made and manner of adjusting the accounts of this State with the United States, which being read was, on the part of the Senate, referred to Mr. Gregory, Mr. Jones, Mr. Caswell and Mr. Blount and sent to the House of Commons for their Concurrence on such reference.

Received from the House of Commons a Resolution directing that the Committee appointed to enquire into the State and condition of the public revenue do also report the Nett proceeds of our Revenues, and the amount and nature of our public debts; which was read, Concluded with and returned.

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

We have on our parts appointed Mr. Person, Mr. Jas. Stewart, Mr. Cabarrus, Mr. Steele, Mr. Graves, Mr. Cumming, Mr. Joseph McDowall, Mr. Gowdy, Mr. Mebane & Mr. Horn, to act with the Gentlemen by you appointed as a Committee to consider of and report what Bills of a public nature are necessary to be passed into Laws at the present Session and to prepare the same.
Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

We agree with you in the appointment of a Committee to enquire into the present state and condition of the public Revenues, and have nominated Mr. Blount, Mr. Williams, Mr. Macon, Mr. Gregory, Mr. Graham and Mr. Hunt, who will act jointly with the Gentlemen by you named for this purpose.

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

Mr. Speaker & Gentlemen:

It is the sense of this House that three Engrossing and Committee Clerks be made choice of by Ballot this Evening at 4 O'Clock, and Nominate Mr. Abisha Thomas, Mr. Curtis Ivey, Mr. Pleasant Henderson, Mr. James Rhodes & Mr. Joseph Dixon.

We also propose that those three who on casting up the Poll shall appear to have the greatest number of votes, be deemed duly elected, tho' they fall short of a Majority of the Votes of the two Houses; should these propositions meet your approbation, Mr. Overton and Mr. Dupree will, on the part of the Senate, conduct the balloting. We further propose that the Superintendents, in order to save time, wait on the Houses separately to receive the ballots.

Received from the House of Commons the following Message, in answer to the above:

Mr. Speaker & Gentlemen:

We concur with your proposition relative to the Election of Engrossing and Committee Clerks and have on our parts appointed Mr. Ward and Mr. Hawkins to superintend the balloting.

Mr. Speaker laid before the House a Letter from the Hon'bl. Samuel Spencer, enclosing several Presentments of the Grand Jury of Morgan District; which being read were ordered to be sent to the House of Commons.

Adjourned till 4 O'Clock P. M.

The House met according to Adjournment.

On motion of Mr. Bloodworth, 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 added the name of Duncan Ockeltree to the nomination for Clerk.

On motion of Mr. Macon, seconded by Mr. Bloodworth, Ordered that the following rules of decorum be observed by the Senate during the present Session of Assembly, viz.:

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

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

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

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

5. When any Member is speaking, no other shall stand or interrupt him, but when he has done speaking & taken his seat, any other Member may arise observing the rules.

6. 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.

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

8. 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.

9. No Member speaking to be disturbed by coughing, spitting, conversation or otherwise, and whoever by Speaking, hissing or in any other manner wilfully or carelessly disturbeth or interrupteth any Member on the floor, he shall answer it at the bar, and be liable to be censured by the Speaker.

10. He that digresseth from the subject to fall on the person of any Member shall be suppressed by the Speaker.

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

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

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

14. The order of the day shall not be postponed to take up any other business, unless with the unanimous consent of the House, or by calling the previous question.

15. No heats or Animosities shall be permitted in the House.

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

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

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

19. If there should be an inequality of votes for & against any question, the Speaker shall declare whether he be a Yea or Nay, but shall in no other case give his vote.

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

Received from the House of Commons the Letter and representation of Francis Child, Esquire. Endorsed, read and referred on the part of this House to Mr. Cabarrus, Mr. Person, Mr. Mebane, Mr. Steele, Mr. Gowdy, Mr. Williams, Mr. E. Jones & Mr. Cummings.

Mr. Rich. Singleton, the Member for the County of Rutherford, appeared, produced the Certificate for his Election, qualified agreeably to Law and took his Seat.

On motion of Mr. Bloodworth, Ordered that Mr. James Kenan have leave to absent himself from the service of this House.

Adjourned till To-morrow Morning 10 O'Clock.

**Wednesday, 5th Nov., 1788.**

The House met.

Mr. Overton and Mr. Dupree, appointed on the part of this House to conduct and superintend the Balloting for Engrossing and Com-
mittee Clerks, delivered in the following report: That having executed the business of their appointment they find on casting up the Poll, that Mr. Pleasant Henderson, Mr. Curtis Ivey and Mr. Abisha Thomas were made choice of by a Majority of votes.

The House taking this report into consideration, concurred therewith.

Mr. Dupree presented the Petition of Sarah Dupree of Brunswick County; which was read, referred on the part of this House to the Committee of Claims, & sent to the House of Commons.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

This House have added Mr. Cabarrus to the Committee appointed to enquire into the present State and condition of the Public revenues.

Received also a Memorial of John Williams, a Memorial of William Courtney, and a Memorial of William Jameson. Each endorsed, referred to the Committee of Propositions and Grievances; which being read, were severally referred in like manner and returned.

Received likewise the following Message:

Mr. Speaker & Gentlemen:

We herewith send you a File of Papers, Endorsed "papers relating to the Inhabitants on the Western Waters," part of the papers transmitted by His Excellency the Governor, which we propose referring to a select Committee and have appointed on the part of this House, Mr. McDowall, Mr. Hamilton, Mr. McDowall, Jun., Mr. Caldwell, Mr. Sawyer, Mr. Steele, Mr. Stewart, Mr. McClain and Mr. R. Robertson.

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 in referring the Papers laid before this Assembly by His Excellency the Governor, relative to the Inhabitants on the Western Waters, to a special Committee; and have appointed Mr. Tipton, Mr. Caswell, Mr. Jones, Mr. Amis, Mr. Blount, Mr. McDowall, and Mr. Gregory, who will act jointly with the Gentlemen by you named for this purpose.

Adjourned till To-morrow Morning 10 O'Clock,
THURSDAY, 6th Nov., 1788.

The House met according to adjournment.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

A file of Papers endorsed "Letters from the Comptroller and Commissioner for settling Acc'ts," this day received from His Excellency the Governor, herewith sent you, we propose shall be referred to the Committee appointed on the representation of the Comptroller.

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 File of Papers laid before the Assembly by His Excellency the Governor, respecting the offices of the Comptroller and Commissioner of Accounts, be referred to the Consideration of the Committee appointed on the representation of the Comptroller.

Mr. Thomas Brown, the Member for the County of Bladen, appeared, presented the Certificate of his Election, was qualified agreeably to Law and took his Seat.

On motion of Mr. Hunt, seconded by Mr. Caswell, ordered that Mr. Willie Jones and Mr. Charles Johnston be added to the Committee appointed to examine into and report on the present state of the public revenue, and that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

We have added to the Committee appointed to examine into & report on the state of the public Revenue, Mr. Willie Jones and Charles Johnston.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

We herewith send you a Message from His Excellency the Governor, with the several public dispatches therein referred to, which we propose referring to the Committee on Revenue, except those already referred.

The foregoing being read, it was ordered that the following Message be sent to the House of Commons:
Mr. Speaker & Gentlemen:

We have received your Message enclosing an Address from His Excellency the Governor, of yesterday's date, together with the Papers therein alluded to, but do not wholly agree to the references by you made.

It is the opinion of this House that the papers relating to Indian Treaties be reported on by the Committee appointed on the papers relative to the disorders in the Western parts of this State. That the File of papers relating to the several Conventions, Letters from the Secretary of Foreign Affairs, and those from the Governor of Virginia, be submitted to the consideration of the Committee appointed to report what Bills of a public nature are necessary to be passed at the present Assembly. As to those not herein mentioned we agree that they stand referred as by you proposed.

On motion of Mr. Johnston, seconded by Mr. Macon, ordered that Mr. Blount be added to the Committee appointed to prepare and introduce Bills of a public nature, and that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

We have added Mr. Blount to the Committee appointed to prepare and introduce such Bills of a public nature as they shall think necessary to be passed by the present Assembly.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

We herewith send you a Message this day received from His Excellency the Governor, addressed to the General Assembly, together with the Letter and Documents therein referred to, which we propose referring to the Committee on Revenue.

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

Mr. Speaker & Gentlemen:

We agree that the Message from His Excellency the Governor, of to-day together with its inclosures, be referred to the Committee appointed to report on the present states of the public revenue.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

We have added Mr. John Pugh Williams and Mr. Steele to the
Committee on Revenue, and Mr. Moore to the Committee on Propositions and Grievances.

Received also a Bill for dividing the County of Rowan. Endorsed, read the first time and passed.

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

Adjourned till To-morrow Morning 10 O'Clock.

Friday, 7th Nov., 1788.

The House met according to adjournment.

Mr. William Brown, the Member for the County of Beaufort, appeared, presented the Certificate of his Election, was qualified agreeably to Law and took his Seat.

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

The Committee to whom was referred the representation of the Comptroller beg leave to report,

That the business of exhibiting the Accounts of this State against the United States, in which the Comptroller is engaged, is of the utmost importance and is in the opinion of this Committee a sufficient excuse for his not attending this Assembly. That as the Accounts for Bounties, pay and depreciation of pay to the late Army of the United States for Money and Specific Articles furnished on requisition of Congress, and for advances to, and disbursements for the Militia, are not passed upon by the Commissioners appointed by Congress to receive the accounts of this State, but are hereafter to be finally adjusted by a Board of three Commissioners.

Your Committee are of Opinion an Agent ought to be appointed on the part of this State to attend at such final settlement, in order (where doubts may arise with respect to the propriety of any Claim exhibited by this State) to explain and prevent the rejection of such Claim, provided the same shall in his opinion be legally founded, and finally to take every necessary step in his power to support the just Claims of this State until the same shall be adjusted on equitable principles. The Committee are also of opinion that the Comptroller be directed to deliver to the Commissioner appointed by Congress to receive all the Accounts and Vouchers in his possession on
which charges against the United States can be founded and for which he can obtain receipts from said Commissioners.
        All which is submitted.

        R. CASWELL, Ch'm.

    The House taking this report into consideration concurred therewith.

    Received from the House of Commons a Petition from sundry of the Inhabitants in the Western parts of this State; A Petition of Daniel McKissick; a Memorial of Edward Bridgen; a Petition of Robert Lynn, & the Petition of Wilson Taylor. Each endorsed, referred to the Committee of Propositions & Grievances; which was read, referred in like manner & returned.

    Received also a Bill to correct the errors & mistakes in an Act Entitled "an Act to amend an Act entitled an Act to remove all disabilities from Simon Cleary and others therein named.” Endorsed, read the first time & passed.

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

    Mr. Hunt presented the Memorial and Petition of John Williams setting forth that his Father James Williams, late of South Carolina, was in the year 1780 entrusted with a considerable Sum of Money to be applied to the use of this State & that by reason of death and other unavoidable accidents, he cannot at this day produce the receipts of disbursement and application, and praying the directing of the Assembly relative thereto; which was read, referred on the part of the Senate to the Committee of Propositions and Grievances and sent to the House of Commons.

    Mr. Jones presented the Memorial of the Honbl. John B. Ashe setting forth that he has purchased at Sale of the Commissioner of Confiscated property for the District of Halifax, and paid the purchase Money, several Tracts of Land supposed to be the property of Archibald Hamilton, but that on an investigation it is found never to have belonged to the said Hamilton; which was read, referred on the part of the Senate to the Committee of Propositions and Grievances & sent to the House of Commons.

    Received from the House of Commons the following Bills, viz.:
          A Bill for dividing the County of Rowan;
          A Bill for dividing the County of Davidson;
A Bill to establish the Town already laid off at the Court House in Caswell County;

A Bill to erect and establish an Academy in the County of Richmond, and a Bill to establish an Inspection of Tobacco in the County of Richmond on the Lands of William Blewell on the South East side of Pee Dee River. Each 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:

We agree that the several papers relating to Indian Treaties & to the several Conventions, from the Secretary of Foreign Affairs & from the Governor of Virginia, be referred as by you proposed.

Mr. Willie Jones moved for leave and presented a Bill to repeal part of an Act Intitled "an Act for the better regulation of the Town of Halifax & extending the liberties thereof, and for altering the mode of Taxing and levying Taxes in the Town of Edenton;" which was read, passed the first time & sent to the House of Commons.

Mr. Harget moved for leave and presented a Bill to annex a part of the County of Carteret to the County of Jones; which was read, passed the first time & sent to the House of Commons.

Mr. McCawley presented the Petition of Richard Clinton, Esqr., of Sampson County, complaining of an undue Election; which being read was, on motion, referred to the Committee on Privileges and Election.

Received from the House of Commons a Petition of Michael Wilder; and a resignation of Frances Cunningham, Justice of the Peace for the County of Lincoln; which being read, the former was rejected and the latter accepted of and returned.

Mr. Caswell presented the Memorial of William Allmore, Merch't of Philadelphia; which was read, referred on the part of the Senate to the Committee appointed to prepare Bills of a public nature & sent to the House of Commons.

Received from the House of Commons a Bill to impower the Commissioners therein mentioned to build a Gaol in the Counties of Richmond and Anson, and to Levy a Tax to defray the expenses thereof. Endorsed, read the first time and passed.
Ordered that this Bill be read, which being read was passed the first time in this House & returned.

Mr. Tipton presented the Petition of a Number of the Inhabitants living on the French Broad, relative to the entry of Land; which being read was referred to the Committee of Propositions & Grievances.

Received from the House of Commons the following Messages:

Mr. Speaker & Gentlemen:

We have added Mr. Maxwell to the Committee to whom was referred the file of Papers relative to the Western Inhabitants & Indian affairs.

Mr. Speaker & Gentlemen:

We herewith send you two Messages this day received from His Excellency the Governor, one inclosing the returns & documents relating to the Battalions Commanded by Major Thomas Evans. The other enclosing two Letters on the subject of Indian affairs; the former we propose referring to the Committee on Revenue, the latter to the Committee on Indian affairs.

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

Mr. Speaker & Gentlemen:

The Message from His Excellency the Governor, of to-day, and Papers accompanying it, we agree with you in referring to the Committee on Indian affairs & for preparing Bills of a public Nature.

Mr. Graham moved for leave and presented a Bill to confirm the Rights and Titles of the several Citizens of this State in certain Negroes therein described, and preventing unjust and vexatious Law Suits; which was read, passed the first time & sent to the House of Commons.

On motion of Mr. Macon, seconded by Mr. Overton, Ordered that Mr. Binford & Mr. Dixon be added to the Committee of Propositions & Grievances, & Mr. Robertson to the Committee on Indian affairs, and that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

We have added Mr. Binford and Mr. Dickson to the Committee
of Propositions and Grievances, and Mr. Robertson to the Commissi-
tee on Indian affairs.

Received from the House of Commons the report of the Commit-
tee on the representation of the Comptroller, and the Memorial of
John Williams. The first endorsed, read and Concurred with, and
the latter referred as by the Senate.

On motion of Mr. Blount, seconded by Mr. Williams, Ordered
that the following Message be sent to the House of Commons:
Mr. Speaker & Gentlemen:

In order that the several Committees may have an opportunity of
preparing the Business of this Session we propose that the two
Houses adjourn till Monday next.

Adjourned till Monday Morning 10 O'Clock.

MONDAY, 10th NOV., 1788.

The House met according to adjournment.

Mr. Johnston and Mr. Macon, appointed to prepare a Bill to con-
tinue an Act passed at Tarborough in December, 1787, intituled "an
Act for fixing the final settlement of unliquidated Claims against
this State and against the United States within this State," presented
the same, which was read, passed the first time & sent to the House
of Commons.

Mr. Bloodworth moved for leave and presented a Bill to appoint
Inspectors for the Ware House built in Fayetteville by Robertson
Montford and James Porterfield, established by Act of Assembly
passed December the 29th, 1785; which was read, passed the first
time & sent to the House of Commons.

Received from the House of Commons a Resolution declaring that
no Member who shall absent himself from the service of either House
shall be entitled to pay during the time of such absence; which was
read, Concurred with and returned.

Received also the following Message:

Mr. Speaker & Gentlemen:

We propose that the General Assembly proceed to ballot on Tues-
day next in the afternoon, for a Governor of this State for the en-
suing year and a Council of State.

We nominate for Governor His Excellency Samuel Johnston, Es-
quire; for Councillors of State, John Kinchen, John Mair, John Skinner & Whitnell Hill, Esqrs.

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

Mr. Speaker & Gentlemen:

We agree that a Governor for this State for the ensuing Year be made choice of by ballot on Tuesday next and approve of your nomination; we also agree to ballot for a Council of State at the same time and add to the nomination of Gentlemen by you made James Armstrong, Thos. Eaton, Jas. Iredell, Dempsey Conner and Josiah Collins, Sen., Esquires.

We propose that a Secretary of State be also ballotted for and nominate to that appointment James Glasgow, Esquire.

Mr. Graham presented the Memorial of John Armstrong, Esqr., relative to the purchase of a certain Tract of Land sold by authority of the Commissioner of Confiscated Estates; which was read, referred on the part of the Senate to the Committee of Propositions and Grievances & sent to the House of Commons.

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

The Committee appointed to consider of and report what Bills of a public nature are necessary to be passed into Laws at the present Session, Report the following, viz.:

A Bill for levying a Tax for the support of Government;
A Bill for carrying into effect the Ordinance of Convention held at Hillsborough, for Establishing a place as the future seat of Government, &c.;
A Bill for levying a tax for sinking Paper Money;
A Bill to amend an Act entituled "an Act for increasing the Jurisdiction of the County Courts," &c., passed at New Bern in Nov. 1785;
A Bill for trial of Persons prosecuted on impeachment;
A Bill for declaring what shall be Treason, &c.;
A Bill for declaring what shall be Misdemeanor in a Justice of the Peace;
A Bill for supplying deficiencies of the records of the several Courts in this State;
A Bill for amending the Militia Law;
A Bill for punishing Piracy;
A Bill to prevent the Importation of Convicts;
A Bill to alter the mode of trial of Slaves for Felony;
A Bill to prevent the further importation of Slaves;
A Bill to punish Bigamy and Polygamy;
A Bill for repealing an Act to regulate the Inspection of Tobacco
in this State, so far as it relates to classing Tobacco;
A Bill for imposing a Tax on Dramatick performers;
A Bill for recovery of debts according to contract;
A Bill to discourage gaming; and
A Bill to direct payment for Slaves executed in the several Dis-
tricts of this State.

WILLIE JONES, Chairman.

The House taking the foregoing report into Consideration, Con-
curred therewith.

Received from the House of Commons the following Bills, viz.:

A Bill to amend an Act entitled "an Act directing the method
of Electing Members of the General Assembly, and more fully ex-
plaining the disqualifying Clauses in the Constitution;"

A Bill to annex part of Dobbs County to the County of Jones;

A Bill to entitle John McGee to recover the Estate of his reputed
Brother Jesse Steed, dec'd; and

A Bill to amend an Act Intitled "an Act for the regulation of
the Town of Hillsboro." Each 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 a Report of the Committee appointed to enquire
into the State and Condition of the public revenue. Endorsed,
read and Concurred with; which being read, it was ordered that the
following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

We have received the report of the Committee appointed to en-
quire into the State of the public revenue, but cannot concur with it
as it now stands, but propose that it be amended by deleting from
the word *that* in the fourth line of the report to the word *them* in
the Eighth, and substituting the following herewith sent you
marked A. B. Also that from the word *information* be deleted to the
STATE RECORDS.

word express, inclusive; should you agree to these amendments we will then concur.

Received from the House of Commons the Bill for dividing the County of Rowan; and the Bill to repeal part of an Act, entitled "an Act for the better regulation of the Town of Halifax and extending the liberties thereof;" and for altering the mode of Taxing & levying Taxes in the Town of Edenton. Each endorsed, read the second time and passed.

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

Mr. Jones moved for leave and presented a Bill to repeal part of an Act passed at Tarborough in Nov. 1787, entitled "an Act to regulate the Inspection of Tobacco in this State;" which was read, passed the first time & sent to the House of Commons.

Received from the House of Commons a petition from Thomas Donoho & William Sanders; a Memorial of Wm. Tyrrel Lewis and others; and a resignation of Titus Ogden, Vendue Master for the Town of New Bern, which were severally read, referred as by the House of Commons & returned.

Received also the following Message:

Mr. Speaker & Gentlemen:

We herewith send you a Message of this day's date from His Excellency the Governor, addressed to the General Assembly, covering a Letter from the Vice Consul of France with a state of the Debt due from this State to the Government of Martinique, which we propose referring to the Committee on revenue.

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

Mr. Speaker & Gentlemen:

The Message from His Excellency the Governor, of the 10th Inst., together with its enclosures, we agree with you in referring to the Committee on revenue.

Received from the House of Commons the Bill to annex part of the County of Carteret to the County of Jones. 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.

Read sundry Petitions from the Inhabitants of the different parts
of this State on the subject of the proposed plan of Federal Government.

Whereupon, on motion of Mr. Jones, seconded by Mr. McCawley, it was ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

From the number of Petitions and other papers before this Assembly on the subject of the Federal Constitution, we propose that the two Houses assemble in Conference on Wednesday next at 9 o'clock in the Morning, in the room where the House of Commons sit, in order fully to hear and deliberate on that subject, as well as to determine on the propriety of convening a Second Convention in this State.

Adjourned till To-morrow 10 O'Clock.

TUESDAY, 11 NOV., 1788.

The House met.

Mr. Robert Webb, the Member from the County of Richmond, appeared, presented the Certificate of his Election, was qualified agreeably to Law and took his Seat.

Mr. Gregory presented the Memorial of William Murphy and Wm. Regney Murphy setting forth that they had made a Loan to the State of a considerable Sum and requesting payment, which was read, referred on the part of the Senate to the Committee of Claims & sent to the House of Commons.

Mr. Webb presented a Petition from sundry of the Inhabitants of Richmond Co. praying that a Second Convention may be convened in this State, which was read and ordered to be sent to the House of Commons.

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

Your Committee of Propositions and Elections to whom was referred the Memorial of Richard Clinton, Esquire, report:

That having taken under Consideration the Memorial of Richard Clinton, Esquire, charging Hardy Holmes, Esquire, the sitting Member in the Senate for the County of Sampson, with being in arrears to the public for the Collection of the public Tax in the said County for the year 1787.
And from Mr. Holmes's own Confession it appears that he was Collector of the Public Tax in Sampson County for the Year aforesaid and that he has not accounted for the Monies by him received as Collector aforesaid.

Whereupon, your Committee are of Opinion that Mr. Holmes, as set forth in the said Memorial, is indebted to the public and that he was not eligible to a seat in this present General Assembly at the time he was Elected. All which is submitted.

R'D CASWELL, Ch'n.

The House taking this report into Consideration, Concurred therewith.

Mr. Willis moved for leave and presented a Bill to annex part of Bladen to Robeson County, and to amend an Act entitled "an Act to divide the County of Bladen," 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 agree to ballot for a public Secretary at the time of balloting for a Governor, as by you proposed, and approve of your Nomination to that office. We have added to the nomination for Councillors Maxwell Chambers, Sam'l Strudwick, Thos. Owen and Lawrence Baker, Esquires.

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

Mr. Speaker & Gentlemen:

We have added the name of Miles King to the nomination of Councillors and approve of the addition by you made, except as to Lawrence Baker, he being Clerk of a Court and expressly debarred by the Constitution.

Mr. McCawley presented the Petition of Charles Dixon, which was read and referred to the Committee of Propositions and Grievances, & sent to the House of Commons.

Received from the House of Commons the following Messages:

Mr. Speaker, &c.:

We have added Mr. King to the Committee on Indian Affairs and Mr. Person to the Committee on Revenue.
Mr. Speaker, &c.:

We propose that the same Rules for reading Bills as were pursued the last Session of Assembly be observed this Session.

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 Rules for reading and passing Bills observed by the last Assembly be adopted by the present. 

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

We herewith send you Message of this day's date from His Excellency the Governor, addressed to the General Assembly, with the Letters therein referred to, and a further return of the purchase of Tobacco by the Commissioner at Fayetteville, which we propose referring to the Committee on Revenue.

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

Mr. Speaker, &c.:

The Message from His Excellency the Governor, of to-day, additional return of Tobacco purchased at the Town of Fayetteville & other Papers accompanying them, we agree with you in referring to the Committee appointed to enquire into the present state of the public revenue.

On motion of Mr. McCawley, ordered that Mr. Hill be added to the Committee of Indian affairs and on public revenue, and that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

We have added Mr. Hill to the Committee of Indian affairs and on public Revenue.

Received from the House of Commons a Petition of Gasper Smith; a Petition of Jane Spurgin & the Memorial of John Williams. The first two endorsed, referred to the Committee of Propositions and Grievances, & the latter to the Committee of Claims; which being read were referred in like manner & returned.

Mr. 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. Macon presented the representation of Richard Blackledge,
relative to the application of a quantity of public Tobacco; which
was read and referred on the part of the Senate to the Committee
appointed to inquire into the present state of the public revenue & sent
to the House of Commons.

Received from the House of Commons a report of the Committee
on the petition of William Jimmerson; a report of the Committee
on the Petition of Wilson Taylor; a report of the Committee on the
Petition of Sundry Persons relative to the price and Entry of Vacant
Lands; The report of the Committee on the Petition of William
Courtney and the Report of the Committee on the Memorial of John
Williams, late Commissioner of Specificks for the County of Caswell.
Each Endorsed, read and Concurred with; which being read were
likewise Concurred with by this House and returned.

Mr. Jones moved for leave and presented a Bill to carry into Ef-
fect the Ordinance of Convention hold at Hillsborough in July 1788,
extitled “an Ordinance for Establishing a place for holding the fu-
ture meetings of the General Assembly & the place of residence of
the chief officers of the State;” which was read, passed the first time
and sent to the House of Commons.

Received from the House of Commons the Report of the Commit-
tee appointed to enquire into the present state of the public revenue,
amended agreeably to the proposition of this House; which was read,
Concurred with and returned.

Received also the following Bills, viz.:

A Bill to revive part of an Act entitled “an Act to suppress exces-
sive Gaming;”

A Bill for erecting a Town on the Lands of Thomas Dangan in
Randolph County;

A Bill for ascertaining the mode of paying the Members of the
General Assembly in future;

A Bill for erecting a Town on the Lands of Tabitha Marriner
and John Marriner in the County of Tyrrell, on the West side of
Scuppernong River, at the place called and known by the name of
Back Landing;

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A Bill to repeal an Act entitled "an Act for hiring out persons Convicted on Indictments or presentments not being able or willing to pay the fees of office and Gaolers Fees;" and
A Bill to annex part of the County of Montgomery to Richmond. Each 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:
We have added Thomas Polk, Esquire, to the Nomination for Councillors.
On motion of Mr. Amis, ordered that Mr. Roddy be added to the Committee appointed on Indian affairs, and that the following Message be sent to the House of Commons:

Mr. Speaker, &c.:
We have added to the Committee on Indian affairs Mr. Jas. Roddy.
Mr. Jones, from the Committee, delivered in the following report:
The Committee appointed to consider of, and report what Bills of a public nature are necessary to be passed into Laws at this Session of Assembly, Report the following, viz.:
A Bill to impower the County Courts to lay a tax within their respective Counties for the purpose of erecting or repairing the Court Houses, prisons & Stocks thereof;
A Bill for repealing an Act entituled "an Act for altering the mode of punishment for Horse Stealing;"
A Bill to amend the Stray Act;
A Bill to declare what punishment shall be inflicted for breaking open Store Houses, Ware Houses, &c., and Stealing anything thereout;
A Bill to impower the Superior Courts to remit or mitigate forfeited Recognizances; and
A Bill to amend an Act entituled "an Act for the relief of officers, Soldiers & Seamen," &c., passed at New Bern in November, 1783.
All which is submitted.

WILLIE JONES, Ch'm.
The House taking this report into Consideration, Concurred therewith.
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Received from the House of Commons the Petition of Charles Dixon; and the report No. 1, of the Committee appointed to prepare Bills of a public Nature. The former endorsed, read and referred as by the Senate; and the latter Concurred with.

Mr. Overton moved for leave and presented a Bill to repeal two Acts of the General Assembly of this State, one passed at New Bern in November 1784, intituled "an Act to describe and ascertain such Persons who owe allegiance to this State, & impose certain 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 1784, intituled "an Act to describe and ascertain such Persons who owe allegiance to this State, and to impose certain disqualifications on certain Persons therein described;" which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a petition of Jno. De Roulhac. Endorsed, referred to the Committee on revenue; which being read was referred in like manner and returned.

Received also the following Message:

Mr. Speaker & Gentlemen:

We have received the Message of the Senate proposing a Conference of the two Houses on the propriety of convening another Convention with which we do not Concur.

We have determined to take under Consideration the several Petitions relating to this subject on Saturday next.

Adjourned till 4 O'Clock, P. M.

The House met according to adjournment.

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

Mr. Speaker & Gentlemen:

We are now ready to proceed on the balloting and have appointed Mr. Macon and Mr. Lenoir to superintend the same on the part of this House.

Mr. Caswell presented a Letter from Frances Child, Esquire, relative to the settlement of the Accounts of this State with the Commissioner of the United States; which was read and referred on the
part of the Senate to the Committee appointed on the Comptroller's representation, and sent to the House of Commons.

Received from the House of Commons a petition of William Scott. Endorsed, referred on the part of the House of Commons to Mr. Mebane, Mr. Gowdy, Mr. Mitchell, Mr. Hamilton & Mr. Phifer; which being read was, on the part of the Senate, referred to Mr. Cha. Johnston, Mr. Graham and Mr. W. Hill.

Received also the Bill to continue an Act passed at Tarborough in December 1787, Intituled "an Act for fixing the final settlement of unliquidated Claims against this State and against the United States within this State." 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 a Bill for dividing the County of Washington; and a Bill to amend an Act intituled "an Act to direct the method of appointing Jurors and Surveyors to run out disputed Lands." Endorsed, read the first time & passed.

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

Received likewise the following Message:

Mr. Speaker & Gentlemen:

We are also ready to proceed to balloting and have appointed Mr. Cabarrus and Mr. Hawkins to superintend the same, on the part of this House.

Pursuant to the determination of the two Houses Mr. Macon and Mr. Lenoir on the part of the Senate, and Mr. Cabarrus and Mr. Hawkins on the part of the House of Commons, now proceeded to conduct the balloting, which being ended Mr. Macon reported that Saml. Johnston, Esqr., is made choice of by a Majority of votes, Governor for this State for the ensuing year.

That John Skinner, James Iredell, John Kinchin, James Armstrong, Jos. Collins, Whitmill Hill and Dempsey Conner, Esquires, are elected a Council of State; and that James Glasgow, Esquire, is appointed Secretary.

The House taking this report into Consideration, Resolved, That they do Concur therewith.

Adjourned till To-morrow Morning 9 O'Clock.
The House met.

Received from the House of Commons a Memorial from sundry Inhabitants of the County of Franklin. Endorsed, referred to the Committee of Claims. And the Memorial of Abraham Creson. Endorsed, referred to Mr. Steel, Mr. Cummings, Mr. Hawkins & Mr. Lewis, on the part of this House; which being read, the latter was rejected and the former referred as by the House of Commons & returned.

Received also a report of the Committee of Propositions and Grievances on the Petition of Daniel McKissick. Endorsed, Concurred with, which being read, was also Concurred with and returned.

Mr. Bloodworth, who had leave to withdraw for amendment the Bill to amend an Act entitled "an Act to remove all disabilities from Simon Cleary and others therein named," delivered in the same with the amendments; which was read, passed the Second time in this House & sent to the House of Commons.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

We agree that the Letter just received from the Comptroller relative to the settlement of the accounts of this State with the Commissioner appointed on the part of the United States, be referred as by you proposed.

Mr. Armstrong, who had leave to withdraw for amendment the Bill to enable John McGee to inherit and receive the Estate of his reputed Brother Jesse Stead, dec'd, delivered in the same with the amendments; which was read the second time, passed & sent to the House of Commons.

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

The Committee to whom was referred the representation of the Comptroller, reported, That they having considered his second address, are of opinion and do Resolve, That he be directed not to deliver any Accounts or Vouchers for Claims of this State against the United States unless they are registered or listed, and the Commissioner shall pass receipts for the same in such manner that if the Originals should be lost this State may nevertheless have it in their
power to substantiate the said Accounts or Claims against the United States.

Which is submitted.

R'D CASWELL, Ch'm.

The House taking this report in Consideration, Resolved, That they do Concur therewith.

Received from the House of Commons the Bill to Confirm the rights and Titles of several Citizens of this State in certain Negroes therein described, and preventing unjust and vexatious Lawsuits. Endorsed, read the first time & passed.

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

Received also the Bill to erect and Establish an Academy in the County of Richmond; and a Bill to annex part of Bladen to Robeson County; and to amend an Act entitled "an Act to divide the County of Bladen." The first endorsed, read the Second, and the latter the first time & passed.

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

Mr. Blount moved for leave and presented a Bill for the relief of the Creditors of Absentees, Comprehended within the Confiscation Laws; which was read, passed the first time & sent to the House of Commons.

Mr. McKinnie presented the Memorial of Andrew Bass of Wayne County, relative to Loan Office Certificates; which was read, referred to the Committee of Propositions & Grievances, and sent to the House of Commons.

Received from the House of Commons the Bill to repeal part of an Act passed at Tarborough in Nov., 1787, entitled "an Act to regulate the inspection of Tobacco in this State." Endorsed, read the first time and passed.

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

Received the Bill to alter the name of Port Brunswick to that of Port Wilmington; and

A Bill to amend an Act entitled "an Act for the better regulation of the Town of Fayetteville," passed at Tarborough in November, 1787. Each endorsed, read the first time & passed.
Ordered that these Bills be read, which being read each was passed the first time in this House and returned.

Received also the report of the Committee (No. 2) appointed to consider of and report what Bills of a public Nature are necessary to be passed into Laws at the present Assembly. Endorsed, Con­curred with. And a Petition of Mary Bledsoe. Endorsed, referred to the Committee appointed on Indian affairs; which being read was referred in like manner and returned.

Received likewise the report of the Committee appointed on the Comptroller's representation. Endorsed, Con­curred with. And the Letter and representation of R'd. Blackledge. Endorsed, read and referred to the Committee of Indian affairs; which was read, referred in like manner and returned.

Adjourned till To­morrow Morning 10 O’Clock.

THURSDAY, 13th NOV., 1788.

The House met.

Received from the House of Commons the Bill to Establish the Town already laid off at the Court House in Caswell County. Endorsed, read the second time and passed. And the Bill to repeal part of an Act passed at Tarboro' in Nov. 1787, entitled “an Act to regulate the Inspection of Tobacco in this State.” Endorsed, read the first time and passed.

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

Mr. Graham moved for leave and presented a Bill to alter the mode of Swearing Petit Juries in the Courts of Law in this State; which was read, passed the first time and sent to the House of Commons.

Mr. Jones moved for leave and presented a Bill once more to extend an Act entitled “An Act to pardon and consign to oblivion the offences and Misconduct of certain persons in the Counties of Sulli­van, Washington, Greene and Hawkins;” which being read was passed the first time & sent to the House of Commons.

Received from the House of Commons a petition of Archibald Lytt­tle. Endorsed, referred to the Committee of Propositions and Grievances. And the Petition of John Jones, Esqr. Endorsed, referred to the Committee of Claims; which being read each were referred in like manner and returned.
Mr. Bloodworth moved for leave and presented a Bill to annex part of Brunswick County to the County of New Hanover; which was read, passed the first time & sent to the House of Commons.

Mr. Macon presented the Petition of Henry Montford, Esquire; which was read, referred on the part of this House to the Committee of Propositions and Grievances & sent to the House of Commons.

Mr. Amis moved for leave and presented a Bill to amend the Mili- tia Law for the further Security of the Western Frontiers; which was read, passed the first time & sent to the House of Commons.

Received from the House of Commons the Bill to amend an Act entituled "an Act to amend an Act entituled an Act to remove all disabilities from Simon Cleary and others therein named." Endorsed, read the third time & passed. And the Bill to continue an Act passed at Tarboro' December 1787, intitled "an Act for fixing the final settlement of Unliquidated Claims against this State and against the United States within this State." Endorsed, read the second time and passed.

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

On motion of Mr. McCawley, seconded by Mr. Macon, Ordered that Mr. Chas. Johnston and Mr. Williams examine the Engrossed Bills of the present Session on the part of the Senate, and that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

Mr. Charles Johnston and Mr. Williams will, on the part of this House, examine the Engrossed Bills.

On motion of Mr. Bloodworth, seconded by Mr. McCawley, Resolved, That all Claims to be adjusted by the present Assembly be first introduced before the Committee of Claims, and should any doubt arise respecting the Legality or propriety of allowance the Committee are directed then to state them & take the direction of the Houses relative thereto.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

We herewith send you a Message from His Excellency the Gover- nor, covering a return of a purchase of Tobacco made by the Com- missioners at Tarboro', which we propose referring to the Commit- tee on Revenue.
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 in referring His Excellency the Governor's Message, together with the return of Tobacco purchased by the Commissioner at Tarborough, to the Committee on Revenue.

Mr. Caswell presented the Petition and Memorial of Hodge and Willis, Public Printers, relative to reprinting and publishing the Laws of this State; which was read and returned on the part of the Senate to Mr. Macon, Mr. Caswell & Mr. W. Hill, & sent to the House of Commons.

Received from the House of Commons a Supplementary Bill to an Act Intituled "an Act concerning proving of Wills and granting Letters of Administration, and to prevent frauds in the management of intestate's Estates." 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 a resignation of Howel Lewis as Lt. Colo. Commandant of the regiment of Cavalry in the District of Hillsborough. Endorsed, accepted; which being read, was also accepted of by this House & returned.

Received likewise the Petition of Henry Montfort, Esquire, and the representation of Andrew Bass. Each endorsed, read and referred as by the Senate. Also a resignation of Joseph Jno. Clinch as Colo. of the Nash Regiment of Militia. Endorsed, accepted; which was read, accepted of and returned.

On motion of Mr. McDowall, Ordered that Mr. Macon be added to the Committee of Claims, and that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

We have added Mr. Macon to the Committee of Claims.

Received from the House of Commons the Bill to enable John McGee to inherit and recover the Estate of his reputed Brother Jesse Stead, deceased. Endorsed, read the third time & passed.

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

Mr. Jones moved for leave and presented a Bill for the recovery of Debts according to contract; 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 herewith send for your Concurrence an address which we propose shall be presented His Excellency the Governor.

The address above alluded to, together with the foregoing, being read, it was ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

We agree to the address by you proposed to be presented His Excellency the Governor, informing him of his late appointment, &c., and have appointed Mr. Blount and Mr. Harvey on the part of this House, to attend and present him with the same.

Received from the House of Commons the following Message:

Mr. Speaker, &c.:

We have added Mr. Harden, Mr. Outlaw, Mr. John P. Williams, Mr. Dickson & Mr. Skinner to the Committee on Indian Affairs; and Mr. Hawkins to the Committee of Claims.

Received also the Bill for ascertaining the mode of paying the Members of the General Assembly in future for travelling to and returning from the Assemblies. Endorsed, read the Second time, amended and passed.

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

The Speaker laid before the House a Letter from James Iredell, Esquire, relative to the reprinting and publishing the Laws of this State; which was read, referred on the part of the Senate to the Committee appointed on the Memorial of the Public Printers, & sent to the House of Commons.

Adjourned till To-morrow Morning 10 O'Clock.

Friday, 14th Nov., 1788.

The House met.

Received from the House of Commons a Bill to repeal two Acts of the General Assembly of this State, one passed at New Bern in November 1784, intitled "an Act to describe and ascertain such Persons who owe Allegiance to this State and impose certain 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 November 1784, intituled "an Act to describe and ascertain such persons who owe allegiance to this State and to impose certain disqualifications on certain Persons therein described;" which being read was, on Motion, withdrawn for amendment by Mr. Caswell.

On Motion of Mr. Bloodworth, seconded by Mr. Caswell, Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

We herewith send you a Resolution of the last Assembly, theintentations of which having never been executed, we now propose it shall be submitted to a joint Committee and have appointed on the part of this House, Mr. Lenoir, Mr. Macon, Mr. Jones & Mr. W. Hill.

Received from the House of Commons the following Message:

Mr. Speaker, &c.:

The representation of the Public Treasurer herewith sent you we propose referring to a joint Committee who shall receive & burn the Money received & collected on the Sinking Fund and now in his Hands, and have for this purpose appointed Mr. Mebane, Mr. E. Jones, Mr. Carson & Mr. McClain.

The foregoing being read it was ordered that the following Message be sent to the Senate:

Mr. Speaker, &c.:

Mr. Hunt, Mr. Macon and Mr. Lane will, on the part of the Senate, act with the Gentlemen by you named for the purpose of receiving from the Treasurer and burning the Money collected on the Sinking Fund Tax now in his hands.

Received from the House of Commons the Resolution of this House relative to the adjustment of Claims. Endorsed, read and Concurred with. And the Petition and Memorial of Hodge and Willis, Printers to the State. Endorsed, read and referred to Mr. Cabarrus, Mr. E. Jones, Mr. Mebane, Mr. Steele & Mr. Person. Also the following Message:

Mr. Speaker, &c.:

We have appointed Mr. Steele and Mr. Sanders to examine the Engrossed Bills.

Mr. Hill presented the Petition of Stephen Hyde; which was
read, referred on the part of the Senate to the Committee of Propositions and Grievances and sent to the House of Commons.

Received from the House of Commons the following Message:

Mr. Speaker, &c.:

We propose that the Bill herewith sent you to amend the Militia Law, &c., be Committed to the Committee on Indian affairs.

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

Mr. Speaker, &c.:

We agree to Commit the Bill for amending the Militia Law to the Committee on Indian affairs, as by you proposed.

Mr. Hargett moved for leave and presented a Bill to amend an Act Intituled "an Act for the more regular collecting payment of, and accounting for the public Tax;" which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a Bill for dividing Greene County; which being read it was, on Motion, ordered that it be submitted for consideration and amendment to Mr. Hargett, Mr. Jones & Mr. Gregory.

Received also the Bill to erect and establish an Academy in the County of Richmond. Endorsed, read the third time & passed.

And the Bill to annex part of Brunswick County to the County of New Hanover. Endorsed, read the first time & passed.

Ordered that these Bills be read, which being read the former was passed the third and last time and ordered to be Engrossed, and the latter the Second time and returned.

Received likewise the Bill to amend an Act entituled "an Act for the better regulation of the Town of Fayetteville," passed at Tarborough in Nov., 1787. Endorsed, read the second time & passed.

And a Bill to appoint Commissioners to superintend the building a prison & Stocks for the District of Fayetteville, and to levy a Tax on the Counties within the said District for defraying the expenses thereof. 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 in this House & sent to the House of Commons.

Mr. Payne presented the resignation of John Atkinson, Justice of
the Peace for the County of Caswell; which was read, accepted and
sent to the House of Commons.

On motion, ordered that Mr. McCawley have leave to withdraw
for amendment the Bill to amend an Act entitled "an Act for the
regulation of the Town of Hillsborough," and Mr. Robeson the Bill
for the more effectual and easy administration of justice in the Dis-
tricts of Washington and Davidson, and for dividing the Military
jurisdiction of the district of Washington.

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

A bill to annex part of Bladen to Robeson County; a Bill to Es-

tablish an Inspection of Tobacco in the County of Richmond on the
Lands of Mr. Blewell, on the South East side of Pee Dee River; and
a Bill to annex a part of the County of Montgomery to Richmond.
Each Endorsed, read the second time & passed.

Ordered that these Bills be read, which being read the first was
passed the third time in this House and returned, and two Latter on
Motion, rejected.

Mr. Amis presented the Petition of John Oliver, which was read,
referred on the part of the Senate to the Committee of Propositions
and Grievances, & sent to the House of Commons.

Received from the House of Commons the Bill to Establish the
Town laid off at the Court House in Caswell County; and the Bill
to erect and Establish an Academy in the County of Richmond.
Each endorsed, read the third time & passed.

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

Received also the Bill for erecting a Town on the Lands of Tabitha
Marriner and John Marriner in the County of Tyrrell, on the West
side of Scuppemong river, at the place called and known by the name
of Back Landing. Endorsed, read the Second time, amended and
passed.

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

Received likewise a Memorial of William Armstrong; A petition
of the Exr's of Arthur Brown, and a Petition of Charles Markland
and John Herritage. The two first endorsed, referred to the Com-
mittee of Propositions and Grievances; and the latter to Mr. Per-
son, Mr. P. Williams and Mr. Allen; which being read, the two
first were referred as by the House of Commons and the latter to Mr. Hargett, Mr. Graham & Mr. Overton, and returned.

Mr. Willis moved for leave and presented a Bill to Establish a Town laid off at the Court House in Robeson County by the name of Lumberton; which was read, passed the first time & sent to the House of Commons.

Mr. McAllister presented the Petition and Claim of Niel McLean; which was read, referred to the Committee of Claims and sent to the House of Commons.

Received from the House of Commons the Petition of John Court. Endorsed, referred to the Committee of Propositions and Grievances. And a Petition of William Delaney. Endorsed, referred to the Committee of Claims; which being read, each were referred in like manner and returned.

Received also the Letter from James Iredell; the Petition from Stephen Hyde, & the Memorial of John Oliver. Endorsed, referred as by the Senate.

Received likewise a Memorial of Frances Harper. Endorsed, referred to the Committee of Propositions & Grievances. And the Petition of Edward Tinker. Endorsed, referred to the Committee on public Bills; which being read, each were referred in like manner and returned.

Adjourned till To-morrow Morning 10 O'Clock.

SATURDAY, 15th Nov., 1788.

The House met.

Mr. Thomas Stewart, the Member for the County of Tyrrell, appeared, presented the Certificate of his Election, was qualified agreeably to Law & took his Seat.

Mr. Bloodworth moved for leave and presented a Bill to emancipate a certain Negro Slave named Phillis, late the Property of George Jacobs, of the Town of Wilmington, dec'd; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a Bill to alter the name of Port Brunswick to that of Port Wilmington. 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 also a resignation of Wm. Thereadgill, Nathan Morris
& James Boggan, as Justices of the peace for the County of Anson. Endorsed, accepted; which being read was also accepted of by this House and returned.

Received likewise a report of the Committee on the Petition of Wm. Woolton & Henry Bradford. Endorsed, Concluded with; which being read, was also Concluded with and returned.

Mr. Caswell, 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 November, 1784, intituled, "an Act to describe and ascertain such persons who owe allegiance to this State, and impose certain 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 Nov., 1784, intituled an Act to describe and ascertain such Persons who owe allegiance to this State, and to impose certain disqualifications on certain Persons therein described," delivered in the same with the amendments; which was read passed the second time & sent to the House of Commons.

Received from the House of Commons the Bill to repeal part of an Act intituled "an Act for the better regulation of the Town of Halifax and extending the liberties thereof; and for altering the mode of Taxing and levying Taxes in the Town of Edenton." 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.

Received also the following Message:

Mr. Speaker, &c.: *

The resolution of the last General Assembly, the intentions of which has never been carried into effect, we agree to refer as by you proposed, and have appointed on our part for this purpose, Mr. J. P. Williams, Mr. Hawkins, Mr. Person, Mr. McClain and Mr. McDowall, Sen.

Received likewise the Bill to appoint Inspectors for the Ware House built in Fayetteville by Robertson Montford and James Porterfield, Established by Act of Assembly in Dec., 1785. Endorsed, read the first time & passed.

Ordered that this Bill be read, which being read it was, on motion, Ordered that Mr. Bloodworth have leave to withdraw it for amendment.
Read Sundry Depositions & other papers relative to the conduct of John Cox, First Major of the regiment of Militia & Justice of the Peace for the County of Moore.

Whereupon, resolved, That the said John Cox be and he is hereby Suspended from the exercise of his said offices of Justice of the Peace and First Major of the Regiment of Militia in the County of Moore until the end of the next Session of Assembly, or until he shall shew sufficient cause wherefore this suspension should not be enforced. Sent for Concurrence.

Received from the House of Commons the Bill once more to extend an Act entitled "an Act to pardon and consign to oblivion the offences and Misconduct of certain persons in the Counties of Washington, Sullivan, Greene & Hawkins. Endorsed, read the first time and passed. And the Bill to annex part of the County of Carteret to the County of Jones. Endorsed, read the second time and passed.

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

Adjourned till Monday Morning 10 O'Clock.

MONDAY, 17 NOV., 1788.

The House met.

Received by way of the House of Commons, the following Message from His Excellency the Governor, to-wit.:

To the Honourable the General Assembly:

Gentlemen,

In pursuance of your Message of yesterday informing me that the General Assembly had done me the Honor to re-elect me Governor of the State for the ensuing year, I will do myself the honor to attend you in the room where the House of Commons sit at 12 O'Clock on Tuesday next, in order to take the Oaths of qualification to that office.

Permit me to acknowledge the high estimation in which I hold the great honor which you have done me on this Occasion, and to assure you that my utmost diligence and attention shall be exerted to discharge the important duties of the department in which you have been pleased to continue me.

SAML JOHNSTON.
Mr. 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, and Specie & other Certificates, and for sinking the State Currency; which was read, passed the first time & sent to the House of Commons.

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

The Committee to whom the Memorial of Messrs. Hodge and Willis, on the subject of Printing the revisal of the Laws of the State was referred, report,

That the printing the revisal of the Laws of this State will be of great Utility, and as the said Hodge and Willis will be at considerable expense & risque, it is the opinion of your Committee that they be enabled to draw the Sum of five Hundred pounds in full consideration of one Hundred Copies of the said revision for the Use of the State, first giving Bond & Security to deliver the same at the Secretary's office as speedily as the nature of the work will admit; and that by a Resolution of the General Assembly they may be entitled to a further emolument in the exclusive right of printing and vending the said revision for Seven Years next after its publication.

Which is submitted.

W. HILL, Ch'n.

The foregoing report being read was Concurred with and sent to the House of Commons.

Mr. Jones moved for leave and presented a Bill Ceding to the Congress of the United States certain Western Lands therein described, and Authorizing the Governor of this State to execute a Deed or Deeds for the same; which was read, passed the first time & sent to the House of Commons.

Mr. Jones, from the Committee, delivered in the following report.

Your Committee having Considered the Petition of the Inhabitants of Greene County praying a division of such County, Reported that the County of Greene is in its greatest Length about Ninety Miles long; in its greatest Breadth about forty-five Miles wide, growing narrower by degrees until it comes to a point at the western part of the same, where the French Broad and Holston Rivers make a junction.

As no returns have been hitherto made to the General Assembly
20—33
of the Number of the Militia in Greene County, your Committee cannot say with precision what the number is. But your Committee called on the Members from the Western Counties, and are induced from the information obtained from them, to be of opinion that the County of Greene does not contain more than Eleven Hundred Militia Men.

Which is submitted.

W. JONES, Ch'n.

Mr. Macon presented the Petition of John Stewart setting forth that the Public is considerably indebted to him for Articles furnished, &c.; which was read, referred on the part of the Senate to Mr. W. Hill, Mr. Blount & Mr. Brown & sent to the House of Commons.

Mr. Blount presented the Memorial of Mr. Glasgow, Esquire; which was read, referred on the part of the Senate to the Committee appointed on the Petition of Jno. Stewart, and sent to the House of Commons.

Agreeable to the order of Saturday for postponing until this day the consideration of the Petitions and other Papers on the subject of the Federal Constitution, the House now proceeded on that business.

When on motion of Mr. Caswell, seconded by Mr. Blount, it was

Resolved, That it is the opinion of this House a new Convention be called by this Assembly, for the purpose of reconsidering the New Constitution held out by the Federal Constitution as a Government of the United States.

The Yeas and Nays being required on this Resolution by Mr. McDowall, seconded by Mr. Overton, are as follows, to-wit:

In favour of this resolution—Mr. Dupree, Mr. McDowall, Mr. J. Hill, Mr. Chas. Johnston, Mr. Gregory, Mr. Caswell, Mr. Robinson, Mr. Brickell, Mr. Reddick, Mr. Montgomery, Mr. Amis, Mr. Bryan, Mr. Overton, Mr. Graham, Mr. Dixon, Mr. Nesbit, Mr. T. Johnston, Mr. Keaton, Mr. Harvey, Mr. Blount, Mr. Gaither, Mr. Armstrong, Mr. Macon, Mr. McKinnie, Mr. Singleton, Mr. Auld, Mr. W. Brown, Mr. W. Hill, Mr. Webb and Mr. Stewart.—30.

Against this resolution—Mr. B. Williams, Mr. McAllister, Mr. Payne, Mr. Ramsey, Mr. Gray, Mr. Hunt, Mr. Jones, Mr. Hargett, Mr. Binford, Mr. Bloodworth, Mr. McCawley, Mr. Tipton, Mr. Lane, Mr. Lenoir and Mr. T. Brown.—15.

So the foregoing resolution was agreed to.
Whereupon, on motion of Mr. W. Jones, seconded by Mr. Graham, the House resolved as follows, viz:

Resolved, That it be recommended to such of the Inhabitants of this State as are entitled to vote for Members of the House of Commons at the annual Election to be held in each County, on the third Friday and Saturday in August next, to vote for three Persons in each County & one Person in each Borough Town having a right of representation agreeable to the Constitution of this State; to sit as a State Convention, for the purpose of deliberating and determining on the proposed Federal Constitution for the future Government of the United States, and on such amendments, if any, as shall or may be made to the said Constitution by a Convention of the States previous to the meeting of the said Convention of this State; which Election shall be conducted agreeable to the mode and 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 freeholder shall be eligible to a seat in the said Convention, Sheriffs and returning officers excepted.

Resolved, That the Sheriffs of the Counties in this State do advertise and notify the people of their Counties and Borough Towns of the time, place and purpose of holding said Election, at the same time and in the same manner as the Law requires them to advertise Elections for Members of the General Assembly.

Resolved, That the Persons so Elected to serve as a State Convention do assemble and meet together on the last Monday in October next at such place as shall be appointed for the meeting of the General Assembly, then and there to deliberate and determine on the said Constitution and on the amendments, if any, and if approved by them to confirm and ratify the same on the behalf of this State and make report thereof to Congress and to the General Assembly.

Resolved, That the Members of the Convention be allowed twenty Shillings per day for their attendance and going to and returning from the place where they shall meet; and that they be authorized to make such allowance to their Clerks and Door-keepers as they shall think reasonable, and the Treasurer is hereby directed to pay the same on a Certificate signed by the President of the Convention; provided, that such persons as shall be Elected Members of the General Assembly as well as of the Convention, shall be allowed Mileage for coming to the Convention only, and not for returning.
On passing the foregoing resolution it was moved by Mr. Caswell and seconded by Mr. Charles Johnston, that the words *third Friday and Saturday in August next* be expunged as the time appointed for holding Election and the *15th and Sixteenth of December* inserted; this being objected to and the question being called for and taken thereon, was carried in the negative; whereupon, on Motion of Mr. Caswell, seconded by Mr. Bloodworth, it was ordered that the Yeas and Nays be taken on this question, which are as follows, to-wit:

For the amendment proposed—Mr. McDowall, Mr. Charles Johnston, Mr. Gregory, Mr. Caswell, Mr. Robinson, Mr. Reddick, Mr. Montgomery, Mr. Bryan, Mr. Overton, Mr. Dixon, Mr. Nesbit, Mr. Keaton, Mr. Harvey, Mr. Blount, Mr. Gaither, Mr. Armstrong, Mr. McKinnie, Mr. Auld, Mr. W. Brown, Mr. W. Hill and Mr. Stewart. —21.

Against the Amendment—Mr. Dupree, Mr. Williams, Mr. McAllister, Mr. J. Hill, Mr. Payne, Mr. Ramsey, Mr. Brickell, Mr. Gray, Mr. Hunt, Mr. Roddy, Mr. Amis, Mr. Jones, Mr. Hargett, Mr. Graham, Mr. Binford, Mr. Bloodworth, Mr. Bunn, Mr. T. Johnston, Mr. McCawley, Mr. Tipton, Mr. Macon, Mr. Lane, Mr. Lenoir, Mr. Singleton, Mr. Thos. Brown and Mr. Webb.—26.

Mr. Bloodworth presented the Petition of Thos. Brown, Esqr.; which was read, referred on the part of the Senate to Mr. Caswell, Mr. Bloodworth and Mr. Blount, & sent to the House of Commons.

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

The Committee to whom was referred the Petition of Charles Markland and John Herritage, Commissioners of Confiscated property for the County of Dobbs, report,

It appears to your Committee that they did receive from sundry Persons indebted to absentees whose property was Confiscated by the Laws of this State to the amount of, in the whole, to Two Thousand four Hundred and forty-six pounds fourteen Shillings and six pence, which they as Commissioners by the direction of the County Court of Dobbs, did receive in Specie Certificates which they now have in their possession, as will more fully appear by their affidavits, and are and have been for some time past ready to settle with the Comptroller for the same; but he conceiving himself not authorized to receive the Certificates in discharge of such debts hath declined the same.

Therefore Resolved, That it is the opinion of your Committee
that the said Commissioners be directed to return the Certificates to the former holders, or those from whom they received the same, and that the Comptroller be directed not to commence a Suit against the said Commissioners until the end of the next Session of Assembly. All which is submitted.

F. HARGET, Ch'n.

The House taking this report into Consideration, Concurred therewith.

Received from the House of Commons a Resolution declaring that no Bill of a private nature be received after Thursday next, which was read, Concurred with and returned.

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

Mr. Speaker, &c.:

We herewith send for your Concurrence several Resolutions entered into by this House for the purpose of convening a Second Convention in this State.

Adjourned till To-morrow Morning 10 O'clock.

TUESDAY, 18 November, 1788.

The House met.

Mr. Caswell presented the Petition of Joseph Lecch, Esquire; which was read, referred on the part of the Senate to Mr. Stewart, Mr. Jones & Mr. Chas. Johnston & sent to the House of Commons.

Received from the House of Commons a Petition of Sam'l Marcy and a Petition of James Kerr. Endorsed, referred to the Committee of Propositions and Grievances. And the Petition of Jesse Bryan. Endorsed, referred to the Committee of Claims; which were severally read, referred in like manner and returned.

Mr. Hill presented the Petition of John Colson, which was read, referred on the part of the Senate, and sent to the Committee of Propositions & Grievances & sent to the House of Commons.

Received from the House of Commons a report of the Commissioners of Confiscated property for the district of Hillsborough. Endorsed, referred to the Committee appointed on revenue; which was read, referred in like manner and returned. Also the following Message:

Mr. Speaker & Gentlemen:

We propose that Seven Members of any of the Committees, except
that on revenue, be considered as a quorum to proceed on business.

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

Mr. Speaker, &c.:

We agree that Seven Members shall constitute a quorum for the transaction of business in any of the Committees; that of Revenue excepted, as by you proposed.

We propose that the General Assembly proceed to ballot To-morrow evening at 4 o'clock for a Public Treasurer and place at which the next Assembly shall be held, and nominate for Treasurer John Haywood, Esqr.; and for the place at which the next Assembly shall be held the Towns of Warrenton, Hillsboro', Fayette, Tarboro', and New Bern.

Mr. Bloodworth presented the Petition of Thomas Hill and Henry Hill; which was read, referred on the part of the Senate to the Committee appointed on the Petition of Joseph Leech, Esqr., and sent to the House of Commons.

Received from the House of Commons a report of the Committee and resolution in favor of Henry Montfort, Esqr.; which was read, Concurred with and returned.

Received also the following Message:

Mr. Speaker, &c.:

This being the day which His Excellency the Governor, was requested to attend the General Assembly in order to qualify to his late appointment, we propose that two members from each House be appointed to attend and conduct him to the place already appointed for his reception.

We have for this purpose appointed Mr. Cabarrus & Mr. Steele.

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

Mr. Speaker, &c.:

Mr. Blount and Mr. Ben Williams will, on the part of this House, attend and conduct his Excellency into the presence of the General Assembly.

Agreeable to the order of the day the Bill for carrying into effect the Ordinance of Convention held at Hillsborough in July, 1788, intituled "an Ordinance for Establishing a place for holding the
future meetings of the General Assembly and the place of residence
of the Chief officers of the State," was called for & read; when it
was amended, passed the second time with the amendments, and sent
to the House of Commons.

The Yeas and Nays being required on the passage of this Bill by
Mr. Macon, seconded by Mr. Armstrong, are as follows; to-wit:

For the passage of this Bill—Mr. Williams, Mr. Chas. Johnston,
Mr. Gregory, Mr. Payne, Mr. Caswell, Mr. Robertson, Mr. Brickell,
Mr. Hunt, Mr. Reddick, Mr. Montgomery, Mr. Roddy, Mr. Amis,
Mr. Jones, Mr. Bryan, Mr. Hargett, Mr. Binford, Mr. Bunn, Mr.
Keaton, Mr. Harvey, Mr. Blount, Mr. Macon, Mr. Lane, Mr. Mc-
Kinnie, Mr. Brown, Mr. Hill and Mr. Stewart.—26.

For rejecting the Bill—Mr. Dupree, Mr. McDowall, Mr. McAllis-
ter, Mr. J. Hill, Mr. Ramsey, Mr. Graham, Mr. Dixon, Mr. Neabat,
Mr. Bloodworth, Mr. T. Johnston, Mr. McCawley, Mr. Gaither,
Mr. Willis, Mr. Armstrong, Mr. Tipton, Mr. Lenoir, Mr. Singleton,
Mr. Thos. Brown, Mr. Auld and Mr. Webb,—20.

On motion of Mr. Willie Jones, seconded by Mr. Macon, ordered
that the following Resolution be entered into and sent to the House of
Commons:

Whereas, it may be necessary to send a Talk or Talks, at or be-
fore the rising of the General Assembly, to the Cherokee,
Chickamaugas and Creeks with a view to obtain a cessation
of Hostilities between the said Indians and the Citizens of this State
until a Treaty can be effected, and there is a certain Mr. Alexander
Drumgooll now in town who can safely and expeditiously communi-
cate Intelligence to the said Nations of Indians or other of them.

Resolved, That a joint Committee of both Houses be appointed to
confer with the said Alex Drumgooll and receive his proposals thereon.

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

Mr. Speaker, &c.:

The subject matter of the Resolution of this House herewith sent
you we propose shall be immediately reported on by a joint Commit-
tee and have appointed for this purpose on our part, Mr. W. Jones,
Mr. McDowall & Mr. Ben. Williams.

Received from the House of Commons the Memorial of James
Glasgow. Endorsed, referred as by the Senate.

The Petition of John Stewart. Endorsed, referred to Mr. Haw-
kins, Mr. Hill and Mr. Ward. Also the report of the Committee in favour of Hodge and Willis, Public Printers. Endorsed, Concluded with.

Received also the Petition of Joseph Leech. Endorsed, referred to Mr. McDowall, Mr. Hawkins, Mr. Grave, Mr. E. Jones, Mr. Person and Mr. Caldwell; and the representation of the Members of Moore County relative to the Conduct of John Cox. Endorsed, Concluded with. Also the Petition of James Brittain. Endorsed, referred to the Committee of Propositions and Grievances; which was read, referred in like manner and returned.

Mr. Gregory moved for leave and presented a Bill for improving the Navigation of Albemarle Sound; which was read, passed the first time & sent to the House of Commons.

Received from the House of Commons the Petition of Thomas Brown, Esqr. Endorsed, referred to Mr. Steele, Mr. McDowall, Mr. Jones and Mr. John P. Williams. And the report of the Committee on the Petition of Charles Markland and John Herritage. Endorsed, read and concurred with. Also the Petition of John Cotton. Endorsed, referred as by the Senate.

The Order of the Day for Reading the Bill for dividing the County of Rowan being called for and the Bill read, was passed the third and last time and Ordered to be Engrossed.

Whereupon, on motion of Mr. Charles Johnston, seconded by Mr. Benj. Williams, ordered that the Yeas and Nays be taken on the passage of this Bill, which are as follows, viz:


Mr. Brickell presented the Petition of Osborn Jeffreys, praying, &c. Whereupon, ordered that the following Resolution be entered into and sent to the House of Commons, viz:

Whereas, Osborn Jeffreys obtained a Patent for Five Hundred Acres of Land in the then County of Craven, now Caswell County, dated the 20th of April, 1745, which patent was recorded in the
Secretary's office and enrolled in the Auditor General's office, as appears by the Certificates thereunto annexed, and it being represented to the Assembly that the Book in which the said Patent was recorded in the Secretary's office is destroyed, whereby the Patentee may be greatly injured if the Patent is not admitted to record.

Therefore, Resolved, That the Secretary be and he is hereby directed to record the said Patent in his office, and the Patent when so recorded shall be good and valid in Law as if the former record had never been lost or destroyed.

Received from the House of Commons a Message from His Excellency the Governor, addressed to the General Assembly accompanied by a return of Tobacco purchased by the Commissioner at Tarborough. Endorsed, referred to the Committee on Revenue; which was read, referred in like manner and returned.

Received also the Petition of Thomas Fitt and Henry Hill. Endorsed, referred as by the Senate. And the Memorial of Jane Simpson. Endorsed, referred on the part of this House to Mr. Phi-fer, Mr. Porter, Mr. Caldwell and Mr. McLaine; which being read was, on the part of the Senate, referred to Mr. Riddick, Mr. McCawley and Mr. Gaither and returned.

Mr. Stewart moved for leave and presented a Bill to encourage the draining and recovering a Tract of Land in Tyrrel County; which was read, passed the first time & sent to the House of Commons.

Agreeable to the order of the day the Bill for dividing the County of Davidson was read, passed the second time & sent to the House of Commons.

Received from the House of Commons the following Message:

Mr. Speaker, &c.:

We have appointed Mr. Outlaw, Mr. McDowall, Mr. Cabarrus, Mr. Person and Mr. Phifer, to act with the Gentlemen by you appointed to confer with Mr. Drumgool on the propriety of sending a Talk to certain Indian Tribes, &c.

Mr. Payne presented the resignation of James Sanders and John Summers, Justices of the Peace for the County of Caswell; which was read, accepted of and sent to the House of Commons.

Mr. Stewart presented the resignations of Thomas Everitt and Richard Huff, Justices of the Peace for the County of Tyrrell; also
the resignation of Friley Jones, First Major in said County; which were read, accepted and sent to the House of Commons.
Adjourned till To-morrow Morning 10 o'clock.

**Wednesday, 19 November, 1788.**

The House met.

Mr. Bloodworth moved for leave and presented a Bill for the relief of Thomas Craik and James Walker the Ex'rs of John An- cram, and the Administrator of John Foster, dec'd; which was read, passed the first time & sent to the House of Commons.

Mr. Harvey presented the Petition in favour of David Davis of Pasquotank County; which was read, referred on the part of the Senate to the Committee of Propositions and Grievances & sent to the House of Commons.

Mr. Bloodworth moved for leave and presented the Petition of William Evans of the Town of Wilmington; which was read, referred on the part of the Senate to the Committee of Propositions and Grievances & sent to the House of Commons.

Mr. John Humphries, the member for the County of Currituck, appeared, presented the Certificate of his Election, was qualified agreeably to Law and took his seat.

In conformity to the Report of the Committee concurred with by both Houses of this Assembly.

Resolved, That Messrs. Hodge and Willis, Printers to the State, be allowed the sum of five Hundred Pounds in full consideration for one Hundred Copies of the revisal and collection of the Laws of this State, to be delivered at the Secretary's office as soon as the nature of the business will permit, that the Treasurer pay them the same and be allowed in the settlement of his accounts.

Sent for concurrence.

Received from the House of Commons the following Message:

Mr. Speaker, &c.:

We agree that a public Treasurer be balloted for at the time by you proposed, but do not agree to ballot at the same time for the place at which the next Assembly shall be held, and propose that the business be postponed until Saturday, the 29th Instant.

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

We do not concur with your proposition relative to the balloting on Saturday next for the place at which the next Assembly shall be held, neither do we agree to ballot for a Public Treasurer this Evening; but will consent and propose that this business be entered on To-morrow at 4 o'clock. We also propose that a Judge for the Marine Court at the Town of Washington and a Vendue Master for the Town of New Bern be made choice of at the same time, and nominate for Judge, Jonathan Loomiss, Esquire; and for Vendue Master, Jno. Smallwood and Henry Purse.

Agreeable to the order of the day the bill for cutting a Navigable Canal from the Waters of Pasquotank River in this State to the Waters of Elizabeth River in the State of Virginia, was called for and read, passed the second time and sent to the House of Commons.

The Yeas and Nays on the passage of this Bill being required by Mr. Charles Johnston, seconded by Mr. Bloodworth, are as follows, to-wit:

For the passage of this Bill—Messrs. Benj. Williams, J. Hill, Gregory, Robinson, Brickell, Gray, Hunt, Reddick, Roddy, Amis, Jones, Graham, Binford, Bunn, McCawley, Harvey, Willis, Armstrong, Macon, Lane, McKinnie, W. Hill & Humphries.—23.


Mr. Jones moved for leave and presented a Bill for the recovery of Debts hereafter incurred, according to Contract, which was read, passed the first time and sent to the House of Commons.

Mr. Armstrong presented the Petition of Jacob Clinard, which was read and ordered to be sent to the House of Commons.

Mr. Jones moved for leave and presented a Bill for the relief of persons who have suffered or may suffer by their Grants, Deeds and Mesne Conveyances not being proved and registered, within the time heretofore appointed by law, and to grant a further time for registering certain Grants heretofore issued from Lord Granville's office; which was read, passed the first time & sent to the House of Commons.

Mr. Caswell delivered in the following report:

The Committee to whom was referred the Petition of Thomas Brown, of Bladen County, Report,

That your Committee have examined the Deeds, Bonds and other
Papers referred to in the said Petition, and are of opinion the facts set forth in the said Petition are sufficiently supported. Therefore,

Resolved, That it be recommended to the General Assembly to grant leave to bring in a Bill for the purpose expressed in Mr. Brown's Petition.

Which is submitted by your Committee.

R. CASWELL, Ch'n.

The foregoing report being read, was Concurred with & sent to the House of Commons.

Whereupon, Mr. Caswell moved for leave and presented a Bill to quiet Thomas Brown, Esq., of Bladen County, in his Title to & possession of divers Lands, Tenements and Hereditaments therein referred to; which was read, passed the first time & sent to the House of Commons.

Received from the House of Commons the Bill to revise part of an Act intituled "an Act to suppress excessive gaming." Endorsed, read the second time and passed.

And the Bill to alter the mode of swearing Petit Juries in the Courts of Law in this State.

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

Mr. McKinne presented the Petition of Andrew Bass, of Wayne County, which was referred on the part of the Senate to the Committee of Propositions and Grievances & sent to the House of Commons.

Received from the House of Commons a Bill for amending an Act for Establishing Courts of Law and for regulating the proceedings therein; and another Act for giving Equity Jurisdiction to the Superior Courts. Endorsed, read the first time & passed. Ordered that this bill be read, which being read was, on motion, referred to the next Assembly for Consideration.

Mr. Robinson, who had leave to withdraw for amendment the Bill for the more effectual administration of Justice in the districts of Washington and Davidson, and for dividing the Military Jurisdiction of the district of Washington, delivered in the same with the amendments; which was read, passed the second time & sent to the House of Commons.

Adjourned till to-morrow morning 10 o'clock.
The House met.

Mr. Armstrong presented the Petition of Henry Spiers of Surry County, which was read, referred on the part of the Senate to Mr. Bryan, Mr. Armstrong & Mr. McCawley & sent to the House of Commons.

Mr. Reddick presented the Petition of Christopher Reddick of Gates County; which was read, referred on the part of the Senate to the Committee of Propositions & Grievances & sent to the House of Commons.

Mr. Amis presented sundry Payrolls for services performed in a late expedition against the Indians Commanded by General Martin; whereupon, 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, &c.:

We herewith send you sundry payrolls for services performed in a late Expedition against the Indians Commanded by General Martin, which we propose shall be reported on by a joint Committee, and have appointed for this purpose on the part of the Senate Mr. McDowall, Mr. Graham, Mr. Lane, Mr. W. Hill, Mr. Chas. Johnston, Mr. Ben Williams, Mr. Dupree, Mr. Robinson and Mr. Willis.

Mr. Caswell laid before the House an account of Warrants granted by him when Governor, from the 26th of November, 1787, to the end of his Administration; which was read, referred on the part of the Senate to the Committee on Revenue and sent to the House of Commons.

Mr. Amis presented the Petition of Samuel Doake, of Hawkins County; which was read, referred to the Committee appointed on the pay rolls for the services performed against the Indians and sent to the House of Commons.

Received from the House of Commons the following Message:

Mr. Speaker, &c.:

We have received the Message of your House proposing to ballot for the several public officers therein mentioned, To-morrow at 4 O'Clock in the afternoon, with which we do not concur; but propose
that the several officers by you mentioned be ballotted for on Saturday next at 4 O'clock in the afternoon.

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

Mr. Speaker, &c.:

We agree to postpone the balloting for the public Treasurer, place at which the next Assembly shall be held, &c., until Saturday next as by you proposed.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen:

We have received the Message from your House, accompanied by Sundry Resolutions recommending to the people of this State to Elect Members in another Convention, &c., with which we do not concur as it now stands; we therefore propose the following amendments, viz: That the first resolution be amended to read thus:

"Resolved, That it is the opinion of this House a New Convention be recommended for the purpose of reconsidering the New Constitution held out by the Federal Convention as a Government for the United States."

In the Second Resolution we propose as an amendment that the number of Persons to be Elected as Members for each County be altered from Three to Five. In the fourth we propose as an amendment that the Resolution be allowed to read "the third Monday in November" instead of the "last Monday in October." Should your House agree to those amendments you will make the resolution conformable and we will then Concur.

The House taking the foregoing into Consideration Conversed therewith; whereupon, on Motion of Mr. Lenoir, seconded by Mr. Singleton, Ordered that the Yeas and Nays be taken on that part of the proposition of the House of Commons increasing the number of representatives from a County from Three to Five in the proposed Convention; which are as follows, viz: For Five Members from each County and for Concurring with the House of Commons Messrs. Dupree, McDowall, Ben. Williams, J. Hill, T. Johnston, Gregory, Payne, Ramsey, Caswell, Kenan, Robertson, Brickell, Hunt, Amis, Jones, Bryan, Binford, Bloodworth, McCawley, Keaton, Blount, Macon, McKinne, T. Brown, Auld, W. Brown, W. Hill, Stewart and Humphries.—29.
STATE RECORDS.

For three members from each County and for rejecting the proposition of the House of Commons—Messrs. McAllister, Reddick, Roddy, Graham, Dixon, Nesbit, Bunn, T. Johnston, Gaither, Willis, Tipton, Lane, Lenoir, Singleton & Webb.—15.

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

Mr. Speaker & Gentlemen:

We consent to the whole of the amendments by you proposed to be made in the Resolutions of this House relative to the calling a Second Convention and now send it for your Concurrence.

Received from the House of Commons the following Resolution:

Resolved, That it be recommended by this Assembly to the Convention which is to meet on the third Monday in November to reconsider the New Constitution, That they also consider the propriety of allowing the Town of Fayetteville a Member to represent the said Town on the same terms with the other district Towns in this State.

The House taking this Resolution into Consideration, Concurred therewith.

Whereupon, on Motion of Mr. Hunt, seconded by Mr. Macon, Ordered that the Yeas and Nays be taken thereon, which are as follows, viz:


For rejecting this resolution—Messrs. Williams, J. Hill, Chas. Johnston, Gregory, Payne, Caswell, Brickell, Hunt, Reddick, Jones, Bryan, Bunn, Blount, Harvey, Macon, Lane, McKinnie, W. Brown, W. Hill, Stewart and Humphries.—21.

Received also, a Resolution proposing that this Assembly make choice of five Persons to represent this State in a Convention of the United States; which was read, Concurred with & returned.

Received likewise the Bill for the relief of the Creditors of Absentees Comprehended within the Confiscation laws; which was read, and on Motion, withdrawn for amendment by Mr. Jones.

On motion of Mr. Macon, seconded by Mr. Blount,

Resolved, That no person be allowed pay as a member of the State Convention and General Assembly for the same time.
Sent for Concurrence.

Mr. Hill delivered in the following report:

Your Committee, to whom was referred the Memorial of the Secretary of State, report that the Secretary be allowed one Thousand and Ninety Pounds Six Shillings and four pence as a Compensation for the depreciation of his Salary from June, 1777, until June, 1781. The Committee observe that this allowance is estimated on the lowest Salary the Secretary has received any one year since his appointment.

Which is submitted.

W. HILL, Ch'n.

The House taking this report into Consideration, Resolved, That they do Concur therewith.

Received from the House of Commons a Report of the Committee on the Petition of Sundry Persons in behalf of Thos. Donneho and Wm. Sanders, and a Resolution entered into in Consequence thereof; which were read, Conurred with and returned.

Received also a Message from His Excellency the Governor, accompanied by several Resolutions & Acts of the Assembly of Virginia. Endorsed, read and referred to the Committee on Public Bills; which was read, referred in like manner and returned.

Reed. likewise the Bill to authorize and enable John Colson to return to this State and exercise the privileges of a Citizen; which being read was, on motion, withdrawn for amendment by Mr. Nesbit.

On motion of Mr. Jones, seconded by Mr. Caswell, Resolved, That the following be inserted as part of the Rules to be observed by this House, to wit:

That in all questions on amendments proposed by the Commons to Bills, Resolves, or Reports, the Members of the Senate who are opposed to the amendments shall be entitled to keep their Seats.

Received from the House of Commons a Report of the Committee on the Petition of Charles Dixon; a Report of the Committee on the Petition of the Executors of Arthur Brown, dec'd, and the report of the Committee on the Petition of Stephen Hvide. Each endorsed, Conurred with; which being read were severally concurred with & returned. Also the resolution of this House in favour of Ozborn Jeffreys. Endorsed, Conurred with.

Received also the Petition of Wm. Evans. Endorsed, referred as by the Senate. And a Petition of David Johnston and Thomas Ner-
Each endorsed, referred to the Committee of Propositions and
Grievances; which were read, referred in like manner and returned.
Received likewise from the House of Commons the following Mes-
sage:
Mr. Speaker & Gentlemen:
The Resolution of your House allowing Hodge and Willis, Public
Printers, five Hundred Pounds for the purposes therein expressed
we have thought proper to reject, and now send for your Concurrence
a Resolution requesting His Excellency the Governor, to grant them
a Warrant for five Hundred Pounds on their complying with a report
of a Committee therein alluded to.
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 in favour of Messrs. Hodge and
Willis, Public Printers, we return you herewith Concluded with.
Received by way of the House of Commons a Message from his Ex-
cellency the Governor, enclosing a letter from the Superintendant of
Indian Affairs. Endorsed, referred to the Committee on Indian
Affairs; which being read was referred in like manner and returned.
Received also a Bill for adding part of Dobbs County to Pitt,
and a Bill for altering the place of holding the Courts of Pleas and
Quarter Sessions for the County of Montgomery; also a Bill for de-
stroying Wolves, Crows, and Squirrels in the Counties therein men-
tioned. Endorsed, read the first time and passed.
Ordered that these Bills be read, which being read were Severally
laid over till the next Assembly.
Ordered that the following Message be sent to the House of Com-
mons:
Mr. Speaker, &c.:
We propose that the Petition of James Warrenton be referred to a
joint Committee, and have for this purpose on our part appointed Mr.
Chas. Johnston.
Received from the House of Commons a Petition of sundry the
Inhabitants of Randolph County. Endorsed, referred to the Com-
mittee of Propositions and Grievances. And a Petition from a part
of the Inhabitants of Green County. Endorsed, referred to the
20—34
Committee on Indian Affairs; which being read, each were referred in like manner and returned.

Mr. McKinnie presented a Petition of Lancer Kerr, of Wayne County, which was read, referred to the Committee of Propositions & Grievances and sent to the House of Commons.

Received from the House of Commons the following Bills, viz.:

A Bill to open a communication between Cape Fear river and upper Fayetteville by making Cross Creek navigable;

A Bill to amend an Act entitled "an Act to prevent domestic insurrection;"

A Bill to annex part of the County of Washington to Sullivan;

A Bill to amend an Act passed in the year 1783, intituled "an Act to vest certain Lands in fee simple in Richard Henderson and others;"

A Bill to impower the Wardens of the Poor in the County of Camden to lay a tax to enable them to settle the arrears due from the said County;"

A Bill for altering the manner for holding Elections for Members of the Assembly in Rowan County;

A Bill for dividing the County of Hawkins;

A Bill to repeal part of an Act passed at New Bern November, 1785, Intituled "an Act for destroying Wolves, Wildcats, Panthers, & Bears in the several Counties therein mentioned;" and

A Bill for the better ascertaining the Taxable property in the Town of Wilmington, and collecting the public and other Taxes which may be imposed therein, and for the further regulation of the said Town, and also for repairing the Episcopal Church of Saint James situated therein. Severally endorsed, read the first time & passed.

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

Mr. Jones moved for leave and presented a Bill to direct in what Manner the Members of the General Assembly shall be paid for their services & attendance in future; which was read, passed the first time & sent to the House of Commons.

Mr. Willis moved for leave and presented a Bill to invest Thos. Maples, Jun., his Heirs and Assigns, forever with a Title in fee simple to a certain tract of Land; which was read, passed the first time & sent to the House of Commons.
STATE RECORDS.

Received from the House of Commons A Bill to amend an Act intituled "an Act to amend an Act passed at Fayetteville in November, 1786, intituled "an Act to amend an Act passed at New Bern in December, 1785, intituled an Act for increasing the Jurisdiction of the County Courts of Pleas and Quarter Sessions, and of the Justices of the Peace out of Court, and directing the time of holding Courts in this State. Endorsed, read the first time & passed.

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

Mr. Chas. Johnston moved for leave and presented a Bill for the regulation of Edenton Ferry; which was read, passed the first time & sent to the House of Commons.

Mr. Lenoir moved for leave and presented a Bill to repeal part of an Act intituted "an Act to alter the mode of punishing Horse Stealing; also to repeal an Act to prevent horse Stealing; which was read, passed the first time & sent to the House of Commons.

Mr. Webb moved for leave and presented a Bill to enable John Crawford late Sheriff of Anson County, to collect the arrearages of Taxes for the year 1779; which was read, passed the first time & sent to the House of Commons.

Adjourned till To-morrow Morning 10 O'Clock.

Friday, 21 November, 1788.

The House met.

Received from the House of Commons a Bill to impower the Court of Pleas and Quarter Sessions of the several Counties to levy a tax on the Inhabitants thereof for the purpose of erecting or repairing the Court Houses, Prisons and Stocks therein, when necessary; and a Bill for adding a part of Bladen County to Cumberland; also a Bill to amend an Act entituled "an Act to erect a town on the Lands of Matthew Figures in Northampton County." Each Endorsed, read the first time & passed.

Ordered that these Bills be read, which being read the Bill adding part of Bladen to Cumberland was laid over till next Assembly, and the other two passed the first time in this House & returned.

Received also from the House of Commons the following Bills, Viz: A Bill to extend the line between the Counties of Burke and Rutherford, and to appoint Commissioners to run said line;
A Bill to suppress settling in the Counties therein mentioned;
A Bill to amend an Act entitled "an Act for appointing the place for holding Courts of Pleas and Quarter Sessions in the County of Sullivan," passed at Fayetteville, 1786;
A Bill to establish a mode of tryal of Slaves for capital offences;
A Bill to quiet in the possession of Wm. Scott certain Lands therein mentioned and described. Each 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 from the House of Commons a Petition of James Craige. Endorsed, referred to Mr. Steele, Mr. Hamilton, Mr. Baker, Mr. Houser and Mr. Phifer on the part of this House; which being read was, on the part of the Senate, referred to Mr. Bryan, Mr. Lenoir, and Mr. Armstrong. Also a Report of the Committee on the Memorial of John Williams. Endorsed, Concurred with; which was read, concurred with by this House and returned.

Received likewise from the House of Commons a Bill to amend an Act intituled "an Act for the regulation of the town of Hillsborough;"

A Bill to appoint Commissioners to superintend the building a Prison & Stocks for the District of Fayetteville, and to levy a tax on the Counties within the said District for defraying the expenses thereof;

A Bill impowering Thomas Johnston late Sheriff of Onslow County, his Heirs, Ex'rs or Administrators, to collect the Sinking Fund Tax due from this County for the year 1786, and for giving him or them a longer time for collecting and settling the same. Severally endorsed, read the second time & passed.

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

Received likewise a Bill to establish a town laid off at the Court House in Robeson County by the name of Lumberton;

A Bill to emancipate a certain Negro Slave named Phillis, late the property of George Jacobs of the Town of Wilmington, dec'd; and

A Bill to amend an Act "intituled an Act for the more regular collecting and accounting for and payment of the Public Tax." Severally endorsed, read the first time and passed.

Ordered that these Bills be read, which being read the two first
were passed the second time in this House and returned and the latter on motion, rejected.

Mr. Jones presented the account of John Geddy late Sheriff of Halifax County, which was read and referred to the Committee of Claims.

Received from the House of Commons a Bill to quiet Thomas Brown of Bladen County, Esqr., in his Title to and possession of Divers Lands, Tenements & Hereditaments therein referred to. Endorsed, read the first time and passed.

And the Bill to annex part of Brunswick County to the County of New Hanover. 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.

Received also a Bill to confirm the rights and Titles of Several Citizens of this State in certain Negroes therein described, and preventing unjust and vexatious Law Suits;

And a Bill to encourage the building of Iron Works in this State. Endorsed, read the first time and passed.

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

Ordered that Mr. Jones have leave to absent himself from the service of this House after the Seventh of December next, and that Mr. Blount have the like permission after.

Received from the House of Commons a Report of the Committee appointed to Confer with Mr. Alexander Drumgooll. Endorsed, Concurred with; which was read, Concurred with by this House and returned.

Adjourned till To-morrow Morning 10 O'Clock.

Saturday, 22 Nov., 1788.

The House met.

Read the Memorial of the Exr's of Colonel Henry Rhodes; whereupon, on Motion of Mr. Bloodworth, seconded by Mr. Stewart, Ordered that the following Resolution be entered into & sent to the House of Commons:

Whereas, it is made appear by the Exr's of Henry Rhodes, deceased, to the satisfaction of the General Assembly, that an account
of disbursements of public Monies in the Hands of the deceased has
been found among his papers, which was unknown at the time of set-
tting with the Comptroller, by which means a balance appears in
favour of the public to the prejudice of the Estate of the said Rhodes,
deceased, for remedy whereof,

Resolved, That the Comptroller be directed to examine and settle
said accounts & the Treasurer be also directed to forbear commenc-
ing suit against the Exr's until the rising of next General Assembly.

Received from the House of Commons the following Messages:

Mr. Speaker & Gentlemen:

We agree that the Petition of Mr. Warrenton be referred to the
joint Committee as by you proposed, and have for this purpose on
our part appointed Messrs. Cabarrus & Horn. We also agree that
the Petition of Elizabeth Fuzzle be reported on by the Committee to
whom was referred the Petition of Jane Simpson.

Mr. Speaker, &c.:

We agree that the Payrolls for services performed on a late Expe-
dition against the Indians be referred to a joint Committee as by
you proposed, and have for this purpose appointed Mr. J. Brown of
Wilkes, Mr. E. Robinson, Mr. Maxwell, Mr. Steele, Mr. Person, Mr.
J. Jones, Mr. Cabarrus, Mr. Grove, Mr. Ward & Mr. John P. Wil-
liams to act with the Gentlemen by you appointed as a Committee.

Received also the Ac'ts of Warrants granted by Governor Caswell
from the 26 November to the 16 December, 1787;
The Petition of Andrew Bass;
The Petition of Christopher Reddick;
The Petition of David Davis;
The Petition of Lancer Kerr of Wayne County, and the Petition
of Sam'l Doake. Severally endorsed, read and referred as by the
Senate.

Received likewise the Petition of Henry Spiers. Endorsed, re-
ferred on the part of this House to Hr. Houser, Mr. Mebane, Mr.
Horn, Mr. Lewis and Mr. Caldwell. And a report of the Commit-
tee on the Petition of Henry Hill and Thomas Fitt. Endorsed,
Concurred with; which being read was also Concurred with by this
House and returned.

On motion of Mr. Harget, Resolved, That the Public Treasurer
be and he is hereby required to observe the following rules in issuing the final settlement Certificates in his possession, to wit:

He shall issue them on the Furlough or discharge of the Soldier to whom they have been granted; or on the affidavit of such Soldiers that they never obtained Furloughs or discharges, or that having obtained such, they had lost and not sold them. He shall also issue on the affidavit of the Heirs or others claiming under deceased Soldiers, it being first certified on the back of such affidavits by the Court of the County in which the Claimant resides, that he or she is the legal representative of the Soldier who had so died in the service; and he shall likewise issue on written Orders, the person producing such Order first making Oath that he actually purchased of and obtained the same from the Soldier under whom he claims. Certificates from the late Commissioners of Army Accounts that Furloughs or discharges are lodged in that office shall also be good.

Sent for Concurrence.

Received from the House of Commons Sundry Payrolls from the County of Greene for services lately performed against the Indians. Endorsed, referred to the Committee appointed on the Payrolls for like services; which was read, referred in like manner and returned.

Received also the resolution of this House declaring that no Person in the next Assembly shall receive pay for his services as a Member thereof and of the Convention at the same time. Endorsed, Concurred with. And the following Message:

Mr. Speaker, &c.:

We herewith return the Resolution of your House for calling another Convention, Concurred with as amended.

Agreeable to the Order of the Day the Bill Ceding to the Congress of the United States certain Western Lands therein described, and authorizing the Governor of this State to erect, execute a Deed or Deeds for the same, was called for and read, amended, passed the Second time and sent to the House of Commons.

Upon the passage of this Bill it was moved by Mr. Bloodworth seconded by Mr. Tipton, that the following clause, viz: "Be it Enacted by the General Assembly of the State of North Carolina and "it is hereby enacted by the authority of the same, that this State do "hereby Cede to the Congress of the United States for the said State "all right, Title and Claim which this State has to the Lands west of "the Apalachian or Alleghany, beginning where the Virginia Line
“intersects the extreme height of the said Mountain,” thence with the “said Mountain to the thirty-fifth degree of North Latitude, thence “running in the thirty-fifth Degree to the Mississippi, thence up the “Mississippi to thirty-six degrees thirty Minutes of North Latitude, “being the Northern Boundary of this State, thence along the Vir- “ginia Line to the first Station,” be amended by deleting the word Appalachian or Alleghany and inserting Cumberland Mountains. This being objected to and the question called for and taken thereon, was carried in the Negative, Whereupon, on motion of Mr. Blood- worth, seconded by Mr. Tipton, ordered that the Yeas and Nays be taken thereon which are as follows, viz.:


Received from the House of Commons a Message from His Excellency the Governor, relative to the settlement of the accounts of this State. Endorsed, referred to the Committee on Revenue; which was read & referred as by the House of Commons.

Received also a Memorial of Matthew McClure. Endorsed, re- ferred to Mr. Steele, Mr. Hawkins, Mr. Person, Mr. Withrow, Mr. Gowdy & Mr. Baker; which being read was, on the part of the Sen- ate, referred to Mr. Montgomery, Mr. Hunt and Mr. Graham & re- turned.

Mr. Jones, who had leave to withdraw for amendment the Bill for the relief of the Creditors of Absentees Comprehended within the Confiscation Laws, presented the same, which was read with the amendment, passed the second time and sent to the House of Com- mons.

Received from the House of Commons the Resignation of James Sanders, Jno. Summers, Richard Huff & Thos. Everett, Justices of the Peace, and of Friley Jones, First Major of Tyrrell County. Endorsed, accepted; also the following Message:

Mr. Speaker, &c.:

It was the sense of this House that the place for holding the next
Assembly at be ballotted for this Evening, altho' it was omitted to be expressed in our last Message.

Mr. Blount presented the Memorial of John Walker, of the Town of Wilmington; which was read, referred on the part of the Senate to the Committee of Propositions and Grievances & sent to the House of Commons.

Adjourned till 4 O'Clock P. M.

The House met according to Adjournment.

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

Mr. Speaker, &c.:

We are now ready to proceed to the balloting for a public Treasurer, place at which the next Assembly shall be held, &c.; and have appointed Mr. Macon and Mr. Dixon to superintend the same on the part of this House.

Received from the House of Commons the following Message:

Mr. Speaker, &c.:

We have appointed Mr. Person & Mr. Hamilton to Superintend and conduct the balloting on the part of this House.

On motion of Mr. Bloodworth, seconded by Mr. Kenan, Ordered that the following Message be sent to the House of Commons:

Mr. Speaker. &c.:

It is the opinion of this House that the Superintendents of the balloting be requested to wait on those Members, in order to receive their Tickets, who from indisposition cannot attend.

Received from the House of Commons the following Message:

Mr. Speaker, &c.:

We agree that the Inspectors appointed for the balloting shall wait on the Members who are sick and receive their Tickets as by you proposed.

Resolved, That on application of His Excellency the Governor, the Public Secretary be and he is hereby required to furnish attested transcripts of such and so many of the Laws of this State as shall be demanded, in order that they may be forwarded for the use and information of Congress.

Sent for Concurrence.
Mr. Macon and Mr. Dixon on the part of this House, and Mr. Person and Mr. Hamilton on the part of the House of Commons, now proceeded to conduct the balloting; which being ended Mr. Macon reported that John Haywood, Esquire, is appointed public Treasurer for the ensuing year. That Jonathan Loomiss, Esqr., is appointed Judge of the Marine Court of the Town of Washington. That John Smallwood is appointed Vendue Master for the Town of New Bern, and that no place had a Majority as the place at which the next Assembly shall be held.

The foregoing report being read, was Conccurred with.

Adjourned till Monday Morning 10 O'Clock.

Monday, 24 Nov., 1788.

The House met.

Mr. Jones presented a representation of the Public Treasurer, which being read it was ordered that the following Message be sent to the House of Commons:

Mr. Speaker, &c.:

With this you will receive a representation from the Public Treasurer which we propose shall be referred to the Committee on Revenue, except the latter part thereof, which we propose shall be immediately reported on by a Joint Committee and have for this purpose on our part appointed Mr. Jones, Mr. Hunt and Mr. Graham.

On motion of Mr. Macon, seconded by Mr. Overton, ordered that the following Message be sent to the House of Commons:

Mr. Speaker &c.:

No place having got a Majority of votes at the late balloting for a place at which the next Assembly shall be held, we now propose that the General Assembly proceed to that choice on Friday next at 4 O'Clock in the afternoon. We also propose that five persons be made choice of at the same time to represent this State in a Convention of the United States, and Nominate His Excellency Samuel Johnston, Mr. Iredell, Mr. Person, Mr. Bloodworth, Judge Spencer, Mr. Allen Jones, Mr. McDowall, Sen., Mr. Dupree, Mr. Lock and Mr. Alfred Moore.

Received from the House of Commons the following Bills, viz.:

A Bill to amend an Act entitled "an Act for the promotion of learning in the district of Wilmington;"
A Bill to amend an Act to prevent the exportation of unmerchantable commodities;

A Bill to regulate the Town of Edenton;

A Bill to levy a Tax in Gold or Silver on Specific articles, to pay the Interest of the Foreign Debt; and

A Bill to amend the several acts of Assembly to prevent dealing and trafficking with Slaves. Severally endorsed, read the first time & passed.

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

Mr. Lenoir delivered in the following report:

The Committee to whom was referred the Petition of James Craige, late Sheriff of Rowan County, have considered the same & report the draught of a Bill herewith presented as proper to be passed into a Law, as well for the relief of Mr. Craige as others.

WM. LENOIR, Ch'n.

The House taking this report into Consideration Concurred therewith. Whereupon, Mr. Lenoir moved for leave and presented a Bill for the relief of former Sheriffs, and for directing the Comptroller as to the manner of settling their accounts; which was read, passed the first time & sent to the House of Commons.

Received from the House of Commons a Petition of Thomas Bloodworth. Endorsed, referred to Mr. Everagin, Mr. Maxwell and Mr. Dixon; which being read was, on the part of the Senate, referred to Mr. Overton, Mr. Harvey and Mr. Kenan. Also a Petition of James Johnston and others; and a Petition of sundry of the Inhabitants of the County of Rowan. Each endorsed, referred to the Committee on Propositions and Grievances; which were read, referred in like manner and returned.

Mr. McAllister presented the Petition and Claim of Neil Kay; which was read, referred on the part of the Senate to the Committee of Propositions and Grievances & sent to the House of Commons.

Received from the House of Commons a report of the Committee on the Petition of Henry Virrell. Endorsed, Concurred with. Also the following Message:

Mr. Speaker, &c.:

We propose that the General Assembly proceed to ballot at 4 O'Clock this evening for the place at which the next Assembly shall
be held. Mr. Hamilton and Mr. Steele will conduct the Balloting on the part of this House.

Received from the House of Commons the Bill to appoint Inspectors for the Ware House built in Fayetteville by Robertson Montfort and James Porterfield, established by act of Assembly December, 1785; and a Bill to revise part of an Act passed at New Bern in the year 1785 entitled "an Act for dividing Guilford County." Each endorsed, read the first time and passed. Also a Bill to quiet Thomas Brown, of Bladen County, Esquire, in his Title to and possession of divers Lands, Tenements and Hereditaments therein referred to. Endorsed, read the Second time and passed.

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

Mr. Armstrong delivered in the following Report:

Your Committee, to whom was referred the Petition of Henry Spiers, one of the Justices of the Peace for the County of Surry, report,

That they have made diligent enquiry into the several Matters in the said Petition set forth, and strictly examined the several documents adduced in support of the same, from which it appears that the said Henry Spiers was by the last General Assembly suspended from acting as a Justice of the Peace for said County, on a charge alleged against him by Phil. Malcombe, until the said Spiers should acquit himself of the Charges. That from the voluntary confession of Halcombe, the accuser, it appears to your Committee that the said charge was groundless and that he, the said Halcombe, had no other reasons for thus accusing the said Henry Spiers than that of Malice; which confession is corroborated by the Testimony and Certificates of Gentlemen of indisputable character.

Your Committee, therefore, recommend that the resolution of the last General Assembly Suspending the said Henry Spiers from the exercise of the office of a Justice of the Peace for the County of Surry, be rescinded and that he be restored to his office again.

All which is submitted.

JAS. ARMSTRONG, Ch'm.

The House taking this report into Consideration Concurred therewith.
STATE RECORDS.

Received from the House of Commons a Petition of John Rutledge, Thomas Sumpter and others. Endorsed, referred to Mr. McDowall, Mr. Person, Mr. Steele, Mr. Cabarrus & Mr. Gowdy on the part of this House; which was read and referred on the part of the Senate, to Mr. Dixon, Mr. Bloodworth & Mr. McDowall.

Received also the following Message:

Mr. Speaker, &c.:

We agree that the Public Treasurer's representation be referred as by you proposed and have appointed on the part of this House, Mr. McDowall, Mr. Cabarrus, Mr. Gowdy, Mr. Leonard and Mr. Mebane to act with the Gentlemen by you named to report on the latter part thereof.

Mr. Overton presented the resignation of Willis Dickenson, First Colo. of the regiment of Militia in the County of Moore; which was read, accepted and sent to the House of Commons.

Received from the House of Commons a Report of the Committee on Revenue, on the Letters from the Board of Treasury, William Skinner, &c. Endorsed, Concurred with; which being read was also Concurred with and returned.

Received also a report of the Committee appointed on the Petition of James Warrenton. Endorsed, Concurred with; which was read, Concurred with by this House and returned.

Mr. McCawley moved for leave and presented a Bill for altering the time of holding Courts of Pleas and Quarter Sessions in the County of Orange; which was read, passed the first time and sent to the House of Commons.

Mr. Nesbit presented the resignation of Jesse McClendon and William Miller, Justices of the Peace for the County of Montgomery; which were read, accepted & sent to the House of Commons.

Received from the House of Commons the Bill to alter the manner of holding Elections for Members of the General Assembly in Rowan County, and the Bill to amend an Act intituled "an Act for the regulation of the Town of Hillsborough." Each endorsed, read the third time and passed.

Ordered that these Bills be read, which being read the first was, on Motion, laid over till the next Assembly, and the Latter passed the third and last time & ordered to be Engrossed.

Mr. Gallaway, the Member for the County of Rockingham, ap-
peared, presented the Certificate of his Election, was qualified agreeably to Law and took his Seat.

Received from the House of Commons the following Message:

Mr. Speaker, &c.:

We do not concur with you in postponing the balloting for a place for the sitting of the next Assembly until Friday next, but propose to ballot this Evening at 4 O'Clock, as proposed in a former Message on that subject. We consent that five persons to represent this State in a Federal Convention, be also ballotted for at the same time and approve of the nominations by you made, and have added thereto Mr. James Gallaway and Joseph McDowell, the elder.

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

Mr. Speaker, &c.:

We consent to ballot this Evening agreeable to your last proposition.

Mr. Binford presented the resignation of Howell Edmonds, Colo. of the Northampton Regiment of Militia; which was read, accepted and sent to the House of Commons.

Received from the House of Commons the Bill to Establish a Town laid off at the Court House in Robeson County by the name of Lumberton. 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.

Read the representation of John Macon in behalf of Older Neal, whereupon,

Resolved, That the Public Treasurer be and he is hereby required to suspend the entering up Judgment against Older Neal for the Sum of Ten Thousand dollars until after the rise of the next Session of Assembly, sufficient reasons being shown wherefore this resolution should be entered into.

Received from the House of Commons the following report. Endorsed, read and Concurred with, to-wit.:

The Committee to whom the Petition of William Evans of the Town of Wilmington, was referred report,

That the said William Evans in the Fire on the Night of the 24th November, 1786, in the Town of Wilmington, had among other property consumed Certificates granted by the late Boards of Com-
missioners for liquidating Army Accounts to the amount of Seventeen Hundred and fifty-five pounds thirteen Shillings and ten pence, which by the test produced to the Committee appear all to be issued previous to the last sitting of the said Boards.

Your Committee being fully persuaded that the said Certificates were consumed in the said fire are of opinion & beg leave to recommend that a resolution be passed directing the Comptroller to issue to the said William Evans Certificates to the aforesaid amount in the names of those Persons to whom they were originally granted, to bear the same date and be entitled to draw interest accordingly.

Which is submitted.

THOS. PERSON, Ch’n.

The House taking this report into consideration, Concurred therewith.

Whereupon the Yeas and Nays being required by Mr. Jones, seconded by Mr. Macon, are as follows:


Mr. Jones, in behalf of himself and others, moved for leave and presented the following as their reasons of dissent, viz.:

1st. That it is expressly repugnant to a Resolution of the General Assembly passed at Tarboro’ in Nov. 1787, in these words:

“Resolved, That the General Assembly do not hold themselves bound to ensure or guarantee property of any kind to any Person, therefore will admit of no Claims for Money or Certificates either lost, Mislaid or destroyed by any Mode or means whatever.”

2nd. That it opens a door to frauds innumerable by allowing Person to swear themselves into unfounded Claims and demands against the State.

3rd. That it is at least necessary when any demand is made against the State for public Securities said to be lost or destroyed, that the
State should be convinced that the Securities on which such demand is made were good and that they shall not again come into circulation, or if they should be again circulated that the persons who have been already once paid for them should be accountable to refund; but even this last provision is not made by the resolution to which we dissent.

4th. That the People of this State are already pledged for the payment of vast Sums of Money, wherefore it must be improper for the Assembly to divert the public Treasure from the payment of Legal demands & lavish it in waste in donations to Individuals.


Adjourned till 4 O'Clock P. M.

The House met according to adjournment.

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

Mr. Speaker, &c.:

We are now ready to proceed on the balloting agreed on, & have appointed Mr. Hunt and Mr. Dixon to conduct the same on the part of this House.

It is our opinion that the Superintendents have the like power with respect of taking the votes of the indisposed Members as were given those of the last balloting.

Mr. Hunt and Mr. Dixon, on the part of the Senate, and Mr. Steele and Mr. Hamilton on the part of the House of Commons, now proceeded to the balloting, which being ended Mr. Dixon reported, That Fayetteville is made choice of as the place at which the next Assembly will sit.

That Timothy Bloodworth, Thomas Person, Joseph McDowall and Matthew Locke, Esqrs., are appointed Members from this State to a Convention of the United States, and that there still remains one representative to the Foederal Convention to be ballotted for.

The House taking this report into Consideration, Concurred therewith.

Whereupon, on Motion of Mr. Macon, seconded by Mr. Blount, ordered that the following Message be sent to the House of Commons:

One Person to represent this State in a Convention of the United
States being yet to be balloted for, we propose that the two Houses proceed to make that choice this afternoon at 4 O'clock, and nominate Mr. William Lenoir.

At the request of James Gallaway, Esqr., his name is withdrawn from the nomination.

Mr. Gallaway presented a Petition of James Hunter, of Rockingham County, which being read it was, on Motion of Mr. Gallaway, seconded by Mr. Bloodworth, Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We herewith send you a Petition of James Hunter, the subject Matter of which we propose shall be reported on by a joint Committee and that the Committee be instructed to report what steps are necessary to be taken to prevent like abuses in future; for this purpose we have appointed Mr. Gallaway, Mr. Hill and Mr. Bloodworth.

Received from the House of Commons the Bill for erecting a Town on the Lands of Thomas Daughan in Randolph County. Endorsed, read the second time and passed.

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

Mr. Gregory delivered in the following report:

The Committee of Privileges and Elections, authorized to consider of and report on the excuses offered in behalf of those Members who did not attend this Assembly agreeably to Law, Report:

That Mr. Richard Singleton, Mr. W. Hill, Mr. R'd. McKinne, Mr. Thomas Brown, Mr. Thomas Stewart, Mr. Jno. Humphries and Mr. James Gallaway appeared and having declared on Oath the several Circumstances which caused their delay.

Your Committee are of opinion that their excuses are sufficient and that the fines incurred by Law for their non-attendance be fully remitted.

Which is submitted.

ISAAC GREGORY, Ch’n.

The House taking this report into Consideration Concurred therewith.

Received from the House of Commons the Bill for the recovery of Debts hereafter incurred, according to contracts. Endorsed, read the first time and passed.

20—35
Ordered that this Bill be read, which being read it was moved by Mr. Gallaway, seconded by Mr. McCawley, that it be rejected. This being objected to and the question called for and taken thereon was carried in the affirmative; whereupon, on Motion of Mr. Macon, seconded by Mr. Chas. Johnston, ordered that the Yea and Nays be taken on this question which are as follows, viz:


For the passage of this Bill—Messrs. McDowall, Williams, C. Johnston, Gregory, Payne, Hunt, Amis, Jones, Overton, Dickson, Binford, Bloodworth, Keaton, Harvey, Macon, Lane, McKinne, W. Hill and Stewart—19.

Received from the House of Commons the Bill to direct in what manner the Members of the General Assembly shall be paid for their Services and attendance in future. Endorsed, read the first time and passed.

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

Received also a Petition of Henry Lutterloch of the Town of Fayetteville. Endorsed, referred to the Committee on Propositions and Grievances; which being read was referred in like manner and returned.

Mr. Hill presented the Petition of George Ryan, late Sheriff of the County of Bertie, which was read and ordered to lie on the Table.

Received from the House of Commons the following Message:

Mr. Speaker, &c.:

We agree to ballot this Evening as by you proposed for the one person yet to be made choice of to represent this State in a Convention of the United States, and have added to the nomination Mr. John Macon.

Received also a Resolution requiring the several Committees to report on the Matters to them referred by Monday next, and declaring that no Bill of any kind be received after that day; which was read and on Motion, ordered to lie on the Table for consideration.

Received likewise the Bill to repeal part of an Act Intituled “an
Act to alter the mode of punishing Horse Stealing; also to repeal an Act to prevent Horse Stealing. Endorsed, read the first time and passed.

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

Received likewise from the House of Commons the Bill for the regulation of Edenton Ferry. Endorsed, read the first time and passed.

Ordered that this Bill be read, which being read it was moved by Mr. Hill, seconded by Mr. Stewart, that it be rejected. This being objected to and the question called for and taken thereon, was carried in the affirmative; whereupon, on Motion of Mr. Chas. Johnston, seconded by Mr. McCawley, Ordered that the Yeas and Nays be taken which are as follows, viz.:


For rejecting the Bill—Messrs. Williams, Payne, Ramsey, Gray, Reddick, Jones, Graham, Dixon, Binford, Bloodworth, Bunn, McCawley, Keaton, Gaither, Daugan, Willis, Macon, Lane, W. Hill, Webb, Stewart, Gallaway—22.

Received from the House of Commons the report of the Committee on the Petition of Henry Spiers; the Resolution of this House in favour of the Ex'rs of Henry Rhodes; The Resolution in favour of Older Neal, and the resolution directing the Treasurer relative to issuing the Final Settlement Certificates in his Hands. Respectively endorsed, Concurred with.

Received also the following Message:

Mr. Speaker, &c.:

We agree that the Petition of James Hunter be reported upon as by you proposed, and have for this purpose appointed Mr. J. P. Williams, Mr. Hamilton, Mr. Gowdy, Mr. Ward and Mr. Steele.

Received likewise a Report of the Committee on the Petition of Will. Armstrong. Endorsed, Concurred with; which being read was also Concurred with and returned.

Adjourned till 4 O'Clock P. M.

The House met according to adjournment.

Received from the House of Commons a Report of the sub-Com-
mittee on Revenue No. I, respecting the Public Tobacco. Endorsed, 
Concurred with; which being read it was ordered that the following 
Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

We do not concur with the report of the Committee on revenue as 
it now stands, but propose that it be amended by deleting from the 
word that in the recommendatory part marked 55 to the word Fayetteville inclusive, and substitute Attorney General. Should you 
agree to amend it thus we will then concur.

Received from the House of Commons the Bill for the relief of 
former Sheriffs, and for directing the Comptroller as the manner of 
settling their Accounts. 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.

Adjourned till To-morrow Morning 10 O’Clock.

WEDNESDAY, 26 Nov., 1788.

The House met.

Mr. Bloodworth presented the petition of John Devane and Rich-
ard Herring; which was read, referred to the Committee of Prop-
ositions and Grievances & sent to the House of Commons.

Mr. Hunt delivered the following report:

The Committee appointed to consider the last paragraph of the 
representation of the Treasurer Report,

That the Treasurer received into his office Certificates which were 
issued to Members of Assembly for attendance in April 1784 to the 
amount of Eight Hundred and fifteen pounds Six Shillings. It ap-
pears by the Testimony of Mr. William Blount that he delivered to 
Benjamin Exum, who was then in 1784, Treasurer of the District of 
New Bern, General Rutherford’s Ticket for Eighteen pounds 4s 
and received the Money for it from Mr. Exum; and from the Test-
imony of Mr. Fred. Hargett that he gave in his Certificate to said 
Exum and received Money for it; so that these Certificates having 
been once paid, could not be again in Circulation without a fraud; 
but these two Certificates are included in the first mentioned Sum 
£815 6; therefore it follows that Mr. Exum himself has either 
thrown them into circulation since he received them or that they have 
been stolen from him, but there is great reason to believe that Mr. 
Exum himself is the guilty person, as they are informed that he paid
to John Coor Pender Certificates to the amount of three Hundred and Eighty Pounds 4s and which said Pender paid to the present Treasurer, and is part of the aforesaid Sum of £815.6.

Your Committee are informed that a certain Thomas Butcher, supposed to be confederate in this villainy with Mr. Exum, has circulated Certificates coming within the description aforesaid, to a considerable amount.

Mr. Glasgow, Secretary, informs the Committee that said Exum executed a Bond with Security for the year 1782, which is in his possession; but he believes he gave no Bond for 1783 & 1784, so that there can be no remedy but against Exum himself, as your Committee conceives, and that by Suit for Monies had & received for the use of the State.

Your Committee are of opinion that Mr. Haywood, the present Treasurer, be directed to state the case as fully as possible to the Attorney General, first obtaining on Oath all the Testimony which can be had here, as well with respect to the said Exum and Butcher, and that he transmit the same immediately by Express to the Attorney General and that the Attorney General be directed to take the most proper and effectual steps against said Exum and Butcher to obtain redress for the public. Your Committee are of opinion that the Treasurer be directed not to receive or pay any more of the Certificates granted as aforesaid for attendance in 1784.

All which is submitted.

A. HUNT, Ch'n.

The foregoing report being read was concurred with & sent to the House of Commons.

Received from the House of Commons a Report of the Committee on the Petition of sundry of the Inhabitants of Randolph County; A Report of the Committee on the Petition of James Kerr; A Report of the Committee on the Petition of David Johnston; A Report of the Committee on the Petition of Nathan Hambrick; and A Report of the Committee on the Petition of sundry Persons living on French Broad river. Severally endorsed, Concurred with; which being read were each Concurred with by this House and returned.

Received also a Memorial of James Witherspoon. Endorsed, re-
ferred to the Committee of Propositions & Grievances; and the Memorial of Robert Martin. Endorsed, referred to the Committee of Claims; which being read was, by this House, referred in like manner and returned.

Received likewise a Memorial of Griffith Jno. McRae. Endorsed, referred on the part of this House to Mr. McDowall, Mr. Sawyer & Mr. Hoskins; which being read was, on the part of the Senate, referred to Mr. Brown and Mr. Williams.

Received also a Memorial of John Hoskins. Endorsed, referred to the Committee of Claims; which being read it was, on motion of Mr. C. Johnston, Seconded by Mr. Gallaway, ordered that the following resolution be entered into & sent to the House of Commons.

Resolved, That the Comptroller be directed to receive and examine the Claims of John Hoskins for pay and Cloathing as set forth in his Petition to the General Assembly, and that he be authorized to dispence with so much of the Oath prescribed by Law as requires the Person presenting any Claim to swear that the same has not been before rejected by any of the Auditors of this State, or by the Comptroller, or any Committee of the General Assembly.

Mr. Speaker, &c.:  

We do not agree with you in referring the Memorial of John Hoskins to the Committee of Claims, but propose that the resolution herewith sent on that subject be adopted.

Agreeable to the order of the Day the Bill for cutting a Navigable Channel from the Waters of Pasquotank River in this State, to the Waters of Elizabeth River in the State of Virginia, was called for and read; when it was passed the third time, amended and sent to the House of Commons.

Yeas and Nays being required on the passage of this Bill by Mr. Blount, seconded by Mr. C. Johnston, are as follows, viz:


STATE RECORDS.

Received from the House of Commons the Memorial of John Walker and the Claim of Neil Ray. Each endorsed, referred to the Committee of Propositions and Grievances as by this House.

Received also the resolution of this House directing the Secretary to furnish such of the Laws of this State as shall be demanded by His Excellency the Governor. Endorsed, Concurred with.

Mr. Hill delivered in the following report:

The Committee on Western Territory and Indian Affairs Report, That your Committee are of opinion that a Commissioner ought to be appointed on the part of this State to Act with the Commissioners appointed by Congress for holding a Treaty with the Southern Indians, and that this State furnish Three Thousand three Hundred and Thirty-three and one third Dollars, her quota of Ten Thousand Dollars in Specie required by Congress for the purpose of holding such Treaty; and recommend the upper War Ford on French Broad River as the place most proper for holding said Treaty.

On the Memorial of Mary Bledsoe, accompanied by a deposition of Colo. James Robinson, setting forth that the Estate of the late Colo. Anthony Bledsoe and the said Colonel Robertson had become bound and liable to pay to James Hackett and Alexander Ewing the Sum of Two Hundred pounds for Services by them performed in carrying dispatches to the Creek Indians.

Your Committee are of opinion that the said Sum of Two Hundred pounds ought to be paid out of the Public Treasury and that His Excellency the Governor, be requested to grant a Warrant or Warrants for the same. With respect to the other part of the Memorial relative to presents made to the Chickasaw Nation to amount of One Hundred and fifty-one pounds your Committee are of opinion that the same ought not to be paid by the State.

All which is Submitted.

W. HILL, Ch'n.

The House taking this report into Consideration Concurred therewith.

On motion of Mr. James, seconded by Mr. Blount,

Resolved, That His Excellency the Governor, be directed to issue a proclamation requiring all Persons to withdraw themselves immediately from their settlements unlawfully made on the Land allotted by the State of North Carolina to the Cherokees for their hunting Grounds.
Resolved, That His Excellency the Governor, be requested to transmit a Talk or Talks to the Cherokees and Chickamawgaws, informing the said Indians that it is the wish of this State to establish a Peace; that a Commissioner will be appointed by this State to act jointly with Commissioners from South Carolina and Georgia to hold a Treaty with them for that purpose at the Upper War Ford on French Broad River in this State, as soon as may be and that he propose a cessation of hostilities between the said Indians and the Citizens of this State until such Treaty can be effected.

Resolved, That His Excellency issue a Proclamation requiring the Citizens of this State to abstain from offensive operations against the Cherokees and Chickamawgaws until they shall receive further Orders.

Resolved also, That His Excellency be requested to grant a Warrant on the Treasury in favour of Mr. Alexander Drumgool for his attendance on the Assembly, allowing four pounds per day so long as he shall be detained here, including the Seventeenth day of this Month, and that the Treasurer pay the same.

On Motion of Mr. Lenoir, Resolved, That the Treasurer be directed to pay Richard Allen, late Sheriff of Wilkes County, the Sum of Twenty-three pounds Eight Shillings, it being a balance due to him on his settlement of the Public Taxes of said County for the year 1784, on account of a mistake and failure in the Clerk's return.

Resolved, That the Comptroller be directed to issue a Certificate to Richard Allen, late Sheriff of Wilkes County, for the Sum of Twenty-three pounds Eight Shillings, it being a balance due to said Allen on his settlement of the Public Taxes of said County for the year 1784, the said balance being due on account of an error in the Clerk's return. Sent for Concurrence.

Received from the House of Commons the following Message:

Mr. Speaker, &c.:

We agree to the amendment proposed by your House to the report of the Committee on revenue; have made the same conformable and now send it for your Concurrence.

Received also the resolution of this House in favour of John Hoskins. Endorsed, Conced with. And a Petition of Nathan King. Endorsed, referred to the Committee of Propositions and Grievances; which was read, referred in like manner and returned.

On motion of Mr. Jones, seconded by Mr. Blount,
Resolved, That His Excellency be instructed to write to Alex. McGilvray, Chief of the Cherokee Nation, and inform him that this State, in compliance with the requisition of Congress, will appoint a Commissioner to act for this State in conjunction with the Commissioners from South Carolina and Georgia, in holding a Treaty with the Southern Indians; and that he communicate to the said McGilvray the proceedings of the General Assembly to the said Treaty; and express the desire of this State to be at peace with the Creeks as well as the Cherokees.

Resolved, That His Excellency be authorized to draw a Warrant on the Treasurer for such Sum of Money as he may think necessary to defray the expense of sending Letters and Talks to the Cherokees, Chickamawgaws & Creeks, and that the Treasurer pay such Warrants.

Sent for Concurrence.
Adjourner till To-morrow Morning 10 O'Clock.

THURSDAY, 27 November, 1788.

The House met.

The Speaker laid before the House a Memorial from John Kimbrow, of Montgomery 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 Bill to impower the County Court of Cumberland to appoint Inspectors for the Ware House built in Fayetteville by Robertson Montfort and James Porterfield, established by an Act of Assembly Dec'r 1785. Endorsed, read the second time, amended and passed.

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

Agreeable to the order of the day the Bill once more 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, Greene and Hawkins," was called for and read in which is the following Clause, viz.:

"Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, that the said Act and every Clause thereof shall be and is hereby extended to all Persons within the Counties aforesaid who are desirous of avail-
ing themselves of the benefits and advantages held out to them by the
said Act, and it is hereby declared that they are and shall be par-
doned for the Crimes mentioned therein and for all crimes of a
similar nature committed since the passing of the Act aforesaid and
prior to the passing this Act, and fully restored to the privileges of
Citizens." It was moved by Mr. Lenoir, seconded by Mr. Chas.
Johnston, that this Clause be amended by adding the words John
Sevier excepted immediately following the word Citizens in the last
line thereof.

This amendment being objected to and the question called for and
taken thereon was carried in the Negative; whereupon, the Yeas and
Nays being required by Mr. Graham, seconded by Mr. Blount, are
as follows, viz.:

For the proposed amendment—Messrs. Dupree, McDowall, Wil-
liams, McCallister, Chas. Johnston, Hunt, Jones, Graham, Dixon,
Nesbit, Binford, Bloodworth, Daugan, Gaither, Tipton, Lenoir, Sin-

Against the amendment—Messrs. J. Hill, Payne, Kenan, Robert-
son, Gray, Reddick, Montgomery, Roddy, Amis, Hargett, Overton,
Bunn, T. Johnston, McCawley, Keaton, Harvey, Blount, Willis,
Armstrong, Macon, Lane, McKinne, T. Brown, W. Hill.—24.

So the amendment was not received.

The Bill being now put on its passage was passed the third time
and 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 Camden to lay a tax to enable
them to settle the arrears due from the said County; and the Bill
for improving the Navigation of Albemarle Sound. Each endorsed,
read the second time, amended and passed.

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

Agreeable to the order of the Day the Bill for dividing the County
of Davidson was called for, which being read, was passed the third
and last time and ordered to be Engrossed. The Yeas and Nays
being required on the passage of this Bill by Mr. Montgomery sec-
onded by Mr. Overton, are as follows, viz.:

For the passage of the Bill—Messrs. McDowall, McCallister,
Paine, Robertson, Roddy, Amis, Overton, Graham, Dixon, Blood-
worth, Bunn, Blount, Gaither, Daugan, Willis, Armstrong, Tipton,
Macon, Lane, McKinne, Thomas, Brown, Singleton, Webb.—23.

Against the passage of this Bill—Messrs. Dupree, Williams, J.
Hill, C. Johnston, Gregory, Kenan, Gray, Hunt, Montgomery,
Bryan, Hargett, Binford, Thos. Johnston, Keaton, Harvey, W.
Hill—16.

On Motion of Mr. Blount, ordered that he have leave to with-
draw for amendment the Bill to amend an Act to establish a Su-
perior Court of Law and Equity in the County of Davidson passed at
New Bern in Dec'r 1785.

Received from the House of Commons a Bill to admit to record
certain Deeds, Grants & patents for Lands heretofore obtained; and
a Bill for the relief of Persons who have and may suffer for want of
their Grants, Deeds and Meane Conveyances not being proved and reg-
istered within the time heretofore appointed by Law. Each en-
dorsed, read the first time and passed.

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

Mr. Nesbit, who had leave to withdraw for amendment the Bill
to authorize and enable John Colson to return into this State and exer-
cise the privileges therein mentioned, delivered in the same with
the amendments; which was read, passed the first time and sent to
the House of Commons.

Mr. Brown presented the Memorial of John Ellis of Bladen Coun-
ty; which was read, referred to the Committee of Propositions and
Grievances and sent to the House of Commons.

Received from the House of Commons the Bill to suppress settling in the Counties therein mentioned; and the Bill to quiet in the
possession of William Scott certain Lands therein described. Each en-
dorsed, read the second time & passed.

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

On Motion of Mr. Macon, Seconded by Mr. Tipton, Ordered that
the following Message be sent to the House of Commons:

Mr. Speaker, &c.:

We have added Mr. Gallaway to the Committee on revenue.

Mr. W. Hill delivered in the following report:

Received from the House of Commons the Bill to encourage the
draining and recovering a Tract of Land in Tyrrell County; and
A Bill to prevent the further importation of Slaves. Each endorsed, read the first time and passed.

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

Received also a Bill to amend an Act to prevent the exportation of unmerchantable commodities, and the Bill to repeal part of an Act passed at New Bern in December, 1785, entitled "an Act for destroying Wolves, Wildcats, Panthers & Bears in the several Counties therein mentioned." Each endorsed, read the second time and passed.

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

Received the resignation of Samuel Harrell, First Major of the Hertford Regiment of Militia, which was accepted and sent to the House of Commons.

Received from the House of Commons the report of the Committee on Indian Affairs, and the several resolutions of this House entered into on that subject. Endorsed, Concurred with.

On motion, ordered that Mr. Keaton have leave to absent himself from the service of this House after Saturday next during the Session.

Received from the House of Commons a resolution recommending to the Committee on Revenue to consider and report the advisability of continuing a further purchase of Tobacco for the use of the Public, which was read and Concurred with.

Received also the Resolution of this House in favour of Richard Allen, late Sheriff of Wilkes County. Endorsed, Concurred with.

Received likewise a Bill to punish House Breaking and other Crimes. 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.

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

Mr. Speaker, &c.:

We propose that the two Houses proceed to ballot on Saturday next at 4 O'clock in the afternoon for the Delegate yet to be made choice of; an Agent to Superintend the settlement of the Accounts
of this State with the United States, and a Commissioner for holding a Treaty with the Indians.

We nominate for Delegates, Mr. Lenoir, Esq., and Judge Spencer; For an Agent to Superintend the Settlement of Accounts, Hugh Williamson, Benjamin Williams, Esqrs.; Commissioner for holding a Treaty with the Indians, Chas. McDowall, James Gallaway, John Steele and John Stokes, Esquires.

Received from the House of Commons a Bill for dividing the County of Mecklenburg. 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.

Adjourned till To-morrow Morning 10 O’clock.

FRIDAY, 28 November, 1788.

The House met.

Received from the House of Commons the Bill empowering Thos. Johnston, late Sheriff of Onslow County, His Heirs, Ex’rs or Administrators, to collect the Sinking fund Tax due from that County for the year 1786, and for giving him or them a longer time for collecting and settling for the same, and for extending this Act to the Counties therein mentioned.

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

On Motion, ordered that Mr. Gallaway have leave to withdraw for amendment the Bill to revise part of an Act passed at New Bern in the year 1785, entitled “an Act for dividing Guilford County.”

Received from the House of Commons a Bill to emancipate a certain Negro Slave named Phillis, late the Property of George Jacobs of the Town of Wilmington, dec’d; and the Bill to annex part of the County of Washington to Sullivan. Each endorsed, read the second time & passed.

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

Received also sundry payrolls for services lately performed against the Indians. Endorsed, referred to the Committee to whom the Western Papers were referred; which was read, referred in like manner and returned.

Received likewise the Bill to annex part of Dobbs County to the
County of Jones; and the Bill to extend the line between the Counties of Burke and Rutherford and appoint Commissioners to run said line. Each 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.

On Motion of Mr. Blount, seconded by Mr. Gallaway, ordered that the following Message be sent to the House of Commons:

Mr. Speaker, &c.:

The subject matter contained in the form of a Resolution herewith sent you we propose shall be reported on by a joint Committee and have for this purpose on our part appointed Mr. Gallaway, Mr. Blount and Mr. Bloodworth.

Received from the House of Commons the Bill for dividing the County of Washington. Endorsed, read the Second time and passed.

Ordered that this Bill be read; which being read was, on motion of Mr. Gallaway, laid over till the next Assembly.

Received also the Bill to amend an Act entitled “an Act to prevent domestic insurrections.” Endorsed, read the Second time & passed. And the Bill to amend an Act entitled “an Act for appointing the place for holding Courts of Pleas and Quarter Sessions in the County of Sullivan,” passed at Fayetteville 1786. Endorsed, read the first time and passed.

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

On motion of Mr. Jones, seconded by Mr. Gallaway, Resolved, That Genl. McDowall be appointed by this House to act with such person or persons as the House of Commons may appoint to confer with His Excellency the Governor, on the subject of sending a Messenger with a talk or talks to the Indians, and to advise and inform the Governor of the Nature and Value of such Service.

Sent for Concurrence.

Received from the House of Commons the Bill to amend an Act to direct the method of appointing Jurors & Surveyors to run out disputed Lands; and the Bill to amend an Act passed in the year 1788, entitled “an Act to vest certain Lands in Fee Simple in Richard Henderson & others.” Each 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 also the Bill to amend an Act entitled "an Act for turning out persons convicted of Indictments or presentments not being able or willing to pay the Fees of office or Gaolers Fees; and the Bill to establish a new mode of the Tryal of Slaves for capital offences. Each endorsed, read the second time and passed.

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

Mr. Lenoir moved for leave and presented a Bill to amend an Act passed at Tarborough in the year 1786, intituled "an Act directing the County Courts of Pleas and Quarter Sessions to appoint Coopers and turners up of Tobacco; which was read, passed the first time & sent to the House of Commons.

Received from the House of Commons the Bill to amend the several Acts of Assembly to prevent dealing and trafficking with slaves; and the Bill to encourage the Building of Iron Works in this State. Each endorsed, read the second time and passed.

Also the Bill to enable John Crawford, late Sheriff of Anson County, to Collect the Arrearages of Taxes for the year 1779; and the Bill to invest Thomas Maples, Jr., his Heirs and Assigns forever, with a Title in Fee Simple to a certain Tract of Land therein described in the County of Moore. Each endorsed, read the first time & passed.

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

Received also the Memorial of John Ellis. Endorsed, referred as by the Senate.

A Petition of Robert Alexander. Endorsed, referred to the Committee of Propositions and Grievances; which was read, referred in like manner and returned.

Received likewise a Report of the Committee on the Memorial of Samuel Marley. Endorsed, Concurred with; which being read was concurred with by this House and returned. And a resignation of Frances Oliver, Justice of the Peace in the County of Duplin. Endorsed, accepted; which was read, also accepted of by this House and returned.

Mr. Hill moved for leave and presented a Bill to secure to Thos. Bloodworth, his Heirs and Assigns, the exclusive right of building
Mills upon the principle of the oblique Wheel; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the Bill for erecting a Town on the Land of Thomas Daughan in Randolph County. Endorsed, read the third time and passed. And the Bill to alter the name of Port Brunswick to that of Port Wilmington. Endorsed, read the third time and passed.

Ordered that these Bills be read, which being read the first was passed the third time in this House and ordered to be Engrossed; and the latter, on Motion, rejected.

Received also the Bill for improving the Navigation of Albemarle Sound, and the Bill to amend an Act entitled "an Act to erect a Town on the Lands of Matthew Figures in Northampton County." Each endorsed, read the Second time and passed.

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

Received likewise the Bill to impower the Wardens of the Poor for the County of Camden to lay a tax to enable them to settle the arrears due from the said County; the Bill to amend an Act entitled "an Act for the better regulation of the Town of Fayetteville," passed at Tarborough in November, 1787, and the Bill to appoint Commissioners to superintend the building a prison and Stocks for the district of Fayette and to levy a Tax in the Counties within the said district for defraying the expences thereof. Each endorsed, read the third time, amended and passed.

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

Mr. Blount, who had leave to withdraw for amendment the Bill to amend an Act entitled "an Act to establish a Superior Court of Law and Equity in the County of Davidson," passed at New Bern in December, 1785, delivered in the same, with the amendments, which was passed the second time and sent to the House of Commons.

Received from the House of Commons the Bill for the relief of Thos. Craike and Jas. Walker, the Executors of John Ancram, and the Administrators of John Foster, dec'd. Endorsed, read the first time & passed.

Ordered that these Bills be read; which being read was passed the second time in this House and returned.
On motion, ordered that Mr. Blount have leave to withdraw for amendment the Bill for the relief of persons who have and may suffer for their Grants, Deeds and Mesne Conveyances not being proved and registered within the time heretofore appointd by Law, and to direct Transcripts of the records of Orange County to be made.

Received from the House of Commons the following Messages:

Mr. Speaker, &c.:

The Commons have on their part appointed Mr. E. Jones, Mr. Pifer, Mr. Cabarrus, Mr. Steele and Mr. Craike to act as a Committee with the Gentlemen by you appointed, to report on the subject matter contained in the resolution by you referred to.

Mr. Speaker, &c.:

We agree to ballot at the time by you proposed for the officers mentioned in your Message of this day and approve of your Nominations, and have added thereto for an Agent for the settlement of the Accounts of this State with the United States Mr. Abisha Thomas and for Commissioner for holding a Treaty with the Indians, Mr. McDowall, Jun., and General Caswell.

Mr. Speaker, &c.:

We have appointed Mr. Craike and Mr. Person to act with Genl. McDowall for the purpose of conferring with His Excellency the Governor, on the subject of sending a Talk or Talks to the Indians, &c.

Received also the Bill to quiet in the possession of William Scott, certain Lands therein described. Endorsed, read the third time and passed. And a Bill concerning recognizances. Endorsed, read the first time and passed.

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

Adjourned till To-morrow Morning 10 O'clock.

Saturday, 29 November, 1788.

The House met.

Mr. Bloodworth presented the Petition of Charles Simpson in behalf of the Orphans of John Gilvard, dec'd; which was read, re-
ferred to Mr. Kenan, Mr. Bloodworth and Mr. Hargett on the part of the Senate, and sent to the House of Commons.

Mr. Hardy Holmes, the Member for the County of Sampson, appeared, presented the Certificate of his Election, was qualified agreeably to Law and took his Seat.

Mr. Armstrong presented a Petition of Adam Lawrence, late a Surgeon in the Continental Line of this State; which was read, referred to the Committee of Propositions and Grievances & sent to the House of Commons.

Received from the House of Commons the Bill to revive part of an Act entitled "an Act to suppress excessive gaming"; which was read, amended by consent of the House of Commons, passed the third time and ordered to be Engrossed.

Mr. Bloodworth delivered in the following report:

The Committee, to whom was referred the resolution submitted by Mr. Blount, Report,

That they have examined and amended the same to read as follows, & think them proper and necessary to be entered into by the Gen'l Assembly.

Resolved, That all Treaties made with any Tribe or Nation of Indians whereby Lands are allotted to them for hunting Grounds within the chartered limits of the State, other than those allotted by the Law of the State heretofore made, are a violation of the Constitution and not warranted by the Confederation of the United States.

Resolved, That all and every Person holding Lands under Grants legally obtained from this State shall be protected in the possession of the same, any Treaty made by Commissioners appointed by the United States with any Tribe or Nation of Indians to the contrary, notwithstanding.

Which is submitted.

TIMOTHY BLOODWORTH, Ch.

The House taking this report into Consideration Concurred therewith.

Received from the House of Commons the following Message:

Mr. Speaker, &c.:

We propose that the recommendations for Justices and Field officers for the Several Counties where necessary, be made this Even-
ing, to the end that Commissions may be issued previous to the rising of the Assembly.

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

Mr. Speaker, &c.:

We agree that the recommendations for Justices and Field officers to be appointed by the present Assembly be presented this afternoon.

Received from the House of Commons the Bill to amend an Act intituled "an Act to establish a Superior Court of Law and Equity in the County of Davidson," passed at New Bern in December, 1785. Endorsed, read the second time & passed.

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

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

Resolved, That Commissions on Drawbacks for Molasses distilled, and Commissions on drawbacks for Goods reshipped shall not be allowed or paid by the State to the Collectors in future; but that the Collectors shall be entitled to a Commission of Two and an half per cent. on the drawbacks for Molasses distilled, to be paid by the distiller, and the like Commission on the Bonds given for payments of duties on Goods which shall be reshipped, to be paid by the persons reshipping such Goods, as a full compensation for their trouble in the Cases aforesaid.

Mr. Speaker, &c.:

We have received and considered of the report of the Committee appointed on revenue, with the whole of which we do not concur; but propose that the latter part thereof which respects impost on drawbacks for Molasses distilled, &c., be expunged, and that the resolution of this House herewith sent you on that Head be adopted.

The Bill for the relief of Persons who have and may suffer for want of their Grants, Deeds & Mesne Conveyances not being proved and registered within the time heretofore appointed by Law, &c., was read and laid over till the next Assembly.

Mr. Hill delivered in the following report:

The Committee to whom the Petition of Edward Tinker, of the Town of New Bern, was referred, Report that in March, 1780, the said Edward Tinker purchased at a Sale of Confiscated property in
the Town aforesaid, a small Lott or half Acre of Land supposed to be the property of Sam'l Cornell, for which he paid the sum of Six Thousand and sixty-five Pounds Currency.

That afterwards a certain Richard Nassau Stephens, in right of his wife, claimed the said Lott or half Acre of Land, and instituted a Suit in the Superior Court for New Bern District and recovered the same, as appears by the transcript of the record herewith presented.

Your Committee are of opinion that the aforesaid Sum of Six Thousand and Sixty-five Pounds currency, which by the scale of forty for one produces the Sum of one Hundred and Fifty one pounds 12s 6d together with two Hundreds Pounds, the valuation of improvements made on the said Lot or half Acre of Land by the said Edward Tinker, ought to be paid him by the Treasury, wherefore they beg leave to recommend the following resolution, viz:

Resolved, That the Treasurer be directed and authorized to pay the aforesaid Sums amounting in the whole to three hundred and fifty-one pounds 12s 6d to the said Edward Tinker, and be allowed for the same in the settlement of his Accounts.

Which is submitted.

W. HILL, Ch'n.

The foregoing report being read was rejected.

Whereupon, on motion of Mr. Gallaway, seconded by Mr. Blount, Ordered that the following Resolution be entered into and sent to the House of Commons for their Concurrence.

 Whereas, it appears that in March, 1780, Edward Tinker purchased at a Sale of Confiscated Property in the Town of New Bern, a small Lott or half Acre of Land in the said Town, supposed to be the property of Samuel Cornell, for which he paid the sum of Six Thousand and Sixty-five pounds Currency, that afterwards a certain Richard Nassau Stephens in right of his wife, claimed the said Lott or half Acre of Land and instituted a suit in the Superior Court for New Bern District and recovered the same, as appears by a Transcript of the record.

That the aforesaid Sum of Six Thousand and Sixty-five pounds currency reduced by the scale of Forty for one produces the Sum of one Hundred and fifty one pounds 12s 6d of the present currency.

Resolved, That the Treasurer be and he is hereby authorized and directed to pay to him, the said Edward Tinker, the aforesaid Sum of
one Hundred and Fifty one Pounds Twelve Shillings and six pence, with interest from the said Month of March until paid.

Received from the House of Commons the Bill for the relief of Persons who have suffered or may suffer by their Grants, Deeds and Meene Conveyances not being proved and registered within the time heretofore appointed by Law, and to grant a further time for registering certain Grants heretofore re-issued from Lord Granville’s office, and to direct the Transcripts of the records to be made of Orange County. Endorsed, read the first time and passed. And the Bill to admit to record certain Deeds, Grants & patents for Lands heretofore obtained. 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.

Mr. Dickson moved for leave and presented a Bill to establish a Company for opening the Navigation of the Catawba river; which was read, passed the first time and sent to the House of Commons.

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

Mr. Payne presented the resignation of A. Murfree, Colo. of the Caswell Regiment of Militia; which was read, accepted and sent to the House of Commons.

Received from the House of Commons the following Message:

Mr. Speaker, &c.:

The Bill for establishing a Superior Court of Law and Equity in Davidson County having now passed into a Law, we propose that a Brigadier General and Colo. of Cavalry for the district of Mero be balloted for this Evening, and nominate for Brigadier General W. T. Lewis, Daniel Smith and Sam’l Barton; for Colo. of Cavalry, Robert Hayes and Edward Hickman.

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

Mr. Speaker, &c.:

We agree to ballot for the Military officers mentioned in your Message of to-day, and approve of the Nominations and propose that a Major and Second Major for the regiment of Cavalry in the District of Mero be made choice of at the same time, and nominate for First
Major James Lewis, and for Second Major Jonathan Drake. We also propose in order to expedite this business, that the Persons who have the greatest number of votes, the Brigadier excepted, be returned legally appointed.

Received from the House of Commons the Memorial and representation of John Hunt. Endorsed, referred to the Committee on Revenue; which was read, referred in like manner and returned.

Received also the following Message:

Mr. Speaker, &c.:

We propose that the consideration of the report of the Committee of Propositions and Grievances on the Petition of the Ex’rs of Arthur Brown, dec’d, be taken up and recommitted to the same Committee.

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

Mr. Speaker, &c.:

We consent that the report of the Committee on the Petition of the Ex’rs of A. Bryan, dec’d, be recommitted agreeable to your proposition.

Pursuant to order, the House now took up the consideration of the resolution introduced by Mr. Jones, which are as follows:

Whereas, the representation of the people of this State is so numerous, that it is already become burthensome to the people;

And whereas, the said representation is also very unequal and oppressive in as much as there are many Counties which have not hitherto paid Taxes into the public Treasury sufficient even to defray the expence of their representation in the General Assembly, and yet the said Counties stand upon the same footing as to the number of representatives as those Counties which contribute the greatest proportion of taxes towards defraying the Expences of Government & payment of public Debts;

And whereas, representation ought to be distributed to the different parts of the State in proportion to the share which such parts respectively bear of the public burthens.

Resolved, therefore, That the Convention directed to meet for the purpose of considering the Constitution proposed for the Government of the United States be and they are also authorized to take under consideration the subject of representation, and to alter and amend
the Constitution of this State agreeable to the principles hereinbefore mentioned; and such alteration and amendment as they shall make in this respect shall be a part of the Constitution and be equally binding on the people as any other part of the Constitution.

A concurrence to these restrictions being objected to by Mr. Bloodworth, seconded by Mr. McCawley, and the Yeas and Nays called for and taken by way of determining the question are as follows, viz:

For the resolutions—Messrs. Dupree, Williams, J. Hill, Chas. Johnston, Gregory, Payne, G. Gray, Reddick, Montgomery, Jones, Bryan, Binford, Bunn, Keaton, Harvey, Blount, Macon, McKinne, W. Hill, Humphries, Gallaway and Stewart.—22.


An equal number of votes appearing for and against the resolution, it devolved on the Speaker to determine the question, who gave it as his opinion that the resolutions should not pass—so they were rejected—whereupon, on motion of Mr. Blount, seconded by Mr. Hargett, the House resolved as follows, viz:

Resolved, That it be recommended to the people of this State to authorize and direct their representatives to be Elected for the purpose of deliberating and determining on the proposed Federal Constitution for the future Government of the United States, to take into their serious consideration the second and third articles of the Constitution of this State, and to alter them that the legislature may be less expensive and its measures be more stable and uniform.

Received from the House of Commons the following Message:

Mr. Speaker, &c.:

We have received the resolution of your House relative to the drawbacks for Molasses distilled, and Commissions on drawbacks for Goods reshipped, as also a proposition for expunging that part of the report of the Committee on revenue relative to that subject. The Resolution we return you Concurred with; have made the report conformable to your Proposition & send it for Concurrence.

Mr. Speaker, &c.:

We agree that a First and Second Major for the district of Meri be also balloted for this evening; we have added Mr. Benj. Hawkins
to the Nomination for delegate, and James McLendon for Second Major of Cavalry. We agree that the officers having the greatest number of votes as by you proposed be declared duly Elected, and have appointed Mr. Mebane and Mr. Skinner to superintend the balloting.

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

Mr. Speaker, &c.:

On motion of Mr. Brown, Ordered that the following Resolution be entered into & sent to the House of Commons for Concurrence:

Whereas, Anthony Maulsby has represented that he has a Sum of Money amounting to Nine pounds currency so defaced by accident that it will not circulate,

Resolved, That the Treasurer be directed to exchange the said Money with Maulsby out of the Money belonging to the sinking Fund, and that the Money so defaced be burnt.

Adjourned till 4 O’Clock p. m.

The House met according to adjournment.

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

Mr. Speaker, &c.:

We are now ready to proceed to the balloting and have appointed Mr. McKinne and Mr. McCawley to superintend the same on the part of the House.

Pursuant to the determination of the two Houses, Mr. McCawley & Mr. McKinne on the part of the Senate, and Mr. Skinner and Mr. Mebane on the part of the House of Commons, now proceeded to conduct the balloting; which being ended Mr. McCawley reported that William Lenoir, Esquire, is appointed Delegate from this State to a Convention of the United States; that John Steele, Esquire, is made choice of as Commissioner on the part of this State to superintend the Indian Treaty; that Daniel Smith is appointed Brigadier General for the District of Merco; that Robert Hayes is appointed Colo. of Cavalry for the above mentioned District, James Lewis, First Major, and James Clendennin, Second Major of the same; and that no person appears to have a Majority of votes as Agent to Superintend the Settlement of the Accounts of this State with the United States.
The House taking this report into Consideration concurred therewith.

Received from the House of Commons a Bill to impower the Commanding Officers of Greene and Hawkins Counties to erect a station or stations on the North side of Tennessee River, in the district of Washington, to protect the citizens of this State to settle on the lands entered in John Armstrong's office, and to prevent Hostilities on the Cumberland road, and for other purposes therein mentioned; and a Bill to prevent the Exportation of Raw Hydes, pieces of Hydes of Black Cattle and Calf Skins, also of Beaver, Raccoon, Fox, Wildcat and lesser Furs, and all skins of the above Nature. Each 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 and returned.

Mr. Bloodworth moved for leave and presented a Bill to punish persons guilty of the Sin of Adultery, Incest and Polygamy; which was read, passed the first time & sent to the House of Commons.

Mr. Gallaway had leave to withdraw for amendment the Bill to revive part of an Act passed at New Bern in the year 1785, entitled "an Act for dividing Guilford County," presented the same, with the amendments; which was read, passed the second time & sent to the House of Commons.

Received from the House of Commons the Report of the Committee on the Petition of Griffith John McRee. Endorsed, concurred with; which being read was also Concurred with by this House and returned.

On motion of Mr. Jones, seconded by Mr. Brown, ordered that the following Resolution be entered into and sent to the House of Commons for Concurrence, viz:

Whereas, Griffith John McRee, Commissioner of Confiscated property in Wilmington District, has informed the Committee on revenue that he has in his Hands about Ten Thousand Pounds in certificates, which he has received since his settlement with the Comptroller in part of the balance due to the State.

Resolved, That Mr. Thomas Stewart, in conjunction with such Person as the House of Common may appoint, be authorize to receive the same of Mr. McRee and deposit them with the Treasurer to be transmitted to the Comptroller, and the receipts of the persons so ap-
pointed shall operate in the same manner as if it were signed by the Comptroller himself.

Mr. McDowall delivered in the following report:

The Committee appointed to confer with his Excellency the Governor, on the subject of a Talk or Talks to the Indians, and on the subject of sending a Messenger with the said Talks, and of the nature and value of that service;

Report that they have waited on His Excellency the Governor, and highly approve of the Talks by him prepared to forward to the Cherokees and Chickamawgaws and the Letter to Mr. Gilray the Chieftain amongst the Chief Tribe of Indians.

Your Committee further report that they have conferred with Mr. Drumgooll on the subject of taking forward the Talks to the Indians as aforesaid, and made report thereof to His Excellency the Governor; that Mr. Drumgooll will perform that service faithfully on the part and behalf of this State for the consideration of the Sum of three Hundred Pounds Currency.

Which is submitted.

CHAS. McDOWALL, Ch.

The House taking this report into Consideration Concurred therewith.

On Motion of Mr. Jones, Seconded by Mr. McDowall,

Resolved, That His Excellency be authorized and requested to grant a Warrant on the Treasurer for Three Hundred Pounds in favour of Mr. Alex. Drumgooll in full of his wages for Services to be performed, viz: For carrying and delivering Talks and Letters to the Cherokees and Chickamawgaws, and Mr. Alex McGilvary Chief of the Creeks, and bring back answers to such Talks and Letters respectively, to be by him delivered in a reasonable time to General Chas. McDowall at the Quaker Meadows; the said Alex. Drumgooll first giving bond with sufficient Security to His Excellency for the performance of the services aforesaid.

Resolved, That the Treasurer be directed to pay the Warrants above mentioned out of the Monies now in the Treasury.

Received from the House of Commons the Bill for the relief of Thos. Craike & J. Walker, the Ex'rs of John Ancram, and the Administrator of John Foster, dec'd; and the Bill to empower the Courts of Pleas and Quarter Sessions of the Several Counties to Levy a tax
on the Inhabitants thereof for the purpose of erecting or repairing
the Court House, Prison & Stocks therein, when necessary, and for
directing the manner of appointing the several County officers there-
mentioned. Each Endorsed, read the Second time and passed.
Ordered that these Bills be read, which being read each was pass-
ed the second time in this House and returned.

Received from the House of Commons the following Message:

Mr. Speaker, &c.:

We have appointed Mr. Mebane & Mr. Gowdy to act with Mr.
Thomas Stewart for the purpose of receiving from Mr. McRee the
Certificates referred to on the resolution of your House.

Received also a resolution appointing John Daves, Esqr., Superin-
tendent of the Public Buildings in the Town of New Bern, which
was concurred with and returned; also the resolution of the House
in favour of Griffith John McRee. Endorsed, Concurred with.

Received likewise the Resolution of this House in favour of
Anthony Maulsby, and the Resolution in favour of Edward Tinker.
Endorsed, each Concurred with.

The Speaker laid before the House a Petition of Will Dent of
Guilford County, which was read, referred to the Committee of Propo-
sitions and Grievances & sent to the House of Commons.

Received from the House of Commons the Bill for the relief of
Persons who have suffered or may suffer by their Grants, Deeds &
Meane Conveyances not being proved and registered within the time
hereotofore appointed by Law, and to grant a further time for regis-
tering certain Grants heretofore issued from Lord Granville's office,
and directing transcripts of the records of Orange and Tyrrell Coun-
ties to be made. Endorsed, read the Second time & passed.

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

On Motion of Mr. Jones, Seconded by Mr. Hill,

Resolved, That Memucan Hunt, Alex Mebane, W. Walters & Mr.
McCawley be appointed Commissioners, and they or any two of
them are hereby authorized to receive of the Comptroller all Warr-
ants, Certificates, old Dollar Bills and other public Securities to
punch and deface the same, so as to prevent the future circulation of
them; and the said Commissioners are directed to meet for the purpose
aforesaid at Hillsborough on the first Monday in March next, and to
continue to sit from day to day until the business is completed; and they are further directed to report their proceedings herein to the next General Assembly, and to exhibit their Accounts on Oath for their Services, and each and every of the said Commissioners shall then be allowed Twenty Shillings per day for every day they shall actually serve.

Sent for Concurrence.

Mr. Graham moved for leave and presented a Bill for possessing Lands, which was read, passed the first time & sent to the House of Commons.

Adjourned till To-morrow Morning 10 O'clock.

TUESDAY, 2 December, 1788.

The House met.

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

Mr. Speaker, &c.:

We have rejected the recommendation for Justices for the Counties of Dobbs and Richmond.

We have also erased the name of Alexander McIver from the recommendation of Cumberland.

We have likewise rejected the recommendation of officers for Hawkins County. With the whole of the others we have concurred and send you a list herewith, which we request you will cause to be handed His Excellency the Governor, immediately.

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

Received also the resolution of this House appointing Commissioners to examine and punch the Certificates in the Comptrollers office. Endorsed, Concurred with.

Received likewise the report of the Committee on the Petition of Lancer Kerr; a Report of the Petition of Richard Goode; a report on the representation of John Hunt; a Report of the Accounts of John Armstrong, and a Report of the Committee on the Petition of John Oliver. Severally endorsed, Concurred with; which being read were each Concurred with and returned.
Read the Petition of General Rutherford, whereupon,
Resolved, That General Griffith Rutherford be allowed until the
first Monday in November next to close his Accounts with the State,
and that the Comptroller & Treasurer be directed to govern themselves
accordingly.

Mr. Hill delivered in the following report:
The Committee appointed to consider Mr. Iredell's application to
the Assembly respecting the Acts that have been repealed or disallow-
ed by the King's proclamation during the time this was a province
of the British Crown; Report,
That the Secretary of State be and he is hereby directed to make
diligent Search in his office for such proclamation as repealed or disallow-
ced certain Acts of the General Assembly, or any other papers
or documents as may tend to elucidate the business, and forward the
same to Mr. Iredell to enable him to proceed on the revision of the Laws
of this State.
The Committee are of opinion that if no information can be obtain-
ed respecting the Acts of Assembly repealed as aforesaid, that Mr.
Iredell proceed on the business of the revision; inserting such Acts as
he may conceive to be in force, not incommatable with the principles
of the resolution or Constitution & Government of this State.
Which is submitted.

W. HILL, Ch.
The House taking this report into consideration Concurred there-
with.
On motion of Mr. Hill, seconded by Mr. Stewart,
Resolved, That the Treasurer be and he is hereby directed to pay
to James Iredell, Esqr., the Sum of Two Hundred and Fifty pounds
as a Compensation, in part, for his services in revising the Laws of
this State, for which he is to be accountable, and that the Treasurer be
allowed the sum in the Settlement of his accounts.
Sent for Concurrence.
Mr. Jones moved for leave and presented a Bill to amend an Act
entitled "an Act directing the Sale of Confiscated property;" which
was read, passed the first time and sent to the House of Commons.
Mr. Gallaway, from the Committee, delivered in the following
Report:
The Committee to whom was referred the Petition of James Hun-
ter, Esqr., late Sheriff of Guilford County, report,

That it appears by the Certificate of Thomas Searcy, Clerk of the County aforesaid, That Patrick Haley was appointed Collector of the public Tax for the year 1785, of whom the Court took no Security. That James Hunter, Sheriff of said County, at May Court 1786, obtained a Judgment for Forty-three Pounds Eleven Shillings & Eleven pence in Money, and forty-five pounds fourteen Shillings in Certificates; That the said Sheriff has made all legal means in his power to obtain the same from the said Patrick Haley and has been able to obtain Ten pounds thereof.

Whereupon the Committee submit the following Resolution:

Resolved, That the Treasurer be and he is hereby authorized and directed to credit the account of the said Hunter on the Books of the Treasury for the Sum of Thirty-three Pounds 11s 11d in Money & Twenty-five Pounds 14s Certificates, and that he govern himself accordingly in his settlement with the said Hunter.

And the Committee report that in their opinion a Bill be brought in and passed into a law this Session to prevent losses of a like nature in future in the public revenue.

Which is submitted.

JAMES GALLAWAY, Ch'n.

The House taking this report into Consideration concurred therewith.

Whereupon, Mr. Gallaway moved for leave and presented a Bill to prevent in future the diminutions of the public revenue of this State by the neglect of the County Courts; which was read, passed the first time & sent to the House of Commons.

Received from the House of Commons the Report of the Committee on revenue; and the account of Colo. Robert Rowan; and the report of the same Committee on the representation of Richard Blackledge. Each endorsed, Concluded with; which being read each was concurred with by this House and returned.

Mr. Hill moved for leave and presented a Bill to repeal part of an Act entitled "an Act for the revising and collecting the Acts of the General Assembly of the State of North Carolina"; which was read, passed the first time & sent to the House of Commons.

Mr. Blount, from the Committee, delivered in the following report:
The Committee to whom was referred the Memorial of John Stewart, report,

That it appears to the Committee that the Governor did on the 2nd of January, 1782, pass an order to William R. Davie, Commissary General, to liquidate the account of the said John Stewart for salt impressed from the said Stewart, by delivering him Specific Articles; that on the thirtieth of the same Month the said Commissary General issued an order to Robert Martin, one of his assistant Commissaries, to deliver to the said Stewart Corn or Pork to the amount of Four Hundred and Six dollars and that one Hundred and Twenty-Nine Pounds 14s was paid to the said Stewart, leaving a balance due to him of thirty-two pounds fourteen Shillings. That it appears to your Committee that a quantity of public Tobacco was stored with the said Stewart in the year 1779 & 1780, the Storage of which at the accustomed price amounts to Ninety one pounds Eight Shillings and that it is the opinion of the Committee that this sum, together with the balance due on the Salt, amounting to one Hundred & Twenty-four pounds Twelve Shillings, be allowed to the said Stewart and that the Treasurer be directed to pay him the same.

The Committee remark that the inducement for directing the last Charge to be paid in Money in preference of a Certificate was that it is an established Maxim that all persons receiving articles on Storage have a right to detain the Articles stored until the persons so recovering is paid.

Received from the House of Commons the Bill to authorize and enable John Colson to return into this State and exercise the privileges therein mentioned;

And the Bill to regulate the Inspection of Tobacco in this State. Each endorsed, read the second time, amended and passed.

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

Received from the House of Commons a Resolution proposing the appointment of a Committee to prepare instructions necessary to be observed by the Commissioners appointed to treat with the Indians, which being read it was ordered that the following Message be sent to the House of Commons:

Mr. Speaker, &c.:

We agree with you in the appointment of a Committee for prepar-
ing instructions to be observed by the Commissioners for treating with the Indians and have nominated Mr. Jones, Mr. C. McDowall and Mr. W. Hill, to act on the part of this House with Gentlemen by you appointed.

Received from the House of Commons the Bill to enable John Crawford late Sheriff of Anson County, to collect the arrearages of Taxes for the year 1779. Endorsed, read the second time and passed.

A Bill to explain an Act directing the duty of Naval officers, and all Masters of Vessels coming into any of the Ports or Inlets of this State. Endorsed, read the first time and passed.

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

Received also the following Bills, viz:

The Bill to amend an Act entitled "an Act to erect a Town on the Lands of Matthew Figures, in Northampton County;"

The Bill to amend an Act passed in the year 1783, entitled "an Act to vest certain Lands in fee simple in Richard Henderson & others";

The Bill to annex part of the County of Washington to Sullivan;

The Bill to repeal part of an act passed at New Bern, December 1785, intituled "an Act for destroying Wolves, Wildcats, &c., in the Counties therein mentioned;"

The Bill to annex part of Dobbs County to the County of Jones;

The Bill to encourage the building of Iron Works in this State;

The Bill to amend an Act entitled "an Act to prevent domestic insurrections"; and

A Bill to extend the line between the Counties of Burke and Rutherford. Severally 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.

Mr. Gallaway moved for leave and presented a Bill to enable and empower the Attorney General to commence Suits in Law or Equity in all Cases in which he shall have information that the Treasury Lath been injured by pretending Creditors of Persons whose Estates have been Confiscated, and also to institute actions for the recovery of Debts and property belonging to persons of the above description, and further to enable the Attorney General to commence Suits in
Law or Equity upon information against any person or persons holding public Monies for which they are unaccountable; which was read, passed the first time & sent to the House of Commons.

Mr. McCawley moved for leave and presented a Bill for appointing a Public Printer and directing his duty in office, which was read and on motion, rejected.

Mr. Tipton moved for leave and presented a Bill to prevent vexatious Law Suits in the Counties of Washington, Greene, Sullivan and Hawkins; which was read and on motion, rejected.

On Motion, ordered that Mr. Nesbit have leave to absent himself from the service of this House after To-morrow.

Received from the House of Commons a Report of the Committee on the Petition of Timothy Bloodworth, Esqr. Endorsed, Concluded with. A report of the Committee on the Petition of Gasper Smith. Endorsed, Concluded with; which being read the first was Concluded with and returned, and the latter rejected.

Received also the Bill to amend the several Acts of Assembly to prevent dealing or Trafficking with Slaves;

And the Bill to amend an Act entitled "an Act for appointing the place of holding Courts of Pleas and Quarter Sessions in the County of Sullivan, & to alter the time of holding the Superior Courts for the district of Fayetteville." Each endorsed, read the third time and passed.

Ordered that these Bills be read, which being read each were amended, by consent of the House of Commons, & ordered to be Engrossed.

Mr. Dixon, who had leave to withdraw for amendment the Bill to establish a Company for opening the Navigation of Catawba River, delivered in the same; which being read with the amendments, passed the second time & was sent to the House of Commons.

Mr. Singleton presented the Petition of Will Graham, inclosing a Loan office Certificate and requesting payment, which was read and referred to a Special Committee, the Members chosen were Mr. Graham, Mr. Macon, Mr. Singleton and Mr. Hunt, on the part of the Senate.

Received from the House of Commons a Petition of Sam'l Russel, and a Petition of John Humphries, Esqr. Each endorsed, referred
to the Committee of Propositions and Grievances; which being read was referred in like manner and returned.

Mr. Jones delivered in the following report:

The Committee appointed to enquire into and state the circumstances relating to a Certificate, issued by Wm. Kirkpatrick, report,

That the said Kirkpatrick granted the Certificate above mentioned for 703 pounds Pork in the name of Thomas Amis, which at the price stated by Law amounted to 49½ Dollars; but said Kirkpatrick instead of entering it as aforesaid set down 4918 in Figures in the same Line making no distinction of the Fraction of ½; Kirkpatrick issued the Certificate to Thomas Amis or his mother, or to some person for the use of the one or the other of them, but having lost his Checks by Misfortune he could not say certainly to whom. Mr. Timothy Bloodworth paid it to the Comptroller; Mr. McRee acknowledges he paid it to Mr. Bloodworth and received full value; Mr. Bloodworth is accountable to the public; McRee to Bloodworth.

Your Committee are of opinion that the Comptroller be directed not to commence suit against Mr. Bloodworth on Account of the Certificate aforesaid until after the next General Assembly.

Which is submitted.

W. JONES, Ch.

The House taking this report into consideration Concurred therewith.

Whereupon, on motion of Mr. Jones,

Resolved, That the Clerk of the Senate be directed to deliver to Mr. Timothy Bloodworth the Certificate Issued by William Kirkpatrick, and which was paid to Mr. Bloodworth by Mr. McRee, to enable him to institute a suit against said McRee and that he take Mr. Bloodworth's receipt for the same.

Sent for Concurrence.

Received from the House of Commons a report of the Committee appointed on the Memorial of Jane Simpson. Endorsed, Concurred with; which being read was concurred with and returned.

Received also the report of the Committee on the Petition of James Hunter, Esq.; and the report of the Committee on the Memorial of John Stewart, Esq. Each endorsed, Concurred with.

Received likewise a Resolution of the House of Commons direct-
ing that the Estimates be made up to include Saturday next, at the rate of Twenty Shillings per Day; which was read, Concurred with and returned.

Received likewise the report of the Committee appointed to enquire into the State and circumstances relating to a Certificate issued by William Kirkpatrick, and the resolution of this House entered into in consequence thereof. Each endorsed, Concurred with.

Mr. McCawley presented a recommendation for Justices in the County of Dobbs, which was read, accepted and sent to the House of Commons.

Received from the House of Commons the report of the Committee on Mr. Iredell's Letter and the resolution of this House allowing him a Sum therein mentioned. Endorsed, read and Concurred with.

Received also a report of the Committee on revenue on the Martinique demand. Endorsed, Concurred with. And a Report of the same Committee on the State of the Treasury Monies collected in 1755, with the application, &c. Also endorsed, Concurred with; which being read, each was concurred with and returned.

Received likewise a Resolution requiring the public Treasurer to lay before the Assembly a list of all delinquents in public Monies, which was Concurred with and returned.

Received likewise the Bill levying a Tax for the support of Government, and for the redemption of the old Paper Currency, Continental Money & Specie, and other Certificates for sinking the State Currency. 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.

Received from the House of Commons the following Message, viz:

Mr. Speaker, &c.:

We propose balloting for a Colo. of Cavalry for Hillsboro' District at the same time the other officers are to be balloted for, and nominate Colo. Alex. Mebane.

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

Mr. Speaker, &c.:

We agree to ballot for a Col. of Cavalry for the district of Hillsboro', and add to the nomination Mr. William Hunt.

Received from the House of Commons the resolution of this House
in favour of Genl. Griffith Rutherford. Endorsed, Concurred with; and a resolution directing that any seven Members of the Committee on Western pay rolls shall constitute a quorum for business, which was read, Concurred with and returned.

Adjourned till 4 O'Clock.

The House met according to adjournment.

Received from the House of Commons the following Message:

Mr. Speaker, &c.:

We have appointed Mr. Harvey and Mr. Mitchell to superintend the balloting heretofore agreed on, and propose that the whole of the persons to be ballotted for having the greatest number of Votes shall be declared duly Elected, tho' they may fall short of having a Majority of Votes.

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

Mr. Speaker, &c.:

We are also ready to proceed on the balloting and have appointed Mr. Overton and Mr. McCawley to Superintend the same on the behalf of this House. We agree that the persons having the greatest number of Votes for the Several Appointments shall be returned Elected. Mr. McCawley and Mr. Overton on the part of the Senate, and Mr. Harvey and Mr. Mitchell on the part of the House of Commons, now proceeded to conduct the balloting, which being ended Mr. McCawley reported,

That Hugh Williamson and Abisha Thomas, Esqrs., are made choice of as Delegates on the part of this State to attend the settlement of accounts with the United States. That Alex Mebane, Esqr., is appointed Colo. of Horse for the District of Hillsboro'. That T. King, Esqr., is appointed Col. of Horse for the district of Washington, and that L. Carter is appointed First Major and Frances Ramsey Second Major of the same.

The House taking this report into Consideration Concurred therewith.

Read the Memorial of Charles Brice, Commissioner of Confiscated Estates for the District of Salisbury.

Whereupon, 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 this Assembly by Charles Bruce, Commissioner of forfeited Estates for the District of Salisbury, that by virtue of a return from Morgan Brown, Esqr., Surveyor of Anson County, there was on the 21st of September, 1787, exposed to Sale as the property of Moses Sanders, Eight Hundred and Fifty Acres of Land in the County aforesaid, which since appears to be the property of James Cotton and others.

Therefore Resolved, That the said Commissioner be directed to forbear collecting the Money arising from the sale of the aforesaid Tract of Land until the end of the next Session of Assembly to the end that the matter may be fully investigated.

On motion the House adjourned till To-morrow morning 10 o’clock.

THURSDAY, 4 December, 1788.

The House met.

On motion of Mr. Gaither, seconded by Mr. Graham, the House resolved as follows, viz:

Whereas, from the many Petitions exhibited to this General Assembly by sundry Inhabitants of this State in regard to their purchases of Confiscated Lands sold by Commissioners in the year 1782; and whereas, it hath been made appear that a number of said Purchasers not having their Claims liquidated in Currency gave their Bonds for the whole amount in Specie. It also appears that a number of the purchasers of the said Lands are persons in indigent circumstances whereby the urging the payment of said Debts at this time will be of very great injury to said purchasers & of little service to the public. Wherefore,

Resolved, That the Treasurer be and he is hereby directed not to institute any suit or suits on any Bond or Bonds given by any of the Inhabitants of this State in consequence of any purchases made by them of confiscated property sold in the year 1782 by the Commissioners of Confiscated property, until the expiration of Eight Months after the rising of this Assembly.

Mr. Bloodworth, who had leave to withdraw for amendment the Bill to punish Persons guilty of Adultery, Incest and Polygamy, presented the same with the amendments; which was read, passed the second time & sent to the House of Commons.

On motion of Mr. Reddick, the House resolved,

Whereas, it appears to the General Assembly that James Foster
of the County of Perquimans, is blind and poor, and that the only means he has had for years past and now has to support himself & Family has been and is by vending Goods as a pedlar; In charity therefore to the said James Foster,

Resolved, That the Clerk of the Court of Perquimans aforesaid with the consent of the Court, be and he is authorized to grant a permit to the said James Foster to vend Goods as a pedlar from year to year without such permit; and the said Clerk shall not be liable to any penalty for so doing.

Sent for Concurrence.

Mr. Overton moved for leave and presented a Bill directing the Method to be observed by the County Courts in laying and appropriating County Taxes, and appointing for County officers therein mentioned, and to impower the County Court of Moore to lay a tax on the Inhabitants thereof to repair the Court House, prison and Stocks in said County; which was read, passed the first time and sent to the House of Commons.

Mr. Jones delivered in the following Report:

The Committee directed to prepare instructions for the Commissioner appointed by the Assembly to hold a Treaty with the Cherokees and Chickamawgaws, Report,

That he be instructed to hold the said Treaty at the upper War Ford on the French Broad River (where General Rutherford crossed with his Army in 1776) between the twentieth and last of May next.

But as he is to act jointly with Mr. Wynn, and the South Carolina and Georgia Commissioners, he must have a discretionary power to deviate from this instruction, either as to time or place, as circumstances shall require.

2nd. That he shall not Cede as Hunting Grounds to the said Indians any part of this State without the bounds of the Land reserved to the Indians by the Law passed in 1783 for opening the land office. But he shall endeavor to obtain from the said Indians an extension of the boundary between the Citizens of this State and the Hunting Grounds of the Indians as far as the dividing ridge between Little river and Tennessee or as far as the white People are now settled.

3rd. That if he cannot obtain an extension of the boundary to the dividing ridge aforementioned, or as far as the people are now settled, he be at liberty to make the best terms he can with the Indians
as to this particular point; but if the Indians shall refuse to make peace unless the White people who are settled on the South side of French Broad river are run over, then and in that case he shall be authorized to declare that the people settled as aforesaid contrary to the Laws shall not be protected in their possessions by this State.

4th. The Money advanced and Goods supplied by this State is Common Stock, the property of the United States, and must be subject to the orders of the Commissioners jointly.

5th. If it shall appear to Mr. Wynn and the Commissioners necessary to treat with the Creeks that the Commissioner of this State be and he is hereby authorized to co-operate with them in making such Treaty.

6th. It is necessary that the said Commissioner should obtain a Map of the Western Country, and that he have Henderson & Co. Titles. Ordered that the Clerks of the Assembly deliver the latter to him.

Which is submitted.

WILLIE JONES, Ch'n.

The House taking this report into Consideration Concurred therewith.

On Motion of Mr. Johnston,

Resolved, That the Clerk of the Senate and House of Commons furnish His Excellency the Governor, with the returns of the Commissioners for purchasing Tobacco; the Resolve respecting the Martinique demands, and all other Resolutions of this Assembly which are necessary for His Excellency to carry into execution and which have not already been furnished.

Received from the House of Commons the Bill to amend an Act intituled "an Act directing the sale of Confiscated property." Endorsed, read the first time and passed.

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

On Motion, ordered that Mr. Gallaway have leave to withdraw for amendment the Bill to enable and impower the Attorney General to commence Suits in Law or Equity in all cases wherein he shall have information that the Treasury hath been injured by pretended Creditors of Persons whose Estates have been Confiscated, and also to institute actions for the recovery of debts and property belonging to
persons of the above description, and further to enable the Attorney General to commence Suits in Law or Equity upon information against any person or persons holding public Monies for which they are accountable.

Received from the House of Commons the Bill to empower the County Court of Rockingham to lay a further tax to re-imburse the Commissioners the Money by them expended in erecting the Court House, Prison and Stocks in said County; and the Bill to amend an Act entitled "an Act for the promotion of learning in the district of Wilmington." Each endorsed, read the third time and passed.

Ordered that these Bills be read, which being read each was amended, by consent of the House of Commons, and ordered to be Engrossed.

Received also the Bill to amend an Act to regulate the Inspection of Tobacco in this State, and to repeal part of the said Act. 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.

On motion, ordered that Mr. Benjamin Williams have leave to absent himself from the service of this House after Saturday next.

Adjourned till To-morrow Morning 10 o'clock.

FRIDAY, 5 December, 1788.

The House met.

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

Whereas, the widow of the late Major William Williams Petitioned the Assembly at their last Session held at Tarboro' to refund the Interest which had become due and was actually paid on her husband's Bond given for a lot which he purchased of the public; and whereas, the report of the Committee in that behalf not being sufficient to authorize any holder of public Money to repay the same;

Resolved, That the Treasurer repay to the late Elisabeth Williams, now Williamson, the monies paid by her late Husband Maj. Will Williams, in his life time as Interest on his bond given for the purchase of a lot as aforesaid, amounting to Twenty Six pounds, provided the said Elisabeth shall recover the said Lot to the State.

Mr. Johnston moved for leave and presented a Bill to amend the revenue Laws; which was read, passed the first time and sent to the House of Commons.
Mr. Kenan delivered in the following Report:

The Committee to whom was referred the Petition of Charles Sampson in behalf of the Orphans of John Gilliard, deceased, report as follows, viz:

Having examined into the state of the facts find that said Gilliard did furnish the Army under the Command of Governor Nash, with Rum, Sugar, Coffee, &c., to a considerable amount; which articles would command ready money. That the said Gilliard did rent a House in the Town of Wilmington belonging to the public by which means he became indebted to the public for the rent of the said house.

Your Committee having duly considered the said Matter and being desirous to do justice to the public and to Individuals beg leave to recommend that the following resolution be entered into, viz:

Resolved, That the Treasurer be directed to receive of the Administratrix of John Gilliard, dec'd, the Certificates granted to the said Gilliard in part or in whole for the sum due to the public for House rent. Which is submitted.

JAS. KENAN, Ch.

The House taking this report into Consideration Concurred therewith.

On Motion of Mr. Lenoir, the House resolved,

Whereas, it is a doubt with the public Treasurer whether, in settling the Accounts of Entry Takers, he should allow them a Commission on the Certificates by them paid into the Treasury,

Resolved, That the Treasurer be and he is hereby directed on the settlement of the Accounts of Entry takers not to allow them any Commissions on Money or Certificates paid into his Office.

Sent for Concurrence.

Received from the House of Commons the Bill to explain an Act directing the duty of Naval Officers and 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 second time & sent to the House of Commons.

Mr. Amis, who had leave to withdraw for amendment the Bill to empower the Commanding Officers of Greene and Hawkins Counties to erect a station or stations on the North side of Tennessee River, in the district of Washington, to protect the Citizens of this State to set-
tle on the lands entered in John Armstrong's office, and to prevent
Hostilities on the Cumberland Settlement, delivered in the same;
which was read with the amendments, passed the second time & sent
to the House of Commons.

Mr. Lenoir, who had leave to withdraw for amendment the Bill
for the relief of persons who have or may hereafter forfeit their
recognizances in the Superior or County Courts, delivered in the
same; which was read with the amendments, passed the second time
& sent to the House of Commons.

Mr. Gallaway, who had leave to withdraw for amendment the Bill
to enable and empower the Attorney General to commence Suits in
Law or Equity in all cases in which he shall have information that
the Treasury hath been injured by pretended Creditors of Persons
whose Estates have been Conscripted, and also to institute actions for
the recovery of such debts and property belonging to persons of the
above description, and further to enable the said Attorney to com-
ence Suits in Law or Equity upon information against any person
or persons holding public Monies for which they are accountable, pre-
presented the same, with the amendments; which was read with the
amendments, passed the Second time and sent to the House of Com-
mons.

Received from the House of Commons the Bill to establish a Com-
pany for opening the Navigation of the Catawba River. Endorsed,
read the second time and passed.

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

Mr. Hill moved for leave and presented a Bill for the recovery of
Debts according to Contract; which was read, passed the first time
and sent to the House of Commons.

Received from the House of Commons the Bill for levying a tax
for the support of Government, for the redemption of Old Paper
Currency, Continental Money, Specie & other Certificates, and for
sinking the State Currency; in which is the following Clause:

"Be it Enacted by the General Assembly of the State of North
Carolina and it is hereby enacted by the Authority of the same, that
for the year 1789 a tax of three Shillings on every Hundred Acres
of Land within this State, and a Tax of Nine Shillings on each Hun-
dred Pounds value of Town Lotts with their improvements, and a
tax of Nine Shillings on every Poll in this State, shall be levied and
paid in State Currency or in Gold or Silver at the rates established by Law; provided, that all the Lands West of the Apalachian Mountains shall pay a tax of two Shillings and no more on every Hundred Acres of Land, and a tax in Continental Dollar Bills or Soldier's bounty or Specie Certificates, in proportion for every Hundred Acres of land aforesaid."

And be it enacted by the authority aforesaid that for the year 1789 a tax of three Shillings on every Hundred Acres of Land, and Nine Shillings on each hundred pounds Value of Town Lots with their improvements, and a tax of Nine Shillings on every Poll in this State shall be levied and paid in Continental or State Dollar Bills, or Soldier's bounty Certificates, at the rate of Eight Hundred for one, in Specie Certificates of every kind at their Nominal value, with the Interest thereon (such as have been issued by the Board of Commissioners for Settling Army Accounts since the first day of January 1786, excepted) in Currency Certificates as rated by the Act for the Sale of Confiscated property or in final settlement Certificates at their Nominal value, including the Interest thereon.

On reading this Bill for the third and last time in the Senate, it was proposed by Mr. Blount, seconded by Mr. Jones, that it be amended by adding the following Proviso immediately following the above mentioned Clause, Viz: Provided, that the said tax to be collected in Certificates as aforesaid may be discharged by paying one Shilling in the Currency of the State for every —— Shillings Specie Certificates directed to be collected in pursuance of this Act. And that the Money so received into the Treasury in lieu of Certificates as aforesaid shall be reserved and appropriated to the redemption of Certificates and to no other use or purpose whatever.

This amendment being objected to and the question taken thereon was carried in the Negative.

Whereupon, on Motion of Mr. Blount, seconded by Mr. Jones, Ordered that the Yeas and Nays be taken thereon, which are as follows, viz:

For the Amendment—Messrs. C. Johnston, Payne, Reddick, Montgomery, Reddy, Jones, Overton, Benford, Bunn, Harvey, Blount, Willis, Stewart, Williams.—14.

Against the Amendment—Messrs. Dupree, McDowall, Gregory, Robertson, Brickell, Gray, Hunt, Amis, Bryan, Hargett, Graham,
Bloodworth, T. Johnston, McCawley, Gaither, Dougan, Tipton, Macon, Singleton, T. Brown, W. Brown, W. Hill, Humphries, Galloway, Holmes.—27.

Received from the House of Commons the report of the Committee on the Petition of Hugh McDonald;

The report of the Committee on the Petition of Andrew Bass; and a resolution of the House of Commons directing the Comptroller to issue certain Certificates therein mentioned; which were severally read, Concurred with and returned.

Received also the Bill to admit to record certain deeds, Grants & Patents for the Lands heretofore laid off; and the Bill to authorize and enable John Colson to return to this State and exercise the privileges therein mentioned. Each endorsed, read the third time and passed.

Ordered that these Bills be read, which being read each was passed the third and last time and Ordered to be Engrossed.

Received likewise the Bill to repeal part of an Act entitled “an Act for revising and collecting the Acts of the General Assembly of the State of North Carolina.” 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 a Resolution directing the Public Printer to deliver the Laws and Journals intended for the Counties of Fayette District to the Clerk thereof; a resolution in favour of Joseph Leech, Esquire;

And a resolution allowing Thomas Bagge a Sum therein mentioned, which were severally read, concurred with & returned.

Received likewise the Resolution of this House directing the Clerks to deliver to the Governor such resolutions and other papers before this Assembly, necessary for his information; and the resolution directing the Treasury relative to settlements to be made with the Entry taker. Each endorsed, Concurred with.

On motion of Mr. Bloodworth, ordered that Mr. Benford have leave to absent himself from the service of this House after Tomorrow.

Received from the House of Commons the Bill for processioning Lands. Endorsed, read the first time and passed.

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

Received also the Bill to prevent in future the diminution of the public revenue of this State by the neglect of the County Courts. 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 Bill to punish persons guilty of House breaking and Other Crimes. Endorsed, read the second time and passed.

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

Received likewise the report of the Committee appointed to prepare Instructions for the Indian Commissioner. Endorsed, Concluded with; and the following reports from the Committee of Propositions and Grievances, viz:

A Report of the Petition of James Kerr; a report on the Petition of John Devane and Richard Herring; a Report on the Petition of Wm. Delaney, and a Report on the Petition of Mr. N. McLean. Severally endorsed, Concluded with; which being read, each was concluded with by this House and returned.

Received likewise the report of the Committee on the Petition of James Witherspoon;

A report of the Committee on the Petition of Neil Ray;
A Report of the Committee on the Petition of Christopher Reddick;
A Report on the Petition of Robert Alexander;
A Report of the Committee on the Petition of Nathan King;
A Report of the Committee on the Memorial of James Britain;
A report of the Committee on the Memorial of John Arm;
A Report on the Petition of John Ellis;
A report of the Committee on the Petition of David Davis;
A Report of the Committee on the Memorial of Will Moore. Severally endorsed, concurred with; which being read were each Concluded with by this House and returned.

Received likewise a Report of the Committee on the Petition of William Johnston of Montgomery County. Endorsed, Concluded with; which being read was, on motion, rejected; whereupon, it was ordered that the following Resolution be sent to the House of Commons:

Whereas, it has been made appear to the satisfaction of this Assem-
bly by sufficient Testimony, that Thomas Butler, Mark Bennett and James Butler, Justices of the Peace for the County of Montgomery, have been guilty of misdemeanors tending to injure the State and derogatory to the Magistracy which they bear.

Resolved, therefore, That the above named Justices respectively be and they are hereby Suspended from the exercise of their said offices of Justice of the Peace until the end of the next Session of Assembly, or until they shall shew sufficient cause wherefore this Suspension should not be in force. Sent for Concurrence.

Received from the House of Commons the resolution of this House directing the Commissioner of forfeited Estates for the District of Salisbury, to delay the collection of Money for a certain piece of Land by him sold; and the resolution of this House relative to lands sold by the Commissioners of Confiscated Estates in the year 1782. Each endorsed, read and Concurred with.

Also a report of the Committee on the Petition of John Colson, and resolution in favour of Wm. Muzzle, and others, for conveying from Hillsboro' to Fayetteville the papers of the Treasury; which were read, Concurred with and returned.

Adjourned till 4 o'clock To-morrow Morning.

SATURDAY, 6 December, 1788.

The House met.

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

Mr. Speaker, &c.:

We have rejected the report of the Committee relative to Thomas Butler and other Justices for the County of Montgomery, & send for Concurrence a Resolution herewith on that subject.

Received from the House of Commons the Bill for appointing an additional Judge of the Supreme Court for the District of Morgan, and for the relief of Persons who have or may hereafter forfeit their recognizances in the Superior and County Courts. Endorsed, read the third time and passed.

Ordered that this Bill be read; which being read was amended, by consent of the House of Commons, passed the third time and ordered to be Engrossed.

Mr. Williams presented the resignation of John Tilghman, Col.
of the Regiment of Militia in the County of Craven, which was read, accepted and sent to the House of Commons.

On motion of Mr. Johnston, the House resolved,

Whereas, it has been made appear to this Assembly that a Certificate paid by William McRee to T. Bloodworth, Esqr., when district Treasurer, amounted to a considerable Sum more by mistake of the Issuer than the bearer was justly entitled to, and it not being equitable or just that the said Bloodworth should be in the first instance accountable to the State;

Resolved, Therefore, That the Attorney General be and he is hereby required to institute a Suit or Suits in the name of the said T. Bloodworth or any other manner to redress the said Timothy Bloodworth in this particular, as shall seem to him most advisable, and that Mr. Bloodworth give him all necessary information relative thereto.

Sent for Concurrence.

On motion of Mr. Gallaway, seconded by Mr. Hill, the House

Resolved, Whereas, the General Assembly have thought it necessary to appoint five Delegates to go to a Federal Convention for the purpose of taking up the amendments proposed by this State, as well as of the different States, to be adopted into the Constitution proposed for the future Government of the United States;

And whereas, it is necessary should such Convention be called to make provision for the allowance to be made to the Honble. Gentlemen by this General Assembly appointed.

Therefore, Resolved, That His Excellency the Governor, be and he is hereby authorized and directed that upon his receiving official notice of the call of a Federal Convention that he notify the Honble. Gentlemen by this State appointed to attend on that business of the time & place appointed for holding such Convention, and that he draw a Warrant or Warrants in favour of each of the Gentlemen for the same allowance as is given to the Delegates of this State in Congress, for four Months in advance.

Sent for Concurrence.

On motion, resolved, That the Sheriffs of the Counties of Washington, Green, Sullivan and Hawkins be allowed until the last day of April to settle their Accounts with the Treasurer, and that he govern himself accordingly.

Sent for Concurrence.
Received from the House of Commons the following Message:

Mr. Speaker, &c.:

We propose that the General Assembly proceed to ballot immediately for a Judge in the District of Morgan and nominate John Stokes, Esquire; we have appointed Mr. Hill and Mr. Mebane to superintend the balloting.

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

Mr. Speaker, &c.:

We do not agree to ballot immediately for Judge, &c., as by you proposed but will enter on that business at 4 O'clock this evening. We propose that an Attorney for the State for Washington District be appointed at the same time, and nominate W. Sharpe, W. Avery and Reuben Wood. We have added to your nomination for Judge A. Ozborn.

Received from the House of Commons a resolution allowing the public Treasurer a Sum therein mentioned, and a resolution in favour of John Whitney, which were Concurred with and returned.

Received also a report of the Committee on the Memorial of John B. Ashe; which being read, it was ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen:

We have amended the report of the Committee on the Memorial of John B. Ashe, Esqr., and hope you will give your assent thereto.

Received from the House of Commons the Bill to amend the revenue Laws and to continue an Act allowing Salaries to the Governor and other officers of the State, passed in 1787. Endorsed, read the first time and passed.

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

Received from the House of Commons a report of the Committee on the Petition of James Ransome and others. Endorsed, Concurred with; and a resolution respecting the appointment of a Judge to the district of Washington, each of which being read were laid over till the next Assembly.

On motion, ordered that the following Message be sent to the House of Commons:
Mr. Speaker, &c.:  
We have appointed Mr. Brickell to assist in examining the Engrossed Bills.

Received from the House of Commons the Bill to repeal part of an Act entitled "an Act for revising and collecting the Acts of the General Assembly of the State of North Carolina." Endorsed, read the second time and passed. The Bill to punish Persons guilty of Housebreaking and other Crimes. Endorsed, read the second time and passed.

Ordered that these Bills be read, which being read the first was passed the third time in this House and returned, and the latter on motion, laid over till the next Assembly.

Received also the Bill to impower the Commanding officers of the Counties of Washington, Greene, Sullivan and Hawkins, to erect a Station on the North side of the river Tennessee, for the protection of the Inhabitants and to insure safety to travellers on the new Road to the Cumberland Settlements; also to impower the County Court of Moore to lay a tax for repairing the public Buildings of the said County. Endorsed, read the third time and passed.

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

The Speaker laid before the House a Letter relative to a Balance reported against him by the Comptroller. Whereupon, it was

Resolved, That Alex. Martin, Esqr., be and he is hereby allowed until the next Session of Assembly to settle his Account with the public and that the Comptroller and Treasurer govern themselves accordingly.

Received from the House of Commons the Bill to explain the duty of Naval Officers and all Masters of Vessels coming into any of the Ports or Inlets of this State. Endorsed, read the third time and passed. The Bill continuing in force the Law allowing Salaries to the Governor and other Officers of State. Endorsed, read the third time and passed.

Ordered that these Bills be read; which being read each was amended, passed the third time and ordered to be Engrossed.

Received also the resolution of this House relative to Delegates appointed to attend the Federal Convention;

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A Resolution relative to a Certificate paid by William McRee to Timothy Bloodworth, Esq.; a resolution relative to certain justices in the County of Montgomery, and a resolution in favour of Hardy Jones. Severally endorsed, Concluded with.

On Motion of Mr. Johnston, seconded by Mr. Blount,

Resolved, That Hodge and Willis be continued Printers to the State and be allowed the same Salary as last Year, upon their performing Services prescribed by Law.

The Committee to whom was referred the Petition of Timothy Bloodworth, Commissioner of the County of New Hanover for the year 1780, report,

That they have strictly examined the several Matters therein contained and from the several Vouchers adduced to your Committee, corroborated by incontestable Testimony, it appears that the said Commissioner established three posts in the said County for the reception of Specific Tax, Viz: One in Wilmington, one at Rocky Point, and one at Black River, and deputed Mr. David Flowers to receive at the post in Wilmington, Mr. Jacob Williams at Rocky Point, and John Devane on Black River; that the business was conducted with great care and nearly the whole of the tax was collected and lodged at the post in Wilmington; it also appears to your Committee that on the approach of the British Troops under the Command of Major Craigie in 1781, Col. Young then commanding officer, ordered the public stores to be put on board vessels and sent up the North East River, but the British advanced so rapidly that the vessels were not able to keep out of their way and fell into their hands at Beaufort's Bridge and were destroyed, together with a considerable number of Vouchers which were in a trunk on board one of the vessels.

It also further appears that the said Thomas Bloodworth deposited a Sum of Money, which he drew from the public, in the Hands of Mr. Flowers whom he had appointed to settle with the other deputies, and from a long and lingering indisposition of Mr. Flowers the Commissioner has not been able to settle his accounts with the public as it is almost impossible for him to settle without the assistance of Mr. Flowers.

Your Committee are therefore of opinion that the said Commissioner has not delayed settlement through any intention of fraud and that he will in all probability be enabled to make a settlement in a short time to the satisfaction of the public, and beg leave to recom-
mend to the General Assembly to direct the Comptroller not to bring suit against the said Thomas Bloodworth until the setting of the next Session of Assembly.

All which is submitted.

J. KENAN, Ch.

The House taking this report into consideration Concurred there-with.

Received from the House of Commons a Report on the Comptroller's progress and settlement of accounts, and a report on the Petition of John Humphries. Each endorsed, Concurred with; which were read, Concurred with by this House & returned.

Received also the report on the Memorial of the Honbl. J. Ashe. Endorsed, Concurred with as amended by the Senate.

Received likewise the following Message:

Mr. Speaker, &c.:

We agree to ballot as by you proposed, and add to the nomination for State Attorney in Washington, Will Cocke, Esqr.

Adjourned till 4 O'clock p. m.

The House met according to adjournment.

Received from the House of Commons the Bill to prevent the diminution of the public revenue of this State by the neglect of the County Courts. 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.

Received also the Resolutions of this House relative to the Agents appointed for settling the Accounts of this State with the United States; and a resolution allowing the Sheriffs of Washington District a longer time for settling their public Accounts. Each endorsed, read and Concurred with.

Received likewise a Report of the Committee appointed to examine the Accounts of Commissioners of Confiscated property, &c. Endorsed, Concurred with; which being read was, on motion, laid over till the next Session of Assembly.

On motion of Mr. Jones, Seconded by Mr. Gallaway, the House resolved as follows, viz.:

Whereas, it is necessary that the Agents appointed to attend the final settlement of the Accounts of this State against the United States
should be furnished with every document and all the information
that can be obtained to enable them to explain and establish the
Claims of this State;

And whereas, it is also necessary that the said Agents should have
a reward adequate to their Services, and that funds be provided for
the payment of the same.

Resolved, That the said Agents or either of them should have access
to the several public offices in this State for the purpose of obtaining
Information relative to the Claims of the State against the United
States, and the public officers and every of them who have documents
or papers which the said Agents may require for the purpose aforesaid,
are hereby directed to deliver the same to the said Agents or
either of them; or to furnish Transcripts thereof properly certified,
taking receipts for the same.

Resolved further, That the said Agents shall be allowed respec-
tively as is allowed to the Delegates of the States in Congress, for
the time they are going to and attending at New York in transacting
the business committed to them and also for returning, and His Ex-
cellency the Governor, with the advice of the Council, is authorized to
draw warrants on the Treasury for a half year's salary in favour of
the said Agents respectively when it shall be notified to him that the
Continental Commissioners are about to proceed to examine the ac-
counts of the State, on taking their receipts to account.

Resolved, That the Agents aforesaid shall also be entitled to an
allowance, exclusive of their Salaries, for their trouble and services
in procuring documents and Vouchers that may be necessary previ-
sous to their setting out for New York on the business of their Agen-
cy; to be made by the General Assembly when the said Agents shall
exhibit accounts to them for such trouble and service.

Resolved, That the said Agents be directed to lay an account of
their proceedings in the business Committed to them before the Gen-
eral Assembly, and that they state therein such Errors & frauds, if
any, as shall appear to them to have taken place in the Charges or
accounts of the Citizens of this State against the State.

Resolved, That the Honbl. Hugh Williamson, now a delegate in
Congress shall not be entitled to a Salary as Agent until he enters
upon the execution of that office.

Received from the House of Commons the Books of Reports from
the Committee of Claims. Endorsed, Concurred with as amended:
which being read it was ordered that the following Message be sent to the House of Commons:

Mr. Speaker, &c.:

We have received the Books containing the reports from the Committee of Claims with the whole of which we concur as by you amended, except the claims of Sarah Dupree, Jno. Williams and W. Irvin, which it is our opinion ought to be allowed.

Received from the House of Commons the resolutions of this House relative to the Agents on the part of this State to settle Accounts with the United States, and the report of the Committee on the Petition of Thomas Bloodworth. Each endorsed, Concluded with. Mr. Dixon and Mr. Graham on the part of the Senate, and Mr. Hill and Mr. Mobane on the part of the House of Commons, now proceeded to conduct the balloting; which being ended Mr. Dixon reported that John Stokes, Esqr., is appointed Judge for Morgan District, and that William Cocke is appointed Attorney for the State in the district of Washington. This report being taken into consideration of the House was concurred with.

Received from the House of Commons a Report of the Committee on the Petition of the Ex’rs of Arthur Brown, dec’d. Endorsed, Concluded with; which being read, was Concluded with & returned.


Resolved, That Abisha Thomas, one of the Engrossing Clerks, be allowed Ten pounds exclusive of his wages this Session, for his Extra Services in going to the Comptroller’s office and bringing from there the Papers necessary to be laid before this Assembly, and that the Treasurer pay him the same and be allowed therefor in settlement of his accounts with the public.

Received from the House of Commons the Resolution in favour of the Speaker of the Senate, and the following Message:

Mr. Speaker, &c.:

We do not agree to allow the accounts by you proposed in the list of Claims which we had heretofore rejected.

The foregoing being taken into consideration it was ordered that the following Message be sent to the House of Commons:
Mr. Speaker, &c.:

We have concurred with the report of the Committee of Claims as by you amended.

Received from the House of Commons a Resolution in favour of James Moore, and a Resolution requiring the Treasurer to commence Suits against all delinquents in public money; which was read, Concluded with and returned.

On motion of Mr. Blount,

Resolved, That the Comptroller be and he is hereby directed to report to the Succeeding Assembly the Names of the Persons who advanced Money to this State on loan, and amount of the Sums reduced into the present Currency.

Sent for Concurrence.

The resignation of Nathan Williams, a Justice for the County of Johnston, was read and accepted.

Received from the House of Commons a Resolution and report relative to appointing a Board of Auditors in the district of Washington, which were read and rejected.

Received also the resolution of this House directing the Comptroller relative to Loan Office Certificates, and the resolution allowing Isaac Burklaw a sum therein mentioned. Each endorsed, concurred with.

Also a Resolution allowing the Gaoler of the district of Wilmington a sum therein mentioned; which was read, Concluded with and returned.

On motion of Mr. Blount, seconded by Mr. Roddy, the House resolved,

Whereas, it is represented to the General Assembly that a number of persons in the Counties of Washington, Greene, Sullivan & Hawkins are fined Ten pounds each for refusing or neglecting to turn out on the late Indian Expedition under General Martin.

Resolved, That it is the sense of this House that the said fines thus imposed ought to be remitted, and in Case any of the Persons thus fined having paid the same that the fines thus paid shall be refunded by the officer to the Person or Persons who have paid such Fines, respectively.

Sent for Concurrence.

On Motion, Resolved, That Isaac Burklaw be allowed the Sum of
Sixteen pounds 4s for his services in preparing tablets, &c., for the use of the Assembly.

Mr. Roddy laid before the House a representation of the Members of Assembly for the District of Washington, relative to the hardships they are subject to on account of the frequent absence of their Commanding Officer; which was read and laid on the table for the Consideration of the next Assembly.

Received from the House of Commons a resolution of that body on the subject of purchasing Tobacco, which being read was, on Motion, rejected.

Also the resolution of this House relative to fines imposed on persons failing to attend Military duty in a late expedition against the Indians. Endorsed, Concluded with.

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

Mr. Speaker, &c.:

We again beg leave to call your attention to the report of the Committee on Revenue relative to the further purchase of Tobacco for public use, and hope you will give your Concurrence thereto agreeable to our first Message on that subject.

Received from the House of Commons the following Message:

Mr. Speaker, &c.:

We have read the Message of your House again calling our attention to the report of the Committee on Revenue respecting Tobacco. We have again taken that subject under our consideration and think it so essential to the Interest of the State that the report should pass as it first went to the Senate, that we cannot by any means accede to your proposition.

The remainder of this Journal is lost.—Ed.
The several bills passed into laws by a final reading in each house, were now called for and ratified; which being done, it was, on motion of Mr. Gallaway,

Resolved, unanimously, That the thanks of this house be presented to the Hon. Alexander Martin, Esq., Speaker thereof, for his diligent and unwearied attention to public business during the present session.

The business of the session being closed, the house adjourned without day.

ALEXANDER MARTIN, S. S.

By order, S. HAYWOOD, C. S.